Agenda

Identifying, Classifying and Locating Easements  S. McKinley

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

Creating and Managing Highway Rights-of-Way  M. Pallamary

Identifying potential rights-of-way
Negotiating and valuing easements
Rights included in right-of-way
Landowner rights
Maintenance of right-of-way
Alterations and encroachments

Trespass, Adverse Possession and Other Unauthorized Access to Land  B. Grabske

Elements of civil trespass to land
Reviewing the history of adverse possession
Maintaining a claim for adverse possession
• Statute of limitations
• Elements of a claim
Defending against a claim for adverse possession
Examining recent adverse possession cases

Eminent Domain Law  B. Lichman

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  D. Wance

Condemnation process for government use
Hearing and right of appeal
Valuing the property taken
Condemnation process for utility and other quasi-public use

Learning Objectives

You’ll be able to:

Describe critical distinctions between easements in gross, easements appurtenant and prescriptive easements.
Identify particular rights included in a right-of-way, and consider the rights of private landowners.
Review the elements of a claim for civil trespass to land.
Examine recent cases on adverse possession.
Learn about types of eminent domain “takings,” and get tips on valuing “taken” property.
Participate in the condemnation process.

Participate in the condemnation process

Identify, classify and locate easements
Review laws relating to the power of eminent domain and the types of eminent domain takings
Create and maintain highway rights-of-way
Participate in the condemnation process
Learn about trespass, adverse possession and other unauthorized access to land

Continuing Education Credits

California Attorneys
6.5 CLE Hours
Professional Engineers and Land Surveyors
Non-Credit Continuing Ed.

As a result of recent health and safety concerns regarding the COVID-19 virus, this seminar will also be offered as a live webinar (instructions will be sent via email before the date of the webinar). Visit us online at www.halfmoonevents.org to learn more.
Steven A. McKinley has been the managing partner at Freeland McKinley & McKinley since 2011. His trial court and appellate experience spans 40 years in easement law, eminent domain and inverse condemnation, real property, constable services, real estate broker liability, land use, agreed boundaries, and adverse possession. Mr. McKinley is admitted to practice before all courts in the State of California and is a member of the California State Bar Association.

Michael Pallamar is the president of Pallamar & Associates of La Jolla. He is a founding member of the Land Surveyors Advisory Council on Technical Standards and a recognized expert on “Standard of Care” defenses and litigation matters. He is the author of The Curt Brown Chronicles, along with Loy of the Land and the co-author of Advanced Land Descriptions written with the late Paul Cuono and the late Boyte Minnick. Mr. Pallamar is also the co-author of History of San Diego Land Surveying Experience with the late Curtis M. Brown. He writes two monthly columns for The American Surveyor magazine. One of his recent articles deals with the United States Supreme Court decision on the boundary between the federal government and the State of California, and has generated considerable discussion regarding the proper methods to be employed in establishing water boundaries. Mr. Pallamar has performed numerous boundary surveys along the California coastline and is actively involved in contested matters from Contra Costa to Half Moon Bay. Mr. Pallamar has established and mapped out Civilian tribes throughout Southern California, the majority of which are located in La Jolla, California. Mr. Pallamar has extensive experience as an expert witness in local, regional and federal courts testifying to the preparation and interpretation of land survey maps, easements, water boundaries, and related areas of practice.

Bradford Grabske of Murphy & Evertt Attorneys at Law specializes in real estate and complex business litigation. His practice centers on assisting clients in all phases of project development before local and state agencies, city councils, and public agencies with eminent domain, inverse condemnation, contract disputes, land use and environmental issues. Mr. Grabske has successfully represented clients in high stakes trials and before the Court of Appeals. He has also been the president of Pallamary & Associates of La Jolla. He is a founding member of the Land Surveyors Advisory Council on Technical Standards and a recognized expert on “Standard of Care” defenses and litigation matters. He is the author of The Curt Brown Chronicles, along with Loy of the Land and the co-author of Advanced Land Descriptions written with the late Paul Cuono and the late Boyte Minnick. Mr. Pallamar is also the co-author of History of San Diego Land Surveying Experience with the late Curtis M. Brown. He writes two monthly columns for The American Surveyor magazine. One of his recent articles deals with the United States Supreme Court decision on the boundary between the federal government and the State of California, and has generated considerable discussion regarding the proper methods to be employed in establishing water boundaries. Mr. Pallamar has performed numerous boundary surveys along the California coastline and is actively involved in contested matters from Contra Costa to Half Moon Bay. Mr. Pallamar has established and mapped out Civilian tribes throughout Southern California, the majority of which are located in La Jolla, California. Mr. Pallamar has extensive experience as an expert witness in local, regional and federal courts testifying to the preparation and interpretation of land survey maps, easements, water boundaries, and related areas of practice.

Barbara E. Lichman, Ph.D., has an extensive and successful record representing airports, municipalities, developers, and other public and private clients in litigation and administrative proceedings. Her recent articles deals with the United States Supreme Court decree on the boundary between the federal and the State of California. The California Public Utilities Code governing land use in airport environs (Aeronautics Act); and federal and state environmental statutes including the National Environmental Policy Act, the Federal Clean Air Act, the Federal Clean Water Act, the California Environmental Quality Act, and the California Coastal Act. She has also successfully represented clients in litigation involving land use issues such as inverse condemnation, development agreements and specific plan amendments. Dr. Lichman holds a doctorate in urban and regional planning.

Douglas E. Wance is a shareholder and former chair of Buchanan’s Land Use Practice Group. Mr. Wance has built a cross-disciplinary practice involving land use and entitlements, water resources, environmental compliance, natural resources and public law through the representation of both public agencies and private businesses throughout California. He has handled all aspects of these substantive areas, from advising clients regarding the applicability of the law, to guiding clients through a permitting or entitlement process, or defending clients subject to enforcement actions. Mr. Wance has successfully represented businesses and public agencies in sophisticated financial, real estate, water resource, environmental compliance, and land development matters in court and before administrative agencies. His land use and entitlement background includes representation of residential developers, businesses, and public agencies with commercial businesses in all phases of project development before local and state agencies, city councils, and county board of supervisors. Mr. Wance has assisted clients in obtaining development and environmental permits and project approvals for power plants, schools, mixed use, and industrial development projects.

Bradford Grabske

Dr. Lichman

Douglas Wance

Seminar Information

Courtyard Mission Valley
Hotel Circle
595 Hotel Circle South
San Diego, CA 92108
(619) 251-5720

Tuition
$299 for individual registration
$279 for three or more registrants from the same company at the same time.

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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 offers 6.5 CLE hours to attorneys and paralegals. This program offers a non-credit continuing education opportunity to California engineers and land surveyors. Continuing education is not required for license maintenance in California. Those seeking continuing education credit in other states will be able to provide the hours earned at this seminar, in most cases. Refer to specific state continuing education rules to determine eligibility.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Additional Learning

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Compliance with the 2018 International Building Code

- Compliance with the 2018 International Building Code, Part I
  Wed., April 8, 2020, 11:00 AM - 1:00 PM PDT
- Compliance with the 2018 International Building Code, Part II
  Wed., April 8, 2020, 3:00 - 5:00 PM PDT
- Compliance with the 2018 International Building Code, Part III
  Thurs., April 9, 2020, 10:00 AM - 12:30 PM PDT

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Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund; minus a $39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.