



FEBRUARY-MARCH 2013



President's Message – David Graeler, Esq.

Dear Members:

Well, we just “sprung forward” which means warm weather is on the way (or already here) and it’s time to start planning family vacations! If you’re like me, warmer weather and sunshine just seem to make each day better. It doesn’t hurt that I leave on my own family vacation at the end of the month to visit Japan for two weeks! I can’t wait to spend time with family, see sights, enjoy great food, and see the cherry blossoms! I’m also going to ride on Japan’s famed bullet train to visit Kyoto from Tokyo. It’s hard to believe that our great state of California is embarking on efforts to be the nation’s pioneer in high speed rail. As the saying goes, we live in interesting times! I hope all of you are able to spend some quality time with family too. I really enjoy this time of year and I hope you do too.



The coming of Spring also means that Chapter 1’s annual Valuation Seminar is around the corner. This year, the Valuation Seminar is taking place on April 23 at the Quiet Cannon in Montebello. Bill Larsen, SR/WA and Brad Thompson, MAI, SR/WA have assembled a very strong slate of speakers, and I encourage all of you to attend. You

may find registration details within this newsletter.

Our next chapter event is our annual joint luncheon with the Southern California Chapter of the Appraisal Institute. The luncheon is taking place on March 19 at Steven’s Steakhouse in the City of Commerce. The Appraisal Institute has lined up Rick Rayl, Esq. and Brad Kuhn, Esq. of Nosaman LLP to speak at the luncheon. They will be discussing new legal decisions that impact valuation issues in eminent domain actions. We will also be announcing nominees for Chapter 1’s elected officers for the 2013-2014 fiscal year. You won’t want to miss it! Please contact luncheon chair Aaron Aftergut for registration details.

Finally, if you haven’t already done so, please be sure to take advantage of Chapter 1’s educational promotion where all Chapter 1 members who have paid their 2013 dues receive one free day for any course hosted by Chapter 1. Please contact membership co-chairs Marilyn Stuart, SR/WA, Diane Dominguez, or Charles Thomas, SR/WA with questions.

Sincerely,

David Graeler, Esq.
Chapter 1 President

For your calendar:

- **3/19/13**— March Luncheon with Appraisal Institute at Steven’s Steakhouse in Commerce
- **4/5/13**— Introduction to the Income Capitalization Approach (Course #402)
- **4/5/13**— Region 1 Educational Seminar in Santa Barbara
- **5/9/13**— Managing the Consultant Process (Course #303)
- **5/17/13**— When Public Agencies Collide (Course #304)

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JOIN US

IRWA Chapter 1 Luncheon with Appraisal Institute

Host:
Aaron Aftergut
818-290-5434

When:
Tuesday, March 19 from 11:30 AM to 1:00 PM

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



Rick Rayl, Esq.
Nossaman LLP

You are cordially invited to join IRWA Chapter 1 at our annual joint luncheon with the Southern California Chapter of the Appraisal Institute.

Our guest speakers will be prominent attorneys Rick Rayl, Esq. and Brad Kuhn, Esq. of Nossaman, LLP. The topic of their presentation will be:

"2012 Eminent Domain Year in Review and 2013 Forecast"

In this presentation Rick and Brad will discuss eminent domain, inverse condemnation, and other related real estate and business valuation matters.

Luncheon Guest Speakers—Rick Rayl, Esq and Brad Kuhn, Esq

Rick Rayl is the Chair of Nossaman's Eminent Domain and Valuation Practice Group, among the largest in California. He has experience litigating a broad range of complex civil litigation issues. His practice is concentrated primarily on eminent domain, inverse condemnation, and other real-estate-valuation disputes. Mr. Rayl represents property owners, lessees, and public agencies in all aspects of real-estate-valuation disputes, including: Precondemnation planning, offers, and negotiations; Right-to-take challenges and disputes concerning prejudgment possession; Relocation claims and disputes; Fair market value disputes; Claims for loss of business goodwill and other business claims; Claims for precondemnation damages and blight; Inverse condemnation and other property-damage claims; and Regulatory takings.

Mr. Rayl also advises developers and property owners on various aspects of land use entitlement disputes, unlawful detainers and other lease disputes, and other types of real property disputes.



Bradford Kuhn, Esq.
Nossaman LLP

Brad Kuhn specializes in real estate and business litigation, with an emphasis on eminent domain, inverse condemnation, and other valuation and land use matters. He provides strategic advice to property owners, businesses, and public agencies to creatively resolve complex land acquisition and valuation disputes through effective planning and litigation practices. Mr. Kuhn has successfully handled hundreds of condemnation matters, including some of the largest, multi-million dollar eminent domain and valuation cases in California.

Mr. Kuhn also has extensive experience handling a wide array of real estate and business matters. He assists clients with lease and purchase-and-sale agreement disputes, title, easement and boundary issues, unlawful detainer actions, and other land use, environmental and entitlement matters.

