



Inside this issue:

Luncheon Meeting Photos	2
Education Course Schedule	7
Member Spotlight	8
Fall Seminar Flyer	10
Case of the Month	12
Chapter 1 Board Roster	14
Calendar of Events	15
Ed Course Brochures	16-19

August-September 2010

President's Message—William Larsen



I would like to thank Bryan Riggs, SR/WA, MAI and Aaron Aftergut for a great job moderating the speaker's program and recruiting past presidents to attend, respectively, at our annual Past Presidents' Luncheon meeting that was held in July. Presidents of Chapter 1 from every decade since the 1970's were in attendance and included in the speaker panel.

put together a strong speaker line-up and we expect this event to be well attended.



As many of you know, the Chapter has maintained a full schedule of local course offerings since 2008 despite declining attendance due to agency budget cut-backs and the weak economy. We are pleased to see 12 students pre-registered for the Chapter's offering of Course 803 scheduled for September 29-30 and hope this is a sign that course enrollments will increase.

Upcoming Events:

- **11:30 AM Tuesday, 9/28/10**
— **Joint ASA Membership Luncheon at Steven's Steakhouse, Commerce**
- **10/26/10—Fall Seminar**
(refer to flyer inside this newsletter)

Ed Course Schedule

- ◆ C-803, Eminent Domain Law Basics for ROW Professionals, Sept 29-30
- ◆ C-600, Environmental Awareness, Oct 8
- ◆ C-802 Legal Aspects of Easements, Oct 22
- ◆ C-200, Principles of RE Negotiation, TBA/November
- ◆ C-900, Principles of RE Engineering, Dec 8-9



If you have not been attending Chapter membership meetings lately our Joint Luncheon Meeting with the Los Angeles Chapter of the American Society of Appraisers would be a good opportunity to reconnect with Chapter members. We will be meeting at 11:30 AM on Tuesday, September 28 at Steven's Steakhouse in Commerce. Speaker David Mieger, Deputy Executive Officer, Countywide Planning of Metro, will provide an update on the Westside Subway Extension.



Refer to the flyer in this issue for the program and registration form for this year's Fall Seminar, which will be held October 26 at the Quiet Cannon in Montebello. Seminar Co-chairs David Graeler, Esq., and Kelly Kitasato, R/W-AMC have



IRWA has launched a new professional development program with several generalist certifications available along the path to the SR/WA designation. The SR/WA designation will remain the highest designation sponsored by IRWA, and the current specialist certifications will continue to be offered. The three new generalist certifications which will be offered as of October 1, 2010 are the Right of Way Agent (RWA), Associate Right of Way Professional (ARWP), and Right of Way Professional (RWP). All education and experience completed while qualifying for the new certifications may be used toward meeting SR/WA designation requirements. This new professional development program is more fully described on the IRWA site (https://www.irwaonline.org/EWEB/upload/july_web_CareerPath.pdf)

Past Presidents' Luncheon Meeting Photos



Moderator and Past President Bryan Riggs, SR/WA



Speaker and Past President Jed Springer, Esq.



Past Presidents, left to right, first row: Michael Murray, Rudy Romo, and Bryan Riggs, SR/WA. Second row: John Dalis, SR/WA, Kathy Friedman, Gary Peck, SR/WA, Al Schlinger, Michael Popwell, SR/WA, Holly Rockwell, SR/WA, and Joyce Riggs, SR/WA. Third row: Tom Hanley, SR/WA, Andrew Thompson, SR/WA, Gary Valentine, SR/WA, Tom Lemm, and Jim Wiley

Past Presidents' Luncheon Meeting Photos



Speaker and Past President Joyce Riggs, SR/WA



Left to right: Past President Al Schlinger and President Elect Konstantin Akhrem



Left to right: Ray Mehler, Rudy Romo, David Graeler, Esq.; Al Schlinger, Mrs. Schlinger, Gary Peck, SR/WA, John Dalis, SR/WA, and Kathy Friedman

Past Presidents' Luncheon Meeting Photos



Past Presidents Kathy Friedman and Rudy Romo



Duncan Robb, SR/WA, R/W-AMC and Past President Tom Hanley, SR/WA

Build it. Grow it. Fight it. Lead it. Defend it. Change it. Solve it. Close it. Protect it. Win it.

LOS ANGELES
SAN FRANCISCO
ORANGE COUNTY
SACRAMENTO
WASHINGTON, DC
ARLINGTON
AUSTIN
SEATTLE

MAKING IT HAPPEN.

Right-to-take challenges. Valuation disputes. Relocation issues.
Business goodwill negotiations. Pre-condemnation delay claims.

