

Kachina Chapter 28



INTERNATIONAL RIGHT OF WAY ASSOCIATION

Newsletter

NOVEMBER, 2007

www.irwaaz.com

2007 Kachina Chapter Executive Board

President: Caroline Tillman, R/W-RAC 602.234.1000 carolinet@acqsl.com

President Elect: Cate Chamberlain 602.367.9322 cate@irwaaz.com

Secretary: Doug Estes, MAI 480.345.4111 dougest@hotmail.com

Treasurer: Kathie Sholly, SR/WA 623.930.3652 ksholly@glendaleaz.com

International Director: Michael "Doc" Sterling 623.546.8266 X211 doc51s.ent@cox.net

PDC Chair Mark Keller, SR/WA 602.236.8164 mark.keller@srpnet.com

December Board Meeting

Wednesday, Dec. 5th, 2007

4:45pm

3rd Floor Conference Room

Az State Land

Confirm your attendance with Caroline at carolinet@acqsl.com

Wanted: Coordinators for upcoming IRWA Courses

Contact:

Kaye Bockmann kaye.bockmann@srpnet.com

NOVEMBER LUNCHEON

Date: Tuesday, November 13, 2007

Time: 11:30 am

Location: Doubletree Guest Suites / 320 North 44th Street / Phoenix, Arizona 85008

Menu: Caesar Salad with Crisp Romaine Lettuce and Garlic Croutons Marsala Melon with Floral Olive Oil and Citrus Marinated Italian Vegetable Tray Baked Penne Pasta with Fire Roasted Garlic Alfredo and Romano Cheese Chicken Romano with Mozzarella Cheese, Fresh Basil and Marinara Sauce Tomato Basil Breadsticks Cappuccino Bars Iced Tea, Coffee, Decaf and Hot Tea

Cost: \$25.00 (Please have exact change or your check made out to 'IRWA Kachina Chapter 28')

Speaker: Lori Singleton of SRP will be speaking on "Green Issues"

RSVP Deadline: Thursday, November 8th @ 5pm. No reservations will be taken after this date.



One of our newest SR/WA's. A former Education Chair of our Chapter.....can you guess who this cutie is?????????

PRESIDENT'S MESSAGE

Caroline Tillman, R/W-RAC, Chapter President



Huh...What should I share with you this month??? How about some news from Headquarters?

IRWA 2007 memberships are ahead by 7.9% of last year. The average IRWA class size is up from 15.8 to 18 participants per class this year.

IRWA has introduced the online Certified Course Coordinator Training. IRWA wanted to reward the individual course coordinators for their efforts in increasing class size. A new program called ACE will be launched sometime in November. It stands for Appreciating Coordinator Excellence. Coordinators will be able to earn a \$25 certificate when the course they coordinate has 25-29 paid participants. If the course has more than 30 paid participants, the ACE coordinator will earn \$50 in certificates. The ACE certificates are redeemable for IRWA merchandise. The online training takes about 45 minutes to complete. The online exam includes 20 questions and the coordinator needs to receive a 70% score to be certified. The certification is valid for two years.

If our chapter appoints a Certified Course Coordinator, our chapter will receive a full credit toward the course coordinator's tuition regardless of class size. If our chapter appoints a non-certified coordinator, the credit will depend upon the class size, ranging from 100% if there are more than 20 participants to 50% if there is less than 50%.

As you know, all IRWA courses are being revamped and will be completed by February 1, 2008. As the courses are completed, they are released in a perfect bound, print on demand format. To ensure our courses stay current in the future, all IRWA courses will be scheduled for a comprehensive review over the next five years. This means that roughly 20% of the courses will be reviewed each year.

Before the end of Fiscal year 2007-2008, IRWA will launch the IRWA Online Learning Center, a web-based training platform that will offer IRWA members access to courses online. Initially, IRWA will offer 6 to 8 existing IRWA courses - converted to the online format. IRWA will also offer 40-50 additional courses from other developers selected as appropriate to the profession by the IPDC. Most, but not all of the online courses will be approved for recertification credit toward the SR/WA and IRWA certification programs. Look for Headquarters formal announcement in early 2008.



