



Kachina Chapter 28, Newsletter

September, 2008

Inside this issue:

President's Message	2
Welcome New Members	2
Educational Seminar	3
Treasurer Nominees	4
Calendar	5
Interest Article	6
Education	7
Interest Article	8
Interest Article	9
Back Page - METRO!	10

2008 Kachina Chapter

Executive Board

President

Doug Estes, MAI, SRWA
480.345.4111
dougest@hotmail.com

President Elect

Kathie Sholly, SRWA
623.930.3652
ksholly@glendaleaz.com

Secretary

Karen Williams, SRWA
602.542.8857
karen.williams@azag.gov

Treasurer

Mary Smith
602.682.0000 ext. 309
msmith@tierra-row.com

International Director

Caroline Tillman,
SRWA, RW-RAC
602.-234-1000
carolinet@acqsl.com

PDC Chair

Ray Warriner, SRWA
602.542.2146
rlw2@azstateparks.gov

Looking towards 2009 for "OUR" Chapter 28

Chapter 28's Member Luncheon Meetings are for you, the members of Chapter 28. We try to keep it affordable, easy to get to, and interesting.

We can't do it without your help, suggestions or comments.

If you have a suggestion for a topic or speaker you'd like to hear in 2009 submit your ideas to us!!!!

Mail

KACHINA CHAPTER 28,
PMB #428,
5025 N Central Avenue,
Phoenix AZ 85012

Fax

623-915-2861

Email

PresidentElect@irwachapter28.org

We look forward to hearing from you!

Newsletter Editor ~ Paula Day, Tierra Right of Way Services, 602-682-0000 ext. 312



President's Message

**President's Message
to return in
October's issue!**

Welcome New Members



Deborah A. Ortega
City of Phoenix

Laurie Hawkins
UNS Gas Inc

Joan E. Krueger
Arizona Municipal Advisors



50th Annual Education Seminar

September 10, 11 and 12, 2008

Location: PERA Club!

(1 E. Continental Drive, Tempe)

Theme: Looking Toward the Next 50 Years!

This year, IRWA Kachina Chapter 28's 50th Annual Educational Seminar will be held September 10 - 12, 2008 at the PERA Club. Don't miss this great opportunity for education and to spend some time with your fellow IRWA members. The theme, "**Looking Toward the Next 50 Years**", includes the local outlook on such issues as transportation, water, and development.

Dates: September 10 & 11, 2008

Course: 200 Principles of Real Estate Negotiation

Facilitator: Beverly Francy, SR/WA

Date: September 11, 2008

Course: 410 Reviewing Appraisals in Eminent Domain

Facilitator: Sandy St. Arnauld, SR/WA

Date: September 12, 2008

We'll conclude our 50th Annual Education Seminar with a host of interesting speakers. There may even be a special surprise guest speaker joining us for lunch!

Confirmed Speakers

Larry Langer, Assistant State Engineer

State Freeway Projects Update

Kate Maracas, Abengoa Solar

Solana: World's Largest Solar Plant

Rick Simonetta, CEO of METRO Light Rail

METRO project status

Shaine Alleman, Senior Planner, Tiffany & Bosco

"Creating Urban Form: Conventional Zoning and Form-Based Codes"

Cary Pfeffer, ClearComm Consulting

"The Power of Words"

Greg Kornrumph, Principal Analyst, Water Rights and Contracts, SRP

"Cragin Dam Project and the Water Outlook"

AZ One - A Reality Check for Central Arizona

Key Ideas and Findings

And the raffle prizes are spectacular! They're so big that, this year, you must be present to win!

Go to our website www.irwachapter28.org to register for this event!

Chapter 28 Treasurer 2009~

The membership will vote at the Seminar on September 12, 2008. This position is VERY important to our organization and requires a 5 year commitment to serve on the Board. The person elected will advance annually through the different Board positions.

If you have questions, please call me.

Chris Banks, SR/WA, Nominations and Elections Committee, Chair

Email: Chris.Banks@srpnet.com - 602-236-8175

And the Nominees are.....

Jason Foster

"I would greatly appreciate your vote and the opportunity to be your Chapter 28 treasurer.

I have handled my family finances for over 4 years and personal finances for the prior 6 years. Having worked with several employers I have been trusted with the handling and distribution of money.

I am honest, hard working, and will bring new energy and new ideas to Chapter 28.

I will accept the position of Treasurer and make the commitment to serve on the Chapter Board for the next 5 years. Most importantly, I will work diligently to maintain and balance the finances for the chapter.

I look forward to being a part of the IRWA Chapter 28 team. Thank you for taking the time to vote. I look forward to managing the Chapters finances and participating in the IRWA".

