Texas Land Laws for Engineers and Surveyors

Live, Interactive Webinar - Wednesday, July 22, 2020

Examine principles of boundary law
Get tips on accommodating surface land use and mineral rights
Understand comprehensive planning, subdivision platting, and zoning
Review eminent domain law and the condemnation process
Learn about different types of easements, and how to create/terminate them
Discuss ethical issues in land transactions and development

You'll be able to:
Evaluate boundary evidence and resolve boundary disputes.
Understand mineral rights access and learn about surface use agreements.
Discuss eminent domain, including regulatory “takings” and inverse condemnation.
Examine land use law, and learn how to handle land use approvals.
Identify different types of easements, and examine procedures for creating and terminating them.
Understand how to exercise professional judgement and the appropriate standard of care in land development matters.

Texas Professional Land Surveyors:
8.0 Continuing Education Hours, Including 1.0 Rules/Ethics Hour

Texas Professional Engineers:
8.0 PDHs, Including 1.0 Ethics Hour

Boundary Law
Understanding basic principles of boundary law
- Determine the intent of the grantor
- Follow the steps of the original surveyor
Evaluating boundary evidence
- Legal descriptions, natural monuments, artificial monuments, adjoining boundaries, surveys, maps, statements and testimony
Resolving boundary disputes

Accommodating Surface Use and Mineral Rights
History and development of severed mineral rights
- Rights to mineral access and development
Entering into surface use agreements
Resolving disputes between mineral and surface owners

Land Use Law
Understanding land use law
- Comprehensive planning
- Zoning
- Traffic/parking
- Nuisance
Handling land use approvals
- Plats
- Re-zoning, including PUD, PD, SUP, CUP

Eminence and Domain and Condemnation Law
Understanding eminent domain powers
- Source of eminent domain powers
- History of the exercise of eminent domain powers
- Types of eminent domain “takings”
Participating in the condemnation process
Appealing a condemnation decision
Understanding regulatory “takings” and inverse condemnation

The Law of Easements
Understanding the legal concept of easements
- Types of easements: easements in gross and easements appurtenant
Creating easements
- Express and implied
Terminating easements
Understanding conservation easements

Ethical Issues in Land Transactions and Development
Preventing conflicts of interest
Exercising professional judgement and the appropriate standard of care
Acting within the scope of experience/expertise

Learning Objectives
Webinar Information

Log into Webinar 7:30 - 8:00 am CDT
Morning Session 8:00 am - 12:30 pm CDT
Break 12:30 - 1:00 pm CDT
Afternoon Session 1:00 - 5:00 pm CDT

Included with your registration:
PDF seminar manual.
Complete the entire form. Attach duplicates if necessary.

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

Cancellations: Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a $39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward a future webinar or the self-study package.

Additional Webinars
Land Description Systems
A Two-Day Webinar Series
Tuesday, July 21, 2020, 11:00 am - 2:15 pm CDT
Friday, July 24, 2020, 11:00 am - 2:15 pm CDT

Agenda Highlights:
• Describing Rights to Access Land
• Statutory Plats in Land Survey States
• Working with Metes and Bounds Descriptions
• Describing Rights to Access Land

Presented by
J Cole Helfrich Craig R. Knoche & Associates, P.C.
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To register for Land Description Systems and to see other online learning opportunities visit:
www.halfmoonseminars.org/webinars/

Continuing Education Credit Information
This webinar is open to the public and is approved by the Texas Board of Professional Engineers and Land Surveyors for 8.0 continuing education hours. It contains 1.0 hour of ethics content.
This course offers Texas professional engineers 8.0 PDHs, including 1.0 ethics hour. Educators and courses are not subject to preapproval.
Attendance will be monitored, and attendance certificates will be available after the webinar for those who attend and participate in the entire event and who pass the quiz (80%) that follows the presentation (multiple attempts allowed).

Faculty
Audra B. Smith Attorney & Founder at Audra Smith Law, El Campo, TX
Ms. Smith is an attorney based in Wharton County, Texas. Her practice focuses on a wide variety of agricultural issues, especially those involving cattle. She additionally spends a significant portion of her time on oil and gas title examination, farm and ranch transactions, and estate litigation. Ms. Smith also assists clients with estate planning, probate, and business planning needs. Ms. Smith is a graduate of El Campo High School. She received her bachelor of science degree in Agricultural Science from Texas A&M University in 2009, and received her degree of jurisprudence degree from South Texas College of Law in 2014. She was admitted to the State Bar of Texas in 2014 and is also admitted to the Southern District of Texas. Ms. Smith is a member of the Wharton County Bar Association, formerly serving as president, and she is a member of the Texas Bar College.

Jonathan G. Vinson Attorney & Partner at Jackson Walker, Dallas, TX
Mr. Vinson focuses his practice on all areas of land use, including representation of a wide variety of developers, property owners, and corporate, non-profit and individual clients in zoning, planning, municipal law, and economic development incentives matters. His practice includes representation before city councils and planning and zoning commissions on zoning changes, special use permits, and planned development districts, including “form-based” zoning and mixed-use projects, and before boards of adjustment on variances and special exceptions. He also counsels clients with regard to land use entitlements and permitting issues, He has a wide experience in due diligence, and a very wide variety of other land use and municipal law issues. Mr. Vinson enjoys working on a wide variety of land use and municipal law issues. He especially enjoys the challenges and complexities of development and redevelopment projects in denser settings, especially mixed use and higher density multifamily projects.

Charles McFarland Attorney & Principal at McFarland PLLC, Houston, TX
Mr. McFarland has extensive experience representing landowners whose private property is taken by the government for public use. His primary focus is highway and road widening projects involving the acquisition of private property for new or improved roadways. Mr. McFarland has represented a wide variety of developers, property owners, and corporate, non-profit and individual clients in land description systems, and all facets of their development in Houston and throughout the State of Texas, the U.S. Court of Appeals for the Fifth Circuit, and the U.S. Claims Court. He is also licensed in Texas as a professional engineer and a registered public land surveyor.

Joe W. Stuckey Attorney at Law, Rossharun, Houston, TX
Mr. Stuckey practices primarily in corporate, real estate, and environmental law, including transactional work and litigation. He has a B.S. degree in Civil Engineering from Texas A&M University and J.D. and L.L.M. degrees from the University of Houston Law Center. Mr. Stuckey is admitted to the practice of law in all Texas courts, the U.S. District Court for the Southern District of Texas, the U.S. Court of Appeals for the Fifth Circuit, and the U.S. Claims Court. He is also licensed in Texas as a professional engineer and a registered public land surveyor.

Charlie Wilson Attorney at Baker Moran, Plano, TX
Mr. Wilson is an associate with Baker Moran. He represents electric utility companies, pipeline companies, cities and landowners in all facets of the right of way acquisition, from the initial negotiations through litigation. Mr. Wilson also represents parties to real estate transactions and property disputes involving fraud, breach of warranty, property damage, negligence, nuisance, trespass and other property-related matters.

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