

DROIT PRIVÉ

PRÉCIS

Droit civil

# Les successions Les libéralités

François Terré  
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4<sup>e</sup> édition

ÉDITION  
ENTIÈREMENT  
REFONDUE

DALLOZ

# Droit Civil Les Successions Les Libeacuteraliteacutes Preacutecis

**Christian Jubault**



## **Droit Civil Les Successions Les Libéralités**

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Le destin des générations est ainsi inscrit par nécessité dans le temps. Les œuvres d'une génération forgent le patrimoine transmis par succession à la génération suivante. Le droit des successions et le droit des libéralités étudient techniquement non pas au plan collectif mais dans des rapports individuels le phénomène de la transmission gratuite des biens et des obligations d'une personne au profit de proches que la loi désigne droit des successions ou que la volonté choisit expressément droit des libéralités. Un livre premier examine les conditions de la succession conditions qui s'analysent du côté du défunt preuve du décès date et lieu de décès et du côté des successibles le meurtrier serait par exemple indigne de succéder à sa victime. Un livre second analyse la dévolution de l'option successorale. Les conditions de la succession tant remplies il convient en effet de déterminer qui succède dans les droits et les obligations du défunt l'ordre de dévolution obéit à la loi ou obéit au jeu des libéralités testamentaires donations. Ces dernières permettent de transmettre un bien particulier. Comme la loi elles permettent aussi de transmettre l'option successorale c'est-à-dire le droit même d'accepter ou de renoncer à la succession dans son ensemble. Un livre troisième étudie alors l'exercice de l'option successorale. L'option successorale tant transmise par la loi ou par une libéralité il convient d'exercer l'option successorale. Le successible peut ne rien faire la loi comporte des solutions pertinentes pour gérer les successions non réclamées. Le plus courant est cependant que le successible accepte la succession ou y renonce. L'acceptation transmet le patrimoine activement mais aussi passivement passif qui appelle une attention particulière. Un livre quatrième envisage enfin l'indivision et le partage. Si le défunt ne laisse qu'un seul successible l'exercice de l'option successorale termine la transmission successorale. Toutefois très souvent il y a plusieurs héritiers. L'acceptation de plusieurs ouvre une indivision successorale les biens et les dettes du défunt sont alors détenus indistinctement par les héritiers ce qui demande des règles de gestion sophistiquées. Un partage permet de mettre fin à l'indivision et d'achever le règlement successoral.

## Whispering the Techniques of Language: An Mental Quest through **Droit Civil Les Successions Les Libeacuteraliteacutes Preacutecis**

In a digitally-driven earth where screens reign great and instant conversation drowns out the subtleties of language, the profound techniques and mental nuances hidden within phrases usually move unheard. Yet, set within the pages of **Droit Civil Les Successions Les Libeacuteraliteacutes Preacutecis** a interesting literary treasure pulsing with organic thoughts, lies a fantastic journey waiting to be undertaken. Penned by a talented wordsmith, this charming opus attracts viewers on an introspective trip, softly unraveling the veiled truths and profound affect resonating within the very cloth of each word. Within the emotional depths of this poignant evaluation, we will embark upon a honest exploration of the book is core themes, dissect their captivating writing fashion, and yield to the powerful resonance it evokes strong within the recesses of readers hearts.

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