



The nonprofit educational arm of the Colorado and Denver Bar Associations



34TH ANNUAL

REAL ESTATE SYMPOSIUM

Enhance Your Craft. Explore Colorado. Enjoy the Camaraderie.

Co-sponsored by the Colorado Bar Association Real Estate Section



LIVE ONLY: JULY 21-23, 2016

At the Beaver Run Resort & Conference Center • Breckenridge, Colorado

A MUST-ATTEND EVENT - LIVE IN BRECKENRIDGE!

Submitted for 16 General CLE Credits, Including up to 3 Ethics Credits

REAL ESTATE CREDITS: The Symposium will be submitted for 16 hours of credit for real estate continuing education requirements under CRS § 12-61-110.5(3).

REGISTER ONLINE! Go to www.realestatesymposium.org

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For the past 33 years, the **Real Estate Symposium** has been established as an institution not to be missed by any real estate professional in the Rocky Mountain region. Join more than 400 of your friends and colleagues for this once-a-year opportunity to talk about the most important issues you face in your real estate practice today –

- **Legislative Update**
- **How Hotel Transactions are Different from Other Commercial Real Estate Deals**
- **An Expanded 15-Minute Drill!**
- **Drones and Real Estate – What You Need to Know**
- **A Look at the Federal Government's Program to Give Away Entire Towns and How It Affected Colorado**
- **Case Law Update**
- **Easier Said Than Done: Rights of First Offer, Rights of First Refusal and Options**
- **Conveyance Issues in the Estate Planning and Trust and Estate Administration Context**
- **Quasi-judicial Hearings on Land Use Applications: Procedures, Practices and a Few Lessons Learned**
- **Net Investment Income Tax and Real Estate Activities**
- **Marijuana in Colorado: Real Estate Issues**
- **An Ethical Morning at the Movies**
- **Legal Ethics' Next Frontier: Lawyers and Cybersecurity**
- **The Latest on Development and Disposal of Fracking Water in Colorado**

... and much more!

We look forward to seeing you in Breckenridge!

LODGING INFORMATION

SYMPOSIUM HEADQUARTERS



Beaver Run Resort & Conference Center

620 Village Road, Breckenridge, CO 80424

CLE has reserved a block of rooms for guests of the Symposium at Beaver Run Resort. Room rates, plus applicable taxes, are as follows:

- | | |
|----------------------------------|--|
| • Hotel Room - \$145.00 | • Studio - \$150.00 |
| • Breckenridge Studio - \$155.00 | • Colorado Suite - \$155.00 |
| • Summit Suite - \$165.00 | • One Bedroom Suite - \$189.00 |
| • Two Bedroom Suite - \$249.00 | • Imperial Suite (4 Bedrooms) - \$699.00 |

When making your reservation, in order to receive the group room rate, please indicate that you are a guest of the Real Estate Symposium.

Reservations will be accepted by phone at (800) 525-2253.

A deposit equal to one night of lodging is due at time of booking. The balance is due at check-in.

Cut-off for room reservations is
June 30, 2016.

***Rooms will sell out fast -
Make your reservation early!***

**THE REAL ESTATE SYMPOSIUM IS CO-SPONSORED BY
THE CBA REAL ESTATE SECTION**



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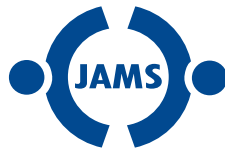
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SPONSORSHIP
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For more information,
please contact
Melissa Higham at
mhigham@cobar.org

REGISTER ONLINE! Go to www.realestatesymposium.org

SYMPOSIUM AGENDA • DAY 1 • THURSDAY, JULY 21, 2016

12:00 pm **Registration Open / Visit Sponsors**

1:15 pm **Opening Remarks**

Nicole R. Nies, Esq., Symposium Chair, Hoffman Crews Nies Waggener & Foster LLP, Greenwood Village, CO

