

LOS ANGELES



IRWA
CHAPTER 1



December
2006

Upcoming Events

January 23, 2007 Luncheon

11:45am - Mr. Al Gobar will speak on Market Trends for 2007 - Lunch is free to all members at Steven's Steakhouse

President's Message

By: Tom Hanley, Paragon Partners



As the Holiday season is upon us I suddenly realize that today is my last day as your president. Tomorrow we attend the Tri Chapter Installation Luncheon and I hand over the reigns

to Bryan Riggs and your chapter will be in the hands of Bryan and the new 2007 Board.

At this time I wish to thank all the members of my 2006 Board for their service. It is appropriate to name them here so that you all know everyone who took an interest in our chapter and gave of their time and energy. They are: Bryan Riggs, Andrew Thompson, Vivian Howell, Michael Popwell, Holly Rockwell, Lynette Overcamp,

Membership Luncheon

December 6, 2006

Tri Chapter Installation Luncheon at Grand Californian in Disneyland

Bill Larsen, Mark Brusca, Natalie Michelson, Alan Sozio, Dave Roberts, Bill von Klug, Mohammed Estiri, Gary Valentine, Duncan Robb, Freddy Arevalo, and Terri Kortens. Having your help and support really made 2006 a great year.

The year has passed quickly and, looking back at 2006, we had a very successful financial year with record attendance at our course offerings and seminars. We put into place job descriptions for all board members, three new chapter level awards, and a scholarship program to encourage SR/WA completion. The somewhat mundane work of the 2006 Board has set up procedures and processes that will be with the chapter for years to come. Hopefully the chapter will be more fun and responsive to the needs of the members.

So as I bid you adieu as president, let it be known that it was a good year for us. But all good things end and it is with joy and confidence that I pass the presidency to Bryan Riggs. May you have all the fun that I had and may you also feel the warmth and love of your new Board and the members of Chapter 1. Remember that our members and their professional development is the reason we are all in IRWA. God bless you all and may you reflect upon and feel the joy and peace of the season in whatever way your heart and beliefs lead you.

IRWA Chapter 1 2006 Officers and Executive Board

<i>President and International Director</i>	Tom Hanley Paragon Partners	714-379-3376	thanley@paragon-partners.com
<i>President-Elect and International Director</i>	Bryan Riggs, MAI, SR/WA Riggs & Riggs, Inc.	805-578-2400 ext 101	riggsinc@sbcglobal.net
<i>Treasurer</i>	Andrew Thompson, SR/WA Sempra Utilities	310-244-5032	athompson@semprautilities.com
<i>Secretary</i>	Vivian Howell, SR/WA Los Angeles World Airports	310-417-0450	vhowell@lawa.org
<i>Professional Development</i>	Michael Popwell, SR/WA LA Community Dev. Com.	323-890-7195	michael.popwell@lacdc.org
<i>Nominations and Awards</i>	Holly Rockwell Epic Land Solutions	310-378-0771	hollyrockwell@epicland.com
<i>Education</i>	Lynette Overcamp Epic Land Solutions, Inc.	310-378-1178	lynetteovercamp@epicland.com
<i>Membership</i>	Bill Larsen Integra Realty Resources	818-593-7200	wlarsen@irr.com
<i>Luncheon</i>	Vacant		
<i>Webmaster</i>	Mark Brusca Riggs & Riggs, Inc.	805-578-2400 ext 105	markbrusca@sbcglobal.net
<i>Newsletter</i>	Natalie Michelson JPI Studios, Inc.	818-634-6932	aunttalie@aol.com
<i>Law</i>	Alan Sozio Esq. Burke, Williams, & Sorenson, LLP	213-236-2819	asozio@bwslaw.com
<i>Valuation Seminar</i>	Dave Roberts LA City General Services Asset Management	213-922-8546	djRobert@gsd.LACity.org
<i>Relocation Seminar</i>	Bill Von Klug, SR/WA, R/W - RAC LA Community Dev. Com.	323-890-7434	bill.vonklug@lacdc.org
<i>Fall Seminar</i>	Vivian Howell, SR/WA Los Angeles World Airports	(310) 417-0450	vhowell@lawa.org
<i>Historian</i>	Vacant		
<i>Engineering/Survey</i>	Vacant		
<i>Environmental</i>	Mohammed Estiri, PhD Eco & Associates, Inc.	714-832-5427	mestiri@panenv.com
<i>Local Public Agency</i>	Vacant		
<i>Pipeline</i>	Gary Valentine, MAI, SR/WA Valentine Appraisal & Assoc.	661-288-0198	gsv@valentineappraisal.com
<i>Property Management</i>	Duncan Robb, SR/WA, R/W - AMC Metropolitan Trans. Auth.	213-922-2435	robdbd@mta.net
<i>Relocation</i>	Fred Arevalo, R/W - RAC Property Services Bureau	562-570-6836	fred_arevalo@longbeach.gov
<i>Title</i>	Teri Kortens Lawyers Title	310-210-6741	terikortens@msn.com
<i>Transportation</i>	Vacant		
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Membership Drawing
 At each chapter luncheon we draw a name from the Chapter 1 roster and if that person is in attendance, they win a cash prize. The drawing starts at \$50 and increases \$10 for each month that there isn't a winner. We haven't had a winner in a while. December's drawing will be for \$220 so be sure to be there in case your name is drawn!

