

**FACULTY OF LAW**  
**END OF SEMESTER EXAMINATIONS - APRIL 2025**

**PROGRAMME: LLB**

**YEAR/SEM: YEAR 2/SEMESTER 2**

**COURSE CODE: LLB 2209**

**NAME: LAND TRANSACTIONS**

**DATE: 2025-04-22**

**TIME: 2:00-5:00PM**

**INSTRUCTIONS TO CANDIDATES:**

1. Read the instructions very carefully
2. The time allowed for this examination is STRICTLY three hours
3. Read each question carefully before you attempt and allocate your time equally between all the Sections
4. Write clearly and legibly. Illegible handwriting cannot be marked
5. Number the questions you have attempted
6. Use of appropriate workplace examples to illustrate your answers will earn you bonus marks
7. Any examination malpractice detected will lead to automatic disqualification.

**DO NOT WRITE ANYTHING ON THE QUESTION PAPER**

## Section A The question is compulsory

### Question 1:

**Busenga** is the second son of the late **Kasane John** who died 2 years ago leaving him with 2 acres of land in Kejo town. The land is currently registered under the name of his father **Kasane John**. Last month, he approached Cash bank for a mortgage but the managers of the bank informed him that it would only be possible if the title is registered in his name. He doesn't know what to do.

Meanwhile, **Busenga's** sister **Cathy**, heard from the neighbours that their step mother **Mrs. Kasane Mary** is trying to sell off some of the land that the **late Kasane** left behind without their consent to a top city investor for an exorbitant price. She fears that she could lose her interest. She wants to safeguard her interests.

On the other hand, **Olam** purchased land from **Keto** last year. Their agreement contained a clause stating that;

*Upon signing this agreement, the seller **Mr. Keto** acknowledges the full purchase price of Ush. 50,000,000/=. The purchaser upon which has an equivocal right to take possession of the land. The seller on the other hand under takes to sign transfer forms for the seller.*

The seller indeed received the full purchase price on 19/1/2024 and the purchaser was able to take possession till date. **Olam** has been chasing after **Keto** to sign transfer forms for him to date to no avail. In fact he saw **Keto** last week and he not only refused to sign the transfer, but also insulted him demanding him for more money. **Olam** is confused and seeks your legal advice.

**Betina** is a PhD student at the University of California. She was recently granted a green card and she is all over the moon about it. She returned to Uganda last week with her American Sweetheart **Miles Davis** to celebrate her luck. She informed her only trusted brother **Benjamin** that she is getting married to **Miles** next week abroad and has no intentions of returning to Uganda. She is also the registered proprietor of land located in Kansanga town which she wants to sale off at the best price but her plans abroad do not afford her enough time to see the transaction through. She seeks advice on how she can achieve her desired remedy.

**Advise the parties on their legal rights and remedies. (25 marks)**

## Section B Choose any one from two questions

### Question 1:

**With aid of relevant authorities, write short notes on all of the following:- (25 marks)**

- a) Remedies for breach of land contract
- b) Difference between Profits apendre and licence coupled with interest
- c) Insurance principle
- d) Termination of leases
- e) Servitude and dominant in easement transactions

### Question 2:

**With the aid of relevant authorities, write short notes on all of the following: (25 marks)**

- a) Covenants and conditions of a lease

- b) Termination of easements
- c) Difference between a lease and a licence
- d) What are the different ways in which a lease maybe created?
- e) Right of mortgagor to sale

## Section C Choose any 2 from 4

### Question 1:

Examine the applicability of the Torrens system of land registration to Uganda's current land regime. (25 marks)

### Question 2:

With use of relevant legal authorities examine the rules that govern legal and equitable interests in land transactions. (25 marks)

### Question 3:

Matia owns Mailo land situate at Plot 50 Block 657 Munyonyo. Apio seeks to acquire ownership of the said land but does not know what steps she must take to ensure that the transaction is viable. You have been recently recruited as a land assistant at KBM Advocates; your senior partner has requested you to write up a legal memorandum advising Apio on the all the necessary stages she must go through to have the desired land registered in her name. (25 marks)

### Question 4:

With reference to relevant authorities, analyse the equitable doctrine of Bonafide purchaser for value and its relevance in land law. (25 marks)