II Corpus
A Real security
   1 Volitional real security
      a Concept
      b Classifications
      
      2) Volitional real immovable security ("mortgages")
      
      c) Classifications
         1] Conventional mortgages
            a] Creation
               1} As between the parties
                  a} How to create it
                     1/ Requirements
                        a/ Writing
                        b/ Signed by the mortgagor
                        c/ Statement of (maximum) amount secured
                        d/ Precise and specific description of the property
               2/ Interpretation (what to do with disguised "pignorative" contracts)
            b} Who may create it
            c} On what it may be created
               1/ Already-owned property
               2/ Specifically-identified after-acquired property
            d} What obligations it may secure
               1/ Obligations of the mortgagor
                  a/ Obligations to pay money
                  b/ Other obligations
               2/ Obligations of someone other than the obligor
            2} As against third parties
               1/ Establishing effectivity: recordation
                  a/ The concept
                  b/ What to record
                  c/ In what records to record
d/ The effective moment of “recordation”: “filing”

e/ The consequences of mis-filing (what happens if the mortgage, though filed, is erroneously indexed)

2/ Maintaining effectivity: re-inscription

... 2 Legal real security

... B Personal security (suretyship)

Assignment:

(1) Read:


(b) On re-inscription, CC 3328-29, 3332-36


(2) Work the “Mortgages: Recording” problems at Kilborn’s Website, Problem & Bar Review Supplement, pp. 8-9