

*This is your new
Friedman on Contracts and Conveyances of Real Property*

Now Retitled

Friedman and Smith on Contracts and Conveyances of Real Property

Eighth Edition

**by Milton R. Friedman
and
James Charles Smith**

After eighteen years as editor of Milton Friedman's classic work on real estate conveyancing, Professor James Charles Smith prepared the new Eighth Edition of the now retitled *Friedman and Smith on Contracts and Conveyances of Real Property*. Professor Smith is the John Byrd Martin Chair of Law Emeritus at the University of Georgia and a Fellow of the American College of Real Estate Lawyers.

This new edition continues to deliver essential information and guidance to practitioners in the field of real estate conveyancing. Featuring more than 140 sample forms, clauses, and checklists, *Friedman and Smith on Contracts and Conveyances of Real Property* will continue to guide you in the careful consideration of all issues and options before finalizing a contract, including how to handle unexpected contingencies before they become deal-breakers, and how to avoid drafting ambiguous or incomplete contracts that can lead to delays and aborted deals.

This new edition includes a major reorganization, with the material now divided among 38 chapters for an even more focused treatment of each topic.

Highlights of this new edition include the following:

Married Sellers. Expanded discussion reviewing the various considerations when entering into a contract of sale with married sellers (see section 2:3.1).

(continued on reverse)

Practising Law Institute
1177 Avenue of the Americas
New York, NY 10036
#206208

Misrepresentations by Buyers. New discussion examines a buyer's actionable and non-actionable misrepresentations (see section 8:2).

Adverse Possession and Prescription. New chapter 17 consolidates the discussion of adverse possession. It begins with a review of the purpose of the doctrine, then examines in detail the requisite elements of adverse possession. The discussion also covers the concept of tacking; the element of color of title; the nature of title obtained by adverse possession and marketable title; and the effect of adverse possession on future interests, servitudes, and mortgages. The chapter ends with a discussion of prescriptive easements.

Duration of Covenants. Discussion updated to include the result of a merger of dominant and servient parcels on covenants (see section 22:2.8); the effect on a covenant that is subordinate to a mortgage that is foreclosed (see section 22:2.9); and a release of restrictions by benefitted parties (see section 22:2.10).

Community Association Fees. New discussion examines provisions for community association assessments and fees in contracts of sale (see section 37:5).

SUMMARY OF CONTENTS:

Chapter 1	Contracts of Sale
Chapter 2	Parties to Contracts
Chapter 3	Assignments of Contracts
Chapter 4	Purchase Price and Consideration
Chapter 5	Statute of Frauds
Chapter 6	Standard Clauses in Contracts of Sale
Chapter 7	Property Quality
Chapter 8	Misrepresentations by Sellers and Buyers
Chapter 9	Mortgage Financing
Chapter 10	Existing Mortgages—Continuation After Sale
Chapter 11	Junior Mortgages
Chapter 12	New York Statutory Form Mortgage
Chapter 13	Standard Clauses in Mortgages
Chapter 14	Marketable Title
Chapter 15	Encumbrances
Chapter 16	Encroachments
Chapter 17	Adverse Possession and Prescription
Chapter 18	Risk of Loss and Condemnation
Chapter 19	Easements—Creation
Chapter 20	Easements—Scope and Termination
Chapter 21	Covenants—Creation
Chapter 22	Covenants—Scope and Termination
Chapter 23	Contract Remedies for Buyer Default
Chapter 24	Contract Remedies for Seller Default

Chapter 25	Time for Performance
Chapter 26	Deed Elements
Chapter 27	Deed Execution and Delivery
Chapter 28	Deed Covenants of Title
Chapter 29	Examination of Title
Chapter 30	Bona Fide Purchasers and Notice
Chapter 31	Title Products
Chapter 32	Zoning
Chapter 33	Land Descriptions
Chapter 34	Surveys
Chapter 35	Practical Location of Boundaries
Chapter 36	Closing Process
Chapter 37	Closing Adjustments
Chapter 38	Closing Documents

ABOUT THE AUTHORS:

MILTON R. FRIEDMAN was a well-respected New York real estate lawyer, scholar, and author who passed away in late 1997 after completing work on the Sixth Edition of *Friedman on Contracts and Conveyances of Real Property*. He was 93 years old and continued his work on this treatise until his last day. This treatise is considered a classic treatise on real property law. It was originally published in 1954.