No matter what your *it* is, Nossaman gets results. Rely on a law firm that understands your eminent domain issues and delivers effective solutions. You define success. Together, we make it happen.

Check our record: www.nossaman.com/eminentdomain

 **NOSSAMAN** LLP

nossaman.com

Past Presidents' Luncheon Meeting Photos



Ladies of Epic Land Solutions, left to right: Lynette Overcamp, SR/WA, Holly Rockwell, SR/WA, Kathy Cabanilla, Diva Ramirez, and Eva Polizzi



Epic Land Solutions, Inc. is a full-service Right of Way/ Real Property consulting firm whose purpose is to acquire and manage real property interests for clients who need to construct and maintain infrastructure facilities.

Services

- ◆ ROW Project Management
- ◆ Negotiation and Acquisition
- ◆ Relocation Assistance
- ◆ Property Management
- ◆ Relocation Impact Reports
- ◆ Site/Route Selection
- ◆ GIS Support Services
- ◆ Franchising/Permitting
- ◆ Asset Management
- ◆ Right of Entry Permits
- ◆ Database Development & Mgmt
- ◆ Title Examination
- ◆ Appraisal
- ◆ Excess Land Disposal
- ◆ Appraisal Review
- ◆ Feasibility/Cost Studies
- ◆ Community Outreach
- ◆ Utility Coordination/Relocation
- ◆ Escrow & Legal Support
- ◆ Clearance & Demolition Services

Los Angeles
 2601 Airport Drive
 Suite 115
 Torrance, CA 90505
 Phone: 310-626-4848
 Fax: 310-891-3348

Riverside
 3850 Vine Street
 Suite 200
 Riverside, CA 92507
 Phone: 951-321-1800
 Fax: 951-321-1836

San Diego
 2815 Camino Del Rio South
 Suite 245
 San Diego, CA 92108
 Phone: 619-822-2763
 Fax: 619-574-2667

Portland
 9600 SW Oak Street
 Suite 570
 Portland, OR 97223
 Phone: 503-244-0626
 Fax: 503-244-0627

Past Presidents' Luncheon Meeting Photos



Left to right: Michael Popwell, SR/WA, Bryan Riggs, SR/WA, Stephanie Arlaud, Thurman Hodges, SR/WA, Joyce Riggs, SR/WA, Stephen Vollucci, SR/WA, Duncan Robb, SR/WA, R/W-AMC, and Myla Wyatt



...a pattern of excellence

Program/Project Management
 Right of Way & Real Property Acquisition
 Relocation Assistance
 Appraisal/Appraisal Review
 Property Management
 Title Research/Due Diligence

Paragon Partners Ltd.
 1-888-899-7498
 www.paragon-partners.com

DM&A

*Desmond, Marcello & Amster
 Valuation & Litigation Consultants*

6060 Center Drive, Suite 825
 Los Angeles, CA 90045
 Tel : (310) 216-1400
 Fax: (310) 216-0800
 Toll Free: (888) 240-5184

225 Bush Street, 16th Floor
 San Francisco, CA 94104
 Tel : (415) 439-8390
 E-mail: aamster@dmavalue.com

Aaron D. Amster, ASA
 President

Chapter 1 Education Chair Tom Hanley, SR/WA is interested in your feedback regarding courses you are seeking. Tom may be reached at thanley@paragon-partners.com.

Chapter 1 –Sponsored Upcoming Courses			
Course	Dates	Location	Facilitator
803 – Eminent Domain Law Basics for ROW Professionals	9/29-30/10	ERC, Downey	Bruce Beach, Esq.
600 – Environmental Awareness	10/8/10	Sanitation Districts of LA County, Whittier	John Bare, SR/WA, R/W-EC
802 – Legal Aspects of Easements	10/22/10	ERC, Downey	Bruce Beach, Esq.
200 – Principles of Real Estate Negotiation	November – TBA	TBA	TBA
900 – Principles of RE Engineering	12/8-9/10	ERC, Downey	Ralph Brown



Bill Von Klug, SR/WA, R/W-RAC, facilitating course 503 in August.

Member Spotlight

Myla Wyatt



My career in public real estate began 18 years ago as an intern in Federal summer intern program. I worked as a realty assistant at Department of Housing and Urban Development's (HUD) Los Angeles field office. I was assigned to property disposition section. I acquired knowledge of the FHA property reconveyance and auction process, and assisted with HUD's single family property auctions for Los Angeles and Ventura counties. After my HUD internship, I worked as a realty assistant at Fred Sands Realtors. I also had a part-time position at Great Western Bank in REO/Foreclosure Department.