Battle brewing over Chandler's Motorola site

Edythe Jensen / The Arizona Republic
November 6, 2007

Contributed to the newsletter by: Chris Banks, SR/WA

Chandler's Motorola plant - along with its 153 acres of land - could soon become a zoning battleground with prospective buyers wanting to build houses on part of what is now prime industrial real estate.

The site, which sits north of Queen Creek Road, in the Price Road corridor, is critical because it is one of the last available industrial parcels in the nearly built-out city.

Some officials, including Mayor Boyd Dunn, have already taken firm stands against residential development in the area and say the Motorola acreage - currently listed for sale - will play a key role in the area's employment future.

But there are a few, including two City Council members, who say they are open to allowing some residential development if it's well planned.

The City Council will ultimately have the final say on what happens to the site, which could set the stage for high-stakes lobbying and political pressures. Developers and home-builders are historically large contributors to political campaigns, and four seats will open in next year's municipal election, including Dunn's.

Still, Dunn, who has met with two interested buyers that he wouldn't name, said he isn't changing his position.

I was very frank with them; I told them I would not support residential development on that property," Dunn said. "We are running out of space in the airpark area, and I can't imagine not preserving this site for employment."

Planning Director Doug Ballard also said he would oppose residential zoning anywhere on the site.

However, the City Council has the final say, which could set the stage for high-stakes lobbying and political pressures. Developers and home builders are historically large contributors to political campaigns, and four seats will be open in next year's municipal election, including Dunn's.

"One of the reasons Chandler has become the envy of the Valley is because we have developed a strong employment base," Ballard said. "This parcel gives us another tremendous opportunity to do things right."

Prime land

A fixture in the city's Price Road Corridor since 1985, Motorola announced this year it was closing the Chandler plant, its largest in Arizona. Christine Mackay, economic development specialist for the city, said the company wants to sell the site before the end of the year.

The development is in a unique location because it sits in the middle of Chandler's high-technology hub and near Intel. But it is also just north of one of the Valley's most desirable residential communities - Ocotillo.

Developers who want to build houses, apartments or condos on the eastern portion would first have to get a zoning change, and city planners are vowing to resist that.

"This will be the ultimate test of our build-out strategy - and our moxie," said Hank Pluster, interim long range planning director.

Mayor Boyd Dunn and council members Lowell Huggins, Matt Orlando and Trinity Donovan said it's important to keep the site's industrial zoning. However, Councilmen Martin Sepulveda and Jeff Weninger say they would be open to some residential as part of a mixed-used proposal if it were designed well.

Sepulveda said mixed-used projects that combine high-density residential with commercial is the wave of the future.

Misleading information

Part of the problem, Chandler Planning Director Doug Ballard said, is that Motorola's Chicago-based real estate company has misled prospective buyers by telling them Chandler's General Plan allows homes on the eastern portion of the site, which is contrary to what officials told company representatives months earlier.

In a recent letter to Guy Ponticello of Jones-Lang-LaSalle, the real estate company, Assistant Planning Director Jeff Kurtz calls attention to the misleading sales information, asks him to share the correct information with interested parties and points out that his company was using outdated maps with incorrect street alignments.

Motorola has been credited with starting the influx of technology firms to Chandler during the early 1980s; now Dunn said he hopes the city can create a science and technology park at the site similar to ASU Research Park in Tempe.

"We intend to stand firm," Dunn said. "This is the last opportunity we have for a large employment base."

USPAP Changes for 2008

Submitted by: Mark Keller, SR/WA

The 2008-2009 edition of the Uniform Standards of Professional Appraisal Practice is now available for purchase at The Appraisal Foundation at: www.appraisalfoundation.org, or by calling 202.347.7722. A downloadable PDF version is available, making word searches easier, as well as copying and pasting into engagement agreements and reports. The 2008-2009 edition is anticipated to be effective for both 2008 and 2009, with new editions also for 2-year cycles. Be sure to read over Key Changes section, but a couple significant changes that you'll find includes:

Deletion of SUPPLEMENTAL STANDARDS RULE

The responsibility is shouldered by the appraiser to comply with relevant assignment conditions, which are founded in his/her obligations to be ethical and competent. The SCOPE OF WORK RULE requires appraisers to identify appraisal problems correctly and communicate results meaningfully. Therefore any laws and regulations applicable to a specific assignment must inherently be understood and complied with.

