



Kachina Chapter 28, Newsletter

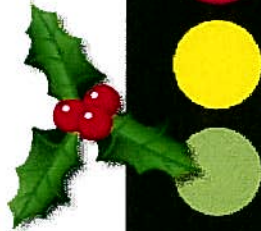


December, 2008

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Happy Holidays



LIGHT RAIL
NOW TESTING
Opening December 27

Be safe around light rail.
MetroLightRail.org/Safety

2008 Kachina Chapter Executive Board

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The grand opening of METRO light rail is Saturday and Sunday, Dec. 27 and 28, with all train rides free. Station celebrations will be held Saturday from 10 a.m. to 5 p.m. Saturday activities will occur along the entire 20-mile METRO alignment. There will be music, activities and exhibits at many park-n-ride and light rail station locations.

Because we expect a lot of Valley residents to join us in marking this piece of Arizona history, we'll also have shuttle buses to get you back to your car if the trains get crowded. Rides will run from 10 a.m. – 8 p.m.

Sunday will offer a more low-key opportunity to explore the METRO system, its beautiful stations and the Valley's light rail destinations. Rides are still free from 10 a.m. to 6 p.m., so if you're not big on parties, plan to explore METRO on Sunday. Then, keep riding free right through 2008 during METRO's regular service hours.



President's Message...

Well another year has flown by. It has certainly been an interesting year for the Kachina Chapter. We have tried a few new things, some of which worked well and others of which didn't work so well. We have also made some changes due to circumstances that came up during the year. Despite the changes, with many dedicated Board members who have fulfilled the responsibilities of their position, I believe the Chapter has had a successful year. With the work of our President Elect, at our luncheons and seminar, we have had a number of outstanding speakers and had a successful seminar. After discovering a hole in our finances, our Treasurer has set up a better accounting system to avoid similar problems in the future. Our Education Chair has put on a number of successful courses throughout the year, enabling our members to advance toward IRWA designations. Our Luncheon Chair and Committee has worked hard to find locations throughout the Valley that are convenient for our members and that are reasonably priced. Our Newsletter Chair willingly volunteered to publish our newsletter and has consistently done so since accepting that responsibility. And many others have contributed by attending and being involved in discussions at Board meetings and fulfilling the responsibilities of their position. Prior to being President, one of my concerns was that it would be difficult to get Board and Committee members willing to attend Board meetings and to help carry the load. That was definitely not the case this year. Throughout the year as needs have surfaced, somebody has always been willing to step up and fulfill that responsibility. Many who have already had significant responsibilities have taken on additional responsibilities. As members of the Kachina Chapter, we should all be grateful for the service of our Board members. Based on their service this past year, I am confident that the Chapter will be in good hands during the next few years. And finally, I appreciate the opportunity that I have had to serve as chapter President this past year. It has been a great experience getting to know many of you and being involved in Board decisions and business. I wish you the best in the future.



On November 3, 2008 the Kachina Chapter 28, Board Members submitted the following letter to the International Executive Committee and Region Chairs, in opposition of the proposed region realignment.

This letter is submitted for your information by IRWA Chapter 28 President, Doug Estes.

Dear International Executive Committee and Region Chairs,

On September 24, we received information on the proposed region realignment in which the Arizona chapters will be removed from Region 1 and placed in the proposed Region C. After receiving this information, board members of Chapter 28 met to discuss the proposed realignment. Based on our meeting and other communications among our chapter leadership, we feel strongly that we should remain part of Region 1 or the proposed Region A.

We understand the desire to balance the size and strength of the regions; however, we believe that the criteria that were considered for the realignment (government laws, travel distance, regional cultural and natural business lines) were incorrectly applied to Arizona. We also believe there are other criteria to consider.

Many of the statutory laws in Arizona were adopted from California statutes; therefore, our government laws are much more in alignment with California than any other state. Moreover, many of the licensure laws for the various industries of IRWA members are similar to those of California and very dissimilar to those of the states of Region 9.

Many of the population centers of Region 1 are within a 6 hour drive (or less) of the Phoenix area. Most of the population centers in Region 9 are an 8 or more hour drive from the Phoenix area (Albuquerque 8± hours, Salt Lake City 10± hours, Denver 12.5± hours). Flights to the population centers of Region 1 from Phoenix are less expensive and more frequent than flights to the population centers of Region 9.

