

Colorado Eminent Domain Practice

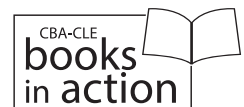


IN THE MORNING SESSION, we will cover eminent domain basics, including legal authority to condemn, good faith negotiations, public use, and the determination of just compensation.

IN THE AFTERNOON SESSION, these concepts will be underscored by two breakout panels, one consisting of condemning entity and landowner lawyers, and the other of expert real estate appraisers.

CLASS MATERIALS:

Colorado Eminent Domain Practice,
2nd Edition by Leslie A. Fields
14 ESSENTIAL FORMS INCLUDED!



Live Program & Live Webcast: **Thursday, November 16, 2017**

CBA-CLE Classroom, 1900 Grant St., Suite 300, Denver, CO

Video Replays: **December 6, 2017**

Submitted for 7 General CLE Credits

Colorado

Eminent Domain Practice

AGENDA

8:30 AM Registration and Continental Breakfast

9:00 AM Welcome and Introduction

9:10 AM **Origin and history of the power of eminent domain**

- Where does the power come from?
- Who has the right to exercise the power?
- How does the law of condemnation balance the needs of the public against the rights of private property owners?

Presented by Leslie A. Fields, Esq.

10:00 AM Networking Break

10:15 AM **Requirements and safeguards for exercising the power of eminent domain**

- Legal authority
- Condemning for a public use
- Necessity for the taking
- Good faith negotiations
- Payment of just compensation

Presented by Leslie A. Fields, Esq., and Jack Sperber, Esq.

11:15 AM **Public Use Clause**

- How has the meaning of the term "public use" evolved over time
- Historical context that led to the *Kelo* decision
- Resulting state backlash to exerting the power for private purposes and economic redevelopment

Presented by Leslie A. Fields, Esq., and Sarah Kellner, Esq.

12:15 PM Lunch on Your Own

1:15 PM **Just Compensation Clause**

- How is just compensation determined?
- What does "fair market value" mean?
- The basis for and calculation of damages to remaining property

Presented by Leslie A. Fields, Esq.

2:15 PM **Panel Discussion of condemnee and condemner lawyers**

Two veteran eminent domain trial lawyers will discuss a variety of topics and take questions concerning eminent domain cases from the perspective of a condemning entity and a private landowner. Examples of likely topics include

- Balancing public and private issues
- Effective negotiations
- Themes in a condemnation case
- Attorney fees
- Working with appraisers and experts

Presented by Donald M. Ostrander, Esq. and Brandee Caswell, Esq.

AGENDA *continued*

3:15 PM Networking Break

3:30 PM **Panel Discussion of appraisers and valuation experts**

Two experienced eminent domain real estate appraisers will discuss a variety of topics and take questions concerning

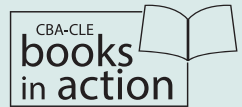
- Unique aspects of eminent domain cases
- Valuation methodologies
- Damages to remainder
- Larger parcel
- Undivided fee rule
- Cross-examination issues
- Preparing for deposition testimony

Presented by Larry W. Stark, MAI, CRE and David B. Clayton, MAI

4:30 PM Adjourn

CLASS MATERIALS

Colorado Eminent Domain Practice, 2nd Edition by Leslie A. Fields
14 ESSENTIAL FORMS INCLUDED!



SUMMARY TABLE OF CONTENTS

- Chapter 1 The Sovereign Power of Eminent Domain
 - Chapter 2 Legal Requirements for Exercising the Power of Eminent Domain
 - Chapter 3 Legal Challenges to the Exercise of the Eminent Domain Power
 - Chapter 4 Instituting the Condemnation Action
 - Chapter 5 Immediate Possession
 - Chapter 6 Pretrial Process and Procedures
 - Chapter 7 Trial Practice and Procedure
 - Chapter 8 Valuation Concepts and Principles
 - Chapter 9 Highest and Best Use
 - Chapter 10 Valuation and Appraisal Approaches
 - Chapter 11 Damage Rules and Methodologies
 - Chapter 12 Specific Benefits
 - Chapter 13 Abandonment of Condemnation Actions
 - Chapter 14 Post-Trial Matters
 - Chapter 15 Recovery of Fees and Costs
 - Chapter 16 Appealing a Condemnation Case
-

