

LOS ANGELES



IRWA
CHAPTER 1



January/
February
2004

Upcoming Events

March 9

Board of Directors meeting: 11:30AM to 1PM Nossaman offices: 445 S. Figueroa St., 31st Floor, L.A.

March 19

Education Course 600 (Environmental Awareness)(R/W-AMC)Contact Lorna Foster at (909) 383-4473
lorna_foster@dot.ca.gov

March 20

Region 1 Spring Forum, Queen Mary, Long Beach

March 23

Joint Meeting with Southern California Chapter of the Appraisal Institute

April 22

Valuation Seminar (and Membership Meeting) RSVP to Deborah Martinez, (714) 379-3376

President's Message

By: Linda Cunningham Esq.
Nossaman, Guthner, Knox, & Elliott, LLP

The past year was a successful one for Chapter 1, financially and in terms of membership participation and new members, due in large part to the leadership of our outgoing President, Michael Popwell. On behalf of myself and the other members of Chapter 1, I want to express our appreciation to Michael – congratulations on an outstanding year! I also want to thank all of our new and renewing members for their support, and to encourage continued membership participation in the coming year.

We had a great turnout for the first Chapter 1 membership luncheon of 2004 which was held on January 24 at Stevens' Steak House, and was free for all Chapter 1 paid members. The luncheon speaker was Dr. Debra Glaser, Chief Police Psychologist for the Los Angeles Police Department, who provided the members with some of her experience and insights on dealing with difficult negotiations.

Membership Luncheon

Date: Tuesday, February 24, 2004

Time: 11:45 am

Location: Steven's Steakhouse, 5332 Steven's Place, Commerce, CA 90040

Luncheon choice: NY Steak or Chicken Oscar

To reserve your space and make your luncheon selection, please contact our Luncheon Chair, Deborah Martinez at dmartinez@paragon-partners.com or 714-379-3376

Awards for Employer of the Year and Professional of the Year were presented at the January luncheon. The recipients of the Employer of the Year award were Caltrans (large employer category) and the Community Development Commission of Los Angeles County (small employer category). The Professional of the Year was awarded to William Von Klug, of the Community Development Commission of Los Angeles County.

As we move into the new year, we are working on putting together an interesting and informative selection of luncheon speakers, seminars and education courses and we look forward to a very dynamic and rewarding year for Chapter 1. We are planning to distribute the Chapter 1 newsletter in electronic format in the near future, so please check to make sure your e-mail information on file with IRWA headquarters is updated. Detailed instructions on updating the information will be provided at the luncheon meetings and are also available from the IRWA website (www.irwaonline.org).

5th Annual Joint Luncheon with IRWA Chapter 1 and the Southern California Chapter of the Appraisal Institute

The topic will be "Appraising Properties in City of Los Angeles Community Redevelopment Areas (LA CRA) - Do the Sales Truly Reflect Open Market Transactions?"

Kathi Head, Real Estate Appraisal and Relocation Manager with the Los Angeles CRA, will provide an overview of the LA CRA projects and how they join with developers to redevelop a site(s) in a blighted area. Kathi will discuss Developer Disposition Agreements and the often expensive and cumbersome requirements that the CRA imposes on a developer to redevelop a property. All of those items are a consideration in their participation for funds on a project and in turn may result in a lower/higher purchase price that is recorded in public records.

Ross Salvidge of Kosmont Partners is a real estate appraiser. Their company prepares reuse appraisal reports, among other types, for LA CRA projects. Ross will discuss how the reuse appraisals, which reflect the proposed redevelopment project and do not necessarily reflect the highest and best use of the property, are utilized in the composition of the Developer Disposition Agreements.

Joyce L. Riggs, MAI, SR/WA is a real estate appraiser and a member of SCCAI and IRWA Chapter 1. Joyce will discuss appraising properties located within redevelopment areas for lenders or other agencies not involved with LA CRA. The focus of the topic will discuss selecting market sales that have occurred in redevelopment areas and the importance of verifying those sales to determine whether they are truly "arm's length" for use in appraisals or were they negotiated with participating funds from the CRA that skew the purchase price.

Region 1 Spring Forum

Chapter 1 is hosting this year's Region 1 Spring Forum, which will be held on March 20 at the Queen Mary in Long Beach. Additional information will be provided in next month's newsletter.

