

**MINUTES OF THE MAY 20, 2009 MEETING OF THE
EXECUTIVE COMMITTEE OF THE REAL PROPERTY LAW SECTION OF THE
STATE BAR OF NEVADA**

In attendance via video-conference were Mary Drury and Matt Watson at the offices of Marquis & Aurbach in Las Vegas and Karen Dennison and DeArmond Sharp at the offices of Jones Vargas in Reno. In attendance via teleconference were Michael Buckley, Doug Flowers, Sandi Turner, Colleen Dolan, Craig Howard and Dave Davis. Absent were Pierre Hascheff and Layne Butt. The meeting commenced at 4:05 p.m. Joyce Smetanick, legal secretary at Marquis & Aurbach, took the minutes for the meeting.

1. A quorum was established and the minutes of the April 21, 2009 meeting were reviewed and (with the noted misspelling of Colleen Dolan's name) approved.
2. Update on Legislative Proposals/Contacts:
 - a. SB 261: Needs to pass Assembly floor this week. This bill relates to non-residential condos and there was concern about not having condo mapping for commercial condos. Karen Dennison suggested that they could try a floor amendment regarding this. Michael Buckley said that he would talk to Mandy Shavinsky and Pierre Hascheff.
 - b. SB 172: Passed by Senate and is ready to go to the Governor.
 - c. AB 149: Michael Buckley said that he sent a letter containing the Executive Committee's comments to Barbara Buckley. Karen reported that her group, which is assisting with the mediation procedures, had corrected an error regarding notices.
 - d. SB 338: Matt Watson reported on this bill regarding landlord taking reasonable steps as to whether there is a perfected lien or security interest. He also said that the definition of abandoned property was revised. Matt said that the bill was approved by the Assembly committee.
 - e. HOA Directors Liability: Karen Dennison said that there is a move to eliminate the punitive damages as part of AB 350. There was also a discussion of SB 182 and SB 183.
3. Annual Meeting CLE: There will be a 1-hour Professionalism in a Box presentation by DeArmond Sharp, Elizabeth Fielder and Doug Flowers, a 2-hour seminar on foreclosure by Michael Buckley, Elizabeth Fielder and Jan Chubb and Zach Ball will be doing a presentation on securitization.
4. Annual Meeting – Section Meeting: Michael Buckley to follow up with state bar on whether we will have a section meeting.
5. "Summer" CLE Update: Mary Drury will speak with Kelly Brinkman about the Section's legislative update being moved to September and made a part of the overall bar program on legislative updates.

6. Current Matters of Interest to Section Members: Michael Buckley discussed the MGM Turnberry lawsuits in state and federal courts which reached different conclusions on the effectiveness of the arbitration clause.

7. ABA Task Force Recommendation: Michael Buckley is going to try to get input from someone at Boyd on this.

8. Subcommittee Reports:

Land Use: Pierre Hascheff was absent so there was no report on this subcommittee.

Natural Resources: Craig Howard reported that he had good attendance at his subcommittee meeting. He said that AB 119 passed and has gone to the Governor. Craig said that his subcommittee's next article will be on land use and water planning. There was a discussion of water law and Indian land, using the same basin if Indians can claim priority and monitoring tribal areas and tribal rights.

Common Interest Communities: See #2 above.

Real Estate Finance: Doug Flowers reported that SB 333 (NRS 106.300 et seq.) passed the subcommittee unanimously, and that SB 352 (mechanics' liens) died. He said that his subcommittee will decide next month on a statement on common practice and customary practice for third party opinions.

Commercial Leasing: Matt Watson reported that there was no meeting for this subcommittee. See #2 above regarding report on SB 338.

General Real Estate: Mary Drury reported that this subcommittee had no real interest in meeting this month.

Professionalism: DeArmond Sharp reported that there was no meeting of this subcommittee this month.

9. The next meeting will be held on June 16, 2009, at 4:00 p.m.

The meeting was adjourned at 4:55 p.m.