Agenda

Identifying, Classifying and Locating Easements *T. Sowecke*
- 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

A Primer on Rights of Way and Easements in Indian Country *T. Sowecke*
- *McGirt* and tribal sovereignty
- Review of various ownership classifications in Indian Country
- Obtaining easements in Indian Country
- Condemnation in Indian Country

Understanding Riparian and Water Rights *K. Davis-Maddy*
- 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
- Alterations and encroachments

Eminent Domain Law *N. Atwood*
- Understanding eminent domain powers
  - Source of eminent domain powers
  - History of the exercise of eminent domain powers
  - Types of eminent domain "takings"
- Just compensation: valuing "taken" property
- Privatization of eminent domain and other current issues

Participating in the Condemnation Process *N. Atwood*
- Condemnation process for government use
- Hearing and right of appeal
- Valuing the property taken
- Condemnation process for utility and other quasi-public use

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Oklahoma City, OK or Online - Tuesday, November 9, 2021

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Learning Objectives

You'll be able to:

Distinguish between easements in gross, easements appurtenant and prescriptive easements.

Maintain easements, and learn when and how to terminate them.

Learn about obtaining easements and rights-of-way on lands in Indian Country.

Define access rights to surface water and groundwater in Oklahoma.

Explore the ability of the government to exercise its eminent domain powers for public and quasi-public use.

Discuss just compensation for property taken by condemnation.

Live, In-Person Seminar and Live Webinar

Oklahoma Easements, Riparian Rights, and Eminent Domain

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Learn how easements are created by necessity, by use, and in writing

Discuss remedies for obstructing use of an easement

Get a primer on rights-of-way and easements in Indian Country

Determine access rights to surface water and groundwater

Define eminent domain powers

Determine just compensation for property taken by condemnation

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Faculty

Tim Sowecke *Crowe & Dunlevy*
Mr. Sowecke is an associate in the firm's Oklahoma City office and is a member of the Energy, Environment & Natural Resources and Real Estate Practice Groups. He is admitted to practice in federal and state courts in Oklahoma and Wyoming. Mr. Sowecke's environmental practice includes state and federal permitting, licensing and compliance matters relevant to pipelines, oil and gas operations, residential and commercial real estate development and agricultural operations. He has a comprehensive understanding of federal environmental regulatory law, specifically compliance and agency enforcement issues pertaining to the Pipeline and Hazardous Materials Safety Administration (PHMSA), Resource Conservation and Recovery Act (RCRA), National Environmental Policy Act (NEPA), Endangered Species Act (ESA), Clean Water Act (CWA) and Section 106 consultations under the National Historic Preservation Act (NHPA). Mr. Sowecke takes great pride in providing regulatory guidance for his clients so that they can make informed business decisions.

Kaylee P. Davis-Maddy *Attorney, Doerner, Saunders, Daniel & Anderson, Oklahoma City*
Ms. Maddy is an accomplished lawyer specializing in the commercial, healthcare, environmental and water law sectors. Although primarily a litigator, her practice is full service—assisting her clients and their needs that span the employment, commercial, real property, regulatory and administrative fields. Ms. Maddy is an accomplished water attorney, regularly assisting clients in asserting, obtaining and protecting their water and other property rights through negotiation, in court and at state agencies. Her clients include small and large municipalities, corporations, landowners and family farmers.

Nick Atwood *Ritchie, Rock, McBride & Atwood*
Mr. Atwood grew up in Shawnee and is a 1997 graduate from Shawnee High School. He received his bachelor of science degree from Saint Mary's University in May 2001. He received his Juris Doctor from Oklahoma City University School of Law in May 2008. Mr. Atwood was admitted to practice law before all Oklahoma state courts in September of 2008. Mr. Atwood's practice is focused on general civil litigation, property law, eminent domain law, business law, municipal law, estate law, employment law, family law, and tribal law. He is licensed to practice in the Oklahoma State Courts and in the United States District Court for the Western District of Oklahoma. Mr. Atwood held the position of Deputy General Counsel for Oklahoma Governor Brad Henry. While in the Governor's General Counsel Office, Mr. Atwood was responsible for administrative rules; reviewing all clemency, pardon, parole and revocation requests; assisting with all tribal compacting; drafting executive orders and proclamations; and working on appointment qualifications, contract reviews, legislation analysis, and litigation. After serving in Governor Henry's administration, Mr. Atwood moved to the Oklahoma Department of Transportation. He represented ODOT in eminent domain actions, property ownership and title issue across the State of Oklahoma. In 2010, he was selected by the American Council of Young Political Leaders for a United States Delegation to Turkey. Mr. Atwood is the 2018 Drive-Chair for the Pottawatomie County United Way. Additionally, he is a member of the Pottawatomie County Bar Association, Shawnee Chamber of Commerce, Shawnee Forward, Shawnee Yes!, Shawnee Kiwanis Club, NJCAA Basketball Committee and active member throughout the Shawnee community. He previously served as a board member on the Oklahoma Donor Education and Awareness Advisory Council. Mr. Atwood resides in Shawnee and manages the Firm's Shawnee Office.

Seminar/Webinar Information

Courtyard Oklahoma City Airport
4301 Highline Blvd
Oklahoma City, OK 73108
(405) 946-6500

Registration
8:00 - 8:30 am CST
Morning Session
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Lunch (on your own)
12:30 - 1:30 pm CST
Afternoon Session
1:30 - 4:00 pm CST

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- Fri, Oct 15, 2021|7:30 am - 3:30 pm CDT

AIA Contract Document Workshop
- Mon, Oct 18, 2021|8:30 am - 4:30 pm CDT

Handling Ethical Issues in Construction Contracting
- Mon, Oct 18, 2021|10:00 - 11:00 am CDT

Retaining Walls and Lateral Earth Pressure
- Wed, Oct 20, 2021|10:00 am - 12:00 pm CDT

Effective Stormwater Infiltration
- Tues, Oct 26, 2021|8:30 am - 4:45 pm CDT

Focus on Natural Restoration
- Wed, Oct 27, 2021|10:00 am - 12:00pm CDT

Internal Design of MSE Walls and Geosynthetics
- Wed, Oct 27, 2021|10:00 am - 1:15 pm CDT

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Registration

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