



Greetings Chapter 4,

The Chapter ended 2011 with an entertaining December Holiday Luncheon which celebrated our Professional and Employer of the Year award recipients and showcased some of our more highly competitive members in the trivia game show portion of the program. Congratulations again to our 2011 Professional of the Year, Matthew Hansen, Esq. and 2011 Employer of the Year, Appraisal Group of the Northwest. We truly appreciate and thank you for your contributions to our chapter!



As we move into the second half of the 2011-2012 term, I'd like to highlight the progress made on the objectives set back in the July planning session.

**Increase attendance at chapter meetings:**

- Attendance is up 35% from this time last year

**Enhance the content of our chapter newsletter:**

- Added *The Sidebar* - new section that answers member's ROW legal questions. (Have you taken advantage of the opportunity and submitted your question?)
- Provided regional news items
- Included member submitted articles
- Added Countdown to Seattle 2012 updates

**Increase volunteerism and member participation:**

- Implemented the Volunteer Incentive Program
- Added a new member to the Education Committee to help members plan their needs for various certification requirements.
- Average attendance of 14 participants at the executive board meetings
- 56 attendees at chapter meetings

**Prepare for the 2012 Education Conference:**

- Appointed committee chairpersons
- Recruited 100 volunteers
- Holding regular planning committee meetings

In addition to the efforts made towards our objectives, we're also working on gathering information to update the chapter's website and add payment capabilities for chapter functions.

Remember to keep populating your Volunteer Matrix for a chance at receiving paid registration to the education conference. For those of you that received your SR/WA in 2011, expect to receive an invitation to the SR/WA Recognition Breakfast which is held Tuesday morning of the conference. Make sure to reply to the invite so you can be recognized for your accomplishment! Your fellow chapter and region members will be there to cheer for you. Read the Countdown to 2012 article on page 10 for the latest planning update. More information on other must attend conference functions will be given at upcoming chapter meetings and newsletters.

The next upcoming chapter sponsored course is 303 Managing the Consultant Process scheduled for February 27<sup>th</sup> & 28<sup>th</sup>.

Please join us at our next chapter meeting on March 14, 2013, when Dick Baron of Responsive Management Systems will be presenting "Being Effective with Unreceptive Persons"






**Jennifer Walker, SR/WA Chapter 4 President**




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Sun	Mon	Tue	Wed	Thu	Fri	Sat
			NOTES:			
			1	2	3	4
5	6	7	8 Dinner Meeting Bellevue @ 5:30	9	10	11
12 	13	14 	15	16	17	18
19	20 President's Day	21	22 	23	24  Flag Day	25
26	27 C303 Managing the Consultant Process - Bellevue	28	29			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			NOTES:			
				1	2	3
4	5 Course 400 Principles of Real Estate Appraisal - Bellevue	6	7 Course 410 Review Appraisals in Em Domain - Bellevue	8	9	10
11 Daylight Savings	12	13	14 Dinner Meeting Bellevue @ 5:30	15	16 SPRING FORUM SPOKANE	17 
18	19	20 First Day of: 	21	22	23	24
25	26	27	28	29	30	31



## The Sidebar

by Matthew R. Hansen, Esq.

Graham & Dunn, PC

206-340-99595

[mhansen@grahamdunn.com](mailto:mhansen@grahamdunn.com)



### Substitution of Property as Just Compensation

**Question:** If a condemner needs to acquire a portion of real property that will significantly damage the owner's remaining property/improvements (such as acquiring all onsite parking adjacent to an office building) can the condemner force the property owner to accept similar substitute property nearby that is owned by the condemner to mitigate damages? *Anonymous*.

**Answer:** Amendment 9 to the Washington Constitution requires that the just compensation award be paid in money. Attempts by condemners to substitute other property in order to reduce the amount of compensation due the owner have been held to violate this provision. For example, an attempt to substitute a water reservoir on lands of a third person has been held to be a payment other than money. *State v. Smith*, 25 Wn.2d 540, 171 P.2d 853 (1946). A stipulation to maintain a way of necessity has also been held to be an unconstitutional attempt to make payment other than money. *State ex rel. Polson Logging Co. v. Superior Court*, 11 Wn.2d 545, 119 P.2d 694 (1941).

