

SEPTEMBER 2012



President's Message – David Graeler, Esq.

Dear Members:

There are many great opportunities to participate in Chapter 1 events...

September 28:

Course 410 (Reviewing Appraisals in Eminent Domain)

The hot weather notwithstanding, summer is coming to an end and school has either started or will be starting shortly. August was a relatively quiet month for Chapter 1, but in line with our dedication to education, we hosted courses 802 (Legal Aspects of Easements), 215 (Right of Way Agent's Development Program), and a SR/WA review and exam. As we move forward toward the fall, please be sure to mark your calendars for the following upcoming events:

October 17 and 18: Course 504 (Computing Replacement Housing Payments)

October 19: Course 505 (Advanced Residential Relocation Assistance)

October 23: Annual Fall Seminar. Please be sure to see the agenda within this newsletter. This year's slate of speakers promises to be educational and entertaining. Please reserve your space early.

October 24: Course 506 (Advanced Business Relocation Assistance)

There are many great opportunities to participate in Chapter 1 events over the coming weeks. I hope to see you soon at one of them!

Sincerely,

David Graeler, Esq.
Chapter 1 President

September 25: Membership Luncheon. This will be a joint luncheon with the American Society of Appraisers. Our guest speaker will be Darryl Root, JD, MBA, R/W-RAC, Vice President of Paragon Partners, LTD. Mr. Root's presentation will focus on the federal highway bill (MAP-21) that was recently approved by Congress. You won't want to miss it!

September 27: Course 409 (Integrating Appraisal Standards)

For your calendar:

- **09/27/12**—Integrating Appraisal Standards (Course #409)
- **09/28/12**—Reviewing Appraisals in Eminent Domain (Course #410)
- **10/17/12**—Computing Replacement Housing Payments (Course #504)
- **10/19/12**—Advanced Residential Relocation Assistance (Course #505)
- **10/23/12**—Annual Fall Seminar in Quiet Canon, Montebello
- **10/24/12**—Advanced Business Relocation Assistance (Course #506)

Inside this issue:

Luncheon Invitation	2
Upcoming Courses	3
Legal Perspective	4
Member Spotlight	6
Education Report	7
Course 802 Photos	8
SR/WA Review Photos	12
Environmental Report	16
Announcements	18
Chapter BOD Roster	23

September 25, 2012 – Joint Luncheon with ASA

JOIN US

IRWA Chapter 1 / ASA Joint Luncheon

Host:
Aaron Aftergut
818-290-5434

When:
Tuesday, September 25 from 11:30 AM to
1:00 PM

Where:
Stevens Steak House
5332 Stevens Place
City of Commerce, CA 90040



Darryl L. Root, J.D., MBA, RW-RAC, Paragon Partners, Ltd.

You are cordially invited to attend the IRWA Chapter 1 annual joint luncheon with the American Society of Appraisers on September 25, 2012 at Steven's Steak House. Guest speaker this year will be our Transportation Chair, Darryl L. Root, J.D., MBA, RW-RAC. Mr. Root's presentation will focus on the federal highway bill (MAP-21) that was passed by Congress in June 2012. The title of Mr. Root's presentation is: "MAP-21 - Changing Procedures for Federally-Funded Right of Way Projects."

Darryl L. Root, J.D., MBA, RW-RAC, has more than 22 years of professional real estate experience in both the public and private sectors involving real estate sales and acquisition of Right of Way, easements and fee property, as well as residential and commercial relocation assistance. He currently serves as Vice President of Marketing and Business Development with Paragon Partners Ltd. Prior to joining Paragon, Darryl was a Project Manager with the Missouri Department of Transportation and Vice-President with O.R. Colan Associates, Inc. Darryl has a Law degree from Washington University School of Law in St. Louis, Missouri and an M.B.A. from Maryville University in St. Louis, Missouri. He also earned two undergraduate degrees in Political Science and History from Southwest Missouri State University in Springfield, Missouri. Darryl has worked for numerous public agencies throughout the country, and for both public agencies and private developers in Southern California. Mr. Root serves on the International Right of Way Association's Relocation Committee. Mr. Root was the Deputy Production Manager on TxDot's State Highway 130 Design Build Project in 2004. This was the largest design build project in the U.S. at the time. Paragon was recently confirmed by the California legislature in 2010 as the Real Estate Program Manager for the California High Speed Rail, the largest proposed modified transit design build project in the country.

Luncheon cost is \$16. Doors open at 11:30, program begins at 12:00, and ends at 1:00.

We hope to see you there!

RSVP
Stay tuned for the invitation from our Luncheon Chair, Aaron Aftergut. Aaron can be contacted at 818-290-5434 or aaftergut@irr.com

Visit us on the web www.irwa-chapter1.org for latest Chapter 1 news and announcements

Upcoming IRWA Chapter 1 Courses:

Date	No.	Title	Coordinator	Instructor
Sep 27, 2012	# 409	Integrating Appraisal Standards	William Larsen 818-290-5428 wlarsen@irr.com	Jeffrey D Swango, SRA, SR/WA, R/W-AC, R/W-NAC
Sep 28, 2012	# 410	Reviewing Appraisals in Eminent Domain	William Larsen 818-290-5428 wlarsen@irr.com	Jeffrey D Swango, SRA, SR/WA, R/W-AC, R/W-NAC
Oct 17-18, 2012	# 504	Computing Replacement Housing Payments	Natasa Lenic 310-720-9517 natasa.lenic@yahoo.com	Cecilia Melanson, R/W-RAC
Oct 19, 2012	# 505	Advanced Residential Relocation Assistance	Natasa Lenic 310-720-9517 natasa.lenic@yahoo.com	Cecilia Melanson, R/W-RAC



Tom Hanley, P.E.
Crimson Pipeline
Education Chair

If you did not find the course you need to meet your professional education goals, we want to hear from you!

