

LOS ANGELES



IRWA
CHAPTER 1



March
2005

Upcoming Events

April 26, 2005

Membership Luncheon and the Annual Valuation Conference at the Rio Hondo Country Club in Downey. The lunch program is an update on LAX & ONT and other LAWA airports by Vivian Howell, SR/WA.

May 24, 2005

Relocation Seminar at Quiet Cannon in Montebello. Please see Relocation Article in this newsletter.



President's Message

By: Holly Rockwell, Epic Land Solutions, Inc.

On the eve of returning from a wonderful two week vacation to New Zealand, I've had the opportunity to reflect on what must be some of the

most scenic landscape in the world. For those of you who have seen the Lord of the Rings movies (which were filmed almost entirely in New Zealand), you are familiar with the huge mountains that meet beautiful blue lakes and oceans in the South Island. Among some of the "Cliff Claven-isms" I can now share include that New Zealand has no natural mammals. The islands originally only had birds, insects, fish and sea life – the mammals were introduced from Europe or Asia. Another interesting fact is that New Zealand's geography is some of the most constantly changing and evolving in the world. New Zealand lies at the intersection of the Australian and Pacific tectonic plates,

Membership Luncheon

Date: March 22

Time: 11:45am

Speaker: **Mary McCormick**, MBI Media

Topic: New Media Tools for the Right of Way Professional

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, Nancy Ocampo, (310) 642-6900 or

Nancy@centurylawgroup.com

creating extensive mountains and volcanoes. The Pacific plate is the very same one that, together with the North America plate, forms California's own San Andreas Fault. I had the fleeting pleasure of thinking how in its own way, California helped create New Zealand's scenic mountains (of course, in typical California fashion it was mostly from pushing and shoving!).

As a right of way agent, it was hard to ignore New Zealand's impressive highway and road system. Although not a large or densely populated country, the transportation framework is very well maintained. Considering New Zealand has tough weather conditions – earthquakes, hurricanes, soil movement, erosion, extreme temperatures, etc., we had not once to find a pothole or damaged area of the road that wasn't being fixed. Even the roadways where the glaciers meet the beach are phenomenally well "sealed".

In the meantime, Chapter 1's leadership was well represented by Tom Hanley and Bryan Riggs at the Regional Forum in Phoenix, Arizona. They'll be providing an update on the outcome of that meeting for the next newsletter.

I'd like to thank Ken Robinson and Tracy Washburn for their outstanding contribution to the Chapter 1 leadership over the past year. Ken Robinson will continue to participate in chapter activities, but has resigned from his current position as Chapter 1 Treasurer to focus on work and personal commitments. Tracy Washburn, 2004 Luncheon Chair, has accepted a new employment opportunity outside of the right of way industry, but hopes to stay in touch with friends and colleagues in IRWA.

Nancy Ocampo of Century Law Group has enthusiastically volunteered to assume the Luncheon Chair position. Her event planning skills showed off nicely at our February luncheon which she pulled off without a hitch. The luncheon was a tremendous success, with our colleagues from the Appraisal Institute joining us for a presentation from the very humorous Dr. Al Gobar.

Michael Fischer with the Community Development Commission of Los Angeles has graciously agreed to assume the Treasurer position early. At the March board meeting, the Chapter 1 board will be discussing whether to fill the Secretary position with a new officer or to condense the board from five positions to four (eliminating the Vice-President position). A change in the Board structure would require a 2/3 chapter vote of the active members present at any regular meeting.

Cheers to ya, mates!

