



# DELTA DISPATCH

## PRESIDENT'S MESSAGE

By: Julie Duchscherer, SR/WA



Call me sentimental, but I am feeling extraordinarily blessed by all the fine folks that I have surrounding me these days in our Chapter 27 and in the IRWA in general. I have a dedicated group of volunteers that never cease to amaze me with their patience and perseverance to make sure that our Chapter is the best. I just want to say “thank you” to each and everyone of you who stand by me and support our Chapter and the IRWA and it’s mission. Serving Chapter 27 is a real honor!

Yoli Matranga, your V-P and I attended the **Spring Forum in Phoenix, AZ**, the first weekend in March (Saturday the 5th). Sunny Lofton, your Treasurer also attended, paying her own way. The usual topics were discussed; maintaining a vibrant membership; and providing useful tools that will help members build and advance their careers. Also, enhancing systems and support to empower and position the organization for relevance and growth. **All Region Chairs will now have their SR/WA designations.** The Principals of Right of Way is returning to the bound book form and grading of our courses is going to get harder. We were given a workshop by Randy Pennington of Pennington Performance Group. He is under contract with the IRWA to share ideas with us that will help us all to grow our organization. He shared some points that I think are good for Leaders, which in our profession, means all of us. I want to share them with you.

### Five Things to Remember As A Leader:

- 1.) Think. Don't confuse remembering with thinking;
- 2.) Change your language—our new motto is “Achieving the best rather than pursuing the easiest”;
- 3.) Create a process or system and then measure your performance. Use measurement to fine tune your performance;
- 4.) Create an environment that promotes open communication and telling the truth about expectations and performance. A willingness to share

- bad news is expected and accepted;
- 5.) Rebound from performance lapses, Avoid making a habit of anything.

**Region 1 leaders** were asked to think of what would make our Chapter truly distinctive to our members that we serve—so I ask that you think of this too, and share any ideas you may have with any of our Board Members. The Free 1-day Course drawing we are now having came out of this brainstorming as well as **the new College Outreach Program Scholarship**, which was suggested by our Education Chair, Jason Andrews. I'd like to work on establishing a mentoring program for those new college graduates that we hope to see more of at our functions. How about designating one of our luncheons as an “Invite Your Boss to IRWA Luncheon Day” each year? Please let us know if you have a Boss that would appreciate this and attend one of our Luncheons if designated as such!

We are getting a lot of good buzz about **the Dante Club** and our Speakers/Program so far this year. There have been some parking issues, but I hope that overall, you are experiencing the benefits of having our Luncheons at the Dante Club. At our last Luncheon in April, we matched the proceeds collected for the Japanese Disaster Fund through the American Red Cross. Thanks to your generosity, about \$250 will be sent in Chapter 27's name to our friends in Japan.

We have passed the 2011 budget and included in it a few new member benefits. One benefit is that one of our lucky members attending our Luncheons will have the opportunity to **win a free one-day Chapter 27 sponsored Course**. We will offer this drawing twice yearly, from February thru September and October through January and we will collect the tickets you are given at the luncheons and draw for one lucky member to win! We will continue to draw for a free luncheon, too. I hope that during 2011, you are continually reminded that you are a valued member of Chapter 27 as we continue to come up with new ideas to help you feel appreciated. I look forward to seeing you at our next luncheon!

**WHAT'S INSIDE THIS ISSUE:**  
**2011 Chapter 27 Board Officers & Chairs**  
**Schedule of 2011 Education Courses**  
**JOB'S AVAILABLE, INTERESTING ARTICLES**  
**AND UPDATES...**



## CONCEPTUAL SITE PLANS IN THE EMINENT DOMAIN PROCESS

Conceptual site plans can play a significant role in the eminent domain process. They are used to demonstrate the physical feasibility of land use development scenarios and their potential to satisfy the local requirements necessary for approval in the “before condition.” In this way they further help the finder of fact (often a jury) to better visualize the use of the property in reaching their conclusions regarding “highest and best use.”

Land planners, architects and civil engineers are commonly called upon as experts to perform this work. Plans are typically prepared and characterized as “conceptual” to avoid being held inadmissible in court on the grounds that they lead to the valuation of property for a “specific purpose.” Plans can initially be very basic for cost efficiency, and later graphically enhanced if desired for presentation purposes.

Plan preparation requires knowledge of the property in terms of its physical characteristics, accessibility to streets and other infrastructure, surrounding land use, local planning regulations, and environmental conditions. A variety of public documents are available that provide useful baseline information, including aerial photos, infrastructure maps, general plan, zoning regulations, environmental impact reports, etc. It is also important for the site planner to interview local planning officials to better understand the planning environment in which the property is located.

In addition to “highest and best use,” conceptual site plans are used for related eminent domain matters, including “assemblage of parcels,” severance damages and overcoming physical site constraints. Recent condemnation disputes in California where plans played an important role in resolving such issues prior to going to trial are summarized below as case studies.

