

# REAL PROPERTY OWNERSHIP AND INTERESTS IN INDIANA

## STUDY SHEET

### Summary

Understanding real property ownership requires a knowledge of estates, interests, and the bundle of sticks.

### Top Takeaways

- Real property is land plus real estate plus the bundle of rights, which includes the rights of possession, enjoyment, exclusion, control, and disposition.
- Types of businesses that own real estate:
  - » Sole proprietorship
  - » Partnership
    - General
    - Limited
  - » Corporation
  - » Limited Liability Company (LLC) and Limited Liability Partnership (LLP)
  - » Joint ventures
- Appurtenances in real property are the automatic ownership rights that are the natural consequences of property ownership, such as minerals, water, and air related to a property. These rights run with the property, but can be conveyed separately from the property.
- For a lease to be valid, it must contain specific elements. These include the use provision, legal capacity, consideration, and lease term.
- Commercial Lease Types
  - » Gross lease
  - » Net lease
  - » Percentage lease
  - » Loft lease
- Specific Lien Types
  - » Voluntary
  - » Involuntary
  - » General
  - » Specific
- Types of Government Power
  - » Taxation
  - » Eminent domain
  - » Escheat
  - » Police power
- Government agencies may exercise police power even when it restricts the freedom of its citizens.
- The purpose of taxation is to meet the needs for public works by funding them through a stable source of income that allows many to share the burden.

### Take a look back at your notes for these items:

- Know the difference between a freehold and leasehold estate
- Review the bundle of rights.
- Recognize the difference between joint tenancy and tenancy in common and understand how property owned either way changes hands.
- Review the Lease Terms Cheat Sheet
- Understand the different lien types