IRWA Chapter 1 2005 Officers and Executive Board

<i>President and International Director</i>	Holly Rockwell Epic Land Solutions, Inc.	310-378-0771	hollyrockwell@epicland.com
<i>President-Elect and International Director</i>	Tom Hanley Metrolink	213-452-0256	hanleyt@scrra.net
<i>Vice-President</i>	Bryan Riggs, MAI Riggs & Riggs, Inc.	805-578-2400	riggsinc@sbcglobal.net
<i>Treasurer</i>	Ken Robinson Paragon Partners, Ltd.	714-379-3376	krobinson@paragon-partners.com
<i>Secretary</i>	Michael Fischer Metropolitan Trans. Auth.	213-922-2413	fischerm@metro.net
<i>Professional Development</i>	Michael Popwell, SR/WA LA Community Dev. Com.	323-890-7195	michael.popwell@lacdc.org
<i>Nominations and Awards</i>	Joyce Riggs, MAI, SR/WA Riggs & Riggs, Inc.	805-578-2400	jlriggs@sbcglobal.net
<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>	Nancy Ocampo Century Law Group	310-642-6900	nancy@centurylawgroup.com
<i>Webmaster</i>	Mark Brusca Riggs & Riggs, Inc.	805-578-2400	markbrusca@sbcglobal.net
<i>Newsletter</i>	Natalie Michelson JPI Studios, Inc.	818-634-6932	aunttalice@aol.com
<i>Law</i>	Bradley Pierce Esq. Demetriou, Del Guercio, Springer & Francis	213-624-8407	bpierce@ddsffirm.com
<i>Valuation Seminar</i>	Paul Norlen, MAI Metropolitan Water District	213-217-7765	pnorlen@mwdh2o.com
<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>	Rudy Romo Independent Consultant	951-662-7997	rudromo@aol.com
<i>Tri-Chapter Installation Chair</i>	Tom Hanley Metrolink	213-452-0256	hanleyt@scrra.net
<i>Historian</i>	Gus Parcero, SR/WA City of Los Angeles – BOE	213-847-5592	aparcero@eng.lacity.org
<i>Engineering/Survey</i>	Tony Pratt, PLS City of Los Angeles – BOE	213-482-7180	tp Pratt@eng.lacity.org
<i>Environmental</i>	Mohammed Estiri, PhD Eco & Associates, Inc.	714-832-5427	mestiri@panenv.com
<i>Local Public Agency</i>	George Koury, SR/WA Port of Los Angeles	310-732-3865	gkoury@portla.org
<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	robbd@mta.net
<i>Relocation</i>	Fred Arevalo, R/W – RAC LA Community Dev. Com.	323-890-7473	fred.arevalo@lacdc.org
<i>Title</i>	Teri Kortens Lawyers Title	310-210-6741	terikortens@msn.com
<i>Transportation</i>	Vacant		
<i>Utilities</i>	Andrew Thompson Sempra Utilities	310-244-5032	athompson@semprautilities.com

Uniform Relocation Act Seminars

"Implementing the Regulatory Revisions"

The U.S. Uniform Relocation Act Seminar is a one-day seminar devoted to the recent revisions to regulations implementing the Uniform Relocation Assistance and Real Property Acquisitions Policies Act. Sponsored by the International Right of Way Association, the URA seminar focuses on the regulations changes as published as of January 4, 2005. As the pre-eminent leader in the Right of Way profession, IRWA is committed to providing its members with a comprehensive review of the important changes to the Act. The URA Seminar features an eight-hour overview of the changes in the Uniform Relocation Act, contrasting the recently approved changes against existing policies.

Relocation Seminar

Chapter One is pleased to announce on May 24, 2005 we will be holding a one-day Seminar on the changes to the regulations implementing the Uniform Relocation Assistance and Real Properties Acquisition Policies Act Regulations. Presenters for the seminar will be proven, local professionals who have been exactly selected based on their knowledge of their discipline and their ability to communicate that knowledge.

Our Seminar will be essential to all members working with or for public agencies as this will be the most extensive change to the Federal regulations since 1987. The changes will require local agencies to significantly amend their procedures, policies and budgets. The presenters will discuss all the disciplines impacted by the change in the regulations and will include each discipline – **Appraisal, Acquisition and Relocation**. We will be providing our audience with the best analysis of the Federal changes by local people that understand local issues, and there will be plenty of time for audience participation in the form of discussions and questions.

The seminar will include lunch and a color-coded document on a CD with the new regulations superimposed on top of the old regulations. The reader will not only be able to read the new regulation but will be able to see exactly what was changed. The cost for the seminar, lunch and CD will be \$100.

We are looking forward to this very exciting event! Please contact Bill von Klug, Relocation Seminar Chair at 323-890-7434 or bill.vonklug@lacdc.org with any questions. We look forward to seeing you there!

March Membership Luncheon

Mary McCormick, President of MBI Media, will speak on new media tools for the right of way profession. As one of the first television camerawomen on the West Coast, Ms. McCormick was honored with two Emmys for her photography work at NBC affiliate, KING TV in Seattle Washington. After covering Mt. St. Helens eruption in May 1980, she was hired by ABC-TV as a mini-cam engineer for KABC and was selected for Good Morning America and Nightline assignments. NBC Nightly News with Tom Brokaw hired Ms. McCormick away in 1983 as a West Coast field producer. In 1984, KCET recruited her to join their staff as a documentary producer, where Ms. McCormick won her third Emmy. Presented with the opportunity to produce internationally, Ms. McCormick traveled through Europe and Southeast Asia.