Please contact **Tom** at
(562) 285-4128
thanley@crimsonpl.com

For Instructors' Bios, details, and updates visit www.irwa-chapter1.org

Upcoming IRWA Chapter 57, 67 and 11 Courses:

Date	No.	Title	Coordinator	Instructor
Sep 13, 2012	# 902	Property Descriptions	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcw.org	Ralph Brown, SR/WA
Oct 15-16, 2012	# 700	Introduction to Property/Asset Management	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcw.org	Georgia S Snodgrass, SR/WA, R/W-NAC, R/W-AMC
Oct 17-18, 2012	# 701	Property/Asset Management: Leasing	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcw.org	Georgia S Snodgrass, SR/WA, R/W-NAC, R/W-AMC
Nov 2, 2012		Chapter 57 Education Seminar & Casino	For more information contact Roberto Corrales, Chapter 57 President	
Nov 7-8, 2012	# 205	Bargaining Negotiations	Christine Santolucito 951-320-7333 christine.santolucito@hdrinc.com	Michael L Heineke, SR/WA
Nov 14, 2012	# 213	Conflict Management	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcw.org	Carol L Brooks, SR/WA

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!



Michael F. Yoshida, Esq.
Richards Watson & Gershon,
a Professional Corporation

...a city ordinance made it a misdemeanor for members of the public who speak at city council meetings to engage in "disorderly, insolent, or disruptive behavior" ...

In compliance with California law, members of the public may address the City Council concerning any item listed on the meeting agenda at the time designated for public comment. Speakers are each afforded three minutes to speak.

Case of the Month:

It's fine to speak your mind and be insolent, but not disorderly and disruptive

First Amendment - Freedom of Speech and Expression

Acosta v. City of Costa Mesa

No. 10-56854, D.C. No. 8:06-cv-00233 DOC-MLG

United States Court of Appeals for the Ninth Circuit

Filed September 5, 2012

Where a city ordinance made it a misdemeanor for members of the public who speak at city council meetings to engage in "disorderly, insolent, or disruptive behavior," the prohibition against "insolent" behavior was unconstitutional as written. But the remaining ordinance's prohibition against disorderly or disruptive behavior was valid as written and therefore, under California law, could be left intact and enforceable.

DISCUSSION

Costa Mesa Municipal Code § 2-61 made it a misdemeanor for members of the public who spoke at City Council meetings to engage in "disorderly, insolent, or disruptive behavior." Benito Acosta ("Acosta") was removed from the Costa Mesa City Council meeting for an alleged violation of the ordinance. Acosta appealed from the district court's dismissal of his First Amendment challenge to the ordinance as written and worded, known as facially invalid. (Note that omitted from this discussion is Acosta's appeal of the district court's grant of partial summary judgment in favor of the California city and various individual police officers on his state-law free speech claims and his Fourth Amendment claims). He claimed that the ordinance was facially invalid and that it was enforced against him only because he expressed a view contrary to the Mayor's. Because § 2-61 didn't limit the proscribed activity to only actual disturbances, the appellate court reversed the district court's constitutionality ruling and found the statute was facially invalid. However, because the word "insolent" could be easily removed from the ordinance without detriment to the purpose of § 2-61, the remaining ordinance was not invalidated since it was properly applied to Acosta's disruptive behavior.

The Costa Mesa City Council meets on the first and third Tuesday of every month, with a public portion commencing at 6:00 p.m. The Mayor is the presiding officer who chairs the meeting. In compliance with California law, members of the public may address the City Council concerning any item listed on the meeting agenda at the time designated for public comment. Speakers are each afforded three minutes to speak. The City ordinances establish rules regulating council meetings. At issue here was § 2-61, which governed individual conduct at council meetings. A violation of § 2-61 may be prosecuted as a misdemeanor. In December 2005 the Mayor proposed that the City enter into an agreement with Immigration and Customs Enforcement ("ICE") to have its police officers designated immigration agents with the authority to enforce federal immigration laws in the City. The proposal was placed on the City Council's December 6, 2005, agenda and passed by a vote of three to two.

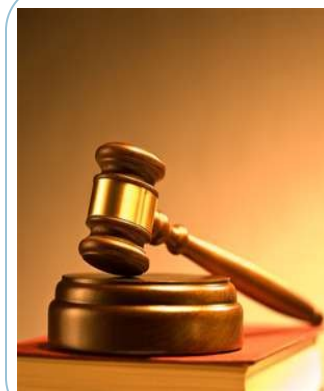
Members of the public were permitted to comment on the ICE agreement. Acosta believed an agreement with ICE would undermine public safety, arguing that it would deter

undocumented workers from reporting crimes against them for fear of deportation. He attended the December 6 council meeting to express his opposition to the proposal. When Acosta’s time came to speak, the video recordings showed that he was visibly emotional and agitated. Toward the end of his comments he called the Mayor a “racist pig,” at which point the Mayor told Acosta to stop. Acosta repeated his slur, which prompted the Mayor to cut Acosta’s speaking time short by calling for a recess. Acosta then responded by calling the Mayor an “f---ing racist pig.” The Council nonetheless passed the proposal. Acosta was subsequently asked to leave the meeting. He resisted the ejection and was placed in handcuffs as a result.

Acosta brought eleven claims against the defendant Mayor, various individuals, and the City. But the core of Acosta’s argument was that § 2-61 unconstitutionally restricted his speech and that as applied to him the defendants selectively enforced § 2-61 based upon Acosta’s opposition and criticism of the Mayor and Council Members at the council meeting.

The appellate court held that the wording of § 2-61, in part, was indeed unconstitutionally overbroad because it could include a substantial amount of non-disruptive protected speech or expressive conduct within its prohibiting language. But also the removal of “insolent” did not defeat the central purpose of § 2-61. The central purpose of § 2-61 was to prevent actual disruptions during and impediments to conducting an orderly council meeting. The court found that the remaining portion of § 2-61 could stand on its own and was independently applicable, even after omitting the word insolent.

