



NEWSLETTER

TRI-STATE CHAPTER 20

Celebrating Its

1957 25th 1982
Year

CHAPTER 20 PRESENTS

EMINENT DOMAIN IN ACTION - A MOCK CONDEMNATION TRIAL

MONDAY - SEPTEMBER 20

1:00 - 5:00 P.M.

Holiday Inn

HALL OF AVENUES

1313 Nicollet Mall

Minneapolis, Minnesota

PRESIDING JUDGE

Arthur O. Anselmo
Special Assistant Attorney General
Duluth, Minnesota

COUNSEL

Glenn E. Purdue, Attorney at Law
LeFevere, Lefler, Pearson, O'Brien & Drawz

Paul A. Skjervold, Attorney at Law
Shorewood, Minnesota

APPRAISERS

Glen A. Jensen
Jensen Management Services
Luverne, Minnesota

Russell C. Smith
Russell Smith & Associates Inc.
Minneapolis, Minnesota

ENGINEERING
WITNESS

Patrick Cairns
United Power Association
Elk River, Minnesota

MODERATOR

Richard J. Gunn, Attorney at Law
Olson, Gunn, Seran Ltd.
Minneapolis, Minnesota

This will be an in-depth portrayal of a case presented by persons well experienced in the condemnation field.

The moderator will offer comments on the points of law and testimony during the course of presentation.

This program promises to be one of the best. Please make plans to attend.

ATTENTION SENIORS: This program offers 4 hours of SRWA Recertification Credits.

MONDAY, SEPTEMBER 20, 1982

CHAPTER 20 CELEBRATES

ITS 25th ANNIVERSARY



Holiday Inn

1313 NICOLLET MALL
MINNEAPOLIS, MINNESOTA 55403

HALL OF
SATELLITES
(top of the Inn)

5:00 - 6:30 P.M.

Hors d'oeuvres & Cocktail Hour

6:30 P.M.

Banquet & Program

Ribeye Steak Maitre D' Hotel, Baked Potato, Chefs Salad, Mixed Vegetables, Rolls

SPECIAL GUESTS OF HONOR

Robert L. Art SR/WA
International President

John E. Day
International Treasurer

SPECIAL AWARDS - 25 YEAR MEMBERS

James H. Anderson, Harry R. Arneson, Robert H. Brokopp, Donald R. Bundlie,
Thomas R. Connery, Earl N. Dorn, Joseph D. Douthit, Harold H. Ferris,
Gerald R. Goodlund, O. J. Janski, Clifford R. Johnson, Edward R. Lorens,
Winfield A. Mitchell, John J. Ripsin, Howard E. Shenehon, Joe E. Smoke,
Ken J. Wahl, George R. Watson

PROGRAM SPEAKER - WRAP UP OF CONDEMNATION TRIAL

Arthur O. Anselmo

GUESTS ARE ENCOURAGED AND NON-MEMBERS ARE WELCOME! BRING YOUR SPOUSE!(Spouse Special \$10.00)

FOR RESERVATIONS, please write or call by September 16, 1982.

MAIL TO: Mrs. Arla Simpson	Condemnation Trial Seminar	\$10.00
1208 So. Everett St.		
Stillwater, MN 55082	Banquet & Program	\$15.00

OR CALL: 612-439-2424 Condemnation Seminar & Banquet \$20.00

NAME _____ Spouse Special \$10.00

GUESTS _____ Total Enclosed _____

MAKE CHECK PAYABLE TO: Chapter 20, IR/WA

ATTENTION ALL MEMBERS AND BOARD OF DIRECTORS.

There will be a Board Meeting at 11:00 A.M. on September 20 in the Board Room on the main floor at Holiday Inn. This board meeting will be with International Officers, Bob Art, International President and John Day, International Treasurer. All members are encouraged to attend if so desired. Lunch is available from the restaurant menu.

