

THEMIS MBE REAL PROPERTY PRACTICE EXAM (SAMPLE)

STUDY GUIDE



Prepare with structure. Pass with confidence



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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. A grant says "to A for life, then to B, but if B dies before A, to C." What is C's interest?**
 - A. Vested remainder in C
 - B. Remainder in C
 - C. Possibility of reverter in A
 - D. Executory interest in C

- 2. Which statement about determining when personal property becomes real property is not part of the tests?**
 - A. Annexation
 - B. Adaptation
 - C. Intention of the parties
 - D. Possession duration.

- 3. Which present fee simple is limited by specific conditional language and grants the grantor a right of reentry, not automatic termination?**
 - A. Life Estate
 - B. Fee Simple Subject to Executory Interest
 - C. Fee Simple Determinable
 - D. Fee Simple Subject to Condition Subsequent

- 4. An easement appurtenant is best described as**
 - A. Does not require any parcel to be affected
 - B. Is a temporary interest
 - C. Benefits a person not tied to land
 - D. Benefits a dominant estate and runs with the land

- 5. Severance termination: What effect does severance have on an appurtenant easement?**
 - A. Terminates the easement
 - B. Extends the easement
 - C. Converts to license
 - D. Creates a new easement

6. A comprehensive title search includes which items?

- A. Tax assessment and judgment lien records, as well as the marriage, divorce, and probate records for every named grantor and grantee
- B. Only property deeds
- C. Only mortgage records
- D. Zoning records

7. Real covenant vs equitable servitude: When damages are sought to enforce a covenant, the covenant is a real covenant; when injunction is sought to enforce, it is an equitable servitude.

- A. False
- B. True
- C. Only real covenants can be enforced
- D. Only equitable servitudes can be enforced

8. What is an appurtenant easement?

- A. An easement that burdens the servient estate without benefiting the owner.
- B. An easement that benefits a particular parcel of land (the dominant estate) and runs with the land.
- C. A license to use neighboring land.
- D. An easement that benefits the holder personally.

9. Under the Statute of Frauds, what is required for a deed to be valid?

- A. The transfer of land must be in writing.
- B. The transfer of land must be witnessed by two individuals.
- C. The transfer of land must be recorded with the county clerk.
- D. The transfer of land must be in writing and signed by the grantor.

10. A 'wild deed' is best described as

- A. A deed within the chain of title
- B. A deed that transfers title by gift
- C. A deed recorded but not in a way that provides notice
- D. A deed that is void

Answers

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1. D
2. D
3. D
4. D
5. A
6. A
7. B
8. B
9. D
10. C

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Explanations

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1. A grant says "to A for life, then to B, but if B dies before A, to C." What is C's interest?

- A. Vested remainder in C
- B. Remainder in C
- C. Possibility of reverter in A

D. Executory interest in C

At stake is how future interests are classified after a life estate. When a grant creates a future interest that will take effect only if a condition divests the prior holder, that interest is an executory interest. If it shifts possession from one grantee to another, it's a shifting executory interest. Here, A has a life estate. After A's life, B would take, but there's a condition: if B dies before A, the property goes to C. That condition cuts off B's potential take and transfers the property to C. Since the transfer to C happens by virtue of a future event that divests a prior holder, C holds an executory interest, specifically a shifting executory interest, not a remainder or a reversion.

2. Which statement about determining when personal property becomes real property is not part of the tests?

- A. Annexation
- B. Adaptation
- C. Intention of the parties

D. Possession duration.

When deciding if something has become part of the real property, the main focus is on three factors: how the item is attached (annexation), whether it has been adapted or customized for the property, and the intent of the parties regarding whether it should remain personal property or become part of the real property. Annexation looks at the physical attachment to the land or structure; adaptation considers whether the item is customized to fit and serve the property as a built-in feature; and intent reflects what the parties intended at installation or placement. Possession duration is not part of these tests. How long someone has possessed or used the item does not determine whether it is a fixture. The status depends on attachment, adaptation, and intent. For example, a built-in bookshelf attached to a wall and tailored for the room would be a fixture, while a freestanding dresser, even if it's been there a long time, generally remains personal property.

3. Which present fee simple is limited by specific conditional language and grants the grantor a right of reentry, not automatic termination?

- A. Life Estate
- B. Fee Simple Subject to Executory Interest
- C. Fee Simple Determinable

D. Fee Simple Subject to Condition Subsequent

The present fee simple is limited by conditional language with a right of reentry, not automatic termination, which makes it a fee simple subject to a condition subsequent. In this arrangement the grantor retains the power to reclaim the property if the condition is breached, but the grantee's ownership continues until the grantor actually reenters. The key distinction is that the grantor must take action to retake, rather than the estate automatically ending when the condition occurs. This differs from a fee simple determinable, where the condition ends the estate automatically and the property reverts by operation of law (automatic termination) to the grantor via a reverter. It also differs from a fee simple subject to an executory interest, where upon breach the property shifts to a third party rather than the grantor. And it isn't a life estate, which is ownership measured by the life of a person, not a present fee simple with a back-end right of entry.