Jason Foster
Land Services
Arizona Public Service Company
602-328-1959 (83-1959)
602-809-3217 jason.foster@aps.com

Debra Carter

"I just wanted to remind everyone that voting is your right and duty! Every vote makes a difference to the outcome, every vote counts. Whether it's for the Presidential election or the position of Treasurer for IRWA Chapter 28, make sure you vote!

And while we are on the subject of voting, please vote for me as the 2009 treasurer for our local chapter. I have a very high standard of ethics and over 15 years of experience in the Right of Way industry.

In addition to my experience in Right of Way, I have experience in accounting. I feel this makes me the best choice for your 2009 IRWA Chapter 28 treasurer.





When elected, I will enthusiastically perform the duties of the office of treasurer and step up to the challenge of each new position over the next five years".

Debra A. Carter, SR/WA, R/W-RAC
Project Manager
Universal Field Service, Inc.
Phone: 602-604-8118
Fax: 602-604-9515

The election for Chapter 28's officers for 2009 will be held on Friday, September 12. Ballots will be given to each attendee at check-in and must be placed in the ballot box no later than 10:00AM that day.

Due to numerous requests over the years and for the first time in Chapter history, we are distributing Absentee Ballots to members who will be unable to attend. You may get one of these Absentee Ballots by contacting Chris Banks at Chris.Banks@srpnet.com. Anyone who votes by Absentee Ballot will be notified by email that their vote has been received and will be kept confidential. Good Luck Candidates!!!

September 2008

Sun	Mon	Tue	Wed	Thu	Fri	Sat	Schedule of Events
	1 	2	3	4	5	6	• Happy Labor Day!!!
7	8	9	10 	11	12 	13	• Education Seminar!!! "Looking Toward the Next 50 Years".
14	15	16	17	18	19	20	• Treasurer 2009 Election Date
21	22	23	24	25	26 	27	• Newsletter Articles Due
28	29	30					

***Come for the Education and IRWA Networking --
stay for the Sun and Fun!***



***To Be Held in Conjunction with the Region 1
Fall Forum in Honolulu, HI***

Course 403: Easement Valuation

Participants will learn specific methods and procedures to measure and value property before and after an encumbrance, as well as damages, if any result.

403 Easement Valuation 10.03.08 Honolulu, HI

189 Hawaii properties in transit's path

But some landowners say they were unaware of the potential impact.....

A Waipahu Burger King, a Kalihi 7-Eleven and an Ala Moana pool supply store are among 189 properties the city may need to buy to make way for Honolulu's planned \$3.7 billion elevated commuter rail system. Some landowners in the path of the new rail line, who may have little choice but to sell to the city, are not pleased with the potential eviction and complain that the process so far has left them in the dark.

The city, which has budgeted \$70 million to purchase land needed to build the rail system, will offer property owners fair market value for their land based on an appraisal. That could prove controversial as some owners challenge the appraised value.

Mayor Mufi Hannemann hopes to begin construction on the 20-mile mass-transit system linking East Kapolei to Ala Moana late next year, with train operations beginning in phases between 2012 and 2018. Under current plans, 89 commercial locations, 87 government or utility-owned properties and 13 residential properties could be acquired whole or in part. A document listing the locations of these properties has been available on the city's Web site for more than a year. However, finding that list is not easy. As a result, many landowners and businesses may be unaware they're in the path of the transit project.

That's the case with the owner of land under a Kalihi 7-Eleven store at the corner of Dillingham Boulevard and Mokauea Street. The city is considering putting a train station nearby, which could result in the loss of 36 feet of that property's Dillingham Boulevard frontage. "We weren't aware of that," said property owner Michael Kam. "Obviously there are some bad things and good things about (the train station), but 36 feet seems like a lot of property to be taken away." Land owners that may be affected by the transit project will be notified before the release of a draft environmental impact statement later this summer, said city spokesman Bill Brennan. The city already is notifying landowners about potential right-of-way issues when they apply for building permits.

That effort appears to have failed in at least one instance. Steve Johnson, general manager of California-based Kazi Foods Inc.'s Hawai'i operations, said he was not aware that the city may require 36 feet of frontage at a new Burger King planned for the corner of Mokuola Street and Farrington Highway in Waipahu. Kazi, which operates Hawai'i KFC and Burger King restaurants, has worked with city officials on the restaurant's plans for months. However, city officials never mentioned they may eventually need part of the restaurant property's frontage, Johnson said. "They've seen a schematic drawing of our site plan before we signed a lease for that property so, if they've known about that in the last six months, they would have made us aware that they're going to need a portion of it and to my knowledge they have not," he said. "They better not surprise me."

Awareness needed

The Department of Planning and Permitting should tell applicants about the potential impacts of the transit project before giving out new permits, said City Council member Gary Okino. That could relieve the city of some future liability, he said. "The people that give permits should be aware of" these right-of-way issues, Okino said. "It's not only for (the property owner). It's for us, too, because there could be some added expense to the city."

