**Agenda**

**Identifying, Classifying and Locating Easements**  
P. Reznik, C. Barton  
- 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

**Eminent Domain Law**  
J. Hodge  
- 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**  
R. Brandys  
- Condemnation process for government use  
- Hearing and right of appeal  
- Valuing the property taken  
- Condemnation process for utility and other quasi-public use

**Understanding Utility Easements and Rights of Way**  
P. Barkhurst  
- Current law on utility rights of way  
  - State laws and regulations  
  - Federal 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

**Understanding Riparian and Water Rights**  
R. Johnson  
- History and development of riparian rights  
- Determining land boundaries near the water line  
- Determining rights to surface waters  
- Determining rights to groundwater  
- Complying with regulations restricting access to and use of surface water and groundwater  
- Alterations and encroachments

**Ethical Issues in Land Access and Development**  
J. Wilhelm  
- Land: a finite, depletable resource  
- Extent of private rights in land  
- Conflict with rights of the public  
- Ethical issues in agriculture, water use, mineral access and development

---

**Learning Objectives**

**Identify, classify, and locate** easements, including easements in gross, easements appurtenant, and prescriptive easements.  

**Analyze** the source and history of eminent domain powers and types of eminent domain takings.  

**Discuss** ethical issues in agriculture, water use, mineral access and development.  

**Examine** the condemnation process, including hearings and appeals.  

**Discuss** federal and Texas laws and regulations regarding utility rights of way.
Faculty

Patrick Reznik. Attorney at Barron & Gresham. Mr. Reznik’s clients are landowners who need to resolve a lawsuit or reduce the likelihood of litigation. His Texas farm and ranch background, agricultural engineering education, and hardworking lifestyle bring a skilled, creative, understanding and compassionate approach to protecting clients’ rights and resolving conflicts. Mr. Reznik has handled a variety of cases including those involving rural land uses, urban land uses, condemnation, transmission line routing, leases, contracts, estates, contested wills and probate, shareholder’s rights, deed restrictions, and issues concerning developers, builders and homeowners. He received his B.S., M.S. and J.D. degrees from Texas Tech University.

Carly Barton, Attorney at Barron & Gresham. Ms. Barton uses her experience and skill to guide land and business owners through many different legal proceedings. Lawsuits can be complicated, but her wide range of experiences allows her to handle disputes at all levels of litigation - from the Justice of the Peace to the Federal Court. As a litigator, Ms. Barton balances her clients’ needs and legal realities, while fighting for the best possible result. As a counselor, she analyzes her clients’ situation to craft creative solutions to their troubles. Communication with her clients remains a first-and-foremost priority, addressing their needs and concerns and keeping them up-to-date with the status of their matters.

Justin Hodge, Attorney and Partner at Moore, Ellis & Hodge. Mr. Hodge is Texas trial lawyer who represents landowners against the government and other condemning authorities in condemnation law proceedings. He teaches a course on the condemnation law and land taking at the University of Houston School of Law and has written the Texas Legislature to promote eminent domain reform. Mr. Hodge is recognized as a Super Lawyer in eminent domain by Super Lawyers Magazine. He has won cases for landowners at every level of administration, jury trials, appeals in state and federal courts. Mr. Hodge’s cases have involved takings of vacant land and ranches as well as highly improved properties with office buildings, shopping centers, restaurants, motels, banks, churches, c-stores, mines, quarries, and residential subdivisions.

Roy Brandys, Attorney & Partner at Barron, Adler, Clough & Oddo. Mr. Brandys has exclusively represented landowners in eminent domain, inverse condemnation, and related land use matters for over 16 years. He has represented landowners in negotiating settlements, in special commissioners’ hearings, and in jury trials on hundreds of road, highway and highway taking, power line takings, pipeline takings, takings of billboard easements, and other similar takings. Mr. Brandys is a graduate of Knox College and received his J.D. degree from Wake Forest University where he was a member of the Law Review.

Paul Barkhurst. Attorney and Shareholder at Barkhurst & Hinjosa. Mr. Barkhurst has extensive litigation experience in business and real estate disputes. He has developed a specialized expertise 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 construction disputes, and he has represented contractors and subcontractors in this area. Mr. Barkhurst has a B.A. degree, with honors, from Southwest Texas State University and a J.D. degree, magna cum laude, from Texas Tech University. He is a former US Army Captain and F-111 Aviator.