In my senior year, my mentor at Fred Sands encouraged me to sit for the California real estate broker's exam. I was also being recruited by Eastman Kodak Company to join their United States and Canada consumer imaging division. Unfavorable real estate market conditions, as well as the uncertainty of compensation lead me to make a practical decision. After graduating from the University of California, Los Angeles (UCLA), I joined Eastman Kodak's national sales team. I worked in the Los Angeles photo specialty channel as an account executive for six years.

In 2000, I was at a professional crossroads. Although I had earned many professional accolades at Eastman Kodak, I still had a desire to pursue a career in real estate. I took the LSAT and applied to law school. I also began studying for the California real estate broker's exam. In fall 2001, I was admitted Loyola Law School, and obtained my real estate broker's license. During law school, I work in the mortgage industry and sold residential real estate.

After graduation, I pursued a non-traditional legal career path. I went to work for a wireless telecommunications contractor. Many of the staff and management were lawyers and real estate brokers. I was a site acquisition and zoning specialist. This was my introduction to the right of way industry. I began developing my knowledge of local zoning requirements and commercial lease negotiations. In 2008, I joined the County of Los Angeles Department of Beaches and Harbors Asset Management Division. The division oversees property management and lease negotiations of leasehold parcels in County unincorporated Marina del Rey.

I began researching various career paths in public sector real estate, and came across the International Right of Way Association's (IRWA) website. I contacted the International Headquarters, and inquired about the Senior Right of Way Designation (SR/WA). I contacted the Chapter 1, and I spoke to Ms. Vivian Howell, 2009 Past President. Ms. Howell was very supportive, and provided an overview of the various certification programs and the SR/WA designation. In August 2009, I joined Chapter 1 and was sponsored by Ms. Howell. Michael Powell, 2009 education chair and Dan Kazden, 2009 membership chair, provided insights and advise regarding the SR/WA designation. My IRWA membership and the SR/WA designation are an invaluable investment in my professional development.

Updating Your IRWA Membership

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.

CALIFORNIA
EMINENT DOMAIN
LAW GROUP
a Professional Corporation—Attorneys at Law

www.caledlaw.com

3429 Ocean View Blvd.
Suite L
Glendale, California 91208

A.J. Hazarabedian
ajh@caledlaw.com

tel (866) EM-DOMAIN
tel (818) 957-0477
fax (818) 957-3477



Chapter 1 - Los Angeles County Presents
2010 Annual Fall Seminar

Tuesday, October 26, 2010
 7:30 a.m. - 5:15 p.m.

Quiet Cannon - Montebello
 901 Via San Clemente
 Montebello, CA 90640
 323.724.4500

CONFERENCE SCHEDULE

7:30 a.m.	Registration & Continental Breakfast	1:30 p.m.	BREAK
8:00 a.m.	CEQA's Application to Right of Way Transactions <i>Speaker: Theresa Fuentes, Assistant City Attorney, City of Pasadena</i>	1:45 p.m.	Acquisition Appraisal - The Necessary Evil in Your Project: Right of Way Issues in Acquisition Appraisal from Proposal to Process and What the Agency and Appraiser Should Expect in a Project <i>Speakers: Syd Hawran, MAI, Donahue Hawran & Malm, LLC and Frances Wolfe Mason, MAI, Mason & Mason</i>
9:00 a.m.	Update on Expo Light Rail Transit Project - Phase II <i>Speaker: Monica Born, Project Manager, Expo Authority</i>	2:45 p.m.	101 Ways to Get Your Agency in Hot Water: Trip-Ups and Traps That Can Snag Right-of-Way Agents, Appraisers, and Lawyers, Costing Their Agency Clients Time and Money - and How to Avoid Them <i>Speaker: Rick Friess, Partner, Allen Matkins</i>
10:00 a.m.	BREAK	3:45 p.m.	BREAK
10:15 a.m.	Redevelopment Update: Keeping Your Money <i>Speaker: John F. Shirey, Executive Director, California Redevelopment Association</i>	4:00 p.m.	Goodwill - Forensic Accounting Issues in Determining Business Value <i>Speaker: Jaime Holmes, CPA, JD, CVA, ABV, CFF, Partner, Singer Lewak</i>
11:15 a.m.	The Interrelationship Between Goodwill, Relocation, and Reestablishment <i>Speaker: Rick E. Rayl, Partner, Nossaman LLP</i>	5:00 p.m.	Closing Remarks
12:15 p.m.	LUNCH Eminent Domain and Inverse Condemnation - Who will Handle Your Cases Now That Department 59 is Closed? <i>Speaker: Judge Elizabeth Allen White, Los Angeles County Superior Court</i>		

APPROVALS

Pending - Minimum Continuing Legal Education (MCLE) credit of 8 hours, 100% seminar attendance is required.

