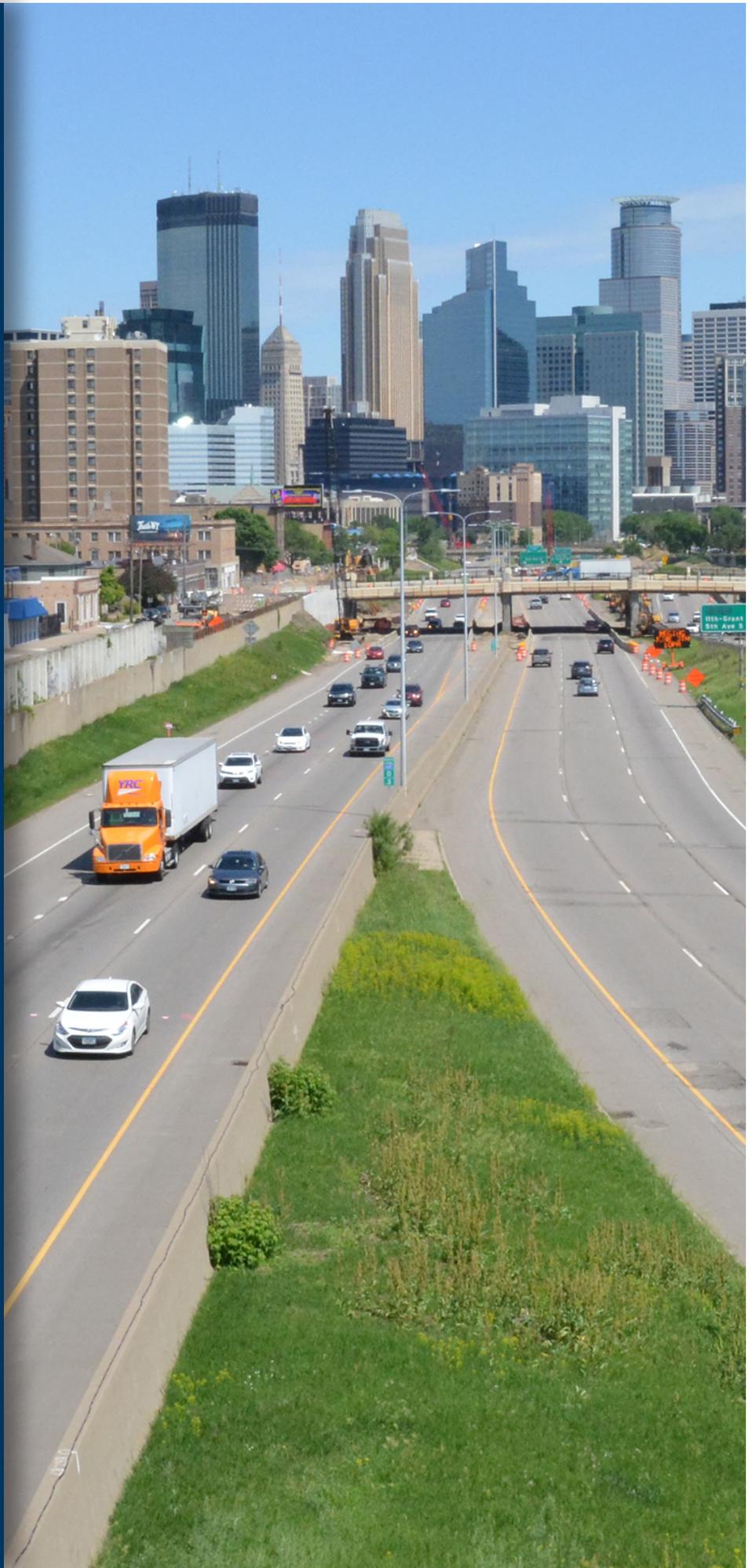


**27<sup>th</sup> ANNUAL  
RIGHT OF WAY  
PROFESSIONAL'S  
WORKSHOP**

October  
2-4, 2019

Breezy Point  
Conference Center

Sponsored by  
the Office of  
Land Management





# ***Welcome to the 27<sup>th</sup> Annual Right of Way Professional's Workshop***

October 2 – 4, 2019



**Sponsored by:**

***The MN Department of Transportation, Office of Land Management***

Director

Office of Land Management ..... Joseph D. Pignato

Assistant Director

Real Estate and Policy Development Section ..... Julie Groetsch

Workshop/Training Coordinator &  
Continuing Education Coordinator ..... Cheryl H. Hunstock

Workshop Technical Support ..... Blaine McKeever (MN.IT)

**WORKSHOP PLANNING COMMITTEE:**

Lisa Beckman..... WSB & Associates

Steve Carlson..... Evergreen Land Ser. Co.

Kirk Corson ..... MnDOT (St. Paul)

Kate Giel ..... Minnesota DNR

Julie Groetsch ..... MnDOT (St. Paul)

Danielle Holder..... MnDOT (Roseville)

Cheryl Hunstock..... MnDOT (St. Paul)

Michael M. Moran..... MnDOT (St. Paul)

Kerry O'Brien..... MnDOT (St. Paul)

Dale Prestegard ..... Olmsted County

Sharon Price ..... Washington County

Penny Rolf..... WSB & Associates

Dan Wilson..... Henning Prof. Ser.

# FROM THE WORKSHOP COMMITTEE MEMBERS

On behalf of the Minnesota Department of Transportation's Office of Land Management, welcome to the Right of Way Professional's Workshop. We are proud to have sponsored this event for 27 consecutive years. The Department has valued the relationships we have forged with our public and private sector right of way professional partners throughout the State of Minnesota. What began as an information sharing event in 1993 for MnDOT right of way staff has grown over the years and we are grateful for the support we have received.

For many years we have had the good fortune to have many talented and knowledgeable speakers contribute to the quality of the workshop program. We have also had a group of hard working committee members that have helped to design the workshop's content, secure speakers and contribute their time and effort in presenting the best program possible. In addition, the contributions of our public and private sector partners have been invaluable as MnDOT does not do this alone.

Just like the very first workshop in 1993, this workshop will include topics of interest to practitioners engaged in the acquisition of right of way for transportation improvement projects. The core subjects offered will include various appraisal, purchasing, relocation, legal and other real estate topics.

The workshop sessions have been arranged in both plenary and concurrent formats. Please take some time to review the schedule and read the session descriptions and speaker biographies found in this booklet as well as which sessions will be repeated. As you review the schedule, please note that almost all of the sessions are repeated. Please determine the sessions that will allow you to attend a different class during each hour of the workshop. Pre-planning is always advised. **Please note** that the opening and closing sessions are in the Whitebirch I & II Rooms.

During the workshop we encourage all attendees to complete the evaluation form that can be found in the packet of information that you received at registration. Please fill out the form at the end of the sessions you attend while it is fresh in your mind. Your evaluation will assist the workshop committee plan for future training events as it has always been our goal to respond to the needs and concerns of workshop participants. We value your opinions and suggestions as they make each succeeding year's event more valuable to those in attendance. Please share what you learn with your colleagues.

## **NAME TAG BARCODE SCANNING**

It will be required that all attendees have the barcode on their name tags scanned upon entering each session of the workshop. This is a way to track the attendance of everyone at the workshop and help us in gathering valuable information regarding the sessions that participants found to be of interest. It is also a way for us to develop a database of training records in the event a participant desires such information in years to come. It is especially critical that all licensed appraisers and real estate professionals desiring continuing education credits be diligent in getting the barcode on their name tags scanned. Failure to do so will result in forfeiture of all continuing education credits. We strongly encourage all attendees to follow this practice not only attendees desiring appraiser and real estate continuing education credits. MnDOT staff is required to get scanned as well.

## **THE WORKSHOP PLANNING COMMITTEE**

The workshop committee is comprised of members from state, county, public and private agencies and they have worked diligently to gather session topics that are pertinent and interesting to the right of way professional. It should be noted that it is with the efforts of this committee that this workshop received the continuing education approvals you desire. You can find a list of the workshop committee members on the first page of this booklet. Please make an effort to contact any of them during or after the workshop if you would like to convey your thoughts regarding the program. If you are interested in serving on this committee, please contact Cheryl Hunstock.

## **CONTINUING EDUCATION**

Minnesota Department of Commerce has approved this workshop for 14 Appraiser and 14 Real Estate Continuing Education Credits. In addition, the Minnesota Board of Continuing Legal Education has also approved this workshop for 14 Standard Continuing Legal Education Credits (**Event Code: 276839**). An Ethics Credit was not approved this year.

Please Note: In order to earn real estate and appraiser continuing education credits, full attendance at the workshop is required by attending a different class during each hour of the workshop. Attendees will not be able to qualify for a portion of the credits offered, thus real estate and appraiser credits will be earned on an “all or nothing” basis. This is necessary in order for the Minnesota Department of Transportation to be in compliance with the Minnesota Department of Commerce rules and guidelines in qualifying for continuing education credits for this event. For real estate and appraiser continuing education purposes, failure to have the barcode on their name tags scanned will result in a forfeiture of all continuing education credits for this event! We strongly encourage all attendees to follow this practice not only attendees desiring appraiser and real estate continuing education credits.

For those attendees submitting for Professional Development Hours with the *Board of Architecture, Engineering, Land Surveying, Landscaping Architecture, Geoscience and Interior Design (AELSLAGID)*, please select those sessions that will meet your personal training needs and satisfy your defined licensing standard requirements. Workshop participants are responsible for submitting for Professional Development Hours with the board.

The workshop committee encourages you to read the *Continuing Education Information Insert* that you received in your packet at registration. Please remember, MnDOT is merely offering you an opportunity to earn continuing education credits and it is our pleasure to do so. ***However, it is ultimately your responsibility to be in compliance with your respective license requirements.***

We would like to thank the presenters for their generosity in sharing their time, knowledge and willingness to educate and for providing us all the opportunity to learn and ultimately improve the services we provide.

