



# INTERNATIONAL RIGHT OF WAY ASSOCIATION

## Kachina Chapter 28 Phoenix, Arizona

Newsletter

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

## NOVEMBER, 2005

### 2005 Kachina Chapter Executive Board

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**Treasurer:**

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Al Dickie, SR/WA  
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**Region 1 Chair:**

Mark Keller, SR/WA  
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### November Luncheon

Date: November 8, 2005 @ 11:30am  
Place: Doubletree @ 44th Street & Van Buren  
Cost: \$16 (Please have exact change)  
Menu: Slow Roasted Turkey with Sage Dressing; Fresh Cream Mashed Potatoes and Gravy; Seasonal Green Beans; Fall Greens with Toasted Pumpkin Seed Vinaigrette or Orange Cranberry Dressing; Holiday Mousse; Coffee, Decaf and Iced Tea  
Speaker: Peter Kandaris will be speaking on fissures

### NOVEMBER BOARD MEETING

-  Wednesday, Nov. 2, 2005
-  4:45pm
-  3rd Floor Conference Room
-  Az State Land

Confirm your attendance with  
Chris Banks, SR/WA at  
cdbanks@srpnet.com

Luncheon Speaker for November.....

**Peter M. Kandaris, 47, Senior Principal Engineer:** Mr. Kandaris has been a practicing civil/geotechnical engineer since 1983 for the Salt River Project in Phoenix, Arizona, and is responsible for performing geotechnical and materials studies in support of SRP projects. He earned a BS degree from Arizona State University in 1981 and an MS degree in Civil/Geotechnical Engineering from the same institution in 1984. He is member of the International Society of Rock Mechanics a technical advisor to the Transmission Line Foundation Advisory Working Group for the Electric Power Research Institute and is vice-chairman of the Maricopa Association of Governments Standard Specifications & Details Committee. He has been a registered professional civil engineer in the State of Arizona since 1985 and has authored numerous technical papers on electric system foundation investigations and design.

## PRESIDENT'S MESSAGE

Chris Banks, SR/WA, Chapter President

2005 is really screaming by and Chapter 28 has been very busy. To cap it all off, let me begin by saying that our Education Committee Chair and Co-Chair, Rebekah Louis and Dan Kovoichich presented some dynamite classes in February. In March, the Chapter and corporate sponsors hosted the Spring Forum and a hospitality event. The first day we chauffeured the attendees on a tour of some environmentally impacted areas around town. In September, the Education Committee and the Seminar Committee held a successful Educational Seminar (with the help of generous donations from our corporate members and sponsors) with a speaker line-up that everyone raved about! The speakers included an expert on drought, a motivational speaker and stand-up comedian that kept the audience roaring with laughter after a delicious lunch, an appraiser who has appraised some very strange properties and co-authored a book about them, a lawyer who fights for "the other side," and the official Arizona State Historian who is also a renowned author and famous radio and TV personality.

In October, three relocation experts – Roger Ottaway, Charlie Grombacher, and Douglas McLaughlin – generously volunteered their time to put together a terrific mini-seminar on the updates to the Uniform Act. It was an informative seminar that included a great lunch (catered by our own WebMistress, Cate Chamberlain) for just \$25.

On October 21 and 22<sup>nd</sup>, Mark Keller, Mike Burns, "Doc" Sterling and I attended the annual Region 1 Fall Forum in Emeryville, California, a small city in the San Francisco Bay area. I learned there will be many new things happening on the International website this year. Among other things, there will be a Leadership Manual with online training materials for Volunteers and Committee Chairs that will help define the duties in those positions. It has been a hand-me-down instruction from one committee member to another until now when new committee members were put into office. Hopefully this will help us get better organized. Another change coming soon – members who want Certifications in Relocation and/or Appraisal will be required to pass an exam to get the designation. So if you're working on one of those designations, you may want to speed up or prepare to get tested (like for the SR/WA).

