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*Sixth
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ASPEN CASEBOOK SERIES

Land Transfer and Finance

Cases and Materials

Sixth Edition

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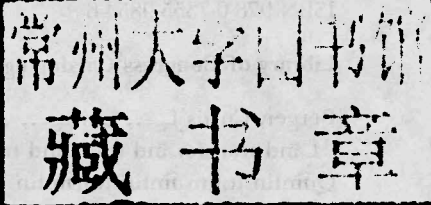
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Preface

The scope and organization of this sixth edition reflect our belief that virtually every real estate transaction draws upon the lawyer's knowledge of relevant contract, financing, taxation, and titles doctrine and upon his or her familiarity with the institutional context of the real estate market. Thus, the book is both doctrinal and institutional — sometimes heavily one, sometimes heavily the other. The sections on finance and title insurance, for example, stress the descriptive, whereas the section on the “contract of sale” reinforces the doctrinal and analytical skills students have been gaining since the first day of law school. We have tried for a balance to suit our own tastes and, we hope, those of other instructors.

We have written this book for a nationwide market, fully cognizant, however, that land law has many local variations. We expect that a teacher may want to key into the text statutes, forms, and even court decisions to illustrate the practice of the community where the students are most likely to work. At the same time, we believe that real estate transactions, like commerce in goods, are undergoing a strong nationalizing influence, and we hope that the book reflects this trend.

As with many casebooks, we are certain that more than one way will be found in which to organize and teach the materials inside. For example, those teaching a two-unit course may decide to assign only Chapters 2, 4 and 5. Those offering an advanced course in land transaction problems may concentrate on Chapters 6 and 7. Other teachers of a basic land transaction course no doubt will find coverage of all seven chapters appropriate, with perhaps selective omission consistent with the teacher's priorities.

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Quintin Johnstone
Marshall Tracht

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