Russell Johnson, Attorney and Partner at McGinnis Lochridge. Mr. Johnson has a multifaceted water law practice, with an emphasis on matters involving land use, water rights and the Endangered Species Act (ESA). His clients are generally landowners, industries, and other developers, who have worked with him to achieve access to groundwater, develop conveyance and water resources. Formerly, he represented the large municipal water system in a variety of matters, including legislative efforts to create the Edwards Aquifer Authority and to modernize Texas water law. He is a board member of the Center for Water Law and Policy at Texas Tech University School of Law, as well as an adjunct professor at Texas State University teaching water policy.

Jamison C. Wilkerson. Attorney and Founder at Wilkerson Law Firm. Mr. Wilkerson focuses his practice on real estate law. Wilkerson Law is proud to be of service to large and small real estate developers, public utilities, pipelines companies, oil and gas operators, wind power companies, natural resource companies, and landowners. Mr. Wilkerson holds a Masters of Energy degree and Environmental Law degree from The Tulane University. He is licensed to practice law in Texas, Louisiana, Arkansas, and Illinois, and by numerous federal courts, including all Texas and Louisiana federal district courts and the United States 5th Circuit Court of Appeals, and the United States Supreme Court.

Webinar Information

Continuing Education Credit Information

This webinar is open to the public and is approved for 8.0 CEU hours, including 1.0 ethics hours, for Texas attorneys. HalfMoon has been approved by the AICPA to provide the above listed CPE credit. HalfMoon has been approved by the Washington State Board of Accountancy as an approved provider of continuing professional education on a semiannual basis. AICPA and Washington State Board of Accountancy approval does not indicate endorsement by these organizations of the program content.

The Texas Board of Legal Specialization has approved 8.0 Real Estate hours for attorneys and paralegals. This seminar offers 8.0 PDHs, including 1.0 ethics hour, to Texas professional engineers. Educators and courses are not subject to approval.

The Texas Board of Professional Land Surveying has approved this course for 8.0 continuing education hours, including 1.0 ethics hours.

The American Association of Professional Landmen has approved this program for 8.0 Real Estate hours for attorneys and paralegals.

The American Law Institute (ALI) has approved this program for 8.0 hours of general CLE credit in jurisdictions that recognize the ABA’s mandatory CLE requirements. Please check with your state's CLE provider to determine if you qualify for general credit hours. This program is eligible for 8.0 hours of practical skills CLE credit in jurisdictions that recognize the ABA’s mandatory CLE requirements. Please check with your state’s CLE provider to determine if you qualify for practical skills credit.

The Texas Board of Legal Specialization has approved 8.0 Real Estate hours for attorneys and paralegals. This seminar offers 8.0 PDHs, including 1.0 ethics hour, to Texas professional engineers. Educators and courses are not subject to approval.

The Texas Board of Professional Land Surveying has approved this course for 8.0 continuing education hours, including 1.0 ethics hours.

The American Association of Professional Landmen has approved this program for 8.0 Real Estate hours for attorneys and paralegals.

The American Law Institute (ALI) has approved this program for 8.0 hours of general CLE credit in jurisdictions that recognize the ABA’s mandatory CLE requirements. Please check with your state's CLE provider to determine if you qualify for general credit hours. This program is eligible for 8.0 hours of practical skills CLE credit in jurisdictions that recognize the ABA’s mandatory CLE requirements. Please check with your state’s CLE provider to determine if you qualify for practical skills credit.

Additional Learning

GNSS Surveying: Principles and Practices
Wednesday, December 2, 2020 | 9:30 am - 5:00 pm CST

Introduction to GNSS
Fundamentals of GNSS
GNSS Surveying Errors
GNSS Surveying Data Management
GNSS Surveying Case Studies

Mapping, Managing, and Regulating Floodplains
Tuesday, December 15, 2020 | 11:00 am - 3:00 pm CST

Floods, Floodplains and Introduction to Floodplain Management
Flood Maps and Flood Zones
Elevations in the National Flood Insurance Program (NFIP)
Floodplain Regulation
Practical Floodplain Management

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

Tuition

( ) I will be attending the live webinar. Single Registrant - $299.00. Three or more registrants from a single company registering at the same time - $199.00 each.

( ) I am not attending. Please send me the webinar recording:

Streamable MP4 Video/Manual Manual for $279.00.
USB Video/Manual Manual for $279.00.

Checks: Make payable to HalfMoon Education Inc.

Credit Card: Mastercard, Visa, American Express, or Discover

Credit Card Number:
Expiration Date:
CVV2 Code:

Billing Address:
City:
State:
Zip:

Email:

© 2020 HEI #20 TXEROWED 12 15 WEBR WL