**Highest and Best Use** – “Highest and best use” feasibility studies sometimes rely upon the probability of a rezoning to a higher and more profitable land use. These studies can be supported by conceptual site plans illustrating that certain densities or intensities of use could have been physically feasible, and would probably have been approved by the local agency in the “before condition.”

The “highest and best use” case study (Figure 1) involves the taking of a parcel for public transportation purposes. Five scenarios were prepared on behalf of the condemning agency to help explore the physical feasibility and legal permissibility. The scenario illustrates an office complex, including the required landscaping and parking and a design solution to the site’s restricted vehicular access conditions. It further illustrates the maximum developmental intensity that could have been achieved for an office use at this specific site, i.e., amount of total floor area.

**Assemblage of Parcels** – The “assemblage theory” involves the combination of two or more adjacent parcels under different ownership for the determination of “highest and best use.” This can be used to show that combined properties may result in a higher use with greater value than would the single condemned parcel by itself. A higher recovery for the condemned parcel may then be possible when considered as part of the larger combined parcel area. The party supporting this position carries the burden of proof to demonstrate that the joinder of parcels is “reasonably practicable.”

The assemblage of parcels case study involves the condemnation of a single parcel in conjunction with a roadway realignment project. It focuses however on the combining of two parcels, the one that was being condemned and a second located adjacent to it that was already owned by the condemning agency. The private landowner used the “assemblage theory” to establish the physical feasibility and legal permissibility of a service station as the highest and best use. The site plan scenario includes sheltered gas pumps, convenience market, carwash and parking. This scenario further involved the resolution of constraints relating to two major earthquake fault-lines that traversed the site and restricted driveway access.

Con’t on next page.

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

Continued from Page 2 -

**Severance Damages** – Severance damages can come into play in cases involving a taking of land where the agency’s valuation does not contemplate full development of a partially developed site. Here, conceptual plans that maximize the development expansion potential and meet the local regulations for project approval in the “before condition” can be used to demonstrate “highest and best use.” For example, a site plan could show that it would have been reasonably probable to expand a commercial building while providing the parking, setbacks, etc. required for local planning approval.

**Overcoming Physical Site Constraints** – Feasibility studies can also involve conceptual site plans to demonstrate the constraints on development created by the site’s physical conditions. Physical constraints can impact both the “highest and best use” as well as the density or intensity of use. Condemning agencies sometimes use site plans to project discounted costs for mitigating such constraints, i.e., earthquake fault-lines, contaminated soils, etc. On the other hand, private landowners can use site plans to demonstrate how physical constraints might otherwise be cost-effectively mitigated in order to allow for a higher use.

The physical constraints case study involves the determination of “highest and best use” and maximum intensity of use for the condemnation of a parcel for transportation purposes. Although the property was designated by the general plan as a transportation corridor, its highest and best use absent the transportation project, was agreed by both parties to be multi-family residential. The extent of potential development for this “in-fill” site in the “before condition” however was clouded by the existence of two earthquake fault-lines, poor vehicular access, and the precedent set by the existing limited housing density that surrounded the site. In this case, the condemning agency’s feasibility study included a conceptual site plan that helped determine the maximum number of units that could have been developed in the “before condition,” given the constraining physical site conditions.

**Conclusion** - Conceptual site plans can assist the trier of fact in determining the “highest and best use” of a property by demonstrating the site’s physical development feasibility as well as its potential to satisfy local requirements for project approval in the “before condition.” They can also be used to support arguments for and against assemblage, severance damages and site physical constraint limitation disputes.

*Wayne Rasmussen, Rasmussen Planning, Inc., [www.rasplan.com](http://www.rasplan.com)*

Dear Chapter 27 Members;

I want to thank all of the Chapters in Region 1, and members as well, for your past support of the Right of Way International Education Foundation. With the support of our chapters and members, we were able to build the Foundation’s corpus to over 1 million dollars in the past couple of years. This money, all from donations from members, private companies, Chapters, Regions and fundraising activities at the conference, is held for future educational use for the IRWA. In the recent past, the RWIEF has funded many of the course revision programs of the IRWA, including all of the re-vamping of the courses, much of the conversions to online format, and the development of several new courses. These donations should be tax deductible—please check with your tax adviser.

We have also committed additional funding to the new Leadership Institute program that is in the process of development, some of which has already been put in place. Currently, the RWIEF has committed to fund approximately \$546,000 for IRWA education projects, including the Leadership Institute Program, more online conversions and several other committed education projects.

We have the funds in our accounts to cover these commitments. However, it will drain nearly 50% of our corpus. Thus, we are asking for your continued support. By making donations to RWIEF, either by being a sponsor at the annual Golf Tournament, or making a flat donation (many chapters do this at the board of directors meeting at the conference), we will continue to build our corpus so we are able to continue to fund these IRWA educational projects for many years into the future.

The RWIEF is considered the savings account for the IRWA. We thank you very much for your continued support.

