

Preface

It has now been thirty-three years since the original volumes of the Real Estate Law and Practice series were published. Real Estate law, in the old law school days, seemed like the one legal area that remained constant. Its principles appeared to stay in place from century to century, and from England to the colonies to contemporary America.

The last thirty-three years have proven that notion wrong. Even as these volumes were being edited, changes in New Jersey Real Estate law were taking place. Those developments were, among others, in the fields of adverse possession, RESPA, marriage, eminent domain and the complexities of environmental law and regulation.

With the sophistication and intricacies of Real Estate practice, attorneys in this area have become more challenged to stay updated and to develop greater reliance on a documentation system, as well as the use of specialists, both lawyers and nonlawyers. Such expert consultations can, for example, be for environmental, taxation, lending, zoning, or development purposes. Complexities have become mandates for more guidance.

The practice of Real Estate law has the longest and most prestigious tradition of any legal discipline. Its roots can be traced to feudal England and even beyond to Roman law. Many of our current terms have Latin origins. “Metes and bounds” originated from “metas and bundas”. A civil contract was a “contractum civiles”. A writ of entry was named “de quibus sur disseisin”. It wouldn’t be a bad idea to return to some of these terms. We may have to since the intricacies of the law in this area continue to bring with them new acronyms and terminology.

These volumes are intended to assist attorneys in navigating this complex sea of New Jersey Real Estate practice. They provide a practical guide and resource on nearly every topic that practitioners may come across in handling real estate transactions in New Jersey. We trust that these books will be helpful in your journey.

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Matthew S. Slowinski

Henry C. Walentowicz

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