



IRWA
Chapter 25
April 2015

Hey to all! I hope this finds all having survived the blizzards of 2015 and now surviving the Spring storms. I have been through hail and high water more than once this season. However, I love seeing the country side that has appeared dead through the dormancy of the winter months, turn to beauty as the magnificent spring buds begin to blanket the Kentucky landscape this time of year. But....oh those allergies! Take the time and pause your fast paced life and take a look, a smell and enjoy the masterpiece that has been painted for us to view. What a blessing!

It so hard to believe that we are almost a quarter of the way through another calendar year and three quarters of the way through the IRWA fiscal year. That means that it is that time of the year to determine who the next slate of officers will be for the coming fiscal year that begins July 1st. If you have never been a board member or an active board member for some time, please consider filling a position for the next fiscal year. The current board recommendations are as follows: President – Wayne Kimbel; Vice President – Matt Chapman; Treasurer – Jessica Grivna; Secretary – Timothy Wiley; International Director 2nd year – Leigh Karr; and International Director 1st year – Chad Cutsinger. The ballots are attached to this newsletter. The installation of the new slate of officers will take place during our June meeting in Bardstown.

“There is an art to selecting a quality pick up basketball team. You look around and see who has the most gear on. If they look athletic, have nice shoes, headband, wrist bands, shooting sleeve, calf sleeve, authentic team uniform, and name brand bag, you should steer clear of choosing those guys. They are called “Posers.” They look the part and it’s tempting to want them on your team, but often you will be disappointed by their actual abilities.” (quote from Kyle Idleman, Not a Fan). Take the time to invest in your career and learn the dos and the don’ts of right of way acquisition, relocation, appraising so that you are not considered a poser, but the real deal. The current board members want to serve the membership as best we can, but we can only do that if you make your voice heard. Let us know what types of classes interest you or that you may need in fulfilling the requirements for an IRWA designation.

-Leigh A. Karr, SR/WA, Chapter 25 President

2014-2015 Officers

President: Leigh Alden Karr, SR/WA

Vice President: Wayne Kimbel

Treasurer: Matt Chapman, MAI

Secretary: Jessica Grivna

International Directors: William L. Busch, SR/WA &
Chad Cutsinger

2015 Committee Chairs

Communication & Marketing/Newsletter: Wayne Kimbel

Education: Mike A. Penick, SR/WA, RW-EC

Engineering Liasion: Debby Taylor, PE

Land & Economic Studies: Matt Chapman, MAI

Local Public Agency: James Wray

Membership: W.Clement Russell

Newsletter Publisher: Jessica Grivna

Professional Development: William L. Busch, SR/WA

Relocation: Chad Cutsinger

Roster: Morris L. Smith

Transportation: Bruce Napier, SR/WA

Valuation & Website: William R. Cox, SR/WA

Upcoming General Membership Meeting Topic & Speaker

Greg Mathias, SRWA, Land Services, Vectren Corporation, a natural gas and electric distribution company serving Indiana and Ohio. Greg has over 35 years of experience in the right of way profession with background skills in negotiations, State Highway engineering, surveying, Deputy Tax Assessor, drafting and computer. He has been an active member of the International Right of Way Association since 1986. Greg is actively involved in the International Right of Way Association as a member of Crossroads of America Indiana Chapter 10. He has served in chapter leadership positions and has held chapter committee positions. Greg is currently serving as Chapter 10 assistant Treasurer and Region 5 Vice-Chair.

TOPIC

State of the Association, update from the Spring Forum and installation of officers

**IRWA Chapter 25
Welcomes the following
new members:**

Richard Adkins

Travid D. Rogers

Zachary R. Colston

Christopher D. Music

Misty R. McCubbins

The Reviewer's Corner - Issues & Answers

Righ of Way Appraising

Few people outside of the real estate appraising profession fully understand what it is that appraisers actually do. This situation is compounded within the right of way industry. In many cases, the appraisal process is considered an obstacle to completing the rest of the right of way project. Project schedules impatiently wait on the appraisers to finish their work.

Why isn't it done yet? Well, because it requires a whole lot of very hard work that takes a lot of time. Let me tell you about it.

Imagine being asked to travel to a county that you have never visited before and that you are expected to become an expert on in short order. For the right of way appraiser, every road project is like working a giant jigsaw puzzle that requires an extensive scavenger hunt first to find all the puzzle pieces. And every county in the Commonwealth is different and finding those puzzle pieces requires different techniques every time. The basic skill required of a right of way appraiser is the ability to learn and learn fast.

