

Agenda

Texas Easements J. Stuckey

- Categories of easements
- Affirmative and restrictive easements
 - Private and public easements
- Specific types of easements
- Express and implied easements
 - Easements by deed, dedication, reservation, prescription, estoppel, adverse possession and condemnation
 - Conservation and preservation easements
 - Appurtenant and in gross easements
 - Undefined easements
 - Necessary and permissive easements

Locating Land Boundaries on Paper (And on the Ground) A. Sikes

- Interpreting land descriptions
- Metes and bounds
 - Do's 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
 - Understanding and using geographic information systems (GIS)
- Solving land description and boundary location problems
- Lot and block
 - Locating the described land on the ground

Understanding Riparian and Water Rights A. Campbell

- History and development of riparian rights
- Determining land boundaries near the water line
- Determining access rights to surface waters
- Determining rights to groundwater
- Complying with regulations restricting access to and use of surface water and groundwater

Resolving Boundary Disputes E. Howard

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

Understanding Utility Easements and Rights of Way J. Hodge

- Current law on utility rights of way
- State laws and regulations
- Types of utilities affected
- Electric, water, natural gas, telecommunications, communications
- Basis for and definition of the easement
- Encroachments and interferences
- Condemnation law
- Maintenance
- Current issues involving utility easements

Defining Trespass and Adverse Possession L. Sherlock

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

Boundaries and Easements

Houston, TX - Thursday, June 7, 2018

NON-PROFIT
U.S. POSTAGE PAID
EAU CLAIRE, WI
PERMIT NO. 2016

Halfmoon Education Inc.
PO Box 278
Altoona, WI 54720-0278



Learning Objectives

You'll be able to:

- Get** tips on reading and writing land descriptions.
- Learn** principles of boundary location.
- Understand** distinctions between different types of easements.
- Defend** against claims for adverse possession.
- Comply** with rules regarding access to surface and groundwater.
- Learn** about resolving boundary disputes using techniques such as litigation, arbitration, mediation, agreements and title insurance.



Boundaries and Easements

Houston, TX - Thursday, June 7, 2018



- Understand** when and how to use different types of easements
- Learn** how to define trespass and adverse possession
- Review** Texas riparian and water rights
- Locate** land boundaries on paper and on the ground
- Discuss** utility easements and rights of way
- Resolve** boundary disputes

Continuing Education Credits

- | | |
|-----------------------------------|--|
| Attorneys & Paralegals | Professional Engineers & Land Surveyors |
| 8.0 Texas CLE hours | 8.0 PDHs |
| TBLS: 8.0 Real Estate Law | |
| Texas Escrow Officers | Landmen |
| 8.0 General CE Hours | 8.0 AAPL CE Hours |



Faculty

Joe W. Stuckey *JD, LL.M., PE, RPLS Attorney at Law, Rosharon (Houston Area)*
Mr. Stuckey practices primarily in corporate, real estate, and environmental law, including transactional work and litigation. He has a B.S. degree in Civil Engineering from Texas A&M University and J.D. and LL.M. degrees from the University of Houston Law Center. Mr. Stuckey is admitted to the practice of law in all Texas courts, the U.S. District Court for the Southern District of Texas, the U.S. Court of Appeals for the Fifth Circuit, and the U.S. Claims Court. He is also licensed in Texas as a professional engineer and a registered public land surveyor.

Andrew Lonnie Sikes *PE, RPLS Andrew Lonnie Sikes, Inc., Houston*
Mr. Sikes founded Andrew Lonnie Sikes, Inc., in 1977, offering a broad range of surveying and engineering services, with a special emphasis on land and boundary surveying, as well as aerial mapping. He received his Bachelor of Science and Masters of Engineering degrees in Civil Engineering from Texas A&M University, College Station. Mr. Sikes served on the Texas Board of Professional Land Surveying under three governors and was elected to the board of directors of the National Council of Examiners for Engineering and Surveying (NCEES). In addition to running a regional engineering and surveying firm, he serves the University of Houston as an adjunct instructor of surveying from time to time. Mr. Sikes provides consultation and testimony to clients and their attorneys when there are surveying issues being litigated. He has received numerous awards from ASCE and TSPS for service to the profession of surveying.

Augustus L. Campbell *President & CEO at West Houston Association*
Mr. Campbell is the president and CEO of West Houston Association and is an advocate for better infrastructure, development, and quality of life in 1,000 square miles of Greater West Houston. West Houston Association is a nonprofit

organization that aims to create a better living and working environment for the 1.6 million residents and 600,000 employees in Greater West Houston. Mr. Campbell was previously the assistant city attorney for the City of Houston, and practiced in the areas of water, utilities, construction, and affirmative action programs. He served in the United States Army and received his J. D. degree from Texas Tech University School of Law in 2006.

C. Elaine Howard *Andrews Myers P.C., Houston*
Ms. Howard is a trial attorney focusing on commercial litigation, real estate disputes and employment law. She has handled evictions, lockouts, title and lien priority disputes, foreclosure on real and personal property, Fair Housing Act violations, enforcement of deed restrictions, ad valorem taxes, easements, adverse possession, boundary disputes, and disputes arising out of the acquisition of real property. Ms. Howard has handled hundreds of landlord/tenant disputes primarily but not exclusively on the landlord's side. She has represented lenders and loan servicers in matters involving foreclosures and lending practices. Ms. Howard advises individuals seeking to acquire property about their possible liabilities and consults on the closing documents and indemnification agreements. She received her B.A. degree in Economics, Political Science and Managerial Studies from Rice University (TX) and her J.D. degree, magna cum laude, from the University of Houston Law Center.