The lesson appears to be that you can safely avoid misdemeanor prosecution when publically describing your local City Council representative as an “f---ing racist pig” so long as you do it without being disruptive or disorderly.



...you can safely avoid misdemeanor prosecution when publically describing your local City Council representative as an “f---ing racist pig” so long as you do it without being disruptive or disorderly.



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION



Michael F. Yoshiba
attorney at law

richards | watson | gershon

ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION



355 South Grand Avenue, 40th Floor
Los Angeles, California 90071-3101
Telephone 213.626.8484
Facim ile 213.626.0078
myoshiba@rwglaw.com



Charles Thomas, SR/WA
Real Estate Appraiser, Southern California Edison

Member Spotlight: Charles Thomas, SR/WA

May you live in interesting times, an old Chinese proverb. That is the life working at Southern California Edison (SCE) as a Real Estate Appraiser. SCE is one of the largest investor-owned utility companies and working at SCE is always fascinating. The great thing about working at SCE is experiencing many different aspects of real estate appraisals. You never know what project you will be working on.

I have worked on valuations involving cemeteries, nurseries, self-storages, water rights, rental studies, licenses, access roads, agriculture, solar farms, mitigation lands, pipelines, conservation easements and of course distribution and transmission line easements. One day I can be doing distribution easements in Los Angeles metro or as far north to Central Valley and be in Laughlin, Nevada the next week. You never know what you are going to get and where you are going to be, which makes it challenging but fun and interesting. I really enjoy the combination of the investigative aspects of the appraisal process, doing something new and going out meeting new people. One of my most memorable jobs was doing the valuation of water rights for the Mira Loma Substation in Ontario, which is located in the Chino Basin. It was exciting learning about the adjudication process, going through the water board meetings and interviewing market participants for due diligence.

I was hired back in 2007 as a Real Estate Appraiser for the Tehachapi Renewal Transmission Project (TRTP). The TRTP is a large-scale SCE project to bring alternative renewable wind energy from private wind farms in Kern County to energy consumers in the Los Angeles basin and the state's energy grid. The project was nearly 200 miles long in new transmission line with almost 500 parcel acquisitions. I have never been involved in a large acquisition project before. Prior to that I only did substation projects or road widening.

Other wonderful aspects about working at SCE are the people. There are very many knowledgeable people that worked in the same industry for many years. This is a reflection of the family atmosphere. Over the years, with the help and support of my superiors, I have gained experience in managing the appraisal/valuation element of large acquisition projects for eminent domain proceedings. Working at SCE also steered me to the IRWA organization. To be honest, I never had been that familiar with the organization before until my current manager, Dave Guder, invited me to the chapter meeting on my first week on the job. I really had a good time and have been a member ever since.

Being an appraiser, IRWA serves as a great resource. Often times, I work with people that I never met. Some of them work for agencies and many of them are IRWA members. Attending the meetings allows me to meet many of the people I frequently work with. Over the years, I developed relationships and have relied on them for professional advice. There are many people working on specialized projects or even on related project that you can glean from their knowledge. In addition, after taking several classes and gaining my SR/WA designation, I became more informed about the subtleties of the right-of-way acquisition work.

I have been lucky. I moved to Southern California at the peak of the real estate market, transitioning just at the right time. Prior to working at SCE, I was in northern California for Washington Mutual specializing in multifamily real estate appraisals. This was somewhat of a shock to me coming from the Midwest. Beside the significantly higher costs of living, I never saw drastically different values just one street over such as in San Francisco or low cap rates like in Palo Alto. The saying "You are not in Kansas anymore" was so true!

While I enjoyed living in the bay area, I wanted to pursue other aspects of real estate appraisal. Working at SCE has allowed me to focus more on my family, go back to school and at the same time work on interesting projects. I am currently enrolled in the MBA program at LaVerne University with a concentration in finance. I hope to graduate in May 2013. I am a Certified General Real Estate Appraiser and a Real Estate broker in California. I am also a member of the Appraisal Institute. As soon as I graduate, I wish to focus on the elusive MAI designation. My professional career outside of appraisal includes writing for the American Society for Biochemistry and Molecular Biology back from the college days. In my spare time, I follow my beloved Kansas Jayhawk basketball. I am also a fanatical fisherman and love kayaking.

The TRTP is a large-scale SCE project to bring alternative renewable wind energy from private wind farms in Kern County to energy consumers in the Los Angeles basin and the state's energy grid.

Over the years, with the help and support of my superiors, I have gained experience in managing the appraisal/valuation element of large acquisition projects for eminent domain proceedings. Working at SCE also steered me to the IRWA organization.

Education Report:

In 2010, 2011, and again in 2012, the Chapter One Board authorized the Education Chair to offer the full complement of courses as scheduled. Even in the midst of a difficult economy the Board felt that education is what IRWA is all about and that if we have the ability to continue class offerings without regard for short-term profitability, we should do it. This directive offers an extra bit of confidence that out of town attendees can enroll in a Chapter 1 course with the certainty that the class will go forward as scheduled. Chapter 1 remains committed to course offerings that will make it possible to acquire your SR/WA or any of the certifications within three years. But in service to IRWA and Chapter 1 in particular, your Board and Education Chair remain ready to implement new classes and certifications as needs arise with our members. So if you have a particular class requirement or would like a particular class, please feel free to contact the Education Chair Tom Hanley at 562-619-7044 and request it. We have a fairly full schedule for 2012 and 2013 but can schedule more as needed. What better criteria do we have for scheduling a course other than a member needs it. If one member needs it, many more probably do as well. Remember that we need a minimum 90 days to schedule and market the course being offered.

Course Marketing

Recently there have been many more emails with state of the art graphics promoting Chapter 1's courses and schedule. A big thanks to Konstantin Akhrem and Natasa Lenic who have volunteered their time and efforts toward online presentation and promotion of Chapter 1's course schedule. So if you see an email from Chapter 1 have a look because the graphics are bold and colorful and it may very well be about a course you need.