Last but not least, we would also like to thank you, the participants! The success of this workshop has always been dependent upon your involvement. We encourage your participation in each of the sessions. The evenings will provide you with a more casual environment to consider and discuss the day's materials. **So again, welcome! We're glad you came. Please enjoy the workshop!**

## FOR YOUR INFORMATION:

**In your registration packet, you will find important workshop information such as:**

- **Workshop Booklet** – This booklet contains session descriptions, presenter biographies and other workshop information you may find of interest.
- **Quick Reference Guide** – This guide is for your convenience in finding sessions of interest. Please plan out the sessions you want to attend so that you are sure to attend a different session each hour.
- **Evaluation Form** – This form **MUST** be turned in at the end of the workshop. These evaluations are essential to ensure our ability to offer pertinent topics in the future.
- **Continuing Education Information Insert (it is yellow!)** – Please take some time to read the information about the continuing education credits being offered. In order to earn real estate and appraisal continuing education credits, full attendance at the workshop is required. Real estate and appraiser credits will be earned on an “all or nothing” basis.
- **Appraiser/Real Estate Identification Card (it is yellow)** – This card is necessary as it gives specific information directing you to submit your name, address and license number EXACTLY as it appears on your license. At the end of the workshop, it is required that those attendees desiring appraiser and/or real estate continuing education credits submit the IDENTIFICATION CARD which is included in the packet of workshop materials received at the time of registration.
- **Name Tag** – Please wear this name tag throughout the workshop. Not only do we want to know who you are, but your name tag will identify your company and/or place of employment. Also, **ALL** attendees must have the barcode, which is affixed to their name tag and is also on their workshop folder, scanned upon entering each session. Please understand the critical nature of this request and don't forget to have your name tag scanned at the beginning of each class you attend. If you **do not** have a barcode affixed to your name tag, please see Cheryl Hunstock immediately or any of the workshop staff at the registration desk in the Whitebirch Lobby. Please return name tags and lanyards at the end of the workshop by putting them in the box located at the registration table.
- **Lunch Ticket for Wednesday, October 2** – If you have purchased Breezy Point's Lodging Package or the Meeting/Meal Package, you will find the Oct. 2 lunch ticket affixed to your workshop packet. This is done in an attempt to avoid confusion at the first lunch of the workshop. The meal ticket for the remainder of your meals can be picked up at Breezy Point registration desk in the main lobby upon check-in. If you have purchased the meeting/meal package only, your tickets can also be picked up at Breezy Point's registration desk.
- **Instructor Syllabus** – This syllabus will give you instructor contact information.



# 2019 RIGHT OF WAY PROFESSIONAL'S WORKSHOP SCHEDULE

**WEDNESDAY, OCTOBER 2**

	<b>WHITEBIRCH I &amp; II</b>			
9:00 am	<i>WORKSHOP REGISTRATION</i>			
10:15 am	<b>WELCOME &amp; OPENING REMARKS</b> Joseph Pignato, Director, Office of Land Management International Right of Way Association Presentation – Mindy Leadholm			
10:45 am	<b>SURVIVING THE MINE FIELD:          COMMUNICATING SAFELY IN          TODAY'S TECHNOLOGICAL WORLD</b> Dr. Mazie Leftwich <b>B</b>			
12:00 pm	<b>LUNCH IN MINNESOTA I &amp; II</b>			
	<b>WHITEBIRCH I</b>	<b>WHITEBIRCH II</b>	<b>LAKESIDE ROOM</b>	<b>PELICAN ROOM</b>
1:00 pm	<b>PROJECT BENEFITS</b> Dan Mueller <b>A</b>	<b>WORKING ON THE RAILROAD: PERMITS AND EASEMENTS</b> Cathy Clune Shane Krueger Patricia Villegas <b>B</b>	<b>EMINENT DOMAIN HEARINGS FROM THE COMMISSIONER'S PERSPECTIVE</b> Craig Harrington <b>I</b>	<b>FARGO/MOORHEAD DIVERSION PROJECT</b> Eric Dodds, Ken Helvey, Oly Olafson, Scott Stenger <b>I</b>
	Repeated 10/3 at 9:10am	Repeated 10/3 at 10:30am	Repeated 10/3 at 12:30pm	Repeated 10/4 at 8:00am
2:10 pm	<b>PREPARING AND PRESENTING A MINIMUM COMPENSATION VALUATION CASE</b> Louis Robards <b>I</b>	<b>REPLACEMENT HOUSING: CARVE-OUTS AND OTHER USEFUL FACTS</b> Robert Merryman John Paulson <b>I</b>	<b>2018-19 CASE LAW UPDATE</b> William Young <b>I</b>	<b>FEDERAL HIGHWAY ADMINISTRATION REALITY AND RELATED INITIATIVES</b> Marshall Wainright <b>B</b>
	Repeated 10/3 at 10:30am	Repeated 10/3 at 9:10am	Repeated 10/3 at 3:00pm	Repeated 10/3 at 8:00am
3:10 pm	<b>BREAK IN MINNESOTA I &amp; II</b>			
3:30 pm	<b>ETHICS</b> Joshua Root <b>B</b>	<b>GOOD FAITH NEGOTIATIONS</b> Dr. Mazie Leftwich <b>B</b>	<b>INDIAN COUNTRY GUIDANCE</b> Levi Brown Lindsey Hanson <b>I</b>	<b>SURVEY 101: WHAT A REAL ESTATE PROFESSIONAL NEEDS TO KNOW</b> Ana Kojic Tom Harper <b>B</b>
	Repeated 10/3 at 1:40pm	Repeated 10/3 at 9:10am	Repeated 10/3 at 1:40pm	Repeated 10/3 at 12:30pm
4:30 pm	<b>ADJOURN</b>			
6:30 pm	<b>DINNER IN MINNESOTA I &amp; II</b>			

To assist participants with selections of sessions, please use this quick reference tool.  
 Session descriptions, found in the workshop booklet, will provide you with more detail  
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**I = Intermediate Level**  
**A = Advanced Level**



# 2019 RIGHT OF WAY PROFESSIONAL'S WORKSHOP SCHEDULE

**THURSDAY, OCTOBER 3**

6:30 am BREAKFAST IN THE MARINA DINING ROOM				
	WHITEBIRCH I	WHITEBIRCH II	LAKESIDE ROOM	PELICAN ROOM
8:00 am	<b>50 YEARS OF SCIENTIFIC &amp; NATURAL AREA PGM. (SNA) &amp; CONDEMNING A SCHOOL TRUST PARCEL</b> Melissa Driscoll I	<b>OLMSTED COUNTY RIGHT OF WAY PROCESS</b> Jeremy Douglas Dale Prestegard B	<b>ACCESS RIGHTS CASE STUDY; STATE V. ROBERT CARLSON</b> Mathew Ferche A	<b>FEDERAL HIGHWAY ADMINISTRATION (FHWA) REALITY AND RELATED INITIATIVES</b> Marshall Wainright B
	Repeated 10/4 at 9:10am	Repeated 10/3 at 1:40pm	Repeated 10/4 at 9:10am	REPEAT
9:10 am	<b>APPRAISAL CASE STUDY WITH WETLAND ISSUES</b> Douglas Johnson I	<b>REPLACEMENT HOUSING: CARVE-OUTS AND OTHER USEFUL FACTS</b> Robert Merryman John Paulson I	<b>GOOD FAITH NEGOTIATIONS</b> Dr. Mazie Leftwich B	<b>PROJECT BENEFITS</b> Dan Mueller A
	Repeated 10/3 at 3:00pm	REPEAT	REPEAT	REPEAT
10:10 am BREAK IN MINNESOTA I & II				
10:30 am	<b>SLOPE STABILITY RISK ASSESSMENTS: MnDOT AND CITY OF BURNSVILLE</b> Nick Bradley B	<b>DON'T BE AFRAID OF THE DARK... STORE THEORY</b> Brett Hall I	<b>WORKING ON THE RAILROAD: PERMITS AND EASEMENTS</b> Cathy Clune Shane Krueger Patricia Villegas B	<b>FIELD WALK (meet outside main lobby)</b> David Hanson B Repeated 10/3 at 12:30pm <b>PREPARING AND PRESENTING A MINIMUM COMP. VALUATION CASE</b> Louis Robards I
	Repeated 10/4 at 8:00am	Repeated 10/3 at 1:40PM	REPEAT	REPEAT
11:30 am LUNCH IN THE MINNESOTA I & II				
12:30 pm	<b>CONSTRUCTION RELATED INTERFERENCE: NOISE, DUST AND VIBRATION</b> Rick Sheridan I	<b>BEYOND THE DEFINITION</b> Igor Lenzner B	<b>SURVEY 101: WHAT A REAL ESTATE PROFESSIONAL NEEDS TO KNOW</b> Tom Harper Ana Kojic B	<b>FIELD WALK (meet outside main lobby)</b> David Hanson B REPEAT <b>EMINENT DOMAIN HEARINGS FROM COMMISSIONER'S PERSPECTIVE</b> Craig Harrington I
	Repeated 10/4 at 9:10am	Repeated 10/4 at 9:10am	REPEAT	REPEAT
1:40 pm	<b>ETHICS</b> Joshua Root B	<b>OLMSTED COUNTY RIGHT OF WAY PROCESS</b> Douglas/Prestegard B	<b>DON'T BE AFRAID OF THE DARK... STORE THEORY</b> Brett Hall I	<b>INDIAN COUNTRY GUIDANCE</b> Levi Brown Lindsey Hanson I
	REPEAT	REPEAT	REPEAT	REPEAT
2:40 pm BREAK IN MINNESOTA I & II				
3:00 pm	<b>CULTURAL RESOURCES: INDIAN BURIAL GROUNDS</b> Renee Barnes B	<b>FORTIFYING YOUR APPRAISAL WORK FILE</b> Byron Miller I	<b>APPRAISAL CASE STUDY WITH WETLAND ISSUES</b> Douglas Johnson I	<b>2018-19 CASE LAW UPDATE</b> William Young I
	Repeated 10/4 at 8:00am	Repeated 10/4 at 8:00am	REPEAT	REPEAT
4:00 pm ADJOURN *** DINNER IS ON YOUR OWN				



# 2019 RIGHT OF WAY PROFESSIONAL'S WORKSHOP SCHEDULE

## FRIDAY, OCTOBER 4

6:30 am BREAKFAST IN THE MARINA DINING ROOM				
	WHITEBIRCH I	WHITEBIRCH II	LAKESIDE ROOM	PELICAN ROOM
8:00 am	<b>FARGO/MOORHEAD DIVERSION PROJECT</b> Eric Dodds, Ken Helvey, Oly Olafson, Scott Stenger <b>I</b>	<b>FORTIFYING YOUR APPRAISAL WORK FILE</b> Byron Miller <b>I</b>	<b>SLOPE STABILITY RISK ASSESSMENTS: MnDOT AND THE CITY OF BURNSVILLE</b> Nick Bradley <b>B</b>	<b>CULTURAL RESOURCES: INDIAN BURIAL GROUNDS</b> Renee Barnes <b>B</b>
	REPEAT	REPEAT	REPEAT	REPEAT
9:10 am	<b>ACCESS RIGHTS CASE STUDY: STATE V. ROBERT CARLSON</b> Mathew Ferche <b>A</b>	<b>BEYOND THE DEFINITION</b> Igor Lenzner <b>B</b>	<b>CONSTRUCTION RELATED INTERFERENCE: NOISE, DUST AND VIBRATION</b> Rick Sheridan <b>I</b>	<b>50 YEARS OF SCIENTIFIC &amp; NATURAL AREA PGM. (SNA) &amp; CONDEMNING A SCHOOL TRUST PARCEL</b> Melissa Driscoll <b>I</b>
	REPEAT	REPEAT	REPEAT	REPEAT
10:10 am BREAK IN MINNESOTA I & II				
WHITEBIRCH I & II				
10:30 am	<b>EMINENT DOMAIN 2020</b> Patrick Mahlberg & Benjamin Tozer <b>I</b>			
11:45 am	<b>3D VISUALIZATION TECHNOLOGY AND CUTTING EDGE VR/AR USAGE WITHIN RIGHT OF WAY</b> Jeff Christiansen <b>B, I &amp; A</b>			
12:45 pm ADJOURN				

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**A = Advanced Level**

# 2019 RIGHT OF WAY PROFESSIONAL'S WORKSHOP

October 2 – 4

## Session Descriptions and Speaker Biographies

### **WELCOME AND OPENING REMARKS:**

#### **Joseph D. Pignato, P.E. – Director, MnDOT Office of Land Management**

Joe Pignato is the Director of the Minnesota Department of Transportation's (MnDOT) Office of Land Management. In this position, he provides overall leadership to the Office of Land Management regarding technical engineering, land surveying, real estate guidance and administrative direction so that staff are trained and resources are effectively utilized in support of MnDOT's mission. Joe has been with MnDOT since 1997 where he has worked in the areas of Consultant Services, Legislation, State Utility Engineer, Right of Way and Special Projects. Prior to MnDOT, Joe worked for a local Minnesota consulting firm for 10 years as a structural design engineer. He graduated from North Dakota State University with a degree in Civil Engineering.

