

Agenda

Presented by Wendy Lathrop, PLS, CFM

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 Pennsylvania:

- 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

Tying 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

Clues 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
- Elements of a claim
- "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 Pennsylvania

Disputes: Boundaries, Shared Spaces, and Split Estates

An overview of methods to resolve disputes

Acquiescence, laches, estoppel, and equity

Less litigious approaches to settling land interest disputes

- Practical location and boundary line agreements
- Boundary line commissions

Split estates: surface versus subsurface rights

Examples of real-life disputes: causes and outcomes

Boundaries and Easements

Scranton, PA - Wednesday, February 19, 2020

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Learning Objectives

You'll be able to:

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

Review different types of easements, and discuss methods of creation and termination.

Distinguish between trespass, adverse possession and prescriptive rights.

Examine riparian and water rights.

Review methods of resolving boundary disputes.



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Boundaries and Easements

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Learn about different kinds of land descriptions and the principles of boundary location

Review different types of easements, and methods of creation and termination

Discuss the elements of claims for trespass and adverse possession

Explore riparian and water rights

Review methods to resolve boundary disputes

Continuing Education Credits

Attorneys

6.5 Pennsylvania CLE Hours

8.0 New York CLE Hours

Land Surveyors & Engineers

6.5 PDHs

Pennsylvania Title


Insurance Producers

8.0 General CE Hours



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Faculty

 **Wendy Lathrop, PLS, CFM** *President and Owner of Cadastral 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 1983. 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. Estopinal, PLS, 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 GeoLearn, 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 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*

Seminar Information

Radisson Lackawanna Station Hotel 700 Lackawanna Ave. Scranton, PA 18503 (570) 342-8300	Registration 8:00 - 8:30 am Morning Session 8:30 - 11:45 am Lunch (on your own) 11:45 am - 12:45 pm Afternoon Session 12:45 - 4:40 pm
Tuition \$289 for individual registration \$269 for three or more registrations. <i>Included with your registration: Complimentary continental breakfast and printed seminar manual.</i> Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org .	Continuing Education Credit Information This seminar is open to the public. This seminar is open to the public. The Pennsylvania CLE Board has approved this course for 6.5 Substantive CLE hours for attorneys. The Pennsylvania Insurance Department has approved this seminar for 8.0 general continuing educations credits, intended for title insurance producers. This event offers 6.5 PDHs to Pennsylvania land surveyors and engineers. Educators and courses are not subject to preapproval in Pennsylvania. 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 experienced attorneys. 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.

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Additional Learning

Webinar Series

Foundations in Cold Regions

- **Introduction to Foundations in Cold Regions**
Thurs., Feb. 20, 2020, 11:00 AM - 12:30 PM CST
- **Shallow Foundation Design in Cold Regions**
Thurs., Feb. 20, 2020, 1:00 - 2:30 PM CST
- **Deep Foundation Design in Cold Regions**
Fri., Feb. 21, 2020, 11:00 AM - 12:30 PM CST
- **Foundation Construction in Cold Regions**
Fri., Feb. 21, 2020, 1:00 - 2:00 PM CST

Soil Mechanics and Slope Stability

- **Soil Investigation and Classification**
Tues., Feb. 25, 2020, 11:00 AM - 1:00 PM CST
- **Reviewing Hydraulic and Mechanical Properties of Soils**
Tues., Feb. 25, 2020, 1:30 - 3:00 PM CST
- **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

Designing for Climate Resilience

- **Current and Anticipated Climate Effects on Structures and Communities**
Thurs., Feb. 27, 2020, 11:00 AM - 12:30 PM CST
- **Assessing the Impact of Sea Level Rise, Changing Temperature and Changing Weather Patterns**
Thurs., Feb. 27, 2020, 1:00 - 3:00 PM CST
- **Studying the Impact of Extreme Weather**
- **Events on Structures and Communities**
Fri., Feb. 28, 2020, 11:00 AM - 12:30 PM CST
- **Adapting Sites, Outdoor Spaces, New Construction and Existing Buildings to Withstand Extreme Weather Events**
Fri., Feb. 28, 2020, 1:00 - 3:00 PM CST

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Registration

Boundaries and Easements

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