

About the Instructor:

Gary Kent, RLS -

Gary Kent is Integrated Services Director for The Schneider Corporation, a land surveying, GIS and consulting engineering firm based in Indianapolis and with offices in North Carolina and Iowa. He serves on Schneider's leadership council and his responsibilities include corporate culture, training, coaching and mentoring members of the surveying staff, project management, and advising the GIS Department on surveying matters.

Gary is a graduate of Purdue University with a Bachelor of Science Degree in Land Surveying. He is registered to practice land surveying in Indiana and Michigan. Gary is chair of the committee on ALTA/ACSM Standards for ACSM/NSPS and is the liaison to NSPS/ACSM for the American Land Title Association. He is also past-president of both the American Congress on Surveying and Mapping (2001) and the Indiana Society of Professional Land Surveyors (1989).

A member of the adjunct faculty at Purdue University from 1999-2006, Gary taught Boundary Law, Legal Descriptions, Property Surveying and Land Survey Systems. He was awarded "Outstanding Associate Faculty" and "Excellence in Teaching" awards for his work. He is also a certified instructor for the International Right of Way Association.

Gary serves as Vice Chair of the Indiana State Board of Registration for Land Surveyors and is frequently called as an expert witness in cases involving boundaries, easements and land surveying practice. He regularly presents programs across the country on surveying and GIS topics, and he also writes columns for The American Surveyor magazine (called "Reconnaissance") and for the ACSM Bulletin on ALTA/ACSM Land Title Surveys.

Lodging

**Little America Hotel
2515 E Butler Avenue
Flagstaff, AZ 86004**

**Call 1-800-352-4386
to make your
Reservations now!**

***A small block of sleeping
rooms have been reserved.***

***Everyone is responsible
for making their own lodging
reservations.***

***You need to mention you're
with the APLS group to
receive the special
room rate of \$109.00***

***August 11, 2009 is the cut-off
date to make hotel reservation.***

**We will hold the Awards Banquet on
Friday Night, September 11th.**

Presented by
Arizona Professional Land Surveyors
Association
1979 - 2009



**2009
30th Anniversary
Celebration &
Mini Conference
With Gary Kent**

**Friday & Saturday
September 11 & 12, 2009**

11 Professional Development Hours

8:30am - 4:30pm

\$195/APLS Member

\$295/Non Member

***Breakfast, Lunch & Dinner
will be provided***

**Little America Hotel
2515 E Butler Avenue
Flagstaff, AZ 86004**

Easements and Rights of Way

**Friday September 11
8:30am - 4:30pm**

This program is tailored to Arizona statutes and case law, and is designed to help surveyors more fully understand the types, elements and nature of easements, both written and unwritten. Surveyors deal with writing and interpreting easements virtually every day by virtue of Land Title Surveys, and in working for developers, utility companies and governmental entities. It is important that they are well-versed in what easements are, how they are created and extinguished, and in the broad variety and nature of easements.

Course Outline:

Defining Easements

- Definitions
- Types of Easements
- Easements vs. Licenses
- Appurtenant Easements - The Dominant and Servient Estates
- Easements in Gross
- Creating Easements
- The Duration of an Easement

Written Easements

- Creation of Written Easements
- Scope of a Written Easement
- Expanding the Use of or Overburdening an Easement
- Terminating a Written Easement
- Describing Easements

Unwritten Easements

- Types of Unwritten Easements
- Easements by Necessity
- Easements by Implication
- Prescriptive Easements

Recent Arizona Cases on Easements

Questions & Answers

Mock Trial

**Saturday September 12
8:00am - 12:00pm**

Plaintiff Lester Pilgrim has filed a quiet title action against Defendant Chris Arbonne to clear title to a certain area of land. Aside from questions as to the location of the common boundary, which were exacerbated by conflicting surveys performed for the plaintiff and defendant, Pilgrim has been occupying this area for a period of time and, in fact, has fenced it.

Mr. Pilgrim has asked the court to determine that the boundary as surveyed by his surveyor be declared the written title line and, alternatively, that he has gained title to the area of conflict by adverse possession. Pilgrim's surveyor will testify in support of his opinion as to the boundary and claim of adverse possession.

The defendant, Arbonne, has her own survey and her surveyor will also testify as to his opinion on the boundary conflict and the adverse possession claim.

An actual judge will preside over the proceedings, and the plaintiff and defendant will both have attorneys representing them and presenting their cases. The audience will be broken into a number of 6-8 person individual juries which will deliberate on the case and report their decisions at the conclusion of the trial.

As an integral part of the trial, questions will be taken from the audience. Concluding the trial, the judge will discuss the process and procedures in such a case, the attorneys will offer guidance and suggestions to those who would testify as expert witnesses, and a representative of each jury will share the basis for their decisions.

Program Outline

Introduction of the case

An overview of the case

Introduce the various parties - Judge, attorneys,

Surveyors, plaintiff, defendant and witnesses

Review the surveys and descriptions with the audience

Court Case

Opening Statements

Plaintiff's Case

Witnesses:

Lester Pilgrim (Plaintiff and owner)

Plaintiff's Surveyor

Andrew Gibson (neighbor)

Defendant's Case

Witnesses

Chris Arbonne (Defendant and owner)

Defendant's Surveyor

Closing Statements From Plaintiff & Defendant

Jury/Judge's Decision

Comments by Judge and Attorneys; Questions and Answers

SEMINAR REGISTRATION:

NOTE: Fee Includes breaks, lunch, handouts, and 12 professional development hours.

Registration Deadline: September 4, 2009

Confirmations will not be sent. Sorry, fax, and checks received after the registration deadline will not be included in meeting registry or guaranteed a prepared name badge. **Refund** requests must be submitted in writing no later than the date of the registration deadline; refund requests will not be accepted after this date.

Payment: ___\$195/APLS Member

___\$295/Non-Member

Please note: registration fees increase by \$50 on day of event.

CREDIT CARD—

FAX: 602-334-1030 or online at www.azpls.org

Fax Credit Card information with completed registration form.

Indicate credit card: ___ Visa ___ MasterCard

___ AMEX ___ Discover

Credit Card number _____

Exp. Date: _____

Signature _____

CHECK- Pre-registration is **REQUIRED** for preparation of workshop materials, handouts and to properly prepare the list of attendees. We plan on some late sign-up, but can NOT be responsible for workshop materials being available for late sign-up.

Make Checks Payable to:

Arizona Professional Land Surveyors Association
Mail check with completed registration form to:

APLS

3346 E. Menadota Drive

Phoenix, AZ 85050

Name _____

Company _____

Address _____

City/State/Zip _____

Telephone _____

E-Mail _____

For multiple registrations, please duplicate this form.