PROPERTY AND LEGAL DESCRIPTIONS

Real vs. Personal Property

Land, attachments and the rights that travel with them form real property. Movable belongings are personal property.



LAND

The parcel and associated rights

ATTACHED

Buildings and permanent improvements

MOVABLE

Furniture and other personal belongings

A loose board is personal property. Fasten it into a permanent deck and its relationship to the land changes: annexation. Cut a rooted tree into firewood and the reverse occurs: severance.

PUT IT TO WORK

A freestanding lamp usually leaves with the seller; a built-in cabinet generally remains, subject to the agreement.

EXAM WATCH Physical appearance alone does not settle a fixture dispute. Read the attachment facts and the contract.

REMEMBER **Ask what is rooted, built in, or movable.**

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