Education

DATES: September 20 - 24, 1982

LOCATION: Minneapolis, MN

COURSE 101 --- APPRAISAL & LAW

Monday, September 20 --- Friday, September 24

Northern States Power Building

NOTICE TO SENIOR CANDIDATES:

At least two students that will be attending the Principles of Right-of-Way Acquisition seminar beginning September 20 have indicated an interest in taking one of the senior exams following completion of the seminar. If several persons are interested in taking an exam and live in the Twin Cities area, we could set a time to take the exams early the following week. If some of those interested in taking the exam are from out of town, we would then set up a time on the morning of Saturday, September 25. If you have an interest in taking one of the exams, please call the chairman of the Professional Development Committee---Pat Cairns at 612-441-3121.

EDUCATION REMINDER:

Engineering and Negotiations segments of Course 101 will be held the week of January 17 - 21, 1983. Registration forms will be contained in the next issue of the newsletter.

CERTIFICATION CLINIC:

An Instructors Certification Clinic was held at Mn/DOT's Training Center in New Brighton on July 29th and 30th. The purpose of this clinic was to certify members of our association to teach IR/WA courses. Ralph Brown, from the International Office, and Dr. John Wilson, Professor of Communications at Iowa State University, conducted the clinic.

There were six association members who applied to become certified. Five of these members are from our Chapter and one was from Iowa. If everyone was successful, and becomes certified, our Chapter will be able to put on all four segments of Course 101 with local instructors. The members were to be informed before the end of August if they were successful and passed.

JOB EMPLOYMENT HOTLINE

Just a reminder to members that International has a 24-hour hotline for jobs. Call area code (213) 649-3184 for the latest listings. Let your employer know that this is a free service and that if he has a listing he should call area code (213) 649-5323.

NOTICE - Paul A. Skjervold has moved his law office to the new Shorewood Professional Center near Excelsior & Lane Minnetonka. He has two new offices for rent--if you are interested you may contact him at 474-0877. He is able to furnish services such as

RENO REPORT -- Ray Flaherty

As you may have already read in the August issue of RIGHT OF WAY, the 82 RENO INTERNATIONAL SEMINAR was held June 20th-24th, and in my opinion was a great success. As Chapter 20's International Director, I would like to convey my personal thoughts on the seminar and report on the actions taken by the Board of Directors.

Two controversial amendments and one resolution were defeated. The amendments, one changing the Chapters year to coincide with the International fiscal year, and the other eliminating a \$12.00 rebate to the Chapter for the processing of SRWA application, met with strong opposition, especially from the western chapters. The resolution allowing hosting Chapters to participate in proceeds of the International Seminar also did not receive majority support, especially from eastern chapters.

Resolutions that passed involve; the appointment of a Professional Development Chairperson instead of the election requirement; change of title of Executive Director to Executive Vice President; elimination of junior status and the 1 year experience requirement for active members; Portland, Oregon to host the 1987 International Seminar.

Of the newly elected Executive Committee, we are most fortunate to have, President, Robert L. Art SRWA and Treasurer, John E. Day SRWA as our guests of honor at the September meeting and banquet.

Besides being impressed with Reno's beautiful surroundings, the massive complex of the MGM Grand and the amount of money people have to invest, loose, and sometimes win in a game called Blackjack, I was totally impressed with the programs and workshops presented by the association. Equally impressive were the International officers and staff, Committee Chairpersons, and all of the instructors and speakers at the workshops. Getting to meet and observing the many talents of these people reinforced my opinion of the professionalism of the association.

The most important issue discussed at the seminar is the fact that the association is experiencing a decline in membership. Means to retain and increase membership are now available to the Chapter and new programs are being studied and developed. However, it is up to all of us as members to act on this problem by paying dues on time, encouraging employers, associates and clients to take an interest in the association, and actively seeking new members. There is a new application form which is now available and I encourage all to obtain several copies and sign up at least one new member.