Pending - International Right-of-Way Association for Senior Designation Recertification Credits (SR/WA) 8 course hours, 100% seminar attendance is required.

Pending - State of California, Office of Real Estate Appraisers for 8 hours of Continuing Education Hours, 100% seminar attendance is required.

Note: Please bring your identification of designation for each professional credit desired for the seminar completion certificate (i.e. verification of OREA license number).



Chapter 1 - Los Angeles County Presents
2010 Annual Fall Seminar

REGISTRATION FORM

Name _____ Chapter No./Member No. _____
 Firm _____ Email _____
 Address _____
 Phone _____ Fax _____
 California Appraisal License No. _____ SR/WA Recertification Needed? YES NO
 (if applicable) (please circle one)

Please register early, space is limited
 \$95 Member; \$110 Non-member (if received on or before 10/15/10)
 \$105 Member; \$120 Non-member (if received after 10/15/10)
 Lunch only - \$25 (Vegetarian available upon request)

Make checks payable to:
 IRWA Chapter 1
 c/o David Graeler, Esq.
 Nossaman LLP
 445 South Figueroa Street, 31st Floor
 Los Angeles, CA 90071
 213.612.7800

8 HOURS MCLE Credit - Pending

8 HOURS SR/WA Recertification Credits - Pending

8 HOURS of OREA Continuing Education Credits - Pending

All refund requests must be made in writing. 50% of the registration fee may be retained if cancellation notice is postmarked less than 10 days before the seminar.

Case of the Month

By John E. Mackel III, Esq., partner, Demetriou, Del Guercio, Springer & Francis, LLP

“Things Aren’t Always What They Appear to Be . . . Read the Entire Statutory Scheme”

Statutory Interpretation – Gas Franchisee’s Lost Goodwill Claim

People ex rel. Dept. of Transportation v. Acosta (2009) 178 Cal.App.4th 762

Interpretation of statutory or contractual provisions often requires careful consideration of the entire contract or statutory scheme to discover the intended meaning. Sometimes the meaning can be the opposite of the apparent meaning in the provision. Such was the case here, and the penalty for the wrong interpretation was costly.

In this case, the court found that the federal Petroleum Marketing Practices Act (“PMPA”) did not preclude a franchisee’s recovery of goodwill damages under California’s state condemnation law. Although PMPA’s language appeared on its face to preclude the claim and the franchisor’s contract with the franchisee mirrored this apparent intent, the intent of the PMPA’s statutory scheme and legislative history proved that the provision was limited to the allocation of goodwill damage claims between franchisors and franchisees as the result of a condemnation proceeding. **The Court of Appeal affirmed the trial court’s ruling concerning the interpretation in support of the award of \$704,500 in goodwill damages and affirmed the award of \$288,537.75 in litigation expenses to the condemnee for the condemnor’s unreasonable final offer of compensation.**

FACTS:

Caltrans sought to condemn a gas station for an expansion of a highway interchange. Scannavino Properties I leased the subject property to BP West Coast Products LLC (“BP”). Acosta subleased the property from BP. Shortly after BP filed its answer, it sent a notice to Acosta stating that, in the event it receives goodwill damages, it would apportion those damages between Acosta and itself. Acosta thereafter amended its answer to include a claim for lost goodwill.

Caltrans took the position that the PMPA preempted the goodwill claim and filed a demurrer and motion to strike the claim in Acosta’s answer. The trial court sustained the demurrer and granted the motion and allowed leave to amend. Subsequently, Caltrans demurred and moved to strike Acosta’s amended answer, and the trial court sustained the demurrer this time without leave to amend. This struck Acosta’s goodwill claim.

Caltrans agreed to a stipulated judgment with BP in which it would pay BP \$675,000. In addition, Caltrans agreed to pay Scannavino \$550,000 for the property. Subsequently, BP assigned whatever remaining rights it may have to goodwill damages to Acosta.

Acosta sought leave to file a third amended answer reasserting the lost goodwill claim, which the trial court granted. Caltrans demurred and moved to strike again, but the trial court overruled the demurrer and denied the motion. Next, Caltrans moved for summary adjudication of Acosta’s lost goodwill claim. The motion asserted that the PMPA, as a federal law, preempts the state law goodwill claim. In addition, the motion asserted that the goodwill claim was included in Caltrans’ stipulated judgment with BP.

The trial court denied the motion for summary adjudication finding that the PMPA does not preclude the assignment of goodwill claims by a franchisor to a franchisee and that there was a question of fact as to whether the stipulated judgment was intended to include lost goodwill damages.

