

CHAPTER 1: Property, Ownership, and Its Modifications

Definition of Property:	
1. What is property according to Article 414 of the Civil Code?	Property refers to things that are or may be the object of appropriation, classified as either immovable (real property) or movable (personal property) .
2. What are the three essential requisites for a thing to be considered property?	<ol style="list-style-type: none"> 1. Utility (capacity to satisfy human wants). 2. Individuality and substance (separate and autonomous existence). 3. Susceptibility to appropriation (can be owned or controlled).
3. Can human beings be considered property?	No, human beings cannot be owned or appropriated by others. A rigid distinction is made between persons and things .
4. What is the difference between property and property rights ?	Property refers to the object of the right (e.g., a house), while property rights refer to the juridical relationship a legal person has over the object (e.g., ownership of the house).
5. Can property rights be considered things in a juridical sense?	Yes, property rights can be transmitted and conveyed to others, such as intellectual property rights or incorporeal rights over a thing.
6. What are non-patrimonial rights ?	Non-patrimonial rights are rights that cannot be alienated, transferred, or conveyed, such as political rights (e.g., the right to vote).

Classification of Property	
1. How does Article 414 classify property?	Property is classified as either immovable (real property) or movable (personal property) .
2. What is the significance of classifying property as immovable or movable ?	This classification determines the manner of acquisition, alienation, and disposition of property, as well as the applicable laws and jurisdiction.
3. What are the ten classes of immovable property under Article 415?	<ol style="list-style-type: none"> 1. Land, buildings, roads, and constructions adhered to the soil. 2. Trees, plants, and growing fruits attached to the land. 3. Everything attached to an immovable in a fixed manner. 4. Statues, reliefs, paintings for use or ornamentation. 5. Machinery, receptacles, instruments for industry or works. 6. Animal houses, pigeon-houses, beehives, fish ponds. 7. Fertilizer actually used on a piece of land. 8. Mines, quarries, and slag dumps. 9. Docks and structures intended to remain at a fixed place. 10. Contracts for public works and servitudes over immovable property.
4. What are the four types of immovable property ?	<ol style="list-style-type: none"> 1. Immovables by nature (e.g., land). 2. Immovables by incorporation (e.g., trees attached to land). 3. Immovables by destination (e.g., machinery for industry). 4. Immovables by analogy (e.g., contracts for public works).
5. What is the difference between immovables by nature	Immovables by nature cannot be moved (e.g., land), while immovables by

Real Property Law In A Flash Cards

Daniela Niemeyer



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