#### **Julie Groetsch – Assistant Director, MnDOT Office of Land Management**

Ms. Groetsch leads the Real Estate and Policy Development Section of Land Management. She has held previous MnDOT positions in Project Coordination and the Real Estate Shared Services Unit in Central Office, Assistant Right of Way Supervisor in District 6 and District Land Surveyor in District 1. Julie holds a Bachelor of Arts Degree from the College of St. Benedict and a Master of Science Degree from the University of Minnesota. She is a licensed Land Surveyor, who had worked in the private sector for 9 years prior to joining MnDOT in 2009.

### **OPENING SESSION:**

#### **SURVIVING THE MINE FIELD: COMMUNICATING SAFELY IN TODAY'S TECHNOLOGICAL WORLD**

Presented by **Dr. Mazie Leftwich**

BE WARNED! Communicating today in both your business and private world through the various mediums of technology is truly a mine field. Don't fall prey to the many tricks, traps and snares that silently wait for their next victim. Emails, texts, tweets, posts, websites, conference calls, video conferencing – there's a million ways to innocently get yourself (and your agency) into trouble. Dr. Mazie Leftwich will explore the many obstacles and challenges to safe digital communication and give examples of how good people have gotten themselves into big trouble along with important tips to protect yourself from embarrassment, scandal and disgrace.

As you work for private parties or government agencies providing right of way services as a real estate agent, appraiser or attorney, any communication you make regarding your work assignment would be included in a discovery request if a parcel is continuing through eminent domain as part of the condemnation process.

If any type of written or digital communication contains an inappropriate comment or an error either through a negotiator's diary, displacee record, appraisal or appraisal review, that could call into question your ethics or the accuracy of all the services you have provided. This session will focus on the reality of today's digital world as it relates to the professional environment and what each individual must do to protect themselves and their agencies.

"More than ever before, people rely on digital communication, such as email, instant messaging (IM) and texting to stay connected and get things done. And our evolving online behavior reveals a lot about our habits and values. A new survey conducted by Yahoo Mail shows the average adult is highly invested in email, regularly using three email accounts — two for personal use, and one for work use. The Yahoo survey also finds a growing number of adults are "hooked" to their email, with two in three adults checking their email as soon as they wake up, up from only 41 percent last year."  
*IT BusinessEdge.com*

**Dr. Mazie Leftwich – Leftwich Management, Inc.**

Dr. Mazie Leftwich is a nationally recognized Speaker, Workshop Leader and Trainer, currently serving as Vice President of Leftwich Management Inc., which provides consulting, management and training services for energy, transportation, investment and real estate entities. Previously, as an executive with Contract Land Staff, she served as the Chief Administrative Officer providing oversight to seven infrastructure departments, along with being the Officer in Charge of the CLS Professional Development Institute where she was the catalyst behind CLS's extensive employee training, project kick-off, team-excellence programs and a culture of continuous improvement. Dr. Leftwich was the architect of the *CLS ROW Project Land Management Program (ROW/PLMP™)*, a 32-hour training specifically for CLS Project Managers, and the first university-base *Right of Way Certificate Program* at the University of Houston/Downtown College of Business. Her own training and speaking engagements numbers in the 1000's over the past 30 years with CLS.

Dr. Leftwich, has served as a Certified Communication Instructor (IRWA), was a Clinical Instructor for the University of Houston, Graduate School of Social Work, and UH's Leadership Certificate Program for Corporate Leaders. Her love for teaching and the enjoyment of watching adults learn and grow has led to her developing many business and Right of Way curriculum for both CLS employee trainings, as well as tailored curriculum for numerous international energy companies and IRWA Chapters, Regional and International Conference events.

Dr. Leftwich has a Doctorate in Applied Psychology and has been active in the Right of Way industry for 28 years. She maintained a private clinical practice for many years, specializing in organizational and personal relationships, and executive coaching. Upon joining the CLS team, she continued on a limited basis in her clinical career, eventually accumulating 30 years of counseling, psychotherapy and coaching experience. She brought these specialized skills and knowledge into the ROW industry, adding a unique and powerful perspective to strategic planning, organizational leadership, managing people, organizational culture, adult education and mentoring employees.

A Gulf Coast Chapter 8 – Region 2 IRWA member for over 25 years, and a Founding Sponsor/Member of the Right of Way Consultant’s Council, she has provided training for numerous national and international energy companies, as well as non-profit organizations, various IRWA events, and Energy Industry Conferences throughout the United States. Dr. Leftwich has hosted her own Radio Program, a Community TV show, and written for numerous newspapers and magazines for the greater Houston area. Most recently she’s penned the regular column *ROW Therapy* for the International IRWA Magazine.

In her spare time she writes children’s stories. Her first children’s book, *GRACIE BECOMES A ROCK STAR* was released August 2018 and is available on Amazon and Barnes & Noble; a second book is in production, *LOGAN’S CAMPFIRE VICTORY POOP* to be released in Fall 2019.

Dr. Leftwich combines her communication skills, her business and clinical acumen, a sense of humor and a joy for presenting creative, informative, fun-filled seminars, workshops and classes.

*The workshop sessions that follow are listed in this program in alphabetical order for quick reference*

### **2018-19 CASE LAW UPDATE**

Presented by **William Young**

This session discusses noteworthy eminent domain and land use cases that have been issued in the past year. This case law update will provide a brief overview of cases decided by the United States Supreme Court and Minnesota appellate courts during the past year. The session will highlight both cases in which the law changed and those in which courts reaffirmed long-standing tests. A non-exhaustive list of the topics covered includes exhaustion, jurisdiction, attorney’s fees and takings.

#### **William Young – MN Assistant Attorney General**

William Young joined the Minnesota Attorney General’s Office in October 2014. He primarily represents the Minnesota Department of Transportation on issues such as condemnation and contract disputes. Mr. Young previously represented the Minnesota Departments of Human Services and Public Safety on a variety of matters. Before joining the Attorney General’s Office, Mr. Young was a law clerk to the Honorable Edward T. Wahl in Hennepin County.

### **3D VISUALIZATION TECHNOLOGY AND CUTTING EDGE VR/AR USAGE WITHIN ROW**

Presented by **Jeff Christiansen**

Creating visualizations for highway corridors and specific parcels are becoming more interactive and continue to push the industry boundaries. Visualized flights through corridors through a predetermined flight path, are just as informational, but now include more design and environmental details within the model that weren’t previously included due to hardware and software limitations. These advances in hardware and software will be discussed. Light will be shed on cutting-edge technologies, including both virtual reality and augmented reality by showing examples of both. This tool is helpful for before and after analysis in determining valuations or partial acquisition; cost to cure items and

severance damages. For instance, every aspect of alternative designs (geometrical design differences, pavements types, to driveway locations) and aesthetics (texture, color and context sensitive designs), can all be shown within the same interactive experience. The individual can decide just how interactive or immersed they want to experience the project. With all variants being visualized at once, engineers and stakeholders will stay informed about all the alternatives. Also, what line of sight issues might be present before and after Date-of-Take, just how obstructed will a sign or building be? Finally, what technology is available to better educated damages, for instance, water inundation. Through 3D visualization, this can all be shown, and at a level that everyone can understand.

**Jeff Christiansen – WSB & Associates, Inc.**

Jeff is a visualization manager with more than 23 years of experience with many types of visualization projects, including over 400 miles of roadway with design elements that include five-level interchanges, bridge aesthetics, complex roundabouts, and ROW litigation. He is an experienced project manager in the development and final production of disparate visualizations for municipal, state, and federal projects. His ability to understand complex engineering schematics from transportation, architectural, land planning, and manufacturing allows him a unique perspective to educate stakeholders with his 3D visualizations. Working for business and law firms across the country, Jeff brings a wealth of knowledge to help educate targeted audiences regardless of subject matter.

**50 YEARS OF SCIENTIFIC AND NATURAL AREA PROGRAM (SNA) AND CONDEMNING A SCHOOL TRUST PARCEL**

Presented by **Melissa Driscoll**

During this presentation, there will be a recognition of 50 Years of the DNR Scientific and Natural Area (SNA) Program. A brief background in the program's purpose, laws, management and ownership of fee and easement holdings will be discussed. The relationship between DNR and the Office of School Trust will be outlined, as well as the condemnation process of school trust land becoming 'acquired' DNR administered land. In addition, there will be two case studies. One case study will specifically focus on the condemnation of a 39 acre school trust parcel to create an addition to the Agassiz Dune SNA in Polk County. This case study will explore the importance for the parcel's protection, condemnation decision, acquisition process of DNR, including appraisal components and comparable properties used, and finally, a post-acquisition review. The second case study involves a 240 acre acquisition in Becker County. This case study will also examine the rationale for protection and key components of the appraisal. This project was the impetus for a new law allowing DNR Programs to be able to lease the surface rights on School Trust land and how that valuation is determined for those lease rights. This new addition in state law will be reviewed.

**Melissa Driscoll – Minnesota Department of Natural Resources**

Melissa Driscoll is the Acquisition Coordinator for the DNR Scientific and Natural Area Program where she collaborates with DNR staff and other conservation partners statewide to buy land in fee, as well as through conservation easements. She received her MS in Conservation Biology from the University of Minnesota and her BA in Anthropology from Colorado College.