Online Courses

Soon Chapter 1 will begin enthusiastically supporting IRWA's online courses. If you can't get away from work or you miss a classroom course you need, check the IRWA website. It is probably there.

Chapter 1 Scholarships

Your Chapter 1 Board is currently setting up a scholarship program for Chapter 1 members. We are currently discussing the implementation of such a program but still are committed to maintaining financial integrity in whatever we decide to do. So stay tuned.



Tom Hanley, PE
Crimson Pipeline
Education Chair

We have a fairly full schedule for 2012 and 2013 but can schedule more as needed. So if you have a particular class requirement or would like a particular class, please feel free to contact the Education Chair Tom Hanley at 562-619-7044 and request it.



Natasa Lenic
Relocation Planning Consultant

- Relocation Plans • Replacement Housing Plans • Cost Estimates • Escrow Accounts • Compliance with CGC 7260, CCR Title 25, URA, HUD, LIHTC, TCAC, CDLAC • Budgets • Property Management • RE Broker

310.720.9517

nLenic@excite.com



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

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

Photos: Course 802 – August 16, 2012



Course 802 was enjoyed by 15 participants ; from Reno, NV to Oceanside, CA , and everywhere in between



Facilitator, Mr. Joachim Pestinger, presented a wealth of knowledge and experience on easements

California's Boutique Eminent Domain Law Firm

CALIFORNIA
EMINENT DOMAIN
LAW GROUP

a Professional Corporation—Attorneys at Law

Trusted by California agencies to provide the highest quality and most cost effective legal service in eminent domain matters

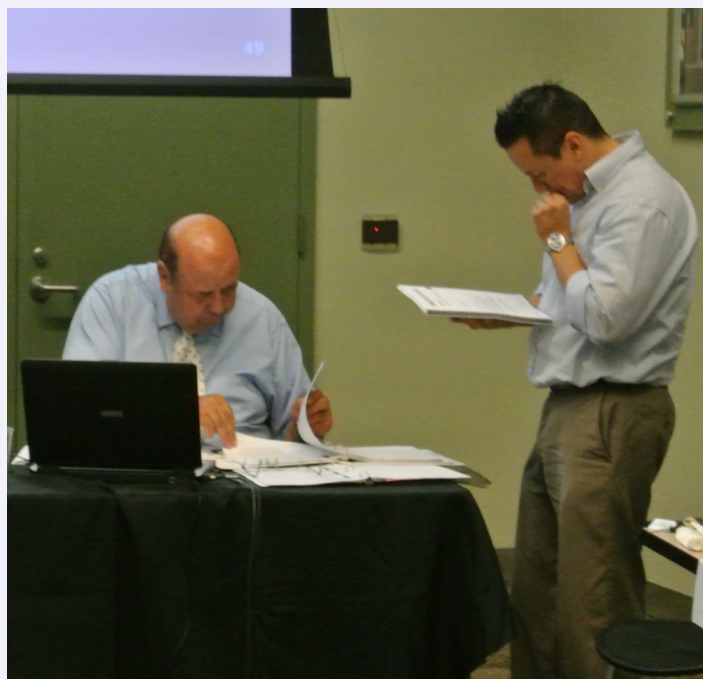


A.J. Hazarabedian
Glenn L. Block
Artin N. Shaverdian

(818) 957-0477
(818) 957-3477 (fax)
info@caledlaw.com

3429 Ocean View Blvd., Suite L
Glendale, California 91208
www.caledlaw.com

Photos from Course 802 – August 16, 2012 (continued)



Course attendee studying a difficult problem with the help from the instructor



During the breaks participants took the opportunity to network with other attendees

Program/Project Management

Appraisal and Appraisal Review

Right of Way Services

Property Management

Real Property Acquisition

Title Research/Due Diligence

Relocation Assistance

Federal and State Permitting



Paragon Partners Ltd.

...a pattern of excellence

888-899-7498

www.paragon-partners.com

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

Photos from Course 802 – August 16, 2012 (continued)



Course attendees sharing experiences during the break or taking the time to check in with the office and respond to emails; participants who were taking the exam at the conclusion of the class might have spent some break time preparing for the exam.



Another great benefit of attending one of Chapter 1 courses is the experience shared by the participants not found in books; from Frank we all learned how things are done across the border in Reno, NV and their practice certainly is different. During the introduction to the class participants learned about each other and their goals for the course.

Photos from Course 802 – August 16, 2012 (continued)



Legal aspects of easements course included topics like easements by necessity, easements by estoppels, easement by prescription, easement in gross either personal or commercial, express reservation or exception, easement appurtenant, implied grant or reservation, servient and dominant estates, blanket easements, easement relocation, negative easements, easement termination by release, merger, adverse possession, eminent domain, foreclosure or vacation. Mr. Pestinger described various types of easements with examples from his work life and spent breaks gladly explaining the more difficult aspects of easements. Course participants appreciated his dedication to delivering a valuable class experience.



Chapter 1 Membership Co-Chair, Marilyn, attended the course to keep up with requirements of her SR/WA and while there she also took care of some chapter business like asking for newsletter contributions and recruiting new members.



Converse Consultants

**Geotechnical Engineering
Environmental & Groundwater Science
Inspection & Testing Services**

Converse Consultants Corporate Office

222 E. Huntington Drive, Suite 211
Monrovia, CA 91016
Ph: (626) 930-1200
Fax: (626) 930-1212

Contact: Norman Eke, REA-I, CAC
Senior Vice President/Managing Officer
neke@converseconsultants.com

Other Southern California Locations

10391 Corporate Drive
Redlands, CA 92374
Ph: (909) 796-0544
Fax: (909) 796-7675

185 E. Paularino Avenue, Suite B
Costa Mesa, CA 92626
Ph: (714) 444-9660
Fax: (714) 444-9640

40810 Country Center Drive, Suite 100
Temecula, CA 92591
Ph: (951) 696-4851
Fax: (951) 445-4301

www.converseconsultants.com

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

Photos: SR/WA Review Session – August 27-29, 2012



Our SR/WA Review Session and Exam held at the Energy Resource Facility in Downey, attracted SR/WA candidates from Jacksonville, FL to Phoenix, AZ as well as local right of way professionals for a total of seven participants.

