Skills Necessary for Representing Your Clients’ Real Estate Needs: 2017 Real Property Practical Skills Course

SUMMARY: The North Carolina Real Property Practical Skills course is designed to help attorneys new to the practice of real estate as well as seasoned attorneys who are looking to expand real property knowledge outside of everyday real estate practice. This course touches on an array of issues that arise in everyday practice and provides practical skills needed to adequately represent real estate clients’ needs. From drafting of leases, easements, declarations, and agreements, to representing developers and lenders, and then to solving title issues—including the drafting of legal descriptions and the correction of errors—this course touches on at least some area that makes attending the course worthwhile for any real property attorney.

The North Carolina Bar Association is accredited by the North Carolina State Bar as a provider of continuing legal education.
Skills Necessary for Representing Your Clients' Real Estate Needs: 2017 Real Property Practical Skills Course

#641RPF and #641LWC | October 5–6, 2017

FOUR WAYS TO REGISTER

ONLINE* www.ncbar.org/CLE   PHONE* 800.228.3402   FAX* 919.677.1774

MAIL* Attn: Accounting–NCBA P. O. Box 3688, Cary, NC 27519-3688

*Credit cards only. **Please make checks payable to NCBA.

TUITION | LIVE • WEBCAST • VIDEO REPLAY (VR) | Select format and tuition rate below.

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Choose from the applicable Webcast tuition options above.

VIDEO REPLAY LOCATIONS | For details and updates, see www.tinyurl.com/CLE641RPF.

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<td>Other (if applicable, from website)</td>
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REGISTRANT INFORMATION | Please print clearly.

Print Full Name: ________________________________

Firm/Organization Name: ________________________________

Address: ___________________________________________

City, State and ZIP: __________________________________

Daytime Phone Number: ____________________________

Email Address: ______________________________________

NC State Bar No. (Required for MCLE Credit): ____________________

PAYMENT | Registration is processed only after payment is received. Please print clearly.

□ Enclosed is a check, payable to NCBA.  □ Please charge my credit card.

Card Number: ____________________________ Expiration Date: ____________

Total Amount: ____________  Signature: ____________________________
Thursday, October 5, 2017, 7:45a–4:15p

7:45a Registration and Continental Breakfast (included at the Live program only)
Breakfast sponsored by Citrix Sharefile

8:25 Welcome and Introductions

8:30 Drafting Legal Descriptions | K. Doyle George
This presentation describes the general principals applicable to preparing legal descriptions in North Carolina, including the types of legal descriptions, use of tax parcels and street addresses, use of corrective affidavits, conflicts in legal descriptions and their interpretation by North Carolina courts. In addition to explaining how to prepare a metes and bounds description, this presentation discusses how North Carolina courts resolve ambiguities, inconsistencies or conflicts in legal descriptions in deeds and deeds of trust by utilizing the equitable remedy of reformation, including reformation in foreclosure and bankruptcy proceedings, and avoidance of a lender's secured interest in a property by a debtor-in–possession or trustee in bankruptcy based on a defective legal description.

9:15 Estates of Decedents, Minors and Incompetents | Chadwick I. McCullen
This presentation reviews common estate, guardianship and trust issues and solutions that may arise in the context of real estate transactions. Specifically, the presentation addresses issues of title and ownership of real property in a decedent's estate or the during incompetency or infancy of the owner, the authority and representative capacity of executors, administrators, attorneys-in-fact, guardians and trustees in real estate conveyances, common title insurance requirements, and an overview of court proceedings that may be necessary to complete a transaction involving a decedent's estate, minor or incompetent owner.

10:00 Break

10:15 Development Basics | David L. Hillman
Basics of development provide a high-level overview of real estate development from the real estate attorney's perspective. This segment addresses key issues related to acquiring, evaluating, financing and developing real estate.

11:15 Low Income Housing and Renewable Energy Tax Credit Transactions | George E. Hollodick
This session provides an introduction for real estate practitioners to issues surrounding the structure of affordable housing and renewable energy tax credit transactions focusing on the roles of developers, tax credit investors and mortgage lenders and the issues important to each.