## **ACCESS RIGHTS CASE STUDY – STATE V. ROBERT CARLSON**

Presented by **Mathew Ferche**

What happens to the right of reasonably convenient and suitable access when a taking of temporary easement extends across the frontage of a property abutting a highway? This presentation is a case study about access issues raised and addressed in the Minnesota Court of Appeals decision, State v. Robert Carlson, et al. A18-1280. The discussion will focus on the property rights taken in the condemnation, review the valuations determined and follow arguments made throughout the course of the condemnation proceeding, and the reasoning behind the decision made by the Court of Appeals.

### **Mathew Ferche – Minnesota Office of Attorney General**

Mr. Ferche is an Assistant Attorney General practicing in the Office's Transportation Division. He represents the Minnesota Department of Transportation in the areas of eminent domain, construction litigation, and labor compliance/civil rights disputes. Mr. Ferche has also represented the Department of Public Safety, Department of Administration, Department of Natural Resources and MnSCU. Prior to joining the Attorney General's Office in 2011, he was a judicial clerk at the Minnesota Court of Appeals for Judge Louise Dovre Bjorkman, Judge Francis J. Connolly and Judge Michelle Ann Larkin. Mr. Ferche attended the University of St. Thomas School of Law, where he served as the Publications Editor of the St. Thomas Law Journal and graduated *magna cum laude* in 2010.

## **APPRAISAL CASE STUDY WITH WETLAND ISSUES**

Presented by **Doug Johnson**

This session is a case study of an actual appraisal on a property that at first glance appears to be fairly simple and low valued. However, with numerous and differing wetland delineations the acquisition becomes more complicated and costly. The appraisal involved the following items that will be discussed/noted:

- Partial Acquisition of a Permanent Easement
- Before and After Situation Valuations
- Wetland Delineation Use in Appraisals
- Highest and Best Use Determination between Two Uses
- Extraordinary Assumptions & Hypothetical Conditions
- Comparable Sales Approach
- Wetland Valuation
- Summary of Compensation Breakdown
- Possible Lost Access

### **Douglas K. Johnson, SR/WA – DKJ Appraisal LLC**

Mr. Johnson has been appraising real estate since 1979 and has been involved in right of way acquisition since 1987. He has managed multi-parcel acquisition projects, appraised hundreds of partial acquisitions, and testified as an expert witness in numerous eminent domain hearings. Doug is the owner of DKJ Appraisal LLC, a right of way appraisal company started in March of 2013. His appraisal and right of way acquisition experience include:

- 6+ years as an independent fee appraiser dba DKJ Appraisal LLC.
- 10½ years with Evergreen Land Services Company assisting governmental agencies and utilities in right of way appraisals and acquisitions.

- 15½ years as the Property Manager/Acquisition Specialist with the Washington County Public Works Department managing the County's acquisitions for right of way and parks.
- 1½ years as a staff appraiser with the Bureau of Reclamation, U.S. Department of Interior, appraising acquisitions for federal water projects in Montana, North Dakota and Wyoming,
- 6½ years as a staff appraiser with the Bureau of Land Management, U.S. Department of Interior, appraising properties in Montana, North Dakota and South Dakota for land acquisitions, exchanges and utility crossing leases.

Doug Johnson has attained the "SR/WA" professional designation from the International Right of Way Association (IRWA) and is a past President of the Minnesota IRWA Chapter. He has taught several IRWA appraisal courses and has been a presenter at past MnDOT Right of Way Professional's Workshops. Doug has a "Certified General Real Property Appraiser License" from the State of Minnesota and a Minnesota Real Estate Salesperson license. His education includes a Bachelor of Science Degree from the College of Forestry at the University of Minnesota and numerous appraisal and real estate courses.

## **BEYOND THE DEFINITION**

Presented by **Igor Lenzner**

This session involves review of terms that are both commonly used and not so commonly used, but are important. Areas of focus include real estate, appraisal and eminent domain. The goal is to go beyond the definition of terms to include examples and situations that real estate acquisition agents, appraisers and engineers see in the field. Some of the definitions will reference statutes, rules, books, cases and other sources; however, others will be more simplistic versions or compilations used for reference and example purposes. Commentary may also be included to provide context as to when this term may come up in day to day right of way acquisition and/or valuation.

### **Igor Lenzner – Rinke-Noonan Law Firm**

Igor Lenzner is an owner with Rinke Noonan Law Firm. His practice focuses on providing strategic advice to property owners, businesses and public agencies regarding real estate matters including condemnation and relocation.

## **CONSTRUCTION-RELATED INTERFERENCE: NOISE, DUST AND VIBRATION**

Presented by **Rick Sheridan**

This session will review the concept of construction-related interference damages, including analysis of the *Strom* decision, review of how owner's present construction-related interference damages including use of actual appraisal methods, strategies to contest construction-related interference claims and a discussion of a current appellate case challenging admissibility of construction-related interference evidence.

### **Rick Sheridan – Assistant Hennepin County Attorney**

Mr. Sheridan is an Assistant Hennepin County Attorney and currently represents the Hennepin County Public Works department on right-of-way acquisitions. His experience in acquisition matters includes title examination, commission hearings, trials and appellate work.

In addition to his Public Works responsibilities, Mr. Sheridan also represents the Hennepin County Regional Railroad Authority, Hennepin County Resident and Real Estate Services Department and Hennepin County Medical Center on real estate related matters, including litigation, transactional work and title registrations. Mr. Sheridan also advises the Hennepin County Recorder and Hennepin County Surveyor.

## **CULTURAL RESOURCES: INDIAN BURIAL GROUNDS**

Presented by **Renee Barnes**

The Cultural Resources Unit (CRU) balances the state's transportation needs with historic preservation. CRU works with federal, state and local agencies, tribal governments, the Minnesota State Historic Preservation Office and other stakeholders to ensure that impacts to Minnesota's historic properties are considered early in the transportation planning process. This will aid in valuing cultural sensitive properties. This presentation will focus on issues related to cultural resources and right of way acquisition. The session will focus on the relevant state and federal laws, what types of historic properties might be present and MnDOT's obligations related to owning lands that contain cultural resources.

### **Renee Barnes – Minnesota Department of Transportation**

Renee Barnes is a supervisor of MnDOT's Cultural Resources Unit, and is a professionally qualified historian. She received a Bachelor's degree in Architecture from the University of Minnesota, Twin Cities and a Master's degree in Architectural History from the Savannah College of Art and Design. She has been with CRU for 7 years and her responsibilities include supervising staff and carrying out statewide cultural resources contract management, consultation, training, and liaison activities related to a variety of federal undertakings (FHWA, FTA, Corps, and others), as well as MnDOT funded state projects. This involves communication and coordination with federal agencies, consultants, MnDOT offices and districts, local agencies, the State Historic Preservation Office (SHPO), Tribal Historic Preservation Offices (THPO), tribes, and members of the public.

## **DON'T BE AFRAID OF THE DARK...STORE THEORY**

Presented by **Brett Hall**

In this session we will discuss the "Dark Store Theory" and issues that are particular to the valuation of big-box retail properties. The dark store theory has perpetuated despite having no grounds in current appraisal methodology. We will discuss the reasons for the confusion with the intention of clearing the air about how to value big-box retail properties. We will cover topics such as problem identification, highest and best use and comparable selection. We will conclude by reviewing two recent tax court cases involving big-box retail properties.

### **Brett Hall – Apogee Appraisals**

Brett has been in the industry for 25 years and is the third generation of appraisers in his family. He holds the MAI and SRA designations from the Appraisal Institute, is a Certified General Real Property appraiser and Accredited Minnesota Assessor. Brett has been teaching appraisal courses for 15 years and is an AQB Certified USPAP instructor.

## **EMINENT DOMAIN 2020**

Presented by **Patrick Mahlberg and Benjamin Tozer**

Eminent Domain 2020 is your guide to the future of eminent domain. Pat and Ben have done their best to peer into the crystal ball and project some of the hotly contested issues in eminent domain and right-of-way in the coming decade. This session will cover alternative public crossing and coordination methods, easement interpretation rules based on recent appellate cases and an overview of national trends on eminent-domain-related issues. The session will also cover appropriate best practice tips that are applicable to these issues.

### **Patrick D.J. Mahlberg – Fredrikson & Byron**

Mr. Mahlberg is an experienced litigator and advisor to energy companies operating in Minnesota and the upper Midwest. He is the Chair of Fredrikson & Byron's Condemnation & Eminent Domain Group, and is also a member of the Transmission, Energy and Litigation Groups. In his condemnation practice, Pat represents condemning authorities and private owners in acquisition negotiations, eminent domain actions, land rights disputes and land use matters. He has particular expertise representing public utilities, electric cooperatives and pipeline companies in acquiring the necessary permits and land rights for sites and corridors for electric transmission lines and pipelines in urban and rural areas. In this practice, he has represented condemning authorities in the successful and timely acquisition of hundreds of miles worth of land rights, handling scores of valuation disputes to conclusion, including through jury trials. Pat earned his B.A. from St. John's University and his J.D. from the University of Minnesota.

### **Benjamin Tozer – Fredrikson & Byron**

Mr. Tozer's practice includes a broad range of litigation and real estate work, with a particular expertise related to litigation and advice on issues pertaining to the condemnation and regulatory processes. His practice focuses on assisting landowners and taking authorities in condemnation. Ben has substantial experience in eminent domain, including acquiring title to and possession of property necessary for public projects, obtaining just compensation in the valuation process, advising clients on relocation benefits and analyzing and arguing the validity of unique eminent domain issues. Ben also advises electric utilities and pipeline companies on regulatory matters, negotiating with relevant stakeholders and regulators. Ben earned his B.S. from the University of Michigan in 2009 and his J.D. from the University of Michigan in 2012.

## **EMINENT DOMAIN HEARINGS FROM THE COMMISSIONER'S PERSPECTIVE**

Presented by **Craig Harrington**

This presentation is intended for appraisers, lawyers, expert witnesses and other ROW professionals working within the eminent domain process. The presentation will address the eminent domain hearing process from the commissioner's perspective. Topics include hearing process vs trial, the role of USPAP in the hearing, effective expert witnesses and exhibits, post-hearing explanation of awards, valuation considerations when determining awards/damages and cautionary risks when deposing commissioners for appeals.

### **Craig Harrington – Eminent Domain Commissioner and Instructor**

Craig Harrington, SRA, AI-RRS, has been an appraiser for 45 years. His career includes eight years in appraisal management as a consultant to financial institutions. For the last

20 years prior to his retirement in 2016, Mr. Harrington's appraisal assignments specialized in litigation-related issues. Postretirement, he continues to be active as an eminent domain commissioner (17 years), facilitating five online courses for the Appraisal Institute, and developing and reviewing educational courses for the Appraisal Institute.

