

INTERACTIVE CASEBOOK SERIES

Property

■ A Contemporary Approach ■

SECOND EDITION

John G. Sprankling
Raymond R. Coletta



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THE INTERACTIVE CASEBOOK SERIES™

PROPERTY

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SECOND EDITION

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Preface

This book is designed for you: the twenty-first century law student. Property has been part of the first-year curriculum for decades. Perhaps as a result, property casebooks tend to be somewhat old-fashioned in format and content. You will find that this book is different. It provides a modern approach to the traditional course.

What distinguishes this book?

- It presents the core concepts of property law in a streamlined format that is clear and easy to understand, while maintaining the intellectual challenge of the subject.
- The materials are as engaging and relevant as we could make them. We provide interesting background information about the cases, often in boxes inserted into the text. We also address two areas that are usually omitted from property courses: intellectual property and environmental law.
- And just as today's lawyer uses both physical books and electronic resources, you have access to both the hard copy of this book and an online version.

The online book provides a wide range of resources not found in standard casebooks. Property is a visual subject. You will often understand the material better if you can see a photograph, a map, or a diagram. Accordingly, there are almost 200 points in the ebook where you can click into a visual resource. It also contains a number of audio clips, ranging from popular songs to oral arguments before the Supreme Court. Finally, the ebook is hyperlinked to cases, statutes, law review articles, and other resources in Westlaw, so you can easily read the full text of all cited materials online, as modern lawyers do every day.

A few words about our subject: Property reflects the choices that each culture makes about how to allocate its resources. Its development is a product of—and a catalyst for—the economic, political, and social forces that shape a society. Many of the most challenging issues that we confront as a nation involve property law, such as encouraging economic development, preventing discrimination, protecting the environment, providing affordable housing, regulating land use, taking private property for public use, and using natural resources wisely.

We wish to thank everyone at West—particularly Louis Higgins and Heidi Boe—for sharing our vision that this book and the other texts in the Interactive Casebook Series represent the future of American legal education. We also thank A. Benjamin Spencer, whose book *Civil Procedure: A Contemporary Approach* provided the template for the Series. His advice and counsel have been invaluable.

In preparing the second edition, we were benefited by the insights of other colleagues who teach property. We particularly wish to thank Jerry Anderson, McKay Cunningham, Matthew Downs, Josh Eagle, Michael Gottesman, George Gould, James Grimmelmänn, Maureen Kordesh, John Minan, Mike Mireles, Thomas Mitchell, Ngai Pindell, Eric Priest, Rachael Salcido, David Sandino, Betsy Schmidt, Charles Sheppard, and Judith Wegner.

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We welcome your comments, criticisms, and suggestions. Please write to us at the University of the Pacific, McGeorge School of Law, 3200 Fifth Avenue, Sacramento, CA 95817 or email us at jsprankling@pacific.edu or rcoletta@pacific.edu.

As authors, we own any errors in the text, at least until someone with better title comes along.

JOHN G. SPRANKLING
RAYMOND R. COLETTA

March, 2012

Features of this Casebook

Throughout the book you will find various text boxes on either side of the page. These boxes provide information that will help you to understand a case or cause you to think more deeply about an issue.

For More Information

These boxes point you to resources to consult for more information on a subject.

Food for Thought

These boxes pose questions that prompt you to think about issues raised by the material.

Take Note

Here you will be prompted to take special notice of something that deserves further thought or attention.

What About This?

These boxes provide Westlaw search terms that enable you to find the law of your state relevant to the material in the text.

EYI

A self-explanatory category that shares useful or simply interesting information relevant to material in the text.

See It

These boxes point you to visual information that is relevant to the material in the text.

Hear It

These boxes point you to an audio file that is relevant to the material in the text.

Go On Line

If there are relevant online resources that are worth consulting in relation to any matter being discussed, these boxes will direct you to them.

Make the Connection

When concepts or discussions that pertain to information covered in other law school courses appear in a case or elsewhere in this text, often you will find this text box to indicate the course in which you can study those topics. Here you may also be prompted to connect information in the current case to material that you have covered elsewhere in this course.

Legal Latin

The law is fond of Latin terms and phrases; when you encounter these for the first time, this box will explain their meaning.

Practical Pointers

Here you will find advice relevant to legal practice typically inspired by the actions (or inactions) of legal counsel in the cases or simply prompted by an important issue being discussed.

Special Terms

These boxes explain the meaning of special legal terms that appear in the main text. *Black's Law Dictionary* definitions may be accessed by clicking on the hyperlinked term in the text.

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