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# Golf & Resort Development

Practical Advice in a Challenging Environment

March 30-31, 2006 • The Ritz-Carlton Golf Resort • Naples

## Featuring Speakers From:

- Club Consultants
- Golf Property Analysts
- William E. Ellis Associates
- ClubCorp

... and some of the nation's best law firms!



The Ritz-Carlton Golf Resort • Naples

This AAA 5-Diamond Award hotel was rated the #1 luxury golf resort in Florida, #25 in North America in *Golf Digest* magazine's November 2004 issue, and the #1 resort in Florida in *Conde Naste Traveler* magazine's June 2005 issue.

The Ritz-Carlton Golf Resort, Naples, offers guests use of a heated swimming pool, four lighted tennis courts, and on-site golf at Tiburón Golf Course. The Resort's Massage and Fitness Center includes weight training equipment, personal training instructors and two massage rooms. The Naples Beach Resort offers a luxurious spa, complete with 33 treatment rooms. Outdoor enthusiasts may wish to book off-site tours, including sailing on-board catamarans, kayaking, backwater fishing in Naples Bay or offshore fishing in the Gulf of Mexico.

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Register Online at [www.cle.com](http://www.cle.com) or Call (800) 873-7130  
Conference Schedule and Speaker Biographies Inside



**Thursday, March 30****Friday, March 31**

- 8:30 Registration and Continental Breakfast
- 9:00 **Introduction and Welcome**  
Overview of Day One  
**Glenn A. Gerena, Esq., Program Co-Chair**  
*Greenberg Traurig, Boca Raton, FL*
- 9:15 **Various Club Products**  
What You Need to Know  
**James Scavo, Esq.**  
*Weinstock & Scavo, Atlanta, GA*
- 10:00 Morning Break
- 10:15 **Submerged Land Leases**  
New Developments  
**Tasha O. Buford, Esq.**  
*Young Van Assenderp, Tallahassee, FL*
- 11:00 Q&A Panel  
*Members of the Faculty*
- 11:15 Lunch Break
- 12:45 **The Equity Club Under Developer Control**  
Costly Mistakes to Avoid and Pre-Turnover Tips to Employ  
**Kevin G. Coleman, Esq.**  
*Goodlette, Coleman & Johnson, Naples, FL*
- 1:30 **Hot Turnover Issues Arising from Today's Bundled Community Conversions**  
From the Member's Perspective  
**Bill Wernersback, CPA, CFE**  
**Senior Managing Director, and**  
**Stacia Turner, CHAE, CPA, CIA**  
**Managing Director**  
*Club Consultants, Naples, FL*
- 2:15 Afternoon Break
- 2:30 **Mandatory Club Memberships**  
Possible Legal Challenges  
**Glenn A. Gerena, Esq., Program Co-Chair**
- 3:15 **Club Memberships**  
Valuation in Today's Environment  
**Laurence A. Hirsh, CRE, MAI, SGA**  
**Founder and President**  
*Golf Property Analysts, Harrisburg, PA*
- 4:00 Q&A Panel  
*Members of the Faculty*
- 4:15 Adjourn to Private Meet-the-Faculty Reception