The American Lawyer & Martindale Hubbell have both recognized Mr. Kuhn as a "2013 Top Rated Lawyer in Land Use and Zoning." In 2012, *OC Metro* named Mr. Kuhn as one of the top 5 Land Use/Zoning Law attorneys in Orange County. He has also been repeatedly recognized by *Los Angeles* magazine as a "Southern California Rising Star," and he is Preeminent AV® rated by Martindale Hubbell, the highest designation of professional excellence. Mr. Kuhn frequently speaks at right-of-way and valuation industry organizations, such as the International Right of Way Association (IRWA), the Appraisal Institute, and the American Society of Appraisers, and he serves on the Executive Board of the Riverside/San Bernardino Chapter of the IRWA. He also regularly writes articles on court decisions and policies impacting eminent domain for the *Daily Journal* and on the Firm's California Eminent Domain Report blog.

Upcoming IRWA Chapter 1 Courses:

Date	No.	Title	Coordinator	Instructor
Apr 5, 2013	# 402	Introduction to the Income Capitalization Approach	Konstantin Akhrem 310-617-0251 konstantin@irwa-chapter1.org	Michael E. Lahodny
May 9-10, 2013	# 303	Managing the Consultant Process	William Larsen 818-290-5428 wlarsen@irr.com	James H. Finnegan, SR/WA
May 17, 2013	# 304	When Public Agencies Collide	William Larsen 818-290-5428 wlarsen@irr.com	William Busch, SR/WA
May 29, 2013	#431	Problems in the Valuation of Partial Acquisitions	Natasa Lenic 310-720-9517 natasa.lenic@yahoo.com	David Layne, SR/WA



Tom Hanley, P.E.
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
(714) 394-5648
tghlmh@earthlink.net

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

Upcoming IRWA Chapter 57, 67 and 11 Courses:

Date	No.	Title	Coordinator	Instructor
Mar 20-22, 2013	# 201	Communications in Real Estate Acquisition	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcca.org	Carol L. Brooks, SR/WA
Apr 8, 2013	# 603	Understanding Environmental Contamination in Real Estate	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcca.org	Fred Walasavage
Apr 9, 2013	# 604	Environmental Due Diligence and Liability	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcca.org	Fred Walasavage
Apr 22-25, 2013	# 100	Principles of Land Acquisition	Angela Hill 951-826-5330 ahill@riversideca.gov	Carol L. Brooks, SR/WA
May 9, 2013	# 703	Real Property Asset Management	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcca.org	Georgia Snodgrass, SR/WA, R/W-NAC, R/W-AMC
May 10, 2013	# 104	Standards of Practice for the Right of Way Profession	Mike Flanagan, SR/WA 858-522-6914 mflanagan@sdcca.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.
Law Chair
Richards Watson & Gershon,
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Adverse possession is the statutory procedure by which title to real property can be obtained from a landowner without their consent or agreement.

This deed is an instrument called a “wild deed”. A wild deed is one that transfers property rights from someone who is not the official record owner.

Case of the Month:

The “Business” of Acquiring Properties by Adverse Possession **Aguayo v. Amaro**

(B231194 - Filed 1/31/13)

(Court of Appeal of the State of California, Second Appellate District, Division Three)

Adverse possession is the statutory procedure by which title to real property can be obtained from a landowner without their consent or agreement. Sofia and Jesus Duran Aguayo (collectively “Aguayos”) testified that they are in the “business” of acquiring properties by adverse possession.

A lawsuit was filed by Aguayos seeking to acquire title to certain property (“Subject Property”) by adverse possession from the estate of the deceased owner of record, Isabel Infante (“Property Owner”). The Property Owner’s estate in probate responded to the suit through one of their potential successors-in-interest, Michelle Amaro (“Amaro”). Amaro was designated as the special administrator of the Infante estate and contested the adverse possession claim. The trial court found that the Aguayos’ claim of title to the Subject Property by adverse possession was barred by the doctrine of unclean hands. Aguayos appeal the application of the unclean hands defense among other issues.

DISCUSSION

The Aguayos presented undisputed evidence that they satisfied all elements of adverse possession against the Property Owner: “(1) Possession must be by actual occupation under such circumstances as to constitute reasonable notice to the owner. (2) It must be hostile to the owner’s title. (3) The holder must claim the property as his own, under either color of title, or claim of right. (4) Possession must be continuous and uninterrupted for five years. (5) The holder must pay all the taxes levied and assessed upon the property during the period.” (citation omitted)

But Amaro argued that the above-noted requirement that the “holder” pay all of the tax levied was satisfied only through dishonest and unfair means, through the Aguayos unclean hands. The Aguayos had caused a deed to be filed and recorded purporting to transfer the title to the Subject Property from Jesus Duran to the Aguayos, but Isabel Infante was the true owner of record on that day, not Jesus Duran. This deed is an instrument called a “wild deed”. A wild deed is one that transfers property rights from someone who is not the official record owner.