IRWA Chapter 1, Los Angeles
2004 Board Officers and Committee Chairs

<p>President & International Director: Linda Cunningham Esq. Nossaman, Guthner, Knox, & Elliott, LLP 445 S. Figueroa St. Los Angeles, CA 90071 Phone (213) 612-7800 E-mail lcunningham@nossaman.com</p>	<p>President Elect & International Director: Holly Rockwell Epic Land Solutions, Inc. 24050 Madison St., Suite 205 Torrance, CA 90505 Phone (310) 378-0771 E-mail hollyrockwell@epicland.com</p>	<p>Vice President: Tom Hanley Southern Calif. Regional Rail Authority (Metrolink) 700 S. Flower St. Suite 2600 Los Angeles, CA 90017 Phone (213) 452-0256 E-mail hanleyt@scrta.net</p>
<p>Secretary: Ken Robinson Paragon Partners Ltd. 5762 Bolsa Ave., Suite 201 Huntington Beach, CA 92649 Phone (714) 379-3376 E-mail krobinson@paragon-partners.com</p>	<p>Treasurer: Bryan Riggs, MAI Riggs & Riggs, Inc. 4195 Valley Fair St. Suite 207 Simi Valley, CA 93063 Phone (805) 578-2400 Ext. 101 E-mail riggsinc@pacbell.net</p>	<p>Chapter 1 Webmaster & Region I Valuation Committee Rep: Rudy M. Romo Paragon Partners Ltd. 5762 Bolsa Ave., Suite 201 Huntington Beach, CA 92649 Phone (714) 379-3376 E-mail romo@paragon-partners.com</p>
<p>Professional Development Committee Chair: Lourdes Romero, SR/WA Los Angeles World Airports 5757 W. Century Blvd, Suite 102 Los Angeles, CA 90045 Phone (310) 417-6486 E-mail lxromero@lawa.org</p>	<p>Education Chair: Hayley J. McKuur Universal Field Services 18377 Beach Blvd., Suite 220 Huntington Beach, CA 92648 Phone (714) 842-7333 E-mail hmckuur@hotmail.com</p>	<p>Assistant Education Chair: Lorna Foster Calif. Dept. of Transportation 464 W. Fourth St., 7th Fl. San Bernardino, CA 92401 Phone (909) 383-4473 E-mail lorna_foster@dot.ca.gov</p>
<p>Newsletter Editor Chair: Natalie Michelson Riggs & Riggs, Inc. 4470 Libbit Ave. Encino, CA 91436 Phone (818) 634-6932 E-mail aunttalie@aol.com</p>	<p>Membership Co-Chair: William Larsen Integra Realty Resources 20720 Ventura Blvd., Suite 240 Woodland Hills, CA 91364 Phone (818) 593-7200 X 19 E-mail wlarsen@irr.com</p>	<p>Property Management Chair: Duncan Robb, SR/WA LA County Metro. Transp. Authority (MTA) One Gateway Plaza MS 99-13-08 Los Angeles, CA 90012 Phone (213) 922-2435 E-mail robdd@mta.net</p>
<p>Law Chair: Bradley Pierce Esq. Demetriou, Del Guercio, Springer & Francis 801 S. Grand Ave. 10th Flr Los Angeles, CA 90017 Phone (213) 624-8407 bpierce@dsdffirm.com</p>	<p>Environmental Chair: Mohammad Estiri Phd. Eco & Associates, Inc. 11262 Darlene Drive Santa Ana, CA 92705 Phone (714) 832-5427 E-mail mestiri@ips.net</p>	<p>Fall Seminar Co-Chair: Augusto Parcerero, SR/WA LA City Dept. of Public Works 600 S. Spring St., Suite 700 Los Angeles, CA 90014 Phone (213) 847-5580 E-mail aparcerero@eng.lacity.org</p>
<p>Pipeline Chair: Gary Valentine, MAI, SR/WA 23942 Lyons Avenue, Suite 212 Santa Clarita, CA 91321 Phone (661) 288-0198 E-mail: gsv@valentineappraisal.com</p>	<p>Relocation Chair & Relocation Seminar Cochair: Freddy Arevalo Community Development Commission of the County of Los Angeles 2 Coral Circle Monterey Park, CA 91755 Phone (323) 890-7473 fred.arevalo@lacdcl.org</p>	<p>Luncheon Chair: Deborah Martinez Paragon Partners Ltd. 5762 Bolsa Ave., Suite 201 Huntington Beach, CA 92649 Phone (714) 379-3376, ext. 242 E-mail dmartinez@paragon-partners.com</p>
<p>Valuation Seminar Chair: Elaine McDaniel Desmond, Marcelllo & Amster 6060 Center Drive, Suite 825 Los Angeles, CA 90045 Phone (310) 216-1400 E-mail emcdaniel@dmavalue.com</p>	<p>Title Chair: Teri Kortens Lawyers Title 19300 South Hamilton Ave. Suite 130 Gardena, CA 90248 Phone (310) 768-2000 E-mail terikortens@msn.com</p>	<p>Public Agency Liaison Chair: George Koury, SR/WA LA City Dept. of Public Works 600 S. Spring St., Suite 700 Los Angeles, CA 90014 Phone (213) 847-5518 E-mail gkoury@eng.lacity.org</p>
<p>Engineering/Survey Chair: Tony Pratt, PLS City of Los Angeles Bureau of Engineering 201 N. Figueroa St., Suite 1100 Los Angeles, CA 90012 Phone (213) 482-7180 E-mail tp Pratt@eng.lacity.org</p>	<p>Relocation Seminar Chair: Bill Von Klug, SR/WA Community Development Commission of the County of Los Angeles 2 Coral Circle Los Angeles, CA 91755 Phone (323) 890-7434 bill.vonklug@lacdcl.org</p>	<p>Valuation Committee: Paul Norlen, MAI Metropolitan Water District 700 N. Alameda St. Los Angeles, CA 90012 Phone (213) 217-7665 E-mail pnorlen@mwdh2o.com</p>
<p>Fall Seminar Chair Michael Fischer Community Development Commission of the County of Los Angeles 2 Coral Circle Los Angeles, CA 91755 Phone (323) 890-7250 E-mail Michael.fischer@lacdcl.org</p>	<p>Past President, Nominations and Awards Chair, Region Spring Forum Chair: Michael Popwell, SR/WA Community Development Commission of the County of Los Angeles 2 Coral Circle Monterey Park, CA 91755 Phone (323) 890-7195 michael.popwell@lacdcl.org</p>	<p>Region Spring Forum Co-Chair & Membership Co-Chair Henry Nunez Henry Nunez Coordinated Land Services 11 E. Huntington Drive Arcadia, CA 91006 Phone (626) 254-0524 E-mail henry@hnrealstate.com</p>

