

Agenda

Locating Land Boundaries on Paper (and on the Ground) *R. Olsen*

- 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 Utility Easements and Rights of Way *M. Largent*

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

Eminent Domain Law *J. Wallach*

- 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 *J. Wallach*

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

Understanding Riparian Rights and Access to Surface Water *B. Savage*

- History and development of riparian rights
- Determining land boundaries near the water line
- Determining access rights to surface waters
- Limitations on rights to surface waters
- Complying with water quality laws and regulations

Identifying, Classifying and Locating Private Easements *B. Savage*

- What is and is not an easement
- Reviewing Missouri 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

Missouri Land and Water Law: Ownership and Access

Live, Interactive Webinar - Friday, August 16, 2024

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Learning Objectives

You'll be able to:

Apply principles of boundary location to solve boundary problems.

Identify, classify and **locate** private easements.

Explore easements for different types of utilities including electric power, water, natural gas and telecommunications.

Learn about eminent domain law and participate in the condemnation process.

Determine land boundaries along lakes and rivers and determine access rights to surface water.



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Your LIVE Education Leader Presents

Missouri Land and Water Law: Ownership and Access

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Locate land boundaries on maps and on the ground

Explore riparian rights and access to surface water

Learn about utility easements and rights-of-way

Identify and **locate** private easements

Understand eminent domain law and the condemnation process

Continuing Education Credits

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6.5 PDHs

Attorneys

7.8 CLE Hours

Land Surveyors

6.5 PDU

Certified Planners

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Webinar Information

Online - Friday, August 16, 2024

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Faculty

Russell W. Olsen, PLS, PS, RPLS
Gasperec Elberts Consulting LLC, Engineering Design Source, Inc.
Mr. Olsen is a senior professional land surveyor with Engineering Design Source, Inc., a civil engineering and surveying firm based in Chesterfield, Missouri. Mr. Olsen has more than 30 years' experience as a professional land surveyor, beginning in the Chicago metropolitan area. He is currently licensed as a land surveyor in Illinois, Missouri, Wisconsin, Indiana, and Texas. He has been fortunate to have worked on numerous highway department/department of transportation horizontal and vertical control surveys, land acquisition and topographic surveys, county transportation department plats of highway, and municipal highway department surveys. He has also worked on many commercial and residential developments throughout northeast Illinois and northwest Indiana. Mr. Olsen is currently enrolled in the University of Maine Graduate School in the Eng. D. (Doctor of Engineering) Engineering Technology/Surveying Engineering Program. He has an M.S. degree in Engineering Technology/Surveying Engineering from the University of Maine and a B.A. degree in Mathematical Sciences. Mr. Olsen has presented seminars and webinars previously with HalfMoon Education on topics including Law and Ethics of Illinois Land Surveying; Locating Land Boundaries on Paper (and on the Ground); Complying with Minimum Standards of Practice; Handling Ethical Issues in Land Surveying Practice; Complying with the Illinois Plat Act; Complying with National Society of Professional Surveyors Creed and Canons.

Meghan S. Largent *Rails to Trails*
Ms. Largent serves as a practice group leader for the Rails to Trails practice group. Her primary focus is representing landowners nationwide whose property has been taken by the federal government without just compensation. In addition to establishing when the government is liable for taking land, Ms. Largent's practice centers largely on establishing the value of the land taken. Ms. Largent also focuses her practice on appellate litigation and commercial disputes. She has assisted in drafting dozens of appellate briefs in the U.S. Supreme Court, U.S. Court of Appeals for the Federal Circuit, Eighth Circuit, and Eleventh Circuit, as well as the Supreme Court and Appellate Courts of Illinois and Appellate Court of Missouri.

Barry Savage
Mr. Savage began his survey career while in college in 1981. He graduated from the University of Tennessee at Martin with a B.S. degree in Civil Engineering Technology. Mr. Savage worked for the next 10 years for various civil/survey firms in positions ranging from crew chief to senior designer. In 1993, he started Savage Surveying and Mapping. While operating his firm, Mr. Savage surveyed several state lines to resolve jurisdictional conflicts. He served as survey consultant during the construction of the Ocoee Whitewater venue for the 1996 Olympics. Mr. Savage is currently the survey products manager at the Tennessee Valley Authority providing survey services to support their seven-state service area. He has been an adjunct faculty member at Cleveland State Community College for 20 years where he teaches courses in boundary law, geodesy, and general surveying. Mr. Savage and his students have retraced the historical surveys of Henry David Thoreau on Walden Pond in Concord, Massachusetts. He teaches continuing education courses on surveying and boundary issues across the country. Mr. Savage is a licensed surveyor in Tennessee, Georgia, and Alabama.

Jerome Wallach
There are very few eminent domain lawyers within the state of Missouri who are as accomplished and decorated as Jerome Wallach. Mr. Wallach was born in St. Louis, Missouri on July 30, 1938, and received his education at the reputed University of Missouri. He secured a B.A. degree in 1962, before receiving his J.D. degree in 1965. As an eminent domain lawyer, Jerome Wallach is highly knowledgeable in the fields of: eminent domain, property tax appeals, real estate litigation, land use, zoning law, and municipal law. Mr. Wallach is a member of The Missouri Bar having served as chairman on two occasions and is now part of the Eminent Domain Committee. He is also a member of the Bar Association of St. Louis, the Association of Trial Lawyers of America, and the highly selective American Property Tax Counsel. Mr. Wallach has also served as assistant attorney general of Missouri between the years 1966 and 1967, as well as special assistant attorney general of Missouri between 1967 and 1968. He is held in high regard by the eminent domain lawyer community within the state. Despite his knowledge and expertise in various fields of law, Mr. Wallach labels himself as an eminent domain lawyer before anything else. Over the course of his career, Mr. Wallach has devoted himself entirely to representing property owners engaged in various disputes regarding condemnation law and ad valorem tax appeals. He has provided sound legal representation for thousands of clients, presenting cases to juries and other administrative bodies.

For more information on the presenters:
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Credit Information

This webinar is open to the public and is designed to qualify for 6.5 PDHs for professional engineers and 6.5 PDUs for land surveyors licensed in Missouri.

The Missouri APEPLSPLA Board does not approve continuing education activities for engineers; it is up to the licensee to determine whether the activity qualifies. The Missouri APEPLSPLA Board has approved this course for 6.5 PDUs for land surveyors.

The Missouri Bar has approved this course for 7.8 general CLE hours. Attendees should keep a personal record of attendance; sponsors do not submit certificates or attendance to the Bar.

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