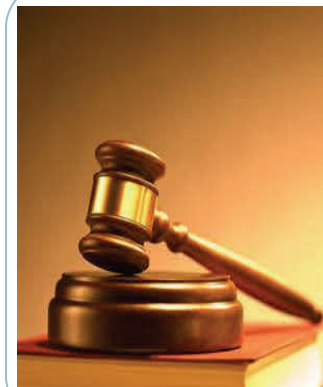
The Aguayos wild deed caused the annual property tax bills to be sent to a new mailing address. The court found that the Property Owner was prevented from the opportunity to review and pay the property tax bills because of the

Aguayos' wild deed requested and changed the mailing address of the tax bills. The doctrine of unclean hands requires that a party seeking to get a particular judicial remedy act fairly in the matter for which they are seeking a remedy and they must come into court with clean hands, and keep them clean, or they will be denied relief, regardless of the merits of their claim. (citations omitted)

The act of recording the wild deed was an intentional and deceitful act, the court citing this act as almost criminal in nature, for the purpose of diverting tax bills away from the Subject Property and to interfere with the true owner's payment of the property taxes. This is the kind of bad faith and unconscionable conduct that a trial court sitting as a court of equity, can reasonably conclude is sufficient to invoke the doctrine of unclean hands. And it should be noted that it did not help the Aguayos' cause that they were also the subject of a 22-count criminal indictment for conduct associated with their adverse possession business, including 7 counts concerning questionable acts pertaining to the Subject Property.

CONCLUSION

The appellate court affirmed that the trial court correctly applied the unclean hand doctrine defense against the adverse possession claim and not an abuse of discretion.



This is the kind of bad faith and unconscionable conduct that a trial court sitting as a court of equity, can reasonably conclude is sufficient to invoke the doctrine of unclean hands.



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Michael F. Yoshiba
attorney at law

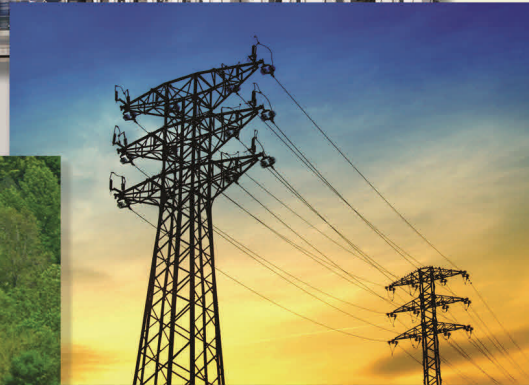
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Education Report:

Chapter 1 Education Classes

Check the Chapter 1 website for upcoming course offerings in the near future. (Course 700 in March, Course 402 in April, Courses 303, 304, 431 and 406A in May) Chapter 1 is now fully supporting the online course offerings. However there has been little interest in online courses shown by Chapter 1 members. So at the last Board meeting, your Board decided, that at least for now, there would be no change in the classroom course offerings. So you still can get your SR/WA or any of the certifications within a three year period by face to face classroom offerings alone. Of course our members can always take advantage of the online courses if so desired.

Chapter 1 Scholarships

Beginning in January your Chapter 1 Board has approved a scholarship program that will allow every Chapter 1 member a free course day once a year. Please note that this program does not apply to online courses so please contact the class Coordinator if you plan to use your scholarship. This is absolutely necessary since online registration will not be available for scholarship usage. Details about the scheduled coordinator for each class can be found on the Chapter 1 website.

If You Need a Particular Course

If you have a particular class requirement or would like a particular class, please feel free to contact the Education Chair Tom Hanley at 714-394-5648 and request it. We have a fairly full schedule for Fiscal 2013 but can schedule more as needed.

Course Marketing

Recently there have been many more emails with state of the art graphics promoting Chapter 1's courses and schedule. 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.

Lately we have noticed that course registrations accelerate near the scheduled date and it appears that more emails seem to help fill our classes even the last week. At the same time we have gotten complaints about "excessive" emails and are afraid of junk mail filters and the general aggravation of our members. So maybe you have some ideas on this? We would like to hear from you.



Tom Hanley, PE
Education Chair

So you still can get your SR/WA or any of the certifications within a three year period by face to face classroom offerings alone. Of course our members can always take advantage of the online courses if so desired.

FREE COURSE OFFERING

Exclusively for Chapter 1 Members in 2013!

GREAT NEWS! The Membership Committee Co-Chairs are very happy to share this exciting information with you! At the September 25 meeting of the Chapter 1 Board of Directors, a pilot program was approved that will provide educational incentives in 2013 to benefit all current and new Chapter 1 members.

Every Chapter 1 member who pays their 2013 membership dues will receive a voucher in January that can be redeemed for a FREE one-day Chapter 1 sponsored IRWA course through the end of 2013. The one-day credit voucher can also be applied as partial payment for multiple day courses sponsored by the chapter.

Chapter officers and committee chairs understand that times are tight and that many organizations may only provide limited reimbursement for professional dues and educational programs. We hope that this educational voucher program will provide a great benefit to chapter members and become an incentive for membership renewal, as well as aid in the pursuit of IRWA certification and designations. More information and specific details on the program will be provided in future emails and in the next newsletter, or feel free to contact one of the Membership Co-Chairs listed below.