NEW MEMBERS



Leland J. Frankman
Attorney at Law
1709 Cargill Bldg.
Minneapolis, MN 55402

Keith L. Heltemes
Minnesota Power
1201 NE 11th St.
Little Falls, MN 56345

William F. Rottschaefer, Jr.
Attorney at Law
173 Bedford St. SE
Minneapolis, MN 55414

CHANGE OF ADDRESS

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Minneapolis, MN 55427

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Attorney at Law
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Shorewood, MN 55331

Paul A. Weinreis
Banco Mortgage Co.
3408 Robinwood Terrace
Hopkins, MN 55343

RETIRED
Kenneth J. Wahl
839 Jefferson St.
Anoka, MN 55303

INTERNATIONAL RIGHT OF WAY ASSOCIATION

LAND TITLES

COURSE 102

This course has been developed to assist the intermediate level right-of-way person who deals with title problems that arise:

- A. When working with preliminary title reports or abstract, and
- B. When it is necessary to run your own chain of title.

The course centers upon problems involving wills, lot splits, unrecorded documents, life estates and rights of survivorship with students working with actual documents.

COURSE OUTLINE

- 1. Nature of property, interests and rights in land
- 2. Title by will; title by descent
- 3. How land is described
- 4. Deeds and conveyances
- 5. Lab project

DETAILS

A final examination is given
James Hurd Anderson - Instructor

COURSE LENGTH

1 day 8:45 to 5:30 p.m.

SENIOR REGISTRATION PROGRAM CREDIT

This course carries 16 credits in law or negotiation.
Maybe eligible for Minnesota Continuing Real Estate Education.

DATE

November 18, 1982

TIME

8:45 to 5:30 p.m.

LOCATION

Sunwood Inn
One Sunwood Drive
St. Cloud, Mn. 56301

Accommodations

Please contact Course Coordinator
For additional information contact Course Coordinator
Gordon Longnecker (612) 421-4760 Ext. 1313

ST. CLOUD
GORDON LONGNECKER
GORDON LONGNECKER

Membership No. _____
 Name _____
 Title _____
 Company _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____

Course Cost (fill-in)
 Member \$35.00
 Non-Member \$35.00
 Includes Manual, Lunch, 2 coffee breaks
 TOTAL ENCLOSED \$ _____

NOVEMBER 18, 1982
 St. Cloud, Minnesota

ENROLLMENT FORM
 LAND TITLES



International Right of Way Assn.
 Tri-State Chapter 20
 1200 S. EVERETT
 STILLWATER, MN. 55002

LAND TITLES
 COURSE 102

NOVEMBER 18, 1982

SUNWOOD INN
 ONE SUNWOOD DRIVE
 ST. CLOUD, MINNESOTA 56301

INTERNATIONAL RIGHT OF WAY ASSOCIATION

Make check payable to
 INTERNATIONAL RIGHT OF WAY
 ASSOCIATION
 and mail to:

Gordon Longnecker
 Anoka County Highway Dept.
 325 East Main Street
 Anoka, Minnesota 55303

Registration Deadline:
 November 8, 1982
 Land Titles

Last Meeting

On June 2, 1982, Tri-State Chapter 20 held its annual spring seminar and dinner meeting at L'Hotel Sofitel in Bloomington, Minnesota. The topic of the seminar was "The Effect of Noise on Property Values and Inverse Condemnation." We were fortunate to have a number of prominent authorities and speakers on the subject. The program was commenced by John C. Jeppesen, Special Assistant Attorney General, discussing the nationally unique "highway noise barrier" case. Mr. Jeppesen's participation in this litigation at both the trial and appellate levels provided some indepth insight into this landmark case.

Mr. Al Perez, the former chief of the Noise Pollution Control Section of the Minnesota Pollution Control Agency, provided the audience with some background information concerning the science of noise (unwanted sound) as well as an overview of the nature of the problem created by aircraft noise on residents living in proximity to the airports. He also provided some provocative and informative suggestions on means of curtailing the problem.