Typically, the problem arises in the context of whether a portion of the proposed improvement is an attempted payment in lieu of money, or an attempt to minimize the extent of the taking or damaging. Thus, if the improvement is constructed so as to minimize the extent of rights needed to be acquired, it may be viewed by the courts as a proper attempt by the condemner to take no more than that which it must have and leave as much to the property owner as it can. An example is the construction of a cattle pass under a proposed highway improvement, which has been held not to be a payment in other than money as its effect is merely to reserve in the owner his pre-existing right to cross from one part of his property to another. *State ex rel. Eastvold v. Superior Court*, 48 Wn.2d 417, 294 P.2d 418 (1956).

Construction of a service road for a limited access facility has been held to be mitigation of damages, not a substitution of something other than money. *State v. Ward*, 41 Wn.2d 794, 252 P.2d 279 (1953). See also the landlock prevention road statute, RCW 47.52.105, authorizing construction of landlock prevention roads where frontage roads are not feasible, in order to "preserve a limited access facility or reduce compensation."

Although a condemner is unable to "force" a property to accept non-monetary compensation, nothing prevents the parties from agreeing to such a proposal through voluntary settlement.

Submit Future Right-of-Way Legal Questions to  
Matthew Hansen, Graham & Dunn, PC,  
Pier 70, 2801 Alaskan Way ~ Suite 300, Seattle, WA 98121  
206-340-9595 or [mhansen@grahamdunn.com](mailto:mhansen@grahamdunn.com)

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### JAMES A. GREENLEAF, MAI

Employed by: McKee & Schalka, since 2010  
Formerly of Greenleaf Valuation Group and Schuler,  
and McKown & Keenan

Born in Farmington, Maine

IRWA member since: about 1990

**Member  
Spotlight**

Career Highlight: Recognizing that every project is important to someone

Most Challenging Project: Recruiting and Organizing enough reviewers to complete all the reviews for the first phase of Sound Transit's Light Rail and Commuter Rail projects on time, over a 1000 parcels.

Hobbies and personal interest: Skiing, backside and frontside, currently working on getting my Level I Avalanche Instructor certification and whitewater rafting, especially longer multiday trips in Oregon, Idaho and in the Southwest.



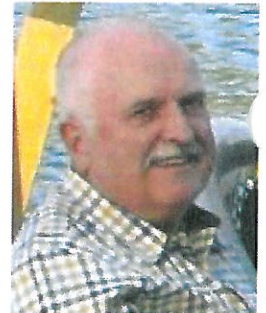
**Member  
Spotlight**

### JOSEPH H. GRANGER

Sole Proprietor/Owner of the Granger Company,  
founded in 1993.

Born in: Seattle, WA.

IRWA Member in the 1970s when IRWA was NR/  
WA. Rejoined as IRWA about 10 years ago



#### Career Highlights:

- Seven years as the Director of Appraisal/Appraisal Review for WSDOT;
- Wrote Chapters 4 (Appraisal Guide) and 5 (Appraisal Review Guide) of the WSDOT *Right of Way Manual*;
- "Writing Comparative Analyses and Correlations" article published in the 1996 *Appraisal Journal* of the Appraisal Institute;
- Wrote the Appraisal Section of the WSDOT *Local Agencies Guide (LAG) Manual*;

#### Most Challenging Project:

SR 705, Tacoma Spur - a federally funded freeway corridor into downtown Tacoma from Interstate 5 involving over 50 fee takes. I first served as an appraiser on this project, writing the True Cost (Project funding Estimate), then writing several appraisals of industrial, manufacturing, and office properties. Later in the project I served as the project Appraisal Program Manager and eventually an Appraisal Reviewer on some of the later parcels. Many of the parcels had significant larger parcel, tenant-owned realty, and/or damage issues.

#### Hobbies and personal interest:

My family - lovely wife Anelle, 6 children, 5 grandchildren.

Homestead - 7 acres, 3 sheep, 3 chickens, two rabbits, one llama, one cow.