Mr. Harrington has taught appraisal courses and seminars in over 40 states and he has been a longtime online and classroom developer for the Appraisal Institute. He is a Certified National USPAP Instructor and a past developer of The Appraisal Foundation's 7-Hour and 15-Hour National USPAP Courses. He is a current developer and facilitator of the Appraisal Institute's online versions of the USPAP courses and is a Certified Distance Education Instructor (CDEI) through the International Distance Education Certification Center (IDECC).

Craig is principal developer of the 30-hour course *Basic Appraisal Principles* that is used by the Appraisal Institute (AI), the American Society of Farm Managers and Rural Appraisers (ASFMRA), the American Society of Appraisers (ASA) and the International Association of Assessing Officers (IAAO). Mr. Harrington also developed the Appraisal Institute's *Basic Appraisal Procedures* and co-developed the Institute's review curriculum, *Review Theory* and *Review Case Studies*, which are the required courses for the Appraisal Institute's AI-RRS and AI-GRS review designations.

Craig Harrington has served on numerous committees and panels of the Appraisal Institute. Mr. Harrington has been honored with national awards for his contributions to appraisal education including, the Dr. William N. Kinnard, Jr. Award, the James H. Pritchett Award, the 2014 President's Award and the Lifetime Achievement Award.

## **ETHICS**

Presented by **Joshua Root**

This session will include a review of the professional obligations for real estate professionals, engineers, attorneys and anyone who interacts with those professionals. We will examine the relevance of ethics in today's society, provide statutory requirements and review salient case studies from recent events to highlight the import of understanding the obligations required by state law and professional codes of conduct. USPAP (NATIONAL UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE) will be discussed, which involves the appraiser's professional ethics and the ethics rule under USPAP.

### **Joshua Root – Minnesota Department of Transportation**

Josh is Senior Legal Counsel & DPCO in MnDOT's Office of Chief Counsel, focusing on Data Practices and e-Discovery. Before joining the Department he was the primary e-discovery consultant for MnDOT, working on all major litigation beginning with the tragic collapse of the I-35W Bridge in 2007. Prior to his government servitude Josh's practice was focused on closely held businesses and the sundry of matters that they face.

## **FARGO/MOORHEAD DIVERSION PROJECT- PROPERTY ACQUISITION AND MITIGATION**

Presented by **Eric Dodds, Ken Helvey, Oly Olafson and Scott Stenger**

This session will provide an overview of the right of way and real estate acquisition program relative to the Fargo Moorhead Diversion Project Right of Way Acquisition process. The attendees will be taken through the project by examining the flooding impacts that affect the real property in the area and the required property rights needed

to develop the project. This will include parcel identification, historical and architectural analysis of properties, the appraisal process and the negotiation for the affected parcels.

We will then provide specific case studies for different segment of the project that outline the unique aspects of those property's acquisition. There will also be a discussion of how the Uniform Relocation Act, Minnesota and North Dakota statues as well as other governing authorities affect the purchase of the real property.

**Eric Dodds – AE2S (Advanced Engineering and Environmental Services, Inc.)**

Eric Dodds is a Program Manager in the Fargo, ND office of AE2S (Advanced Engineering and Environmental Services, Inc.). He has worked on the Program Management team for the Fargo-Moorhead Area Diversion Project since 2011. Mr. Dodds' primary area of responsibility is the management of the acquisition of over \$500 Million of property rights necessary for the Project. Eric has a Bachelor of Science Degree in Civil Engineering (1999) and a Master's of Science Degree in Environmental Engineering (2002) from North Dakota State University. He is a registered Professional Engineer in three states including North Dakota, Minnesota and South Dakota.

Eric serves on the advisory board for NDSU Civil Engineering Department, NDSU Team Makers, the West Fargo Planning & Zoning Commission and the West Fargo Sheyenne High School Mustang Booster Club.

**Ken Helvey – SRF Consulting Group, Inc.**

Ken leads SRF's Real Estate Services Group and manages the acquisition, relocation and appraisal processes for infrastructure, utility and development projects. Since 1993, he has provided public and private sector clients with project management, acquisition and compilation of information to prepare work files. In addition, Ken has been responsible for the coordination of appraisals, negotiations with land owners to acquire right of way and settle damages, completion of relocation services, recording of pertinent documents and closing of files and preparation of closing documents.

Ken has worked closely with the Minnesota Department of Transportation, the U.S. Army Corps of Engineers as well as many local, municipal, county and state agencies and non-profit associations.

**Oly Olafson**

Stefan (Oly) Olafson has been an active appraiser since 1979 and a Certified General Appraiser since licensing became a matter of law in the early 1990's. His work experience in the appraisal field includes appraising agricultural properties, commercial property, multifamily/investment property, single-family dwellings, and eminent domain. Oly has reviewed other appraisers' work in the course of his appraisal business, including more than 250 appraisal reviews for the CapX2020 transmission line project. Much of his work involves project management, research of public land records in various counties for projects statewide. He has also acquired easements for highways, roads, high-voltage transmission projects, pipeline projects, wind farms, communications facilities, municipal infrastructure and purchasing substation sites for clients. Oly is a Licensed Real Estate Broker in North Dakota, Minnesota, Iowa and South Dakota and has an extensive background in real estate. His right of way and real estate activities include, landowner contacts, negotiation, completing appraisals and appraisal reviews and purchasing property for clients.

## **Scott Stenger – ProSource Technologies**

Scott Stenger has more than 25 years of experience with project management, emergency and disaster management services, right of way acquisition and land title abstracting. He was part of the management team for three separate disaster recovery projects for New York following Super Storm Sandy and over a dozen programs for the City of Cedar Rapids following the statewide Iowa flooding in 2008. He has managed dozens of linear utility, sewer, wind energy, cellular phone and road projects from less than one mile to over 300 miles in length.

## **FEDERAL HIGHWAY ADMINISTRATION (FHWA) REALTY AND RELATED INITIATIVES**

Presented by **Marshall Wainright**

This session will open with a brief overview of the right of way phase activities including why we do appraisals, exceptions to the appraisal requirements, an overview of the acquisition offer process and a reminder of the relocation process. Then, since the Federal Highway Administration has several initiatives in the works related to appraisal and real estate, discussions in this session will include any news on the 49 CFR 24 NPRM; an overview of the Every Day Counts Value Capture initiative; updates on upcoming instructor-led/web-based Realty training opportunities through the National Highway Institute; updates on alternative uses of the right of way; and responding to any questions that you may have regarding FHWA Realty programs/initiatives.

### **Marshall Wainright – Federal Highway Administration**

Mr. Wainright has been with the Federal Highway Administration (FHWA) since 2003. He currently serves the country as the Lead Realty Specialist in the FHWA Resource Center based in Atlanta, Georgia. Mr. Wainright and his team provide right of way related technical assistance, training and technology deployment to federal, state and local partners across the country. He previously served as the Relocation Assistance Manager in the in the FHWA Office of Real Estate Services in Washington, DC.

Marshall is a certified instructor for the National Highway Institute. He serves on the IRWA Relocation Committee and the AASHTO Relocation Technical Council. He began his right of way career as a Realty Specialist with the Florida Department of Transportation. Prior to entering the transportation industry, he was an independent contractor in both the restaurant and construction industries.

Mr. Wainright holds a Bachelor's Degree in Business Administration/Finance from Georgia Southern University.

## **FIELD WALK**

Presented by **David L. Hanson**

This outdoor session will focus on identification of trees, shrubs and herbaceous plants as curiosity dictates. There will be discussion of assessment characteristics including, architectural form, landscape placement, tree size and species ratings for Minnesota. Other important topics may include recognizing potentially higher risk trees such as looking for decay in trees, poor structure, mechanical and or storm damage. Learn about the many factors that go into landscape valuation and view practical examples of landscaping considerations when doing property appraisals.

## **David Hanson – Minnesota Department of Transportation, Office of Environmental Stewardship**

Mr. Hanson completed a Bachelor of Science Degree from the University of Minnesota in Assessment and Modeling of Natural Resources followed by a Master's Degree focusing on Urban and Community Forestry. As an ISA Certified Arborist and Urban Forester at the University of Minnesota, Mr. Hanson taught plant identification skills to ISA Certified Arborists, Master Gardeners, Municipal Employees including CCM crews and a classroom full of dendrology students. Now, as a Vegetation Management Specialist with MnDOT, Dave still teaches identification and management skills while honing his own skills daily – on questions from every corner of Minnesota.

## **FORTIFYING YOUR APPRAISAL WORK FILE**

Presented by **Byron Miller**

Appraisal work files are one of the most important components of an appraisal assignment. However, they are often overlooked and under documented. An examination of several years of consent letters from the Minnesota Department of Commerce (DOC) Enforcement Division indicates that the majority of censures include a citation for a lack or sub-standard work file. Appraisers in their haste to complete the assignment often overlook the importance of providing adequate documentation for their work file. If you are wondering how to dodge a bullet, then look no further! This session presents the essentials of providing a complete work file. Taught from the perspective of “*boots on the ground*” appraisers, this session presents items required by the Uniform Standards of Professional Appraisal Practice (USPAP) as well as additional requirements mandated by DOC in MN Statutes 82B. This session also presents the latest Minnesota appraisal legislative changes that come into effect as of January 1, 2020. Participants attending this session benefit from a better understanding of USPAP and 82B, which enables them to adhere to the statute requirements and dodge a bullet when it comes to their work file.

### **Byron Miller – Byron Miller Appraisals**

Byron Miller, SRA, AI-RRS, RRA, MSSE, is a certified residential appraiser licensed in Minnesota and Wisconsin. He is the owner and principal appraiser of BM Appraisals in Minneapolis, Minnesota. His firm specializes in valuation services for consulting, divorce, estate, litigation, relocation, and right of way. This is Byron's second act, which is a profession of choice. He spent his first act as a firmware engineer/manager for several fortune 500 companies. His appraisal interest started in 1986 when he watched an appraiser appraise his home. However, life got in the way, and he didn't consummate his passion for the valuation profession until 2001.

Byron has gained a reputation for valuing complex properties. He has experience with agricultural, lakefront, multi-unit and upper bracket properties. Additionally, Byron has performed valuation assignments, reviews for attorneys, eminent domain, estates and lenders. He is also an instructor, course developer, author and an eminent domain county commissioner. Byron has an intense passion for appraising and helping others. This passion manifests itself in the form of continual self-improvement through education, instruction and mentoring. Byron earned his BA, with a focus in Computer Science in 1987 and an MS in Software Engineering from the University of St. Thomas, in 1996.