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 Cell: 310-722-9911

Case of the Month

RED MOUNTAIN, LLC v. FALLBROOK PUBLIC UTILITY DISTRICT

D044546

COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION ONE

143 Cal. App. 4th 333; 48 Cal. Rptr. 3d 875; 2006 Cal. App. LEXIS 1481; 2006 Cal. Daily Op. Service 9065

filed September 25, 2006

By: Alan A. Sozio, Esq. of Burke, Williams & Sorensen, LLP

This Case of the Month deals with, among other things, the issue of the admissibility of evidence of development plans regarding condemned property.

One of the main disputed issues at the trial in this case was the highest and best use of the subject property and, in particular, whether a subdivision development on the property was feasible. Red Mountain introduced various valuations of the property from its appraiser, Robert Backer, based on his opinion that the land was suitable for a subdivision development because Red Mountain had an approved tentative subdivision map for 44 lots for the property. Fallbrook objected, stating this evidence was inadmissible because it constituted speculative evidence of damages based on specific plans of development.

In discussing Fallbrook's objection, the court first acknowledged the general rule that a property owner may not value his property based upon its use for a projected special purpose or for a hypothetical business. However, the court went on to say that, while a property owner may not generally present evidence of the value of his property (in terms of money) that the property would bring for a special purpose, evidence of a particular use may be relevant to establishing the highest and best use. This evidence may be admitted, however, only when the highest and best use of the property is disputed or there is a dispute as to the feasibility of a particular use.

At trial, Backer concluded that evidence of the potential use of the property acres was merely admissible "highest and best use" testimony. Accordingly, the trial court concluded that it did not constitute testimony about a specific development plan, as it was not based on evidence of any specific plan for two ranch estates or any specific features of the hypothetical estates, such as location of the building pads or septic systems. Because Backer "simply valued the land as being generally useable for two large ranch estates," the court of appeal held that the trial court correctly admitted Backer's valuation testimony.

Despite the early cases banning such evidence, recent court cases continue to allow such testimony in jury trials. It is easy to see how a jury can misinterpret such evidence, however. The unspoken message often conveyed through the admission of such evidence is, "See how the [agency] impaired our ability to develop this site? That's not fair; compensate us!" As noted above, however, where no dispute exists as to the highest and best use of the property, such evidence is not admissible. When faced with a potential for the admission of such evidence, an agency practitioner may wish to seek agreement between the parties on highest and best use as a means of precluding evidence at trial of development plans for a condemned site.