Acosta filed a final demand for compensation in the amount of \$705,000, and in response Caltrans filed a final offer in the amount of \$150,000. However, a month later, Caltrans entered a stipulation for entry of judgment in which it agreed to pay Acosta \$704,500 on its goodwill claim but reserved the right to appeal with respect to issues of law.

Acosta moved for and was awarded litigation expenses in the amount of \$288,537.75. Caltrans appealed the judgment and the award of litigation expenses.

FEDERAL PREEMPTION

Code of Civil Procedure Section 1263.510 requires compensation for the loss of goodwill by a business owner on a property taken by condemnation. However, Section 2806(a)(2) of the PMPA provides: “No State or political subdivision of a State may adopt, enforce, or continue in effect any provision of law . . . **that requires a payment for the goodwill of a franchisee on the termination of a franchise or nonrenewal of a franchise relationship** authorized by the subchapter.” (Emphasis added.) Although this provision would appear to preempt any state law requiring payment of goodwill damages to a franchisee by any party in a condemnation proceeding, this was not the intent.

A detailed review of related sections of the PMPA revealed that this provision and others were merely intended to regulate the relationship between franchisors and franchisees. For instance, Section 2802 of PMPA regulates the termination or nonrenewal of franchises, including, among other things, “condemnation or other taking, in whole or part, of the marketing premises pursuant to the power of eminent domain.” (15 U.S.C. §2802 (c)(5).) Additionally, a portion of this Section of the PMPA provides that “the franchisor shall fairly apportion between the franchisor and the franchisee compensation, if any, received by the franchisor based upon any loss of business opportunity or goodwill.” (15 U.S.C. §2802 (d)(1).) This and other provisions do not prohibit the recovery of goodwill damages by a franchisee under state law, provided that the franchisor has not recovered such damages. The trial court did not find that the franchisor’s award included lost goodwill damages. Therefore, the franchisor’s assignment of any right to seek lost goodwill damages to Acosta was effective.

LITIGATION EXPENSES

As to litigation expenses, the appellate court rejected Caltrans’ argument that it was entitled to rely upon the trial court’s denial of Acosta’s claims when it made its final offer of compensation. By the time of Caltrans’ final offer, the trial court had allowed Acosta’s new claim based upon BP’s assignment, which differentiated it from the prior claims for goodwill compensation that the trial court dismissed. Caltrans’ final offer failed to take this into consideration. Since Caltrans’ final offer was substantially lower than Acosta’s final demand and the award, Caltrans’ final offer was unreasonable entitling Acosta to its litigation expenses pursuant to Code of Civil Procedure Section 1250.410 in the amount of \$288,537.75.

2010 Officers and Executive Board

<i>President and International Director</i>	William Larsen Integra Realty Resources	818 290-5428	wlarsen@irr.com
<i>President-Elect, Int'l Director, and Tri-Chapter Lunch Liaison</i>	Konstantin Akhrem Paragon Partners, Ltd.	714 379-3376	Kakhrem@paragon-partners.com
<i>Treasurer</i>	David Graeler, Esq. Nossaman LLP	213 612-7800	dgraeler@nossaman.com
<i>Secretary</i>	Kenneth Stanberry Port of Los Angeles	310 732-3525	kstanberry#@portia.org
<i>Professional Development</i>	Andrew Thompson, SR/WA So Cal Gas Company	213 244-5032	athompson@semprautilities.com
<i>Nominations and Awards</i>	Vivian Howell, SRWA, R/W-RAC, R/W-NAC Los Angeles World Airports	310 417-0450	vhowell@lawa.org
2010 Appointed Board Chairs			
<i>Advisory</i>	Andrew Thompson, SR/WA So Cal Gas Company	213 244-5032	athompson@semprautilities.com
<i>Education</i>	Tom Hanley, P.E., SR/WA Paragon Partners	714 379-3376 x 284	thanley@paragon-partners.com
<i>Engineering/Survey</i>	Art Cordero, SR/WA, PLS City of LA, Bureau of Engineering	213 482-7192	apcor75a@yahoo.com
<i>Environmental</i>	Mohammed Estiri, Ph.D Eco & Associates, Inc.	714 289-0995	mestiri@ecoinc.info
<i>Fall Seminar</i>	David Graeler, Esq., Co-Chair Nossaman LLP Kelly Kitasato, R/W-AMC, Co-Chair City of Pasadena	213 612-7800 626 744-7356	dgraeler@nossman.com kkitasato@cityofpasadena.net
<i>Governance</i>	Marilyn Stuart, SR/WA, R/W-NAC Sanitation Districts of LA	562 908-4288 x 2756	mstuart@lacsd.org
<i>Law and Right A Way and the Law Seminar</i>	John E. Mackel, III, Esq. Demetriou, Del Guercio, Springer & Francis, LLP	213 624-8407	JMackel@ddsffirm.com
<i>Liaison</i>	Holly Rockwell, SR/WA, R/W-NAC Epic Land Solutions	310 626-4848	hrockwell@epicland.com
<i>Luncheon</i>	Aaron Aftergut Integra Realty Resources	818 290-5434	aaftergut@irr.com
<i>Membership</i>	Dan Kazden Riggs & Riggs, Inc.	805 578-2400 x 104	dankazden@sbcglobal.net
<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 Epic Land Solutions	909-627-2590	duncanrobb@epicland.com
<i>Relocation</i>	Dionisio (Dio) Marquez	310 645-3729 x 226	Dionisio.marquez@drainc.com
<i>Valuation Seminar</i>	William Larsen, Co-Chair Integra Realty Resources Keith Settle, MAI – Co-Chair Keith Settle and Associates	818 290-5428 818-707-1981	wlarsen@irr.com keithsettle@roadrunner.com
<i>Webmaster</i>	Mark Brusca Riggs & Riggs, Inc.	805-578-2400 x105	markbrusca@sbcglobal.net