## **GOOD FAITH NEGOTIATIONS: FROM THE FIRST CONTACT TO THE LAST**

Presented by **Dr. Mazie Leftwich** (*Biography Reference: Surviving the Mind Field: Communicating Safely in Today's Technological World*)

Approaching a Right of Way Project with the attitude of 'Good Faith' is not only the most appropriate and ethical for all concerned, it is the most efficient and effective in the long run. Good Faith Negotiations is approaching negotiations with the intent of developing rapport and trust with the landowner, making a bona fide (fair) offer, and being responsive with a sense of urgency to all concerns of the landowner, always being honest, timely in response and with the utmost integrity. And despite the real limitations of what an agency can and cannot do, professionals are ethically responsible for offering the owner every opportunity to be thoroughly involved. This is done by appraisers in determining the value of the taking, and by real estate agents who listen to the owners, voice their objections and note their concerns and relay them back to the agency. This approach lets the owners know that they are being listened to and that everything is being done to assist them.

Dr. Mazie Leftwich will delve into the many specifics and applications of Good Faith Negotiations including the 8 Key Principles that must be followed by real estate agents, appraisers, attorneys and all other all other professionals involved in a right of way project, from the start to the finish.

The goal of this presentation is to increase awareness and to equip right of way professionals, appraiser, real estate professionals and others that may interact with landowners, that the preferred and acceptable, most efficient and effective approach from the first contact regarding a project until the last contact should always be one of good faith.

## **INDIAN COUNTRY GUIDANCE**

Presented by **Levi Brown and Lindsey Hanson**

This session provides a broad overview of state and tribal jurisdiction in Indian country and includes information about Minnesota tribes, tribal membership, and land ownership in Indian country including a discussion of trust lands, allotments and restricted fee lands.

### **Levi Brown – Minnesota Department of Transportation Tribal Liaison, Office of Government Affairs**

Levi Brown is the Tribal Liaison Manager in MnDOT's Office of Government Affairs. Levi has over 14 years' experience working on Indian Country regulatory issues and was the Environmental Land Director for Leech Lake Band of Ojibwe for 12 years before joining MnDOT. He has been an invited presenter to the United States Forest Service, Army Corps of Engineers, Minnesota Department of Public Safety and county and other local law enforcement agencies. He brings a unique prospective to building capacity around jurisdiction within Indian country and has been co-author to many intergovernmental agreements that are now being used as a model by other tribes.

### **Lindsey Hanson – Minnesota Department of Transportation Office of Chief Counsel**

Lindsey Hanson is Associate Legal Counsel in MnDOT's Office of Chief Counsel where she advises on matters involving Indian law, contested cases and the Americans with Disabilities Act. Prior to joining MnDOT, Lindsey was a Legal Aid attorney in Minneapolis where she represented low income tenants in landlord-tenant disputes and discrimination

cases and on the White Earth Reservation where she served as court-appointed defense counsel in White Earth Reservation Tribal Court.

## **OLMSTED COUNTY RIGHT OF WAY PROCESS**

Presented by **Jeremy Douglas and Dale Prestegard**

This session will provide an overview of the Olmsted County Right of Way Acquisition process from beginning to end. The attendees will be taken through the process of establishing the official map, identifying potential affected landowners, addressing possible conflicts in the preliminary design phase, to initial contact meetings with property owners to discuss impacts to their parcel. We will discuss our interactions with a certified appraiser, including project details, construction plans and on-site meetings to view the permanent and temporary easements as well as review the valuations for accuracy. We will walk through the development and presentation of the offer package to the land owner and negotiations to finalize the offer. Finally, examples of unique acquisitions from one of our recent projects will be discussed.

### **Jeremy Douglas – Olmsted County**

Mr. Douglas works in the Right of Way Department for Olmsted County. He's held this position since June of 2016. His duties include residential and agricultural appraisals and MDA's and direct purchase activities. Prior to working in the Right of Way Department, he worked in design for Olmsted County since 2013. Mr. Douglas worked in design, surveys and right of way for Yaggy Colby Associates from 2003 – 2013. He worked in the Survey Department with the Minnesota Department of Transportation from 2000 – 2003. Mr. Douglas has an Associate's Degree in Civil Engineering Technology from Rochester Community and Technical College.

### **Dale Prestegard – Olmsted County**

Mr. Prestegard started his career at MnDOT in 1986 as a maintenance worker at the truck station in Austin, MN. He then worked as a construction inspector on grading and bridge projects. Dale moved to right of way in 2000 where he became a licensed real estate appraiser. In 2006 he left MnDOT for Olmsted County as the Right of Way & Transportation Contract Supervisor. His duties include, oversight and management of the county right of way system, residential and agricultural appraisals and MDA's, direct purchase activities, highway contract and utility permit manager. He is currently a Licensed Real Property Appraiser.

## **PREPARING AND PRESENTING A MINIMUM COMPENSATION VALUATION CASE**

Presented by **Louis Robards**

The Minnesota Minimum Compensation Statute, Minn. Stat. 117.187, raises special considerations for preparing and presenting a condemnation case for a commission hearing or trial. This presentation will discuss three cases that went to commission hearings, two of which also went to trial. It will address approaches taken by property owners and the county in those cases, and offer points to consider when preparing and presenting a case for hearing or trial.

### **Louis Robards – Assistant Hennepin County Attorney**

Mr. Robards has represented Hennepin County in eminent domain proceedings since 2006. Louis previously worked with the Minnesota Attorney General's Office,

representing the Minnesota Department of Transportation in eminent domain cases throughout the state.

## **PROJECT BENEFITS**

Presented by **Dan Mueller**

Properties frequently experience loss to the remainder, or severance, arising from compensable changes to its after circumstance. A counter balance to this and other loss may arise from benefits. As with severance to compensability, benefits may or may not offset diminution depending upon classification and jurisdiction. This *Project Benefits* presentation will address simple and frequent, to complicated and infrequent occurrences, detail market examples, and provide an overview of how special benefits are recognized by location.

### **Dan P. Mueller, MAI, MRICS – Executive Director – Integra Realty Resources**

Dan Mueller began his career in commercial real estate in 1986, as a broker with Griffin Real Estate Company. He entered the appraisal field in 1993 and joined Integra in 1998 shortly before being awarded the Appraisal Institute's MAI designation. Dan is a graduate of Winona State University, holding degrees in Business Administration and Economics.

Mr. Mueller provides expertise within an array of property types including many unique, specialized situations. Dan serves a broad clientele, including those concerning; mortgage financing, acquisition, real estate and personal income taxation, estate planning, partial interests, project influence and numerous other matters. He is particularly recognized as an expert in eminent domain and litigation proceedings, having testified extensively in many venues in multiple states and Washington D.C.

Mr. Mueller is former President of the North Star Chapter of the Appraisal Institute, has served on numerous local and national committees and as a national instructor. He is a long-term member and former Chair of the Comprehensive Examination Panel and regularly reviews articles submitted for the *Appraisal Journal*. Dan has also been member of the *Appraisal Journal* Editorial Board, Qualifying Education, General Appraiser Council Admissions and Curriculum Committees, contributed significantly to the *12<sup>th</sup> Edition of Real Estate Appraisal* and was appointed chair for consideration and redevelopment of an advanced education curriculum overview course. He was awarded the 2015 Appraisal Journal Outstanding Service Award, was a significant contributor to the recently released *Real Property in Valuation* textbook and is assisting with publication of the *15<sup>th</sup> Edition of Real Estate Appraisal*. Dan is a frequent speaker at specialized real estate events.

## **REPLACEMENT HOUSING: CARVE-OUTS AND OTHER USEFUL FACTS**

Presented by **Robert Merryman and John Paulson**

How do you find a comparable replacement dwelling for the only home in town with an in-ground pool? What is the impact of the pool for replacement housing; and how is the appraisal contributory value used to calculate the housing supplement? What if a motel owner lives in one of the motel units? Additionally, do the “additional rules” for replacement housing fairly address these odd situations?

This session will examine the regulatory requirements to provide replacement housing to all residential owner-occupants and how that is valued in certain unusual situations. To do so, we will need to exact certain information from the appraisal, and then use that

information to ascertain the “carved out” value of the dwelling. We also need to be able to clearly and concisely explain the calculation and the requirements to the displaced owner. The session relies heavily on actual cases from MnDOT files.

**Robert N. Merryman – O. R. Colan Associates, Inc.**

Mr. Robert N. Merryman is the senior vice president of O.R. Colan Associates, a national firm specializing in land acquisition and relocation implementation for public agencies. Bob is a 1972 graduate of the University of Missouri and a former employee of Missouri Department of Transportation. Since joining O.R. Colan, Mr. Merryman has been directly involved with many land acquisition projects for a wide range of clients. These include highway agencies, transit agencies, EPA funded projects, park development projects and HUD funded projects. He also serves as an Oversight Contractor for FTA and FRA on various transit/rail projects. Bob is the original developer of the three relocation courses of the National Highway Institute of the Federal Highway Administration. He is an IRWA, NHI, FAA, and FTA instructor for various real estate courses and has been honored as an “Instructor of Excellence” by the National Highway Institute of the Federal Highway Administration seven times.

Recently Bob was the principal investigator for several research studies sponsored by the FHWA. These involved electronic delivery of documents, reverse mortgages and the use of options in right of way acquisition. Mr. Merryman is a licensed appraiser in the State of Missouri.

**John Paulson – Minnesota Department of Transportation**

Mr. Paulson is a Real Estate Representative Senior in the Minnesota Department of Transportation's Rochester (District 6) Right of Way Office. He began his career with MnDOT in 1996 in Transportation Planning before transferring to right of way in 1998. John's primary duties include land acquisition and both residential and non-residential relocation. He holds an Associate of Arts Degree in Pre-Education from Rochester Community and Technical College and a Bachelor's Degree in Geography from St. Cloud State University. John is a member of the International Right of Way Association (IRWA) and is a licensed residential real estate appraiser.

**SLOPE STABILITY RISK ASSESSMENT: MnDOT AND THE CITY OF BURNSVILLE**

Presented by **Nicholas Bradley**

Transportation infrastructure intersects challenging landscapes that may negatively impact structural integrity, public safety and property values. River systems, unstable slopes and excessive precipitation are a few examples of environmental hazards to infrastructure. Collectively called geohazards, these risks should be accounted for in property value estimations and in right of way acquisitions. This presentation describes the effects of geohazards on property values, as established in coordination with expert appraisers, and two case studies, MnDOT and City of Burnsville Slope Vulnerability Assessments projects in which the results provide a tool for assisting with right of way acquisitions.

**Nickolas Bradley – WSB & Associates, Inc.**

Mr. Bradley is an environmental consultant specializing in geohazard risk assessments, geomorphology and project management at the technical level. His technical skills include designing GIS models for geohazards, client consultation on how geohazards affect public and private assets, technical writing, and expertise in hillslope, fluvial and

coastal geomorphology. His project management experience includes cost estimation, scheduling and leading geomorphic field teams in projects across the country. Most recently, Nick designed a new GIS model for slope failures that can be implemented anywhere in the country with minimal data input.