FOLLOW THOSE PROCEDURES

By Rudy M. Romo

We conduct our lives with daily routine and many times take it for granted that what we do doesn't necessarily require a lot of thought. The same holds true for our work process too, however, we must constantly back up and support the things we do and prepare.

The Right of Way and real estate field is very systematic and protocol. There are certain events that must transpire before another event is triggered to commence. The process many times gets ahead of itself and we find ourselves having to back track and amend the action that took place.

An acquisition offer cannot be made until after the appraisal has been reviewed and approved. The acquisition documents can then be prepared and a subsequent offer made. The Relocation Assistance delivery effort cannot be made until after the offer has been made. Property management cannot assume control and responsibility for a parcel until after possession has been obtained either via close of escrow or court order has been made.

Nonetheless, we learn that procedures must be undertaken. It can't be stressed enough that we need to document every procedure we undertake, process, and/or request to be approved. An acquisition administrative settlement must be fully documented with supporting data in order to justify a higher value above the appraised amount. Is there a more recent sales comparable? Is there newer or more factual income and expense data that will support a different "net profit"? Is there another basis to justify a lower capitalization rate?

The need for justification will always be needed, because, if it doesn't exist, our good friends, the "auditors", will always find something down the road. A certain level of risk is always associated with the motto "what's the likelihood that we'll be audited". In my experience, I've had some of my projects audited and much to my credit, they have done well. I've been challenged by colleagues that state "well, we don't have to go that far" or "you don't have to do that do you?". Well, no we don't have to do anything, however, it helps if you want to maintain your integrity and reputation.

Once the effort and support is minimized, the work progresses to a "sloppier" state of disrepair and it's hard to re-create a situation after the fact. So, let's keep those files in order and audit proof. The benefits will always prove favorable in the end.