Outdoor Sports; Photography; Tennis

## Meeting Information

General Membership Meetings are held the second Wednesday of each month at the Coast Bellevue Hotel located at 625 116th Avenue NE, Bellevue, WA. The Executive Board meeting begins at 4:00pm and all members are invited to attend. The General Membership Meeting begins at 5:30pm with sign-in and socializing. Dinner is served at 6:00pm - the program is presented as the meal is being finished. Reservations are required.

## Looking Ahead

- WHAT:** IRWA Chapter 4 March General Membership Meeting
- WHEN:** Wednesday, March 14, 2012 - 5:30 Sign-in & Socializing - Dinner served at 6:00pm  
(Board meeting is held @ 4:00pm in the Maple Room- everyone is invited)
- WHERE:** Coast Bellevue Hotel 625 116th Avenue NE Bellevue WA
- PROGRAM:** Dick Baron of Responsive Management Systems will be presenting "Being Effective with Unreceptive Persons"
- COST:** \$25.00 per person (Cash or check at the door - includes tax and tip)
- MENU:** To be announced at a later date
- RESERVATIONS:** Marilyn Danby at [marilynn.danby@pse.com](mailto:marilynn.danby@pse.com) or 253.476.6451

## Chapter Stats

**Current Chapter Membership : 247**

Current Chapter 4 Professional Development numbers per lists provided by International: 83 Members with SR/WA, 30 SR/WA Candidates and 26 Members with Certifications (29 Certifications total but 3 members have 2 each).



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Earn points towards winning a free 2012 Educational Conference Registration...

Earn points on the Volunteer Matrix by Submitting an article to be published in the Chapter 4 Newsletter...  
Send submissions to:

Kelli Larson @ [larsonk@co.thurston.wa.us](mailto:larsonk@co.thurston.wa.us)

Don't forget to mark your calendar and make your reservation!

2012 IRWA Educational Conference being held in Seattle on June 10 - 13, 2012.



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During the January 2012 Chapter dinner meeting, Barbara Meekins, SR/WA, R/W-RAC and Steve Reinhart from Universal Field Services presented the following project for "Project of the Year".



This is an intersection improvement project that will lengthen both the left and right hand (southbound) turn lane on Warren Avenue (SR303) at 11<sup>th</sup> Street. By acquiring property from five (5) parcels, the City will be able to increase the cueing length of the right and left turn pockets, thereby facilitating the through movement and eliminating or at least diminishing the congestion.

The five parcels impacted by the project were all single family residences. Four of the residences were bisected by the new right of way limit. The fifth parcel is only a strip taking that did not impact the residence. The acquisition resulted in the displacement of owner-occupants, tenants, and landlords. Although this was a small project, it had many unique and complex challenges that had to be overcome to complete the project on schedule. The challenges included disappearance, death, bankruptcy, and foreclosure to cite a few. Overcoming these challenges required coordination between the team members and outside third parties, creative solutions and a lot of hard work. Remember....."Be Safe Out There"!



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### Public Project on Your Mind?



### Condemnation and Real Estate Value Disputes

Larry Smith, Jeffrey Beaver, Marisa Lindell  
and Matt Hansen

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[condemnationlaw@grahamdunn.com](mailto:condemnationlaw@grahamdunn.com) | 206.624.8300

# DECEMBER MEETING



Chapter 4 Board at work



A group of excited contestants!

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Jim Hoss & Erich Hertzog

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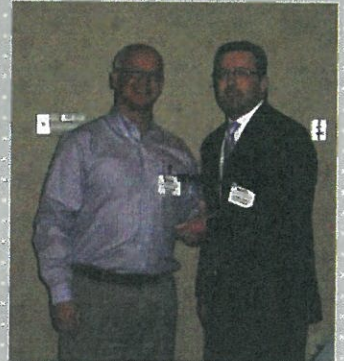
Passing the candy cane to win a spot in the game!

It was all fun & games at our December meeting...



Brad Thomas, Wendy Valentine, Ralph Potts and Melanie Rabaglia playing Christmas song trivia

Matt Hansen, Chapter 4 Vice President, being presented with the award for *Professional of the Year*



Award presented by Mitch Legal.



