

Real Estate Transactions From A to Z

— A 2-Day Practical Course —

LITTLE ROCK,
ARKANSAS
FEBRUARY 9 *and*
FEBRUARY 10, 2016

Credit Information

CLE - 12.0 (incl. 1.0 ethics)

IACEP - 1.2

ICB - 14.0

See inside for details

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Faculty

Lanny R. Beavers

Drew Benham

Thomas Burns

Michael B. Childers

J.P. Sellers

Walter G. Wright

Perry Y. Young

Don't Miss This Opportunity!

- Two Jam-Packed Days of Real Estate Transaction Essentials
- Negotiate Purchase Agreements, Cure Title Defects, Close Transactions and More
- Confidently Provide the Real Estate Transaction Guidance Your Clients Need

SEMINAR OUTLINE

Day 1 — February 9

- I. Conducting Real Estate Due Diligence**
9:00 - 10:00, *Michael B. Childers*
- A. Control Documents: Interested Parties Lists, Due Diligence Request Lists and More
 - B. Required Disclosures
 - C. Locating Sources of Due Diligence Materials
 - D. Commercial Considerations: Leases, Zoning and More
- II. Environmental Issues in Real Estate Transactions**
10:15 - 11:15, *Walter G. Wright*
- A. Key Regulatory Issues
 - B. Indoor Air Pollutant Issues: Mold and Asbestos
 - C. Use and Misuse of Environmental Assessments/Due Diligence
 - D. Strategies for Addressing Environmental Issues in Acquisition, Sale and Lease of Real Property
 - E. Wetland Issues and Considerations
 - F. Contractual Allocation of Environmental Consultants
 - G. Issues Associated with Retention of Environmental Consultants
 - H. Water Law/Riparian Issues
 - I. Key Permitting Issues Affecting Development
 - J. The Role of the Arkansas Storage Tank/Trust Fund in Commercial Transactions
 - K. Arkansas Brownfield Program
- III. Additional Considerations for Buying and Selling Commercial Real Estate**
11:15 - 12:15, *Perry Y. Young*
- A. Choice of Entity: Tax and Other Considerations
 - B. 1031 Tax-Deferred Exchange and Like-Kind Exchange Agreements
 - C. Sale-Leaseback Transactions
 - D. Obtaining Estoppel Certificates from Tenants

- IV. Analyzing Land Surveys: Obtaining an In-Depth Picture of Past and Present Uses**
1:15 - 2:15, *Lanny R. Beavers*
- A. Confirming Legal Description Accuracy
 - B. Confirming Access
 - C. Clues to Past Uses and Possible Issues
 - D. Overlaps, Encroachments and Setback Line Violations

- V. Structuring Real Estate Purchase Agreements to Avoid Unforeseen Consequences and Litigation**
2:30 - 3:30, *Michael B. Childers*
- A. Preliminary Checklists for Negotiating and Drafting
 - B. Representations and Warranties
 - C. Key Contingencies
 - D. Indemnities for Buyers and Sellers
 - E. Default Provisions
 - F. Realistic Time Constraints

- VI. Commercial Real Estate Financing Essentials**
3:30 - 4:30, *Thomas Burns*
- A. The Mechanics of Loan Documentation
 - B. Personal Guarantees
 - C. Cross Collateralization
 - D. Security Agreements

Day 2 — February 10

- VII. Reviewing the Title Commitment**
9:00 - 10:15, *J.P. Sellers*
- A. Insurer's Obligations and Understanding Limitations
 - B. Reviewing Schedule A of the Title Commitment
 - C. Schedules B-I and B-II of the Title Commitment
 - D. Negotiating Removal of, or Affirmative Coverage for, Exceptions

- VIII. Curing Title Defects Before Closing: Using Title Insurance Endorsements and Other Tools**
10:30 - 11:45, *J.P. Sellers*
- A. Breaks in Chain of Title
 - B. Mortgage-Related Defects
 - C. Liens
 - D. Unresolved Probate Issues
 - E. Easements and Encroachments
 - F. Wild Deeds

- IX. Handling the Closing: Critical Essentials for Smooth Transactions**
12:45 - 2:00, *Drew Benham*
- A. Preparing Documents for Signing
 - B. Receipt and Handling Funds from all Parties
 - C. Deposits, Disbursements and Holdbacks
 - D. Reconciling Funds Received on the Settlement Statement
 - E. Resolving Last-Minute Issues at the Closing Table

