

Agenda

Identifying, Classifying and Locating Easements

C. Helfrich

- What *is* and *is not* an easement
- 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

Trespass, Adverse Possession and Other Unauthorized Access to Land

B. Lynch

- 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

Land Use Law

D. Shapiro

- | | |
|---|------------------------|
| Understanding land use law | Comprehensive planning |
| Subdivision platting | Zoning |
| Restrictive covenants/deed restrictions | |
| Traffic/parking | Nuisance |
| Handling land use approvals | Plats |
| Re-zoning, including PUD, PD, SUP, CUP | |
| Variances | Special exceptions |
| Interpretations/appeal of staff decisions | |
| Administrative appeals | Litigation |

Eminent Domain Law

C. Gigante

- 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

N. Castillo

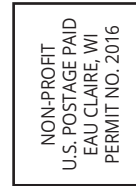
- Condemnation process for government use
- Hearing and right of appeal
- Valuing the property taken
- Condemnation process for utility and other quasi-public use

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Illinois Easements, Land Use, and Eminent Domain

Live, Interactive Webinar - Wednesday, April 27, 2022



HalfMoon Education Inc.
PO Box 278
Altoona, WI 54720-0278



Learning Objectives

You'll be able to:

- Identify** distinctions between easements in gross, easements appurtenant, and prescriptive easements.
- Examine** the elements of adverse possession claims and learn strategies for defending against such claims.
- Explore** land use and zoning law, including plats, variances, and special exceptions.
- Discuss** the privatization of eminent domain and other current issues in eminent domain law.
- Understand** the condemnation process, including the process for valuing taken property.



HalfMoon Education Live Webinars

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Identify, classify, and locate easements

Explore eminent domain powers and takings

Discuss trespass, adverse possession, and other unauthorized access to land

Learn about participating in the condemnation process

Review land use law

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Faculty

J. Cole Helfrich he has been principal land surveyor with Craig R. Knoche & Associates, P.C. in Geneva, IL, for the last 28 years. Mr. Helfrich first picked up a plumb bob in 1971 for Webster & Associates. From tape-and-transit to GPS, mortgage surveys to shopping centers, he has his seal on well over a billion dollars of commercial, residential and institutional developments and transactions in 22 counties in Illinois. Mr. Helfrich has enjoyed working with countless prominent developers, attorneys and other professionals in the field and the office. His specialties include real estate law; boundaries and boundary law; easements, rights-of-way and other encumbrances and servitudes; statutory and common-law plats; ALTA surveys; topography; building and site layout; construction- and project-management as well as land development consulting. Mr. Helfrich is a member of the National Society of Professional Surveyors and the Illinois Professional Land Surveyors Association.

Bryan P. Lynch, owner of the Law Office of Bryan P. Lynch, P.C., concentrates his practice on representing owners of commercial, industrial, residential, and agricultural property affected by the power of eminent domain and the condemnation legal process. In his role protecting property owners' rights, Mr. Lynch routinely opposes state, county and municipal taking agencies, such as IDOT, the Illinois Tollway, CTA, City of Chicago, and Public Building Commission of Chicago. In addition to being a leading Illinois eminent domain attorney, Bryan P. Lynch has presented seminars for organizations such as the Chicago Farmers workshop and National Business Institute and was appointed by several presidents of the Illinois State Bar Association to serve on its Real Estate Section Council. He has been interviewed by the Chicago Tribune and Chicago Business Journal regarding eminent domain and has written articles published in such periodicals as the Chicago Law Bulletin.

Daniel C. Shapiro, founder of Shapiro & Associates Law, has 30 years of experience in the areas of land use, zoning, governmental relations, municipal law, and civil litigation. He has represented a wide variety of clients including: developers, businesses as well as governmental entities and closely advises his clients on complex matters including, securing

zoning entitlements before plan commissions, zoning boards, village, towns, and critics. In litigation matters, Mr. Shapiro has also represented his clients at all judicial levels in Illinois and Federal courts. Mr. Shapiro has been a frequent lecturer on issues such as of land use, public/private partnerships, zoning, and local government relations. He is currently the mayor of the Village of Deerfield, Illinois, and was previously a village trustee. He has served as an adjunct professor at Chicago Kent College of Law where he taught land use to 2nd and 3rd year law students.

Carl A. Gigante is a partner at Figliulo & Silverman, P.C. His legal expertise in the field of eminent domain in the Chicago area spans three decades and eight Illinois counties as well as the U.S. District Court for the Northern District of Illinois. He has been recognized by his peers as one of the leading lawyers in eminent domain in Illinois. His clients include large corporations, small business owners, commercial tenants, public bodies and homeowners. Mr. Gigante also has represented large and small commercial tenants who have lost all or a portion of their leased premises. He has been involved in litigation on the loss or infringement of air rights, sub-surface rights and access rights. Mr. Gigante has lectured and written for the American Business Institute and the American College of Real Estate Appraisers.

Nicole Castillo is a partner at Neal & Leroy, LLC. She concentrates her practice in the areas of eminent domain, commercial litigation, real estate transactions, construction disputes and mechanics' lien litigation. Ms. Castillo represents various governmental agencies in all matters associated with property development including site selection due diligence, property designation, property acquisition, and construction-related disputes. She was counsel to the City of Chicago and Chicago Park District for the Bloomingdale Trail Project: The 606, which dedicated railroad right of way into a public park. Ms. Castillo has also been counsel to numerous property owners in eminent domain matters against the Illinois Department of Transportation. She currently serves as co-chair on the CBA Civil Practice Committee.

Webinar Information

Log into Webinar 8:00 - 8:30 am CDT	Break 12:00 - 1:00 pm CDT
Morning Session 8:30 am - 12:00 pm CDT	Afternoon Session 1:00 - 4:30 pm CDT

Tuition

\$319 for individual registration
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Continuing Education Credit Information

This webinar is open to the public and offers 6.5 PDHs to Illinois professional engineers and land surveyors. Educators and courses are not subject to preapproval in Illinois.

Engineers and land surveyors seeking continuing education credit in other states will be able to claim the hours earned at this webinar, in most cases. Refer to specific state rules to determine eligibility.

The Illinois MCLE Board has approved this course for 6.5 IL MCLE general credit hours for Illinois attorneys.

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

Floodplain Modeling, Mapping and Regulation

- Tues, April 5, 2022 | 10:00 am - 2:00 pm CDT
- Wed, April 6, 2022 | 10:00 am - 2:00 pm CDT

Boundaries and Easements

- Wed, April 20, 2022 | 11:00 am - 2:15 pm CDT
- Thurs, April 21, 2022 | 11:00 am - 2:15 pm CDT

Onsite Wastewater Treatment Systems: Innovations, Commercial and Cluster Systems

- Mon, April 25, 2022 | 8:30 am - 4:00 pm CDT

Illinois Structural Design Loads under the ASCE 7 Standard

- Fri, April 29, 2022 | 8:30 am - 5:00 pm CDT

Reading, Interpreting and Writing Land Descriptions Workshop

- Fri, April 29, 2022 | 9:00 am - 4:00 pm CDT

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

Added Value: Enhance your learning - a recording of this webinar will be available for attendees to stream online for two weeks after the program date. (live webinar attendance required to receive credit)

Registration

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Tuition
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