

Modern Real Estate Practice in Illinois, 6th Edition
Filmore W. Galaty, Wellington J. Allaway, Robert C. Kyle
Laurie MacDougal, Consulting Editor

Chapter 12 Review Quiz

1. The title to real estate passes when a valid deed is
 - A. signed and recorded.
 - B. delivered and accepted.
 - C. filed and microfilmed
 - D. executed and mailed.

2. The primary purpose of a deed is to
 - A. prove ownership.
 - B. transfer title rights.
 - C. give constructive notice.
 - D. prevent adverse possession.

3. A special warranty deed differs from a general warranty deed in that the grantor's covenant in the special warranty deed
 - A. applies only to a definite limited time.
 - B. covers the time back to the original title.
 - C. is implied and is not written in full.
 - D. protects all subsequent owners of the property.

4. The law that requires transfers of real property ownership to be in writing is the
 - A. parol evidence rule.
 - B. statute of limitations.
 - C. rule of civil procedure.
 - D. statute of frauds.

5. A third party holds title to property on behalf of someone else through the use of a
 - A. devise.
 - B. quitclaim deed.
 - C. bequest.
 - D. deed in trust.

6. In a real estate transaction, who is usually responsible for paying any transfer taxes that are due?
 - A. Buyer
 - B. Seller
 - C. Escrow agent
 - D. Listing agent

7. Title to real estate that is inherited from a person who died intestate is referred to as a
 - A. legacy.
 - B. bequest.
 - C. devise.
 - D. demise.

8. Which document is signed by the owner of the real estate?
 - A. A gift deed
 - B. A trustee's deed
 - C. A reconveyance deed
 - D. A tax deed

9. Which type of deed contains no expressed or implied warranties?
 - A. A bargain and sale deed
 - B. A quitclaim deed
 - C. A warranty deed
 - D. A grant deed

10. Which of the following is *NOT* required for a valid deed?
 - A. Date
 - B. Legal description
 - C. Name of the grantee
 - D. Signature of the grantee

11. Which is *LEAST LIKELY* to be found in a deed?
- A. The signatures of the grantor(s)
 - B. The age of the grantor(s)
 - C. The marital status of the grantor(s)
 - D. The granting clause
12. What is the purpose of the acknowledgment by a notary public on a deed?
- A. To make the deed eligible for recording
 - B. To assure that the title is valid
 - C. To show the genuineness of the grantor's signature
 - D. To prove that the property has not been encumbered
13. Phil owns a one-quarter undivided interest in a parcel of land, and he wants his interest transferred to his sister Elaine. As a general rule, which of the following actions will transfer Phil's undivided interest out of his name?
- A. The redemption from a foreclosure sale
 - B. The making and the signing of a will
 - C. The delivery of the deed during the owner's lifetime
 - D. The acceptance by signature of an offer to purchase
14. A valid will devises the decedent's real estate after the payment of all debts, claims, inheritance taxes and expenses through the
- A. administrator of the estate.
 - B. law of testate succession.
 - C. granting clause established in the will.
 - D. court action known as probate.
15. When the grantor does not wish to convey certain property rights, he or she
- A. must note the exceptions in a separate document.
 - B. may not do so, as the deed conveys the entire premises.
 - C. may note the exceptions in the deed of conveyance.
 - D. must convey the entire premises and have the grantee reconvey the rights to be retained by the grantor.

16. Bill bought acreage in a distant county, never went to see it, and did not use it, although he regularly paid the real estate taxes on it. Larry moved his mobile home onto Bill's property, drilled a well for water, and lived there for many years. Larry may have become the owner of the acreage if he has complied with the state laws regarding
- A. intestate succession.
 - B. adverse possession.
 - C. the statute of frauds.
 - D. the doctrine of prior appropriation.
17. In which of the following situations would a quitclaim deed be the most appropriate type of deed to use?
- A. To convey a marketable title
 - B. To release a substantial real estate interest
 - C. To remove a cloud on title
 - D. To warrant that a title is valid
18. The condemnation of private property for public use is exercised under the government right of
- A. taxation.
 - B. escheat.
 - C. prior appropriation.
 - D. eminent domain.
19. A trespasser built a log cabin in a national park and occupied the structure for over 15 years. That person will never be able to claim the property under adverse possession statutes because
- A. the possession was not "notorious."
 - B. the possession was not "hostile."
 - C. the property was not privately owned.
 - D. the property was not properly fenced.
20. Grantee is to a deed as devisee is to a
- A. trust.
 - B. will.
 - C. estate.
 - D. leasehold.

21. Which statement is *NOT* true about adverse possession?
- A. The person taking possession of the property must do so without its owner's consent.
 - B. The person taking possession must compensate the owner at the end of the possessory period.
 - C. Occupancy of the property must be continuous over a specified period of time.
 - D. The person taking possession may become the owner of the property.
22. Property may transfer upon the death of its owner by all of the following means *EXCEPT*
- A. by devise.
 - B. by dedication.
 - C. by descent.
 - D. by escheat.
23. A deed must be signed by the
- A. grantor.
 - B. grantee.
 - C. grantor and grantee.
 - D. grantee and two witnesses.
24. Normally a deed will be considered valid even if
- A. it is signed by an attorney-in-fact rather than the seller.
 - B. the grantor is not a legal entity.
 - C. the grantor is a minor.
 - D. the grantor did not deliver the deed.
25. In order for a deed to be valid
- A. the grantor must be legally competent.
 - B. the signature of the grantor must be witnessed.
 - C. the deed must be recorded.
 - D. the grantee must sign the deed.