1:30 - 2:20 pm **Legislative Update**

Presented by **Charles D. Calvin, Esq.**, Of Counsel, Faegre Baker Daniels LLP, Denver, CO

2:20 - 3:10 pm **A Different Kind of Beast: How Hotel Transactions are Different from Other Commercial Real Estate Deals**

Presented by **Philip A. Gosch, Esq.**, Brownstein Hyatt Farber Schreck, LLP, Denver, CO, and **Catherine A. Hance, Esq.**, Davis Graham & Stubbs LLP, Denver, CO

3:10 - 3:30 pm **Networking Break / Visit Sponsors**

3:30 - 5:25 pm **EXPANDED 15-MINUTE DRILL!**

Moderator: **J. Marcus Painter, Esq.**, Holland & Hart LLP, Boulder, CO

1) CDARA Combat: A Review of Local Ordinances Attacking the Construction Defect Action Reform Act

Presented by **Jean C. Arnold, Esq.**, Arnold & Arnold, LLP, Littleton, CO

2) Title Issues and Other Potpourri

Presented by **Julia T. Waggener, Esq.**, Hoffman Crews Nies Waggener & Foster LLP, Greenwood Village, CO

3) Split Estate Considerations for Real Estate Practitioners

Presented by **Randall Feuerstein, Esq.**, Dufford & Brown, P.C., Denver, CO

4) Water Transfers: How to Keep It All in the Pail When You Hand It Over

Presented by **Kylie Crandall, Esq.**, Holland & Hart LLP, Boulder, CO

5) Colorado Real Estate Commission Forms Update for 2016

Presented by **Kent Jay Levine, Esq.**, Kent Jay Levine, P.C., Englewood, CO

6) A Brief Survey of Surveys

Presented by **Richard H. Krohn, Esq.**, Dufford Waldeck Milburn & Krohn LLP, Grand Junction, CO

7) Caps, Baskets, Waivers and Fraud with Impunity: Commercial Contract Remedies and the Economic Loss Rule

Presented by **J. Marcus Painter, Esq.**, Holland & Hart LLP, Boulder, CO

5:25 pm **Adjourn**

5:30 - 7:00 pm **Annual Wine Tasting Reception SPONSORED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY**

SYMPOSIUM AGENDA • DAY 2 • FRIDAY, JULY 22, 2016

7:30 am **Continental Breakfast / Visit Sponsors**

8:20 - 8:30 am **Good Morning Remarks**

Nicole R. Nies, Esq., Symposium Chair

8:30 - 9:20 am **Drones and Real Estate – What You Need to Know**

An Overview of Current Federal Regulations Applicable to the Commercial Use of Small Unmanned Aircraft Systems (sUAS) and the Evolving Related State Law Issues; Unique Concerns Related to the Use of sUAS in the Real Estate Industry as Well as Business Considerations for Real Estate Industry Professionals Interested in Incorporating Drones into Their Businesses
Presented by **Thomas J. Dougherty, II, Esq.**, Lewis Roca Rothgerber Christie LLP, Denver, CO

9:20 - 10:10 am **Case Law Update**

Presented by **Frederick B. Skillern, Esq.**, Montgomery, Little & Soran, PC, Greenwood Village, CO

10:10 - 10:30 am **Networking Break / Visit Sponsors**

continued on next page

SYMPOSIUM AGENDA • DAY 2 • FRIDAY, JULY 22, 2016 *continued*

10:30 - 11:20 am **Conveyance Issues in the Estate Planning and Trust and Estate Administration Context**
Common Deeds Such as Beneficiary Deeds, Personal Representative Deeds, Trustee Deeds; Transfer of Certain Assets Such as Ditch Rights, Oil, Gas and Mineral Interests; Other Issues to Consider
Presented by **Julia Griffith McVey, Esq.**, The Law Office of Julia Griffith McVey, P.C., Lakewood, CO

11:20 am - 12:10 pm **A Mine? A Farm? How About a Whole Town?**
A Look at the Federal Government's Program to Give Away Entire Towns and How It Affected Colorado
Presented by **Geoffrey P. Anderson, Esq.**, Sweetbaum Sands Anderson PC, Denver, CO

12:10 - 1:30 pm **Lunch on Your Own – Enjoy Breckenridge!**
Enjoy lunch with friends at Beaver Run, or take a short ride on the Beaver Run shuttle into town for lunch.