**OVERLAND
PACIFIC &
CUTLER, INC.**

*Building relationships,
delivering projects.*

**Benefit from the strength of our experience
and the commitment of our people.**

- ✦ Land & Right of Way Acquisition
- ✦ Relocation Assistance
- ✦ Planning and Management
- ✦ Redevelopment Project Management
- ✦ Project Cost Studies
- ✦ Eminent Domain Support

WWW.OPCSERVICES.COM 800.400.7356



Gary Valentine, MAI, ASA, SR/WA
23942 Lyons Avenue, Suite 212
Santa Clarita, California 91321

Valentine
Appraisal &
Associates

- Canals
- Electrical
- Lines
- Fiber Optics
- Pipelines
- Railroads
- Easements
- Eminent Domain
- Expert Testimony
- Inverse Condemnations
- Partial Taking
- Sandwich Leasehold

Agricultural
Commercial
Industrial
Residential
Right of Way

Phone: 661-288-0198
Fax: 661-288-0197
E-mail: gsv@valentineappraisal.com



Lea Associates
Property Economics

Robert M. Lea, MAI
John J. Gobbell, Jr., MAI

1635 Pontius Avenue
Los Angeles, CA 90025
(310) 477-6595 Fax: (310) 914-0249
E-Mail: info@leaassoc.com

- Preliminary budgeting for alternate project sites
- Acquisition appraisals
- Expert testimony
- Reuse market studies and appraisals
- Valuation of public real estate for financing or disposition

September – December 2010 Calendar of Events

September	28	10:15 -11:30AM 11:30 - 1:30PM	Board of Directors Meeting Joint Membership Luncheon with ASA Aaron Atergut, Luncheon Chair	Stevens Steak House 5332 Stevens Place Commerce, CA
October	1-2	7:00 AM-5:00 PM	Region 1 Fall Forum	Sacramento Sheraton Hotel
October	26	7:30 AM- 5:15 PM	Fall Seminar David Graeler, Esq. and Kelly Kitasato, R/W-AMC	Quiet Cannon 901 Via San Clemente Montebello, CA
December	7	11:00 AM- 1:30 PM	Tri-Chapter Holiday Luncheon Hosted By IRWA Chapter 57	Mission Inn Riverside



19210 S. Vermont Avenue, Building A, Suite 100
Gardena, CA 90248
Phone: (310) 538-0233
www.irwaonline.org

Coming Soon!

Course 803: Eminent Domain Law Basics for the Right of Way Professional

Course 803: Eminent Domain Law Basics for Right of Way Professionals

Course Description:

"Eminent Domain Law Basics" familiarizes participants with the basic theories behind, and practical aspects of, the various laws, rules and regulations applicable to acquisition of private property for public use through exercise of the power of eminent domain.

This course focuses on introduction to eminent domain, primary sources of law, breakdown and analysis of the modern rule, just compensation and legal aspects of valuation, and the roles of right of way professionals in eminent domain.

Prerequisites:

It is recommended that participants have a minimum of one (1) year of right of way experience prior to attending this class.