Jim Price and Jerry Sidwell accepting the award for "Employer of the Year" on behalf of Appraisal Group of the Northwest LLP



Kris Azizeh, Bob Power, Brad Thomas and Leslie Beaird



Mike Bulzomi of Pierce County wins the 50/50 drawing



Kitty & Marilyn working hard at the check-in desk

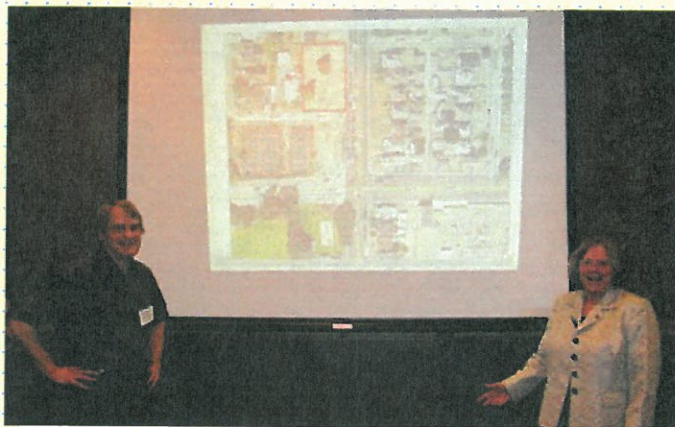
# JANUARY MEETING



Gregg Goodman wins the 50/50



David Conner



Project of the Year winner Universal Field Services. Presented by Barbara Meekins, SR/WA, R/W-RAC and Steve Reinhart



Michelle Talbot and Randy Johnson



Lori Safer wins the \$100 Chapter 4 Education Voucher

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David Hunnicutt



**IRWA Chapter 4 Puget Sound  
2012 Projected Course Schedule**

<b>February 27-28, 2012</b>	<b>Course 303 Managing the Consultant Process</b>
<b>March 5-6, 2012</b>	<b>Course 400 Principles of Real Estate Appraisal</b>
<b>March 7, 2012</b>	<b>Course 410 Reviewing Appraisals in Eminent Domain</b>
<b>April 16-17, 2012</b>	<b>Course 504 Computing Replacement Housing Payments</b>
<b>June 10-13, 2012</b>	<b>2012 Education Conference - Seattle</b>
<b>July 9-10, 2012</b>	<b>Course 801 United States Land Titles</b>
<b>August 6, 2012</b>	<b>Course 901 Engineering Plan Development &amp; Application</b>
<b>August 7, 2012</b>	<b>Course 902 Property Descriptions</b>
<b>September 11-13, 2012</b>	<b>Course 201 Communications in Real Estate Acquisition</b>
<b>October 8, 2012</b>	<b>Course 804 Skills of Expert Testimony</b>
<b>October 24, 2012</b>	<b>Course 403 Easement Valuation</b>
<b>November 2012</b>	<b>Course 506 Advanced Business Relocation</b>
<b>December 2012</b>	<b>No Course Scheduled</b>
<hr/>	
<b>January 2013</b>	<b>No Course Scheduled</b>
<b>February 2013</b>	<b>Course 421 The Valuation of Partial Acquisitions</b>
<b>March 2013</b>	<b>Course 700 Introduction to Property/Asset Management</b>
<b>April 2013</b>	<b>Course 900 Principles of Real Estate Engineering</b>
<b>May 2013</b>	<b>Course 400 Principles of Real Estate Appraisal</b>
<b>June 2013</b>	<b>Chapter Seminar</b>
<b>July 2013</b>	<b>Course 802 Legal Aspects of Easements</b>
<b>July 2013</b>	<b>Course 803 Eminent Domain Law Basics for R/W Professionals</b>
<b>August 2013</b>	<b>Course 701 Property/Asset Management: Leasing</b>
<b>September 2013</b>	<b>Course 215 Right of Way Agent's Development Program</b>
<b>October 2013</b>	<b>Course 304 When Public Agencies Collide</b>
<b>November 2013</b>	<b>Course 503 Mobile Home Relocation</b>
<b>November 2013</b>	<b>Course 505 Advanced Residential Relocation</b>
<b>December 2013</b>	<b>No Course Scheduled</b>