1:30 - 2:20 pm **Quasi-judicial Hearings on Land Use Applications: Procedures, Practices and a Few Lessons Learned**
Kristin A. Decker, Esq., Moyer White LLP, Denver, CO

2:20 - 3:10 pm **Easier Said Than Done: Rights of First Offer, Rights of First Refusal and Options**
Presented by **Beat Steiner, Esq.**, Holland & Hart LLP, Boulder, CO

3:10 - 3:30 pm **Networking Break / Visit Sponsors**

3:30 - 4:20 pm **Net Investment Income Tax and Real Estate Activities**
How Real Estate Activities May be Subject to the New Net Investment Income Taxes, and How the NIIT Intersects with the Passive Activity Loss Rules and Real Estate Professional Rules
Presented by **Douglas J. Becker, Esq.**, and **Trevor A. Crow, Esq.**, Otten Johnson Robinson Neff + Ragonetti PC, Denver, CO

4:20 - 5:10 pm **Marijuana in Colorado: Real Estate Issues**
Presented by **Joel D. Russman, Esq.**, Denver, CO

5:10 pm **Adjourn**

5:15 - 6:30 pm **Cocktail Party for Attendees and Guests**

SYMPOSIUM AGENDA • DAY 3 • SATURDAY, JULY 23, 2016

8:00 am **Continental Breakfast / Visit Sponsors**

8:20 - 8:30 am **Good Morning Remarks**
Nicole R. Nies, Esq., Symposium Chair

8:30 - 9:20 am **Legal Ethics' Next Frontier: Lawyers and Cybersecurity**
Presented by **Eli Wald, Esq.**, University of Denver Sturm College of Law, Denver, CO

1 ETHICS CREDIT!

9:20 - 10:10 am **The Energy Water Nexus and the Real Estate Lawyer: The Latest on Development and Disposal of Fracking Water in Colorado**

- The Role of Water for Fracking
- Acquisition of Fracking Water; Implications for the Real Estate Lawyer
- Disposal of Fracking Water; Real Estate Implications

Presented by **Kevin L. Patrick, Esq.**, Patrick, Miller & Noto, Aspen, CO

10:10 - 10:30 am **Networking Break / Last Chance to Visit Sponsors!**

10:30 am - 12:10 pm **An Ethical Morning at the Movies**
Presented by **Larry Cohen, Esq.**, Cohen's Counsel, Bethel, VT

2 ETHICS CREDITS!

12:10 pm **Adjourn**

1:00 pm **ANNUAL GOLF OUTING** – *Please see the next page of this brochure for registration, pricing and course information.*

SYMPOSIUM CHAIR

Nicole R. Nies, Esq.
Hoffman Crews Nies Waggener
& Foster LLP
Greenwood Village, CO

FACULTY

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Sweetbaum Sands Anderson PC
Denver, CO

Jean C. Arnold, Esq.
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Littleton, CO

Douglas J. Becker, Esq.
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Denver, CO

Charles D. Calvin, Esq.
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Kent Jay Levine, P.C.
Englewood, CO

Julia Griffith McVey, Esq.
The Law Office of Julia Griffith
McVey, P.C.
Lakewood, CO

J. Marcus Painter, Esq.
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Boulder, CO

Kevin L. Patrick, Esq.
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Aspen, CO