[Cont..page 9....](#)

**E
D
U
C
A
T
I
O
N**

**E
D
U
C
A
T
I
O
N**

- 701 Property Management Leasing 09.09.08 Sacramento, CA
- 200 Principles of R. E. Negotiation 09.10.08 Tempe, AZ
- 410 Reviewing Appraisals in Eminent Domain 09.11.08 Tempe, AZ
- 600 Introduction to Environmental Issues 09.22.08 Los Angeles, CA
- 900 Principles of Real Estate Engineering 09.23.08 San Diego, CA
- 201 Communications in R.E. Acquisition 09.24.08 Riverside, CA
- 802 Legal Aspects of Easements 09.25.08 Las Vegas, NV
- 901 Engineering Plan Development & Applications 09.25.08 San Diego, CA
- 902 Property Descriptions 09.26.08 Las Vegas, NV
- 506 Advanced Business Relocation Assistance 10.02.08 Riverside, CA
- 403 Easement Valuation 10.03.08 Honolulu, HI
- 400 Principles of Real Estate Appraisal 10.06.08 Alhambra, CA
- 303 Managing the Consulting Process 10.06.08 Tucson, AZ
- 802 Legal Aspects of Easements 10.08.08 Tucson, AZ
- 410 Reviewing Appraisals in Eminent Domain 10.09.08 Fresno, CA
- 400 Principles of Real Estate Appraisal 10.09.08 Tucson, AZ
- 100 Principles of Land Acquisition 10.13.08 Reno, NV
- SR/WA Comprehensive Review and Exam 10.14.08 Santa Ana, CA
- 902 Property Descriptions 10.17.08 San Diego, CA
- 400 Principles of Real Estate Appraisal 10.22.08 Sacramento, CA
- 803 Eminent Domain 10.23.08 Los Angeles, CA
- 502 Business Relocation 10.23.08 Henderson, NV
- 701 Property Management Leasing 11.05.08 San Pedro, CA
- 703 Real Property Asset Management 11.07.08 San Pedro, CA
- 209 Negotiating Effectively with a Diverse Clientele 11.13.08 San Diego, CA
- 801 U.S. Land Titles 11.17.08 Peoria, AZ
- SR/WA Comprehensive Review and Exam 12.03.08 Encinitas, CA

Following AP report, appraisers calls for reform

CHARLOTTE, N.C. (AP) — Four national associations of real estate appraisers have asked Congress for major regulatory reforms in the wake of an Associated Press investigation that identified key failings within the existing system.

Led by the Chicago-based Appraisal Institute, the groups said Wednesday they want the Congress to approve more money so that state appraisal boards can boost enforcement efforts. They also called on lawmakers to increase the oversight authority of the federal agency charged with monitoring the appraisal industry.

"We have been deeply troubled by the lack of responsiveness by some federal and state appraiser regulators in carrying out (the law)," said Bill Garber, the director of governmental and external relations at the Appraisal Institute, the nation's largest association for real estate appraisers.

The AP's investigation found that since 2005, more than two dozen states and U.S. territories have violated federal rules by failing to investigate and resolve complaints about appraisers within a year. Some complaints sat uninvestigated for as long as four years and as a result, hundreds of appraisers accused of wrongdoing remained in business.

Experts told the AP the failings helped contribute to the current crisis in America's housing market. "We hope this article proves to be a catalyst for modernizing the existing appraisal regulatory structure and making it more effective," they wrote to the Senate Banking Committee. The other groups signing the letter are the American Society of Appraisers, American Society of Farm Managers and Rural Appraisers, and the National Association of Independent Fee Appraisers.

In the letter, sent two days after the AP's published its report, the associations asked that the reforms be added to appraisal legislation already before the committee. But Garber acknowledged that will be a challenge, since Congress is close to adjourning for the year.

"We think we can do it," he said. "We just have to get them moving." Reps. Paul Kanjorski, D-Pa., and Judy Biggert, R-Ill., the co-sponsors of appraisal reform legislation that passed the House last year, said earlier this week it was unlikely Congress would have time to address the AP's findings. But the staff of Sen. Bob Casey, D-Pa., who sponsored similar legislation in that chamber, said he plans a renewed effort to move it forward in the wake of the AP's report. "We have to get both sides to work together," Gerber said. "This is too important an issue."

Under the current regulatory system, created in the wake of the savings and loan crisis in 1989, states license appraisers and discipline those who break the law. An independent federal agency, the Appraisal Subcommittee, is responsible for conducting field reviews and audits of the states, and maintaining a national registry of appraisers.

The AP's investigation found the Appraisal Subcommittee knew for years that state appraisal boards were violating federal rules, and that appraisers were facing intense pressure from lenders, mortgage brokers and real estate agents to inflate the values of homes. But former officials acknowledged to the AP they didn't take action, believing they did not have the authority to do so.

