



emanuel

# Law in a Flash

## Future Interests

Revised by William P. LaPiana  
New York Law School

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Crownsell owns Frogmore, a fee simple absolute. He conveys it "to Victory VVI, her life, remainder to Henry VII's widow." Henry VII is married to Anne Bolyn. What is Anne Bolyn's interest in Frogmore?

### 130-98 FUTURE INTERESTS

Anne Bolyn has a contingent remainder.

It is contingent upon Anne being married to Henry when he dies, because only then can she be his widow. Because they could divorce before that, or Anne could die, her remainder is only contingent. Being Henry's widow is a condition precedent.

NOTE: Under Restatement (Third) of Property, Anne has a contingent remainder, as interest created is a transferee that is not certain to come into possession; how one characterizes the condition is irrelevant. 85d Prop §§25.2, 25.5.

See Ch. 5 §7, pp. 73-80.

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