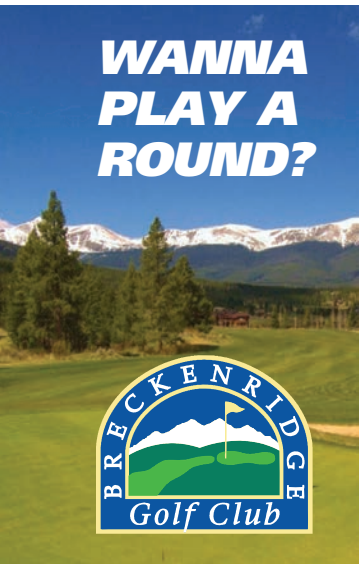
Joel D. Russman, Esq.
Denver, CO

Frederick B. Skillern, Esq.
Montgomery, Little & Soran, PC
Greenwood Village, CO

Beat Steiner, Esq.
Holland & Hart LLP
Boulder, CO

Julia T. Waggener, Esq.
Hoffman Crews Nies Waggener
& Foster LLP
Greenwood Village, CO

Eli Wald, Esq.
Charles W. Delaney Jr.
Professor of Law
University of Denver Sturm
College of Law
Denver, CO



**WANNA
PLAY A
ROUND?**

Join us for the Annual Golf Outing immediately following the Symposium at 1:00 pm on **Saturday, July 23rd!**

WHERE: Town of Breckenridge Golf Club
COST: \$100 per golfer

The golf course is situated in a beautiful mountain valley. The clubhouse sits at an elevation of 9,324 feet. At this elevation the golf ball flies farther and straighter than at lower elevations, as there is less air resistance. In May 2014, *Golfweek Magazine* rated Breckenridge as one of the "Top 50 Municipal Courses" ranking at #25 in the nation. *Golf Digest* "Places to Play" has rated Breckenridge as a 4 1/2 Star Facility, and as one of their top "Upscale Places To Play" in the nation. Locally Breckenridge has been awarded the "Best of Summit County" by the readers of the *Summit Daily* year after year.

Please see the registration form to sign up for the golf outing, sign up online when you complete your registration, or call us at (303) 860-0608 to reserve your spot!

(If you wish to have a foursome with specific individuals, please call our offices to provide names)

ADDITIONAL INFORMATION

TO REGISTER: You may REGISTER ONLINE at www.realestatesymposium.org, or return the attached form with check or credit card information. Register by phone or fax with AMEX, Visa or MasterCard. **Phone: (303) 860-0608. Toll Free (888) 860-2531.**

CANCELLATIONS: If you are unable to attend, please notify CBA-CLE by July 14, 2016 and we will gladly refund your tuition in full. Cancellations after July 14 will be refunded less a \$100 cancellation fee OR you may send someone in your place.

HOTEL ACCOMMODATIONS: Special rates and lodging options are available for attendees of the Real Estate Symposium. For details, please see "LODGING INFORMATION" on the first page of this brochure.

CREDITS: Submitted for 16 general credits, including 3 ethics credit.

REAL ESTATE CREDITS: Submitted for 16 hours of credit for real estate continuing education requirements under CRS § 12-61-110.5(3).

SPECIAL NEEDS: If you need information regarding availability of special facilities, please call (303) 860-0608.

CLE PASS: Did you know that you can attend the Real Estate Symposium for half price if you are a CLE Elite Pass Holder? Plus, you'll get unlimited access to the best catalog of CLE seminars in Colorado, all at a fraction of what you would normally pay! Call our offices for more information on this incredible resource!

LIVE PROGRAM ORDER FORM

Symposium tuition includes course materials* (please select paper or digital download), admission to the entire program, admission to the wine tasting on Thursday and the reception on Friday. *Please note: All attendees will receive the course materials digitally via email prior to the Symposium.