**IRWA Chapter 1
2004 Calendar of Events**

January 13	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
January 27	Chapter 1 Membership Meeting (Members Free with RSVP) Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
February 5 & 6	Education Course 400 (Principles of Real Estate Appraisal) (SR/WA) Contact Hayley McKuur at (714) 842-7333; hmckuur@hotmail.com
February 10	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
February 24	Chapter 1 Membership Meeting Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
March 9	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
March 19	Education Course 600 (Environmental Awareness) ((R/W-AMC) Contact Lorna Foster at (909) 383-4473 Lorna_Foster@dot.ca.gov
March 20	Region 1 Spring Forum , Queen Mary, Long Beach
March 23	Joint Meeting with Southern California Chapter of the Appraisal Institute Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
April 13	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
April 16	Education Course 503 (Mobile Home Relocation) (R/W-RAC) Contact Lorna Foster (909) 383-4473 Lorna_Foster@dot.ca.gov
April 22	Valuation Seminar (and Membership Meeting) Quiet Cannon, 901 N. Via San Clemente, Montebello (636-A/7) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
May 11	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
May 25	Chapter 1 Membership Meeting Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
June 5 & 6	Education Course 900 (Principles of Real Estate Engineering) (SR/WA) Contact Hayley McKuur at (714) 842-7333 hmckuur@hotmail.com
June 8	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
June 20-24	IRWA International Education Conference Wyndham Franklin Plaza Hotel; Philadelphia, Pennsylvania
June 29	Membership Meeting Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
July 13	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
July 27	Chapter 1 Membership meeting Shanghai Red's, Marina Del Rey RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
August	Chapter 1 dark , No Membership Meeting
September 14	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
September 16 & 17	Education Course 800 (Principles of Real Estate Law) (SR/WA) Contact Hayley McKuur at (714) 842-7333 hmckuur@hotmail.com
September 28	Chapter 1 Membership Meeting (and SR/WA Free Lunch with RSVP) Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
October 12	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
October 14 & 15	Education Course 200 (Principles of Real Estate Negotiations) (SR/WA) Contact Hayley McKuur at (714) 842-7333 hmckuur@hotmail.com
October 26	Fall Seminar (and Membership Meeting) Quiet Cannon, 901 N. Via San Clemente, Montebello (636-A/7) Contact Michael Fischer, Fall Seminar Chair, at (323) 890-7250.
November 9	Board of Directors meeting: 11:30 AM to 1:00 PM Nossaman offices: 445 S. Figueroa St, 31 st Floor, Los Angeles
November 23	Chapter 1 Membership Meeting (and Past Presidents Free Luncheon) Stevens Steak House, 5332 Stevens Place, Commerce (675-G/3) RSVP to Deborah Martinez, Luncheon Chair, at (714) 379-3376; dmartinez@paragon-partners.com
December	Tri-Chapter Installation Banquet Chapter 57, Riverside, is Host

CASE OF THE MONTH
Moulton Niguel Water District v. Ralph Columbo

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

Court of Appeal of California, Fourth Appellate District, Division Three
111 Cal.App.4th 1210
September 10, 2003

This month's case involves a condemnation action brought by Moulton Niguel Water District ("District") to acquire a nonexclusive easement for underground water, reclaimed water and sewer pipelines and appurtenant facilities for transmission purposes. Following a verdict in which the jury awarded the owners almost \$50,000 over the District's final pretrial offer, the owners sought to recover litigation expenses under Code of Civil Procedure section 1250.410. The court of appeal sided with the trial court, which denied owner's recovery of such expenses on grounds that the District's final pretrial offer was not unreasonable.

In this case, the easement area to be acquired was located in an equestrian area. It was already subject to other easements, and pre-existing CC&R's prohibited the owners from occupying or building on the area. As an additional part of the project, the District constructed a replacement pump-house on an adjacent lot it owned. The replacement pump-house was similar to that of the existing one and did not differ significantly from other outbuildings in the equestrian neighborhood. The owners sought compensation for the value of the interests taken, as well as severance damages to the remainder under Code of Civil Procedure section 1263.420.

Shortly before the trial, as required by Code of Civil Procedure section 1250.410(a), the District filed and served its "final pretrial offer" of \$10,000; the owners' "final pretrial demand" was \$66,330.