- 8:30 Continental Breakfast
- 9:00 **Overview of Day Two**  
**James H. Schnare, II, Esq., Program Co-Chair**  
*Haile, Shaw & Pfaffenberger, North Palm Beach, FL*
- 9:15 **Condominium Hotels**  
Formation and Operation  
**Jerry E. Aron, Esq.**  
*West Palm Beach, FL*
- 10:00 Morning Break
- 10:15 **Documenting Handshake Partnerships**  
Structuring Venture Entities and Agreements for Cooperative Development of Golf and Resort Properties  
**James H. Schnare, II, Esq., Program Co-Chair**
- 11:00 Lunch Break
- 12:30 **Ethics**  
Florida Bar Ethics and What It Means to You, the Practitioner  
**Samuel S. Goren, Esq.**  
*Goren, Cherof, Doody & Ezrol, Fort Lauderdale, FL*
- 1:30 **Income Tax Issues**  
Recent Developments in Tax Law That Affect Developers  
**William E. Ellis, CPA**  
*William E. Ellis Associates, Atlanta, GA*
- 2:15 Afternoon Break
- 2:30 **Infrastructure Bond Financing**  
Its Relationship with Recreational Facilities  
**Phillip C. Gildan, Esq.**  
*Greenberg Traurig, West Palm Beach, FL*
- 3:15 **Non-Refundable Membership Programs**  
Unique Issues and Business Concerns  
**Thomas G. Bennison, President and CEO**  
*The Owners Club, ClubCorp, Dallas, TX*
- 4:00 Q&A Panel  
*Members of the Faculty*
- 4:15 Evaluations and Adjourn



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Dates!

NEPA  
March 3, Austin  
Land Use Law  
March 16-17, Phoenix

Regulatory Takings  
March 30-31, Tampa  
Florida Water Law  
April 3, Tampa

NEPA  
April 6-7, Las Vegas  
Negotiating Leases  
April 24-25, Austin

For more information about these and other programs, visit our website at [www.cle.com](http://www.cle.com).

## Golf & Resort Development

# meet your faculty

### Program Co-Chairs

**Glenn A. Gerena** specializes in legal matters related to club membership programs and resort recreational amenities. He represents resort and residential developers in (i) structuring, restructuring and documenting club membership programs for golf and social facilities and marina slip sales programs, and (ii) selling recreational facilities to members. He has also significant experience in drafting and negotiating hotel and club management agreements and recreational facilities access agreements.

**James H. Schnare, II**, has almost 20 years of experience in a broad variety of sophisticated transactions related to the design, development and operation of golf recreational amenities and related properties in his capacity as legal counsel to entities affiliated with Jack Nicklaus. In addition to his work on golf course design agreements and intellectual property licensing agreements, he has had primary responsibility for structuring a variety of venture entities for developers and investors.

**Jerry E. Aron** has practiced real estate and commercial law, primarily in Florida, for 25 years. He is past Chair of the Real Property, Probate and Trust Law Section of the Florida Bar, a member of the American College of Real Estate Attorneys, and a frequent author and lecturer on topics related to mixed-use communities.

**Thomas G. Bennison** joined ClubCorp in 1970 and has served in a variety of positions at the country club, regional and corporate levels. In 1982, he took a break in his service with the company to spend nine years as a partner in Club Development Interests, an affiliate of Hyatt Corporation. He is active in golf industry and real estate organizations.

**Tasha O. Buford** concentrates her practice in land use, environmental, public utility and administrative law, with particular emphasis on the representation of landowners and developers. This includes Developments of Regional Impact law, coastal construction and permitting, wetlands regulation, state sovereign land issues with regard particularly to marina development and permitting.

**Kevin G. Coleman** is a founding shareholder of Naples' largest law firm, which specializes solely in real estate and business law. His practice is concentrated in real estate development, amenity turnovers, and business law. He is a life-long resident of Naples, and is a past-president of the Collier County Bar Association.

**William E. Ellis** serves as practice leader of the KPMG Atlanta tax practice for the real estate industry. He has 30 years of experience in public accounting and has exclusively provided tax services to real estate industry clients since 1984. He is also the national director in tax services to the golf industry practice of KPMG.

**Phillip C. Gildan** has over 20 years' experience in Club and Resort Development. He is a founding member of his firm's Hotel, Resort and Club Group, which has more than 30 lawyers and consultants in offices located in the major golf and resort development markets around the country. His sub-specialties include mandatory membership programs, club conversions and club/resort workouts.

