

Agenda

Boundary Law Understanding basic principles of boundary law • Determine the intent of the grantor • Follow the steps of the original surveyor Evaluating boundary evidence • Legal descriptions, natural monuments, artificial monuments, adjoining boundaries, surveys, maps, statements and testimony Resolving boundary disputes	A. Smith
Accommodating Surface Use and Mineral Rights History and development of severed mineral rights Rights to mineral access and development Entering into surface use agreements Resolving disputes between mineral and surface owners	A. Smith
Land Use Law Understanding land use law • Comprehensive planning • Zoning • Traffic/parking Handling land use approvals • Plats • Variances • Interpretations/appeal of staff decisions • Administrative appeals • Subdivision platting • Restrictive covenants/deed restrictions • Nuisance • Re-zoning, including PUD, PD, SUP, CUP • Special exceptions • Litigation	J. Vinson
Eminent Domain and Condemnation Law Understanding eminent domain powers • Source of eminent domain powers • History of the exercise of eminent domain powers • Types of eminent domain “takings” Participating in the condemnation process Appealing a condemnation decision Understanding regulatory “takings” and inverse condemnation	C. McFarland
The Law of Easements Understanding the legal concept of easements • Types of easements: easements in gross and easements appurtenant Creating easements • Express and implied Terminating easements Understanding conservation easements	J. Stuckey
Ethical Issues in Land Transactions and Development Preventing conflicts of interest Exercising professional judgement and the appropriate standard of care Acting within the scope of experience/expertise	C. Wilson

Texas Land Laws for Engineers and Surveyors

Interactive Webinar - Wednesday, July 22, 2020



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Learning Objectives

You'll be able to:

- Evaluate** boundary evidence and resolve boundary disputes.
- Understand** mineral rights access and learn about surface use agreements.
- Discuss** eminent domain, including regulatory “takings” and inverse condemnation.
- Examine** land use law, and learn how to handle land use approvals.
- Identify** different types of easements, and examine procedures for creating and terminating them.
- Understand** how to exercise professional judgement and the appropriate standard of care in land development matters.



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Live, Interactive Webinar - Wednesday, July 22, 2020



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| Examine principles of boundary law | Review eminent domain law and the condemnation process |
| Get tips on accommodating surface land use and mineral rights | Learn about different types of easements, and how to create/terminate them |
| Understand comprehensive planning, subdivision platting, and zoning | Discuss ethical issues in land transactions and development |

Continuing Education Credits

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| Texas Professional Land Surveyors:
8.0 Continuing Education Hours, Including 1.0 Rules/Ethics Hour | Texas Professional Engineers
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Faculty

Audra B. Smith *Attorney & Founder at Audra Smith Law, El Campo, TX*
Ms. Smith is an attorney based in Wharton County, Texas. Her practice focuses on a wide variety of agricultural issues, especially those involving cattle. She additionally spends a significant portion of her time on oil and gas title examination, farm and ranch transactions, and real estate litigation. Ms. Smith also assists clients with estate planning, probates, and business planning needs. Ms. Smith is a graduate of El Campo High School. She received her bachelor of science degree in Agricultural Science from Texas A&M University in 2009, and received her doctor of jurisprudence degree from South Texas College of Law in 2014. She was admitted to the State Bar of Texas in 2014 and is also admitted to the Southern District of Texas. Ms. Smith is a member of the Wharton County Bar Association, formerly serving as president, and she is a member of the Texas Bar College.

Jonathan G. Vinson *Attorney & Partner at Jackson Walker, Dallas, TX*
Mr. Vinson focuses his practice on all areas of land use, including representation of a wide variety of developers, property owners, and corporate, non-profit and individual clients in zoning, planning, municipal law, and economic development incentives matters. His practice includes representation before city councils and planning and zoning commissions on zoning changes, special use permits, and planned development districts, including “form-based” zoning and mixed-use projects, and before boards of adjustment on variances and special exceptions. He also counsels clients with regard to land use entitlements and permitting issues, land use due diligence, and a very wide variety of other land use and municipal law issues. Mr. Vinson enjoys working on a wide variety of land use and municipal law issues. He especially enjoys the challenges and complexities of development and redevelopment projects in denser settings, especially mixed use and higher density multifamily projects.

Webinar Information

Log into Webinar 7:30 - 8:00 am CDT	Break 12:30 - 1:00 pm CDT
Morning Session 8:00 am - 12:30 pm CDT	Afternoon Session 1:00 - 5:00 pm CDT

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Charles McFarland *Attorney & Principal at McFarland PLLC, Houston, TX*
Mr. McFarland has extensive experience representing landowners whose private property is taken by the government for public use. His primary focus is highway and road widening projects impacting retail, commercial, industrial, and special-use properties. He is a frequent speaker, panelist, and author on topics relating to eminent domain and condemnation law and is the Texas member of Owners’ Counsel of America, an invitation-only national network of leading eminent domain and property rights attorneys.

Joe W. Stuckey *Attorney at Law, Rosharon (Houston), TX*
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 L.L.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.

Charlie Wilson *Attorney at Baker Moran, Plano, TX*
Mr. Wilson is an associate with Baker Moran. He represents electric utility companies, pipeline companies, cities and landowners in all facets of the right of way acquisition, from the initial negotiations through litigation. Mr. Wilson also represents parties to real estate transactions and property disputes involving fraud, breach of warranty, property damage, negligence, nuisance, trespass and other property-related matters.

Continuing Education Credit Information

This webinar is open to the public and is approved by the Texas Board of Professional Engineers and Land Surveyors for 8.0 continuing education hours. It contains 1.0 hour of ethics content.

This course offers Texas professional engineers 8.0 PDHs, including 1.0 ethics hour. Educators and courses are not subject to preapproval.

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Additional Webinars

Land Description Systems

A Two-Day Webinar Series
Tuesday, July 21, 2020, 11:00 am - 2:15 pm CDT
Friday, July 24, 2020, 11:00 am - 2:15 pm CDT

Agenda Highlights:
Working with Metes and Bounds Descriptions
Working with the U.S. Public Land Survey System (PLSS)
Statutory Plats in Land Survey States
Describing Rights to Access Land

Presented by
J Cole Helfrich *Craig R. Knoche & Associates, P.C.*

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