Topics:

- Introduction to subject, characteristics of the power, brief historical perspective, distinguished from other governmental powers, delegation of the power
- Primary sources of law, constitutional provisions, statutory provisions rules, regulations, policies, procedures; court decisions
- Breakdown/analysis of the Modern Rule, types of property which can be taken meaning of "taken", meaning of "or damaged" , meaning of "public use"
- Just compensation/legal aspects of valuation, market value standard, incidental losses/special problems; laws affecting scope, approach, methodology; laws affecting substantive aspects of valuation, planning and pre-condemnation activities, damages to remainder, benefits, special problems such as trees, crops, minerals; condemnation proceedings
- Roles of right of way professionals engineers, title investigators, appraisers, negotiators, relocation agents

Course Tuition Includes: Participant's Manual

Who Should Take This Course:
This course is intended for right of way practitioners and individuals involved in the acquisition of private property for public use through the exercise of eminent domain.

Last Name	First Name
Title	
Company Name	
Address	
City, State, Zip	
() -	<input type="checkbox"/> Yes <input type="checkbox"/> No
Phone	Member
Member ID Number	
Email Address	

If payment includes the fees for registrants other than yourself, check here:
 (Please submit names of other registrants on a separate paper along with this form)
 Will you also be attending? Yes No

Member Tuition	Non-Member Tuition	Total Tuition Amount Due
\$415.00	\$520.00	\$_____

Total Member Registrants: _____
 Total Non-Member Registrants: _____

PRINT NAME AS IT APPEARS ON CARD: _____

Amex MC Visa Card #: _____ Exp: _____ 3-Digit CVV: _____

Signature: _____ Amount to be Charged: _____

Course 803: Eminent Domain Law Basics for the Right of Way Professional

Sponsor: IRWA Chapter 1
Date: September 29-30, 2010
Time: 8:00 AM - 5:00 PM Daily
City: Downey, CA

Class Location:
 Energy Resource Center
 9240 Firestone Blvd.
 Downey, CA 90242
 Phone: (562) 803-7434

Four Ways to Register:
Online: www.irwaonline.org
Fax: (866) 388-7419
Phone: (310) 538-0233, x138
Contact Coordinator

Accommodations:
 Embassy Suites
 8425 Firestone Blvd.
 Downey, CA 90013-1011
 Phone: (562) 861-1900

Rates: (starting at)
 Single/Double: \$189 + Tax

Please contact the hotel directly for rates and reservations.

Course Coordinator:
 William Larsen
 Integra Realty Resources—Los Angeles
 16030 Ventura Blvd., Suite 620
 Encino, CA 91436
 Phone: (818) 290-5428 / Fax: (818) 290-5401
 Email: wlarsen@irr.com

Cancellation Policy: All classes scheduled by IRWA chapters are subject to cancellation. All class registrants are encouraged to contact the Course Coordinator prior to making travel arrangements, keeping in mind that the class may be canceled at any time at the chapter's discretion. Fully liquidated damages for any losses incurred by a class registrant are limited solely to a refund of the registrant's prepaid course registration, if any, and IRWA and its chapters assume no other registrant liability resulting from class cancellation. Please see irwaonline.org for complete policy details.

Refund Policy: Written notification of intent to cancel registration must be received by both the Course Coordinator and Headquarters Staff prior to the class start date in order to be eligible for a tuition refund. **100% refund** if notice is received 15 days or more prior to class start date; **75% refund** if notice is received less than 15 days prior; **no refund** will be issued for notice received on or after class start date.

About the Facilitator:

Bruce Beach received his BA Degree in Political Science from Miami University, Oxford, OH, Law Degree from California Western University School of Law, San Diego, CA and his Masters of Law from Southern Methodist University, Dallas, TX. Mr. Beach has represented and assisted his public and private clients in proceedings related to real property matters; condemnation; and, in his specialty eminent domain and property litigation. He has tried numerous eminent domain cases in Superior Court, handled many appeals, and had over 15 eminent domain cases certified for publication. Before becoming a partner of the Law Firm of Best Best & Krieger based in San Diego, he was a partner at Jennings, Engstrand & Henrikson, San Diego, CA; County Counsel for the San Diego County and the County of San Diego Flood Control District. He also represented various school districts in civil litigation cases involving eminent domain, real property public construction contracts and property related tax issues. Mr. Beach has conducted training seminars for appraisers, attorneys and right of way agents.



INTERNATIONAL RIGHT OF WAY ASSOCIATION

19210 S. Vermont Avenue, Building A, Suite 100
Gardena, CA 90248
Phone: (310) 538-0233
www.irwaonline.org

Coming Soon!

**Course 600:
Environmental Awareness**

**Course 600:
Environmental Awareness**

Course Description:

Become familiar with environmental issues and problems facing companies and agencies acquiring or managing real property and rights of way. Learn various environmental issues and the mitigating measures used to decrease environmental impacts. Gain increased awareness of environmental laws, regulations and associated regulatory agencies.

