

HalfMoon Education Live Continuing Education Webinars

Minnesota Easements, Eminent Domain and Riparian Rights

Online - Friday, March 31, 2023 | 8:30 am - 3:30 pm CDT

Credits:

Professional Engineers: 6.0 PDHs (1.0 Ethics Hour)

Land Surveyors 6.0 PDHs (1.0 Ethics Hour)

Attorneys: 6.0 CLE Hours (1.0 Ethics Hour)

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Identifying, Classifying and Locating Easements

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

Ethical Issues in Land Transactions and Development

- Who is the client? Conflict of interest
- Self-dealing
- Fiduciary obligations: is there a duty to the public?

Conservation Easements in Minnesota

- Overview of conservation easements and related laws in Minnesota
 - Introduction, goals, parties
 - How conservation easements differ from and are similar to other types of easements
 - Brief history and current status of conservation easements in Minnesota
 - Advantages/disadvantages of conservation easements
 - Controlling laws and other conservation tools
- Drafting and negotiating conservation easements
 - Due diligence
 - Rights and responsibilities
 - Drafting and negotiating conservation easements
- After closing
 - Stewardship programs
 - Enforcement
 - Amendments and terminations or extinguishments
 - Condemnation and tax forfeiture

Understanding Eminent Domain Powers

- Source and history of eminent domain powers
- Types of eminent domain “takings” and a procedural overview
- Just compensation: valuing “taken” property
 - Direct damages versus severance damages
 - Other forms of compensation:
 - Loss of Going Concern; Minimum Compensation; Relocation Act; MN “Buy the Farm” Statute
- Current issues in eminent domain, including:
 - Access takings after Elbert
 - “Floating” easements
 - Contaminated property
 - Takings for public-private partnerships

Understanding Riparian and Water Rights

- History and development of riparian rights
- Determining land boundaries near the water line
- Determining access rights to surface waters
- Determining rights to groundwater
- Complying with regulations restricting access to and use of surface water and groundwater
- Alterations and encroachments

Presented by

J. Cole Helfrich

Principal land surveyor with Craig R. Knoche & Associates, P.C.

Rebecca A. Bowman, P.E. D.F.E.

Law Office of Rebecca Bowman, Principal

Amy Schwarz Staff Attorney at the Minnesota Land Trust

Jocelyn Walters-Hird

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Joshua Weir Attorney at Kennedy & Graven

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Mark Severson

Attorney and Shareholder at Severson Porter Law

Credit Information

This webinar is open to the public and is designed to qualify for 6.0 PDHs, including 1.0 ethics hour, for professional engineers and land surveyors in Minnesota for whom the subject matter is professionally relevant.

This webinar has been approved by the Minnesota Board of Continuing Legal Education for 6.0 total CLE hours, including 5.0 standard CLE hours and 1.0 ethics hour.

Attendance will be monitored, and attendance certificates will be available after the webinar for those who attend the entire course and score a minimum 80% on the quiz that follows the course (multiple attempts allowed).

On-Demand Credits

The preceding credit information only applies to the live presentation. This course in an on-demand format may not be eligible for the same credits as the live presentation; please consult your licensing board(s) to ensure that a structured, asynchronous learning format is appropriate.

Tuition

\$319 for individual registration

\$289 for two or more registrants from the same company at the same time.

Included with your registration: PDF seminar manual.

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