I've been thinking of some changes that you may want to consider for the chapter by-laws – for instance – how do you think it would work if the by-laws were changed to allow for proxy votes, or maybe electronic votes for next year's elections? If I get some positive feedback from you, I will make the motion to the Board to change our voting to meet the 21<sup>st</sup> Century. I'll ask Cate to send out a small voting survey to see how you feel about this. If it doesn't get on the Board's agenda before the end of the year, I'll present it as a motion to discuss in January or February.

Next thought – how would you feel about the Chapter providing a box lunch for a very nominal fee at the classes we offer at the University of Phoenix? Some of the rumors I heard were that you wanted to stay at the campus but the food wasn't to your liking or the café was just too busy. Is that true? Tell me or Rebekah Louis what you think about this idea.

As a reminder for your next year's calendar - the International Educational Conference will be held in Denver next June and will start a day earlier on Sunday and end on Wednesday, a day sooner. This will help some employers who have had difficulty letting their employees leave for 4 days during the week.

My term as your president is ending soon but I will remain active as your International Director during 2006. I'm very proud of the things the Chapter was able to accomplish this year and I give full credit to all of the committees, volunteers, and Board members. (Whenever I see anyone wearing their Kachina Chapter shirt, it will remind me of how much fun I had being your President this year.) Anyone who has suggestions for improvement next year, please give them to Doc Sterling, Caroline Tillman, Cate Chamberlain or Doug Estes, as they will be your 2006 Executive Board.

Our next luncheon on November 8 will feature not only turkey and dressing, but also an expert on subsidence and those pesky little (!!?) fissures. And lastly, don't forget our Installation Luncheon on December 13. The menu includes tender Prime Rib and the cost remains the same - \$16.

I hope to see you all soon.

## 3rd Annual Chapter 28 "Adopt a Family" Project

Melita Hillman, SR/WA

Again this year, the Chapter 28 Board has approved a Community Service Project to give back to the community by "Adopting a Family" for the holidays.

We will collect financial contributions at the November and December luncheons, as we hope to provide meals for two families at Thanksgiving. In December we will collect funds and items to assist the selected family or families for the Christmas holiday.

Watch the web site and upcoming newsletters for more details as they become available from the agency regarding the families to be adopted.

Over the past two years, we found this to be a really rewarding and gratifying project. Knowing that we are sharing the blessings given to us with those facing significant challenges is what Thanksgiving is all about.

If you would like to assist with the collection or shopping efforts, please let me know. Your contribution of time, money or items is, and will be appreciated.

### EDUCATION

Rebekah Louis, Education Chair

**Following is the list of 2006 classes. Rebekah is still looking for coordinators for some of the classes. Please contact her if you are interested.**

#### **February 6<sup>th</sup> & 7<sup>th</sup>**

Course 800 – Principles of Real Estate Law  
Instructed by Ralph Brown  
Coordinator – Rebekah Louis

#### **February 8<sup>th</sup> & 9<sup>th</sup>**

Course 205 – Bargaining Negotiations  
Instructed by Ralph Brown  
Coordinator – Pam Hicks

#### **February 10<sup>th</sup>**

Course 103 – Ethics and the R/W Profession  
Instructed by Ralph Brown  
Coordinator – Cate Chamberlain

#### **February 13<sup>th</sup>**

Course 500 - Uniform Relocation Assistance - Executive Summary  
Instructed by Coral Sheehan  
Coordinator –

#### **February 14<sup>th</sup>**

Course 505 – Advanced Relocation Assistance I - (Residential)  
Instructed by Bev Francy  
Coordinator –

#### **February 15<sup>th</sup> & 16<sup>th</sup>**

Course 506 - Advanced Relocation Assistance II - (Business)  
Instructed by Cecilia Melanson  
Coordinator –

#### **September 8<sup>th</sup>**

Course 603 – Understanding Environmental Contamination – Real Estate  
Instructor – TBD  
Coordinator –

#### **Course 213 – Conflict Management**

Instructor – TBD  
Coordinator –

## DECEMBER LUNCHEON

The December Luncheon will be held on December 13th at 11:30 at the Double Tree on Van Buren at 44th Street. We will be collecting donations for our "Adopt A Family" Christmas families. Please bring a generous heart and your checkbook to this luncheon. Following is the menu for this luncheon.