**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

MAKING IT HAPPEN.

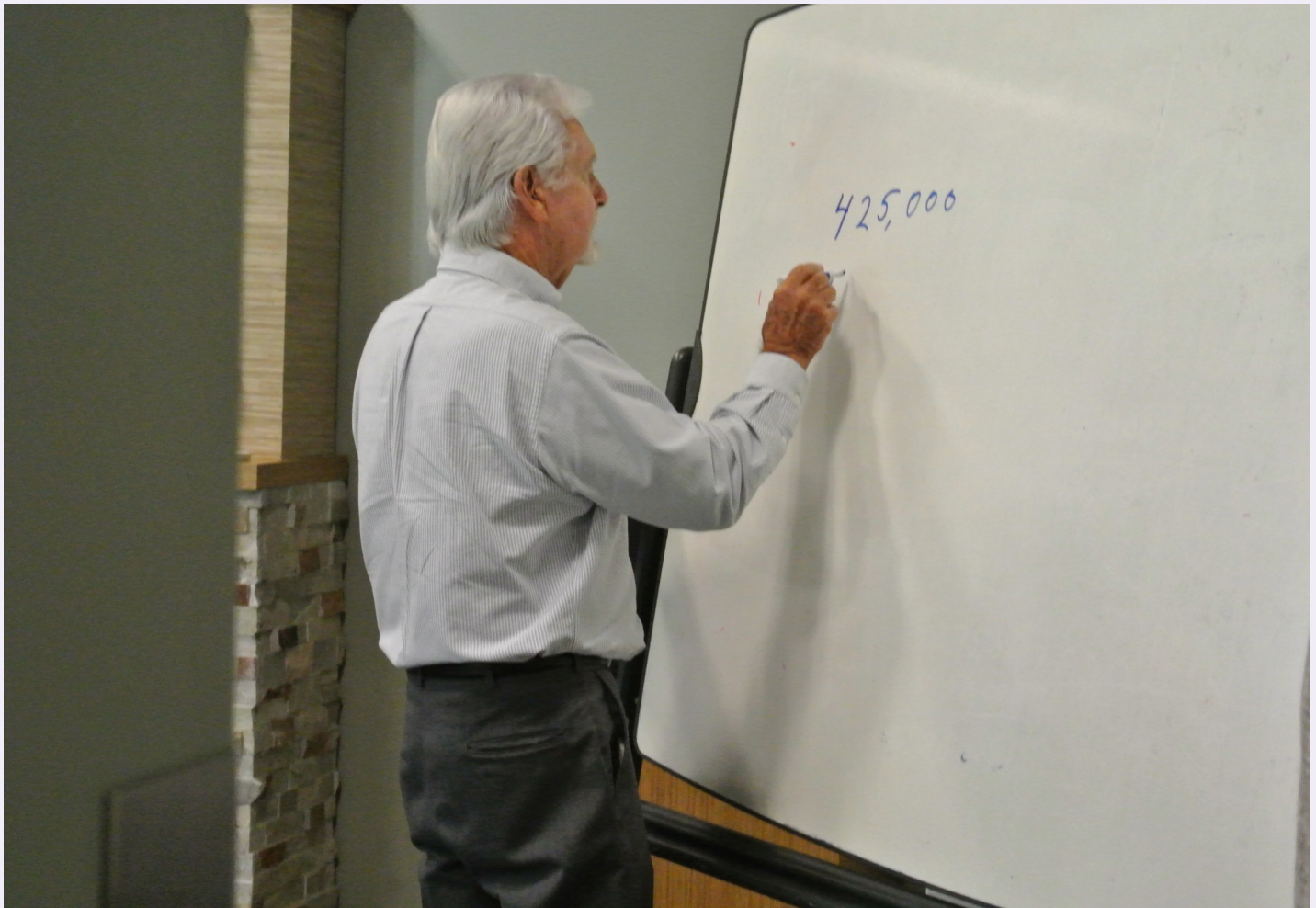
Right-to-take challenges. Valuation disputes. Relocation issues. Business goodwill negotiations. Pre-condemnation delay claims.

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

Photos from SR/WA Review Session – August 27-29, 2012 (continued)



Photos from SR/WA Review Session – August 27-29, 2012 (continued)



Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

Environmental Report:

Attorney-Client and Work Product Privileges

The following is not legal advice and is intended to provide general information about Environmental Consultants' (and related other non-legal professionals') involvement with Attorney-Client Privileged Work Product. The reader should seek appropriate legal counsel for all related matters.

Environmental Consultants participating in Right-of-Way projects are typically just one of many professionals on a project team which often includes Legal Counsel. There are certain times when environmental information generated by a Consultant needs to be prepared in such a manner as to protect that information for legal considerations. In those instances, the work is completed as privileged information or work product.

Typically, this is accomplished by making sure that all correspondence and draft reports contain language similar to: "Privileged and Confidential, Attorney-Client Communication, Attorney Work Product". In some instances, final reports will also contain this language. Hard copy files used to store correspondence, field notes, memorandums, pictures, etc. are also marked on the outside of the folder with similar language.

Distribution of privileged information, either intentional or not, outside the attorney-client relationship, can waive the privilege. Therefore, it is crucial to keep privileged information confidential. Contract language that requires the generation of information as privileged usually will have related clauses that require confidentiality.



Norman Eke, Converse Consultants, Inc.
Environmental Chair

Environmental Consultants participating in Right-of-Way projects are typically just one of many professionals on a project team which often includes Legal Counsel.