Ms. McCormick founded MBI Media sixteen years ago. This unique media firm is recognized for high quality services that support: documentation of large public projects, strong outreach programs to garner community support and media relations for employees and management. Ms. McCormick will discuss and present new media tools as an effective solution to gathering and securing information that is important to the Right-of-Way professional. New web-based applications for collecting and distributing data will also be discussed as more and more companies are going to the Internet for solutions.

Date:	Tuesday, March 22, 2005
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, Nancy Ocampo, (310) 642-6900 or Nancy@centurylawgroup.com

2006 Chapter 1 Officer Nominations

The Chapter 1 Nominating Committee would like to get an early start on selecting your Chapter 1 Officers for 2006. As you may know, all of the current officers typically are nominated to serve the following year moving one step higher on the Chapter 1 Officers "ladder" (i.e., Secretary to Treasurer to Vice President to President Elect to President). The person nominated for the Chapter Secretary position represents a new addition to the Chapter Officers and must be nominated by the Nominating Committee.

If you are interested in being a candidate for the Chapter 1 Secretary position, or wish to recommend someone, please contact Joyce Riggs at jriggs@sbcglobal.net or (805) 578-2400 x 102 by April 18, 2005. Your participation is appreciated.

Seeking Candidates for IRWA's 2005 Instructors Clinic

The International Right of Way Association (IRWA) will be conducting an Instructor Clinic (Clinic) during its 51st Annual International Education Conference in Toronto, Ontario, Canada. The conference runs from June 13-16, 2005 and the Clinic is scheduled immediately following on *Friday, June 17 and Saturday, June 18, 2005*.

The Clinic is designed specifically for those individuals interested in becoming an instructor for the IRWA, and have not completed a train-the-trainer program through a comparable professional organization approved by the International Professional Development Committee (IPDC) or are not a College/University level Instructor. The Clinic registration fee, which will be collected after a Candidate is selected, is the same as that for a two day course \$370.00 (U.S. Dollars) per person. This year David Layne, SR/WA and IPDC representative, is scheduled to facilitate the clinic.

The purpose of the Clinic is to offer participants an intensive, two-day training program in the latest instructional methods and techniques. A maximum of 15 Candidates will be selected to attend the Clinic. Application forms will be distributed to IRWA Region and Chapter Leaders for solicitation from interested Region members and will be available on line through the IRWA website. The IPDC will evaluate the applications and make the final selection of participants. Successful Candidates will be notified in late March.

Should you have any questions, please feel free to contact Valerie Fries, Director of Professional Development, via E-mail, at fries@irwaonline.org or by telephone at (310) 538-0233 ext. 143.

Invitation to Presenters for IRWA Chapter 1 Relocation Seminar

In May 2005, Los Angeles Chapter 1 will be holding its Annual Relocation Seminar. The Seminar will be focused on the implementation of the recent revisions to regulations related to the Uniform Relocation Assistance and Real Property Acquisitions Policies Act. It will supplement the IRWA Uniform Act Seminar being held in Los Angeles in February, 2005 and cover Appraisal, Acquisition and Relocation.

We are currently soliciting interest from potential speakers and panel members for the Seminar. Qualifications for potential presenters include:

- Expertise in appraisal, acquisition *or* relocation
- Knowledge about the impacts of the recent changes to the regulations
- Dynamic presentation skills

If you are interested, please contact Bill von Klug, SR/WA, Chapter 1 Relocation Seminar Chair, at 323-890-7434 or bill.vonklug@laedc.org no later than February 18, 2005.

IRWA CHAPTER 1

ANNUAL VALUATION CONFERENCE

Tuesday, April 26, 2005

Rio Hondo Event Center
10627 Old River School Road, Downey (TG 705-H6)

CONFERENCE SCHEDULE

8:00 AM CHECK-IN AND CONTINENTAL BREAKFAST
8:30 AM MULTI-PROPERTY APPRAISAL OF PARTIAL TAKINGS

Bradley D. Pierce, Esq., *Demetriou, Del Guercio, Springer & Francis*
John G. Ellis, MAI, *Integra Realty Resources – Los Angeles*

11:30 AM Chapter 1 monthly lunch program: Update on LAX, Ontario and other LAWA Airports

Vivian D. Howell, SR/WA, Administrator, Long Range Planning, Angeles World Airports

9:30 AM COORDINATION OF R/W PROPERTY IN A LARGE PUBLIC PROJECT

Morris L. Reynolds, Supervising Real Property Agent, *Riverside County Flood Control*
John C. Murphy, Esq., *Nossaman, Guthner, Knox & Elliott, LLP*