**Educational opportunities in other Region 7 chapters**

<b>February 29, 2012</b>	<b>C901 Engineering Plan Development and Application - Portland, OR</b>
<b>March 13-14, 2012</b>	<b>C504 Computing Replacement Housing Payments - Portland, OR</b>
<b>March 13-15, 2012</b>	<b>C421 The Valuation of Partial Acquisitions - Anchorage, AK</b>
<b>March 28-29, 2012</b>	<b>C209 Negotiating Effectively with a Diverse Clientele - Helena, MT</b>
<b>May 23-24, 2012</b>	<b>C700 Introduction to Property/Asset Management - Fairbanks, AK</b>
<b>April 11-12, 2012</b>	<b>C203 Alternative Dispute Resolution - Portland, OR</b>



## Seattle 2012 International Education Conference June 10-13, 2012

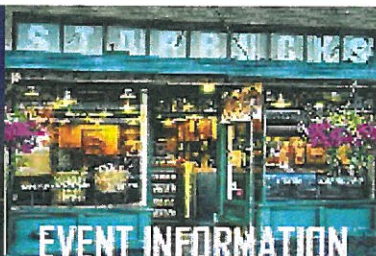
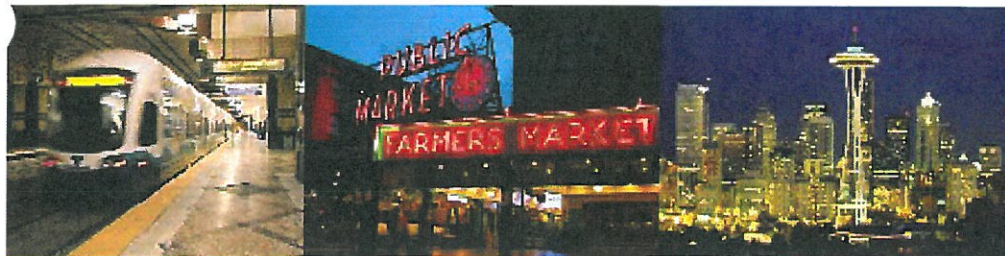
Mark your calendar for June 10-13, 2012, and step up to contribute your efforts to making the 2012 IRWA Annual International Education Conference the best it can be. Our goal is to get every single member of chapter 4 to attend the conference as its being held locally at the Westin in downtown Seattle. For those who need convincing, there are continuing education credits just for attending the conference. There are incredible speakers, great business opportunities, fun social events and a world of right of way at our door. Oh, did we mention a free conference shirt if you volunteer? Work is underway to expand the conference to reach new inter-national heights through technology. We will have representatives from dozens of countries around the world. IRWA is fast becoming the world leaders in public infrastructure education and best practices. Come be a part of it!

Time is running out to if you want to become a conference sponsor. Take this opportunity to reach potential clients and show your support for the organization by getting your company name and logo prominently displayed at conference events. Whether it's a couple of cases of water for the Finnegan Fun Run or the Exclusive Host Site Sponsorship, opportunities are still available but you need to act fast.

Planning continues at all levels and everyone in big and small ways can help make this the conference to remember. Our biggest need right now is to grow the volunteer roster as much as possible. We have opportunities to help with pre-conference activities as well as helping with events that occur during the conference, like registration, auction/casino night, the Finnegan Fun Run, the golf tournament and more.

# Countdown to 2012!

Call or email Tom at [tom.paine@kingcounty.gov](mailto:tom.paine@kingcounty.gov) or Faith at [faith@roland-resources.com](mailto:faith@roland-resources.com) to let us know you are on board with the 2012 Education Conference. **See you there!**



## Young Professionals Event

KICK-START YOUR CAREER

# 2012

Please join the IRWA Young Professionals at the Seattle Westin for a 3-Day Event Workshop (June 8-10, 2012) focused on Networking, Professional Development and Career Advancement.

### LEADERS OF TOMORROW

Arrive in time Friday evening for a networking reception. Enjoy yourselves at this relaxing kick off to the Young Professionals Event and Network and with many of today's emerging leaders.

### Peer-to-Peer

Saturday will be a full day of educational sessions designed especially for Young Professionals. Topics include ethics, leadership, credentialing, IRWA advancement, current industry trends. The program is designed to provide knowledge, generate interaction and develop leaders.

