
Real Estate and
Land Use Section

2003

**ANNUAL
MEETING**

**Eagle Crest Resort
Redmond, Oregon**

August 8 & 9, 2003

SCHEDULE OF EVENTS

Friday, August 8, 2003

8:00 Check-in, Late Registration, and Continental Breakfast

8:20 Opening Remarks

Christopher M. Walters, Ball Janik LLP, Portland

8:30 Economic and Development Forecast

RELU is pleased to have Marty Brantley, Governor Kulongoski's point man for the state's economic development, speak to us about the prospects for Oregon's future. Find out how the state's business and industrial policies will affect your clients and the way they do business.

Marty Brantley, Director, State of Oregon Economic and Community Development Department, Salem

9:15 Water Use Meets Land Use—Avoiding the Mud

A thought-provoking look at the connection between Oregon's 1909 water code and 1973 land use system. We will explore how water rights issues affect land use procedures at LUBA, at local planning agencies, and in the appellate courts. We will discuss issues currently being faced, and finish with our forecast of the problems ahead.

Debbie L. Colbert, State of Oregon Water Resources Department, Salem

Steven L. Shropshire, Jordan Schrader PC, Portland

10:15 Break

10:30 Breakout Sessions:

Brownfields and CERCLA

Just when you think you know how to avoid the pitfalls, something new comes up. Join our panel of experts to learn the latest amendments to CERCLA, including significant changes to landowner defenses. These changes will affect how you advise your clients as they buy, sell, and develop brownfields.

Douglas C. MacCourt, Ater Wynne LLP, Portland

Claudia K. Powers, Ater Wynne LLP, Portland

Steven A. Santos, State of Oregon Brownfields Redevelopment Coordinator, Salem

RLUIPA—Is There a Church Nearby?

While we wait to see if RLUIPA will be found unconstitutional, here are some practical tips for getting churches approved and what types of regulations may be permissible for churches.

Alan A. Rappleyea, Washington County Counsel, Hillsboro

Carrie A. Richter, Garvey Schubert Barer, Portland

11:15 Breakout Sessions:

A Tale of Two Systems

You say LUBA, we say LUPA. Let's call the whole thing off. We've invited our Washington neighbors to compare and contrast Oregon and Washington's very different land use systems. Looking beyond Oregon's paradigm should give you some new ideas for helping your clients here.

Richard Carson, Planning Director, Clark County Dept. of Community Development, Vancouver, WA

Keith Hirokawa, Hirokawa & Erikson PLLC, Vancouver, WA

Top Title Problems and How to Fix Them

Our two distinguished speakers will review and discuss Oregon Revised Statutes and case law you can use to clear land titles and facilitate closings. Problems to be solved include construction lien bonding, purchase money mortgage priority, "statutes of limitation" for mortgages, descriptions, and lis pendens, release of reconveyed trust deeds, acceptance of title by the state, and much more.

Craig M. Chisholm, Stewart Title Insurance Company, Portland

Jeffrey C. Steffen, Transnation Title Insurance Company, Portland

12:00 Lunch in the Pavillion

RELU Annual Meeting and Election of Officers

1:30 Common Ethics Traps

What are "issue conflicts"? Should you give legal advice to the real estate agent on the phone, who also happens to be a major source of business? Can you charge a flat fee on a project? Or take a percentage of the deal? Will PLF cover you when you act in a governmental capacity? Join our panel in discussing these ethics issues and others that can come up in your practice.

Chris L. Mullmann, Oregon State Bar, Lake Oswego

Thomas J. Rastetter, Thomas J. Rastetter PC, Oregon City

Sylvia E. Stevens, Oregon State Bar, Lake Oswego

2:30 The Condemnation Process

What you need to know to effectively represent your clients before, during, and after condemnation proceedings. Our experts will walk you through the process, showing you what to look for and what to avoid.

Charles E. Corrigan, Ramis Crew Corrigan & Bachrach LLP, Portland

Albert C. Deppenbrock, State of Oregon Department of Justice, Salem

3:15 Break

3:30 Breakout Sessions:

IRC Section 1031 Exchanges of Partnership and Co-Tenancy Interests

After years of uncertainty, the Internal Revenue Service made changes to this section; now it is possible to use exchange proceeds to acquire a fractional interest in an investment property. Find out how you can make sure your clients' exchanges qualify for this favorable tax treatment.

James C. Casterline, Pacific Title Company, Gearhart

Jack Davis, Davis Gilstrap Hearn Saladoff & Smith PC, Ashland

System Development Charges: From Cobblestone to Concrete

Our panel will provide a detailed understanding of key legal issues facing practitioners who are challenging and defending SDC methodologies and requests for SDC credits. They will also discuss aspects of the statute which may require legislative reform.

