

Agenda

Locating Land Boundaries on Paper (And on the Ground)

W. Lathrop

What a deed tells us about real property interests and their locations – or doesn't

Common kinds of land descriptions in New Jersey:

- Metes and bounds
- Reference to a subdivision
- Reference to a tax parcel
- "Strip" descriptions
- 3-D descriptions (condominiums, split estates)
- Blanket easements

Reading a description to find evidence of location

The work involved in writing a description

Tying the paper deed to the ground: what is evidence of a boundary?

Why paper and ground may not match

When the paper and the ground don't match: the hierarchy of evidence in descriptions

Summary: elements of a good description

Identifying, Classifying and Locating Easements

J. Grabas

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

Defining Trespass and Adverse Possession

W. Lathrop

Defining trespass

Distinctions between trespass, adverse possession and prescriptive rights

Maintaining adverse claims

- Statute of limitations
- Elements of a claim
- "Lost grant" claims
- Quiet title actions

Understanding Riparian and Water Rights

J. Grabas

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

J. Grabas/ W. Lathrop

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

Boundaries and Easements

Princeton, NJ - Friday, December 14, 2018



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Learning Objectives

You'll be able to:

- Get** tips on reading and writing land descriptions.
- Explore** riparian rights and determine land boundaries near the water line.
- Explore** methods for establishing disputed boundaries.
- Learn** how easements are created, and discuss when and how to terminate them.
- Examine** distinctions between trespass, adverse possession and prescriptive rights.



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- Review** land description and boundary location principles
- Understand** trespass and adverse possession
- Get** tips on creating, maintaining and terminating easements
- Explore** riparian rights and determine land boundaries near the water line
- Discuss** boundary dispute case studies and explore techniques for resolving sample disputes

Continuing Education Credits

- | | |
|---|---|
| Attorneys
8.0 New Jersey CLE Hours | NJ Title Insurance Producers
8.0 CE Hours |
| Professional Engineers
6.5 CE Hours | NJ Professional Land Surveyors
6.5 PDHs |





Wendy Lathrop, PLS, *President and Owner of Cadastral Consulting, LLC*
Ms. Lathrop is licensed as a professional land surveyor in New Jersey, Pennsylvania, Delaware, and Maryland, and as a professional planner in New Jersey. She holds a master's degree in Environmental Policy, and has been involved in surveying since 1974 in projects ranging from construction to boundary to environmental land use disputes. Ms. Lathrop is also a certified floodplain manager through the Association of State Flood Plain Managers (ASFPM). A former adjunct instructor at Mercer County College in New Jersey, she has also taught as part of the team for the licensing exam review course at Drexel University in Pennsylvania. Ms. Lathrop has been teaching seminars for surveyors since 1986 and has been writing articles for surveyors since 1983. She is a contributing editor for *The American Surveyor* magazine, and she has four articles included in the American Bar Association's text, *Land Surveys: A Guide for Lawyers and Other Professionals*. She and Stephen V. Estopinal, PLS, PE co-authored a book entitled *Professional Surveyors and Real Property Descriptions: Composition, Construction, and Comprehension*, published by John Wiley & Sons, Inc. in 2011. She is also on the faculty of GeoLearn, a web-based educational provider. Ms. Lathrop is a past president of the New Jersey Society of Professional Land Surveyors and of the National Society of Professional Surveyors, and she has served on the Board of Directors for the American Association for Geodetic Surveying.



Joseph A. Grabas, CTP, NTP
Mr. Grabas is the award winning author of *Owning New Jersey: Historic Tales of War, Property Disputes & The Pursuit of Happiness*. He has been designated as a certified title professional by the New Jersey Land Title Association and recognized as a national title professional by the American Land Title Association. During his 40 years in the title industry, Mr. Grabas has performed extensive title research in five states, all 21 counties in New Jersey, the records of the New Jersey State Archives, and the East and West Jersey Board of Proprietors. During that time he has researched, examined and/or insured over 100,000 land titles. He has been called upon to conduct complex title research for the New Jersey State Attorney General, the US Fish & Wildlife Service, the New Jersey Department of Transportation, the New Brunswick Parking Authority, the County of Middlesex, Rutgers University, the US Department of Defense, Conoco-Phillips, BP, Citgo, Northrup Grumman and others. Mr. Grabas has been accepted as a qualified expert by the New Jersey Superior Court in matters regarding real property records, title research, title insurance and conveyancing. He owned and operated a successful title agency for 31 years and formerly owned and operated the largest title search company in the state. Mr. Grabas is a licensed title producer and certified title insurance instructor by the New Jersey Department of Banking and Insurance. As one of the founding trustees of the New Jersey Land Title Institute, he instructed the title insurance pre-licensing education course at Rutgers University, Drew University and Bloomfield College. In 2008, Mr. Grabas founded the Grabas Institute for Continuing Education, LLC, and is authorized by the New Jersey Supreme Court, NJDOBI, New Jersey Real Estate Commission, Pennsylvania Department of Insurance and the Pennsylvania Supreme Court to provide continuing professional education to the title, legal, real estate & insurance fields. He was appointed in 2012 to serve on the New Jersey State Tidelands Council. Mr. Grabas serves on the ALTA Education Committee and is a past president of the New Jersey Land Title Association and a visiting lecturer at Monmouth University.

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Additional Learning

- Webinar Series**
- Roadway Design**
Thurs., Nov. 29, 2018, 11:00 AM - 12:30 PM CST
 - Roadway Design Process**
Thurs., Nov. 29, 2018, 1:00 - 2:00 PM CST
 - Typical Roadway Sections and Alignment**
Fri., Nov. 30, 2018, 11:00 AM - 1:30 PM CST
 - Intersections, Drainage and Pedestrian-Bicycle Facilities**
Fri., Nov. 30, 2018, 2:00 - 3:30 PM CST
- Residential Energy Code**
- Introduction to the Residential Energy Code and Mandatory Requirements**
Thurs., Dec. 6, 2018, 11:00 AM - 12:30 PM CST
 - IECC Residential Building Envelope Requirements**
Thurs., Dec. 6, 2018, 1:00 - 2:30 PM CST
 - IECC Residential HVAC Requirements**
Fri., Dec. 7, 2018, 11:00 AM - 12:30 PM CST
 - International Energy Conservation Permit Pathways**
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Registration Boundaries and Easements

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