

Agenda

Understanding Utility Easements and Rights of Way

K. Silcocks

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 Maintenance
Condemnation law
Current issues involving utility easements

Defining Trespass and Adverse Possession

K. Silcocks

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

Locating Land Boundaries on Paper (And on the Ground)

W. Coleman

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

Resolving Boundary Disputes

W. Coleman

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

Understanding Riparian and Water Rights

W. Coleman

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

Identifying, Classifying and Locating Easements

J. Harrison

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

Boundaries and Easements

Arlington, TX - Tuesday, July 24, 2018

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Learning Objectives

You'll be able to:

Learn about locating land boundaries on paper and on the ground.

Resolve boundary disputes using techniques such as litigation, arbitration, mediation, agreements and title insurance.

Understand distinctions between different types of easements.

Defend against claims for adverse possession.

Comply with rules regarding access to surface and groundwater.



Boundaries and Easements

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Locate land boundaries on paper and on the ground

Learn how to define trespass and adverse possession

Review Texas riparian and water rights

Understand when and how to use different types of easements

Discuss utility easements and rights of way

Resolve boundary disputes

Continuing Education Credits

Attorneys & Paralegals

8.0 Texas CLE hours
TBLS: 8.0 Real Estate Law,
Administrative Law

Texas Escrow Officers

8.0 General CE Hours

Professional Engineers & Land Surveyors

8.0 PDHs (Engineers)
8.0 CE Hours (Surveyors)

Landmen

7.0 CEUs



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Faculty

Kristina Silcocks *Gardere Wynne Sewell LLP*

As a member of the Government Affairs Practice and Austin Litigation Team at Gardere Wynne Sewell, Ms. Silcocks focuses her practice on civil litigation and government-related matters. She primarily focuses on eminent domain and inverse condemnation, representing both condemning authorities and property owners, having represented clients in over 250 Special Commissioners’ Hearings and in over 25 condemnation and inverse condemnation jury trials. Ms. Silcocks also has extensive experience handling civil litigation, including contract, employment, and tort cases. She is well-versed in other government-related issues, including open records laws, contract procurements, bid protests, environmental disputes and other regulatory issues with a variety of state and local agencies. Prior to joining Gardere in 2011, Ms. Silcocks spent 15 years in the Office of the Attorney General of Texas primarily representing the Texas Department of Transportation, including the last five years as chief of the Transportation Division.

William Coleman *CEO, Coleman & Associates Land Surveying in Denton*

Mr. Coleman is a registered professional land surveyor and a geographic information systems professional, and he is founder of the company. He graduated from the University of North Texas with a B.S. degree in Geography in August 1999. Mr. Coleman serves as adjunct faculty at North Lake College in Irving and North Central Texas College in Corinth. He has been an active member of the Texas Society of Professional Surveyors since 1977 (director, 1989-1992 and 2005- 2008). Mr. Coleman serves on the board of directors of the Geographic and Land Information Society and the GIS Certification Institute. He was elected Denton County Surveyor from 1986 to 1989 and is a member of the Denton County Historical Commission (2011-present). A certified Texas master naturalist, Mr. Coleman serves on the Board of Directors of the Elm Fork Chapter and is involved in many outdoor activities.

Josh Harrison *Senior Associate at Andrews Myers*

Mr. Harrison’s practice is devoted to commercial real estate, corporate and commercial transactions. Prior to joining the firm, Mr. Harrison served as a judicial intern in the Harris County Probate Courts and as a summer associate for a business law firm in Houston, where he worked on various corporate, real estate and creditor’s rights matters.

Seminar Information

The Bob Duncan Center
2800 South Center Street
Arlington, TX 76014
(817) 465-6661

Registration
7:30 - 8:00 am
Morning Session
8:00 - 11:15 am
Lunch (on your own)
11:15 am - 12:15 pm
Afternoon Session
12:15 pm - 5:30 pm

Tuition
\$279 for individual registration
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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.

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.

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 and Administrative Law for attorneys and 8.0 paralegal CLE hours in Real Estate Law.

The 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. Educators and courses are not subject to preapproval.

The Texas Board of Professional Land Surveying has approved this activity for 8.0 continuing education hours.

The Association of Professional Landmen has approved this course for 8.0 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.

Additional Learning

Webinar Series

Solar Photovoltaic Project Design and Development

- **Solar Photovoltaic Project Design and Development Part 1**
Thurs., July 5, 2018, 11:00 AM - 2:15 PM CDT
- **Solar Photovoltaic Project Design and Development Part 2**
Fri., July 6, 2018, 11:00 AM - 2:15 PM CDT

AutoCAD 3D

- **Using Key Commands and Tools**
Part I: Wed., July 11, 2018, 11:00 AM - 2:15 PM CDT
Part II: Thurs., July 12, 2018, 11:00 AM - 2:15 PM CDT
- **Building a Solid Model**
Part I: Wed., July 18, 2018, 11:00 AM - 2:15 PM CDT
Part II: Thurs., July 19, 2018, 11:00 AM - 2:15 PM CDT

Septic Systems Series

- **Onsite Wastewater Treatment Technologies, Regulations and Contaminant Removal**
Thurs., July 19, 2018, 11:00 AM - 12:30 PM CDT
- **Evaluating Sites, Setting Treatment Goals and System Design**
Thurs., July 19, 2018, 1:00 - 2:30 PM CDT
- **Alternative and Sustainable Treatment Technologies**
Fri., July 20, 2018, 11:00 AM - 12:30 PM CDT
- **Management Programs for Onsite Wastewater Treatment Systems**
Fri., July 20, 2018, 1:00 - 2:30 PM CDT

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

Registration

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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)
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