Justin Hodge *Johns Marrs Ellis & Hodge, L.L.P., Houston*
Mr. Hodge is a trial lawyer who represents Texas landowners in condemnation, eminent-domain, and real-estate lawsuits. He has handled complex condemnation and eminent-domain cases throughout the State of Texas. Mr. Hodge has appeared in condemnation and eminent-domain lawsuits and he has defended

landowners against the Texas Attorney General's office, pipeline companies, electric transmission line companies, school districts, cities, and counties. He is passionate about Texas property rights. Mr. Hodge has testified on Texas condemnation and eminent domain reform on behalf of Texas landowners in front of both the Texas House of Representatives and the Texas Senate. He also writes a weekly blog at TexasCondemnation.com. Mr. Hodge is currently an adjunct professor at University of Houston School of Law where he teaches a course on eminent domain.

Larry Sherlock *RPLS, Project Manager at Rods Surveying Inc in Houston*
Mr. Sherlock has over 38 years' experience in the land surveying and engineering field. He has been a registered professional land surveyor in the State of Texas since 2001. Mr. Sherlock was a senior at the University of Houston pursuing a B.S. degree in Civil Engineering degree when a survey crew vacancy introduced him to the profession of land surveying. He has experience in numerous areas of surveying including original boundary retracement, ALTA/ACSM Land Title surveys, construction staking, wetlands delineation surveys, design surveys, platting, expert witness testimony, boundary dispute resolution and right-of-way route surveys. He has experience with specialty surveys including interior surveys, subterranean surveys, digital scanning, and hydrographic surveying. Mr. Sherlock's position with RODS focuses most of his energies on TXDOT projects where he is pre-qualified in survey, legal descriptions, parcel plats, design & construction surveys. He is active in the Gulf Coast Chapter of the Texas Society of Professional Surveyors (TSPS), where he has served in numerous officer positions, currently holding the office of past president.

Additional Learning

Webinar Series

Land Description Workshop

- **Land Description Basics**
Fri., Apr. 20, 2018, 9:00 - 10:30 AM CDT
- **Interpreting Land Descriptions**
Fri., Apr. 20, 2018, 11:00 AM - 12:30 PM CDT
- **Writing Land Descriptions**
Fri., Apr. 20, 2018, 1:00 - 2:30 PM CDT

Boundaries and Easements

- **Locating Land Boundaries on Paper (And on the Ground)**
Weds., Apr. 25, 2018, 9:00 - 10:30 AM CDT
- **Physical Evidence and Boundaries**
Weds., Apr. 25, 2018, 1:00 - 2:30 PM CDT
- **Easements: Understanding Possessive Rights in Lands of Others**
Thurs., Apr. 26, 2018, 11:00 AM - 12:30 PM CDT
- **Disputes: Boundaries, Shared Spaces, and Split Estates**
Thurs., Apr. 26, 2018, 1:00 - 2:30 PM CDT

For more information and other online learning opportunities visit:
www.halfmoonseminars.org/webinars/

Seminar Information

Marriott West Loop - By the Galleria
1750 West Loop South
Houston, TX 77027
(713) 960-0111

Tuition

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

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

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

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.

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.

Continuing Education Credit Information

This seminar is open to the public. The State Bar of Texas has approved HalfMoon Education as a CLE provider for attorneys. This course offers 8.0 CLE hours, including no ethics hours. The Texas Board of Legal Specialization has awarded 8.0 hours in the specialty area of Real Estate Law for attorneys and paralegals.

Texas Department of Insurance has approved this course for 8.0 general continuing education hours for escrow officers.

This seminar offers 8.0 PDHs to Texas professional engineers to whom the subject matter is professionally relevant.

The Texas Board of Professional Land Surveying has approved this program for 8.0 professional education hours.

The Association of Professional Landmen has accredited this event for 8.0 RL, RPL or CPL recertification credits and no CPL/ESA or ethics credits.

Attendance will be monitored and reported, as required. 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.

Registration

Boundaries and Easements

Houston, TX - Thursday, June 7, 2018

How to Register	Registrant Information
Online: www.halfmoonseminars.org	Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip _____ Occupation: _____ Email: _____ Phone: _____
Phone: 715-835-5900	Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____
Fax: 715-835-6066	Name: _____ Occupation: _____ Email: _____ Phone: _____
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278	
Complete the entire form. Attach duplicates if necessary.	
() I need special accommodations. Please contact me.	
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.	

Tuition
() **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.
() **I am not attending.** Please send me the CD manual package for **\$289.00**. (S&H included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

Credit Card: *Mastercard, Visa, American Express, or Discover*
Credit Card Number: _____
Expiration Date: _____ CVV2 Code: _____
Cardholder Name: _____
Billing Address: _____
City: _____ State: _____ Zip: _____
Signature: _____
Email: _____