

CHARLES R. PORTER, JR.
Adjunct Faculty, St. Edward's University
REAL ESTATE, WATER RIGHTS, AND CONSTRUCTION EXPERT
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CURRICULUM VITAE

Expert Testimony – Rendered opinion or testified as expert in lawsuits and arbitration hearings nationwide over 225 times since 1987

Education

2007 Master of Liberal Arts degree, St. Edward's University
1974 Bachelor of Business Administration, Finance, University of Texas at Austin

Other Certifications and Education

2005-13 Certified Instructor – Texas Real Estate Commission - Legal/Ethics course
2003-13 Certified Instructor - Texas Real Estate Commission, all education courses
2000-13 Certified Instructor - National Association of Realtors Code of Ethics Training
1993 Certified in Family Mediation, Dispute Resolution Center, Austin
1992 Certified in General Mediation, Dispute Resolution Center, Austin
1979 Certified and Licensed as Broker by the Texas Real Estate Commission
1976 Graduate of the Mortgagebanque School of Real Estate, Houston
1975 Certified and Licensed as Agent by the Texas Real Estate Commission

Awards in Education

*2009 Robert S. Weddle Award Winner
Texas Catholic Historical Society for author of the best article in the year 2008
in Catholic Southwest: A Journal of History and Culture*

2008 Presidential Award, St. Edward's University

2008 Outstanding Master of Liberal Arts Graduate, St. Edward's University

2008 Master of Liberal Arts 4.0 Club, St. Edward's University

*2009 Best Ethics Education Program in the State of Texas for
"Water Rights for Texas Real Estate Agents" a TREC MCE course
Charles Porter, author and instructor*

*2005 Best Education Program in the State of Texas for
"Mediate, Arbitrate, Litigate" a TREC MCE Course
Charles Porter, author and instructor*

Awards in Community Service

2009 Realtor of the Year, Austin Board of Realtors

2008 Chairman's Award for Distinguished Service, Austin Board of Realtors

2007 Peacemaker Award, Dispute Resolution Center

2006 Chairman's Award for Distinguished Service, Austin Board of Realtors

Appointments as an Adjunct at St. Edward's University

2009/2010

Appointed Adjunct Professor in the Undergraduate School, Behavioral and Social Sciences, St. Edward's University, History, "Southwest Borderlands – A History of the Texas Missions HIST 2399," "The Spiritual Conquest of Mexico HIST 2399," and "United States History I HIST 1301"

Appointed Adjunct Professor in the Undergraduate School, St. Edward's University, University Programs, Cultural Foundations Core Courses, "American Experience CULF 1320, American Dilemmas CULF 2321, Cultural Foundations – Global Water Issues CULF 3331, and Capstone, Senior Research Project and Paper CAPS 4360"

2008/2010

Appointed Adjunct Professor in the New College at St. Edward's University – teaching Freshman American History A-HIST 1301 and A-HIST 1302 and as author of "Spanish Roots in Texas History A-HIST 4346 (2008)"

As Adjunct instructor, 18 classes at St. Edward's University, designer of four:

Fall, 2010	"Issues in Globalization, Water" CULF 3331.03
Spring, 2010	"The Spiritual Conquest of Mexico" HIST 2399.02
Fall, 2009	"Southwest Borderlands: History of the Texas Missions" HIST 2399.02
Summer, 2008	"Spanish Roots in Texas History" A-HIST 4346.01

Texas Real Estate Commission Certified Continuing Courses as Instructor

Teaches the mandatory promulgated "Legal/Ethics Update," "Water Rights for Texas Agents," "Farm and Ranch for Texas Agents," "Mediate, Arbitrate, Litigate," "NAR Code of Ethics;" approximately 100 class hours annually