1:00 PM PUBLIC AGENCY UPDATE

Mark T. Mendoza, Vice President, *Paragon Partners (Alameda Corridor East)*
Velma C. Marshall, *Director of Real Estate, MTA*
Kathi Head, Real Estate Acquisition & Relocation, Manager, *Los Angeles Community Redevelopment Agency*

10:30 AM HOW TO BE AN EXCEPTIONAL EXPERT WITNESS FROM A LAWYER'S PROSPECTIVE – TRIAL TACTICS AND APPRAISAL PITFALLS AND TRIAL PREPARATION

Douglas J. Evertz, Esq., *Stradling Yocca Carlson & Rauth*
Keith E. McCullough, Esq., *McCormick, Kidman & Behrens, LLP*

2:00 PM APPRAISAL AND ACQUISITIONS PROCEDURES FOR EI TORO AIRPORT RE-USE

Steven R. Norris, MAI, *Norris Realty Advisors*

3:45 PM APPRAISAL AND MANAGEMENT OF SECONDARY USES IN R/W CORRIDORS

David Guder, Project Manager, *So. Cal. Edison*
Casey Woo, Senior Real Estate Officer, DWP
Thomas Spence, Senior Real Estate Officer, DWP
Gary Valentine, MAI SR/WA, ASA, *Valentine Appraisal Associa*

4:45PM Close

REGISTRATION

Name _____ Chapter No./Member No. _____
Firm _____ Email _____
Address _____
Phone _____ Fax _____

Make check payable to IRWA Chapter 1 and send to:

Riggs & Riggs, Inc.
4195 Valley Fair Street, Suite 207
Simi Valley, CA 93063-2900

\$75 Member; \$100 Non-Member
Lunch Only - \$20; Lunch is BBQ Buffet Style
Space is Limited, Please Register Early

8.0 HOURS SR/WA AND OREA CONTINUING EDUCATION CREDITS PENDING

All refund requests must be in writing. 50% of the registration fee may be retained if the cancellation notice is postmarked less than two weeks before the program.

IRWA'S 51ST ANNUAL INTERNATIONAL EDUCATION CONFERENCE

The IRWA is pleased to announce the 2005 Annual International Education Conference on June 13-16, 2005 where IRWA will celebrate its 51st Annual International Education Conference in beautiful Toronto, Ontario, Canada.

Appropriately themed "*Where the World Meets*," the 2005 conference boasts a colorful and energetic educational experience in one of the biggest metropolitan cities in North America.

Toronto is heralded as one of the most multicultural cities in the world. In the spirit of the city's rich culture, the conference will bring members from the United States and Canada with affiliates in South Africa and Japan. And for the first time, the conference introduces "International Tracks" throughout the educational breakout sessions. These sessions will address right of way issues and challenges across international borders.

The annual conference showcases professional speakers as well as intensive workshops on all aspects of the right of way process. The educational programs are supplemented by an exhibit area and networking opportunities with other professionals from around the world.

The venue for the 2005 Annual Conference will be the Westin Harbour Castle hotel. A 20-year recipient of the CAA/AAA Four Diamond Award, The Westin Harbour Castle is a landmark in hospitality in the cosmopolitan city of Toronto. Featuring a scenic waterfront setting, the hotel is located near major attractions, such as the Air Canada Centre, CN Tower, financial and theatre districts and the Eaton Centre

If your professional world involves the Right of Way profession, then this is the place where you want to be this June. The 2005 Conference Host Committee led by Chair, Kevin Paul, SR/WA and Vice Chair, Robert Alstrom, SR/WA and the entire IRWA headquarters staff invite you come to Toronto and be at the place "*Where the World Meets*."

For more information, and to register, go to www.irwaonline.org.

Holly Rockwell
Epic Land Solutions, Inc.
866-378-1178

Case of the Month

Sierra View Local Health Care District v. Sierra View Medical Plaza Associates

(2005) DJ D.A.R. 1461

By: Bradley D. Pierce

Demetriou, Del Guercio, Springer & Francis, LLP

This month's case of the month comes to us from the Court of Appeal for the Fifth Appellate District. It involves a condemnation proceeding to determine the fair market value of the condemnee's property interest in a medical office building taken by a public hospital district.

The Sierra View Local Health Care District (the "District") is a public entity that owns and operates the Sierra View District Hospital in Porterville. In the mid-1990s while the hospital building was under construction, the District solicited bids to develop a medical office building of similar design on land the District owned across the street. It subsequently awarded the development contract to a limited partnership known as the Sierra View Medical Plaza Associates, LLP (the "Partnership").