On trial of the issue of the value of the interests taken, the owners were unable to produce evidence they had any rights under or over the easement area. Similarly, the owners were unable to establish they had a right to alter an existing equestrian trail in the vicinity without approval from the city and from their homeowners' association. There was also evidence that other restrictions and easements encumbering the ground in question made it analogous to parts of residential properties over which a public entity holds an easement to build and maintain roads and that, because of restrictions on the use, it had little or no value. Consequently, the owners' expert appraised the value of the total area above the easement as exceeding the pretrial offer by just a little over \$ 1,000.

On the issue of severance damages due to the construction of the replacement pump-house, the owners' expert assessed such damages at over \$52,000. The District's appraiser opined, on the other hand, that the impact of the replacement pump facility was similar to that of the existing one and that this structure did not differ significantly from other outbuildings in owners' equestrian neighborhood.

The jury awarded the owners \$5,400 for the easement and \$43,000 for severance damages. The court then added \$9,582 in prejudgment interest, for a total judgment amount of \$57,982. Based on the difference between the District's pretrial offer and the jury verdict, the owners sought recovery of its litigation expenses under Code of Civil Procedure section 1250.410. This section requires the court to determine whether the condemnor's pretrial offer was reasonable; if not, and if the condemnees made a reasonable demand, they are entitled to their litigation expenses. Here, the owners' expenses amounted to \$9,937.38 for statutory costs and litigation expenses, and \$44,633.93 in attorney, appraisal, and expert witness fees (totaling \$54,571.31) essentially equaled the total judgment amount.

The District opposed the motion, contending that the evidence showed its final pre-trial offer was "reasonable." The District asserted that Section 1250.410 mandated that the trial court itself evaluate the evidence to determine whether the pretrial offer and demand were reasonable. After argument, the court denied the owners' motion, but allowed the owners to recover normal litigation costs upon the filing of a cost bill. Such costs include, *inter alia*, filing fees, deposition costs and transcripts of court proceedings ordered by the court. The owners subsequently filed an appeal.

The court of appeal examined the proper standard for a trial court to review the reasonableness of pretrial offers. As defined by the court of appeal, the issues were: [1] whether the jury's determination of damages is binding on the judge in deciding whether District's pretrial offer was reasonable, or whether section 1250.410 requires the court to evaluate the evidence independently, and [2] If the latter, whether the trial court's determination was supported by substantial evidence.

As to the first issue, the court of appeal noted that Section 1250.410(b) instructs the court to judge the reasonableness of the offers "viewed in the light of the evidence admitted and the compensation awarded in the proceeding...." Citing *Los Angeles County Metropolitan Transportation Authority v. Continental Development Corp.* (1997) 16 Cal.4th 694 and *Redevelopment Agency v. Gilmore* (1985) 38 Cal.3d 790, the court of appeal noted that the language in Section 1250.410(b) requires trial judges to evaluate the evidence independently rather than merely compare the jury's condemnation award with the pretrial offers. Consequently, the court of appeal held "the mathematical relation between the condemnor's highest offer and the award is only one factor that should enter into the trial court's determination." In so holding, the court of appeal disapproved of a number of cases that held a condemnor's offer

was unreasonable as a matter of law based purely on mathematical disparity between the offer and the award. *See, inter alia, County of Los Angeles v. Kranz* (1977) 65 Cal. App. 3d 656.

As to the second issue, the court held there was substantial evidence to support the trial court's conclusion that the District's pretrial offer was reasonable. In denying the motion for litigation costs, the trial court acknowledged it was required, "in effect, [to] make a finding that ... the offer made by the condemning agency was unreasonable in light of all of the circumstances" The court of appeal acknowledged that the trial court recognized it could not solely rely on the relationship of the offer to the ultimate award:

this is something of an unusual situation where we're not just talking about competing valuation testimony with respect to the effect on the fair market value of the remainder with respect to the taking of a part of a property. But we were looking at a real possibility that the award by the jury could be zero, or close to it, in terms of what additional impact on the fair market value of the property the improvement project of the pump station there affected.[***] If it had been tried to me, I think the result would have been different in this case. [***] [T]he District really did have a plausible argument that ... there was no additional damage to the property [***] [W]hen I'm looking at all of the facts and circumstances and trying to assess whether the District's position in offering \$ 10,000 to Mr. Columbo against its own appraiser's valuation of zero, ... what I would have done as a trial judge if I had been the trier of fact, Mr. Columbo is very fortunate that it was a jury that decided this case and not me

Additionally dispositive were the facts that: [1] the owners were unable to produce evidence they had any rights under or over the area of the easement, and [2] the owners were unable to demonstrate they had any rights to alter an existing equestrian trail in the vicinity without approval from the city and from their homeowners' association. As for the owners' severance damages claim, the court of appeal acknowledged the trial court's view that it was "plausible" the replacement pump-house caused "no additional damage to the property because the impact of that neighbor, that lot being carved out on the corner of Mr. Colombo's property, in effect, had its impact in the purchase price of the lot to begin with."