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Marilyn Stuart, SR/WA, R/W-NAC
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Charles A. Thomas, SR/WA
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Norman Eke,
Converse Consultants, Inc.
Environmental Chair

The Low-Threat Underground Storage Tank Case Closure policy establishes consistent statewide case closure criteria for low-threat petroleum UST sites.

Releases from USTs may impact: groundwater, surface water, soil, and soil vapor (media). These media and associated exposure pathways must be evaluated through environmental investigation that includes field sample collection and laboratory analysis.

Environmental Standards Report:

Low-Threat Underground Storage Tank Case Closure Policy

Right of Way Professionals whom are involved with road widening projects or other projects which deal with properties with underground storage tanks (USTs) that have leaked (i.e. gasoline service stations, municipal public works yards, trucking companies, industrial facilities) should be aware of some changes that have occurred regarding the regulatory closure of these sites.

In 2012 the California State Water Resources Control Boards policy for Low-Threat Underground Storage Tank Case Closure became effective. The policy establishes consistent statewide case closure criteria for low-threat petroleum UST sites. The policy is intended to provide clear direction to responsible parties, property owners, service providers, and regulatory agencies.

Right of Way Professionals and their environmental consultants now have greater clarity on the regulatory requirements for investigating, closing and redeveloping affected properties; along with the potential for streamlined regulatory approvals that will allow your projects to move more quickly.

According to the California State Water Resources Control Board policy, there are eight general criteria that must be satisfied in order for the case to qualify as a low threat:

General Criteria

General criteria that must be satisfied by all candidate sites are listed as follows:

- a. The unauthorized release is located within the service area of a public water system;
- b. The unauthorized release consists only of petroleum;
- c. The unauthorized ("primary") release from the UST system has been stopped;
- d. Free product has been removed to the maximum extent practicable;
- e. A conceptual site model that assesses the nature, extent, and mobility of the release has been developed;
- f. Secondary source has been removed to the extent practicable;
- g. Soil or groundwater has been tested for methyl tert-butyl ether (MTBE) and results reported in accordance with Health and Safety Code section 25296.15; and
- h. Nuisance as defined by Water Code section 13050 does not exist at the site.

Releases from USTs may impact: groundwater, surface water, soil, and soil vapor (media). These media and associated exposure pathways must be evaluated through environmental investigation that includes field sample collection and laboratory analysis. There are specific technical guidelines and thresholds that must be evaluated. The most common exposure scenarios have been combined into three media-specific criteria:

Media Specific Criteria

1. Groundwater
2. Vapor Intrusion to Indoor Air
3. Direct Contact and Outdoor Air Exposure

Cases that meet the general and media-specific criteria and pose a low threat to human health, safety and the environment may receive written regulatory closure by completing notification, well abandonment and waste disposal requirements.

Municipal and county water districts, water replenishment districts, special act districts with groundwater management authority, agencies with authority to issue building permits for land affected by the petroleum release, owners and occupants of the property impacted by the petroleum release, and the owners and occupants of all parcels adjacent to the impacted property must be notified of the intent to issue a low-threat closure and be given the opportunity to provide feedback.

All wells and borings installed for the purpose of investigating, remediating, or monitoring the unauthorized release shall be properly destroyed prior to case closure unless a property owner certifies that they will keep and maintain the wells or borings in accordance with applicable local or state requirements

All waste piles, drums, debris and other investigation or remediation derived materials shall be removed from the site and properly managed in accordance with regulatory agency requirements.

Consultation with legal, environmental and regulatory professionals by Right of Way professionals is appropriate to move your projects through the regulatory process to achieve a Low-Threat Underground Storage Tank Case Closure.

Please contact Norman Eke should you require additional information.

Norman Eke, Senior Vice President
 Converse Consultants
neke@converseconsultants.com and 626-930-1260



Links for additional information:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf

http://www.waterboards.ca.gov/ust/lt_cls_plcy.shtml

<http://www.lexisnexis.com/community/environmental-climatechange-law/blogs/hazardouswaste/archive/2012/09/06/environmental-law-underground-storage-tanks-groundwater-gasoline-vapor-california-state-water-board-low-threat-ust.aspx>