Personal Property Appraisal Standard Rules 7-3(a), 8-2(a)(ix)

Edits were made to the personal property appraisal requirements to identify and report highest and best use. Although the edits do not change the substance underlying the requirements, it now reads much more clearly with terminology more universally used in personal property appraisal industry.

2006 edition 7-3(a) – Development Activity

[I]dentify the effect of highest and best use by measuring and analyzing the current use and alternative uses to encompass what is profitable, legal, and physically possible, as relevant to the type and definition of value and intended use of the appraisal;

versus

2008-2009 edition 7-3(a) – Development Activity

[A]nalyze the current use and alternative uses to encompass what is profitable, legal, and physically possible, as relevant to the type and definition of value and intended use of the appraisal;

2006 edition 8-2(a)(xi) – Communication Activity

[S]tate, as appropriate to the class of personal property involved, the use of the property existing as of the date of value and the use of the property reflected in the appraisal; and, when an opinion of highest and best use was developed by the appraiser, describe the support and rationale for that opinion;

versus

2008-2009 edition 8-2(a)(ix) – Communication Activity

[S]tate, as appropriate to the class of personal property involved, the use of the property existing as of the date of value and the use of the property reflected in the appraisal; and, when an opinion of the appropriate market or market level was developed by the appraiser, describe the support and rationale for that opinion;

New – Advisory Opinion 31: Assignments Involving More than One Appraiser

Advisory Opinion 31 was created to extend the ASB's thought process on those assignments involving more than one appraiser.

New - Advisory Opinion 32: Ad Valorem Property Tax Appraisal and Mass Appraisal Assignments

Advisory Opinion 32 addresses a long and overdue need for the ASB to provide advice on applying USPAP to assignments prepared by ad valorem tax appraisers.

EDUCATION

Kaye Bockmann, Education Chair

No better place to be in February than in Arizona! Enjoy the beautiful weather - Be part of the Superbowl and Phoenix Open excitement - then take a couple of IRWA Courses.

The Chapter 28 upcoming February Class Schedule has been changed to now offer back-to-back Relocation Courses!

Course 502 – Business Relocation (2 days)

Course 506 – Advanced Business Relocation (2 days)

Coral Sheehan, SR/WA will facilitate both courses which will be held at the City of Peoria City Hall from February 12-15. To learn some more about Ms. Sheehan, check out the brief synopsis of her Autobiography noted below:

Registration Information will be available on the Chapter 28 website (www.irwaaz.com) as soon as it's available.

I am excited to bring both of these classes to the Phoenix area and look forward to seeing you all there! Arizona is definitely the place to be in February so don't miss out!

Coral Sheehan a licensed Real Estate Broker, IRWA Instructor, and a Right of Way Consultant, has 25 years of experience as a Right of Way Agent. She is presently working as a Right of Way Agent for Maricopa County Public Works Real Estate Division, which represents the Department of Transportation, the Flood Control District and Solid Waste divisions. Coral has personally relocated hundreds of families, businesses, and farms throughout Arizona. She was responsible for successfully purchasing and relocating a 4500 cow dairy along with 24 families living at the dairy for SR 101 including the purchase of several manufacturing plants, gas stations, mini-markets, bars and restaurants, strip centers, apartments and mobile home parks.

PDC

Mark Keller, SR/WA, Chair

New SR/WA's-Completed all requirements

None

Recertified

None

SR/WA Candidates Approved

Michelle Tiller
Don Solon

SR/WA Comprehensive Exam-Completed

Michelle Tiller
Doug Korinek
Jan Sell
Doug Estes
Arlene Harman
Kaye Bockmann
Kathy Pettigrew
Ann Crafton
Luis Tejeda
Don Solon
Steve Ditter
Lonnie Wright
Reggie Rector
Bill Burrows

Unification Update (from the ASA Executive Committee)

Submitted by: Mark Keller, SR/WA

Nov. 8, 2007

Dear ASA Colleagues:

On Nov. 6, the governing boards of the American Society of Appraisers (ASA), the American Society of Farm Managers and Rural Appraisers (ASFMRA) and the Appraisal Institute (AI) met in New Orleans for the presentation of the interim plan for the Unification of the appraisal profession. Following the presentation, the boards met separately to consider acceptance of the interim plan, which provided a general outline of Unification, and to vote on additional funding for development of a final version of the plan, scheduled for release in March 2008.