## **SURVEY 101: WHAT EVERY REAL ESTATE PROFESSIONAL NEEDS TO KNOW**

Presented by **Tom Harper and Ana Kojic**

This session will outline different types of Legal Descriptions and how to interpret them. The various types of MnDOT right of way acquisitions will be explained along with the interpretation of MnDOT right of way acquisition plats.

### **Thomas Harper, PLS – Minnesota Department of Transportation**

Thomas Harper attended Mankato State University on the Vietnam Era GI bill graduating with a Bachelor of Science degree. He began his MnDOT career in 1990 as a construction inspector in Brainerd and took surveying courses from Inver Hills Community College and Saint Cloud State University to become a Professional Land Surveyor. He later moved to Detroit Lakes where he is now the Principal Land Surveyor for District 4.

### **Ana Kojic, PLS – Minnesota Department of Transportation**

Anna Kojic is a Principal Land Surveyor at MnDOT Metro Right of Way Office. She has 20 years of right of way and land surveying experience with MnDOT. Currently she is managing right of way acquisition for transit projects. Anna holds a Bachelor of Science Degree in Land Surveying at University of Hannover, Hannover, Germany.

## **WORKING ON THE RAILROAD: PERMITS AND EASEMENTS**

Presented by **Cathy Clune, Shane Krueger and Pat Villegas**

In this session, Cathy Clune, Shane Krueger, and Patricia Villegas, will give an overview into the process on obtaining permits and/or acquire easements for access onto BNSF property.

This will include a discussion on the types of permits/easements BNSF requires and uses, how railroad easements impact the valuation process and details on the different steps/approvals necessary, examples on permits/easements that have gone through the process and outcomes, and questions and answers involving the audience. The session will also briefly cover the sales process and provide additional contacts/information that is beneficial when working near or on BNSF Right of Way.

### **Cathy M. Clune – JLL Rail Practice Group**

Cathy Clune is a Senior Portfolio Manager for JLL (Jones Lang LaSalle). Cathy has been with JLL for 11 years, and previously with the Staubach Company managing the real estate portfolio for BNSF Railway. Currently Cathy manages the dispositions (easements & Sales) in 8 states and 1 Canadian province. Cathy holds an Associate's Degree in Business from St. Paul College, and is pursuing her Bachelor's Degree in Business Administration and with a minor in Project Management from Metropolitan State University in St. Paul.

### **Shane Krueger – JLL**

Shane Krueger is Vice President of Permits and Special Projects for JLL (Jones Lang LaSalle). Shane has 23 years of Permit experience with BNSF. She has been with JLL for 11 years, and previously with the Staubach Company and Catellus Management

Company prior to that, managing the real estate portfolio for BNSF Railway Company; she worked at Burlington Northern from 1989-1996. Shane currently oversees all permit requests for BNSF. Shane holds an Associate's Degree from Columbia College.

**Pat Villegas – JLL Rail Practice Group/BNSF**

Ms. Villegas is as Permit Manager with JLL and acts as a liaison for BNSF assisting with their land revenue management for all license agreements in the states of Minnesota, Montana, Wisconsin, Iowa, Nevada and the Canadian province of Manitoba. Ms. Villegas holds a Bachelor in Business Management and an MBA with a concentration in Real Estate, both from the University of Texas at Arlington.

## **WORKSHOP MEALS MENU**

**BREAKFAST BUFFET (Marina Dining Room):**

*Thursday, Oct. 3 and Friday Oct. 4 (at 6:30AM)*

**LUNCH (Minnesota Dining Room):**

*Wednesday, Oct. 2 (12pm) – “Build Your Own” Deli Sandwich & Soup*

*Thursday, Oct. 3 (11:30am) – “Italian Buffet”*

**DINNER (Minnesota Dining Room):**

*Wednesday, Oct. 2 (6:30pm):*

*(BBQ Ribs & Roasted Turkey & Dressing)*

*Thursday, Oct. 3 Dinner – **YOU ARE ON YOUR OWN!**  
(Check out Breezy Point's Marina Restaurant and Bar)*

# VENDORS & DISPLAYS

## **Chadwick Appraisals**

Chadwick Appraisals continues to deliver premium 'On Time' service year after year.

Providing Real Estate appraisal and transaction support to Minnesota's best agencies.

We specialize in:

- Condemnation & Eminent Domain Appraisals
- Property Acquisitions & Dispositions
- Attorney Support, including - Expert Witness Testimony
- Appraisal Review and Consulting

We work with a variety of property types, including:

Raw & Improved Land

- Agricultural
- Development
- Recreational

Commercial Property

- Office & Warehouse
- Retail & Special purpose

Multi Family and Quality Housing

- Apartments, Condominium & Townhome style housing
- Quality single family homes & lots

Chadwick continues to stay well informed of market conditions and the many factors that affect property values. We provide our clients with the highest quality reports that stand up in negotiations and in court. Our team has deep relationships in the market and delivers the highest quality research, analysis and testimony.

We provide well-documented, quality appraisals that meet Yellow Book, USPAP and State requirements.

With our experience and deep regional relationships, we are well positioned to shepherd over your project's requirements.

"We will testify to our findings"

For inquiries, please contact Chad R. Wiech, CCIM GAA (Principal), at:

Phone: 952-881-1181 or email: [chad@cwrea.com](mailto:chad@cwrea.com)

Address: 8100 Penn Avenue South, Suite 150, Minneapolis, MN 55431

## **Evergreen Land Services Company**

Evergreen Land Services Company (ELS) specializes in all aspects of land and land rights acquisition, relocation and appraisal. ELS has been providing right-of-way services to governmental, public utilities and other private entities since 1972. ELS has a long history of successful partnering with multiple state, county and municipal agencies as well as private engineering and legal firms. ELS provides the full spectrum of land and right-of-way services including planning, route selection, project counseling, field title investigation, valuation, acquisition, relocation, public meetings, permitting, industry education, regulatory and audit compliance and many more services. ELS has experienced team members that hold all applicable licenses required by law to acquire land for right-of-way projects, relocation services and appraisals. For more information about ELS, please contact us at 651-882-0200. You can also email **Matthew Storm** at [matthews@elsco.net](mailto:matthews@elsco.net), or visit us at [www.elsco.net](http://www.elsco.net).

## **HDR Engineering, Inc.**

Established in 1917, HDR is consistently ranked among the top consulting firms by leading industry publications, including *Engineering News-Record* and *Architectural Record*. Our expertise spans nearly 10,000 employees with an impressive breadth of knowledge in engineering, architecture, real estate and right of way, environmental and construction services. We create an unshakable foundation for progress because our multidisciplinary teams include engineers, designers, real estate and right of way agents, scientists, economists, builders, analysts and artists.

For the past 40 years, we've partnered with local Minnesota clients to develop, construct and operate infrastructure to meet the needs of our growing communities. From designing a road that improves mobility to a hospital that heals, we think globally and act locally to improve the places where we live and work.

Understanding and obtaining property rights are crucial components of your project and we'll partner with you to do it right. We have full-time, professional staff ready to provide a full suite of real estate and right of way services to achieve project milestones. Our focus is on quality, efficiency and the development of positive long-term relationships between the client and landowners. We act as your advocate while also being sensitive to the particular concerns of property owners and occupants.

For more information, please contact: **Aimie Mims**, Associate Vice President, HDR Engineering, 701 Xenia Ave. S., Suite 600, Minneapolis, MN 55416. [Aimie.Mims@hdrinc.com](mailto:Aimie.Mims@hdrinc.com) or 763-591-5454.

## **Henning Professional Services, Inc.**

Henning Professional Services, Inc. provides right of way acquisition and relocation services to state and local agencies such as MnDOT and cities and counties throughout the state of Minnesota. Services include Project Scoping, Field Title Investigation, Minimum Damage Acquisition Reports, Purchase Offers, Negotiation and Settlement, Residential and Business Relocations, Minimum Compensation Value Reports, and Uniform Relocation and Real Property Acquisition Act Compliance. Turnkey right of way services are also offered through teaming with abstractors, appraisers, surveyors and environmental firms. Our reputation to successfully provide fast track acquisition services, including coordination with numerous stakeholders and multiple consulting firms to meet tight project deadlines, is known throughout the industry

Sonya Henning, PE, has more than 22 years of experience and is the president of Henning Professional Services, Inc. Her licensures in civil engineering and as a real estate broker allow her to provide valuable project input from scoping through construction as well as the ability to communicate project needs and construction details to landowners. She and her staff have extensive experience meeting the various requirements outlined for a variety of funding including local, state, federal funds and grants.

The recent merging and addition of Wilson Development Services, LLC staff of Dan Wilson, with more than 50 years' experience in acquisition and relocation, and additional acquisition and relocation staff offer clients additional knowledge and services in the relocation arena. Dan Wilson has been providing acquisition and relocation assistance under the Uniform Relocation Act for nearly 50 years. He is a frequent lecturer on the Uniform Relocation and Real Property Acquisition Act Compliance, as well as an "expert witness" in relocation and minimum compensation appeals.

### CLASSIFICATIONS

- Certified Disadvantaged Business Enterprise (DBE) through the Minnesota Unified Certification Program (MNUCP)
- Certified Small and Woman Business Enterprise (S/WBE) with the Central Certification (CERT)
  - Program
- Certified Targeted Group/Economically Disadvantaged/Veteran Owned (TG/ED/VO) Small Business by the Minnesota Department of Administration
- Licensed Real Estate Company – Minnesota
- Pre-Qualified with the Minnesota Department of Transportation:
  - Work Type 8.1 – Direct Purchase
  - Work Type 8.21 – Relocation Assistance – Level 1
  - Work Type 8.22 – Relocation Assistance – Level 2
  - Work Type 8.3 – Field Title Investigation

### MEMBER

- IRWA - International Right of Way Association
- MSES - Minnesota Society of Engineers and Surveyors
- APWA - American Public Works Association
- ESSP - Engineering Society of St. Paul
- ITE – Institute of Transportation Engineers

Please contact Sonya Henning at 651-955-5594 or email her at [shenning@henningprofessionalservices.com](mailto:shenning@henningprofessionalservices.com) if you would like to explore how Henning Professional Services, Inc. can be a key partner in making your next right of way or relocation project a success. We are also interested in experienced right of way staff looking to join our growing company, now with offices in Chaska and Woodbury.

## **International Right Of Way Association (IRWA)**

Since its inception as a nonprofit association in 1934, the International Right of Way Association has united the efforts of its members toward individual development, improved service to employers and the public, and advancement in the body of knowledge related to the professional tasks of its members. The IRWA offers right of way professionals a common network to obtain educational opportunities and meet with other people in your field or related fields. The volunteer organization has become truly international over the past several years with Nigeria, Japan, Saudi Arabia, South Africa, Australia and Mexico creating chapters in their countries in addition to our local chapters throughout the United States and Canada.

The local chapter is North Star Chapter 20 from Minnesota. This chapter meets six times per year, usually on the third Wednesday of the month. We invite you to stop by our display at the workshop to meet members and get information about membership.