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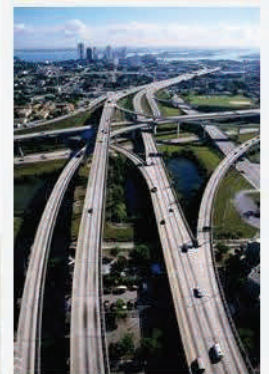
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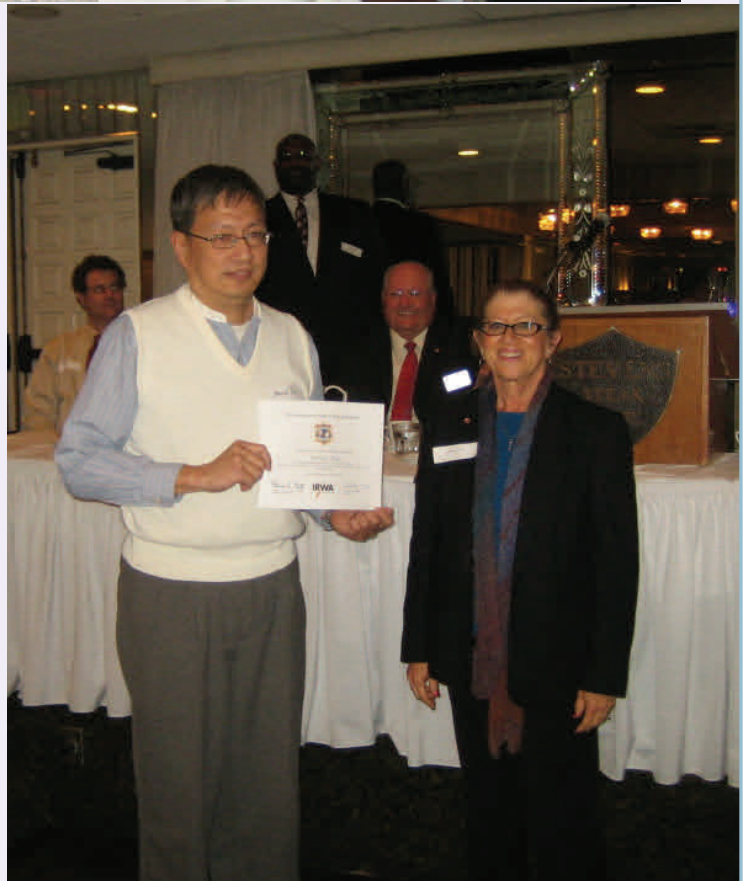
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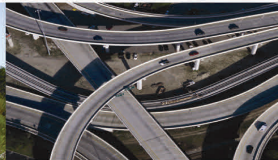
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Photos from January Luncheon – January 29, 2013 (continued)



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Photos from January Luncheon – January 29, 2013 (continued)



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



ANNUAL VALUATION SEMINAR

Tuesday, April 23, 2013

Quiet Cannon Montebello
901 North Via San Clemente, Montebello (TG 636-A7)



SEMINAR SCHEDULE

7:45 AM Registration & Continental Breakfast

8:20 AM Welcome & Introductions

8:30 AM Temporary Severance Damages – Case Law & Valuation Strategies

Gary C. Weisberg, Esq.

Woodruff, Spradlin & Smart

Scott D. Delahooke, MAI, SRA

The Delahooke Appraisal Company

9:25 AM Eminent Domain Trial Case Study – Erroneous Project Description Results in Greater Compensation Despite Signed Right of Way Contract

Michael H. Leifer, Esq.

Palmieri, Tyler, Weiner, Wilhelm & Waldron

Michael Waldron, MAI

Waldron & Assoc.

10:10 AM Break

10:30 AM Maximizing the Value of Publicly-Owned Property with Digital Billboards and Telecom Assets including Cell Towers

Donna Desmond, ASA

Donna Desmond & Assoc.

Randall Morrison, Esq.

Sabine and Morrison

Jonathan L. Kramer, Esq.

Kramer Telecom Law Firm

11:40 AM Luncheon Keynote Address:

Southern California Water Rights 101 – Everything Public Agency Real Estate Managers Need to Know About Water Rights

Eric L. Garner, Esq.

*Managing Partner
Best Best & Krieger*

1:15 PM Eminent Domain Goodwill Valuation Case Studies

Madeleine Marmaux, CFA

Desmond, Marcello & Amster

Cynthia Marian, Esq.

Oliver, Sandifer & Murphy

Todd R. Moore, Esq.

Hahn & Hahn

2:20 PM Effective Arbitration/Mediation Strategies – Pitfalls & Practical Valuation Tips

Kendall MacVey, Esq.

Best Best & Krieger

Hon. Edward J. Wallin (Ret.)

JAMS Arbitration, Mediation and ADR Svcs.

3:10 PM Break

3:30 PM Valuation of Telecom Assets Including Cell Tower Leases

Sean Heath, SR/WA

The Heath Group

Greg Locke

Project Manager, County of San Diego Real Services Division

4:30 PM Close

Approved - International Right of Way Association for SR/WA Re-certification Credits (SR/WA) 7.5 Course Hours, 100% seminar attendance is required

Pending - Minimum Continuing Legal Education (MCLE) credit of 7.5 Hours, 100% seminar attendance is required.

Pending - State of California, Office of Real Estate Appraisers for 7.5 Continuing Education Hours, 90% seminar attendance is required.

For updates visit www.irwa-chapter1.org  [seminars](#)



**ANNUAL VALUATION SEMINAR
REGISTRATION FORM**

**Space is Limited
Please Register Early**

Name _____ **Chapter No.:** _____
Firm _____ **Member No.:** _____
E-mail _____
Address _____
Phone _____ **Fax** _____

Continuing Education (CE) Credit Needed? Yes No

Type of CE Certificate Needed: OREA MCLE SR/WA Recertification
California Appraisal License No.: _____ (If applicable)

Seminar Registration Fees include luncheon.