**Samuel S. Goren** concentrates his practice in the areas of government, municipal and administrative law, corporate law, commercial law and transactions, real estate, commercial litigation, labor arbitration mediation and eminent domain. Prior to joining his firm, he served in the Office of General Counsel for Broward County, Florida, where he served as counsel to several County and Charter Advisory bodies, including the Supervisor of Elections of Broward County.

**Laurence A. Hirsh** has extensive experience in the valuation and analysis of a wide variety of income and special use properties, as well as having been active as a principal in the development of office, recreational and retail properties. He has provided appraisal, consulting and brokerage services across the United States (44 states) and Canada, has lectured, and has frequently served as an expert witness or litigation consultant in golf property related matters.

**James Scavo** is nationally recognized for his representation of clients involved in the resort and travel industry. His clients include marketers, operators and developers of timeshare resorts, private residence fractional clubs, destination clubs, vacation clubs, golf course communities and country clubs, travel products, condominiums and subdivisions, as well as exchange companies such as RCI.

**Stacia Turner** previously served as manager with McGladrey & Pullen's Naples office and was responsible for the audit and consulting needs of club and association clients on the west coast of Florida and the Carolinas. She was appointed to the international board of directors of the Hospitality Financial and Technology Professionals (HFTP), and was chair of the Florida Institute of Certified Public Accountant's Florida Gulf Coast University Education Conference.

**Bill Wernersback** has over 35 years' experience serving clients' audit, tax and consulting needs. He was in charge of the McGladrey & Pullen's club practice serving as National Director of Club Services. He also served as the Managing Partner of the M&P South Florida practice. He is a frequent speaker at hospitality industry national conventions and has authored several industry articles and seminars. He is also an honorary member of the Florida Club Managers Association.

# conference information

### Continuing Education Credit

**MCLE:** This course has been approved by the Florida State Bar for a maximum of 10 hours of MCLE credit, including one hour of legal ethics. **CLE INTERNATIONAL** is an approved sponsor in all states having mandatory continuing legal education requirements.

**Appraiser:** Application has been made to the Florida Department of Business and Professional Regulation for 10 hours of appraiser credit.

**Real Estate:** Application has been made to the Florida Department of Business and Professional Regulation for 10 hours of real estate credit. For accreditation in other jurisdictions or disciplines, please contact Jill Shannon at (800) 873-7130 or jill@cle.com.

### Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to registrar@cle.com, or register online at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

### Conference Location and Accommodations

The Conference will be held at the Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, FL 34109. To secure your space and get the best rate, please call Community World Travel at (888) 724-0500, or visit [www.communityworldtravel.com](http://www.communityworldtravel.com).

### Tuition

The tuition fee of \$895 per person (\$795 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts, Thursday's reception and coffee breaks.

### Save When Two or More Register

Save \$200 or more with our multiple registrant discount! Tuition is only \$795 per person for two or more from the same firm or agency (\$695 each for two or more government employees, 501(c)(3) organizations, full-time judges, law students and paralegals).

### About CLE International

**CLE INTERNATIONAL**, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983. **CLE INTERNATIONAL** is an approved sponsor of the Florida State Bar, Sponsor No. 750743.

### Course Materials

Each registrant will receive a set of course materials, prepared by the speakers especially for this Conference, which will be a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

### Homestudy Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$895 plus \$10 shipping and handling.

### Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday prior to the Conference. Substitutions may be made at any time.

### Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Mallon at (800) 873-7130 or sarah@cle.com.

**CLE International Program Coordinator:**  
Meghan Thorson, [meghan@cle.com](mailto:meghan@cle.com).



# Golf & Resort Development

Practical Advice in a Challenging Environment

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# Golf & Resort Development

Current Trends in the Industry

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- Various Club Products • The Equity Club Under Developer Control
- Forming and Operating Condominium Hotels
- Valuation of Club Memberships in Today's Environment
- New Developments in Submerged Land Leases • Mandatory Club Memberships
- Recent Developments in Tax Law That Affect Developers
- Infrastructure Bond Financing and Its Relationship with Recreational Facilities
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