Boundaries and Easements
Corpus Christi, TX - Wednesday, July 17, 2019

Locate land boundaries on paper and on the ground
Understand when and how to use different types of easements
Learn how to define trespass and adverse possession
Review Texas riparian and water rights
Discuss utility easements and rights of way
Resolve boundary disputes

Learning Objectives

You’ll be able to:
- **Solve** land description and boundary location problems.
- **Classify**, create, locate and maintain private easements.
- **Resolve** boundary disputes using techniques such as litigation, arbitration, mediation, agreements and title insurance.
- **Defend** against claims for adverse possession.
- **Comply** with rules regarding access to surface and groundwater.

### Agenda

#### Resolving Boundary Disputes
C. E. Howard
- 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

#### Identifying, Classifying and Locating Easements
A. Barton
- 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

#### Locating Land Boundaries on Paper (And on the Ground)
D. Bowles
- Interpreting land descriptions
  - Metes and bounds
  - Lot and block
- Dos and don’ts for writing descriptions
- Applying principles of boundary location
- Collecting and evaluating all types of boundary evidence:
  - Documents, physical evidence, people, surveys
- Locating the described land on a map
- Locating the described land on the ground
- Understanding and using geographic information systems (GIS)
- Solving land description and boundary location problems

#### Understanding Utility Easements and Rights of Way
P. Bankhurst Jr.
- Current law on utility rights of way
- State laws and regulations
- Types of utilities affected
  - Electric, water, natural gas, telecommunications, communications
- Basis for and definition of the easement
  - Encroachments and interferences
- Maintenance
  - Condemnation law
- Current issues involving utility easements

#### Understanding Riparian and Water Rights
R. Johnson
- 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

#### Defining Trespass and Adverse Possession
K. Silcock
- Defining trespass and required elements
- Defending against a claim for trespass
- Reviewing the history of adverse possession
- Maintaining a claim for adverse possession
  - Elements of a claim
  - Statute of limitations
- Examining recent trespass and adverse possession cases

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Faculty
C. Elaine Howard Andrews Myers P.C., Houston
Ms. Howard is a trial attorney practicing commercial litigation, real estate disputes and employment law. She has handled elections, disclosures, title and lien priority disputes, foreclosure on real and personal property. Fair Housing violations, enforcement of lease restrictions, ad valorem tax assessments, adverse possession, boundary disputes, and disputes arising out of the acquisition of real property. Ms. Howard has handled hundreds of landlord/tenant disputes primarily but not exclusively on the landlord's side. She has represented lenders and loan servicers in matters involving foreclosure loans and funding practices. Ms. Howard advises individuals seeking to acquire property about their possible liabilities and consults on the closing documents and indemnification agreements. She received her B.A. degree in Economics, Political Science and Managerial Studies from Rice University (TX) and her J.D. degree, cum laude, from the University of Houston Law Center.

Aaron Barton Andrews Myers P.C.
Mr. Barton is a shareholder in the firm's Business and Real Estate Groups. He has been practicing law for over a decade, representing businesses, title companies, developers, lenders, and individuals in a wide variety of business, financing, leasing, and real estate transactions. Prior to joining Andrews Myers P.C., Mr. Barton also represented title insurers and businesses in business and real estate litigation matters. This experience has assisted him in delivering legal services to the firm's clients with an eye to avoiding litigation, and he is able to structure transactions to better protect clients in the event a dispute arises in the future.

Deward Bowles B&B Surveying Company
Mr. Bowles is an independent professional land surveyor and owner of B&B Surveying Company in Houston. He began working in the field of land surveying in 1978 and is certified as a registered professional land surveyor in the State of Texas. Mr. Bowles has given seminars to lawyers, real estate professionals and other land surveyors on land boundaries and easements. He has expertise in handling complex boundary disputes.

Paul Barkhurst Barkhurst and Ayres, P.C., San Antonio
Mr. Barkhurst has extensive litigation experience in business and real estate disputes. He has developed a special concentration in the area of eminent domain, representing governmental entities as well as landowners in numerous lawsuits. He has successfully represented numerous owners in ranch power line takings. Mr. Barkhurst also represents governmental entities in condemnation and inverse condemnation disputes, and he has represented contractors and subcontractors in private disputes. He also has extensive experience handling complex business dissolution and injunction cases.

Kristina Silcocks Gardere Wynne Sewell
Ms. Silcocks focuses her practice on civil litigation and government-related matters. She primarily focuses on eminent domain and inverse condemnation, representing both condemning authorities and property owners, having represented clients in over 250 special commissioner’s hearings and in over 25 condemnation and inverse condemnation jury trials.

Registration Boundaries and Easements
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How to Register
Online: www.halfmoonseminars.org
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Seminar Information
Hyatt Place Corpus Christi
677 South Padre Island Drive
Corpus Christi, TX 78412
(361) 985-8888

Registration
7:30 - 8:00 am
Morning Session
8:00 am - 12:15 pm
Lunch (On your own)
12:15 - 1:15 pm
Afternoon Session
1:15 - 5:30 pm

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