Please choose MENU OPTION: Beef; Chicken; Vegetarian

Advance registration (if fee received *on or before* 4/10/13):

\$95 Member; \$105 Non-member

Registration fees received *after* 4/10/13:

\$110 Member; \$120 Non-member

Lunch Only: \$25

Make check payable to **IRWA Chapter 1** **and send to:**

Jo Ann Kishi, SR/WA
 Dept. General Services Asset
 111 E. 1st Street, Room 213
 City Hall South
 Los Angeles, CA 90012
 Phone: (213) 922-8528
JoAnn.Kishi@lacity.org

Refund Policy

*Any refund requests
must be in writing.*

*50% of the
registration fee may
be retained if the
cancellation notice is
postmarked less than
10 days before the
program.*

If you have any questions regarding *seminar registration*,
 please contact **Jo Ann Kishi, SR/WA** at JoAnn.Kishi@lacity.org

If you have any questions regarding *speaker panels* or *seminar content*,
 please contact Seminar Co-chairs

William Larsen, SR/WA or **Bradford D. Thompson, MAI, SR/WA**
wlarsen@irr.com bthompson@mason2.com

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



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www.irwaonline.org



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Coming Soon!

Course 402: Introduction to the Income Capitalization Approach

Course 402: Introduction to the Income Capitalization Approach

Course Description:

This one-day course introduces the income capitalization approach, which is a method of evaluating an investment by estimating future cash flows and taking into consideration the time value of money. This approach is presented in a concise, easy-to-understand format, and combines lecture, case studies and exercises to teach participants how to apply income capitalization in a variety of situations.

Credentialing:

- **Generalist:** A core course that can be applied towards the RWA, ARWP, RWP, and SR/WA programs.
- **Specialist:** An elective for the R/W-AC program.

Topics:

- The relationship between the Valuation Process and the Income Capitalization Approach
- The applicability and reliability of the approach
- The characteristics of Direct and Yield Capitalization
- The components of Direct Capitalization (determining gross income, estimating vacancy and credit loss, calculating effective gross income, estimating expense and estimating value)
- Capitalization Rate Development
- Determining Just Compensation

AQB Credits:

- The Appraiser Qualifications Board (AQB) has reviewed and approved this course for the following: 7 hours CE/E, 6 hours CE, Classroom through January 12, 2016.

State Continuing Education Credits:

- Approved for 8 hours CE credits by OREA (Office of Real Estate Appraisers).

Course Tuition Includes:

- Participant Manual

Required Materials:

- Financial Calculator

Who Should Take This Course:

- This course is designed for right of way practitioners who are in the appraisal field.

Course 402: April 5, 2013 Downey, CA

Register online at www.irwaonline.org, or Fax this entire page to IRWA HQ: (866) 388-7419

_____ | _____
 Last Name | First Name

_____ | _____
 Title

_____ | _____
 Company Name

_____ | _____
 Address

_____ | _____
 City, State, Zip

(____) _____ - _____ Yes 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
\$265.00	\$330.00	\$_____

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 402: Introduction to the Income Capitalization Approach

Sponsored By: IRWA Chapter 1
Date: April 5, 2013
Time: 8:00 AM—5:00 PM

Class Facility Location:
 Energy Resource Center
 9240 Firestone Blvd.
 Downey, CA 90241
 Phone: (562) 803-7434

Four Ways to Register:
 — **Online:** www.irwaonline.org
 — **Fax:** (866) 388-7419
 — **Email:** education@irwaonline.org
 — **Contact Course Coordinator**

Cancellation Policy: All classes scheduled by IRWA are subject to cancellation. All class registrants must contact the Course Coordinator prior to making travel arrangements, keeping in mind that the class may be cancelled at any time (for reasons including, but not limited to, insufficient registration, Instructor emergencies or other issues beyond the control of the chapter and/or IRWA). Fully liquidated damages for any losses incurred by a class registrant are limited solely to a refund of the registrant's prepaid class tuition. IRWA and its chapters assume no other registrant liability resulting from class cancellation.

Tuition Refund Policy: Written notification of intent to cancel registration must be received via email by both the Course Coordinator and IRWA Headquarters Education Staff (education@irwaonline.org) prior to the class start date in order to be eligible for a tuition refund. A full tuition refund will be issued if notice is received 15 days or more prior to class start date; a 75% refund will be issued if notice is received less than 15 days prior to the class start date, and no refund will be issued for notice received on or after the class start date.

Suggested Accommodations:

Chateau Inn & Suites
 9565 E. Firestone Blvd.
 Downey, CA 90241
 Phone: (562) 923-1247
 Website: www.chateauinndowney.com

Rates: (starting at)
 \$55.00 + Tax

Please contact the hotel directly for reservations.
 For additional suggestions, please contact the Course Coordinator.