Chapter 1, New Members

<u>Applicant</u>	<u>Job Title</u>	<u>Firm/Agency</u>	<u>Sponsor</u>
Michelle Y. Arrington	Real Estate Manager	LAUSD	Gary Curry, Region 4
Cheryl DeMucci	Office Manager	Epic Land Solutions, Inc.	Holly Rockwell
Jeffrey Z.B. Springer	Attorney	Demetriou, Del Guercio, Springer, & Francis	Gary Valentine, SR/WA

**JANUARY MEMBERSHIP LUNCHEON
CHAPTER 1 SCHOLARSHIP AWARD
SR/WA & CERTIFICATION AWARDS
2007 CHAPTER 1 IRWA CLASS ROLLOUT**

Michael Popwell, SR/WA, Chair, Professional Development Committee
Keith Dang, MAI, SR/WA, Chair, Education Committee

This January 23rd at Stevens Steakhouse your Professional Development Committee will award the first annual Chapter 1 SR/WA Designation and Professional Certification Scholarship Award. And the scholarship, worth up to five days of Chapter 1 sponsored IRWA Courses, goes towell, you will just have to attend and find out.

Also this January membership meeting will witness the presentations of professional designations to these Chapter 1 members ...

Tina J. Drebusenko, SR/WA - Southern California Edison

Frances Impert, SR/WA - Metropolitan Transportation Agency

Dario S. Polintan, R/W-RAC - Los Angeles World Airports

The Chapter 1 Education Committee will roll out the 2007 Chapter 1 IRWA Class schedule. In addition to our annual Chapter 1 Seminars, always a great hit for timely updates and collecting those ever-pesky license recertification credits, Chapter 1 will be sponsoring the following IRWA Classes:

Course 100 (4 days) - 1/30/07 thru 2/02/07 at MWD downtown LA

Course 200 (2 days) - 3/08/07 thru 3/09/07 at DPW in Alhambra

Course 104 (1 day) - 4/06/07 at DPW in Alhambra

Course 205 (2 days) - 5/14/07 thru 5/15/07 at MWD downtown LA

Course 401 (4 days) - 7/30/07 thru 8/03/07 at MWD downtown LA

Course 800 (2 days) - 10/18/07 thru 10/19/07 at DPW in Alhambra

Be sure to make your RSVP for the January Luncheon and join you fellow Chapter 1 members in honoring the Chapter's first Education Scholarship award recipient; celebrating the professional designation achievements of you fellow members; and participating in the rollout of Chapter 1's 2007 IRWA Classes.

The Chapter 1 Professional Development Committee offers individual member mentoring to assist you in achieving your professional designation and certification goals.

Chair Michael Popwell, SR/WA, Community Development Commission
Voice 323.890.7195 Email mpopwell@lacdc.org

Co-Chair Vivian Howell, SR/WA, Los Angeles World Airports
Voice 310.417.0450 Email vhowell@lawa.org

Co-Chair Bill Von Klug, SR/WA, Paragon Partners
Voice 714.379.3376 Email wvonklug@paragon-partners.com

Co-Chair Gus Parcero, SR/WA, City of Los Angeles
Voice 213.847.5592 Email aparcero@eng.lacity.org

Co-Chair Joyce Riggs, MAI, SR/WA, Riggs & Riggs, Inc.
Voice 805.578.2400 Email riggsinc@sbcglobal.net

Co-Chair Gary Valentine, MAI, SR/WA, Valentine Appraisal & Associates
Voice 661.288.0198 Email valentineapp@earthlink.net

The Chapter 1 Education Committee provides members with information on IRWA Course offerings and the ins and outs of successful Course scheduling and completion.

Chair Keith Dang, MAI, SR/WA, AFI Valuation Group, Inc.
Voice 310.378.0309 Email afivaluation@aol.com

Co-Chair
Co-Chair

IRWA Chapter 1 Free January Luncheon

There is such a thing as a free lunch! To kick off the New Year, we are looking forward to a great turnout at our January luncheon! Everyone knows that our best turnout occurs when lunch is FREE, so the Chapter Board has once again voted to sponsor the lunch at no charge for all Chapter 1 paid members who RSVP.