Arizona may be perceived to be a "Rocky Mountain" state and, therefore, for cultural reasons most similar to the other Region 9 states. With urbanization of the Phoenix area, we believe our culture is more similar to that of California and Nevada.

The entities that our members work with have ties to California and Nevada. Many have their headquarters in the Los Angeles and San Diego areas. Very few of our members have dealings with entities in New Mexico, Colorado, Utah or Wyoming.

Furthermore, there has been very little participation in Phoenix chapter functions (classes, membership meetings and seminars) by IRWA members from Region 9, nor have our members participated in the functions of the chapters in Region 9. Conversely, California and Nevada members regularly attend Phoenix chapter functions and vice versa.

Arizona's projected growth is toward the west and northwest, toward California and Nevada. There are natural and political boundaries (Federal and Native American lands) that will prevent us from growing toward either Utah or New Mexico.

The Phoenix Chapter has historic ties to Region 1. We were started as an affiliate of the Los Angeles chapter.

Arizona is on Mountain Standard Time all year. We do not have daylight savings time. California and Nevada are on Pacific Daylight time approximately 8 months of the year. So, we are actually on the same time as California and Nevada more than any of the Region 9 states.

The proposed Region C, in which Arizona is being placed, will be the weakest region of the entire IRWA. Our influence in the IRWA will be significantly reduced. As one of the largest IRWA chapters we would like to have more influence than we will as part of Region C.

Region letter continued next page



Region letter continued....from previous page.

Every three years each Region is encouraged to make sure that all the core classes are offered within a reasonable distance within their own Region. Arizona would not be able to meet this criteria with the New Mexico and Colorado regions. It is too far to drive and too expensive to fly. As it is, our members can get to Las Vegas or California in a matter of hours. This would greatly inconvenience Arizona members and make them leave their own new region to attend another region's classes in order to get their SR/WA designation. It would place a greater burden on the Arizona Chapters to cover the classes that would be necessary to make their new region compliant with IRWA Education needs.

From the feedback we have received, our chapter members do not want to be moved from Region 1. One of our past presidents went as far as saying he would not renew his membership if Arizona is removed from Region 1. The bottom line is that, while the criteria for the realignment are good, they have been misapplied to Arizona. If they are applied correctly and other criteria are considered, the proposed realignment is not the right direction for the Arizona chapters. Arizona should remain in Region 1.

If Region 9 is too weak to thrive (or even survive) independently, we believe that a superior option is to dissolve Region 9 and place those states in the surrounding regions. New Mexico may be placed in Region 2 (along with Texas, Oklahoma, Arkansas and Louisiana). Utah, Colorado and Wyoming may be placed in Region 7 (along with Washington, Oregon, Idaho and Montana).

Thank you for considering our input in this important decision.

Respectfully submitted,
IRWA Kachina Chapter 28 Board of Directors



Anyone who came to the Education Seminar in September and received one of the Chapter 28 flash drives should contact Kathie Sholly, President Elect, to receive the battery to operate the flash.

Kathie will be bringing the batteries to the December installation luncheon.

If you are not attending please email Kathie at PresidentElect@irwachapter28.org or call her to make other arrangements at 623-930-3652.



Interest Article



Right-of-way easements to see cost jump

Utility companies and oil developers will see the cost of their right-of-way easements across Bureau of Land Management property rise considerably in 2010.

The federal agency last week released a new schedule of rates for right-of-way leaseholders. The hefty jump in land values in the past five years and a new rate schedule will increase the fees by 14 percent to 600 percent over the next five years, depending on the state.

New Mexico will see less of an increase than Nevada and California. New Mexico is among the four top states in generating right-of-way revenue for the BLM, collecting \$2.7 million last year in fees, most of it from oil-and-gas-pipeline easements. The agency charges a per-acre fee every year based on the market value of land and the size of the easement.

Logging, utility, and oil and gas companies enjoy some of the lowest per-acre rates in the West in New Mexico. Most of the BLM land in the state is valued at less than \$1,000 an acre, putting it into the least expensive zones for easement fees. BLM land values are recalculated every five years.