The American Society of Appraisers and the American Society of Farm Managers and Rural Appraisers voted to accept the interim plan and to continue to move forward in the Unification process. The Appraisal Institute did not accept the interim plan and declined to move forward with Unification as presented in the interim plan. This decision does not preclude future Unification efforts, but no additional discussions on the interim plan are scheduled at this time.

Please contact a member of the Executive Committee or your region or discipline governor if you have questions.

Sincerely,
ASA Executive Committee

INTERNATIONAL UTILITIES COMMITTEE MEETING

Chicago, IL / Saturday, October 6, 2007

Submitted by: Mike Burns, SR/WA

Attendees:

Dave Hingtgen - Chairman
Patti Morris – Region 7 – Committee Vice-Chair (Via Conference Call)
Ana Rausch, SR/WA – Region 2- Secretary
Mike Burns, SR/WA – Region 1 Representative
Clark Andrew, SR/WA– Region 2
Randy DeGeorge, SR/WA– Region 3 – Representative
George Toft – Region 5
Glenn Winfree – Region 6
J.E. Parker – Region 9

Dave called the meeting to order at 8:00 am

Introduction of the members present, the roster was passed around for review and any changes.

Mike wants to add Blandon Granger to the list of members at large. Dave will send him an application.

J. mentioned that Bill Childress has not attended a meeting in several years. Clark mentioned that Coleen Magness is out of the utilities industry working for Encana in Fort Worth

Patti said that Fred Rasmussen does not want to be an active member, but still wants to stay on the list for emails.

Dave mentioned the issues with conference calls with IEC and they are not willing to fund it due to the high costs associated with it.

Dave suggested a review of our previous minutes from Sacramento from June 2007 for approval. Mike Burns made a motion to approve the minutes, Clark Andrew seconded the motion.

Dave went over the agenda for the meeting.

2008 Conference Planning for Austin

Monday: 8:30 – 9:45 Business as “UN”usual, are you Ready? - Emergency preparedness for Utilities. Patti Morris – Moderator. Patti will also obtain the speakers. If there is an emergency, do you have back up of your records? Emergency preparedness for records management. Utility Best practices for record keeping.

Continued on next page....

Monday: 10:15 – 11:30 Going Green – Renewable Energy Projects and associated land issues. Clark Andrew - moderator. Clark will talk to someone at TXU to see if they can help on this topic. Clark wanted to focus on the land aspect of the industry and touch on the technology, regulatory, leasing, tax credits, and technology associated with renewable energy.

Monday: 1:30- 2:45 Water the new “gold”- water conservation case studies. J. Parker – Moderator. Mike Burns has Bruce Hallin as the speaker for the Ground water and the land rights issues in AZ. J. will put together a program on the land issues and the challenges of building a water pipeline for the Aurora water project in CO. J. will talk to Bob Trout about helping with this presentation on the regulatory issues.

Tuesday: 9:15 – 10:30 We are Back! – Reemergence of the wireless industry – Glenn Winfree – Moderator. Glenn will talk to John Horn about a potential speaker for this topic.

Tuesday 11:00 – 12:15 Electric Utility Potpourri - Panel Discussion on current developments in valuation, siting, and land issues: Ana Rausch – Moderator. New Developments in Transmission lines siting. Glenn mentioned discussing the National Interest Transmission Corridor. Glenn will try and contact someone at the Department of Energy to discuss this new corridor. Derek has a case study on transmission line valuation. Kevin Angel can help with this session. J. can try and get Rick Loughery to discuss FERC

Tuesday: 2:00- 3:15 Come and Shoot the Bull with Us: Utility Round Table – Ana Rausch and Randy DeGeorge as Moderators

Planning for PRES for February 2008 : February 12-14

- Patti will follow up with Jim Struble to see if the Utility Committee needs to present a session at PRES in February. Patti will serve as the moderator/speaker for the Utility 101 if there is a hot topic session. She will amend and revise the session that was done previously.