In addition to rapid learning and being competent in real estate valuation theory and practice, the right of way appraiser must be familiar with surveying, engineering, eminent domain law and regulations, land titles, mathematics, economics, market analysis, accounting and investments, computing systems, and all of the other aspects of the right of way process, and be able to explain the concepts to clients, property owners, and sometimes juries.

Performing real estate appraisals for right of way purposes is the highest form of appraising. Rather than valuing a single property, the right of way appraiser is asked to value an entire corridor of properties, each one twice. One valuation is performed before the proposed acquisition takes place and one valuation analysis as if the acquisition has already taken place and construction completed, including any damages to the remainder. This requires two separate studies of the highest and best use of each property.

To further complicate the process, the corridor properties could include any property type imaginable. Therefore, the right of way appraiser must be experienced in a wide variety of commercial, industrial, residential, multi-family, agricultural, and special purpose properties. And, the resulting appraisal reports must be consistent across the project such that every property owner is treated equally in relation to similar property types.

Let's start at the beginning of the process; the appraisal fee proposal. In my former life as a commercial real estate appraiser, the first time I saw the fees charged by a right of way appraiser, I thought I was in the wrong business. Once I made the transition into the right business, I realized why the fees were high in relation to other appraisal fees. This is a very expensive business to maintain. Payments of your fees are sporadic and often with lengthy delays, and the time required to complete the assignment is usually twice the estimated number of hours or days. Holidays and weekends are no longer a part of your life.

Expenses such as hiring a sign company to estimate the value of a trade sign, or hiring a septic contractor to estimate the cost of moving or repairing an existing septic system, or hiring a back-hoe operator to do a soil analysis or a pond construction estimate, all fall to the appraiser without reimbursement.

The Reviewer's Corner - Issues & Answers

Right of Way Appraising

Most highway projects are not near your home and require extensive travel expenses including food and lodging, gasoline and automobile expenses. Data collection includes fees paid to local government offices for parking or business permits, copies, subscriptions, etc. For example, many PVA offices charge \$5.00 for a tax map showing the location of a single sale or subject property. Joining a local Board of Realtors to access their MLS system can be quite costly. I currently maintain membership in 4 such Boards across the state and 2 commercial services.

I haven't even started talking about printers and copiers, toner and paper, computer systems, and other office expenses. And being self-employed requires paying your own health insurance (mine was \$800/month), federal and state taxes, social security payments, and local occupational taxes. There are no retirement pension benefits unless you have enough left over to pay into an IRA once a year.

If you can't generate sufficient fees to cover the expenses, then you can't do right of way appraising. This may be the main reason that there are so few active full time right of way appraisers. We currently have an aging population with not a lot of new young blood entering the field. It's a tough business.

Now let's talk about the work. Usually, the first stop upon arriving in a new county is the office of the Property Valuation Administrator. Every one is different and each has its own personality. One PVA refused me information for three months before finally relenting. Another told me that he was a lame duck, not running for office again, and he was not going to give me any information, and he didn't. I had to start with the most recently recorded deeds and work backwards identifying properties by watersheds named in the legal descriptions. Another welcomed me with open arms and allowed me to set up shop in his office. He then lost the next election and his replacement refused to give me any further assistance until the District Right of Way Supervisor stepped in to help me. Some PVAs require that you fill out a Freedom of Information Act request form. In one county, the PVA interrogated me from 8 AM until noon about my family, political leanings, and religion. By noon, he was satisfied and tossed me the keys to the office and went to lunch.

Each County Court Clerk's office has its own set of protocols, so you have to find out what the rules are before you begin. In some rural counties with small deed rooms, the local regular title abstractors or legal assistants or attorneys all have their own designated spot in the room within which to work. As the interloper, you must respect their territories to keep the environment friendly.

Some clerks allow you to make copies while others make them for you. Copies are priced accordingly. Records may be in books, on microfiche, or computerized with the latter having slightly different software in each office. Some will teach you their system, while others require you to tell them what you want and they will operate the keyboard. Just smile and say thank you.

