

Professors:

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Real Estate Development and Finance  
Spring 2012  
Room: A225  
5:30 – 7:20    Wednesdays

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**REQUIRED COURSE MATERIALS:** Materials for use in class and for possible inclusion on the final examination will be sent to you via e-mail prior to each class as will the reading assignment for the upcoming class.

**ADDITIONAL SUGGESTED READING MATERIALS:** Burke, *Real Estate Transactions* (4<sup>th</sup> ed. 2006). We will use examples out of this book from time to time. Mandelker, *Land Use Law* (5<sup>th</sup> ed. 2003) and Evans, *Alabama Property Rights and Remedies* (3<sup>rd</sup> ed. 2004) are just a few of the available hornbooks and treatises in this area and are provided to you only as suggestions of possible references. You should feel free to consult any other hornbooks that you may find useful.

**SEATING AND ATTENDANCE:** We will follow the Law School's attendance policy. The roster will be passed every day. It is the official record of your attendance. You must sign the roster only for yourself.

**CLASS PARTICIPATION:** Each class member shall be prepared to participate in our discussions and to listen to the remarks of members of the class. We need full and active participation of all persons in the class to make the class successful. We will also be doing some drafting exercises and will need your participation to make that work.

**LEARNING OBJECTIVES:** This course is concerned primarily with concepts and issues involved in the acquisition, development, and financing of real property. One thing we would like to focus on this year is drafting of documents and clauses. As set forth above in class participation, we will give some drafting assignments and ask you to bring the drafted documents class for discussion.

**ASSIGNMENT AND GRADES:** Professors Brown and Monk will each be leading the class on various topics as set forth in the syllabus. If for some reason, one of us is unavailable for the given class we are scheduled to lead, one of the others will either take the lead on that topic, or will send you an e-mail on another topic from the syllabus to be covered that week. Each Professor will assign whatever reading he deems appropriate at least five days prior to the class in question.

Each professor will draft and grade one section of the exam. Each section will account for fifty percent of your final grade.

**GRADE MODIFICATION:** We urge you to participate regularly in class discussions and activities. Students who, in our judgment, make extremely valuable contributions to class may have their final grades raised by one-third of a letter grade.

**FINAL EXAM RULES:** There will be a final examination. The final examination will be a **floating exam** to be completed on or before the last day of Final Exams for Spring 2012. You may use blue books or examsoft to write your answers. We would prefer that the examination be typed.

**OFFICE HOURS:** Neither of us will have office hours, but can be reached for conferences or questions at any of our contact points (e-mail is preferred). If you wish to see any of us at other times, please feel free to schedule a time for such a meeting.

**ADMINISTRATIVE ISSUES:** Students with disabilities are encouraged to register with the Office of Disability Services, 348-4285. You are also invited to see any of us to discuss accommodations and other special needs. These matters should be addressed now, rather than shortly before the exam.

**FINAL EXAMINATION:** Floating Exam due no later than the last day of Final Exams for Spring 2012.

## **SYLLABUS**

Class 1	January 11	Introduction of Teachers, Students, Course and Topics Discussion of the Acquiring Entity (Monk)
Class 2	January 18	Contracts Birmingham Board of Realtors Base Contract Other Types of Contracts (Monk)
Class 3	January 25	Contracts Negotiation of The Deal Specific Contractual Issues on Improved Real Property (Monk)
Class 4	February 1	Remedies and Issues Surrounding Breach of Real Estate Contracts and Landlord/Tenant Law Issues (Brown)
Class 5	February 8	Zoning and Land Use Issues in Real Estate Development (Brown)
Class 6	February 15	Zoning and Land Use Issues in Real Estate Development (Brown)
Class 7	February 22	Easements and Restrictive Covenants (Monk)
Class 8	February 29	Due Diligence and Closing Documents (Monk)
Class 9	March 7	Title and Survey Issues (Brown)
Class 10	March 21	Leasing Issues in Real Estate Transactions (Monk)
Class 11	March 28	Real Estate Finance Issues (Monk)
Class 12	April 4	Condominiums/ILSA/Fair Housing Issues (Monk)

Class 13	April 11	Foreclosure/Bankruptcy/Bad Loans Issues (Brown)
Class 14	April 18	Environmental and Construction Issues in Development (Brown)
Exams	April 25- May 9	