BLM land in the highly productive oil and gas zone of San Juan County was valued at \$255 an acre in 2002, the last time the market value was calculated. That was a 200 percent increase over the land's value in 1987 and is expected to rise again under the latest 2007 valuation.

By contrast, an acre of BLM land in Clark County, Nev., was last valued at \$3,567 per acre, a 7,000 percent change from two decades ago.

The BLM right-of-way fees in most New Mexico counties will increase from \$7.56 an acre this year to \$8.62 per acre in 2015. It will increase from \$15.11 per acre in some counties to \$17.24. De Baca County, where land values are the highest at \$1,565 an acre, will see easement rates increase to \$51.73 per acre.

Bill Weigand, a BLM senior realty specialist based in Boise, Idaho, said to soften the increase of the new rate, the agency gave an across-the-board 25 percent discount on easement fees next year.

The new rates will take full effect in 2010.

While the rates per acre may seem inexpensive, it adds up for utility lines and pipelines that may only be a few dozen feet wide, but more than a hundred miles long. The width multiplied by the length of the easement gives the total number of acres in the right of way.

Article submitted by Mark Kellar, written by Staci Matlock | The Santa Fe New Mexican 11/4/2008





2008/09

Basic Right of Way Disciplines

104 - Standards of Practice for the Right of Way Professional

104 Standards of Practice for the R/W Professional 01.11.09 Las Vegas, NV
104 Standards of Practice for the R/W Professional 02.09.09 Bloomington, MN

Communications / Negotiations

200 - Principles of Real Estate Negotiation

200 Principles of R. E. Negotiation 02.17.09 Sacramento, CA
200 Principles of R. E. Negotiation 03.09.09 Bloomington, MN

203 - Alternative Dispute Resolution

203 Alternative Dispute Resolution 12.01.08 Tallahassee, FL
203 Alternative Dispute Resolution 01.11.09 Las Vegas, NV
203 Alternative Dispute Resolution 02.23.09 Boise, ID

205 - Bargaining Negotiations

205 Bargaining Negotiations 12.15.08 Sacramento, CA

209 - Negotiating Effectively with a Diverse Clientele

209 Negotiating Effectively with a Diverse Clientele 12.01.08 Calgary, AB
209 Negotiating Effectively with a Diverse Clientele 12.03.08 Tallahassee, FL

213 - Conflict Management

213 Conflict Management 02.11.09 Shreveport, LA
213 Conflict Management 02.13.09 San Diego, CA

215 - Right of Way Agent's Development Program

215 Right Of Way Agent's Development Program 01.08.09 Carlsbad, CA

220 - Cultural Awareness

220 Cultural Awareness 12.04.08 Reno, NV

Appraisal

400 - Principles of Real Estate Appraisal

400 Principles of Real Estate Appraisal 01.11.09 Las Vegas, NV

401 - Appraisal of Partial Acquisitions

401 The Appraisal of Partial Acquisitions 01.12.09 Springfield, IL
401 The Appraisal of Partial Acquisitions 03.09.09 Tucson, AZ

403 - Easement Valuation

403 Easement Valuation 01.21.09 Kearney, NE

Relocation Assistance

501 - Residential Relocation Assistance

501 Residential Relocation Assistance 12.03.08 Portland, OR

506 - Advanced Business Relocation Assistance












506 Advanced Business Relocation Assistance 02.19.09 Austin, TX


EDUCATION



December 2008



Sun	Mon	Tue	Wed	Thu	Fri	Sat	Schedule of Events
	1 203 & 209 	2	3 209 & 501 	4 220 	5	6	• Pearl Harbor Remembrance Day 1941
7 	8	9 	10	11	12	13	• Officer Installation Luncheon~11am~1.30pm Johnny's Uptown, See below for further information.
14	15 205 	16	17	18	19	20	• Happy Hanukkah! December 22-29, 2008
21	22 	23	24	25 	26 	27	• Merry Christmas! • Kwanzaa Day 12/26/08 - 01/01/09. Boxing Day also celebrated this day.
28	29 	30	31 				• Newsletter articles due • New Years Eve...

Number and  Denotes Education (see previous page for further descriptions).