**Southern Californian Regional Rail Authority
(SCRRA)
Right of Entry Process**

By: Tom Hanley

The Southern California Regional Rail Authority (SCRRA) is a five-county joint powers authority, created pursuant to the State of California Public Utilities Code Section 130255 and California Government Code Section 6500 et seq., to build, maintain and operate the "Metrolink" commuter rail system. ("Metrolink" and "SCRRA" are synonymous and refer to the same rail authority.) The five-county member agencies are comprised of the following: Los Angeles County Metropolitan Transportation Authority (MTA), Ventura County Transportation Commission (VCTC), Orange County Transportation Authority (OCTA), San Bernardino Associated Governments (SANBAG), and Riverside County Transportation Commission (RCTC). SCRRA builds, maintains and operates commuter train service in the five-county area on rail rights-of-way owned by the member agencies. In general, the railroad properties are owned by the member agency in the county in which the railroad line is located. However, there are exceptions and each encroachment into a railroad property must be evaluated for member agency, freight railroad, and SCRRA involvement.

The Public Projects Division of SCRRA's Engineering and Construction Department works with Federal, State, local transportation and public works agencies, regulators, contractors and other third parties on proposed encroachments onto railroad rights of way. Because railroad properties provide unique and desirable locations for any number of land uses in addition to railroad operations, the goal of Public Projects Division is to provide guidance, support, and approval, for appropriate uses of railroad property both during and after construction.

Based on recommendations of Public Projects engineering staff, the appropriate county real estate department issues a license, lease, easement, or other agreement. Upon execution of the appropriate agreement, Public Projects issues a temporary right of entry to construct or otherwise enter the railroad property. The more common right of entry forms and their uses are listed in the table below. All temporary right of entry documents are executed by both the applicant and SCRRA and are available for download from the Metrolink Public Project website:

SCRRA Right of Entry Agreement Forms

www.metrolinktrains.com/Public%20Projects%20Site/PubProjFrame.htm

<p>Form No. 4 Agreement for House Moving</p>	<p>This agreement is used to cross railroad tracks with homes or other large objects.</p>
<p>Form No. 5 Indemnification and Assumption of Liability Agreement</p>	<p>This form is used for simple survey and other minor temporary encroachments of the railroad right-of-way.</p>
<p>Form No. 6 Right of Entry Agreement</p>	<p>This is the most common form used when actual construction work is required on the railroad right of way</p>





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Courses scheduled for 2004

Dates	Class code	Class Title	Instructor	Location	Coordinator	Phone	Email
Feb 5 & 6	400	Principles of Real Estate Appraisal (SR/WA)	Ralph Brown	Torrance	Hayley McKuur	(714) 842-7333	hmckuur@hotmail.com
Mar 19	600	Environmental Awareness (R/W-AMC)			Lorna Foster	(909) 383-4473	Lorna_Foster@dot.ca.gov
Apr 16	503	Mobile Home Relocation (R/W-RAC)	Barbara Baernstein	Dept of Corrections, 21015 Pathfinder Road, Ste 200, Diamond Bar, CA	Lorna Foster	(909) 383-4473	Lorna_Foster@dot.ca.gov
June 3 & 4	900	Principles of Real Estate Engineering (SR/WA)	Ralph Brown	Torrance	Hayley McKuur	(714) 842-7333	hmckuur@hotmail.com
Sep 16 & 17	800	Principles of Real Estate Law (SR/WA)	Ralph Brown	Torrance	Hayley McKuur	(714) 842-7333	hmckuur@hotmail.com
Oct 14 & 15	200	Principles of Real Estate Negotiations (SR/WA)	Ralph Brown	Torrance	Hayley McKuur	(714) 842-7333	hmckuur@hotmail.com

Please notify us by e-mail at the following address: aunttaliee@aol.com