

Ways a Servitude Can Be Extinguished

1. Property is destroyed or changed

2. **Confusio** Merger; ownership of multiple tenements become vested into one person's hands.

3. **By expiry** When a servitude has been granted for a stated amount of years.

4. **Death** Usufructus ends with the death of its owner.

5. **Remission** Surrender; by in jure cessio or agreement.

Personal Servitudes; usufructus, usus and habitato

Usufructus The right to use and enjoy the use, fruits and advantages of someone else's property, as long as the character of the property is not changed.

Usus A usufructus without the right to take the fruits; it is limited to the wants of the usuarius and his family.

Habitato The right to use someone else's house

3 Duties of Usufructuary

1. **Promising the owner that the property will be restored when the usufructus ends.**

2. Taking care of the property and not change the character of the building.

3. **The Usufructuary could not alienate the usufruct right.**

Emphyteusius

A grant of full rights of ownership over the land of another in perpetuity or for a long time on the condition that annual rent is paid.



By [kendall lia \(klf.balmaceda\)](#)
cheatography.com/klf-balmaceda/

Not published yet.
Last updated 4th September, 2022.
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