Appraisers must have Geographic Competency, meaning they must have an adequate level of familiarity with the market area in which they are working. This can be achieved by spending enough time to adequately study the market, or by subcontracting a local expert. The choice is time or expense. I prefer spending the time since the local market knowledge is essential to every decision in the appraisal process, and the local expert may know nothing of eminent domain appraising. Also, some local appraisers will not help you at all, considering your activity as an encroachment into their territory. I worked in one county that only had one real estate agent, but he had lost his license due to a felony conviction.

The Reviewer's Corner - Issues & Answers

Right of Way Appraising

Driving around and finding all of the sales to photograph can also be challenging. On a recent project, the 911 emergency agency had caused many roads to be renamed so that all published maps were useless.

Included in this process is setting up files for the properties to be appraised and auditing the project plans for ownership changes, sell offs and subdivisions, and accuracy of property descriptions.

All of these activities are part of compiling and publishing the project's comparable sales and analysis book. This process generally takes about three months to complete and is all expenses and no income, for up to a year.

Did I mention that you also get to make a whole lot of new acquaintances? I generally spend between 2 and 8 hours with property owners and occasionally will make two or three visits. Another benefit of personally attaining geographic competency is being able to instill trust in property owners during the parcel inspection and owner interview process. They will test your competency in many areas.

If the property owners are not satisfied by the offer based on your appraisal, your competency may be further tested in front of a jury under a withering cross-examination of you by the owners' attorney.

Doing the actual parcel appraisal and writing the appraisal report, in some ways, is the easiest part of the whole process since it is the culmination of all of the background work already accomplished. The land analysis is included in the sales book, as well as the allocations for building, site improvements, and land for each of the improved sales. The most difficult aspect is the technological challenges that come with being your own system administrator and/or dealing with the infamous RWUMS system.

So, the next time you have to work with a right of way appraiser, have a little sympathy. It's a tough job. However, by this point, the appraiser may be the best resource for everyone else involved in the rest of the right of way process. The appraiser might even know the name of the property owners' growling dog.

-William R. Cox, SR/WA

2015 Spring Forum Grand Rapids, MI





Int'l Right of Way Assoc

Course 103: Ethics and the Right-of-Way Profession

Instructor: Joe Neighbors, Esq, SR/WA
Location: Capital Plaza Hotel (Kentucky Conference Room)
405 Wilkinson Blvd, Frankfort, KY 40601
May 13th 2015, 8:15am to 5pm

***Use one form if more than one attends from same company please.**

1) Name _____ Title _____
 2) Name _____ Title _____
 3) Name _____ Title _____
 4) Name _____ Title _____
 Company _____ Address _____
 City _____ State _____ Zip Code _____
 Phone _____ Fax _____ E-mail _____

Course Cost: \$270.00 per IRWA Member
\$320.00 per KYTC Employee
\$400.00 per NON-IRWA/NON-KYTC member

Fill in

Total Enclosed _____

Registration Deadline: make check/money order payable to:

None

IRWA Kentucky Chapter 25

And mail to:

**Mike Penick
Louisville Metro Government
444 S. Fifth Street, Suite 400
Louisville, KY 40202
502-574-5338
e-mail: mike.penick@louisvillky.gov**

For ACCOMODATIONS:

**Capital Plaza Hotel, Frankfort (502) 227-5100 or www.capitalplaza.com
Rates of \$85.00 per nite (+ taxes)**

FOR CREDIT CARD PAYMENTS: www.IRWAONLINE.ORG or call (310) 538-0233

www.IRWA25.org



Int'l Right of Way Assoc

Course 213: Conflict Resolution

Instructor: Mike Penick, SR/WA
Location: Capital Plaza Hotel (Kentucky Ball Room)
405 Wilkinson Blvd, Frankfort, KY 40601
May 14th 2015, 8:15am to 5pm

***Use one form if more than one attends from same company please.**

1) Name _____ Title _____
 2) Name _____ Title _____
 3) Name _____ Title _____
 4) Name _____ Title _____
 Company _____ Address _____
 City _____ State _____ Zip Code _____
 Phone _____ Fax _____ E-mail _____

Course Cost: \$270.00 per IRWA Member

\$320.00 per KYTC Employee

\$400.00 per NON-IRWA/NON-KYTC member

Fill in

Total Enclosed _____

Registration Deadline:

make check/money order payable to:

None

IRWA Kentucky Chapter 25

And mail to:

**Mike Penick
Louisville Metro Government
444 S. Fifth Street, Suite 400
Louisville, KY 40202
502-574-5338
e-mail: mike.penick@louisvillky.gov**