Officer Installation Luncheon

December 9th, 2008

11am ~ 1.30pm

Cost ~ \$20.00

RSVP online at irwachapter28.org

~MENU~

Turkey

Mashed Potatoes

Green Beans Almandine

Stuffing

Dessert will be Assorted pies... (yum!!!)

Come and Support the installation of your new officers!!

Region 1 Chair, Carolyn Carrica, will be installing!

Location, Location, Location.... Johnny's Uptown!

40 E. Camelback Road, Phoenix

In these times, only the freshest comps will do!

How fresh are your "comps," the comparable sales of properties used as benchmarks in home real estate appraisals? Buyers and sellers rarely had to be concerned about such a question -- or even understand it -- when values were on the upswing. But in soft and declining markets, lenders are making comps a big deal. Some sellers are forced to renegotiate lower prices with buyers, even after they have a signed contract.

Rather than accepting sales of similar properties that closed as much as six to 12 months ago, lenders and mortgage investors are demanding that appraisers include only the freshest comps, ideally those closed within the previous 90 days, to support their valuations. They're also pushing for more extensive data on local listings, pending sales and listing-price-to-selling-price ratios before they agree to fund a mortgage.

As a result, growing numbers of sales transactions are being complicated, even knocked off track, as buyers demand that sellers lower agreed-upon contract prices to reflect the lower loan amounts lenders are offering.

"Appraisals have become a real hassle," said Steve Stamets, a loan officer with 20 years of experience at Nationwide Home Mortgage in Rockville. "Some sellers are taking a beating," he said, citing a recent transaction where the appraisal came in thousands of dollars below the signed contract price. Had the seller not agreed to eat the difference -- take a lower price than the buyer had agreed to in the contract -- "the whole deal could have fallen through," Stamets said.

Major lenders and investors such as Fannie Mae and Freddie Mac are "beating down on the appraisal" by demanding 90-day comps or fresher, he said. In Richmond, appraiser Perry Turner of P.E. Turner & Co. said his firm has seen numerous cases where using newly mandated 90-day or more recent comps, as opposed to those six months or older, has contributed to valuations lower than the price on the sales contract. "In 95 percent of those cases," he said, "the [listing and selling] agents have gotten together and renegotiated the contract" rather than lose the deal.

In Woodland Hills, Calif., appraiser Kerry Leiman, owner of Leiman Appraisal, defends the tougher standards as producing valuations that are much more finely tuned to short-term changes in local prices.

"Shorter is far better," Leiman said, even if sometimes there are not enough comparable closed sales that fit the lender's tighter time requirements. In those instances, he said, appraisers can look to current listings and use time adjustments based on local market pricing trend data to come up with appropriate estimates.

Turner said that when there are not enough 90-day comparables, he can sometimes persuade real estate agents to disclose in confidence the prices on pending sales, which otherwise are not reported or listed until closing. Pushed by lenders for the freshest possible data on properties, Turner also can tap into the local multiple listing service and statistically derive adjustment indexes for small geographic areas based on the percentage difference between original asking prices and selling prices.

That, in turn, allows him to adjust estimated prices for current listings that are comparable to the property he's appraising. If the listing is for \$400,000 and the index suggests that houses in the area are selling for an average of 4 percent below the original list or asking price, the appraiser can estimate the probable value of the unsold comparable house at \$16,000 less, or \$384,000.

Tim McCarthy, an appraiser in Tinley Park, Ill., agrees that requirements for fresher comps generally improve valuation accuracy for lenders' purposes, but pointed out that they are not foolproof. To the extent that appraisers have to focus on listing-price-to-selling-price and time-on-market indexes, they may miss some of the games that sellers and agents can play, he said.

For example, McCarthy said, a seller with a current listing at an unreasonable price that hasn't sold for months might pull the house off the market, then come back with it as a "new" listing with the same excessive price. As long as the listing date is at least three months from the date the house was pulled off the market, the listing will be counted as new under some multiple listing service rules, and the high asking price may get factored into new appraisals.

In that case, the whole push for fresh data "just totally misses the mark," McCarthy said.

By Kenneth R. Hamey - Washington Post





IRWA Chapter 28 Members and their Holiday Thoughts.