Published Books and Articles

- 2010 “Duties in Disclosure of Defects in Single Family Residences in Texas” nationally published by the Technical Advisory Service for Attorneys, Blue Bell, Pennsylvania, at TASA.net Knowledge Center under TASA ID#712958568, written by invitation of TASA
<http://www.tasanet.com/knowledgeCenterDetails.aspx?docTypeID=1&docCatID=35&docID=160>
- Also to be published in the *Austin Realtor* magazine
- 2010 “Early Water Policy in Texas” published in *Confluence*, 2nd Quarter, magazine of the Texas Water Conservation Association
<http://www.twca.org/downloads/newsletters/2010q2-confluence.pdf>
- 2010 *The Hydraulic West*, a chapter in *The World of the American West*, edited by Gordon Bakken to be published in December, 2010 by Routledge (a division of Taylor-Francis, New York)
- 2010 “Water Shares” Author’s Note, page 33, June 25, 2010 *Texas Observer* magazine
- 2009 *Spanish Water, Anglo Water*, peer reviewed and published by Texas A & M Press a history of water rights in early Texas to 1902
- 2008 Author (& Instructor) - “Brokers and Eminent Domain” for State Bar of Texas Continuing Legal Education Credit, presented exclusively to the State of Texas Assistant Attorney Generals in the Right of Way Division
- 2008 “Querétaro in Focus: A History of the First Missionary Colleges in the New World” published in *Catholic Southwest Journal*
- 2008 “Gotcha’s” - HB 3070 Residential Energy Efficiency Advisory Committee, Report for the State Energy Efficiency Task Force, distributed to the Task Force and Members of the Texas House of Representatives; peer-reviewed by Texas A & M University’s Real Estate Center
- 2007 “The Importance of the Seller’s Disclosure Notice” *Austin Realtor* magazine, September/October issue
- 2003 “Ethical Conduct by Real Estate Agents is Serious in Texas” *Austin Realtor* magazine, March/April issue
- 2002 “Mediation Basics”, chapter in the *Austin Ethics/Grievance Training Manual*
- 1999 “Preparing for Small Claims Court for Non-Attorneys” published by Judgment Services Company
- 1999 “Ground Leases for Commercial Properties”, a private commissioned study for American Retirement Corporation, NYSE, published internally.

- 1996** “The Effect of Controlled Access Gates on Selected Apartment Properties in Austin, Texas,” presented in testimony to and reviewed by the House Urban Affairs Committee of the Texas Legislature, 1998 and distributed to members of the Texas House of Representatives
- 1992** “How to Successfully Collect Your Judgment in Texas” published by Judgment Services Company

Other Publications Peer-Reviewed or Court-Reviewed

2004 to date Class Manuals authored by Porter which are peer-reviewed by the Texas Real Estate Commission (TREC) and approved for continuing education credit for all real estate licensees in the state of Texas:

TREC Course # 04-00-081-8335, 4 hour “Mediate, Arbitrate, Litigate”
 TREC Course # 04-00-121-8758, 4 hour “Farm & Ranch for Agents”
 TREC Course # 04-00-030-6748, 4 hour “Water Rights for Agents”

1987 to date 100+ Opinion letters in various state, local, and federal court cases nationwide involving real estate and construction issues

Pending or Upcoming Publication of Books and Articles Authored by Charles Porter

2010 Pending “The History of *W.A. East v. Houston and Texas Central Railway Company, 1904: Establishment of the Rule of Capture in Texas Water Law or ‘He Who Has the Biggest Pump Gets the Water’*” in pre-publication process (out to reviewers after preliminary determination as fit) for the *East Texas Historical Journal*, Spring, 2011 issue

2010 Pending Class Manual in peer review by the Texas Real Estate Commission TREC Course, # to be announced, 7 hour “Farm & Ranch for Agents”

2010 Pending *Water Rights in Texas: A Guidebook for Laypersons*, in edit after reader comments, Texas A & M University Press

2011 Upcoming *The Embodiment of Courage: Charles Sandahl, the First Wheel-Chair Bound Graduate of the University of Texas Law School*, in research

2011 Upcoming *George W. Brackenridge: Maker of Modern Texas*, in first edit

2011 Upcoming “Civil War San Antonio: A Realistic Supply Source for Sibley’s New Mexico Campaign of 1861-1862”, submitted to *East Texas Historical Journal* and in edit from 44 pages to 27 pages

Appointed Service to St. Edward's Community

- 2009/10** Appointed to Friends of MLA, Advisory Council of the Master's of Liberal Arts at St. Edward's University
- 2009** Appointed to the Advisory Council of the New College at St. Edward's University
- 2008** Founder of the St. Edward's University Master of Liberal Arts Alumni Association
- 2007** Appointed to the Graduate Council of St. Edward's University Graduate School, Master of Liberal Arts Program Student Representative

Seminars Attended at St. Edward's University

- 2010** Teaching Excellence Showcase, St. Edward's University (*poster presenter*)
- 2010** New College Adjunct Orientation and Seminar
- 2010** MLA Update Seminar
- 2010** New Adjunct Orientation (*guest speaker*)
- 2009** New Adjunct Orientation
- 2009** New Adjunct Orientation
- 2009** Teaching Excellence Showcase
- 2009** Bishop McCarthy Lecture Series
- 2009** National Hispanic Institute Funding Seminar
- 2008** Bishop McCarthy Lecture Series
- 2008** Teaching Showcase 2008: Teaching for Learning
- 2008** Grant Writing Seminars (2)