Garber said appraisers want Congress to give the Appraisal Subcommittee more authority over state appraisal boards, including the ability to issue fines. That would be a critical reform, since the only tool the Appraisal Subcommittee has to enforce its rules is would effectively halt all mortgage lending in a state. That penalty is considered so severe that it has never been used.

"While some state appraisal boards do a good job of enforcement, for whatever reason, whether it be lack of funding or lack of mandatory licensing requirements, more than a few do a poor job," the groups wrote.

"This cannot be allowed to continue. The Appraisal Subcommittee must hold the states responsible, and more resources must be given to state appraisal boards to conduct investigations and enforcement." By MITCH WEISS – AP - 8-20-08



IS YOUR IRWA INFORMATION UP TO DATE?
PLEASE TAKE A MOMENT TO REVIEW YOUR DETAILS AND
UPDATE IF NECESSARY AT WWW.IRWACHAPTER28.ORG



Continued from page 6....Hawaii properties.....

Early and frequent discussions with property owners and others could aid acceptance for the project, said Sen. Clarence Nishihara, D-18th (Waipahu, Pearl City, Crestview). "To me, the earlier you have a discussion the better," Nishihara said. "If you put it in, and people feel like it's already a done deal — they're forced to make changes — then you're going to have even greater resistance."

Under current plans, the property acquisition process won't begin until the federal government approves the project's environmental impact statement, the city said. The city hopes that approval will come sometime in fall 2009. That would allow for groundbreaking on the project's first phase, which would connect East Kapolei to Leeward Community College.

One of the main reasons for starting construction on the 'Ewa end is to avoid right-of-way acquisition issues during the project's early stages, according to Jim Van Epps, project manager for Parsons Brinckerhoff, which is the city's largest transit contractor.

In the 'Ewa area, "the parcels are available or should be readily available to us to get the construction going easy," Van Epps said during a recent city-sponsored radio show. "We're not dealing with a lot of residential and commercial areas that are side by side by side that are going to take so many years for us to acquire in order to get the length of property that we need."

In an attempt to minimize the project's land requirements, the city plans to build the elevated, approximately 26-foot wide guideway within existing street rights of way and on government-owned land. However, the guideway, and its 50-foot wide stations, will still require the acquisition of various private lots.

A difficult fight

Fighting the city on property condemnation is not easy. Because mass transit serves a public purpose, there's little preventing the city from acquiring property needed to build it, said Robert Thomas, managing attorney for the Pacific Legal Foundation's Hawaii Center, which lobbies for property owner rights. The U.S. Constitution allows local government to take private property if there is a compelling public interest in doing so. "Right now, it looks like the chances of a fight on whether they can take this land is pretty remote," Thomas said. "There's very little standing in the way."

Once the acquisition process starts, the city will determine the fair market value for properties and offer to pay owners that amount, the city said. If landowners refuse to sell, the city may condemn the property. The key battles between property owners and the city will be over what constitutes fair value for the lands being acquired, Thomas said. That decision will hinge on when the property assessments are made.

"The critical piece in the puzzle is, when are we valuing this?" he said. "The owner could claim a higher valuation, if it's an earlier date, especially if it's a slightly declining market." However, "If our economy is going the way people think it's going, then property values are going down, which could benefit the city's acquisition prices," Thomas added.

Among the land scheduled for acquisition are several Ala Moana properties near Pensacola and Waimanu streets. One of those lots is owned by Jim Frierson, who operates Island Pool & Spa at 1169 Kona St. That property is valued at \$5.2 million, according to property tax records.

That tax assessment excludes the property's potential development value, which would not be realized if the city forces a sale of the land, Frierson said. City plans to acquire the property have already affected its value, he added. "By just having that piece of paper exist, that has destroyed the potential value of the property," Frierson said. "Effectively, you can't really sell the property. Nobody's going to buy a property that's going to be condemned."

By SEAN HAO Advertiser Staff Writer , June 1, 2008

METRO Light Rail



GRAND OPENING
DECEMBER 27-28

RIDE FREE

....fast facts....

Light rail and bus share the same fare system. An all-day pass for \$2.50 is good on both local bus and light rail. All-day passes expire at 2:59 a.m. on the following day. If you buy a pass for light rail / local bus, and then decide to take a Express or RAPID bus you simply pay the difference for the upgrade. METRO uses a proof-of-payment system. Pass cards or paper passes must be activated at station platforms or on buses before boarding the train. Passengers who fail to activate tickets or passes are subject to fines.

Reduced fares are available to:

Children five years old and under - free

Youth ages 6-18 - 50% discount

Seniors 65 and over – 50% discount

Persons with a disability – 50% discount



**LIGHT RAIL
NOW TESTING**

Be safe around light rail.

MetroLightRail.org/Safety