



Building Blocks of Land Law

Estates in Land

- Freehold
- Leasehold
- LPA 1925 S.1(1)
- Def: Rights which a person has to control and use the land

Must be created by Deed - LPA1925 S.54(2) EXCEPT for short leases < 3 yr

Interests in Land

- Mortgage
- Easement
- Profit
- Deed - LP(MP)A1989 S.1
- LPA1925 S.52(1): Requires use of a deed to create or convey legal estate or interest in land
- Legal-LPA1925 S.1(2)
- Legal Proprietary Rights: Bind third parties
- Def: A right which a person has over another's land
- Easements
- Profits
- Covenants
- Mortgage

City of London Building Society v Flegg - The interests of the parents were overreached because the transaction involved two trustees

Equitable Proprietary Rights: Bind third parties EXCEPT the bona fide purchaser for value without notice

LP(MP)A 1989 S.2 estate contracts must be in writing

All non LPA1925 S.1

LPA1925 S.1 Interest Created without Observing All Formalities

Interests Under a Trust

Def: Interest that arise when property is held by one person (trustee) on trust for another (the beneficiary)

Def (Overreaching): Process by which equitable rights that exist behind a trust are removed from the land and transferred to the capital money (purchaser has automatic priority over interest under a trust if the capital money is paid to at least two trustees or a trust corporation) LPA 1925 S.2(1)