Appointed Pro-Bono Community Service and Elected Positions

- 2010** Appointed to the San Antonio Conservation Society Historical Farm and Ranch Committee
- 2010** Elected as Associate Member of the Texas Alliance of Groundwater Districts
- 2009** Appointed to three year term on the Advisory Council of the University of Texas Dolph Briscoe Center for American History
- 2008** Appointed to the State of Texas Residential Energy Efficiency Advisory Committee (Pursuant to HB 3070)
- 2008** Appointed by Mayor Will Wynn to the City of Austin Point of Sale and Retrofit Task Force

Pro-Bono Professional Trade Association Appointments and Elected Positions

- 2010** Appointed to the Texas Association of Realtors Professional Standards Committee
- 2009/10** Appointed Ombudsman, ABOR (founder of Ombudsman Program)
- 2007** Elected Chairman of the Board of the Austin Board of Realtors (ABOR)
- 2006** Appointed to Austin Central Texas Real Estate Information Service, Inc. Board of Directors
- 2005** Elected Secretary Treasurer, ABOR
- 2005-10** Ombudsman of the Texas Realtors Association, Region 15
- 2002-8** Elected and served as a member of the Board of Directors, ABOR
- 2002-3** Appointed Chairman of the Grievance (Ethics) Committee, ABOR
- 2004-10** Appointed to the Professional Standards Committee, ABOR
- 2002-8** Appointed Chairman of the Ethics Appeal Hearing Tribunals, ABOR
- 2001/10** Appointed Pro-Bono Mediator, ABOR

Presentations and Lectures at College Symposiums, Academic Conventions, Trade Associations, or Government Agencies

- 2011** Upcoming organizer/lecturer at the Historic Research Training Workshop, San Antonio Conservation Society, at the San Antonio Public Library, January 22, 2011 in San Antonio, Texas
- 2011** Upcoming lecture by invitation to the High Plains Groundwater Conservation District, January 13 & 14, 2011 in Lubbock, Texas
- 2011** Upcoming organizer/lecturer at the Oral History Training Workshop, San Antonio Conservation Society, at the River House, November 13, 2010, in San Antonio, Texas
- 2010** Poster presentation at the Teaching Excellence Showcase, St. Edward's University, "The World's First Ever 100 Word History Conference"
- 2010** Lecturer by invitation at the Edwards Aquifer Authority lunch speaker series in San Antonio, in the boardroom, topic, "Tales from the Common Pool: Unintended Consequences"
- 2010** Lecturer by invitation at the United States Geological Service lunch speaker series in Austin webcast statewide, topic, "Decisions and Consequences in the Common Pool"
- 2010** Lecturer by invitation at the Texas Alliance of Groundwater Districts' Quarterly Meeting in Austin, Texas, topic, "Unintended Consequences: A Trilogy of Tales From the Common Pool"
- 2010** Presenter at the MLA Symposium, MLA Alumni Meeting, topic, "Tales from the Common Pool: Values, Obligations, and Consequences"

- 2010** Presenter at the World History Association of Texas Conference – “The Convergence and Divergence of Agricultural Ideas Between Spaniards and Jumano Indians Along the Rio Grande”
- 2010** Presenter and organizer of the panel at the Texas State Historical Association’s Convention in Dallas, Texas, topic “The Beginnings of Spanish Settlement in the El Paso District Revisited”
- 2010** Presenter, by invitation, at the Adjunct Orientation for the Spring semester, St. Edward’s University
- 2010** Lecturer, by invitation, for all sections of American Experience, CULF 1320, St. Edward’s University, University Programs, early-semester focus on colonizers to the New World, topic, “The First Missionaries in the New World: Saviors or Agents of Directed Cultural Change?”
- 2009** Lecturer at six Water Workshops at St. Edward’s University attended by 700 + students and faculty over 4 months, fall 2009. The water workshops were required for all students to meet the requirements of Cultural Foundations in University Programs.
- 2009** Presenter at the World History Association of Texas Conference – “Spanish Roots in Texas Water Law: Three Hundred Years of Connections and Consequences”
- 2009** Panelist and lecturer at the Austin Board of Realtors/Austin Home Builders Association Economic Forecast, 1,100 attendees
- 2008** Presenter at St. Edward’s University MLA Symposium – “From Acequias to the San Antonio Water Company: Sharing and Managing Water in San Antonio from Colonial Bexar to the Gilded Age”
- 2007** Presenter and organizer at the Texas State Historical Association’s convention session titled “Water Rights in Texas From the Gilded Age to Ike”, Dr. Paula Mitchell Marks, Chairman, along with Texas State Representative Mark Strama, presenter, and Dr. Thomas Glick, Boston University, presenter.
- 2007** Presenter and Emcee of the Most Worthy Citizen Award to Coach Jody Conradt of the University of Texas Women’s Basketball Team
- 2006** Presenter at St. Edward’s University MLA Symposium - “Bells and Belfries: Control or Comfort for the Indians of the San Antonio Missions”