Sincerely,  
**Michael Pattison, SR/WA**  
**RWIEF Trustee**

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## 2011 Chapter 27 Officers

President.....	Julie Duchscherer
530-621-5922	Julie.duchscherer@edcgov.us
Vice-President .....	Yoli Matranga
	ymatranga@me.com
Treasurer.....	Sunny Lofton
916-654-3167	Sunny_lofton@dot.ca.gov
Secretary.....	Vacant
Asst Secretary/Treasurer	Jason Andrews
	jandrews@ufsrw.com

## 2011 Chapter 27 Committee Chairpersons

Education.....	Jason Andrews
	jandrews@ufsrw.com
Professional Development....	Mike Pattison
916-714-3010	mike@pattisonappraisals.com
Membership.....	Pam Wee
	pwee@kleinfelder.com
Newsletter Editor.....	Julie Duchscherer
530-621-5922	Julie.duchscherer@edcgov.us
Retired Members.....	Ray Guenther
	@yahoo.com
Luncheon .....	Vanessa Coltran
	vcothran@ufsrw.com
Luncheon Co-Chair .....	Christy Lambdin
	C.lambdin@benderrosenthal.com
Survey/Engineering.....	Paul Enneking
916-788-8122	penneking@psomas.com
Valuation.....	Chuck Sellers
916-686-4541	casellers@frontiernet.net

### Local Public Agencies..... Vacant


Communications/.....	Pamela Wee
Marketing	pwee@kleinfelder.com
Program .....	Yoli matranga
	ymatranga@me.com
Relocation .....	Sunny Lofton
916-654-3167	sunny_lofton@dot.ca.gov
Utilities .....	Gretchen Hildebrand
	g.hildebrand@surewest.com
Nominations, Elections....	Blandon Granger
Chapter Historian	BGrange@smud.org
Transportation .....	Jamie Formico
& Website	jformico@ufsrw.com

### Asset Management ..... Vacant

### Environmental ..... Vacant

## WANT TO VOLUNTEER?

Please contact:  
**Julie Duchscherer at 530-621-5922 or**  
**Julie.duchscherer@edcgov.us**



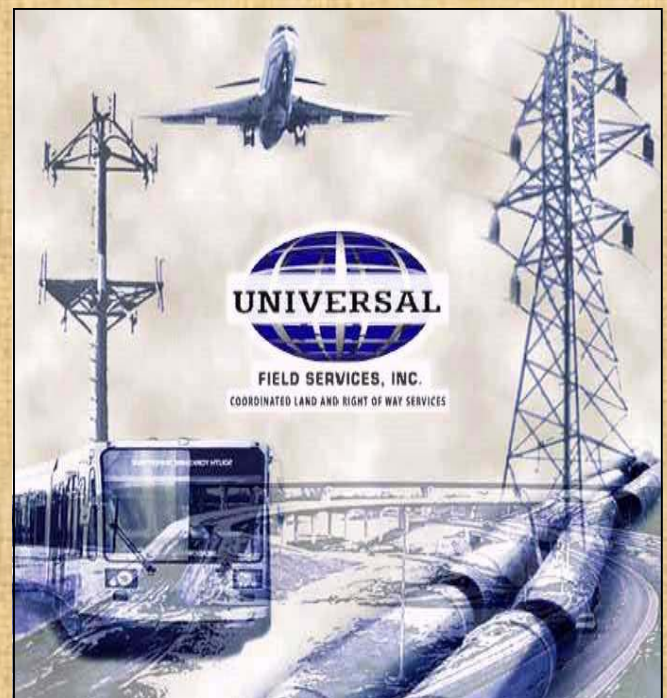
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MS. CHERYL ALLEN,  
MR. JASON ANDREWS,  
MR. DELMAR ARMSTRONG,  
MR. SAM COOPER,  
MS. VANESSA COTHRAN,  
MS. SHRON D. FULTZ,  
MR. TOM GANYON,  
KENRIC DEAN HANCOCK,  
MR. JESSIE HERNANDEZ,  
MS. SANDRA HEWSTON,  
MR. JAMES P. HILTON,  
MR. BILL KOURIS,  
MR. MIKE LAHODNY,  
MS. SANDY LEE,  
MS. TRUDE SMITH,  
MR. SCOTT THURSTON AND  
MR. BRIAN WHITAKER

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[www.CaliforniaEminentDomainReport.com](http://www.CaliforniaEminentDomainReport.com)



 NOSSAMAN LLP  
MAKING IT HAPPEN.

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## JOBS AVAILABLE:



### **Associated Right of Way Services, Inc.**

2300 Contra Costa Blvd., Suite 525  
Pleasant Hill, CA 94523  
925.691.8500

#### **Employment Opportunity Available**

### **Project Manager / Acquisition Specialist**

We are a full service right of way consulting firm, specializing in public projects for transportation, high speed rail, flood control, utilities and redevelopment. Our clients include federal, state and local agencies as well as engineering firms. We seek to fill a full time employee position.

#### **Duties:**

The Project Manager will execute and manage AR/WS real estate services to our clients. Duties encompass detailed program and project management, right of way and real estate services especially on complex acquisitions, business development, proposal support, presentations and other assignments. The Project Manager will supervise project teams and act as a mentor for less experienced staff. The ideal candidate will have established long-term relationships with clients at public agencies and local / municipal agencies in performing right of way / real estate services.