Integra Realty Resources
Los Angeles

REAL PROPERTY APPRAISALS AND LITIGATION SUPPORT

CONTACT

John G. Ellis, MAI, CRE, FRICS
jellis@irr.com
818.290.5444

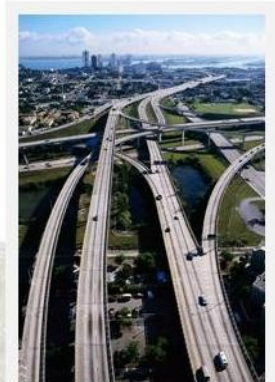
Beth B. Finestone, MAI, FRICS
bfinestone@irr.com
818.290.5455

William Larsen, SR/WA
wlarsen@irr.com
818.290.5428

Aaron Z. Aftergut
aaftergut@irr.com
818.290.5434

www.irr.com/losangeles

- Alternative project property acquisition cost analyses
- Eminent domain appraisals for full or partial takings, including easements
- Appraisals governed by state or federal standards (including "Yellow Book" standards)
- Inverse condemnation analysis
- Appraisals for land-secured bond financing
- Expert testimony
- Approved by the State Bar of California as a Multiple Activity Provider for MCLE Credit



To preserve Attorney-Client privilege, contracts may limit client-attorney communications to an established group of “need to know” individuals and avoid disclosure to any third parties, including employees within the same firm, outside consultants, and family members. Employees who fall outside of this control group are required to be notified in writing when confidential information is disclosed to them. Even casual reference to privileged communications must be contractually avoided outside the control group.

Consultants need to pay attention to details and properly execute contract requirements around the generation of privileged information and confidentiality. For additional information about preserving the Attorney-Client Privilege and Work-Product Protection see the following resources:

United States Department of Justice, Office of Information Policy, FOIA Update Vol. VI, No.2, Attorney-Client Privilege
http://www.justice.gov/oip/foia_updates/Vol_VI_2/page3.htm

United States Department of Justice, Office of Information Policy, FOIA Update Vol. VI, No.3, Attorney Work-Product Protection
http://www.justice.gov/oip/foia_updates/Vol_IV_3/page6.htm

CEB Blog, 7 Simple Rules to Preserve Attorney-Client Privilege
<http://blog.ceb.com/2011/05/11/7-simple-rules-to-preserve-attorney-client-privilege/>

American Bar Association, Business Lawyers: Listen Up! Attorney-client privilege isn't just for trial lawyers.
<http://apps.americanbar.org/buslaw/blt/2005-05-06/spahn.shtml>



Even casual reference to privileged communications must be contractually avoided outside the control group.



"Working Late for your Energy Needs"

A HIGHLY QUALIFIED STAFF WITH OVER 200 YEARS OF COMBINED EXPERIENCE!

Specializing in

**Oil & Gas Title and Leasing • Right-of-Way Acquisitions, Options, and Pre-Litigation Review
 Due Diligence • Contract Negotiations • Project Management • Title Review and Analysis • Abstracts of Title • Preliminary Route
 Feasibility Assessments • Title Reports • Division Orders • Water Disposal Wells
 Facility Lease Acquisitions • Permitting • Entitlements • Surface Waivers • Public Relations
 Litigation/Environmental Title Abstracts • Wind Energy Land Management • In-House Contract Services • In-House ArcGIS Mapping
 Solar Energy Land Management • Surface Damage Negotiations • Expert Witness Deposition and Testimony**

Richard C. Peace, President **Tyler W. Tilbury, Project Manager**
Rick@WhiteWolfLand.com Tyler@WhiteWolfLand.com

**1412 17th Street, Suite 560
 Bakersfield, California 93301
 661.324.WOLF (9653) • 661.283.8643 (Facsimile)
 Toll Free 877.600.WOLF (9653)
 Visit our website at www.WhiteWolfLand.com**

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!



Hodges Lacey & Associates, LLC

Fixtures, Machinery & Equipment

APPRAISALS • CONSULTING • LITIGATION SUPPORT

Rich Hodges, ASA

Cell: (310) 528-0608

844 9th Street, Unit 5
Santa Monica, CA 90403

Office: (800) 308-9860

Fax: (800) 934-8092

rich@hlappraisal.com

www.hlappraisal.com



WWW.DMAVALUE.COM
(310)216-1400

APPRAISALS OF
LOSS OF GOODWILL
FIXTURES & EQUIPMENT

AARON AMSTER
MADELINE MAMAUX
MARCUS PIGROM



Valentine Appraisal & Associates

Agricultural
Commercial
Industrial
Residential
Right of Way

Gary Valentine

MAI, ASA, SR/WA, CCIM

Certified General Real Estate Appraiser AG6526

Phone: 661.288.0198

Fax: 661.288.0197

gsv@valentineappraisal.com

www.valentineappraisal.com

23942 Lyons Avenue, Suite 212, Santa Clarita, CA 91321

**Advertising space available—
contact us to reserve your
space!**



Epic Land Solutions, Inc.

Right of Way/Real Property Services

UDBE- CA Underutilized Disadvantaged Business Enterprise
M/W/ESB- OR Minority, Women, Emerging Small Business

Services Offered

- Project Management
- Negotiation/Acquisition
- Feasibility/Cost Studies
- Cost Estimating
- Construction Mitigation
- GIS & Database Development
- Appraisal & Appraisal Review
- Community Outreach
- Title Examination
- Documentation & Records Management
- Relocation Assistance
- Temporary Relocation
- Utility Relocation
- Property Management
- Demolition & Clearance
- Excess Land Disposal
- Franchising/Permitting
- Site/Route Selection
- Due Diligence
- Asset Management

Qualifications

- Licensed Real Estate Brokers
- Licensed Real Estate Sales Persons
- Senior Right of Way Members (SR/WA)
of the International Right of Way Association
- Licensed General Contractor
- Certified Property Manager (CPM®)
- Commissioned Notaries
- Certified Public Accountant
- Bilingual Agents

CREATING LAND SOLUTIONS FOR THE PUBLIC GOOD
www.EpicLand.com

2601 Airport Drive
Suite 115
Torrance, CA 90505
(310) 626-4848

3850 Vine Street
Suite 200
Riverside, CA 92507
(951) 321-1800

2815 Camino Del Rio So.
Suite 245
San Diego, CA 92108
(619) 822-2763

9600 SW Oak Street
Suite 570
Portland, OR 97223
(503) 213-3977

Overland, Pacific & Cutler, Inc.