Guest Lectures or Service as Panelist at Universities or Law Schools

- 2010** Lecturer for all American Experience students, St. Edward’s University, “The First Missionaries in the New World: Saviors or Agents of Directed Cultural Change”
- 2010** Guest Lecturer in Freshman Studies, St. Edward’s University, “Water: Unintended Consequences: Values, Obligations, and Consequences”

- 2010** Lecturer St. Edward's University Graduate School, Master of Liberal Arts, "Perspectives of Time," also in 2006, 2007, 2008, 2009
- 2010** Lecturer St. Edward's University Graduate School, Master of Liberal Arts, "Americans, A Sense of Place," also in 2007, 2009
- 2010** Lecturer in Ann Strong's "American Dilemmas," St. Edward's University, additionally in 2009, "Water: The Common Denominator"
- 2009** Lecturer in Steve Rodenborn's Religious Studies Class, St. Edward's University, "The History of the First Missionary College in the New World, Querétaro"
- 2009** Lecturer at Blinn University, Undergraduate School of History, "Water in 19th Century Texas: Spanish Roots in Law and Practice"
- 2007** Lecturer at Concordia University Undergraduate School for the "Ethical Dilemmas and Decisions in Criminal Justice"
- 2007** Lecturer St. Edward's University Business Graduate School, Master of Arts in Human Services, "Board of Director's Governance Policy"
- 2005** Lecturer St. Edward's University Business Graduate School, Master of Science in Organizational Leadership and Ethics, "Organizational Ethics"
- 2002** Panelist St. Edward's University Business Graduate School, Master of Science in Organizational Leadership and Ethics, "Business Ethics"
- 2001** Judge, American Bar Association Dispute Resolution Mediation Competition, University of Texas Law School

Testimony to Committees of the Texas House of Representatives

- 2007** Testimony at the invitation of Representative Mark Strama, District 50, Texas House of Representatives – Government Reform Committee in favor of HB 3070
- 1998** Testimony at the invitation of Representative John Shields, Texas House of Representatives - House Urban Affairs Committee, "The Effect of Controlled Access Gates on Selected Apartment Properties in Austin, Texas"

Community Speeches on the Energy Audit Ordinance

- 2008 Presentation to Amelia Bullock Realtors on the impact of City of Austin Ordinance relating to Point of Sale Mandatory Energy Efficiency Retrofits.**
- 2008 Presentation to Moreland Properties of same.**
- 2008 Presentation to The Elite 25 of same.**
- 2008 Presentation to Asian Real Estate Professionals of same.**
- 2008 Presentation to the North Austin Community Association of same.**
- 2008 Four radio interviews and one television interview**

Other Invited Speaking Engagements

- 2007 Guest speaker at The Women's Council of Realtors Legal & Ethics Update**
- 2007 Guest speaker at Coldwell Banker's Legal and Ethics Update**
- 2006 Guest Speaker at John Horton's Realty World Breakfast - Seller's Disclosure Notice Lecture (also 2004)**
- 2004 Guest Speaker at Coldwell Banker's Austin Education Facility – Seller's Disclosure Notice Lecture**

Licenses, Professional Associations, and Other Memberships

Real Estate Broker's License in Texas since 1979

Austin Board of Realtors

Texas Association of Realtors

National Association of Realtors

Life Member of the Texas Catholic Historical Society

Member of the Texas State Historical Association

Associate Member of the Texas Alliance of Groundwater Districts

Member of the Texas Water Conservation Association

Member of the San Antonio Museum of Arts

Member of the San Antonio Conservation Society

Member of Los Compadres (friends of the historic Spanish Missions of San Antonio)

Business Activity History Overview

Owner/Builder/Manager of: 22 major real estate projects since 1978, value \$100,000,000+.

