

Agenda

Identifying, Classifying and Locating Easements G. Hansen

- 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

Creating and Managing Highway Rights-of-Way G. Hansen, B. Manning

- Identifying potential rights-of-way
- Rights included in right-of-way
- Landowner rights
- Maintenance of rights-of-way
- Alterations and encroachments

Understanding Utility Easements and Rights of Way G. Hansen, B. Manning

- Current law on utility rights of way
 - Federal laws and regulations
 - State laws and regulations
- Types of utilities affected
 - Electric, water, natural gas, telecommunications, satellite communications
- Nature and scope of the easement
- Encroachments and interferences
- Maintenance
- Environmental issues
- Condemnation law
- Current issues involving utility easements

The Eminent Domain Law B. Manning

- Understanding eminent domain powers
 - Source of eminent domain powers
 - History of the exercise of eminent domain powers
 - Types of eminent domain “takings”
- Condemnation process and procedure
 - Precondemnation offer and negotiation
 - Resolution of necessity
 - Right to take challenges
 - Pre-exchange discovery
 - Expert discovery
 - Final offer and demand
 - Trial
 - Complaint
 - Prejudgment possession
 - Exchange of expert information
 - Settlement discussions
 - Pretrial issues
 - Appeal

Condemnation process for utility and other quasi-public use - How does it differ?
Current issues in eminent domain

Just Compensation – What Does It Really Mean? B. Manning

- Just compensation: valuing the property taken and severance damages
 - Just compensation defined
 - Fair market value
 - Severance damages
 - Project benefits

California Easements, Rights-of-Way,
and Eminent Domain
Sacramento, CA - Tuesday, July 17, 2018



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Learning Objectives

You'll be able to:

- Identify** what is and is not an easement, and distinguish between easements in gross, easements appurtenant and prescriptive easements.
- Define** the rights included in highway rights-of-way, and discuss the rights of landowners.
- Explore** utility rights-of-way for electric, water, gas and telecommunications utilities.
- Understand** eminent domain powers and review the condemnation process.
- Discuss** “just compensation” – what does it really mean?



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- Review** state law on easements
- Learn** how highway rights-of-way are created and managed
- Understand** utility easements and rights-of-way
- Receive** a comprehensive overview of eminent domain law
- Consider** just compensation: valuing the property taken and determining severance damages

Continuing Education Credits

- California Attorneys**
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- California Engineers and Land Surveyors**
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Faculty

Glen Hansen
Senior Counsel at Abbott & Kindermann, LLP

Mr. Hansen litigates disputes involving real estate law, land use, environmental matters, and commercial transactions. He frequently litigates, writes about, and teaches at conferences on easements and boundary disputes. Mr. Hansen graduated *summa cum laude* with a bachelor of arts degree in American Studies from Biola University in La Mirada, California. He earned his law degree from the University of the Pacific, McGeorge School of Law. Among his many interests and community involvements, Mr. Hansen serves as an officer with the Real Property Section of the Sacramento County Bar Association and as a Dispute Resolution Conference pro-tem judge for the El Dorado County Superior Court.

Brian Manning
Partner, Desmond, Nolan, Livaich, & Cunningham

Mr. Manning is a partner practicing in eminent domain, inverse condemnation, real estate, and civil trial and litigation at Desmond, Nolan, Livaich, & Cunningham. DNLC is one of U.S. News & World Reports 2011-2018 Best Law Firms in eminent domain. Mr. Manning has been named a Rising Star in Eminent Domain by Super Lawyers (2013-2018) and has been included in Who's Who In America since 2012 (a national publication established in 1899). He is a member of the Condemnation Attorney's Group. Mr. Manning has a client review rating of "preeminent" on Martindale Hubbell. He primarily represents property and business owners in eminent domain cases. Mr. Manning has represented clients in direct condemnation cases requiring total and partial takes in public projects involving gas pipelines, flood control, water conveyance, transportation, sewer projects, energy transmission, and other public works projects. He has successfully represented clients in fighting the government's right to take the property, and works on a daily basis to ensure DNLC's clients achieve their constitutional right to just compensation. Mr. Manning has handled numerous Court of Appeal cases involving condemnation. In addition to condemnation, Mr. Manning represents individuals and businesses in general real estate matters, including land use and development, easements, purchase and sale agreements, leases, and environmental issues.

Seminar Information

Crowne Plaza Sacramento Northeast
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Continuing Education Credit Information

This seminar is open to the public and offers 6.5 CLE hours to California attorneys. HalfMoon Education is an approved CLE provider in California (Provider No. 8370).

This course offers non-credit continuing education opportunity to California professional engineers and land surveyors. It may qualify for mandated continuing education credit in other states. Refer to specific state rules to determine eligibility.

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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.

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Additional Learning

Webinar Series

- National Electrical Code: Onsite Power Generation and Distribution**
- **National Electric Code: Onsite Power Generation and Distribution Part 1**
Weds., June 6, 2018, 11:00 AM - 2:15 PM CDT
 - **National Electric Code: Onsite Power Generation and Distribution Part 2**
Thurs., June 7, 2018, 11:00 AM - 2:15 PM CDT

- HVAC Series**
- **Heating, Ventilation and Air Conditioning Principles**
Thurs., June 7, 2018, 11:00 AM - 1:00 PM CDT
 - **HVAC System Design Considerations**
Thurs., June 7, 2018, 1:30 - 2:30 PM CDT
 - **Evaluating HVAC Systems and Equipment**
Fri., June 8, 2018, 11:00 AM - 12:00 PM CDT
 - **HVAC System Controls and Techniques**
Fri., June 8, 2018, 12:30 - 2:30 PM CDT

- Introduction to Vibrations**
- **Introduction to Vibrations**
Thurs., June 14, 2018, 11:00 AM - 1:00 PM CDT
 - **Eigenvalues, Eigenvectors and Motion**
Thurs., June 14, 2018, 1:30 - 3:00 PM CDT
 - **Analysis and Test Methods**
Fri., June 15, 2018, 11:00 AM - 12:30 PM CDT
 - **Designing for Vibration and Failure Analysis**
Fri., June 15, 2018, 1:00 - 2:30 PM CDT

- Pedestrians and Bicycle Transport Planning**
- **Introduction to Current Conditions and Trends in Biking and Walking**
Thurs., June 21, 2018, 11:00 AM - 12:30 PM CDT
 - **Engineering and Infrastructure: Design for Walkability and Bikeability**
Thurs., June 21, 2018, 1:00 - 2:30 PM CDT
 - **Developing a Walking and Biking Plan, Part I**
Fri., June 22, 2018, 11:00 AM - 12:30 PM CDT
 - **Developing a Walking and Biking Plan, Part II**
Fri., June 22, 2018, 1:00 - 2:30 PM CDT

- Structural Forensic Engineering**
- **Introduction to the forensic Engineering Process**
Thurs., June 28, 2018, 11:00 AM - 1:00 PM CDT
 - **Causes and Failures and the Forensic Engineering Report**
Thurs., June 28, 2018, 1:30 - 3:30 PM CDT
 - **Forensic Examination of Structures and Use in Litigation**
Fri., June 29, 2018, 11:00 AM - 1:00 PM CDT

For more information visit:
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Registration

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