The District leased the land to the Partnership for a term of 45 years with an option in the Partnership to renew the lease for an additional 10 years. Additionally, the Partnership had an option to purchase the land. The Partnership, as landlord, leased office space in the building subject to certain CC&Rs in favor of the District, including one restricting occupancy to doctors having privileges at the hospital.

The District itself was a tenant in the building, leasing two offices totaling about 7,000 square feet for a blood lab and an outpatient surgery center, another office of 2,500 square feet it subleased to a doctor. In addition, the District was the part owner of a health network that leased about 5,650 square feet in the building. The health network ultimately went out of business and the Partnership looked to the District for payment of the rent. That became the subject of a separate lawsuit.

In 2001, the District, in an effort to reduce its expenses, attempted to renegotiate its leases with the Partnership to lower the rent. When the negotiations failed, the District told the Partnership it would not renew its leases when they expired. Ultimately, the District filed a condemnation action and obtained its order for possession. The sole issue at trial was the amount of compensation due to the Partnership for its interest in the medical office building as of January 7, 2002.

The appraiser retained by the Partnership estimated the Partnership's interest in the building had a fair market value of \$4.3 million. The Partnership's managing partner testified to a figure of \$4.8 million. The District's appraiser evaluated the interest at \$2,825,000. He previously had appraised the interest twice, both times at the request of a local bank providing construction financing. In 1995, he estimated the interest value at \$4.1 million and, in 1996 at \$3.9 million. He explained the large discrepancy between his earlier and later appraisals as stemming from instructions given him by counsel for the District. He was instructed to assume, for the purposes of his new appraisal, that the District would not renew its leases to occupy the building when they expired.

The jury returned a unanimous verdict in the amount of \$3.9 million. The appeal centered on a post-trial motion brought by the District seeking a new trial alleging juror misconduct. Specifically, the District alleged that the jurors ignored the legal instructions included in BAJI 11.75 and 11.77, and based their verdict on a calculated value to the District for the purpose for which the property was being acquired.

BAJI 11.75 provides:

You are not permitted to value the property with reference to what it was worth to the defendant for speculation or merely for possibly uses, nor what the defendant claims what it was worth to him; nor what it may be worth to the plaintiff for the purpose for which it is being acquired.

BAJI 11.77 instructs the jurors to exclude any change in value caused by the project.

The trial court was persuaded by the District's motion and entered an order for a new trial.

The Partnership asserted that the statements set forth in the juror declarations merely demonstrated that the jurors considered the hospital as a market participant. In fact, the District had historically been a tenant in the building, and accordingly, the Partnership argued it was appropriate for the jurors to consider the rent that was being paid by the District.

The District, however, argued that the District was acquiring the property to use it for medical office space and that therefore it was improper for the jury to value the property considering this use.

Ultimately, the court notes that the record reflects the fact that the jurors apparently believed the valuation testimony of the Partnership's appraiser and disbelieved the instruction given to the District's appraiser; i.e., to assume that the District would not renew its lease in the building directly across the street from the hospital, architecturally matched to the hospital, and the building which they were currently occupying. The court noted that the jury was free to accept or reject this testimony, which they apparently did.

This opinion is important for three main reasons. It is the only authority that states that portions of BAJI 11.75 and 11.77 may not be relevant where the historical use of the property by the condemnor is the same as the proposed use after the condemnation. Additionally, it points out that the condemnor's proposed use of property may be indicative of the property's value to the owner or a generic buyer on the assumption that the owner could put it to the same use, even though its value to the condemnor for that use is not a permissible measure of just compensation. Finally, the opinion notes that jury instructions do not require the jury to disregard a condemnor's historical use of the property being acquired for eminent domain, even when that historical use is the same as the use for which the property is being acquired.

IRWA Chapter 1 Professional Development Committee 2005

By: Michael Popwell, SR/WA

The Chapter 1 Professional Development Committee (PDC) has expanded into a committee of 6 members to better serve the Chapter 1 membership. All of the PDC members have attained their SR/WA designations and can provide practical and experienced advice in attaining the important right-of-way industry designation. The committee members are available to help members sort through the maze of requirements and the sometimes difficult timing issues associated with earning the SR/WA designation. The members, listed below, include professionals in various right-of-way working fields, as well as various geographical areas of the Los Angeles area.

If you are currently a candidate for the SR/WA designation, considering to become a candidate (*your candidate registration begins the candidate process and locks in your class and experience requirements*), or would just like more information concerning the SR/WA designation, please feel free to contact one of the Chapter 1 PDC members.

