

Fundamentals of Property Law

Fundamentals of Property Law

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The Late Ann M. Burkhart

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In memory of Ann M. Burkhart

— **B.B. and T.P.G.**

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Preface

Our intention as editors of this casebook is to provide students with a firm grasp of the fundamentals of the law of real and personal property and to help them enjoy the experience. We do not think the two are mutually exclusive. With these objectives in mind, we have followed four guidelines in preparing the casebook.

(1) Our case selection has emphasized rules that are widely accepted in practice. We have included opinions that adopt a minority view only when they also state the majority position clearly, so that students will not be misled about the current state of the law.

(2) Shorter cases have been preferred over longer ones, and short expositions of the rules have been preferred over treatise-like opinions. We think students should also become familiar with the treatises and law review literature on the subjects raised in the cases. Casebooks are a necessary, but not sufficient, guide to the law.

(3) Many of the cases and notes that follow deal with questions of statutory interpretation. The law of real property is less affected by statutory change than many areas of the first-year curriculum, but learning to understand the role statutes play in our legal system is of vital importance for all students of the law. Notes have been kept to a minimum.

(4) The nature of the law of property is illuminated by many disciplines. We have emphasized no particular discipline in selecting cases, writing notes, or defining problems, but we think that much of the material in the casebook lends itself to a broad approach to the law.

Richard H. Helmholz, Ruth Wyatt Rosenson Distinguished Service Professor Emeritus of Law at the University of Chicago Law School, wrote and edited Chapters 2.I, 3, and 6 of this casebook in its first three editions, and his guidance continues to be felt in this edition.

We dedicate this Sixth Edition to the memory of our co-author and dear friend, Ann M. Burkhardt.

B.B.
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