Course Coordinator:

Konstantin Akhrem, SR/WA
 P.O. Box 48881-A
 Los Angeles, CA 90048
 Phone: (310) 617-0251 / Fax: (323) 655-0707
 Email: konstantin@irwa-chapter1.org

About the Instructor:

Michael E. Lahodny is a Consultant with Sacramento based Right of Way Firm Bender Rosenthal, Inc. As a technical project specialist he provides project oversight and appraisal planning/review for project delivery. Prior to joining Bender Rosenthal he held several management positions with the California Department of Transportation (Caltrans) and was responsible for project delivery coordination and local agency liaison in the Bishop, Marysville, Redding, Eureka and Stockton offices. He has been involved with the preparation and review of appraisals for eminent domain activities for over 30 years. He holds a Bachelor of Arts Degree from California State University, Northridge. Undergraduate and graduate studies were completed with emphasis in real estate and urban planning. Extensive appraisal courses have been taken from IRWA, the Appraisal Institute and other appraisal organizations. Mike was involved in the development of appraisal and related courses for Caltrans. He is a former Caltrans representative to the Federal Highway Administration Appraisal Advisory Board. He is currently a member of Chapter 27 and has been instructing for numerous years.

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



IRWA REGION 1 Spring Seminar & Forum

Planning Your Right of Way Acquisition Projects



Educational Seminar, Region 1 Forum, Wine Tour

Friday, April 5, 2013, 8:00 a.m.—5:00 p.m.

Educational Seminar: Planning Your Right of Way Acquisition Projects

Friday, April 5, 2013, 5:30 p.m.—7:00 p.m.

Complimentary Hospitality Reception for Region 1 Forum Delegates

Saturday, April 6, 2013, 8:00 a.m.—5:00 p.m.

Region 1 Business Meeting/Forum

Optional Buffet Lunch—\$20/person

Thursday, April 4, 2013, 1:00 p.m.—5:45 p.m.

Private Wine Tasting Excursion

\$65/person

A visit to Sunstone Winery and Vineyard in the Santa Ynez Valley includes wine tasting, assortment of appetizers in a private cave, and transportation to/from the Pepper Tree Inn

REGISTRATION FORM—I WILL ATTEND!

NAME: _____
 COMPANY: _____
 ADDRESS: _____
 CITY, ZIP, STATE: _____
 EMAIL: _____
 PHONE: _____

Friday, April 5—Seminar (price includes lunch on Friday)

- \$95 IRWA MEMBERS \$ _____
- \$105 NON-MEMBERS \$ _____

Price after March 4:

- \$105 IRWA MEMBERS \$ _____
- \$115 NON-MEMBERS \$ _____

Saturday, April 6—Region 1 Business Lunch (optional)

- \$20/person \$ _____

Thursday, April 4—Wine Tour (optional)

- \$65/person x _____ persons \$ _____

TOTAL ENCLOSED \$ _____

Mail checks payable to "IRWA Chapter 47" to:

IRWA Chapter 47
 c/o Hamner, Jewell & Associates
 4476 Market Street, Suite 601
 Ventura, CA 93003

Hotel Information:

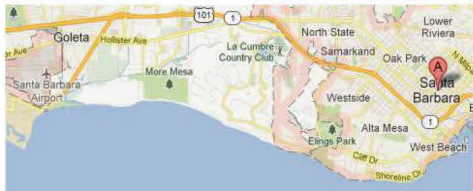
Best Western Pepper Tree Inn
 3850 State Street, Santa Barbara

Reservations: 1-888-726-3972

Confirmation Number:
 68959 (IRWA Group Rate)

Rate (single/double occupancy):

- \$ 136.00+tax (Weekday)
- \$ 149.00+tax (Fri/Sat)
- \$ 10.00+tax for extra person charge





IRWA REGION 1 Spring Seminar & Forum

Planning Your Right of Way Acquisition Projects

Friday, April 5, 2013

Chapter 47 Seminar Agenda

8:00 a.m.—5:00 p.m.

(Seminar Registration and Cost Information on other side)



- 8:00** **Registration**
- 8:30** **Introductions and Welcome**
Ed Hawkes, Chapter 47 President; Don Ireland and Chuck Alvarez, Moderators
- 8:45** **Project Planning: State Hwy and Federally Funded Projects / Right of Way Data Sheet Preparation**
Phil Acosta, SR/WA, Former Caltrans/ Current County Right of Way Agent for San Luis Obispo County, will present an informative instructional morning session on how to effectively plan your State and federally-funded projects for smooth sailing and funding approvals.
- 9:45** **Break**
- 10:00** **Project Planning discussion continued: Right of Way Data Sheets, Cost Estimating**
Phil Acosta, SR/WA, County Right of Way Agent, San Luis Obispo County
- 12:00** **Lunch—Market and Legislative Updates: The Real Estate “Bubble”**
*Jim Link, CEO; Southland Regional Association of Realtors, Inc.
Emily Link, Team Link Realtors, Inc.; California Association of Realtors*
- 1:15** **Utility Relocation: Cost Determinations, Franchise & Senior Rights, Scheduling**
*John Ewasiuk, Principal Civil Engineer; Capital Programs, City of Santa Barbara
Gerald Comati, President; COM3 Consulting Inc.
With representatives from Southern California Edison & Verizon*
- 2:15** **Break**
- 2:30** **Vacation Law (California Streets and Highway Code) - Procedures and Typical Examples**
*Don Ireland, SR/WA; City of Santa Barbara
Jeff Havlik, SR/WA; County of Santa Barbara
Chuck Alvarez, SR/WA; County of Ventura*
- 3:30** **Legal Updates Panel: Recent Case Law and Statutory Changes affecting the R/W Industry**
*Todd Amspoker, Esq., Partner; Price, Postel & Parma LLP; Eminent Domain Updates
Cathy Springford, Senior Associate; Hamner, Jewell & Associates; Uniform Act Updates
Todd Murphy, Real Estate Appraiser; Schenberger, Taylor, McCormick & Jecker
Ricardo A. Goni, Principal; Desmond, Marcello & Amster; Goodwill Appraiser*