#### **Experience:**

Candidate must have background working with public agencies in California performing right of way and real estate services. Direct experience with Caltrans is a strong plus. Valid California real estate license and college degree required; advanced degree helpful. At least ten years of experience with program / project management, right of way appraisal, acquisition, relocation, utility relocation and or property management preferred. Applicant must be very familiar with Uniform Relocation Act and eminent domain proceedings. Position requires ability to develop and maintain excellent relations with clients as well as strong communication and presentation skills.

Ideal applicant must have proven management experience. This position requires the ability to deal effectively with clients and property owners on politically sensitive assignments, steer fast track projects; and motivate and manage staff.

AR/WS offers a competitive salary schedule and complete benefits program, including 401(k) and profit sharing; health, dental, and vision insurance; health savings account, flexible spending account and mileage reimbursement.

Send resume, salary history and references to Denise Jackson at [djackson@arws.com](mailto:djackson@arws.com).

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Principal has experience as former manager of real estate for both a large city and a large county in California, as well as experience with Caltrans, and is licensed as both an appraiser and a real estate Broker.

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[www.arws.com](http://www.arws.com)

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

The SRWA Recognition Breakfast will be held on June 14, 2011 from 7AM to 9AM in conjunction with the Annual International Education Conference in Atlanta. Those members who have been awarded their designation from May, 1st 2010 to April 30th, 2011 are eligible to receive special recognition at this event. They will be presented with a special recognition certificate.

Nikki Adams, Online Learning and Credentialing Coordinator will be sending a formal invitation via e-mail to all new SRWA members soon. All they have to do is to RSVP if they will attend the event. For details, you can contact Nikki at [adams@irwaonline.org](mailto:adams@irwaonline.org) or at 310.538.0233, Ext. 138.

To participate in this event, SRWA completion applications must be received at the Headquarters by April 15, 2011. Please note that all applications submitted previously and pending applications will be processed and those that qualify will be approved by April 30, 2011 to allow those who wish to attend the event to get recognized.

Thank you.

<b>Francis Vicente</b> <i>Credentialing Manager</i>	
Tel: (310) 538-0233 ext. 123 Direct Line: (310) 527-9384 Fax: (310) 538-1471 <a href="http://www.irwaonline.org">www.irwaonline.org</a>	<b>International Right of Way Association</b> 19210 S. Vermont Ave., Building A, Suite 100 Gardena, CA 90248

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## CREDENTIALING

### Right of Way Professional Career Path

#### Our Generalist Certification and Designation Programs:

IRWA has three levels of certification and one designation for the generalist right of way professional:

- [Right of Way Agent Certification \(RWA\)](#)
- [Associate Right of Way Professional Certification \(ARWP\)](#)
- [Right of Way Professional Certification \(RWP\)](#)
- [SR/WA Designation](#)

#### Our Specialist Certification Programs:

IRWA has six discipline certifications and one designation for the generalist right of way professional:

- [R/W-AC Appraisal Certification Program Guide](#)
- [R/W-AMC Asset/Property Management Certification Program Guide](#)
- [R/W-EC Environmental Certification Program Guide](#)
- [R/W-NAC Negotiation and Acquisition Certification Program Guide](#)
- [R/W-RAC Relocation Assistance Certification Program Guide](#)

### Right of Way Professional Career Path

The Right of Way Professional Career Path is a four level generalist program leading to the SR/WA Designation. While the generalist may be a specialist in one area, they must also be familiar with all disciplines associated with the right of way profession. The generalist certifications and SR/WA Designation reflect evidence of professional accomplishment in the right of way profession.

IRWA stands for the highest standard of excellence. As such, its certification and designation path is a rigorous process that will work to differentiate you from other professionals. Our high standards have enabled us to create a distinction that is universally respected by customers, businesses and colleagues across most disciplines.

Earning a Certification or Designation will help boost opportunities and salary potential. Certifications and the Designation expand employment opportunities, increases salary potential, boosts chances for career advancement and demonstrates professional commitment.

Please visit: [irwaonline.org](http://irwaonline.org)

To learn more about our new changes to our professional certification and designation paths.

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## Welcome to Sacramento IRWA Chapter 27

Incorporated in 1959, IRWA Chapter 27 serves nearly 200 active and retired members, and serves professionals throughout Northern California. The Chapter holds local monthly meetings September through June, IRWA education classes as scheduled and other events for the membership.

Please contact a local chapter board member or attend a monthly meeting to find out more about what the IRWA Chapter 27 can do for you!

For all the up-to-date news, please visit our website and learn about upcoming Events, Membership, Monthly Meetings, Classes, Programs and Services and so much more.

Visit the IRWA Chapter 27 website at:  
[www.irwachapter27.org](http://www.irwachapter27.org)

## The new IRWA Merchandise Store is now open for business!

Wear with pride IRWA apparel from Landsend® Select from men's and women's apparel, bags, totes and promotional products with the new IRWA logos and retro logos. Prices start at \$12.00.

