



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF PRIVATE AND PROPERTY LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
2022_2 POP EXAMINATION

COURSE CODE: PPL422

COURSE TITLE: LAND LAW II

TIME ALLOWED: 3 HOURS

Instruction: ANSWER QUESTION 1 (ONE) AND ANY 3 (THREE) OTHER QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS, WHILE OTHER THREE QUESTION CARRY 15MARMMS EACH)

- 1a. The Governor of Ekiti State – Rotimi Akeredolu SAN, recently issued an order that all cattle herders in Ekiti forest reserves in the state should vacate same within 7 days. This, he attributed to the need to curb the security problems and protect lives and property of all Ekiti residents:
 - i. Discuss the existence or otherwise of statutory backing empowering him to make such pronouncement.
 - ii. Identify the competing interests relating to land ownership, use and/or control in Ekiti forests and how the Land Use Act strikes a balance between these interests.
 - b. Ojo was granted a right of occupancy over a duplex at Golden Scheme II, Aba, Abia State. Using the property as security, he has entered into a mortgage arrangement with Shining Bank Plc. to raise money for his son’s fees. With reference to relevant authorities, advise him on
 - i. the most important requirement of the Land Use Act to validate and/or legalise the transaction.
 - iii. Steps to take in meeting this requirement
 - b. What may the Government may do should Ojo fail to meet requirement?
2. Explain the activities that may be carried out with the following authorisations and the obligations of grantees of same.
 - (a) reconnaissance permit
 - (b) an exploration licence
 - (c) a mining lease
 - (d) a quarry lease and
 - (e) a water use permit

- 3a. Define 'Nigerian content'
- b. Discuss the main measure mandated by a key Nigerian oil and gas statute aimed as a form of palliative for host communities of oil and gas industry exploitation activities and possible gaps in such measure.

4. Discuss the concept of joint tenancy, paying particular attention to its meaning, elements and modes of severance.

- 5a. Mr. and Mrs. Love have been married for 6 years. In those years, they have resided as tenants in Madam Cash's 3 Bedroom Flat with Mr. Love being sole breadwinner and Mrs. Love being a housewife. Mr. Love recently lost his job and resorted to heavy drinking to control his depression. Mrs. Love who has never known lack in her life constantly nags him to go out and find another job as a real man would do. Mr. Love recently started having negative thoughts and fears that if he keeps living under the same roof with Mrs. Love, he could murder her and commit suicide. He has moved out and given his landlord notice of termination of their tenancy. Advise Mrs. Love.

- b. Alhaja Ramotu died leaving her 3 Bedroom twin duplex to her two sons – Taiwo and Kehinde. Each son lived in a wing of the building with his family. Upon completion of burial rites, Taiwo the elder son was granted custody of the title deeds of the property. Unknown to Kehinde, Taiwo borrowed money from Flash Mortgage Finance Ltd and deposited the title deed as security, pledging his own wing of the property if he failed to pay. Taiwo died before completing payment. Kehinde then sought to recover the title deeds from Flash Mortgage Finance claiming the right of *jus accrescendi*. Advise Flash Mortgage Finance.

6. A number of statutory palliatives have been introduced to cushion the devastating effects of petroleum industry activities on host communities. Identify these palliative measures and the extent of their effectiveness.