4. An easement appurtenant is best described as

- A. Does not require any parcel to be affected
- B. Is a temporary interest
- C. Benefits a person not tied to land
- D. Benefits a dominant estate and runs with the land**

An easement appurtenant is a right that benefits the owner of a parcel of land (the dominant estate) and burdens another parcel (the servient estate). It attaches to the land itself, not to a person, and it runs with the land, so when the dominant estate owner sells or passes the property, the easement stays with the land and benefits the new owner of the dominant parcel. This makes it a long-lasting property interest tied to two parcels, not a temporary right or a personal benefit. The other descriptions don't fit because an easement appurtenant requires both a dominant and a servient parcel and is attached to the land rather than to a person. It's not temporary, and it's not a right that benefits someone who isn't tied to land (that would describe an easement in gross).

5. Severance termination: What effect does severance have on an appurtenant easement?

- A. Terminates the easement**
- B. Extends the easement
- C. Converts to license
- D. Creates a new easement

Severance ends an appurtenant easement because that type of easement is tied to the relationship between two parcels—the dominant estate that benefits and the servient estate that is burdened. When those parcels are severed into separate ownership, there is no longer a single dominant parcel that can benefit from the right, so the easement can no longer operate and is extinguished. It doesn't extend the right, become a license, or create a new easement.

6. A comprehensive title search includes which items?

- A. Tax assessment and judgment lien records, as well as the marriage, divorce, and probate records for every named grantor and grantee**
- B. Only property deeds
- C. Only mortgage records
- D. Zoning records

A comprehensive title search examines more than deeds; it looks for every claim that could cloud title by examining a broad range of public records. Tax assessment records reveal tax liens that must be paid before the owner takes clear title, and judgment lien records show court judgments that can attach to property interests. The inclusion of marriage, divorce, and probate records for every named grantor and grantee helps confirm the correct identity and ownership chain, flags name changes, and uncovers any spousal rights or estate transfers that could affect title. Deeds show transfers of ownership but don't reveal encumbrances, mortgage records cover only certain liens, and zoning records concern use rather than title status. So these records together provide a true picture of what could impact title.

7. Real covenant vs equitable servitude: When damages are sought to enforce a covenant, the covenant is a real covenant; when injunction is sought to enforce, it is an equitable servitude.

A. False

B. True

C. Only real covenants can be enforced

D. Only equitable servitudes can be enforced

The key idea is that the remedy chosen for enforcing a covenant aligns with the type of covenant. A real covenant is a promise that runs with the land and, when breached, is typically enforced with a legal remedy—damages. An equitable servitude is enforceable in equity, usually by an injunction preventing the breach, rather than by monetary damages. So if you're seeking damages, you're enforcing a real covenant; if you're seeking to stop the violation, you're enforcing an equitable servitude. While modern practice can blur lines in some contexts, the traditional rule tested here is that distinction.

8. What is an appurtenant easement?

A. An easement that burdens the servient estate without benefiting the owner.

B. An easement that benefits a particular parcel of land (the dominant estate) and runs with the land.

C. A license to use neighboring land.

D. An easement that benefits the holder personally.

An appurtenant easement is an interest in land that benefits a specific parcel of land (the dominant estate) and runs with the land. This means the right is attached to the ownership of the dominant parcel and passes to future owners, while the burden rests on the neighboring parcel (the servient estate). It is not personal to a person and does not disappear when ownership changes. This distinguishes it from an easement in gross, which benefits a person or entity rather than a parcel of land, and from a license, which is only a revocable permission to use someone else's land.

9. Under the Statute of Frauds, what is required for a deed to be valid?

A. The transfer of land must be in writing.

B. The transfer of land must be witnessed by two individuals.

C. The transfer of land must be recorded with the county clerk.

D. The transfer of land must be in writing and signed by the grantor.

The key idea is that land transfers must be created in a writing, and the person transferring the land (the grantor) must sign that writing. The grantor's signature shows their intent to convey and binds them to the deal. Without the grantor's signature, a written instrument isn't enforceable against the grantor under the Statute of Frauds, even if it's in writing. Recording with a county clerk isn't required for validity—it affects notice and priority, not whether the deed is valid against the parties. Similarly, being witnessed by two people isn't a general requirement for validity of a deed. Delivery and acceptance complete the transfer, but the essential Statute of Frauds requirement is that the deed be in writing and signed by the grantor.

10. A 'wild deed' is best described as

- A. A deed within the chain of title
- B. A deed that transfers title by gift
- C. A deed recorded but not in a way that provides notice
- D. A deed that is void

The essential idea is how recording and notice work with the chain of title. A wild deed is a deed that has been recorded but sits outside the proper chain of title, so it does not provide notice to later purchasers. Even though the deed exists and may be binding between the original parties, someone examining the title later won't be charged with constructive notice of that interest because it isn't connected to the chain. This is why the best description is a deed that's recorded but not in a way that provides notice. It isn't about the deed being a gift, nor about it being void, nor about it being inside the chain of title.

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Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://themismberealproperty.examzify.com>

We wish you the very best on your exam journey. You've got this!

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