To view and select your IRWA merchandise today, go to: <https://www.irwaonline.org/eweb/DynamicPage.aspx?Site=irwa071306&WebKey=1c6808c6-3a8d-4b04-80ea-6e9d8fbe9ffb>

A member service provided by the IRWA.

## TREASURER'S REPORT— available for members to view by request from any Board Member.

The following Chapters comprise Region 1:

- Chapter 1 - Los Angeles/Bakersfield
- Chapter 2 - San Francisco/Santa Rose
- Chapter 11 - San Diego
- Chapter 27 - Sacramento
- Chapter 28 - Phoenix, AZ
- Chapter 42 - San Jose
- Chapter 44 - Las Vegas, NV
- Chapter 46 - Reno, NV
- Chapter 47 - Santa Barbara/Ventura
- Chapter 50 - Fresno
- Chapter 57 - San Bernardino/Riverside
- Chapter 67 - Orange County



HEY, CHECK OUT OUR NEW CHAPTER 27 WEBSITE -  
LET US KNOW WHAT YOU THINK! [www.irwachapter27.org](http://www.irwachapter27.org)



## The IRWA Young Professionals Group

is made up of individuals 30 and under currently in the Right of Way profession or individuals who are new to the right of way profession and would like to start their careers off in the right direction. It is critical at the beginning of a right of way career that a path is mapped out through credentialing, targeted coursework and leadership opportunities at the chapter, regional and international levels.

Involvement in key committees from members of this group will be strongly encouraged as the IRWA leadership develops the strategic direction of the organization for the next 75 years.

The IRWA is connecting young right of way professionals through our Linked In Young Professionals sub-group of the Official International Right of Way Group as a place to network on unique challenges they face.

Anyone interested in learning more and joining the IRWA Young Professionals group can visit the IRWA Young Professionals webpage at:  
[http://www.irwaonline.org/eweb/dynamicpage.aspx?webcode=irwa\\_young\\_pro](http://www.irwaonline.org/eweb/dynamicpage.aspx?webcode=irwa_young_pro)

You can also contact Jade Yoong at IRWA Headquarters.

# 2011 IRWA EDUCATION COURSES

Course #	Subject	Date(s)	Location	Chapter	Contact:
C504	Computing Replacement Housing Payments	January 10	Sacramento North Corp Yard	27	Sam Cooper 916-375-4007
C600	Introduction to Environmental Issues	February 3	Sacramento North Corp Yard	27	Christy Lambdin c.lambdin@benderrosenthal.com
C205	Bargaining Negotiations	March 2 & 3rd	Sacramento North Corp Yard	27	Jason Andrews
C901	Engineering Plan Development and Application	April 6	Sacramento North Corp Yard	27	Jason Andrews
C900	Principals of Real Estate Engineering	May 18 & 19	Sacramento North Corp Yard	27	Bill Kouris
C100	Principles of Land Acquisition	September 13 - 16	Sacramento North Corp Yard	27	Jason Andrews
C703	Real Property Asset Management	October 11	Sacramento North Corp Yard	27	Dori Floyd Dori.floyd@edcgov.us

**For more classes, please visit the IRWA website located at <http://www.irwaonline.org/education/courses>**

## LATEST UPCOMING CLASS :

**MAY 18th & 19th, 2011**

**Sponsored by Chapter 27 - Sacramento, CA**

### **Course 900: PRINCIPLES OF REAL ESTATE ENGINEERING**

Topics Include: Using engineering scales and protractors; definition of engineering terms; Three-view concept of plan, profile and cross-section views; Basic skills in interpreting engineering plans and Basics of reading, understanding and plotting the most common types of property descriptions.

Facilitator: Ralph C. Brown, SR/WA

Class Coordinator: Bill Kouris (916) 978-4900

[bdkouris@aol.com](mailto:bdkouris@aol.com)

# SAVE THE DATE!



JUNE 3rd, 2011 at 7 p.m.  
IRWA Chapter 27 will host  
Past Presidents Event  
at RALEY FIELD!

For tickets, please contact Mike Pattison at 916-714-3010 or  
[mike@pattisonappraisals.com](mailto:mike@pattisonappraisals.com)

## REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA



### **Chapter 27 is starting a College Outreach Program.**

**The first lucky recipient will receive a \$1,000 Scholarship for college course work related to the real estate industry and right of way profession.**

**Here is the 10-step strategic plan implemented by San Diego, Chapter 11, to get the word out to prospective members and their college instructors and administrators.**

- 1) Examine Your Resources: Local schools, marketing tools, human resources, educational resources**
- 2) Identify the Appropriate Contacts: make a list of qualifying schools, student organizations, key contacts.**
- 3) Identify the Wants and Needs of Each Party**
- 4) Develop a Sponsorship Package for Students:  
Free Student Memberships, complimentary class and/or discounts to local chapter events**
- 5) Start a Chapter Scholarship: We've started with \$1,000**
- 6) Initiate Marketing Efforts: Find the go-to contacts at the schools**
- 7) Establish a Relationship: Educate and Inform**
- 8) Nail Down a Sponsorship Agreement: negotiate a mutually-beneficial sponsorship package**
- 9) Designate a Liaison: Alumnus or Special Interest Chapter Members**
- 10) Set up Ongoing Program Administration**

