

**MINUTES OF THE AUGUST 18, 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, Layne Butt, Doug Flowers, Colleen Dolan, Pierre Hascheff and Craig Howard. Absent were Dave Davis and Sandi Turner. The meeting commenced at 4:10 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 May 19, 2009 meeting were reviewed and approved.

2. Final Update on Section Legislative Proposals:

a. SB 261: Passed. Defining the property right as the declaration itself. Non-residential and cost-sharing re roads and party walls exempted from NRS 116.

b. SB 172: Passed. NRS 119 does not apply to non-residential subdivisions.

c. SB 338: Passed. Abandonment of personal property.

d. SB 333: Passed. A discussion was had regarding why to use NRS 106.

3. Section Responses to 2009 Legislation. Begin new list for 2011: A general discussion was held on this item. Matt Watson brought up the problem of foreclosure and trustee's sales being held on the courthouse steps. Everyone agreed that the area is not big enough. It was thought that a new location should be found. Matt pointed out that if a sale has to be re-scheduled, it must be re-scheduled to the same location. DeArmond Sharp mentioned declarant's rights. Michael Buckley suggested that it might be a good idea to find a lawyer who is in the legislature to replace Terry Care as our bill sponsor.

4. Annual Meeting – Report on CLE: DeArmond Sharp said that everyone did a great job. Michael Buckley said that it was very well-received, although it ran late due to computer problems.

5. Upcoming CLE

a. September 15-16 (3 hours) CIC Legislative Update: Michael Buckley said that there will be three people in Reno (September 15) and three people in Las Vegas (September 16).

b. November Foreclosure Seminar: The week of November 16 (possibly the 19<sup>th</sup> and 20<sup>th</sup>) was chosen, with Michael Buckley, DeArmond Sharp, Karen Dennison, Doug Flowers and Mary Drury participating. De said that he thought the Uniform Assignments of Rent Act would be a good topic.

6. **Current Matters of Interest to Section Members:** A discussion was held on the mediation program and whether anyone on the Executive Committee had been chosen. It was reported that there were too many volunteers. No one on the Committee has been called yet. Karen Dennison reported that the State Bar has a public relations representative, and Karen told him that members of the Executive Committee are available to discuss legislative proposals.

7. **Outreach:** Michael Buckley reported that the Committee has \$6,000 in the bank. Colleen Dolan suggested that it might be a good idea to publicize the Committee more by having luncheons or social events every quarter or so. She said that she thought that a luncheon which gave 1 hour of CLE credit would be a good idea. Mary Drury also pointed out that the evening social events were very well-received. Michael Buckley suggested that every subcommittee could have one event. This could be done quarterly by rotating the subcommittees, with one subcommittee for a CLE luncheon and one for an evening event. DeArmond Sharp suggested an event with a mixing of lawyers from the north and south. It was noted that this could be expensive with attorneys flying north and south to events. It was also suggested that there could be a social event in the evening after the September 15-16 CIC Legislative Update. DeArmond Sharp suggested a luncheon presentation with 1 hour of CLE credit in January or February, and thought that it would be a good idea to have Craig Howard give a talk on his water articles. Michael Buckley suggested doing an emailing to the subcommittees to advise them of what was accomplished with the legislative proposals.

8. **Subcommittee Reports:**

**Land Use:** Pierre Hascheff reported that the zoning map legislation passed. [His subcommittee is a resource group and trusted about legislative updates.]

**Natural Resources:** Craig Howard suggested the possibility of having all three of the subcommittee articles bound, and it was generally thought that this would be expensive.

**Common Interest Communities:** Michael Buckley reported that this subcommittee did not have meetings this summer.

**Real Estate Finance:** Doug Flowers reported that his subcommittee suggested bringing up the article on third party legal opinions, and there was a discussion regarding the same. It was agreed that this subcommittee should pursue this. DeArmond Sharp said that he thought there should be further discussion on this topic at future meetings, especially regarding "customary practice".

**Commercial Leasing:** Matt Watson reported that there was no meeting for this subcommittee.

**General Real Estate:** There was no report on this subcommittee.

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

9. The next meeting will be held on September 22, 2009, at 4:00 p.m.

The meeting was adjourned at 5:35 p.m.