- Chair Michael Popwell, SR/WA
Economic/Redevelopment Division, CDC
Voice 323.890.7195 Email mpopwell@lacdc.org
- Co-Chair Marianne Cooper, SR/WA
Sempra Energy
Voice 213.244.5076 Email mcooper@sempra.com
- Co-Chair Vivian Howell, SR/WA
Long Range Planning, Los Angeles World Airports
Voice 310.417.0450 Email vhowell@lawa.org
- Co-Chair Bill Von Klug, SR/WA
Community Development Block Grant Division, CDC
Voice 323.890.7434 Email bill.vonklug@lacdc.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

***From the Education Chair:
Lynette Overcamp***

We are continuing to work on the 2005/2006 education class schedule. Michael Popwell and the Professional Development Committee have done a great job working with those of you who are Candidates, either for Certification through one of the Disciplines, or for the SR/WA. Through those efforts, we are focusing on offering classes that will help you to complete the course work for those professional designations.

Several of you have volunteered to coordinate classes or to teach classes, which is great! I will be working closely with you to see that we are successful in our endeavors.

I am also working with my counterparts in Chapter 57 and Chapter 11 (Inland Empire and San Diego) to offer as many different courses as possible, while not offering the same class in the same year.

Some of the classes that we are looking at are the various 200 level classes that are needed by almost everyone completing course work for a designation. A brand new class is 203, Alternative Dispute Resolution (a two-day class) and one of our Chapter 1 members has stepped forward to teach it this year. We have had several requests about relocation classes, since the new revisions to the regulations are now in place, and will see where the most requests take us.

Additionally, we have had requests, and a volunteer coordinator, for 406A, the 15-Hour National USPAP Course so that will be scheduled for some time this year. We will be the only IRWA chapter offering it, nationwide, this year.

Lastly, for those of you who are getting close to having your course work completed and are ready for the SR/WA exam, we are looking at holding the **SRWA Study/Review Sessions and Examination Seminar**, probably next January. Keep in mind that you can take the exam at any time, regardless of whether your course work is completed or not.

If you would like to see a class offered, and/or coordinate one or more classes, please call or e-mail me. As we get dates and times nailed down, we will be getting that information to you.

ROOTS & GROWTH OF IRWA IN CHRONOLOGICAL ORDER

By: Augusto "Gus" Parcerro, SR/WA

I consider it a great honor to serve as the Chapter's first appointed Historian, and I am excited about the task ahead of me. In my initial research, I decide to deal with the roots and growth of IRWA since its inception in 1934 up to the close of 25 years of our Association.

Way back in the first part of 1934, a group of Right of Way workers used to get together for lunch in the upstairs room of a café on Main Street in downtown Los Angeles. Included were George Mitchell and Todd Gifford with L.A. County, Paul Axe and Bob Witter with L. A. City, Bill Grane with the Department of Water and Power, Leonard Sturgeon of Texaco, Herb Coffey, Appraiser, and of course, from the State of California, Division of Highways, the driving force and founder, Frank C. Balfour. After about six months, this group picked up some other interested parties along the way; Joe Gallager, Sr., Rafael Verdugo, George Gibson, Charlie Hall, Harry Hennessy, Ed King, Harold Leonard, Bob Plomert, Bill Riley, Tom Sibley, E. M. MacDonald and Dan Rosencrans, who later became the 5th International President. Founded, with great support from the State of California and the City and County of Los Angeles, the Southern California Right of Way Agent's Association was formed.

Since then, the following significant events took place in chronological order:

10/16/1934 – First organizational meeting of "Southern California Right of Way Agent's Association". Fourteen (14) attended.

11/7/1934 – Second meeting – Election of Officers. Frank Balfour, President and Ralph F. Beegan, Secretary. Other source put the date 12/6/1934.

1935 – First year of operation. The Association instituted policies that exist today. The first issue of "Right of Way News" a 4-page monthly newsletter, was published March 20, 1935. This was the forerunner of "Right of Way" magazine. A major education effort was initiated. It included monthly meetings, a 6-month extension course in condemnation appraisal procedures that met once a week. Also, the Association sponsored a "Right of Way and Land Acquisition Program" during the 7th Annual Institute on Government. Flush with success, the Association changed its name to American Right of Way Association to reflect the hopes and aspirations of a national organization.