Basic principles of ecology, history of the environmental movement, a review of federal/state/local environmental legislation, the right of way professional's role in the environmental process, and mitigation of environmental impacts are discussed in this course.

Topics:

- Background on environmental movement environmental history, environmental disasters that lead to litigation and/or regulations, environmental legislation
- Environmental documents, environmental impact statement, environmental assessment, findings of no significant impact, categorical exclusion, record of decision
- Factors ensuring environmental compliance with the *National Environmental Policy Act*, state and local regulations; air, water and land regulations; land use control
- Right of way agent's definitive role in the environmental process, developing environmental "eyes"
- Defining environmental awareness, being part of an environmental process, scoping environmental documents, and project planning

**Course Tuition Includes:
Participant's Manual**

Who Should Take This Course:
This basic environmental course is recommended for private industry, public and regulatory agencies and right of way agents involved in acquiring or managing real property rights of way reclamation, including properties with environmental issues.

Last Name	First Name
Title	
Company Name	
Address	
City, State, Zip	
() -	<input type="checkbox"/> Yes <input type="checkbox"/> No
Phone	Member
Member ID Number	
Email Address	

If payment includes the fees for registrants other than yourself, check here:
 (Please submit names of other registrants on a separate paper along with this form)
 Will you also be attending? Yes No

Registration Deadlines	Member Tuition	Non-Member Tuition	Total Tuition Amount Due
Before 9/10/2010 :	\$265.00	\$330.00	\$ _____
After 9/10/2010 :	\$290.00	\$355.00	\$ _____

Total Member Registrants: _____
 Total Non-Member Registrants: _____

PRINT NAME AS IT APPEARS ON CARD: _____

Amex MC Visa Card #: _____ Exp: _____ 3-Digit CVV: _____

Signature: _____ Amount to be Charged: _____

Course 600: Environmental Awareness

Sponsor: IRWA Chapter 1
Date: October 8, 2010
Time: 8:00 AM - 5:00 PM
City: Whittier, CA

Class Location:
 Sanitation Districts of Los Angeles County
 Joint Administration Office
 1955 Workman Mill Road
 Whittier, CA 90601
 Phone: (562) 908-4288, 2756

Four Ways to Register:
Online: www.irwaonline.org
Fax: (866) 388-7419
Phone: (310) 538-0233, x138
Contact Coordinator

Accommodations:
 Doubletree Hotel
 888 Montebello Blvd.
 Rosemead, CA 91770
 Phone: (323) 722-8000

Rates: (starting at)
 Single: \$99 + Tax

Please contact the hotel directly; mention IRWA when making your reservation. Shuttle service is available.

Course Coordinator:
 Marilyn Stuart, SR/WA, R/W-NAC
 1955 Workman Mill Road
 Whittier, CA 90601
 Phone: (562) 908-4288, ext. 2756 / Fax: (562) 695-1874
 Email: mstuart@lacsds.org

About the Facilitator:
John A. Bare, SR/WA, R/W-EC, currently teaches Biology and Environmental Science at the University of Nevada, Las Vegas. Prior to earning his post-graduate degree and becoming a teacher, John was employed by Nevada Power Company in Las Vegas. His last position there was Senior Environmental Scientist where he coordinated environmental and archaeological studies for proposed construction projects and directed various environmental compliance programs. John also has many years experience in right of way acquisition, damage claim settlement and real estate appraisal for public utilities, energy companies and local government agencies. John has served in many chapter leadership positions and he is a past-president of Southern Nevada Chapter 44 and Colorado West Chapter 70. He loves teaching the three IR/WA environmental courses and Principles of Land Acquisition. John and his wife, Kathleen, have been married 35 years. In their spare time, they enjoy traveling and visiting their children and grandchildren.

Cancellation Policy: All classes scheduled by IRWA chapters are subject to cancellation. All class registrants are encouraged to contact the Course Coordinator prior to making travel arrangements, keeping in mind that the class may be canceled at any time at the chapter's discretion. Fully liquidated damages for any losses incurred by a class registrant are limited solely to a refund of the registrant's prepaid course registration, if any, and IRWA and its chapters assume no other registrant liability resulting from class cancellation. Please see irwaonline.org for complete policy details.

Refund Policy: Written notification of intent to cancel registration must be received by both the Course Coordinator and Headquarters Staff prior to the class start date in order to be eligible for a tuition refund. **100% refund** if notice is received 15 days or more prior to class start date; **75% refund** if notice is received less than 15 days prior; **no refund** will be issued for notice received on or after class start date.