26. The seller conveyed a quitclaim deed to the buyer. Upon receipt of the deed, the buyer may be certain that
- A. the seller owned the property.
 - B. there are no encumbrances against the property.
 - C. the buyer now owns the property subject to certain claims of the seller.
 - D. all of the seller's interests in the property belong to the buyer.
27. Which of the following is *TRUE* regarding a special warranty deed?
- A. The grantor is making additional warranties beyond those given in a warranty deed.
 - B. The grantor retains an interest in the ownership.
 - C. The grantor is warranting that no encumbrances exist against the property.
 - D. The grantor's warranties are limited to the time the grantor owned the property.
28. Which of the following is *NOT* associated with deeds?
- A. Covenant of seisin
 - B. Defeasance clause
 - C. Delivery and acceptance
 - D. Granting clause
29. A single person owned a parcel of land. After the owner's death the probate court determined the distribution of the land in accordance with the states' statutes. This person
- A. died testate.
 - B. died intestate.
 - C. was the devisee.
 - D. was the grantee.
30. Which of the following is an involuntary alienation of property?
- A. Quitclaim
 - B. Inheritance
 - C. Eminent domain
 - D. Gift

31. The type of deed in which the granting clause states "convey and warrant" is a
- A. quitclaim deed.
 - B. bargain and sale deed.
 - C. general warranty deed.
 - D. reconveyance deed.
32. The type of deed in which the grantor defends the title back to its beginning is a
- A. trustee's deed.
 - B. quitclaim deed.
 - C. special warranty deed.
 - D. general warranty deed.
33. The type of deed in which the granting clause states "remise, release, alienate and convey" is a
- A. quitclaim deed.
 - B. bargain and sale deed
 - C. special warranty deed.
 - D. sheriff's deed.
34. A grantor does not wish to be responsible for defects in the title that arise from previous owners but will guarantee the title for the time the grantor has the ownership. What type of deed would the grantor convey?
- A. Bargain and sale deed
 - B. Quitclaim deed
 - C. Reconveyance deed
 - D. Special warranty deed
35. Which activity is an example of involuntary alienation?
- A. Selling a property to pay off debts
 - B. Giving a piece of land to the zoo
 - C. Having a piece of land sold for delinquent taxes
 - D. Letting another person plant crops on an unused portion of a piece of land

36. The clause in the deed that conveys the rights and privileges of ownership is called the
- A. habendum clause.
 - B. appurtenance clause.
 - C. granting clause.
 - D. acknowledgment.
37. Which type of deed can be executed without subjecting the grantor to legal warranties?
- A. Quitclaim
 - B. Bargain and sale
 - C. Trust
 - D. Trustee's deed
38. The deed that "grants, bargains and sells" and implies that the grantor has title is a
- A. special warranty deed.
 - B. bargain and sale deed.
 - C. quitclaim deed.
 - D. trust deed.
39. The deed states that the grantor is conveying all rights and interests of the grantor to have and to hold by the grantee. This is the
- A. acknowledgment clause.
 - B. restriction clause.
 - C. covenant of seizin.
 - D. habendum clause.
40. What will happen to the real estate if the deceased owner did not write a will and has no heirs?
- A. The ownership will pass by devise.
 - B. The ownership will escheat.
 - C. The courts will seize the ownership.
 - D. The ownership will revert to the previous owner.

41. Under the terms of a trust established by a will, the trustee is required to sell the real estate the trust holds. The deed that will be delivered at settlement is a
- A. deed of release.
 - B. warranty deed.
 - C. trustee's deed.
 - D. trustor's deed.

IN ILLINOIS . . .

42. All of the following are required under Illinois law for a deed to be valid, *EXCEPT*
- A. grantee's present address.
 - B. grantor's signature.
 - C. recital of consideration.
 - D. grantee's signature.
43. Which is essential to the validity of an Illinois deed?
- A. Acknowledgment
 - B. Seal
 - C. Delivery
 - D. Probate
44. In Illinois, the words convey and warrant are contained in the granting clause of which type of deed?
- A. General warranty
 - B. Bargain and sale
 - C. Quitclaim
 - D. Reconveyance
45. An Illinois bargain and sale deed is similar to, but less complete in its warranties than, a
- A. warranty deed.
 - B. quitclaim deed.
 - C. reconveyance deed.
 - D. trustee's deed.

46. How is the real estate transfer tax liability in Illinois computed?
- A. In units of \$1,000 at a rate of \$1.00 for each unit or fraction of a unit
 - B. In units of \$500, at the rate of seventy-five cents for each unit or fraction of a unit
 - C. In units of \$100, at a rate of thirty-five cents for each unit or fraction of a unit
 - D. There is no Real Estate Transfer Tax in Illinois.
47. Which best describes proof of payment for transfer taxes?
- A. The Real Estate Transfer Declaration form
 - B. The Exemption Statement required for transfers of real property conveyed by gift or under a tax exemption prior to recording
 - C. The form required for transfers under the Illinois Affordable Housing Act
 - D. A Torrens document, no longer required
48. What is the period of uninterrupted possession required to claim title by adverse possession in Illinois?
- A. 10 years
 - B. 15 years
 - C. 20 years
 - D. 25 years
49. Which type of will is recognized in Illinois?
- A. Holographic
 - B. Nuncupative
 - C. Intestate
 - D. Handwritten and witnessed
50. James died, leaving an estate of \$150,000 in cash and two parcels of real estate. In his final will, James completely disinherited his wife. James is survived by his spouse and one child. If James's wife elects to renounce the will, how much will she receive under Illinois statute?
- A. Nothing; Illinois does not recognize a spousal right of renunciation.
 - B. \$50,000, plus one-third of each parcel of real estate.
 - C. \$75,000 and one half of each parcel of real estate.
 - D. \$150,000 and both parcels of real estate.