Business Items

- Dave needs to submit goals and objectives of the committee to the IEC
- Structure of the committee
- Develop a Utility Course
- Expand our communications to the chapter and the regions
- Expansion of the IRWA website for Utilities
- Articles on the website and the magazine
- George will work with IRWA to make sure our committee information is current on the website. He will also work on the content relevant to the utilities committee.
- Dave needs to submit budget to IEC
- By February we need to present a report to the IEC about our activities
- Committee needs to have at least two meetings, one at PRES and one at International in June
- This year we are planning on having three meetings, one a PRES in Dallas, one at International in Austin, one in Chicago in September
- Patti sent a list of utility companies to headquarters for marketing and to solicit participation from industry contacts. Patti will follow up with International to see what has happened with the information that was sent and what the next step should be. Dave asked Glenn and George what they wanted out of the committee and what they wanted to see.

Glenn said that there is not enough information about the committee and its activities for the general membership. He had to go out and find out more information on his own. J. said that it has been difficult for the region reps to spread the word about our committee and our activities.

J. said that International has a way to differentiate members and their interest level in different industries. International would be able to send out targeted emails to the membership, but does not know if they are currently doing that.

Dave suggested having a link to the website that allows members to ask committee members questions regarding the utility industry.

George suggested recognizing “project of the year.” Dave said that EEI had a process and procedure to evaluate awarding the “project of the year” We could have the region reps recommend the project. Dave will contact EEI to get their criteria list

Roundtable Discussion

Glenn wanted to know how much autonomy we have as a committee. J. and Dave both feel that it is a lot more structured than it used to be 5 years ago. IEC has become more involved in structuring the committees.

George wanted to know if we have any weak areas as far as the membership. Dave said that we have had a hard time getting participation from the Northeast.

Ana suggested getting new members that are young and interested, since there are so many people that are currently in the industry that are on the verge of retiring and are not interested in participating on committees. Dave mentioned that the training course is critical for the new people coming into the industry.

J. and Ana both mentioned that they have to train new employees as they enter the industry. It’s hard to find qualified people ready to go to work.

Glenn mentioned that Utility Boot Camp for new agents coming into the industry would be a great idea.

J. mentioned the issue about uplifting the agency as a whole through marketing

George mentioned going to the Universities to recruit

Dave adjourned the meeting at 4:15 pm



Gregg Tuttle, Manager
SRP Land Department
Surveys Division

Surveyor's Corner



This month we will finish off a bunch of questions that have been piling up, in a group we reference as: **SURVEYING MISCONCEPTIONS**

Why is my new Land Survey different from another older Land Survey?

In short, this is why Land Surveying has been termed an "Art" and not a "Science".

"Discrepancies" between land surveys are usually attributable to two reasons.

First, measurement is always subject to error. Two surveyors measuring the same line may obtain different results. Both measurements should be close, but they will only approach the "true" value through precision, repetition and statistical analysis.

Second, and more difficult to understand, is that measurements are made from, and decisions are based on, found evidence. Surveys performed at different times may not have the same evidence available. The more recent survey may have the benefit of monuments set after the prior survey, and previously existing monuments used for the prior survey may or may not be available.

Another source of "evidence" are the records that the Land Surveyor has in his or her possession, or, in this day and age, it is much more likely that the document records have been supplied to the surveyor by the client or the client's (legal and/or professional) representatives.

Often different surveyors have differing sets of documents, gathered and collated by differing individuals and/or organizations with (vastly) differing skills sets related to local (geographic) knowledge and institutional memory about specific parcels and land-rights (such as easements, ROWs, etc.). Differences in "source" and "support" documents can produce (sometimes vastly) difference survey "results."

What does a County Surveyor do, and can't they perform a Land Survey for me?

This is a question often received from those newly transplanted from other Western States.