Participant as owner/broker in: 1,000+ real estate closings, residential and commercial
325+ commercial leases (over 1,000,000 s.f.)
50 major construction/permanent loan closings

Business Activity History Detail

1974-1976 Texas Manufacturers Association, Assistant to the President

1977-1991 Real Estate Development, Management, and Consulting

The following properties were planned, developed, constructed, financed, sold, and managed by Charles Porter through various limited partnerships:

<u>Property</u>	<u>Type</u>	<u>Size</u>	<u>Location</u>
August Landing	Townhomes	21	Houston
Oaks of Augusta	Townhomes	30	Houston
Timberchase	Townhomes	32	Houston
Cottonwood	Townhomes	30	Houston
Briar Station West	Townhomes	35	Houston
1502 Augusta	Office Building	65,000 sf	Houston
Quail Harbor	Apartment/Condominiums	88	Houston
3555 Briarpark	Office Building	74,000 sf	Houston
Rutgers Place	Townhouses	9	West University
Rutgers Place II	Townhouses	9	West University
Harboreen	Apartment/Condominiums	96	Houston
1811 Bering Drive	Office Building	80,000 sf	Houston
Town Oaks Place	Townhouses	20	Bellaire
Belmont Oaks	Townhouses	12	West University
Gramercy Park	Apartments	53	Houston
Drexel Place	Apartments	24	Houston
Weslayan Oaks	Apartments	84	Houston
Weslayan Oaks II	Land	1.25 ac	Houston
Twin Cities Plaza	Retail Center	23,000 sf	Rosenberg
Twin Cities Plaza II	Land	6.7 ac	Rosenberg
Robinson Creek	Retail/Office	80,000 sf	Huntsville
Fleming Companies	Grocery Store/Build to Suit	42,000 sf	LaMarque

**1987 to Date Active Broker in Commercial & Residential Real Estate in Texas
Owner's Representative in Construction Projects; Expert Witness Consultation**

Recent Brokerage Highlights:

Completed acquisition of the 33 acre Dellana Tract in Rollingwood and Austin at the intersection of MoPac and Bee Caves Road for American Retirement Corporation and representation of ARC for the subsequent platting, re-zoning and establishment of a PUD, followed by service as the listing broker sale of 16 acres of the 33 acres fronting on Bee Caves Road; total value of project \$12,000,000 +.

Acquired 10,000 s.f. office space for CFX Engineering, Inc. in The Overlook, Austin.

Acquired an additional 22,000 s.f. office space for CFX, L.P. in Austin.

Completed roof system replacement as Owner's Representative for Kappa Delta.

Listing agent for American Retirement Corporation's 2003 10 acre Ft.Worth site, sold to Plaza Mercedes.

Listing agent for American Retirement Corporation's 2003 17 acre Dellana Austin site, sold to Cencor and Live Oak Development entities.

Listing agent for Scott Stine/NTS 3.27 acre tract on RR 620 in Bee Cave, Texas, sold to Discount Tire Company.

Listing agent for LIC's Onion Creek commercial frontage (with Joe O'Connor), sold to Brad Smith and Scott Farley.

Leased 10,949 sf to Sachem at The Overlook in Austin for CFX, 2002.

Listing agent for 123 Acres at IH35 and SH 287 in Waxahachie, Texas.

Listing agent for 9+ acres at the intersection of FM 1626 and FM 967 in Buda, Texas.

Other Awards and Community Service

- 1966** Eagle Scout Award, Boy Scouts of America
- 1969** Austin Area Kiwanis Education Award
- 1971** President, Phi Kappa Tau
- 1972** Round Up Chairman, University of Texas
- 1972-1974** Affiliated with Phi Gamma Delta Fraternity
- 1972** Elected Cactus Goodfellow
- 1972 & 1973** Elected President of the Interfraternity Council at the University of Texas
- 1973** Elected to Omicron Delta Kappa
- 1973** Who's Who in Student Leaders in America
- 1973** Outstanding Young Men of America
- 1987 & 1988** President of Lynn Park Civic Association, a Homeowner's Association
- 1987-1992** Board of Directors University of Texas Athletic Department Advisory Board, Houston Area
- 1987-1989** Board of Directors Texas Ex Students Association, Houston Area
- 1987-1991** Chairman of the Louis Pearce Bar B Que, University of Texas Athletic Department Advisory Board, Houston Area
- 1978-1991** Organized and served as Board Member on 14 Condominium or Townhouse Homeowner's Associations