***Right of Way Services
for your Project Team***



***Building relationships,
delivering projects.***

- Right of Way Acquisition
- Program Management
- R/W Risk Management
- Relocation Assistance
- Real Estate Appraisal
- Project Cost Studies
- R/W Data Sheets
- Utility Coordination
- Property Management

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

800.400.7356 | www.OPCservices.com

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!



Chapter 1 - Los Angeles County Presents
2012 Annual Fall Seminar

Tuesday, October 23, 2012
 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 and Continental Breakfast	12:15 p.m.	LUNCH: Recovering from the Recovery... What's Next for the U.S. and California <i>Speaker: Jordan Levine, Economist and Director of Economic Research Beacon Economics, LLC</i>
8:00 a.m.	Getting Right of Way is Important; Getting Rid of Right of Way is Just as Important <i>Speaker: Edmond Yew, Manager, Land Development City of Los Angeles</i>	1:30 p.m.	BREAK
9:00 a.m.	Legal Developments Impacting the Right of Way Profession <i>Speakers: Michael Yoshiba, Esq. and Regina Danner, Esq. Richards, Watson & Gershon</i>	1:45 p.m.	Relocation Claim Documentation <i>Speakers: Konstantin Akhrem, Relocation Assistance Specialist and Richard Saretsky, R/W-RAC, Senior Right of Way Agent Caltrans</i>
10:00 a.m.	BREAK	2:45 p.m.	Incredible Shrinking Industry: Affordable Housing <i>Speaker: William Huang, Director of Housing City of Pasadena</i>
10:15 a.m.	Interesting (and Sometimes Funny) Experiences in the Legal Profession: A Judge's Perspective <i>Speaker: Hon. Edward J. Wallin (Ret.)</i>	3:45 p.m.	BREAK
11:15 a.m.	The Condemnation of Underwater Mortgages: Will It Float? <i>Speakers: Rick Rayl, Esq. and Bernadette Duran-Brown, Esq. Nossaman LLP</i>	4:00 p.m.	Understanding and Using the Goodwill Valuation Report <i>Speaker: William W. Thomsen, MBA, CFA, ASA, President and Founder Thomsen LLC</i>
		5:00 p.m.	Closing Remarks

APPROVALS

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

Approved—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
2012 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 10/15/12)

\$105 Member; \$120 Non-member (if received after 10/15/12)

Lunch only - \$25 (Vegetarian available upon request)

Make checks payable to:

IRWA Chapter 1
c/o David Graeler, Esq.
Nossaman LLP
777 South Figueroa Street, 34th Floor
Los Angeles, CA 90017
213.612.7800

Please direct inquiries to:

David Graeler, Esq. Kelly Kitasato, R/W-AMC
(213) 612-7800 (626) 744-7356
dgraeler@nossaman.com kkitasato@cityofpasadena.net

8 HOURS MCLE Credit - **Pending**

8 HOURS SR/WA Recertification Credits - **Approved**

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.****

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

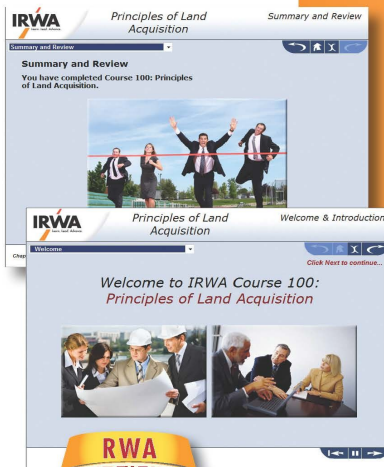


Take the first step toward a Right of Way Agent Certification.

Course 100 now available online



Our Members are Current / Credentialed / Connected



Principles of Land Acquisition

This four-day introductory course is designed as an overview of those with minimal or no experience in the right of way field.

For the non-certified member, this is the first step in obtaining the Right of Way Agent (RWA) certification and ultimately leads to the Senior Right of Way Professional Designation!

Topics:

- Real property law concepts
- Acquisition/negotiations
- Property descriptions
- Relocation due to acquisition of real property interest
- Environmental concerns
- Appraisal of real property
- Asset (property) management

Visit www.irwaonline.org for complete Online Education details.

For questions, please contact education@irwaonline.org or (310) 538-0233, ext 138, or Canadian Toll-Free (888) 340-IRWA (4792).



19210 South Vermont Avenue | Building A, Suite 100 | Gardena, CA 90248
www.irwaonline.org

© 2012 International Right of Way Association — All Rights Reserved

Visit us on the web www.irwa-chapter1.org for latest Chapter 1 news and announcements

2012 – 2013 Officers and Executive Board

President International Director	David Graeler, Esq. Nossaman LLP	(213) 612-7800	dgraeler@nossaman.com
President-Elect International Director	Kenneth Stanberry, SR/WA Port of Los Angeles	(310) 732-3525	kstanberry@portla.org
Treasurer	Theresa Armistead Overland, Pacific & Cutler, Inc	(951) 207-7890	tarmistead@opcservices.com
Secretary	Norman S. Eke Converse Consultants	(626) 930-1260	neke@converseconsultants.com
Professional Development	Andrew Thompson, SR/WA * Southern California Gas Company	(213) 244-5032	athompson@semprautilities.com

2011 – 2012 Appointed Committees (Alphabetically)