**MENU:** Garden Green Salad with Assorted Dressings; Slow Roasted Angus Prime Rib (Medium Rare); Served with Creamy Horseradish and Natural Au Jus; Chef's Selection of Rice or Potato; Fresh Vegetable Medley; Rolls and Butter; Apple Crumb Cake; Coffee, Decaf and Iced Tea. \$16 per person

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### REGION 1 NEWS

Mark Keller, SR/WA, Region 1 Chair

On October 22, 2004, Region 1 held its Fall Forum in Emeryville, California. Thirteen of the fourteen chapters were present and submitted reports. The Committees present included: IEC, ILPAC, IMC, IUC, IPDC, and Transportation.

All of the chapter and committee reports as submitted were posted on the Region 1 website prior to the Region 1 Fall Forum. As highlighted, the Region 1 website facilitates communications while alleviating costs for printing and shipping. Our International Executive Committee At Large Member, Juan Zaragosa, SR/WA attended our forum and answered questions regarding the course pricing, education issues, and proposed by-laws changes. In lieu of submitting chapter and committee reports, Region 1 performed a SWOT Analysis and is included for your reference. The action items covered at the forum are currently being addressed and are as follows.

The major action items include:

- \*Funding from Region 1 Chapters for the 50's celebration for Jim Finnegan and Chapter 27 to handle.
- \*Region 1 voted to disband the Hawaii Chapter. Letters will be mailed out to all Chapter 30 members and all Chapter Presidents and Membership chairs in Region 1. (Can you include this as an IEC item?)
- \*Solicit for Candidates for the Region 1 Vice-Chair, Professional of the Year, and Small and large Chapter Newsletter of the Year for the 2006 Spring Forum.
- \*Update course schedules and e-mail all chapters on a monthly basis the status of all IRWA courses.
- \*Obtain from IRWA Headquarters staff position descriptions and place on the Region 1 website.
- \*Explore Long Beach bid for 2011 as a region sponsored IRWA annual conference.
- \*Foster communication of all IRWA events, classes, and seminars in order to avoid conflicts.
- \*Update Region 1 Forum schedule and post to region 1 website.
- \*Prepare for 2006 Spring Forum and organize a class sponsored by Region 1 and Chapter 57.
- \*Send out invoices to Region 1 chapters for the \$50.00 annual assessment by January 1, 2006.

During the forum, Carolyn Carrica, Region 1 Vice-Chair and I utilized material from IRWA regarding leadership. It was well received and future workshops were requested.

After reviewing the chapter reports, please address and assist Region 1 with the following issues:

- \*Lack of response from IRWA staff regarding educational offerings and communications. Need personnel to answer phone calls more efficiently and in a timely manner.
- \*Lack of detailed course invoices. Incorrect and unsupported charges to chapters for course materials. Need better accounting from IRWA headquarters. It was noted that Chapters 27, 28, and 73 have experienced problems with the existing course invoices.
- \*Enhanced communications for course offerings to avoid conflicts.

We have also filled out the forms from Kathleen Bell and faxed them to her for the Educational Summit.

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The SWOT analysis revealed the following:

**Strengths:**

- Younger
- Education
- Great people-mix
- Great activities
- Sponsorships
- Great Boards
- Commitment
- Continued participation
- Workshop for new board members
- Solid core group
- Great attendance
- Active
- Good Course Coordinators

**Weaknesses:**

- Limited participation
- Lack of projects in area
- Lack of new blood-leaders
- Luncheons not well attended
- Lack of involvement of board members
- Members are too busy
- Transition of chapter
- Complacency
- Top heavy with SR/WA's

**Opportunities:**

- Subsidize events
- Bulk membership and education pricing
- Expand geographic areas
- Electronic websites, etc.
- Seminars instead of classes
- Sponsorship by governmental entities
- Younger-training
- New members involvement
- Agency sponsorship
- Streamline processes that are outdated and redundant- chapter and region reports and tax forms
- Shared process
- Combine Secretary/Treasurer for 2 year term

**Threats:**

- Retirement of members
- Membership retention-lack
- Too large geographic areas to cover for chapters, regions, etc.
- Growing pains for chapters
- Lack of time for involvement—other commitments-family and other associations.

