Learning Objectives

You’ll be able to:

Learn about different kinds of land descriptions in Delaware, and discuss the principles of boundary location.

Discuss different types of easements, and methods of creation and termination.

Examine the elements of claims for trespass and adverse possession.

Explore riparian and water rights.

Review methods to resolve boundary disputes.

Boundaries and Easements

Wilmington, DE - Wednesday, May 23, 2018

Locating Land Boundaries on Paper (And on the Ground)

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

Common kinds of land descriptions in Delaware:
  * 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

Sying 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

Easements: Understanding Possessive Rights in Lands of Others

Distinctions between ownership and possession

Easements distinguished from other possessory rights

Types of easements and distinctions between them: appurtenant, in gross, affirmative, negative, and others

Methods of easement creation

Claims in documents to determine if interests are fee or easement

The effect of the Statute of Frauds on possessory rights

Methods of easement termination

What happens after termination?

Defining Trespass and Adverse Possession

Defining trespass:

Distinctions between trespass, adverse possession, and prescriptive rights

Maintaining adverse claims:
  * Statute of limitations
  * ‘Lost grant’ claims
  * Quiet title actions

Understanding Riparian and Water Rights

The Public Trust Doctrine and riparian rights

Locating land boundaries near the water line

Determining access rights to surface waters

Determining rights to groundwater

Water-related regulations affecting land use and land ownership in Delaware

Disputes: Boundaries, Shared Spaces, and Split Estates

An overview of methods to resolve disputes

Acquisitiveness, laches, estoppel, and equity

Less litigious approaches to settling land interest disputes
  * Practical location and boundary line agreements
  * Boundary line commissions

Examples of real-life disputes: causes and outcomes
Seminar Information

DoubleTree Hotel Wilmington
4277 Concord Pike
Wilmington, DE 19803
(302) 478-6000

Wendy Lathrop
President and Owner of Geotrack 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 1981. 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. Entinosis, Ph.D., 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 Geotrack, 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.

Here’s what past attendees had to say about the seminar and presenter Wendy Lathrop:

“Very informative! A real experienced and knowledgeable expert.” — Land Surveyor

“A most interesting presentation.” — Consulting Engineer

“Very good. Very interesting. Good teacher.” — Title Agent

Continuing Education Credit Information

This seminar is open to the public. It has been approved by the Delaware Commission on Continuing Legal Education for 6.5 CLE hours for attorneys. It is also approved by the Pennsylvania CLE Board for 5.5 CLE hours. These approvals include no ethics credits.

HalfMoon Education Inc. is certified by the New York State CLE Board as an Accredited Provider of CLE programs. This traditional format course offers 8.0 CLE hours, consisting 8.0 Areas of Professional Practice hours, which are appropriate for new and experienced attorneys.

The Delaware Board of Registration for Professional Land Surveys has approved this event for 5.0 PDHs, including no ethics credits.

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Each registration includes a complimentary continental breakfast and printed seminar manual.

Receive a reduced tuition rate of 10% by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Tuition

- $259.00 for individual registration
- $279.00 for group registration

Can’t Attend? Order the CD/Manual Package:

An audio recording of this seminar is available for $289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Additional Learning

Special Inspections

- Overview of Special Inspections
  Wed., April 19, 2018, 11:00 AM - 12:30 PM CDT
- Steel, Wood and Cold-Formed Steel
  Wed., April 19, 2018, 1:00 - 2:30 PM CDT
- Concrete, Masonry and Soils
  Thu., April 12, 2018, 11:00 AM - 1:00 PM CDT
- Fire-Resistant Materials and Material Standards
  Thu., April 12, 2018, 1:30 PM - 2:30 PM CDT

Shallow Foundations

- Evaluating Building Sites
  Thurs., April 19, 2018, 11:00 AM - 12:30 PM CDT
- Shallow Foundation Design
  Thurs., April 19, 2018, 1:00 - 2:30 PM CDT
- Special Considerations in Foundation Design and Construction
  Fri., April 20, 2018, 11:00 AM - 12:30 PM CDT
- Soil Improvement and Foundation Diagnosis and Repair
  Friday, April 20, 2018, 1:00 - 2:30 PM CDT

Land Description Workshop

- Land Description Basics
  Fri., April 20, 2018, 9:00 - 10:30 AM CDT
- Interpreting Land Descriptions
  Fri., April 20, 2018, 11:00 AM - 12:30 PM CDT
- Writing Land Descriptions
  Fri., April 20, 2018, 1:00 - 2:30 PM CDT

Boundaries and Easements

- Locating Land Boundaries on Paper
  (And on the Ground)
  Weds., Apr. 25, 2018, 9:00 - 10:30 AM CDT
- Physical Evidence and Boundaries
  Weds., Apr. 25, 2018, 1:00 - 2:30 PM CDT
- Easements: Understanding Possessive Rights in Lands of Others
  Thurs., Apr. 26, 2018, 11:00 AM - 12:30 PM CDT
- Disputes: Boundaries, Shared Spaces, and Split Estates
  Thurs., Apr. 26, 2018, 1:00 - 2:30 PM CDT

For more information visit: www.halfmoonseminars.org/webinars/

Registration

Boundaries and Easements
Wilmingon, DE - Wednesday, May 23, 2018

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