Asset Management	Kelly Kitasato, R/W-AMC City of Pasadena	(626) 744-7356	kkitasato@cityofpasadena.net
Communication & Newsletter Editor	Natasa Lenic Relocation Planning Consultant	(310) 720-9517	natasa.lenic@yahoo.com
Education	Tom Hanley, P.E. * Crimson Pipeline	(562) 285-4128	thanley@crimsonpl.com
Engineering/Surveying	Art Cordero City of Los Angeles	(213) 482-7179	apcor75a@yahoo.com
Environmental	Norman S. Eke Converse Consultants	(626) 930-1260	neke@converseconsultants.com
Fall Conference	Kelly Kitasato, R/W-AMC, Co-Chair City of Pasadena	(626) 744-7356	kkitasato@cityofpasadena.net
	David Graeler, Esq. Nossaman LLP	(213) 612-7800	dgraeler@nossaman.com
Law	Michael F. Yoshiba, Esq Richards Watson & Gershon	(213) 626-8484	myoshiba@rwglaw.com
Local Public Agency	Kelly Kitasato, R/W-AMC City of Pasadena	(626) 744-7356	kkitasato@cityofpasadena.net
Luncheon	Aaron Aftergut Integra Realty Resources—Los Angeles	(818) 290-5434	aaftergut@irr.com
Membership	Marilyn Stuart, SR/WA, R/W-NAC, Co-Chair Sanitation Districts of LA County	(562) 908-4288 ext. 2756	mstuart@lacsdsd.org
	Diane Dominguez, Co-Chair LACMTA	(213) 922-5253	dominguezd@metro.net
	Charles Thomas, SR/WA, Co-Chair Southern California Edison	(626) 302-4186	charles.thomas@sce.com
Nominations & Elections	Konstantin Akhrem * Relocation Assistance Specialist	(310) 617-0251	konstantin@irwa-chapter1.org
Pipeline	Gary Valentine, SR/WA, MAI * Valentine Appraisal & Associates	(661) 288-0198	gsv@valentineappraisal.com
Relocation	Dionisio (Dio) Marquez, Co-Chair Del Richardson & Associates	(310) 645-3729 ext. 226	dionisio.marquez@drainc.com
	Konstantin Akhrem *, Co-Chair Relocation Assistance Specialist	(310) 617-0251	konstantin@irwa-chapter1.org
Transportation	Darryl Root, JB, MBA, R/W-RAC Paragon Partners Ltd	(714) 379-3376 ext. 213	droot@paragon-partners.com
Utilities	Mangione Mitchell Southern California Gas Company	(213) 503-1791	mmitchell@semprautilities.com
Valuation	William Larsen, SR/WA *, Co-Chair Integra Realty Resources—Los Angeles	(818) 290-5428	wlarsen@irr.com
	Brad Thompson, SR/WA, Co-Chair Mason & Mason	(818) 957-1881	bthompson@mason2.com
Webmaster	Konstantin Akhrem * Relocation Assistance Specialist	(310) 617-0251	konstantin@irwa-chapter1.org

Contact us today to share your expertise, announcements and experiences. Members would like to hear from you!

Join...

Participate...

Grow...

IRWA - Chapter 1

IRWA Headquarters Address
19210 S. Vermont Ave., Building A, Suite 100
Gardena, CA 90248
Phone: 310-538-0233
www.irwaonline.org

IRWA Chapter 1 - your valuable partner
in the advancement of your career.

VISIT OUR
WEBSITE
OFTEN

Your computer may be showing old web pages of our web site from temporary files stored by your browser. To be sure you are viewing the *current* content, hit the "refresh" button in your browser.

www.irwa-chapter1.org



Members' NEWS Welcome. Chapter 1 members are welcome to submit articles of interest for publication in the Chapter's Newsletter. Technical articles may be subject to evaluation and/or revision by the appropriate industry committee.

Local Public Agencies are welcome to submit news releases, RFP/RFQ, and announcements relevant to the sphere of public real estate and right-of-way practices. Your news will be published on the chapter's web site and/or this Newsletter.

Members can easily update their contact information simply by sending it to **Natasa Lenic**, Communication Chair:

nLenic@irwa-chapter1.org

Tel (310) 720-9517

Natasa will update the chapter's distribution list and submit your new contact information to the IRWA Headquarters.

Our website has been enhanced for better navigation as well as timely and relevant content. We are updating it with News and Announcements regularly. Please visit the website to see the **always current** Calendar, Course Schedule, Announcements, and other **timely and relevant information**.

Members' contributions to the website and newsletter are welcome as are suggestions for improvements, photographs to be shared with other members and any other ideas we could all benefit from.

Editor's Corner:

In Remembrance of 9/11/2001

The September 11 attacks (also referred to as September 11, September 11th, or 9/11) were a series of four coordinated suicide attacks upon the United States in New York City and the Washington, D.C. areas on September 11, 2001. On that Tuesday morning, 19 terrorists from the Islamist militant group al-Qaeda hijacked four passenger jets. The hijackers intentionally flew two of those planes, American Airlines Flight 11 and United Airlines Flight 175, into the North and South towers of the World Trade Center complex in New York City; both towers collapsed within two hours. The hijackers also intentionally crashed American Airlines Flight 77 into the Pentagon in Arlington, Virginia, and intended to pilot the fourth hijacked jet, United Airlines Flight 93, into the United States Capitol Building in Washington, D.C.; however, the plane crashed into a field near Shanksville, Pennsylvania, after its passengers attempted to take control of the jet from the hijackers.



Nearly 3,000 people died in the attacks, including all 227 civilians and 19 hijackers aboard the four planes. The 9/11 attacks had immediate effects upon the American people. Police and rescue workers from around the country took leaves of absence, traveling to New York City to help recover bodies from the twisted remnants of the Twin Towers. Blood donations across the U.S. surged in the weeks after 9/11. The deaths of adults who were killed in the attacks or died in rescue operations resulted in over 3,000 children losing a parent.

Eleven years later - it is rightly a day of remembrance.

Visit us on the web www.irwa-chapter1.org for latest Chapter 1 news and announcements