1936 – The association continued to grow in its second year. The official emblem, the R/W shield was designed. The proceedings from the 8th Annual Institute on Government were printed by the Association. Additionally, a second extension course on land titles was offered. Eighty-three attended the 12-week course. With membership growing to 190 by October, 1936, the Executive Board set a constitutional limit of 200 members who could belong to the Association. This limitation, however, was repealed early the following year when they established a committee for national expansion.-

4/19/1939 – San Francisco Chapter 2 was chartered at the Palace Hotel with 69 members. A contingent from Chapter 1- the Los Angeles Chapter headed by Frank Balfour and J. A. Gallagher, President of Chapter 1 – attended this historic occasion. J. B. Woodsen was the Charter President.

1941 – A "Code of Ethics" was written by a committee chaired by Harold Throckmorton. Another 41 years would pass before the Association would develop a mission statement.

4/5/1946 – The American Right of Way Association was incorporated as a non-profit educational organization. Other source put the date 8/9/1946.

12/18/1946 – First Board of Directors meeting was held.

10/27/1950 – Oregon Beaver State Chapter 3 sponsored by Chapters 1 & 2 was chartered. Founder Frank Balfour presided at the ceremony with Joseph M. Devers, then Chief Counsel for the Oregon State Highway Commission, as Charter President.

2/6/1952 – Seattle Puget Sound Chapter 4 was chartered with 78 members led by Frank M. Stocking, then Right of Way Engineer for Washington State Department of Highways in Olympia.

In the early 50's, extension courses and one-day seminars still proved popular. Also, the "Case of the Month" was instituted by Chapter 1 at luncheon meetings and has remained a feature ever since.

10/1952 – First Inter-City Chapter Meeting was held involving all four chapters. This showed that the Association was not a local organization, and that increased educational programs proved beneficial to the general membership.

3/6/1953 – Heart of America (Kansas City, Missouri) Chapter 5 was chartered at the public auditorium of Kansas City Power & Light Company building with 162 members. Founder Frank Balfour presented President W. R. "Rip" Flannagan with Chapter No. 5's Charter with the following statement: "As Chairman of the Board of Directors of the National Association, I pledge to you, the members of the

baby chapter of the American Right of Way Association, Heart of America Chapter No. 5, the wholehearted cooperation of over one thousand members of our organization ...”.

Summer of 1953 – An Annual Board of Directors Meeting was held. During this meeting, the following 3 major rules were developed: expulsion of members for cause, termination of membership and formation of club affiliates. Also, during this summer, the California Supreme Court passed a decision on the famous California condemnation case, “People v. Riccardi”. This decision established new concepts and many requirements, both in the valuation of right of way to be acquired, the legal procedure involved in determining fair market value, and what constitutes damage.

3/8/1954 – Denver (Colorado) Chapter 6 was chartered with 62 members led by Lawrence G. Trueheart, then Right of Way Engineer, Colorado Department of Highways. Chapter 5 President Rip Flannagan presented the charter to Trueheart after an inspiring charter address by Frank Balfour.

3/10/1954 – Michigan Chapter 7 was chartered with 55 members led by Richard Taylor, of the Detroit Edison Company, who later on became the second International President (1958-1959). Frank Balfour and 10 other national members were on hand to present the Charter. The affair was held at the Sky Room of the Fort Shelby Hotel in downtown Detroit.

9/23/1954 – San Diego was formed as the first Club Affiliate. It was attached to Los Angeles Chapter 1. The Club was chartered the following year with John Webb, then Caltrans Right of Way Agent, as Charter President. The number “11” was reserved for the San Diego Chapter since this city is in State Highway District 11 and is also the Headquarters of the 11th Naval District. Frank Balfour, in his later years was a member of Chapter 11 until his death on September 29, 1978.

11/18/1954 – Gulf State (Houston, Texas) Chapter 8 was chartered with A. L. Hooper as Charter President. Twenty-two (22) “Visiting Pilgrims” from Chapters 1, 2, 5 & 7 were in attendance led by Frank Balfour.

12/1954 – Five all-day seminars were held in different locations. Local education programs were the backbone of the organization.

6/23-24/1955 – The First National Educational Seminar was held in Los Angeles with 603 registrants from more than 150 public and private organizations. Among the 9 different areas, the topic “Relationship of the Right-of-Way Agent, Negotiator, Appraiser, Engineer, and Attorney in Condemnation Proceedings” presented in the form of a pre-trial conference attracted the largest audience. Tom Mason, who later became Chapter 1 President in 1959, was the Seminar Chairman.

1955 – During this year, there were 4 more chapters chartered aside from San Diego Chapter 11. They were Pennsylvania Chapter 9 on 11/3/1955, Crossroads of America (Indiana) Chapter 10 on 11/1/1955, Chicago Chapter 12 on 10/31/1955 and Buckeye (Ohio) Chapter 13 on 11/2/1955.