**We now view these efforts as building the future of our industry!**

**HAVE A COURSE YOU'VE WANTED TO TAKE IN 2011  
BUT YOUR EMPLOYER HAS LIMITED THE AMOUNT OF  
EDUCATION FUNDING THAT IS AVAILABLE TO YOU?**

***WE HAVE JUST THE ANSWER!***

**Chapter 27 is offering a \$50 discount for any  
Ch. 27 sponsored course. Good for any member in good standing.**

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## JOBS AVAILABLE:                    SENIOR RIGHT OF WAY AGENT

Reports to            : Right of Way Manager  
Classification       : Exempt  
Manages Others:    No  
Experience           : 5+ years

This position is exempt from overtime.

### POSITION AND PREFERRED QUALIFICATIONS: **Senior Right of Way Agent.**

Candidate must have a minimum of five (5) years field-oriented (hands-on) linear right of way acquisition (fiber optic cable preferred; pipeline or highway infrastructure accepted) and permitting in progressively more responsible positions. Proficient with office automated applications, strong organizational skills and self-confidence in a changing business environment where a high degree of public scrutiny is to be expected.

HIRING AGENCY: Praxis Fiber for work on the Digital 395 Fiber Optic Project (Reno, NV to Barstow, CA)..

### ESSENTIAL JOB DUTIES:

Candidate will be tasked to perform full-service (work is field-oriented with minimal administrative support), multi-jurisdiction (project consists of approximately 600 miles of high-speed backbone and distribution fiber optic cable in two states and encompassing over 20 local, state and federal entities, including railroads and Indian Reservations), and multi-discipline (candidate must have a sound understanding of the right of way profession including negotiation, law, appraisal, engineering, document preparation and records management) right of way acquisition, permitting and entitlement practices.

Candidate will work at the direction (task assignment) of the Project Right of Way Manager but will undertake day-to-day activities with minimal direction from the Manager. Candidate must be self-directed and self-motivated.

Position will require a high degree of sophistication and confidence when undertaking agency interaction and negotiations, with similar sophistication expected regarding the practices of the right of way profession in general. Position requires the ability to resolve routine to complex technical and personality-related issues (know-how combined with people skills).

Candidate must have excellent communication skills (verbal, listening and writing) and must be thorough in follow-through and documentation once permit applications or other entitlement documents are prepared and initiated. Candidate needs to be experienced and comfortable in public speaking and appearing in public hearings.

**BASIC QUALIFICATIONS:** Experience acquired through an undergraduate degree in business, real estate, geography or related degree majors **IN COMBINATION** with the five (5) years work experience in the field noted above. Right to work and remain in the United States. Valid US Driver's License.

Please send resumes to:            Lee Pemberton, Right of Way Manager  
Praxis Fiber, Digital 395 Project Field Office  
873 North Main Street, Suite 223  
Bishop, CA 93514  
Email: lpemberton@praxisfiber.com

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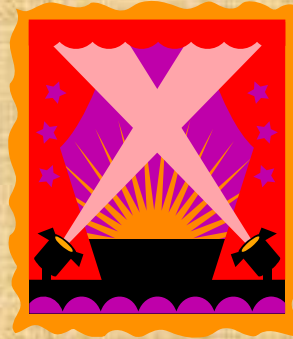
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## THE SPOTLIGHT IS ON Christy Lambdin, Luncheon Co-Chair

Christy Lambdin has over 20 years of administrative and project coordination experience. She joined BRI in 1997 providing executive support to owners, staff members and outside sub-consultants. Christy has been involved in all project administration facets of the Appraisal, Right of Way and Acquisition Departments.

As a Project Coordinator Christy is in charge of tracking and coordinating projects, and providing support to Acquisition Agents, Appraisers, Project Managers, Engineers, and PDARP Specialist. She coordinates and conducts project meetings, establishes and maintains files, gathers property owner data, including aerials, plat maps and title reports, and prepares technical data, legal forms and documents. She assists in coordinating project activities (inspections, surveying, etc.), provides notary service, and is able to assist R/W Agent in negotiations. She processes check requests for land rights payments, condemnation proceedings, or other payments as necessary. She provides condemnation support, tracks and deposits checks with State Condemnation Fund, and provides the necessary supporting documentation to law for condemnation proceedings. In addition, Christy prepares Release to Construction binders which include property owner information, signed easement documents and Letters of Assurance.

She is an active member of the IRWA and is licensed as a California Real Estate Sales Person.

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We are excited about the information submitted to the newsletter. Please continue to send in your information to: [Julie.Duchscherer@edcgov.us](mailto:Julie.Duchscherer@edcgov.us) to be published in the newsletter.  
Thank you for your support!



