Agenda

Identifying, Classifying and Locating Easements          S. Offord
  • What is and is not an easement
  • Reviewing state law on easements
  • Creating easements: judicially created vs. express easements
  • Identifying critical distinctions between easements
  • Maintaining easements
  • How easements may be terminated
  • Obstructing use of easements and determining remedies for obstruction

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

Eminent Domain Overview                                   A. Turner
  • Power of eminent domain
  • Requirements to acquire private property by eminent domain
  • Typical eminent domain proceeding – determination of “just compensation”
  • What happens after the action is commenced and defendants served?
  • Typical litigation
    - Take Issues
      - Full take
      - Part take
    - Loss of goodwill

Defining Trespass and Adverse Possession              R. Wintle
  • Defining trespass
  • Reviewing the history of adverse possession in California
  • Maintaining a claim for adverse possession
  • Statute of limitations
  • Elements of a claim
  • Defending against a claim for adverse possession

Learning Objectives

You’ll be able to:

  • Review state law on private easements, and get tips on creating, maintaining and terminating easements.

  • Understand rights and responsibilities associated with utility easements, including easements for electricity, water, natural gas and telecommunications.

  • Get an overview of the eminent domain process.

  • Learn about special issues with partial eminent domain “takings,” and learn how “just compensation” is determined.

  • Define trespass, and learn about the history of adverse possession in California.

California Easements, Rights-of-Way, and Eminent Domain
San Jose, CA - Wednesday, March 4, 2020

Learn about what is and what is not an easement
Define trespass and adverse possession
Receive an overview of eminent domain
Discuss state law on easements and rights of way

Continuing Education Credits

California Attorneys
  • 5.0 CLE Hours

Professional Engineers and Land Surveyors
  • Non-Credit Continuing Ed.

Architects
  • 5.0 AIA LU|HSW
Mr. Widman, the founder of the Law Offices of Jeffrey P. Widman, received his law degree from Harvard Law School - having previously gained a Ph.D. degree from Yale and an A.B. degree from Harvard. He is AV® Rated Preeminent by Martindale-Hubbell®, an attorney ranking website that is well respected and admired among his clients and opposing counsel.

Jeffrey Widman Founder of the Law Offices of Jeffrey P. Widman

Mr. Widman, the founding attorney of the Law Offices of Jeffrey P. Widman, received his law degree from Harvard Law School - having previously gained a Ph.D. degree from Yale and an A.B. degree from Harvard. He is AV® Rated Preeminent by Martindale-Hubbell®, an attorney ranking website that is well respected and admired among his clients and opposing counsel.

Seminar Information

Four Points by Sheraton San Jose Airport
San Jose, CA 95112
(408) 452-0200

Tuition
$289 for individual registration
$269 for three or more registrants from the same company at the same time.

Continuing Education Credit Information

This seminar is open to the public. The State Bar of California has approved HalfMoon Education as an MCLE sponsor, and this program provides 5.0 total, Mr. Offord has done in excess of 100 speaking engagements, in which he advises real estate agents on an array of topics, ranging from disclosure best practices, understanding typical real estate closing documents, and tips for closing. 

Roger Wintle Partner at the Heritage Law Group
Mr. Wintle is a founding shareholder of the Heritage Law Group, P.C., and has over 35 years of experience. He received his undergraduate education from San Jose State University and advanced degrees from the University of North Dakota and the University of Bridgeport. He received his law degree from the University of San Diego School of Law in 1982. Mr. Wintle began his legal career in Dallas, Texas, in 1982, where he was an associate and later a partner with Shang, Irwin & Conant. He moved to California in 1989 where he joined the San Jose law firm of Ferrari, Alvarez, Olsen & O'Toole, first as an associate and later as a partner. In 1995, Mr. Wintle and Terence Kane formed Wintle & Kane, LLP and that firm subsequently merged with the Heritage Law Group, P.C., in 2003. As a partner in the Heritage Law Group, Mr. Wintle expanded his practice to include business formation, general counsel services, intellectual property litigation, and general litigation. Mr. Wintle has practiced in numerous areas of the law including, real estate, intellectual property, business formation and general counsel services, construction, environmental laws, commercial and residential lease drafting and review, and representation of real estate agents, brokers and their clients. He is an expert negotiator who uses his cordial nature and litigation with regard to most of these areas. He is an expert negotiator who uses his cordial nature and

Additional Learning

Webinar Series

Soil Mechanics and Slope Stability
• Soil Investigation and Classification
  Tues., Feb. 25, 2020, 11:00 AM - 1:00 PM CST
• Reviewing Hydrology
  Wed., Feb. 26, 2020, 11:00 AM - 1:00 PM CST

Mechanical Properties of Soils
• Determining and Increasing Bearing Capacity
  Wed., Feb. 26, 2020, 11:00 AM - 1:00 PM CST
• Determining and Increasing Slope Stability
  Wed., Feb. 26, 2020, 1:30 - 3:00 PM CST

For more information and other online learning opportunities visit: www.halfmoonseminars.org/webinars/

Audio recordings of this seminar are available for purchase starting at $269. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.