

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 Maryland
 - 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 paper and ground don't match: The hierarchy of evidence in descriptions

Complying with Rules of Professional Conduct R. Kelly

- Sealing of documents
- Standards for responsible charge of engineering work
- Unauthorized practice of engineering
- Complying with professional codes of conduct under Maryland law

State and Federal Site Contamination Law R. Lutz

- Avoiding environmental liability in property development
- Federal and Maryland environmental requirements and protections in developing real estate
- Environmental liabilities and protections in surveying
- Environmental liabilities and protections in land development

Land Use Law C. Longmore

- Understanding land use law
- Governmental power and authority to zone
- Governmental bodies with the power to zone
- Comprehensive land use planning
- Finding existing land use laws and regulations
- Seeking zoning variances or rezoning
- Participating in zoning administrative appeals
- Participating in land use litigation

Eminent Domain and Condemnation Law R. Holzheimer J. Wilburn

- 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

Legal Issues for Maryland Civil Engineers and Surveyors

Live, Interactive Webinar - Thursday, May 20, 2021

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Learning Objectives

You'll be able to:

Explore common kinds of land descriptions in Maryland.

Discuss the hierarchy of boundary evidence that determines boundary location.

Comply with rules that require the sealing of documents and that prevent the unauthorized practice of surveying or engineering.

Review environmental protections and liabilities that affect surveying and land development.

Understand land use regulations and their application.

Examine eminent domain law, and participate in condemnation hearings.

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Interpret land descriptions

Locate land boundaries

Comply with rules of professional conduct

Review environmental protections and potential liabilities

Understand land use law

Explore eminent domain and condemnation law

Continuing Education Credits

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6.0 Maryland PDHs,
Including 1.0 Ethics Hour



Faculty

Wendy Lathrop, PLS, CFM is the president and owner of Cadastral Consulting, LLC. She 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. She is a contributing editor for *The American Surveyor* magazine, has four articles included in the American Bar Association’s *Land Surveys: A Guide for Lawyers and Other Professionals*, and co–authored *Professional Surveyors and Real Property Descriptions: Composition, Construction, and Comprehension* with Stephen V. Estopinal, PLS, PE. Ms. Lathrop is a past president of the New Jersey Society of Professional Land Surveyors and the National Society of Professional Surveyors.

Robert N. Kelly is a director at Jackson & Campbell, P.C. in Washington D.C. His practice has concentrated on the counseling and defense of clients in litigation arising out of construction defect and delay claims, professional liability claims, environmental and toxic tort disputes and pharmaceutical product liability claims. He also assists insurance companies in resolving coverage questions arising under general liability policies, and he represents insurers in coverage litigation. Mr. Kelly speaks and publishes frequently on litigation and insurance coverage topics. He authors and provides annual updates to the chapters on District of Columbia law in the *Tort Law Desk Reference* and the *Product Liability Desk Reference*. He has been appointed a fellow of the American Bar Foundation and has received the “SuperLawyer” designation for Washington, DC, in the field of professional liability defense.

Randall M. Lutz is of counsel to Pessin Katz Law, P.A, where he brings more than three decades of extensive experience in environmental law. He focuses his practice in brownfield redevelopments; environmental permitting and compliance, including counseling clients on regulatory issues with state and federal environmental agencies; litigation of environmental claims; and environmental enforcement defense. He has substantial experience in land use and the energy industry. Prior to reentering private practice, Mr. Lutz served in various public positions, including working for the U.S. Environmental Protection Agency and the state of Maryland’s Attorney General’s Office. He has been listed as one of the Best Lawyers in America for Environmental Law and Environmental Litigation consecutively since 1995. He has been environmental counsel on many of Maryland’s biggest development projects.

Christopher T. Longmore is an attorney and partner at Dugan, McKissick & Longmore, LLC. His practice includes complex civil litigation, zoning/land use and related real estate matters, and estate planning and administration. His litigation practice focuses primarily on business and partnership disputes, construction-related contract disputes, and other real estate related matters, including boundary disputes, adverse possession claims and quiet title actions. Mr. Longmore routinely appears before local county planning commissions and boards of appeal to assist clients in zoning and land use matters, including critical area variances, conditional uses, administrative appeals, and other development related issues. He also represents clients in personal injury matters and leads the collections practice.

Richard Dean Holzheimer, Jr. is a partner at McGuireWoods Consulting. He has experience in business litigation matters, eminent domain, government contracting, intellectual property, products liability, healthcare, and land use. He has litigated cases throughout the United States with experience in the state and federal courts of Maryland, Virginia, and Washington, D.C. Mr. Holzheimer has represented clients in all aspects of the construction industry including owners, contractors, subcontractors, and design professionals. He has represented various energy clients on their litigation matters. Mr. Holzheimer also completed a secondment as in-house counsel for a Fortune 500 energy company where he handled condemnation, litigation, and real estate matters.

John D. Wilburn is a partner at McGuireWoods Consulting, where he concentrates his practice in construction, land use, and eminent domain litigation around the country. He regularly litigates complex and challenging land use and development issues for a variety of clients, including private developers, lenders, and several municipalities and government entities. He has litigated hundreds of eminent domain matters for utility companies, municipalities, and landowners in Virginia, Maryland, Pennsylvania, and West Virginia. In addition, Mr. Wilburn represents all major constituencies in building-related projects and litigates a variety of construction matters. He also has substantial experience in a wide range of complex business litigation matters and has served as lead counsel to defend several high-stakes commercial claims for business and financial service clients.

Webinar Information

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