To learn more about the IRWA, please visit our booth at the social hour being hosted by the IRWA on Wednesday evening during this conference or you can also check out our website at [www.irwa20.org](http://www.irwa20.org).

## **KLJ Right-Of-Way Services**

### **Your Land Acquisition Liaison**

Building relationships is a critical part of the right-of-way and overall land management process. Asking the right questions, establishing an understanding and gaining trust helps land and property acquisitions stay on course. We help communicate the project and its benefits, build consensus, and ease the negotiation process.

### **Negotiations and Acquisitions**

KLJ is composed of experienced project managers and negotiators who are dedicated to building relationships, and developing negotiations. Our experience in right-of-way land acquisition and land rights management, as well as our strength in negotiations, enables us to manage your project's right-of-way needs.

- Permission to Survey
- Landowner Database Management
- Land Acquisition Research
  - Land Sales Analysis
- Obtaining Land Rights
  - Easement Options
  - Obtaining Fee Right-of-Way
- Condemnation Support

### **Relocation Support**

Should a landowner need to be relocated during your project, with our knowledge and emphasis on positive relationships we make sure that the displacees are treated fairly. WE are experienced in working with residential and business displacees while adhering to the Federal Highway Administration's (FHWA) Uniform Act.

### **Surface Title Research**

Dependent on the project needs, we can conduct differing searches for a project, or coordinate title research and abstract updates through a third party.

### Landowner Liaison

Communication throughout the process is essential to develop positive rapport early on in the ROW process.

### Permitting

Our team is accustomed to working with clients, landowners, and developers to obtain the appropriate permits. With our experience, we assure your project goes smoothly, and that all parties are treated fairly, and with respect.

### Siting

Our professionals work to avoid any land issues that may affect the location of your project by researching ownership, encumbrances and land rights.

KLJ Headquarters  
4585 Coleman Street  
Bismarck, ND 58503-0431  
Phone: 1 800 213 3860 Email: [info@kljeng.com](mailto:info@kljeng.com)

## **Minnesota Department of Transportation Land Information System and Right of Way Mapping Unit**

The **Land Information System and Right of Way Mapping Unit** coordinates with statewide district offices and Central Office groups to finalize the development, maintenance, and delivery of MnDOT's right of way maps. The right of way map is an index to the official documents and other records associated with the acquisition, disposal, and administration of the highway right of way.

Representatives from these units will be available during session breaks to provide you with information and answer your questions regarding the different products and services available:

- Using website applications to find and view right of way maps:
  - Right of Way Mapping & Monitoring (RWMM)
  - eDIGS
- Downloading and printing of maps
- Accessing railroad valuation maps and railroad station plat maps
- Finding MnDOT's Public Land Survey data in eDOCS
- GIS right of way boundary
- Using web-based tools for accessing other map resources including: construction plans, right of way plats, monumentation plats, commissioner orders, and utility permit records.

For questions regarding right of way maps and their access contact: Jay Krafthefer at [jay.krafthefer@state.mn.us](mailto:jay.krafthefer@state.mn.us)

## **Minnesota Department of Transportation Recruitment Office**

At the Minnesota Department of Transportation, we strive to find talented employees with innovative ideas to advance Minnesota's nationally recognized transportation system. We endeavor to build the best team in the transportation industry and to ensure that Minnesota thrives with a safe, sustainable and leading edge transportation system. Please stop by our display to find out more about what MnDOT has to offer or contact us at [dot.jobs@state.mn.us](mailto:dot.jobs@state.mn.us).

## **ProSource Technologies, LLC**

ProSource Technologies, LLC (ProSource) is a professional consulting firm specializing in right of way/site acquisition, relocation, title abstracting and examinations, appraisals, environmental, disaster and emergency management, site selection, and project development services. We provide clear-cut solutions to government, commercial, and industrial clients who are focused on roads, railroads, trails, power lines, pipelines, wireless telecommunications, fiber optics, airports, affordable housing, wind farms, natural disasters, and commercial, residential, and industrial site developments. Our company is comprised of 80 professionals, including licensed acquisition and relocation agents, title specialists, appraisers, attorneys, environmental specialists, GIS technicians, drafters, and database specialists. The ability to provide in-house turnkey services that can result in significant cost and time savings is a well-known advantage of using ProSource.

ProSource is headquartered in Minneapolis and operates offices in Duluth and Thief River Falls. We have additional offices in Cedar Rapids, Iowa, and Cape Coral, Florida. Our projects have taken us across the U.S., and our employees support this by working in a variety of states.

ProSource is prequalified with MnDOT for relocation assistance, title services, field title investigations, and direct purchase. For more information, please visit [www.prosourcetech.com](http://www.prosourcetech.com) or call 88-422-4449.

ProSource Technologies  
9219 East River Road NW  
Minneapolis, MN 5543

## **SRF Consulting Group, Inc.**

SRF Consulting Group specializes in working with public sector agencies, including the Minnesota Department of Transportation, counties, and municipalities. We offer right of way and relocation services, engineering, landscape architecture and site development for infrastructure and transportation projects.

Complementing our full-service engineering capabilities, SRF's Real Estate Group offers comprehensive real estate services for transportation and infrastructure projects. We provide a full range of services required for acquisitions, including:

- Title research
- GIS property information services
- Field surveys and parcel sketches
- Legal descriptions
- Appraisals and review appraisals
- Document preparation for offers and conveyance
- Negotiations
- Relocation assistance for businesses and residences
- Condemnation assistance
- Foreclosure tracking and monitoring
- Damage settlements
- Eminent domain assistance

For more information about SRF, please contact:  
**Ken Helvey**, Principal, SRF Consulting Group, Inc.  
[khelvey@srfconsulting.com](mailto:khelvey@srfconsulting.com) OR [www.srfconsulting.com](http://www.srfconsulting.com)  
Phone: 763-249-6785  
Main Phone: 763-475-0010  
One Carlson Parkway North, Suite 150  
Minneapolis, MN 55447

## **Ulteig Engineers, Inc.**

Founded in 1944, Ulteig delivers comprehensive design, project management and technical & field services that strengthen infrastructure vital to everyday life, to public and private clients across the nation.

Ulteig's Land Services professionals combine the practices of right of way acquisition, land surveying, and geographic information systems (GIS) to deliver successful outcomes. Ulteig's experienced professionals deliver site acquisition and right-of-way services for a wide range of projects; including transportation, large-scale electric transmission and pipeline corridors, municipal infrastructure, and wind and solar projects.

Ulteig has ten offices, including Detroit Lakes and St. Paul, MN; Fargo, Bismarck, Minot and Williston, ND; Sioux Falls, SD; Denver, CO; Billings, MT and Cedar Rapids, IA.

### **Permitting/Routing**

Ulteig has the expertise and capabilities to secure all of your project's permitting needs and perform site and routing studies.

- Routing (route planning, site research, site qualification, GIS modeling, mapping and public outreach)
- Permitting (state, county, township, local, municipal and railroad)
- Right-of-way research

### **Title Research**

Our experienced staff researches, identifies and creates land ownership portfolios.

- Courthouse research
- Tax information
- Plats
- Right-of-way maps
- Special considerations
- Landowner database
- Title searches
- Deeds and encumbrance procurement
- Surveys
- Aerial/GIS ownership maps

### **Acquisition**

Ulteig's experienced real estate professionals diligently pursue and acquire the land rights required to build your project:

- Negotiations of all types
- Land value analysis
- Legal Descriptions
- Exhibits
- Special considerations
- W-9
- Project Management
- Damage Settlements
- Public information meeting
- Land appraisals
- Document preparation
- Recordation
- Memorandum of agreement
- Communication records
- Options to purchase

**Ulteig's Contact:**

**Lisa Brekkestran**

[lisa.brekkestran@ulteig.com](mailto:lisa.brekkestran@ulteig.com)

701-280-8518 – Office

701-799-7335 – Cell Phone

**WSB & Associates, Inc.**

Since 1995, WSB has remained dedicated to creating a culture of relationship building, forward thinking, and collaboration that enables technically-advanced, thoughtful, and creative engineering and design solutions that build a legacy – your legacy.

Today, the firm offers services in over 25 areas to seamlessly integrate planning, design and implementation, ensuring that your right of way projects are completed effectively and efficiently. Our coast-to-coast client base is served from 12 offices in four states.

Right of way can pose many challenges, often delaying project progress. Our team of right of way experts is your voice throughout the process, helping you work through the details while keeping your project on track. With a complete staff of surveyors and real estate specialists experienced in right of way acquisition and relocation, you can rest assured that the details and complexities are addressed properly.

Our right of way services include:

- Project scoping and cost estimates
- Project management, meetings, presentations
- Project/parcel setup
- Title research assistance
- Field title reports
- Legal descriptions, parcel sketches
- Survey staking, right of way plats
- Acquisition
- Relocation – commercial and residential properties
- Federal/MnDOT Audit (R/W Certificate #1)
- Eminent domain assistance
- Right of entry
- Corridor preservation

WSB is prequalified by MnDOT in the following right of way work types and related services:

8.1 – Direct Purchase

8.2 – Relocation Assistance

Level 1 and Level 2

8.3 – Field Title Investigation

9.3 – Production of Right of Way Plats

9.4 – Design/Location Surveys

9.5 – Right of Way Surveys

9.6 – Land Surveys

11.3 – Construction Surveying

For inquiries on any of your right of way questions, please contact:

**Penny Rolf** - Right of Way Group Manager [prolf@webeng.com](mailto:prolf@webeng.com) or call: 763-231-4868

# ***WEBSITE ADDRESSES OF INTEREST***

Minnesota Department of Transportation, Office of Land Management:

<http://www.dot.state.mn.us/landmanagement/>

The Minnesota Secretary of State – <http://www.sos.state.mn.us/>

Minnesota Department of Commerce – <https://mn.gov/commerce/>

Minnesota State Board of CLE – <https://www.cle.mn.gov/>

Minnesota State Bar Association - <http://www.mnbar.org/>

The Minnesota State Legislature – <http://www.leg.state.mn.us/>

National Highway Institute – <http://www.nhi.fhwa.dot.gov/home.aspx>

International Right of Way Association – <http://www.irwaonline.org>

Federal Highway Administration – <http://www.fhwa.dot.gov/>

Appraisal Institute – <http://www.appraisalinstitute.org/>

Kaplan Professional School – <http://www.kaplan.com>

Pearson VUE Uniform Licensing System for E-Government (Pulse Portal) –

<https://www.pulseportal.com/>

Join us at our  
**66<sup>th</sup> Annual International Education Conference**

Hilton Minneapolis

**JUNE 21-24, 2020**



[www.irwaminneapolis2020.org](http://www.irwaminneapolis2020.org)



# **WORKSHOP NOTES**