

LOS ANGELES



IRWA
CHAPTER 1



November
2006

Upcoming Events

December 6, 2006

Tri Chapter Installation Luncheon at
Grand Californian in Disneyland

January 2007 Luncheon

Mr. Al Gobar will speak on Market
Trends for 2007 - Lunch is free to all
members



President's Message

By: Tom Hanley, Paragon Partners

As I sit and reflect on what words of wisdom you might wish to hear from your president this month, all I can see are the faces, the faces of all of you, the faces that have made being your

president so much fun. There are the happy faces during our times together when we are joyful for no particular reason. There are the faces of searching and learning and questioning as we listen to our seminar and luncheon presenters. There are sometimes the faces of frustration when things have not gone as we wish. There are other faces that I have never seen, faces as they appear as lines in our Outlook address book, faces of telephone voices of those I have never met, but who are close due to

Membership Luncheon

November

Dark

shared interests and values. What has me in such a pensive mood? Probably it is the time of the season, also that my year as your president is almost complete. The time has passed quickly and I give thanks during this month of Thanksgiving for all of you and for the opportunity that you all have given me to lead you this year and get to know you on so many different levels. It has been wonderful and I thank you all.

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
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<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		
<i>Utilities</i>	Vacant		

International Right of Way Association Tri-Chapter Installation and Holiday Party

Plan to join us in Orange County for the Tri-Chapter Installation Luncheon where we will honor our outgoing Chapter Officers and install new officers for 2007. The installation will be conducted by incoming International IRWA President, Jim Struble, SR/WA.

Where: Disney's Grand Californian Hotel
Trillium Room and Terrace
1600 South Disneyland Drive
Anaheim, California 92802
Thomas Guide Page 798, H-2

When: Wednesday, December 6, 2006
11:00 Social Hour, 12:00 P.M., luncheon and agenda
Door Prizes!

Menu: Field Greens Salad with Herb Vinaigrette

Choice of Entrée:

- ⇒ Blue Cheese Crusted New York Strip Steak with Zinfandel Glaze
- ⇒ Breast of Chicken Oriental with Sesame Sauce
- ⇒ Vegetarian Strudle

Almond Basket with Chocolate and Mixed Berries

Coffee, Specialty Teas and Iced Tea

No-Host, cash bar for beer and wine will be available

Cost: \$40.00 per person, inclusive of self-parking in Hotel's Parking Lot
Valet Parking is available for \$12.00, if preferred



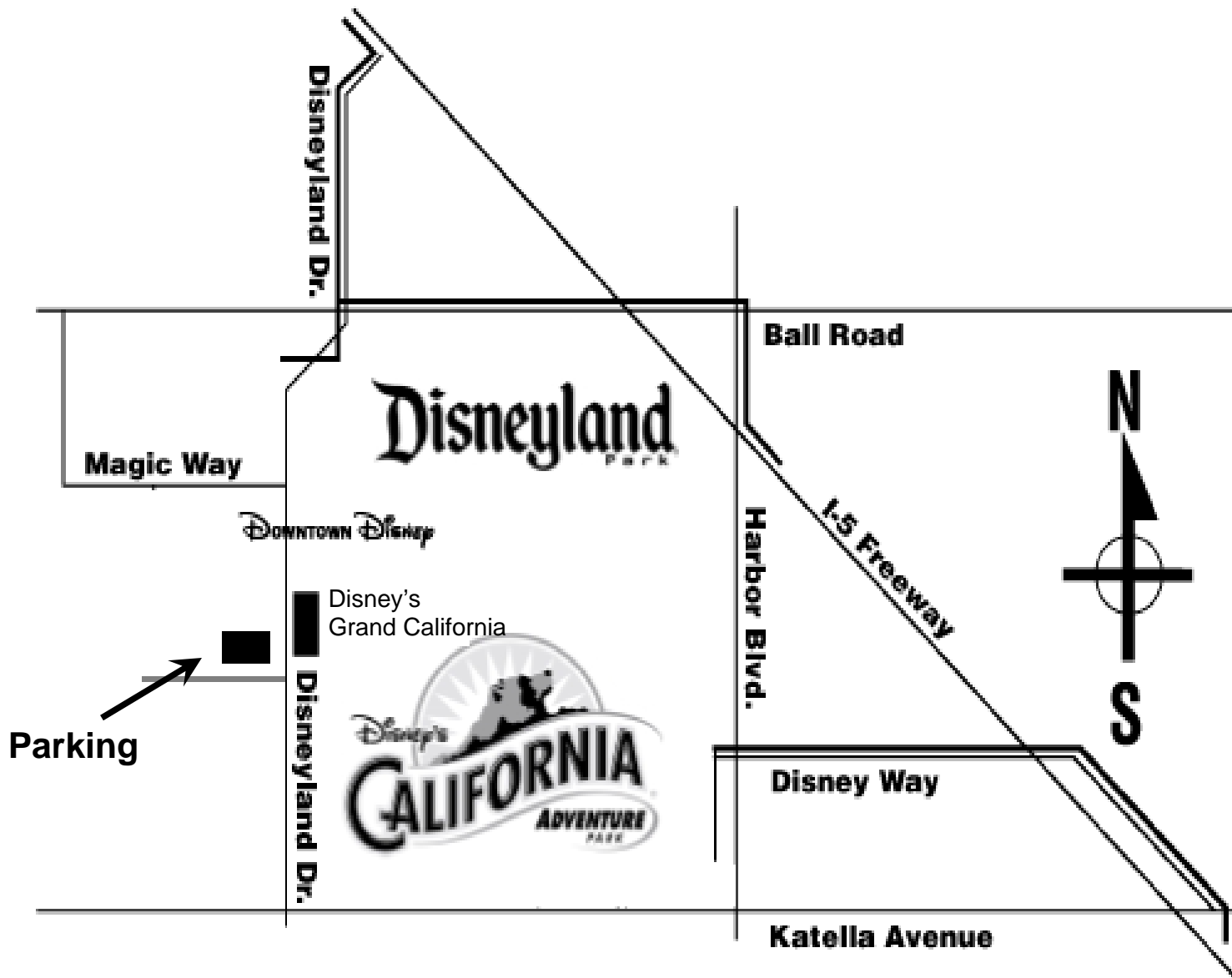
Please **circle your entrée choice** and post your reservation and payment (check made out to **IRWA Chapter 67**), by November 17, 2006, as follows:

IRWA, Chapter 67
c/o Donahue & Company Inc.
1601 Dove Street, Suite 170
Newport Beach, California 92660

We look forward to seeing you at this festive event and venue!
IRWA Chapter 67 Installation Committee Chairs,

Barbara L. Zachry, MAI

Sydney H. Hawran, MAI



1600 S. Disneyland Dr.
 Anaheim, CA 92803
 (714) 635-2300

Traveling North on the I-5.
 Exit Katella Ave.
 Turn left.
 Turn right on Disneyland Dr.
 Turn left on Paradise Way for parking.
 Hotel entrance is across the street.

Traveling South on the I-5.
 Exit Harbor Blvd.
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 Turn right on Paradise Way for parking.
 Hotel entrance is across the street.

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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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Case of the Month
(Part II)

BORDER BUSINESS PARK, INC. v. CITY OF SAN DIEGO

E035881

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

142 Cal.App.4th 1538; 2006 Cal.App.LEXIS 1439; 2006 Cal. Daily Op. Servic3e 8909

filed September 19, 2006

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

As you recall, this Case of the Month discusses whether certain activities conducted by the public agency amounted to an inverse condemnation of the affected property. Last month's article discussed whether announcements made by a City amounted to a compensable taking. This month's discussion focuses on the remainder of the court's opinion, which was whether the City's diversion of traffic so impaired the business park's access that it amounts to a taking.

In this case, a real estate development company ("Border") was developing a business park in Otay Mesa, an area adjacent to the Mexican border. Border asserted a cause of action for inverse condemnation, which arose from the city's diversion of traffic around their business park resulting from the shutdown of the San Ysidro closure as a commercial border crossing. Traffic backed up in the eastbound lanes of one of the streets abutting Border, and often backed up another street bordering the business park. There was usually no traffic backup in the morning, but was a backup every afternoon. Border alleged these backups made it difficult for the business owners and employees to enter and exit the park, and that sales of property in the park suffered as a result of the congestion.

In discussing the law of access, the court noted that the right of access is not unlimited. The easement of access consists of the right to get into the street upon which the landowner's property abuts and from there, in a reasonable manner, to the general system of public streets. Street alterations which cause significantly increased traffic or reduce but do not eliminate access to a property do not, however, give rise to a compensable taking. The court noted that a rerouting of traffic causing "total gridlock"--defined by the court as traffic congestion on a grid of intersecting streets which prevents traffic from moving in any direction--would constitute an actionable substantial impairment of the right of access. However, in the case at issue, the court found no evidence [1] that traffic often came to a complete stop *in both directions*, [2] that traffic backed up on all of the streets that encircled the business park, [3] that there was ever gridlock on any of the streets surrounding the business park except for one location for a short period of time, [4] that drivers would jump the curbs inside the park or proceed onto the private property of the business park's tenants, and [5] that there was ever a time when there was no access by means of at least one entrance to the business park. Based on the foregoing, the court of appeal held the evidence was insufficient as a matter of law to support Border's inverse condemnation claim.

While the court found there to be no actionable taking in this case, it also laid a roadmap for situations when a loss of access would amount to an inverse condemnation. To wit, agencies should be aware that any diversion of traffic amounting to "total gridlock" as defined by this court would, in the future, entitle the affected landowners and businesses to seek compensation.

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	Instructor
100 – Principles of Land Acquisition	January 30 – February 2, 2007	MWD	TBD	Ralph Brown
200 – Principles of Real Estate Negotiation	March 8-9, 2007	DWP	TBD	Ralph Brown
104 – Standards of Practice for the Right of Way Professional	April 6, 2007	DWP	TBD	Ralph Brown
205 -	May 14-15, 2007	MWD	TBD	
401 – The Appraisal of Partial Acquisitions	July 30 – August 3, 2007	MWD	TBD	Ralph Brown
800 – Principles of Real Estate Law	October 18-19, 2007	DWP	TBD	Ralph Brown

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
October, 2006	803	Eminent Domain Law Basics for Right of Way Professionals	Orange County
October, 2006	501	Relocation Assistance	San Diego
October, 2006	214	Skills of Expert Testimony	Riverside
October, 2006	209	Negotiating Effectively with a Diverse Clientele	San Diego
November, 2006	902	Property Descriptions	Orange County
November, 2006	403	Easement Valuation	Riverside
January, 2007	103	Ethics and the Right of Way Profession	San Diego

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