

Agenda

Identifying, Classifying and Locating Easements

J. Proszek

What *is* and *is not* an easement
Reviewing state law on easements
Creating easements: easements by necessity, easements by use, written easements
Identifying critical distinctions between easements in gross,
easements appurtenant and prescriptive easements
Maintaining easements
Knowing when and how to terminate easements
Obstructing use of easements and determining remedies for obstruction
Acquisition of easements by eminent domain

Acquisition of Easements Across Indian Lands

J. Proszek

Fee land owned by individual Indians
Tribal lands
Allotted lands
Condemnation under 25 U.S.C. §357

Defining Trespass and Adverse Possession

J. Proszek

Defining trespass
Reviewing the history of adverse possession
Maintaining a claim for adverse possession
• Statute of limitations
• Elements of a claim
Defending against a claim for adverse possession
Examining recent adverse possession cases

Locating Land Boundaries on Paper (And on the Ground)

S. Lemke

Interpreting land descriptions
• Metes and bounds
• Lot and block
• Dos and don'ts for writing descriptions
Applying principles of boundary location
• Collecting and evaluating all types of boundary evidence:
documents, physical evidence, people, surveys
• Locating the described land on a map
• Locating the described land on the ground
• Understanding and using geographic information systems (GIS)
Solving land description and boundary location problems

Resolving Boundary Disputes

J. Greenhaw

Types of boundary disputes
• Adverse possession, easements, boundaries
Obtaining and reviewing boundary evidence
Methods for establishing disputed boundaries
Participating in dispute resolution techniques
• Litigation, arbitration, mediation, agreements, title insurance
Examining boundary dispute case studies: exploring techniques for resolving sample disputes

Oklahoma's Dual and Separate System of Water Rights:

D. Couch

Surface and Ground, Appropriation and Riparian
History and development of the riparian and appropriation systems
Attempt to reconcile the systems and Franco result
Current implementation of the systems and access issues
History and development of groundwater rights
Groundwater access issues

Boundaries and Easements
Oklahoma City, OK - Tuesday, June 19, 2018



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Learning Objectives

You'll be able to:

Understand the application of boundary location principles and get tips on interpreting land descriptions.

Outline boundary dispute resolution techniques.

Explore easements by necessity, easements by use and written easements.

Discuss trespass and learn how to maintain a claim for adverse possession.

Examine Oklahoma's dual and separate system of water rights.

Learn about acquiring easements across Indian lands.



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Discuss trespass and learn about maintaining a claim for adverse possession

Understand the application of boundary location principles and learn how to interpret land descriptions

Examine Oklahoma's dual and separate system of water rights

Explore written easements, easements by necessity and easements across Indian lands

Outline boundary dispute resolution techniques

Continuing Education Credits

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Oklahoma Title

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Professional Engineers & Land Surveyors

6.5 Oklahoma PDHs

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James J. Proszek *Shareholder with Hall Estill in Tulsa*
Mr. Proszek practices primarily in the corporate/commercial litigation and telecommunications law areas. He also has extensive experience in the following: landlord/tenant law; condemnation/ eminent domain; right-of-way acquisition and disputes; mortgage foreclosure; representation of tribal housing authorities; litigation involving Indian law issues; and appellate advocacy. Mr. Proszek is an AV-rated attorney through Martindale-Hubbell and was selected as a Best Lawyer in America in communications law. In addition, he is a recipient of the 2010 Oklahoma Bar Association Pro Bono Award. Mr. Proszek is a frequent speaker on telecommunications law and right-of-way issues.

Steven K. Lemke, PLS, PE *Principal, Lemke Land Surveying, LLC*
Mr. Lemke has over 35 years of experience in land surveying and civil engineering. For 24 years he has overseen Lemke Land Surveying out of Norman, Oklahoma. In addition to being a

Seminar Information

**Embassy Suites by Hilton
Oklahoma City Will Rogers Airport**
1815 South Meridian
Oklahoma City, OK 73108
(405) 682-6000

Registration
8:00 - 8:30 am

Morning Session
8:30 am - 12:15 pm

Lunch (On your own)
12:15 - 1:15 pm

Afternoon Session
1:15 - 4:40 pm

Tuition
\$279 for individual registration
\$259 for three or more registrations.