Mr. Friedman had been a partner in the New York City law firm of Parker, Duryee, Zunino, Malone and Carter, and was a member of the Connecticut and New York Bars for over fifty years. After graduation from Yale Law School, he served as law secretary to Judges Learned Hand and Thomas W. Swan of the United States Court of Appeals for the Second Circuit.

His treatise *Friedman on Leases* was originally published in 1974 and is now in its Sixth Edition. It is the leading legal work on the law of commercial real estate leasing.

Mr. Friedman lectured in many educational and professional forums, including the American Law Institute, New York University Law School, Practising Law Institute, Association of the Bar of the City of New York, New York State Bar Association, New York Chamber of Commerce and Industry, New York State Trial Lawyers Association, and other state and local bar associations.

He served as Chairman of the Committee on Real Property Law of the Association of the Bar of the City of New York, was a member of its Committee on State Legislation, Special Committee on Rent Control, and sat on the Advisory Committee—American Law Institute on *Restatement (Second) of Property (Landlord and Tenant)*.

Milton R. Friedman was the husband of the late Dorothy Guiterman Friedman and is survived by his son and daughter-in-law, Alan and Carolyn, of New York City, and three granddaughters.

JAMES CHARLES SMITH is the John Byrd Martin Chair of Law Emeritus at the University of Georgia, where he has taught since 1984. He graduated from Saint Olaf College in 1974 and from the University of Texas School of Law in 1977. He served as a judicial clerk for Judge Walter R. Ely of the U.S. Court of Appeals for the Ninth Circuit in Los Angeles, then practiced as an associate for four years with the firm of Baker Botts in Houston, Texas, specializing primarily in real estate finance, commercial sales of real estate, retail and office leasing, and the formation of real estate partnerships and joint ventures. From 1982 to 1984, he taught at the Ohio State University College of Law.

In addition to this treatise, he is the co-author of four other books: *Property: Cases and Materials*; *Real Estate Transactions: Problems, Cases, and Materials*; *Federal Taxation of Real Estate*; and *Neighboring Property Owners*. He has written numerous articles and book chapters dealing with property, housing, real estate transactions, commercial law, and taxation. He is a Fellow of the American College of Real Estate Lawyers (ACREL) and Department Editor of the ABA magazine, *Probate & Property*. He has run the Boston Marathon five times.

Thank you for purchasing *Friedman and Smith on Contracts and Conveyances of Real Property, Eighth Edition*. If you have questions about this product, or would like information on our other products, please contact customer service at info@pli.edu or at (800) 260-4PLI.

It is described as being written by a practitioner, for practitioners who practice includes real estate contracts and conveyances. It also includes basic forms. Author/Editor: Milton R. Friedman. Treatise Area: Real Property. Georgetown Call #: KF670 .F7 2005. Hello, You can download Friedman on Contracts and Conveyances of Real Property (May 2015 Edition) (Practising Law Institute's Real Property Law Library) book for free, you can downloads as a pdf, kindle, word, txt, ppt, rar and zip. You can also freely print the book. If you want to read online the Friedman on Contracts and Conveyances of Real Property (May 2015 Edition) (Practising Law Institute's Real Property Law Library), we also provide a facility that can be read through your notebook, netbook, ipad, kindle, tablet and mobile phone. Now, please welcome the latest book to offer the What additional property description should be included in deeds. When the merger of a deed increases the liability of both parties. What closing adjustments should be covered in contracts. What buyers and sellers can do to avoid delays in closings. Including case examples that alert you to what can go wrong when contract drafting is faulty, Friedman on Contracts shows you why: Boilerplate remedies provisions in complex deals can create legal traps. Omitting a financing condition can increase a buyer's risk in all-cash contracts. Multiple contracts employed by parties can lead to offer and acc... Packed with sample forms, Friedman on Contracts is your comprehensive guide to every aspect of real estate contracts and conveyances. Product details. Format: Kindle Edition.