- X. Post-Closing Procedures: Tying Up Loose Ends**
2:15 - 3:30, *Drew Benham*
- A. Final Recording Information or Certificate from Attorney
 - B. Releases of Pre-Existing Liens
 - C. Title Policy Preparation and Last-Minute Liens
 - D. Preparing and Returning the Closing Package to the Lender
- XI. Ethical Considerations**
3:30 - 4:30, *Drew Benham*
- A. Applying the Rules of Professional Conduct
 - B. Good Faith Required in Real Estate Transactions
 - C. Representations of Multiple Clients: Conflicts of Interest
 - D. Disclosure of Defects in Property

*If needed, the above agenda may be changed to best accommodate all of our attendees.

LITTLE ROCK
FEB. 9 and FEB. 10

Holiday Inn
Presidential Conference Center
600 I-30 • Little Rock, AR 72202
Phone: 501-375-2100

SCHEDULE

Registration: Feb. 9 from 8:30 - 9:00 am
Seminar: Feb. 9 and Feb. 10 from 9:00 am - 4:30 pm
Complimentary snacks and refreshments are provided.
Lunch is on your own.

TUITION

\$575 for the first registrant

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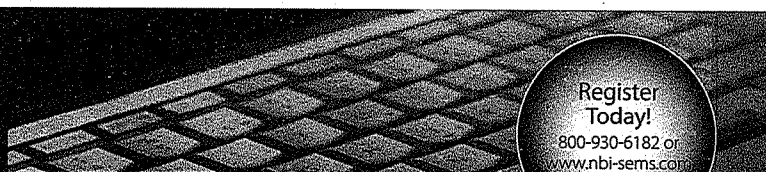
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*Pre-registration is encouraged. If you need to register at the door, you may wish to call us first to confirm.



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LANNY R. BEAVERS is survey manager at Garver, LLC, a civil engineering firm located in North Little Rock. Mr. Beavers has been with the firm since 1997. He has extensive experience in the engineering arena, including surveying, land and site development, subdivisions and highways. Among other things, he also has experience with stormwater management, drainage, construction, boundary issues and ALTA surveys.

DREW BENHAM is an attorney with the Davidson Law Firm, where her main areas of practice are commercial real estate transactions and litigation, estate planning and probate, and business law. She is licensed to practice in the state of Arkansas and the Arkansas District Courts. She is a member of the Arkansas Bar Association.

THOMAS BURNS is an attorney with the Hancock Law Firm in the firm's Little Rock office. His practice is focused mainly on family law, and he also practices in the areas of civil litigation, and business and corporate law. Mr. Burns is admitted to practice in Arkansas, as well as before the U.S. District Court for the Eastern and Western districts of Arkansas and the U.S. Court of Appeals for the 8th Circuit. He is a member of the Arkansas Bar Association, the Saline County Bar Association, and the Henry Woods American Inn of Court.

MICHAEL B. CHILDERS is a partner with Friday, Eldredge & Clark LLP, where he practices primarily in the areas of real estate, commercial transactions, and oil and gas law. He is a member of the Arkansas Bar Association and the Pulaski County Bar Association.

J.P. SELLERS is an attorney with Mackie Wolf Zientz & Mann, P.C., in their Little Rock, Arkansas office. He is licensed to practice law in Arkansas and Tennessee. Mr. Sellers is a past speaker for the Arkansas Bar Association and the Texas Mortgage Bankers Association in the areas of foreclosure and secured transactions. He is a member of the Arkansas Bar Association and was an inaugural member of the 2011 Arkansas Bar Association Leadership Academy.

WALTER G. WRIGHT is a member of the Little Rock, Arkansas law firm of Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C., where his practice addresses a variety of environmental and energy issues. He also has served as an adjunct professor at the University of Arkansas at Little Rock School of Law since 1986. Mr. Wright is a former assistant general counsel of the Petroleum Marketers Association of America in Washington, D.C. Prior to that, he served on the minority staff of the Subcommittee on Health and the Environment in the United States House of Representatives. Mr. Wright has written articles addressing air and water pollution control, storage tanks, real property development, mold, and environmental audits.