1956 – Potomac (Washington, D.C. & Maryland) Chapter 14 had its Charter Presentation on 1/25/1956, Garden State (New Jersey) Chapter 15 date unknown and New England (Massachusetts, Rhode Island, Vermont & New Hampshire) Chapter 16 sometime in 5/1956.

6/1956 – The Second Annual National Educational Seminar was held at the Shamrock-Hilton in Houston with over 500 in attendance. The seminar was a huge success. During this seminar, new policies were instituted including the establishment of regional seminars and the establishment of the position of Executive Vice Chairman, responsible for running the day-to-day operations of the Association. Today, that position is known as Executive Vice President and is held by Dennis G. Stork.

1957 – Badger (Madison, Wisconsin) Chapter 17 was chartered by Frank Balfour on 1/7/1957. Also chartered were Empire State (New York) Chapter 18, Inland Empire (Spokane, Washington) Chapter 19 and North Star (Minnesota) Chapter 20.

6/1957 – The Third Annual National Educational Seminar was held in Chicago. The interstate highway program was in full progress and Betram Tallamy, FHWA, addressed the assembly. Today, with the interstate highway program virtually complete, right-of-way professionals can look back and feel proud of the ideals upheld and the work accomplished.

2/7-8, 1958 – The First Regional Educational Seminar was held in what is now Region 4 in Atlantic City, New Jersey with over 300 members attended. Chapter 9, 14, 15, 16 & 18 sponsored the successful seminar.

1958 – The following three chapters were chartered: West Virginia Chapter 21; Georgia Chapter 22; and Connecticut Chapter 23. Frank Balfour presented the charter to Chapters 21 & 22 on 2/24 & 2/26, respectively.

1959 – At the close of our first 25 years as an Association, the following seven chapters were chartered: Alabama Heart of Dixie Chapter 24; Bluegrass (Kentucky) Chapter 25; Florida Chapter 26; Sacramento Chapter 27; Kachina (Phoenix, Arizona) Chapter 28; Ontario (Canada) Chapter 29 (our first Canadian chapter); and Aloha (Hawaii) Chapter 30.

REFERENCES:

1. Right of Way Magazine dated April, 1984 titled "Chapter Histories".
2. Right of Way Magazine dated June/July, 1994 titled "IRWA Turns 60" by Wayne Kennedy, SR/WA, IRWA Historian & 2000-2001 International President.
3. Right of Way Magazine dated February/March, 1995 titled "IRWA: From 1960 to the Present" by Wayne Kennedy, SR/WA, IRWA Historian & 2000-2001 International President.



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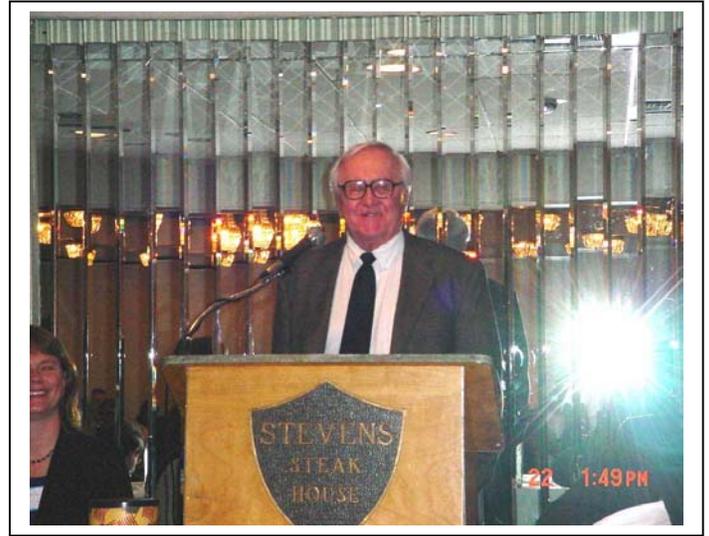
Currently IRWA does not have your e-mail address as part of your membership profile. In order to add your e-mail address, please follow the instructions below. While I will be able to add your e-mail to our list for a short period of time, the only permanent solution to ensure you receive IRWA communications throughout the year is to update it as per the instructions. Please let me know if you have any questions and I hope to see you at future IRWA events. Also, please find attached the December/January newsletter.

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.



A good turnout for our 6th Annual joint IRWA/AI luncheon



Dr. Al Gobar addresses the group at the February luncheon



David Gribin, President of the Southern California AI Chapter presides over the February meeting



Jed Springer delivers the February case of the month

Pictures provided by IRWA Chapter 1 Members Sam Wong and Gus Parcero, SR/WA

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