For ACCOMODATIONS:

**Capital Plaza Hotel, Frankfort (502) 227-5100 or www.capitalplaza.com
Rates of \$85.00 per nite (+ taxes)**

FOR CREDIT CARD PAYMENTS: www.IRWAONLINE.ORG or call (310) 538-0233

www.IRWA25.org

Conference Location:

Hilton San Diego Bayfront
1 Park Blvd.
San Diego, California, 92101
Tel: (619) 564-3333
Hilton San Diego Bayfront Website

Conference Dates:

Sunday, June 14, 2015 – Wednesday, June 17, 2015

Registration Rates March 14 - May 1:

Member - Full Registration \$625
Non-Member - Full Registration \$725
Daily Registration (per day) \$250
Companion \$250

Full Registration Package includes:

- Educational breakout sessions (Monday – Wednesday)
- Opening Ceremony/General Session (Sunday)
- Networking Welcome Reception (Sunday)
- Awards Luncheon (Monday)
- SR/WA Recognition Breakfast (Tuesday)
- Installation Reception/Banquet/Dance (Wednesday)
- Meeting Breaks (Monday – Wednesday)
- Continental Breakfasts (Monday & Wednesday)
- IRWA Expo (Sunday & Monday)

Companion Registration Package includes:

- Opening Ceremony/General Session (Sunday)
- Networking Welcome Reception (Sunday)
- Awards Luncheon (Monday)
- SR/WA Recognition Breakfast (Tuesday)
- Installation Reception/Banquet/Dance (Wednesday)
- Continental Breakfasts (Monday & Wednesday)
- IRWA Expo (Sunday & Monday)

Daily Registration Package includes:

- Educational Breakout Sessions
- Continental breakfasts and meeting breaks
- IRWA Expo
- Sunday daily registration includes Opening Ceremony/General Session and Networking Welcome Reception
- Monday registration includes the Awards Luncheon (Note: A One day conference registration for Monday does NOT include the Monday Night Foundations Fundraising Event).
- Tuesday registration includes the SR/WA Recognition Breakfast
- Wednesday registration includes the Board of Directors' Meeting (Note: A One day conference registration for Wednesday does NOT include the Installation Reception/Banquet/Dance).



Opening Ceremony Speaker
Sunday, June 14, 2015
Roy Firestone, Award Winning Broadcast Sports Journalist

Critically acclaimed as a performer, monologist, humorist, musician and impressionist, Roy Firestone is one of the nation's most sought after live corporate performers, keystone speakers and lecturers. H recently shared the stage with performers Josh Groban, Reba McEntire, David Foster, Forrest Whitaker and Jon Bon Jovi. As an actor, Firestone was featured in the Academy Award - winning film, Jerry Maguire, where he played himself in an unforgettable scene with Cuba Gooding, Jr.

SR/WA Breakfast Speaker
Tuesday, June 16, 2015
Vernice "Flygirl" Armour

Soaring to success from beat-cop to combat pilot within three years, Vernice "Flygirl" Armour became America's first African American female combat pilot. Now she's an inspiration to thousands of individuals and corporations and has been featured twice on OPRAH as well as CNN, Tyra Banks, NPR and others. Learn her extraordinary story, and the principles that form her Zero to Breakthrough™ success plan. Her book, Zero to Breakthrough (Penguin), is available at VerniceArmour.com, or wherever books are sold online.





Dear Chapter 25 Members,

As previously discussed in the April Newsletter it is time for the election of our Executive Board for the 2015-2016 fiscal year. Below is a slate of officers who have either volunteered or have been nominated for the Executive Board positions. Please take a moment and officially vote for the individual or write in a name in the blank provided. A self-addressed stamped envelope has been included with this voting ballot so that you may return your vote anonymously and at your convenience. We do ask that you response in a timely manner so that votes can be tallied and confirmed as official prior to the June General Membership Meeting were the elected officers will be installed.

Sincerely,

Leigh A. Karr, SR/WA
Chapter 25 President

2015 – 2016 Slate of Officers

International Director (2 year)

Leigh Alden Karr, SR/WA

International Director (1 year)

Chad J. Cutsinger

President

Wayne Kimbel

Vice President

Matt Chapman, MAI

Treasurer

Jessica Grivna

Secretary

Timothy Wiley