Colorado Eminent Domain Practice, 2nd Edition

Print Book – CBA Member: \$159; Non-Member: \$179

Print Book – CLE Item Number: ZCEDPB17B

PDF e-Book – CBA Member: \$149; Non-Member: \$169

PDF e-Book – CLE Item Number: ZCEDPE17E

FACULTY

PROGRAM CHAIR

Leslie A. Fields, Esq.
Author and Faculty
Denver, CO

FACULTY

Brandee L. Caswell, Esq.
Faegre Baker Daniels LLP
Denver, CO

David B. Clayton, MAI
Clayton & Company Inc.
Denver, CO

Sarah Kellner, Esq.
Faegre Baker Daniels LLP
Denver, CO

Donald M. Ostrander, Esq.
Hamre, Rodriguez, Ostrander &
Dingess, PC
Denver, CO

Jack Sperber, Esq.
Faegre Baker Daniels LLP
Denver, CO

Larry W. Stark, MAI, CRE
NVC-National Valuation Consultants
Centennial, CO

Live Program & Live Webcast: **Thursday, November 16, 2017**

Live program at the **CBA-CLE Classroom**, 1900 Grant St., Suite 300, Denver, CO

Video Replays: **December 6, 2017**

Submitted for **7 General CLE Credits**

Who Should Attend:

*Real Estate, Eminent Domain, Government,
and Land Use Lawyers*

***CLE Elite and
Basic Pass
Holders:
Special
Program Price!***

REGISTER ONLINE TODAY! Go to www.cba-cle.org



Other CBA-CLE Publications to Watch for ...

- **Colorado Real Estate Forms Deskbook, 2nd Edition** (ZCREFB16B)
- **Colorado Real Estate Practice**, (ZCREPB17B)

Learn more about these publications online at www.cba-cle.org

COLORADO EMINENT DOMAIN PRACTICE



Register by PHONE
 when using VISA, MC or AmEx
 In Denver: (303) 860-0608
 Toll-Free: (888) 860-2531



Or FAX form to
 when using VISA, MC 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, MC or AmEx
 Go to www.cba-cle.org

PROGRAM ORDER FORM

STEP 1 - REGISTRATION TYPE: *(Select live program, live webcast, or video replay)*

- Live Program: November 16, 2017** - CBA-CLE Classroom, 1900 Grant St., Suite 300, Denver, CO (RE111617L)
- Live Webcast*: November 16, 2017** - Must have access to high-speed internet (RE111617W)
 * **Webcast participants:** You must register by October 26, 2017 in order to receive the book *Colorado Eminent Domain Practice, 2nd Edition* in print before the start of class.
- Video Replay: December 6, 2017** - Please indicate video replay location:
 - Denver:** CBA-CLE Classroom, 1900 Grant Street, Suite 300 (RE111617V)
 - Colorado Springs:** 421 S. Tejon Street, Suite 100 (RE111617VCS)
 - Grand Junction:** 1250 E. Sherwood Drive (RE111617VGJ)

STEP 2 - REGISTRATION CATEGORIES:

- Non-member:\$518
- CBA Member:\$478
- New Lawyer Edge Partner:\$239
- CLE Elite Pass Holder w/Printed Book: ..\$159
- CLE Basic Pass Holder w/Printed Book:\$159

PROGRAM ORDER FORM TOTAL \$ _____

HOMESTUDY ORDER FORM

*To receive CLE credit, you must purchase a Homestudy program format. Each Homestudy includes an electronic copy of the CBA-CLE book *Colorado Eminent Domain Practice, 2nd Edition*.*

STEP 1 - SELECT DESIRED PRODUCT FORMAT:

- Video-On-Demand** (PDF of Book - RE111617N)
- MP3 Audio Download** (PDF of Book - RE111617J)

STEP 2 - SELECT PAYMENT CATEGORY: *(Shipping & handling applies) *MP3 and VOD products ONLY*

- Non-member:\$518
- CBA Member:\$478
- New Lawyer Edge Partner:\$239
- CLE Elite Pass Holder w/Printed Book: ..\$159*
- CLE Basic Pass Holder w/Printed Book:\$159*

STEP 3 - BOOK ONLY: *Colorado Eminent Domain Practice, 2nd Edition. Skip this step if you purchased the HOMESTUDY.*

- Print Book** (ZCEDPB17B) (Includes Print & Digital):
 - Non-member: \$179 (per book/plus S&H)
 - CBA Member: \$159 (per book/plus S&H)
- PDF eBook** (ZCEDPB17E) (Digital Only):
 - Non-member: \$169
 - CBA Member: \$149

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 ORDER FORM TOTAL \$ _____

Name _____ Atty. Reg. # _____

Firm/Organization _____

E-Mail Address _____

Street Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

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

Credit Card # _____ Exp. Date _____

Signature *(Required for credit card orders)* _____

CLE Use Only: Check #: _____ Approval #: _____

Colorado Eminent Domain Practice



The nonprofit educational arm of the
Colorado and Denver Bar Associations

1900 Grant Street, Suite 300, Denver, Colorado 80203-4303

Nonprofit Org.
U.S. Postage Paid
Permit No. 1638
Denver, CO

Live Program & Live Webcast: **Thursday, November 16, 2017**

CBA-CLE Classroom, 1900 Grant St., Suite 300, Denver, CO

Video Replays: December 6, 2017

Submitted for 7 General CLE Credits



REGISTER ONLINE TODAY! Go to www.cba-cle.org