Complimentary

Friday, April 5, 2013
Hospitality Reception for Region 1 Forum Delegates
5:30 p.m.—7:00 p.m.

▶▶▶ **Saturday Region 1 Meeting & Thursday Wine Tour details—other side**

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

Spring Forum Private Wine Tasting Excursion!

Thursday, April 4, 2013 Itinerary & Cost

- 1 p.m. Shuttle Departure from the Best Western Pepper Tree Inn (3850 State Street, Santa Barbara)
 - 2 p.m. After a beautiful ride through Santa Barbara wine country, arrive at Sunstone Winery (125 Refugio Road, Santa Ynez) for wine tasting, an assortment of appetizers in a private cave set up just for us! Tour the vineyards, visit with friends.
 - 5:00 p.m. Depart Sunstone Winery
 - 6:00 p.m. Arrive at the Pepper Tree Inn
- Cost is \$65.00 per person. Please RSVP by sending this "Save-a-Spot" to bvazquez@hammer-jewell.com no later than March 10, 2013. Indicate the number of people that will be accompanying you.

It's not too late to RSVP!

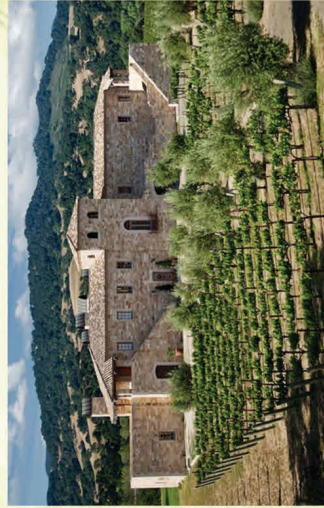


Sunstone Winery and Vineyard was founded in 1990 and is one of the premier destinations in the Santa Barbara/Santa Ynez wine country. It boasts the most beautiful vineyard and winery tasting room on the California Central Coast. With a wonderful selection of Merlot, Cabernet Franc, Syrah, and Viognier, this boutique winery is sure to tantalize your taste buds. As a Certified Organic Vineyard, Sunstone Winery and Vineyard strives for upmost quality in an eco-friendly environment.

Due to requests to start slightly later for

Thursday arrivals, we will be leaving the Inn at 1 PM. Payment will be due by Friday, March 15, 2013. Please mail your check payable to IRWA Chapter 47 to 4476 Market St. Ste 601, Ventura, CA 93003. We hope to see you there! If you have any questions, contact:

bvazquez@hammer-jewell.com



Please save my spot on this amazing wine tasting excursion! I will be attending with _____ people. I will provide payment by March 15, 2013 to ensure space on the bus. \$65 X () = _____ I will email this information to bvazquez@hammer-jewell.com by March 10, 2013.

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

2012 – 2013 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 Consultant	(310) 720-9517	natasa.lenic@yahoo.com
Education	Tom Hanley, P.E. *	(714) 394-5648	tghlmh@earthlink.net
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@lacsds.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, SR/WA * 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, SR/WA *, 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, MAI, SR/WA, Co-Chair Mason & Mason	(818) 957-1881	bthompson@mason2.com
Webmaster	Konstantin Akhrem, SR/WA * 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

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Gardena, CA 90248
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www.irwaonline.org

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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.

Professional Development Committee Update:

On behalf of the Chapter 1 Board of the International Right of Way Association, the Professional Development Committee would like to recognize the following members for achieving professional status and being recognized by the association with Generalist and Specialist designations:

New Designation —

Konstantin Akhrem, SR/WA
Daniel Kazden, SR/WA

Certification —

Diana Knezevic, RWA
Jazmine Sunico, ARWP

Designation Renewal —

Arturo Cordero, SR/WA
Augusto Parcerro, SR/WA
Billy Cooper, SR/WA

Recertification —

Teri Shinde, RW-NAC

Congratulations to the newest SR/WA Konstantin and Daniel for your dedication to our profession! A shining example for our members and a wealth of experience on our projects. **WAY TO GO!**

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