## THE NEXT **BIG** STEP

The event isn't over yet! Come back on Sunday for more educational sessions and insights on how to get involved with the association. The YPE is done at noon, but stick around because your registration to the YPE also gives you access to the events held at the annual conference on **Sunday, June 10th**. Visit the expo hall, attend the Opening Ceremonies, and join the entire group at the Sunday evening networking reception. Meet the other 1000+ individuals who will be in attendance at the IRWA's biggest event.

### EVENT INFORMATION

#### LOCATION

THE WESTIN SEATTLE  
1900 Fifth Avenue  
Seattle, WA 98101

#### REGISTRATION

Early Bird Registration:  
Feb. I - May II: \$195  
After May II: \$225

[Online Registration](#)

#### CONTACT

Daniel Chuong  
Marketing Chair  
E-mail: [daniel.chuong@hdrinc.com](mailto:daniel.chuong@hdrinc.com)

#### About The IRWA Young Professionals Network

This group is composed of individuals age 30 and under in the industry. The Young Professionals Group was created to assist in the continued learning, foster leadership among emerging professionals, and promote career advancement.



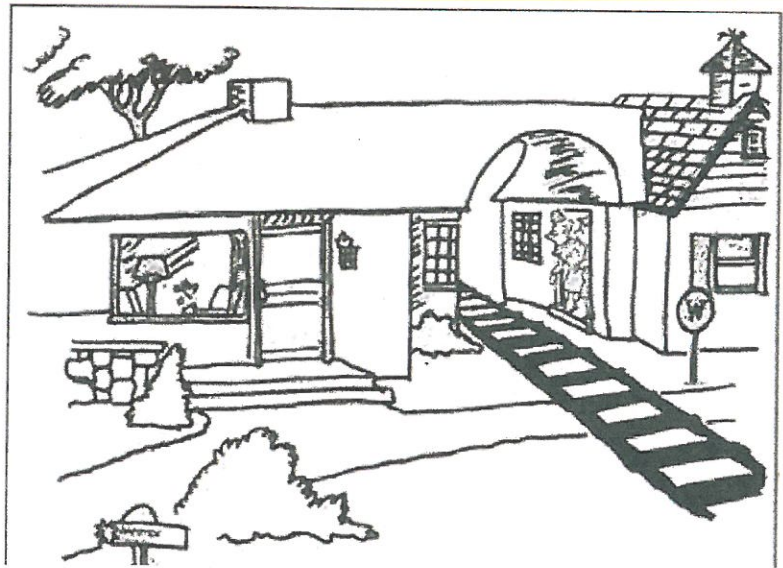
# Word Search Puzzle

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Do you need assistance with planning your educational strategy along the way to earning your SRWA, certification, or re-certifications? Chapter 4 Professional Development Chairperson, Christopher Eldred, SRWA, is available to help you map out your future. Give him a call at (206) 838-1250 or send an e-mail to him at: [cseldred@hotmail.com](mailto:cseldred@hotmail.com).

To request future IRWA courses, please contact Education Chairperson, Brad Thomas at (425) 921-1017 [brad.thomas@hdrinc.com](mailto:brad.thomas@hdrinc.com)



"At the time we bought it I didn't know what an 'easement' was!"

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## CONTACTS

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Past President	Cyndi Whelpley, SR/WA	(360)929-4823	<a href="mailto:cyndiwhelpley@yahoo.com">cyndiwhelpley@yahoo.com</a>

Puget Sound Chapter 4—Committee Chairs

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Professional Development	Christopher Eldred, SR/WA	(206) 838-1250	<a href="mailto:cseldred@hotmail.com">cseldred@hotmail.com</a>
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VALUATION AND COUNSELING



## IRWA REGION 7 SPRING FORUM

March 16, 2012

Spokane, WA

Please join us for the Region 7 Spring Forum to be held at the Hilton-Doubletree Hotel in downtown Spokane. IRWA Course 105 will be held on March 15, 2012 and be taught by Dan Beardsley. Dinner will be held Friday night at the Steam Plant Grill. For those of you who want to stay on and enjoy Spokane, the annual Saint Patty's Day parade in downtown will be held at noon on Saturday and is just a few short blocks from the hotel. The hotel does offer a shuttle to/from the airport which is approximately a 15 minute drive from the airport.

