The NEW 2021 Minimum Standards for ALTA/NSPS Land Title Surveys

Tuesday, June 21, 2022 | 9:00 am - 12:15 pm CDT (incl. a 15-min break)
Tuition: $159 per registrant, $145 per registrant for two or more
Credits:
Civil Engineers: 6.0 PDHs in Most States (Contact Us for New York Accreditation Status)
Land Surveyors: 6.0 PDHs/CE Hours in Most States (Pending Approval in Tennessee)
(Contact Us for New York Accreditation Status)

Agenda
Purpose and Standards for ALTA/NSPS Land Title Surveys
- Purpose and development of ALTA/NSPS Land Title Survey
- Elements of ALTA/NSPS Land Title Survey
Ordering the survey
- Surveying standards and standards of care
- Effective date
- Normal standard of care
- Measurement standards
Fieldwork
- Records research
- Fieldwork
- Monuments
- Lines of possession and improvements along boundaries
- Buildings
- Cemeteries
Preparation of the plat/map of ALTA/NSPS Land Title Survey
- Fieldwork
- Boundary, description, dimensions, closures
- Easements, servitudes, rights of way, access, documents
- Presentation
Certification/Deliverables
- Preface
- Items 1-19
- Item 20

The Art of Retracement for Surveyors

Wednesday, June 22, 2022 | 8:30 am - 4:00 pm CDT (incl. 90-mins of breaks)
Tuition: $319 per registrant, $289 per registrant for two or more
Credits:
Civil Engineers: 6.0 PDHs in Most States
Land Surveyors: 6.0 PDHs/CE Hours in Most States

Agenda
Definitions
- Retracement boundary survey
- Original boundary survey
- Introduce flowchart
- Intent - the holy grail
Determining if there was an original survey
- Yes, there was an original survey
  - The surveyor's responsibility - follow in the footsteps
  - The surveyor's challenges
  - Identifying the best evidence of intent
  - Determining the best evidence of the original survey
  - Direct
  - Indirect
  - Determining the acceptable precision of indirect evidence
- No original survey (or I don't know if there was an original survey)
Retracing when there was no original survey
Determining the best evidence to rely upon
Ambiguities
Definitions
- Patent
- Latent
Explaining/solving patent ambiguities in the legal description
Explaining/solving latent ambiguities by exploring and analyzing extrinsic evidence
Analyzing the evidence and applying the appropriate boundary law principles
Potential conflicts independent of the resolved boundary
Completing the survey
A surveyor's role in boundaries

Easements and Rights-of-Way

Thursday, June 23, 2022 | 8:30 am - 4:00 pm CDT (incl. 90-mins of breaks)
Tuition: $319 per registrant, $289 per registrant for two or more
Credits:
Engineers: 6.0 PDHs in Most States (Contact Us for New York Accreditation Status)
Land Surveyors: 6.0 PDHs/CE Hours in Most States (Pending Approval in Tennessee)
(Contact Us for New York Accreditation Status)
Attorneys: 6.0 60-minute CLE Hours, or 7.0 50-minute CLE Hours in Most States

Agenda
Definitions
- Dominant and servient estates
- Easement, license, profit a prendre
- Rights of way
- Appurtenant easements, easements in gross
- Affirmative and negative easements
Creating easements
- Written easements
  - Express grant
  - Dedication
  - Reservation
  - Condemnation
- Unwritten easements
  - Implied easements
  - Easements by necessity
- Prescriptive easements
  - Prescription vs. adverse possession
  - Implied dedication
Characteristics of Easements
- Scope
- Duration
- Exclusivity
- Maintenance
- Scope of unwritten easements
- Overburdening/expanding the use of an easement
- Interfering with an easement
- Relocating an easement
- Terminating easements
  - Merger of title
  - Vacation/abandonment
  - Terms of the document
  - Condemnation
  - Termination by unwritten means
  - Non-user/abandonment
  - Cessation of purpose/ impossibility of use
  - Adverse possession/prescription
  - Estoppel
Reversionary rights
Rails to trails
Describing easements
Other types of easements
- Air, light, avigation, conservation, wind and solar easements
- and other encumbrances

Faculty
Gary Kent
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 served as chair of the Joint ALTA/NSPS Committee responsible for the ALTA/NSPS Land Title Survey Standards from 1995 to 2021. 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.

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