Arizona does not the official (i.e. "elected") office of the "County Surveyor" as do other Western States, such as Utah, for one example. And, even in the other states, the "County Surveyor" does not generally survey "private property." In those states that have "County Surveyors" they often offer a myriad of services to the public, including: re-monumentation and maintenance of the PLSS monuments; restoring any lost or obliterated PLSS monuments; maintaining land survey files and creating ROW maps for transportation corridors; and reviewing various "certified land surveys" such as subdivision plat maps within the unincorporated areas of the county, for compliance with statutes and regulations.

Interestingly enough, back in Territorial time, Arizona DID have elected "County Surveyors". Today, some of the duties have been assumed by the various Counties' Departments of Transportation. In Maricopa County the MC/DOT Survey Division has created the Geodetic Densification and Cadastral Survey (GDACS) project (see: <http://www.mcdot.maricopa.gov/survey/>) for details.

Is it very rare to have an encroachment over a property line?

Land Surveyors see encroachments all too often. This is one of the reasons why a Land Survey is a good investment BEFORE property is sold/bought, exchanged.

Doesn't Title Insurance guarantees my property against all encroachment problems?

Title Insurance does NOT provide coverage for encroachments, easements and boundary line disputes which would be disclosed by a current land survey. You need an "extended" policy.

Does not every Municipality, Utility, and Government Agency have a Land Surveyor?

This is not true. Some agencies do, others do not. At times, *some agencies will seem* as if they have a Registered Land Surveyor on staff. If this is a concern of yours, ask if the Land Surveyor on staff is an Arizona Registered Land Surveyor (AZ/RLS). A surprising number of agencies, including counties and municipalities do NOT have any AZ-RLSs as direct employees.

Continued on next page....

Surveyor's Corner continued

***IF* All Land is already Surveyed, all I just have to find the Survey – Right?**

All land *may* be identified (often for tax purposes), but even a found, previous survey may not always help you “on the ground”. And, with the recent vast expansion and growth, the tax maps may not (yet) be current as to even identifying a new parcel.

In a non-trivia, significant amount of time, the parcel in question has NEVER, been surveyed.

In Arizona, much of the PUBLIC (i.e., FEDERAL) LANDS have NEVER experienced an actual, on the ground field survey and monumentation.

Much of the remaining FEDERAL Domain is only shown via “protraction” and/or “projected” diagrams. (Please reference the SURVEYOR'S CORNER articles from January 2007 (“Small Sections”) and the two part series March and April 2007, on Fictitious & Fraudulent Surveys of the Arizona Public Domain).

The people (entity) who owned the land before must have had a Land Survey.

This relates to “all property being surveyed before”. It just is not necessarily true.

The adjoining property is under construction, they must have had a Land Survey – Right?

Not necessarily true. Check with the appropriate local government agency having jurisdictional authority, or, inquiry with the people/entity who have commissioned the construction.

It is good for both landowners to know where the property line(s) are.

Is it not true that I or my adjoiner can "take" land using something called "Adverse Possession"?

Although often talked about, it is EXTREMELY difficult to perfect. Please, please, PLEASE discuss with a competent professional land surveyor AND a competent professional LAND Attorney.

Can't a friend of mine identify my property corner or property line for me?

All States require a License to practice Land Surveying. Your friend or survey technician will not be allowed to defend your claim in court, as they would be practicing Land Surveying without a license.

(Please see the recent SURVEYOR'S CORNER article of August 2007, on “Pin Finders versus Land Surveyors.”)

Isn't there is a special "Point of Beginning" that all land is measured from?

Including some MAJOR Caveats and Disclaimers, the answer is a qualified and restrictive “True” as it applies to some descriptions of land. BUT, for platted or subdivided lots, there is “PROBABLY” no one controlling or special point. All lots were created “simultaneously”, or “at the same time”.

Isn't All Land Surveys are easy and quick?

This is your first time reading this Column, right? Come on!! Give me a break; work with me here!!

Aren't you surprised every time you think something is easy and quick?

So are Land Surveyors.

Well, that's it for this issue from “The Surveyor's Corner.”

Next month we will continue with more SURVEYING MISCONCEPTIONS!! L

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.