12:15p Networking Lunch (included at Live program only)

1:00 Easements, Rights of Ways, Railroads | James R. “Jim” Saintsing
Hear a discussion of how and why property interests are created, conveyed, lost and found. Review popular North Carolina case law that both explains and obfuscates the interpretation and practical treatment of easements and rights-of-way. Also this session covers railroad rights-of-way, the unique property interest whose study may actually validate earning a history degree.

1:45 Residential Closings/CFPB/Legislative Update | Nancy L. Knepper and Brian Z. Taylor
• What is the Consumer Finance Protection Bureau (CFPB)?
• How has it affected residential real property closings?
• What changes have occurred since its implementation on October 3, 2015?
• An update on recent legislative changes

2:30 Break

2:45 Entity Formation | Frankie T. Jones Jr.
Listen to an overview of the basics of forming entities for developers and purchasers of commercial real estate, including why to form an entity at all. Additionally, the presentation covers the differences among the various entity types and considerations in advising your client. The presenter also discusses special purpose entity (SPE) provisions and other common provisions of note in entity organizational documents for commercial real estate LLCs.
Bankruptcy/Foreclosures/Deeds in Lieu | Jeff D. Rogers

Get an overview of the basics of bankruptcy, foreclosure and deeds in lieu and how they may impact real property attorneys. Also hear about what a real property attorney should know about foreclosure and bankruptcy, how they work and what to look for in a closing. Finally, the presenter covers deeds in lieu vs. foreclosure, benefits and problems to avoid.

Adjourn

Friday, October 6, 2017, 7:45a–3:45p

Registration and Continental Breakfast (included at the Live program only)

Welcome and Introductions

Trust Accounting Basics* | Anne M. Parkin

Develop a trust account system: Accounting is the systematic and comprehensive recording of financial transactions pertaining to a business, and it also refers to the process of summarizing, analyzing and reporting these transactions to oversight agencies and tax collection entities.

- RPC Rule 1.15-3
  - Recordkeeping
  - Reconciliation
- Scope of a Random Audit

Commercial Lending | Charles D. “Chad” Brown II

This presentation includes a review of a sample commercial real estate loan closing checklist, the typical due diligence requirements and the loan closing process. Walk through the basic set of loan documents and related considerations. Finally, cover financing issues related to leased properties and subordination, non-disturbance and attornment agreements.

Break

Mobile Homes | James W. Williams III

Listen to a discussion of the procedures for titling mobile homes in a real property transaction and a review of recently enacted mobile home title and lien curative statutes.

Commercial Leasing | Brian T. Pearce

Learn about key terms that should be included in every lease with focus on how those terms should be tweaked depending on whether you are representing a landlord or tenant. The discussion also includes a spotlight on areas of leasing law that appear to be generating litigation.

Networking Lunch (included at Live program only)

Planned Communities | Brian S. Edlin

This session focuses on the basics of the creation, declarant control and eventual turnover and ongoing operations of the community association. In addition to Chapters 55A, 47F and 47C, more recent statues and regulations impacting community associations are addressed, as will ethical considerations for representation of community associations and developers.

Commercial Title Insurance | Jane S. Barkley

Receive an introduction to title insurance including, the basics of title insurance, the role of attorneys in title insurance in North Carolina, and coverage and exclusions under the American Land Title Association policies. This segment addresses the preparation of a preliminary and final title opinion and an examination of the owner policy, the loan policy and policy endorsements.

Break

ALTA Best Practice for NC Law Firms* | Kimberly B. Rosenberg

Hear an update of ALTA best practices and listen to a discussion about the challenges closing attorneys face due to advances in technology and the changing regulatory landscape.

Adjourn

* Indicates portion providing Ethics/Professional Responsibility credit
We extend our sincere gratitude to the NCBA Real Property Section and the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.
Real Property

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Real Property Practical Skills Course

LIVE • LIVE WEBCAST
Thursday-Friday, October 5-6, 2017
NC Bar Center, Cary

CLE CREDIT: 12.5 Hours
Includes 1.5 Hour Ethics/Professional Responsibility
Qualifies for North Carolina State Bar Real Property Specialization credit

UPDATES & REGISTRATION
www.tinyurl.com/CLE641RPF

To learn more or to purchase, visit www.tinyurl.com/CLEPassport