In memory of Leon Graton who recently passed on November 21, 2008. Leon joined the IRWA shortly after being hired as the City of Glendale's Property Agent in April 2004. Prior to this appointment he was a Veteran (Army emergency room medic), an Arizona Certified General Real Estate Appraiser (1992 - 2001), owner of Appraisal Alliance (1988 - 1994), a licensed pilot, an avid and passionate golfer. One of Leon's appraisal assignments led him to a long-term job of a different nature. His appraisal proposed the concept of a resort with equestrian and golf facilities of which the client did not believe it would ever work. Leon was certain it would. The client said "Come work for me and prove it!" So Leon did and for the next 10 years worked as Business and Operations Manager for Wild Horse Pass, Canyon Creek Ranch and Bumble Bee Ranch, a position that included negotiating permits from the Gila River Indian Community, preparing financial and operational plans, and managing the Koli Equestrian Center. Our thoughts are with your family and friends, R.I.P. Leon.



This is my wish for you:
peace of mind,
prosperity through the year,
happiness that multiplies,
health for you and yours,
fun around every corner,
energy to chase your dreams,
joy to fill your holidays!

-- D.M. Dellinger --



"We need to help the less fortunate this year given the challenging economic times faced by all."

~ Mark Kellar ~

www.phoenixrescuemission.org





IRWA Chapter History

To commemorate IRWA's 75th Anniversary in 2009, local Chapters are collecting history to submit to their websites, newsletter and the IRWA website. We encourage you to share your story by sending something to Mark Kellar so he can summarize and submit to the IRWA and for the Chapter 28 website as well as future newsletter articles. *(Please keep the information clear, concise and interesting!)*

To maintain consistency, here are the 10 items to include in your IRWA Chapter History:

- 1) Chapter Name and Number
- 2) Who founded the Chapter and what year?
- 3) Who was the first President?
- 4) Who was the first female member?
- 5) Who was the first female President?
- 6) Were any Chapter members a Balfour recipient or International President?
- 7) Does the Chapter offer special programs for members like scholarships or awards?
- 8) Can the Chapter identify the top 3 Infrastructure Projects (over its lifetime), or is there one project in particular it would like to highlight?
- 9) Have the right of way disciplines most practiced in the Chapter changed over the years (decades), and if so, how? Can a chart or graph be used to show these shifts?
- 10) Can you collect early Chapter pictures and recent ones to show the differences?

Capture the Early Years!

All Chapter stories/history snapshots should be submitted to: Mark.Kellar@srpnet.com





Join Federal, State and Local Government Officials for 3 Days of Education and Networking!

January 13-15, 2009

Las Vegas, NV

*With billions of dollars tied to your public projects, keeping up
with regulatory changes is critical.*

Join officials from the FTA, FHWA, USACE, FAA, HUD, EPA and a host of other industry experts as they address challenges impacting today's right of way projects.

Some sessions topics include:

- Appraising Real Estate Damages • Accomodating Utilities in Right of Way
- Legislative and Judicial Update • Acquisition of Foreclosed Property
- Section 18 Relocation for Public Housing Valuating Green Properties

Bonus for AI and IRWA Members:

AI members can receive up to 24 hours of AI continuing education credit, and IRWA members can receive up to 24 hours of IRWA education credit.

Register Early and Save!

December 11, 2008 cut off day for early registration. **\$425** for all AI and IRWA Members, and Agency employees.

December 11, 2008 last day to book a room at the Flamingo Hotel at government rate.

January 12, 2009 Federal Agency Update Task Force Appreciation Dinner (Time & Location TBA)



2009 Annual Conference Location

Indianapolis, Indiana

June 28 - July 1

Earn Recertification Credit

Did you know that IRWA members can get up to 24 hours of SR/WA Designation and Certification Program recertification credit for attendance at the Annual International Education Conference?

IRWA Members may obtain up to 24 hours of recertification credit if registered for the full conference. Daily registrants will receive 8 hours per day of registration. **IMPORTANT:** No recertification approval form is necessary. The Professional Development Department at International Headquarters retains a list of registered Conference attendees for recertification on file.

Please keep copies of all registration confirmation forms to submit with your recertification paperwork.

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