The SWOT Analysis reveals quite a number of items requiring attention on the chapter, regional, and international levels. It appears that IRWA is fortunate to have a great group of core members and many opportunities to grow the membership by providing more agency or educational membership options. Weaknesses and threats reveal that time is the most limiting factor to all the members' involvement and a growing number of retirees getting out of the IRWA. Region 1 Fall Forum was very well received and the seminar on the East Bay Regional Park was very interesting. Thanks to Chapter 2, the Schmidt-Prescott Group, and Associated Right of Way Services for being great hosts. Region 1 is in great shape.



## Surveyor's Corner

Gregg Tuttle, Manager  
SRP Land Department  
Surveys Division

Question:

**My neighbor's property was surveyed. Why isn't there a recorded map?**

ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS (AzBSMS), in Section 13, state that the land surveyor shall ensure that the appropriate survey drawing(s) is(are) RECORDED whenever any of the following conditions are encountered:

- A. Any land boundary survey monument found, and incorporated into the new survey, where that monument is not referred to in or by any previously recorded public record instrument.
- B. Any existing land boundary monument, or found monument, referenced in a previously recorded public document, when the public document fails to adequately identify said monuments.
- C. Any land boundary monuments are set in conjunction with the new survey.
- D. Any new land division as defined under state statutes.
- E. Any difference as measured between the land boundary or property corner monuments, where the new measured distance, as compared to a previously determined ("record") distance, where such difference exceeds +/- 0.25 feet, plus 100 parts per million (PPM), of the overall distance between the points.

Also, the AzBSMS state, (in Section # 6), that: "The land surveyor shall retain documentation necessary to adequately convey the methods and results of any land boundary survey where such results-of-survey were NOT publicly recorded.

Now, as to WHY your neighbor's property survey may have not (yet) been recorded. It may have been an instance where some type of a survey was to be performed, perhaps without the setting of permanent markers, (without "monumentation," as it were), which included one or more of the following situations:

1. Sufficient existing monumentation was found, eliminating the need to set new permanent markers.
2. The surveyor's client commissioned the survey for informational purposes only, so only temporary markers, such as lath and ribbon, were set.

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## Surveyor's Corner...continued

3. The survey was of a type other than a boundary survey, such as a topographic or a plain metric survey, often done to detail existing ground, landscape, and structures for a proposed development.
4. The survey was not (yet) completed (and, presumably, no monuments were set), because the project was abandoned or the surveyor was not paid.

Also, please be advised that the responsible registrant surveyor has 90-days from the time of the completion of the survey within which to record the results-of-survey drawing of the boundary survey. Note the emphasis on "time of completion".

There are some more scenarios to consider as to when and how the "completion" of that survey is determined.

There may have been some situation that came up, after monuments were in place, which has prevented the survey from arriving at a final completion, (such as a change in the scope of the survey, or, perhaps, some newly discovered evidence that may effect the outcome of the survey, etc.)

If there is no publicly recorded survey drawing to be found, then, (if there are new monuments established), you could retrieve the responsible land surveyor's license number, (which is required, by the AzBSMS in Section # 9.B to be included with/on any new monuments set).

From there you should be able to find out the name of the surveyor by going to the Arizona Board of Technical Registration (AZ/BTR) website (<http://www.btr.state.az.us/>) and cross-referencing it in their listing of professionals. Then you might be able to find the surveyor and negotiate obtaining a copy, depending on the circumstances of the survey as we have discussed in this article.

The worst-case scenario, (for the responsible surveyor), is where / when it is discovered that the drawing should have been recorded, but was not - perhaps because of either negligence or incompetence or both. That is a situation for the AZ/BTR, which also handles such allegations and complaints. See their website for more details.

Well, that's it for this month's article from the Surveyor's Corner.

If anyone has feedback or comments, please feel free to share them.

As always, I am interested in the opinions from, the readers of the Kachina Chapter 28 Newsletter.

Please keep sending in those questions.

*Until next time, Thanks for reading about land surveying & land surveyors. –  
Gregg Tuttle, AZ/RLS # 11121  
Manager, SRP LAND-Surveys Division*