CHAPTER 27  
PLEASE WELCOME  
OUR NEWEST MEMBERS:

**Daniel Forgey - Project Surveyor  
PSOMAS**

**Jose Antonio Sierra - Sr. Relocation Agent  
Bender Rosenthal, Inc.**

**Dawn Plise - Land Agent  
PG & E**



**SPRING FORUM, 2011  
PHOENIX, AZ.**

**“HOW BEST TO SPEND  
YOUR FIRST SATURDAY  
IN MARCH!”**

**Our Region 1 Vice-Chair,  
Renee Marruffo, SR/WA,  
Guides us through the  
Program for the day!**



**REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA**

**Chapter 27 Program Schedule 2011**

January 13th	CHOP's Restaurant	Speaker: David W. Skinner, Esq. Myers Nave Topic: The Leaseback Conundrum
February 10th	Dante Club	Speaker: Malcolm Dougherty, Deputy Director –Caltrans Topic: Right of Way Projects
March 5th	Phoenix, AZ.	Spring Forum for Region 1
March 10th	Dante Club	Speaker: Tom Tracy, Regional Manager Topic: High Speed Train Project
April 14th	Dante Club	Speaker: Les Hausrath, Esq. Topic: Tell It To the Judge
May 12th	Dante Club	Speaker: Kathleen Kelleher, Sacramento County Assessor Topic: Property Taxes
June 3rd	RIVERCATS GAME –7 p.m.	Past Presidents Appreciation Day
June 9th	Dante Club	Speaker: Madison Wiggins & Tom Ganyon Topic: The Goal Line—The Shocking Truth about R/W Certification
July	NO LUNCHEON/ NO MEETING	
August	NO LUNCHEON	
September 8th	Dante Club	Speaker: Mark Habib, Esq. Topic: P G & E
13th thru 16th	Sac No Co. Corp Yard	100 Principles of Land Acquisition
October 11th	Sac No. Co Corp Yard	703 Real Property Asset Management
13th	Dante Club	Topic: TBA
November 10th	Dante Club	Topic: TBA
December 8th	The Firehouse	Christmas Luncheon/ No Speaker

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## “Hot Topics regarding Property Taxes”

Kathleen Kelleher  
Sacramento County Assessor



May 12, 2011 - The Dante Club - 2330 Fair Oaks Blvd - Sacramento, CA

Kathleen Kelleher has served with the Sacramento County Assessor's office for 23 years. In 2001, she became the first woman to be appointed as Assistant Assessor in the history of the office. Before her appointment, she served as the Chief of the Assessor's Office Systems and Standards Division. She rose to the position of Assessor January 3, 2011, following her election in June, 2010.

Please join us as Kathleen answers your property tax questions and shares important information about:

How has the economic downturn affected the Assessor's Office, delivery of service, etc.

Proposition 8 reductions in assessed value.

How can you make Property Taxes work for you when purchasing property.

Proposition 13 and beyond.

### Buffet Lunch

Registration: 11:30 a.m.

Members: \$20.00

Non Members: \$25.00

Reservation Required

Payable at the Door

Directions to Dante Club:

[http://www.danteclubevents.com/  
location.shtml](http://www.danteclubevents.com/location.shtml)

We reserve the right to substitute speakers under circumstances beyond our control.

Continuing Education Credit will be given for for this luncheon to IRWA Members.

RSVP and Questions contact Christy Lambdin - [c.lambdin@benderrosenthal.com](mailto:c.lambdin@benderrosenthal.com) must be Reservation Policy:

Reservations received by MAY 6, 2011.

**PLEASE ENSURE THAT YOU RECEIVE AN EMAIL CONFIRMING YOUR REGISTRATION, OTHERWISE YOUR RESERVATION HAS NOT BEEN RECEIVED.**

To avoid billing, your reservation cancellation must be received by May 7, 2011 to Christy Lambdin. Reservations cancelled after the cancellation deadline will be assessed \$25.00. All "no shows" will be assessed a \$25.00 fee. Returned checks will charge a \$15.00 fee in addition to luncheon fee.

**REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA**

**IRWA Sacramento Chapter 27**

**EMINENT DOMAN CASE**

**UPDATE**

**MAY 17, 2011**

**9:00 a.m. – 4:00 p.m.**

**The Dante Club**

**2330 Fair Oaks Blvd.,**

**Sacramento, CA**

**IRWA Members \$99**

**Non-Members \$125**

**(Includes Buffet Lunch)**

**ONLY  
PAYMENT  
GUARANTEES  
YOUR SEAT!**

**Parking: On site parking  
is available and FREE!!**

**Refund Policy: Must cancel  
in writing by May 1, 2011 for  
full refund.**

**No refunds will be given -  
After May 1, 2011.**

Panelist for this Seminar are: Bruce Beach and Jim Gilpin of Best, Best & Kreiger  
Stephen Roach-MAI, Jones, Roach & Caringella, Inc. Join us for an interesting discussion  
and update on recent eminent domain cases.

**Continuing Education and Recertification Credits:**

International Right of Way Association has approved 6 hours of  
continuing education credit.