Each registration includes a complimentary continental breakfast and printed seminar manual.

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

- How to Register**
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Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the CD/manual package. You may also send another person to take your place.

professional land surveyor, Mr. Lemke is a professional engineer which gives him unique perspectives when understanding clients’ challenges and addressing project needs. He has had full project management and design responsibilities for municipal, commercial, industrial and residential site development projects and has been a service provider and consultant for a wide range of project types and market sectors.

Joshua C. Greenhaw
Partner with Mee Mee Hoge & Epperson in Oklahoma City
Mr. Greenhaw’s practice is focused on oil & gas and real estate litigation/arbitration, oil & gas and real estate title examination, commercial law/litigation, and real property development. He graduated from the University of Oklahoma in 1997 with a degree in Architecture and, from the University of Oklahoma School of Law with a JD degree in 2001.

Continuing Education Credit Information

This seminar is open to the public. The Oklahoma MCLE Commission has approved it for 8.0 general CLE hours for attorneys. The State Bar of Texas has approved this seminar for 6.5 CLE hours for attorneys.

The Oklahoma Insurance Department has approved this program for 8.0 general continuing education hours for agents/producers.

This seminar offers 6.5 PDHs to Oklahoma land surveyors and 6.5 PDHs to Oklahoma engineers, to whom the subject matter is professionally relevant. Educators and courses are not subject to preapproval in Oklahoma.

The American Association of Professional Landmen has approved this event for 6.5 RL, RPL or CPL recertification credits and no CPL/ESA or ethics credits.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Can’t Attend? Order the CD/Manual Package:
An audio recording of this seminar is available for \$289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Dean Couch *Attorney with GableGotwals in Oklahoma City*
Mr. Couch received his undergraduate degree from the University of Central Oklahoma in 1976 and his J.D. degree from the University of Oklahoma College of Law in 1982. He was staff attorney for the Oklahoma Water Resources Board from 1982 to 1985 and served as its general counsel from 1985 to January 2013, before retirement from the agency. During his time at the Oklahoma Water Resources Board, Mr. Couch served as the Oklahoma member of the legal committees of four interstate stream compacts. He also served as an alternate member for Oklahoma on the Western States Water Council and will continue to serve as the Oklahoma Reporter for the *Water Law Newsletter* of the Rocky Mountain Mineral Law Foundation.

Additional Learning

Webinar Series
Community Solar and Rooftop Solar

- **Community Solar**
Wed., May 2, 2018, 11:00 AM - 2:15 PM CDT
- **Design Your Solar Roof**
Thurs., May 3, 2018, 11:00 AM - 2:15 PM CDT

Complying with Fire and Building Codes

- **Introduction to Fire Protection and Life Safety Design**
Thurs., May 3, 2018, 11:00 AM - 12:30 PM CDT
- **Occupancy Classifications**
Thurs., May 3, 2018, 1:00 - 2:30 PM CDT
- **Means of Egress**
Fri., May 4., 2018, 11:00 AM - 1:00 PM CDT
- **Fire Protection Features and Occupancy Exercises**
Fri., May 4, 2018, 1:30 PM - 3:30 PM CDT

Pavement Design

- **Principles of Pavement Design**
Thurs., May 10, 2018, 11:00 AM - 12:30 PM CDT
- **Flexible Pavement Design**
Thurs., May 10, 2018, 1:00 - 2:30 PM CDT
- **Rigid Pavement Design**
Fri., May 11, 2018, 11:00 AM - 12:30 PM CDT
- **Pavement Drainage and Maintenance**
Fri., May 11, 2018, 1:00 PM - 2:30 PM CDT

Proposal Writing

- Tues., May 22, 2018, 11:00 AM - 3:30 PM CDT

For more information visit:
www.halfmoonseminars.org/webinars/

Registration

Boundaries and Easements

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How to Register	Registrant Information Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip _____ Occupation: _____ Email: _____ Phone: _____ Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____ Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred. () I need special accommodations. Please contact me.
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