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# Real Estate Transactions: Purchase and Sale of Real Property

Publication 00658 Release 20

March 2007

## HIGHLIGHTS

**Release 20 of *Real Estate Transactions: Purchase and Sale of Real Property* includes new Practice Tips throughout the treatise as well as expert discussion of new cases and updates on such topics as:**

- **Auction Sales** (Ch. 1),
- **Capital Region Contract of Sale** (Ch. 8),
- **Broker's Commission** (Ch. 25),
- **Environmental Issues** (Ch. 31A),
- **2006 ALTA Owner's Loan Policies and Endorsements** (Ch. 35),
- **Property Condition Disclosure Act** (Ch. 40),

**Formation of the Contract.** Updates to Chapter 32 include new cases and discussion related to:

- signature or subscription

(§ 32.03[3][e], *Uniland Partnership of Delaware, L.P. v. Blue Cross of Western New York, Inc.*);

- enforcement of contract (§ 32.02[4], *Bowman v. Di Placidi*).

**Property Description, Encroachments and Fixtures; Covenants, Restrictions and Easements.** Updates to Chapter 34 include new cases and discussion related to:

- covenants and restrictions (§ 34.04[1], *Estate of Spiegel v. Estate of Rickey*);
- easements (§ 34.04[2], *Spencer v. Connolly*);

**Title.** Updates to Chapter 35 include new cases and discussion related to:

- hostile possession (§ 35.01[2], *See Ropitzky v. Hungerford and Walling v. Przybylo*);

**Financing.** Updates to Chapter 36 in-

clude new cases and discussion related to:

- financing clauses in contracts (§ 36.01[5], *Louisiana Real Estate Comm'n v. Butler*, *Myers v. Kaynoe and Davis v. Strazza*).

**Breach of Contract of Sale** Updates to Chapter 39 include new cases and discussion related to:

- contractual limitation of seller's liability (§ 39.01[2][a], *Jericho Group, Ltd. v. Midtown Dev., L.P.*);
- retention of down payment (§ 39.02[2], *Tedone v. Success Homes, Inc.*).

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# PURCHASE and SALE OF REAL PROPERTY

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Publication 658 Release 20

March 2007

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