STEP ONE – TUITION: (RE072116L)

- Non-Member\$449.00
- CBA Member\$409.00
- CBA Real Estate Section Member\$389.00
- New Lawyer Edge Partner**\$204.50
- CLE Elite Pass Holders**\$204.00

STEP TWO – MATERIALS FORMAT

- Digital Download Printed Book

STEP THREE – SOCIAL EVENTS

Please indicate which functions you plan to attend. Wine reception and cocktail party are included with your tuition. Golf outing is \$100 per person.

- Thursday Wine Tasting Friday Cocktail Party
- Saturday Golf Outing\$100

NAME OF GOLFER: _____
(Please contact our office if you are signing up multiple golfers)

STEP FOUR – RECEPTION GUESTS

Please skip this step if you are not bringing any guests. Receptions on Thursday and Friday are complimentary for guests. Please tell us how many guests you plan to bring.

- Thursday: # of Adult Guests: _____
- Friday: # of Adult Guests: _____

STEP FIVE – BREAKFAST GUESTS

Please skip this step if you do not wish to purchase breakfast for your guest. Guests may participate in breakfast on Friday and/or Saturday for \$25/adult per day, or \$15/child per day. Deadline to purchase breakfast for guests is July 14, 2016.

ADULT GUEST BREAKFAST

- Friday: # of Guests x \$25: _____
- Saturday: # of Guests x \$25: _____

CHILD GUEST BREAKFAST (under 13 years of age)

- Friday: # of Guests x \$15: _____
- Saturday: # of Guests x \$15: _____

LIVE PROGRAM TOTAL \$ _____

HOMESTUDY ORDER FORM

To receive CLE Credit you must purchase both the course materials AND the recorded seminar. Symposium homestudy submitted for 16 General CLE Credits, including 3 Ethics Credits.

STEP ONE – SELECT DESIRED PRODUCT FORMAT:

- Video-On-Demand (RE072116N) MP3 Audio Download (RE072116J)
- Paper course materials and recorded homestudy on CD-Rom (RE072116D)

STEP TWO – SELECT PAYMENT CATEGORY:

- Non-member.....\$449.00
- CBA Member\$409.00
- New Lawyer Edge Partner** (MP3 and VOD products ONLY)\$204.50
- CLE Elite or Basic Pass Holder** (MP3 and VOD products ONLY)FREE

NOTE: Step 3 is for course materials only purchases. Skip this step if you purchased the homestudy.

STEP THREE – COURSE MATERIALS ONLY: (Paper - RE072116C)

- Non-member: \$199 CBA Member: \$179

NOTE: Shipping & handling only applies to orders you receive via mail. Materials will be mailed to you approximately 2 weeks after live program.

Price \$ _____
Shipping & Handling \$ 10.95
Subtotal \$ _____

Applicable Sales Tax (7.62% Denver, 4% RTD and 2.9% rest of Colo.) \$ _____

HOMESTUDY TOTAL \$ _____



Register by PHONE ... when using VISA, MasterCard or AmEx.
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Or FAX form to ... when using VISA, MasterCard or AmEx.
FAX to: (303) 860-0624



Or MAIL form to ...
CBA-CLE, 1900 Grant St., Suite 300, Denver, CO 80203-4303



Or Register ONLINE ... when using VISA, MasterCard or AmEx.
Register @ www.realestatesymposium.org

Name(s) _____

Attorney Reg. No. _____

Firm/Organization _____

E-Mail Address _____

Street Address _____

City _____

State / Zip _____

Telephone () _____

Fax () _____

PAYMENT METHOD:

- Enclosed is my check made payable to **CBA-CLE**
- VISA MasterCard AmEx

Credit Card # _____

Exp. Date _____

Signature _____

Required for credit card orders

All registrations must include a check or charge card information. Mail to CBA-CLE, 1900 Grant St., Suite 300, Denver, Colorado 80203-4303. You may register by phone or fax when using Visa, MasterCard or AmEx. Phone 303-860-0608 • Fax 303-860-0624

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FOR CLE USE ONLY:

Check # : _____ Approval # : _____

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