

**MINUTES OF THE MARCH 16, 2010 MEETING OF THE  
EXECUTIVE COMMITTEE OF THE REAL PROPERTY LAW SECTION OF THE  
STATE BAR OF NEVADA**

In attendance via teleconference were Mary Drury, Michael Buckley, Colleen Dolan, Matt Watson, Pierre Hascheff and Angela Otto. Absent were Craig Howard, Sandi Turner, Doug Flowers, Karen Dennison, DeArmond Sharp and Layne Butt. The meeting commenced at 4:05 p.m. Joyce Smetanick, legal secretary at Marquis & Aurbach, took the minutes for the meeting. Angela Otto was welcomed as a new member of the Committee.

1. The minutes of the February 16, 2010 meeting were reviewed and approved.
2. There was a discussion regarding Listserv and whether it should be pursued. Michael Buckley will reply to Lori to let her know that the Committee is interested, but that the Committee would like more specifics.
3. There was a discussion regarding the 2010 Annual Meeting in June and whether anyone from the Committee would be attending. Craig Howard said that Linda Bullen and Melissa Orien will be doing a presentation. Craig said that he will keep everyone posted on this matter.
4. ACREL form opinion letters were discussed. Michael Buckley said he will circulate a proposed draft of a new legal opinion form that ACREL is working on. Michael said that the opinion is basically being updated, but there are some interesting issues, such as choice of law. He said that the opinion is more appropriate for counsel who does a lot of work for a client. Michael suggested working with the Business Law Section to update the Committee's form. Mary Drury and Angela Otto are to bring up with the Business Law Section and Real Property Section the topic of updating the opinion form. Michael suggested that it might be a good idea to get a new subcommittee together specifically for this issue.
5. There was a discussion regarding a book proposal from the State Bar. Michael Buckley asked for any thoughts regarding some type of publication through the Executive Committee and suggested that the articles already written and the website were possibly enough.
6. There was no Treasurer's Report because DeArmond Sharp was absent. There is a balance of \$4,000 in the account. There was a discussion of having a luncheon (both in the North and the South), and Matt Watson suggested Rory Reid as a possible speaker.
7. Regarding ABA task force recommendations, Michael Buckley said that Rick Rawson in his office and Professor Doug Grant at UNLV will prepare a letter recommending Nevada follow the ABA recommendations and standards for real property curricula, and Michael will circulate that letter to the Committee.
8. Regarding 2011 legislation, Michael Buckley said that everyone should be aware of this matter and try to get a list started.

9. There was a discussion regarding current matters of interest, including an 11<sup>th</sup> Circuit case in Georgia regarding antecedent debt, a class action where purchasers at foreclosures are overcharging fees and a Nevada Supreme Court case regarding water rights. Pierre Hascheff said that he would circulate a copy of the decision in the latter case.

10. Michael Buckley reported that a subcommittee of the CIC committee had a meeting and decided to abandon the proposal to have the NRS Chapter 119 property report certified by HUD as an alternative to federal Interstate Land Sales Act filings with HUD. The subcommittee decided that it would be impractical to pursue this further. Mary Drury said that her committee had a meeting and they discussed the issues of attorneys acting as real estate brokers, and condo hotels as securities and the time and place of trustee's sales. Mary said that Darren Welsh is trying to get information regarding the first two issues.

11. The next meeting will be held on April 20, 2010, at 4:00 p.m.

The meeting was adjourned at 4:45 p.m.