Steve C. Morasch, Schwabe Williamson & Wyatt PC, Portland

Andrew H. Stamp, Martin Bischoff Templeton Langslet & Hoffman LLP, Portland

4:30 Breakout Sessions:

Financial Elder Abuse

With the graying of America and the current economic downturn, misappropriation of land and money from elderly people occurs

SCHEDULE OF EVENTS

with distressing frequency. Many times, this theft takes place in real estate transactions and land use permitting. Our speakers will point out the red flags, show you how to undo the wrong, and successfully obtain your attorney fees.

Mary W. Johnson, Mary Ebel Johnson PC, Oregon City
Stephen R. Owen, Fitzwater & Meyer LLP, Clackamas

Storm Water Drainage

Join us for a discussion of the many laws and regulations dealing with storm water drainage, including decisions under the federal National Pollution Discharge Elimination System storm water permitting program, and LUBA decisions under Statewide Goal 6 (Air and Water Quality). There will also be a slide presentation on using storm water for civic art!

William K. Kabeiseman, Garvey Schubert Barer, Portland
James J. Nicita, Attorney at Law, Portland
Mark P. Reeve, Reeve Kearns PC, Portland

5:15 Adjourn

5:30 Reception Sponsored by Hahn and Associates, Inc.

Saturday, August 9, 2003

8:00 Child Abuse Reporting

Fulfill your child abuse reporting ethics requirement at this presentation.

Sylvia E. Stevens, Oregon State Bar, Lake Oswego

9:00 Land Use Case Law Update

Our panel will review the past year's land use cases with the usual commentary and differences of opinion. You will not read some cases the same way again.

Wayne Belmont, Lincoln County Counsel, Newport
James R. Dole, Schultz Salisbury Cauble & Dole, Grants Pass
Joan S. Kelsey, Beery & Elsner LLP, Portland

9:45 Real Estate Case Law Update

In his very popular and unique style, Mr. Scott will highlight the most important real estate cases handed down in Oregon within the last year.

Malcolm H. Scott, Gleaves Swearingen Potter & Scott LLP, Eugene

10:30 Break

10:45 Land Use Legislative Update

Whether you love or dread new legislation, our panel will highlight the legislature's work and explain what it means for you.

Laurie E. Craghead, Deschutes County Legal Counsel, Bend
Christopher D. Crean, State of Oregon Legislative Counsel, Salem

11:45 Real Estate Legislative Update

Mr. Nelson will summarize the highs and lows of the legislative session for you.

Gregory L. Nelson, Chicago Title Insurance Company, Portland

12:30 Adjourn

REGISTRATION

2003 RELU Annual Meeting August 8-9 — Eagle Crest Resort

Name

Phone

Bar No.

Address

City

State

Zip

Registration Fee:

\$175 (includes Friday lunch and reception) . . . \$_____

Please check this box if you plan to attend the lunch on Friday, August 8.

Yes, I plan on attending No, I have other plans

Vegetarian

(SRELU03) (84-4565) **TOTAL** \$_____

Payment Options:

Check enclosed, payable to Oregon State Bar

Credit Card (Visa or Mastercard only)

**** All information below required when paying by credit card. ****

Credit Card Number

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Zip Code

Authorized Signature

Three Ways to Register:

MAIL the registration form to: CLE Order Desk, Oregon State Bar, P.O. Box 1689, Lake Oswego, OR 97035. Make checks payable to the Oregon State Bar or use your Visa or Mastercard.

FAX the registration form with credit card information to the attention of the CLE Order Desk at (503) 968-4456.

PHONE the CLE Order Desk at (503) 684-7413, or toll free in Oregon 1-800-452-8260, ext. 413, with your Visa or Mastercard.

Full refunds will be made for cancellations received before August 1. Thereafter, a cancellation fee of \$50 will apply. Fax your request to 503-684-1366, Attn: CLE Cancellations. Registrations may be transferred.

Real Estate and Land Use Education Committee

Dominic Colletta, co-chair

Andrew Stamp, co-chair

Jim Casterline

Mary Johnson

Jeff Litwak

John Pinkstaff

Thank you to our sponsors!

Hahn and Associates, Inc.

Group Mackenzie

INFORMATION

Dates

August 8 and 9, 2003

Location

Eagle Crest Resort
Redmond, Oregon

Lodging

Guestrooms have been set aside for the conference for three nights beginning Thursday, August 7. Call Eagle Crest Resort at 1-800-682-4786. The last day to reserve a room is July 8, 2003.

Other hotels in the area include:

| | |
|----------------------------|--------------|
| Best Western Rama Inn | 800-WESTERN |
| Historic New Redmond Hotel | 800-726-2466 |
| Redmond Inn | 800-833-3259 |

Please note that RELU does not have room blocks at these hotels. They are listed for your information only. For further lodging options, you may want to contact www.traveloregon.com.

Registration Fee

\$175 includes lunch and evening reception on Friday, August 8. Full refunds will be made for cancellations received before August 1. Thereafter, a cancellation fee of \$50 will apply. Registrations may be transferred.

MCLE Credit

11.75 MCLE credit has been applied for, including 2.0 hours of ethics credits.