The Department Office of Real Estate Appraisers will approve 6 hours of  
continuing education credit.

The State Bar of California has approved this Activity as participatory  
general credit for continuing legal education.

Best Best & Krieger LLP certifies that this activity conforms to the standards for ap-  
proved educational activities prescribed by the rules and regulations of the State  
Bar of California governing minimum continuing legal education. Best Best &  
Krieger LLP is a State Bar of California Approved Provider, #1035.

A signed Uniform Request for Re-Certification Credit form and necessary submittals  
will be provided upon request.

**Others:** This seminar may be accepted by other professional organizations for applicable continuing education credit  
upon specific application by attendees. A signed Continuing Education Credit form and attachments will be provided  
upon request for transmittal to other associations for consideration.

**Make checks payable to: IRWA Chapter 27**  
**Mail To: C/O Yoli Matranga**  
**Bender Rosenthal, Inc.**  
**4400 Auburn Blvd., Suite 102**  
**Sacramento, CA 95825**

**FOR INFORMATION PLEASE CONTACT:**  
**Yoli Matranga, SR/WA**  
**ymatranga@me.com**

# REGION 1: CHAPTER 27 NEWSLETTER—SACRAMENTO, CA

## EMINENT DOMAIN UPDATE SCHEDULE

May 17, 2011

2330 Fair Oaks Blvd., Sacramento, CA

8:30 – 9 a.m. – Registration

9:00 – 9:15 a.m. Introduction and Overview  
9:15 – 9:30 a.m. Statutory Update  
9:30 – 9:45 a.m. Appraisal Issues in a Down Market

### 10:15 – 12:00 p.m. Case Update

#### A. Relocation and Its Impacts on Compensation

1. Bi-Rite Meat & Provisions Co. v. City of Hawaiian Gardens Redevelopment Agency (2007) 156 Cal.App.4<sup>th</sup> 1419

2. Food Makers Bakery Equip. v. Redevelopment Agency of Monrovia (2009) Unpub.  
2. Food Makers Bakery Equip. v. Redevelopment Agency Monrovia (2009) Unpublished

#### B. Goodwill

1. People ex rel. Dept of Transportation v. Acosta (2009) 178 Cal. App 4<sup>th</sup> 762

2. Los Angeles Unified School Dist. V. Pulgarin (2009) 175 Cal. App. 4<sup>th</sup> 101

3. City and County of San Francisco v. Coyne

4. Los Angeles Unified School Dist. v. Casasola (2010) 187 Cal.App.4<sup>th</sup> 189

### 1:00 – 4:00 p.m. Case Update Continued

#### A. Right to Take Issues

1. Wilson & Wilson v. City Council of Redwood City 191 Cal. App. 4<sup>th</sup> 1559

2. Oeioke ex rel. DOT v. Constant (2009) Unpublished

3. City of Lincoln v. Estridge (2009) Unpublished

4. Cmty. Redevelopment Agency of L. A. v. Kramer Metals (2010) Unpublished

5. City of Stockton v. Marina Towers LLC (2009) 171 Cal. App. 4<sup>th</sup> 93

#### B. Discovery

1. Signal Hill Redevelopment Agency v. Palmer (2010) Published

#### C. Compensation

1. Murphy v. Burch (2009) 46 Cal. 46. Cal. 4<sup>th</sup> 157

2. City of Gardena v. Rikuo Corp.

3. City of San Jose v. Union Pacific

4. Ridgewater Assoc. LLC v. San Ramon Services Dist. (2010) 184 Cal. App .4<sup>th</sup> 629

5. State DOT vs. Horner (2009) Unpublished

6. Compton Unified School Dist. v. Davis (2009) Unpublished

7. City of San Jose v. Union Pac. R. R. Co. (2010) Unpublished

8. L.A. Unified Sch. Dist. v. Coochie (2010) Unpublished

9. Collins v. Park Lands Ranch (2010) Unpublished

10. City of Fremont v. Fisher (2008) 160 Cal.App.4<sup>th</sup> 666

11. County of San Diego v. Crystal Lakeside Vill. Ctr. (2008) Unpublished

#### D. Redevelopment

1. County of L.A. v. Glendora Redevelopment Project (2010) 185 Cal. App. 4<sup>th</sup> 817

2. Cmty. Redevelopment Agency of L.A. v M & A Gagae (2009) Unpublished

#### E. Inverse Condemnation

1. Cobb v. City of Stockton (2011) 192 Cal. App. 4<sup>th</sup> 65

2. Brookout v. State of California ex rel. Dept of Transportation (2010) 186 Cal. App.4<sup>th</sup> 1478

3. Speights v. City of Oceanside (2009) Unpublished

#### F. Litigation Expenses

1. Tracy Joint Unified School Dist. V. Pombo (2010) 189 Cal. App. 4<sup>th</sup> 889

2. State Route 4 v. Pomeroy Unpublished

3. City of Long Beach RDA v. Morales (2007) 157 Cal. App. 4<sup>th</sup> 287