PERRY Y. YOUNG is the sole shareholder of Perry Y. Young, P.A., and a partner in the Benton law firm of Jensen, Young & Houston. He practices principally in the areas of commercial litigation; business and corporate transactions and litigation; real estate transactions and litigation; and probate estates. He was admitted to the New York State Bar and before the U.S. District Court, Southern and Eastern districts of New York in 1994. In 1997, he was admitted to the Arkansas Bar and to the U.S. District Court, Eastern and Western districts of Arkansas. Mr. Young spent four years practicing as a commercial litigation attorney in New York prior to moving to Arkansas, where he has practiced since 1997. He taught classes for the Law School Aptitude Test and as a certified law enforcement instructor he taught Saline County Sheriff's Reserve Deputies prior to their commission.

Detailed biographies can be found on our website at www.nbi-sems.com.

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Dec. 18 Commercial Real Estate Litigation (70939)

Dec. 18 Resolving Easement, Encroachment and Setback Related Title Defects (70923)

Dec. 29 Advanced Commercial Real Estate Leasing (70931)

Dec. 31 Legal Ethics, Professionalism and Substance Abuse: Overcoming Common Challenges (70969)

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Nov. 17 The New ALTA Title Insurance Endorsements Dissected (70901)

Dec. 10 Negotiating Indemnification in Commercial Leases (70903)

Dec. 15 Condo Law: Collecting Fees and Enforcing Covenants (70909)

Dec. 21 Contaminated Groundwater Claims: Proving Liability and Negotiating Damages (70910)

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TROUBLESHOOTING REAL ESTATE TRANSACTION PROBLEMS

© February 2015 (Product ID: 67946FP)

It's hard to predict which real estate transactions will be problem-free since each deal has the potential to contain numerous pitfalls that were not recognizable at the outset. Issues such as title problems, boundary disputes and unforeseen environmental problems all have the potential to derail the deal. Are you prepared to provide your clients with the imperative solutions they need to get through these problems and more? Brush up on your real estate transaction skills in this essential full-day legal overview. Order today!

By: Perry Y. Young, Walter G. Wright, Stephen R. Giles, J.P. Sellers and Sammy S. High.
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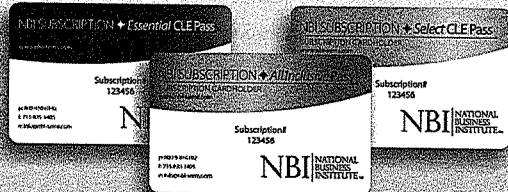
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TROUBLESHOOTING TITLE AND TITLE INSURANCE PROBLEMS

© June 2015 (Product ID: 69487FP)

Don't let real estate transactions fall apart! Recognize and head off title and title insurance problems before they cause issues. In this skill-based program, learn specific techniques for recognizing title problems and learn what types of problems to expect at different stages of the transaction. Order today!

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SEMINAR OVERVIEW

A Comprehensive, Two-Day Overview of the Real Estate Transaction Process

Improvements in the real estate market also bring more clients needing guidance through confusing transactional elements. They need confident professionals who can provide clarity while helping them avoid seemingly minor missteps that can have serious consequences down the road. In this comprehensive two day seminar, our experienced attorney faculty will illuminate key facets of real estate transactions and take the confusion out of the process. No matter if you represent buyers, sellers or lenders, you are sure to take away valuable knowledge you can use to ensure your clients' best interests are protected all throughout the real estate transaction process. **register today!**

- Get up to speed on the latest legal issues that affect real estate practitioners and ensure your knowledge doesn't lag behind your peers.
- Locate the real estate due diligence essentials you need to protect your clients' best interests.
- Confidently protect your clients against possible statutory and tort liability when buying and selling polluted real estate.
- Craft real estate purchase agreements that anticipate areas of dispute and offer your clients peace of mind.
- Ensure essential real estate financing elements are in place so your client can get the loan they need.
- Thoroughly review real estate title commitments and negotiate removal of or affirmative coverage for critical exceptions.
- Know which title insurance endorsements and other tools you should use to cure defects in title.
- Resolve any last-minute issues that arise at the closing table and efficiently tie up post-closing loose ends.

WHO SHOULD ATTEND

This **basic-to-intermediate level seminar** is designed for:

- Attorneys
- Loan Officers
- Real Estate Professionals
- Paralegals
- Title Professionals

CREDIT INFORMATION

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Real Estate Transactions From A to Z has been approved for 14 CLBB credits. This statement should

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