

Agenda

Locating Land Boundaries on Paper (And on the Ground)

G. Kent

- Interpreting land descriptions
 - Metes and bounds
 - Lot and block
 - Dos and don'ts for writing descriptions
- Applying principles of boundary location
 - Collecting and evaluating all types of boundary evidence: documents, physical evidence, people, surveys
 - Locating the described land on a map
 - Locating the described land on the ground
- Understanding and using geographic information systems (GIS)
- Solving land description and boundary location problems

Understanding Michigan Surface Water and Groundwater Rights

S. Kelley

- Practical and legal foundations for surface water and groundwater rights
- Riparian, other access, and public rights on the Great Lakes and inland waters
- Determining upland and bottomland boundaries and the scope of riparian and other access rights
- Private property rights and the public trust doctrine
- Determining rights to groundwater
- Groundwater use, withdrawals, and discharges of and to groundwater

Defining Trespass and Adverse Possession

N. Guttman

- Defining trespass
- 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

Resolving Boundary Disputes

A. Reuter

- Types of boundary disputes
 - Adverse possession, easements, boundaries
- Obtaining and reviewing boundary evidence
- Methods for establishing disputed boundaries
- Participating in dispute resolution techniques
 - Litigation, arbitration, mediation, agreements, title insurance
- Examining boundary dispute case studies: exploring techniques for resolving sample disputes

Understanding Utility Easements and Rights of Way

B. Patton

- 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
 - Environmental issues
 - Current issues involving utility easements
- Maintenance
Condemnation law

Michigan Boundaries and Easements
Live, Interactive Webinar - Monday, December 20, 2021

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Learning Objectives

You'll be able to:

Collect and **evaluate** boundary evidence, including documents, physical evidence, testimony and surveys.

Solve land description and boundary location problems.

Determine the scope of riparian and other access rights to surface waters.

Discuss rights to make groundwater withdrawals.

Define trespass, and review the elements of claims for adverse possession.

Look at the legal basis and practical effects of easements and rights-of-way for electric, water, natural gas and telecommunication utilities.

HalfMoon Education Live Webinars

Michigan Boundaries and Easements

Live, Interactive Webinar - Monday, December 20, 2021



Locate Michigan land boundaries on paper as well as on the ground

Determine the scope of legal rights to groundwater

Explore riparian rights to Great Lakes and inland waters

Identify the elements of a claim for adverse possession

Discuss the rights conveyed in utility easements and rights-of-way

Resolve boundary disputes with title insurance, mediation and written agreements

Continuing Education Credits

Attorneys

Michigan: Non-Mandatory CLE
Indiana: 7.0 Distance Education CLE Hours (General)
Ohio: Credits Pending

Professional Engineers

7.0 CE Hours

Land Surveyors

7.0 PDHs



Faculty

Gary Kent is in his 39th year with Schneider Geomatics in Indianapolis - having transitioned to part-time status in 2020. He also provides training, consulting and expert witness services as manager and owner of Meridian Land Consulting, LLC. He has served as chair of the Joint ALTA/NSPS Committee responsible for the ALTA/NSPS Land Title Survey standards since 1995. He has also served on the Indiana State Board of Registration for Professional Surveyors since 2004 and is a past president of both ACSM and the Indiana Society of Professional Land Surveyors. Mr. Kent has presented programs on boundary law, easements and rights of way, surveying standards and practice, and leadership in all 50 states.

Stephen M. Kelley was admitted to practice in Michigan in 1981. He is a member of the State Bar of Michigan and its Environmental, Insurance and Indemnity, and Appellate Law sections, and he is a past member of the Surface Water/Groundwater Committee of the Environmental Law Section. Mr. Kelley also is a member of the American Bar Association and its Environment, Energy & Resources, Litigation, and Tort Trial & Insurance Practice sections. He served as chair of the Environmental & Energy Policy Committee of the Greater Detroit Chamber of Commerce (now Detroit Regional Chamber) for three years. Mr. Kelley has been named a Michigan Super Lawyer each year since 2008 and was elected a Life Fellow of the Michigan State Bar Foundation. Admitted to all Michigan courts, he practices statewide from his office in St. Clair Shores. Mr. Kelley also served 16 years as a trustee of and four years as president of the Michigan Nature Association.

Nickolas Guttman's practice focuses on business and real estate transactions. He has represented various clients in real property matters, including complex mergers and acquisitions, energy siting and land use issues, as well as the negotiation of purchase agreements, leases, development agreements, and other commercial agreements. He also contributed to the American Arbitration Association's Handbook on Arbitration Practice. Mr. Guttman earned his undergraduate degrees from Michigan State University's James Madison College and Broad College of Business before attending Wayne State University Law School.

Alex R. Reuter has been litigating real estate, land use, and zoning cases across the state of Michigan for his entire career. He has successfully represented individuals and developers appearing before federal courts, state tribunals, municipalities, and agency boards. Mr. Reuter specializes in representing property owners in all facets of real estate matters, from constitutional and other federal claims to boundary disputes and enforcing easements and associated water rights (riparian rights). Mr. Reuter has helped countless landowners protect their rights under Michigan law and is an expert in both litigation and pre-suit resolution of property disputes. He has been selected as a "Rising Star" by *Super Lawyers* magazine from 2019-2020 in the area of litigation. In his spare time, he enjoys boating on Lake Michigan with his family.

Breanne Patton is currently a senior Associate at Zausmer, P.C., where she is a member of the firm's commercial and eminent domain practices. She handles eminent domain, land use and municipal issues; complex business disputes; contract drafting and negotiating; technical manufacturing and automotive supplier matters; commercial and residential leasing; and other business matters. She is also a Certified Information Privacy Professional (CIPP/US). Ms. Patton began her career at a large Midwestern law firm, handling construction, employment, and various types of insurance litigation matters. Her experience also extends into the consulting world, where she managed a team of attorneys and advised banking and financial clients regarding securities contracts and regulatory compliance. Ms. Patton earned her bachelor of arts degree in Economics & Management and Philosophy, *magna cum laude*, from Albion College and was a merit scholarship recipient prior to receiving her law degree from Notre Dame Law School. In her free time, Ms. Patton enjoys baking, plays guitar, and collects vintage and custom fountain pens.

Webinar Information

Log into Webinar 8:00 - 8:30 am EST	Break 11:45 am - 12:45 pm EST
Morning Session 8:30 - 11:45 am EST	Afternoon Session 12:45 - 5:00 pm EST

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Completion certificates will be awarded to participants who complete this event, respond to prompts, and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

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Additional Learning

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- Tues, Nov 16, 2021 | 8:30 am - 5:00 pm CST

Best (and Worst) Practices for Retaining Wall Success and Interactive Workshop

- Wed, Nov 17, 2021 | 10:00 am - 1:15 pm CST

Current Issues in the Practice of Geoscience

- Thurs, Nov 18, 2021 | 8:30 am - 4:00 pm CST

Focusing on the Legal Ramifications of Drone Use for Utilities

- Fri, Nov 19, 2021 | 10:00 am - 12:00 pm CST

Septic System Design, Construction and Maintenance

- Fri, Nov 19, 2021 | 8:30 am - 4:30 pm CST

Special Inspections under the International Building Code Chapter 17

- Mon, Nov 29, 2021 | 10:00 am - 2:30 pm CST

- Tues, Nov 30, 2021 | 10:00 am - 1:15 pm CST

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Registration

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