Dr. Al Gobar, Economist emeritus at Alfred Gobar Associates, will speak on the economic trends for 2007. The topic of his talk will be "Expectations of Economic Trends in 2007 with Emphasis on Probable Real Estate Trends."

We will also be announcing the Small and Large Employers of the Year, Professional of the Year, and the Professional Service Award for outstanding long term service to the organization. Our member blue box drawing is well over \$100, so if you are a paid Chapter 1 member and your name is drawn, you'll be walking home with a few extra dollars. Speaking of extra dollars, don't forget to bring some for the raffle.

Be sure to join us for this very exciting New Year luncheon! Please complete the reservation form below and e-mail or fax it to Cheryl DeMucci. Members must reserve in advance to receive the free lunch. The cost for non-Chapter 1 paid members, or members who do not reserve, will be \$16, which can be paid at the door. We have traditionally had overwhelming participation at our January luncheon, so please get your reservation in as soon as possible.

Date: January 23rd, 2007
Time: 11:45 a.m.
Location: 5332 Steven's Place, Commerce, CA 90040

JANUARY LUNCHEON RESERVATION FORM

Name: _____
Company: _____
E-mail: _____
Phone: _____

Chapter 1 Paid Member _____ Non-member _____ (\$16 to be paid at door)
Luncheon Selection: Oven-roasted Chicken _____ Triangle Beef _____

**E-mail to CherylDeMucci@epicland.com or Fax to (310) 378-0558
by Friday, January 19, 2006.**

Updating your IRWA Membership Information

1. Visit www.irwaonline.org
2. Highlight "Resources" in the upper right hand corner and then click on "Membership Directory".
3. Click on Update Member Profile.
4. Enter your User Name and Password and click on Login. Your User Name is your membership number (contained on your membership card and dues renewal notice) and the Password is your last name. The Password is case sensitive, so ensure you capitalize the first letter and leave the rest in non-caps.
5. Update your information and click on "Submit. A new page will come up and you can choose to "Exit" or "Logout".
6. That's it! Your information will be automatically updated on the headquarters master list, which is also the one the Chapter uses for communications. Going forward, Chapter 1 monthly newsletters will be sent out via e-mail so it's important to ensure your e-mail address is current.
7. If you do not have access to the Internet or have any questions about updating membership information, call Bonnie Gray at 310-538-0233.

Below are the classes Chapter 1 has scheduled for 2006/2007. If you would like to coordinate a class that you need (and get the class free, close to your work/home, and on a date you select!), please contact Keith Dang, the Education Chair for 2007 at AFIValuation@aol.com.

Chapter 1 2006/2007 Education Schedule

Course/Seminar	Date	Locatoin	Coordinator
100 – Principles of Land Acquisition	January 30 – February 2, 2007	MWD	Vicky Lee (213) 217-5623 vlee@mwdh2o.com
200 – Principles of Real Estate Negotiation	March 8-9, 2007	DWP	Mark Brusca (805) 578-2400 markbrusca@sbcglobal.net
104 – Standards of Practice for the Right of Way Professional	April 6, 2007	DWP	Mark Brusca (805) 578-2400 markbrusca@sbcglobal.net
205 - Bargaining Negotiations	May 14-15, 2007	MWD	Lizeth Olague (213) 217-5776 Lolague@mwdh2o.com
401 – The Appraisal of Partial Acquisitions	July 30 – August 3, 2007	MWD	Angela Aldridge (213) 217-6394 aaldrige@mwdh2o.com
800 – Principles of Real Estate Law	October 18-19, 2007	DWP	Mark Brusca (805) 578-2400 markbrusca@sbcglobal.net

Below is a list of courses/events being sponsored by International or other Chapters. Please check the IRWA website at <http://www.irwaonline.org/education/> for the most recent information.

Other IRWA Educational Events

Date	Course #	Course Name	Location
January, 2007	103	Ethics and the Right of Way Profession	San Diego

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