We were also very fortunate to have speakers C. E. LaSalle and Peter Patchin, outstanding and prominent real estate appraisers who have conducted independent and conflicting studies into the question of whether or not airport noise causes a definite and measurable diminution in market value in homes in proximity to the airport. It was very interesting to note that although their ultimate conclusions were not in agreement, there was considerable compatibility in their respective observations and findings.

The seminar portion of the program was concluded by a speech given by Michael Berens, an attorney who has specialized in inverse condemnation and related cases involving airport noise. He provided an overview of some of the problems which have been addressed and decided by our supreme court and discussed other areas that remain unresolved at this point of time from the airport operator's point of view.

Finally, following a presentation by our president to Harold Gustafson in recognition of his accomplishment of receiving the SR/WA designation, the chapter was privileged to have Raymond G. Glumack, Executive Director of the Metropolitan Airports Commission, provide a very informative and entertaining talk involving the history, prominence and problems of the Minneapolis-St. Paul International Airport.



Congratulations!! Harold Gustafson receives his SR/WA plaque from Pres. David Erickson.



Dick Gunn, Program Chairman, with speakers Michael Berens and Raymond G. Glumack.

working knowledge of the homestead act as well as other laws affecting the easement. This was a very well accepted presentation.

President Al Dean then presented a film on Safety entitled "Seconds to Live."

Roger L. Kehm, NSP and Chairman of the By-Laws Committee, was called upon to explain the procedures for separating from Chapter Twenty and forming a Chapter entitled "Dakotas Chapter." He explained writing to the National Office and receiving all of the required information. As a guide line, we were sent the By-Laws from the Fairbanks, Alaska Chapter. The requitement, or process, for getting signatures of all Charter Members.

MSC - that the Secretary send out letters to each individual member for signature and return so all members have a chance to be listed Charter Members. Also, each member must ask for transfer from Chapter 20 to Dakotas Chapter.

We have a letter from Ray Callahan giving the blessings of the Region. We will also need a letter from Dave Erickson, President of Tri-State Chapter with their blessings.

Orlando V. "Duke" Ellingson, Fee Appraiser, member of the Committee, was called upon to present the By-Laws. He explained that the International is the Chartered entity and we fall under the Constitution, therefore, we can only adopt the By-Laws. Mr. Ellingson reviewed the minutes and By-Law amendments since 1974 and outlined the corrections to the By-Laws of Fairbanks to meet with our approval.

MSC - the Fairbanks By-Laws having been distributed on the bus with certain corrections, "We dispense with the reading of the entire by-laws and only discuss additional corrections".

Article III, Section 1. ...each calendar year . . .
Section 5. ...or twenty percent, . . .
Article IV, Section 1. ...Secretary-Treasurer, . . .
Section 4. ...office of Secretary-Treasurer
Section 5. D..Secretary-Treasurer (duties combined)
Article V, Section 3. ...not later than the Spring regular meeting
...not later than the Fall regular meeting
Section 4. ...consisting of either two, or multiples of three members,
Article VI Section 2. ...initiation fee of \$10.00, this provision may be waved
by the executive board.
Section 5. ...cost of "Right of Way" plus a small fee established by
the executive board.
Section 6. ...a delinquency penalty of \$1.00.
...a reinstatement fee of \$4.00, in addition ...

Moved by Ellingson, seconded by Metzger that the by-laws, with the changes, be accepted and approved. Carried unanimously.

MSC - that the By-Laws be mailed to each member, with the minutes.

Moved by Ellingson that we establish ourselves as Dakotas Chapter with a number as assigned by International, seconded by Roger Kehm, carried unanimously.

President Al indicated that he will be appointing the following committees: Membership, Education, Public Relations, Professional Development, and Nominating.

President Dean indicated that the next meeting will be held in Sioux Falls, SD on September 23 and 24.

Harlan Giese was recognized for an outstanding program.

The meeting adjourned.

Respectfully submitted, Marion B. Iverson, Sec.-Treas.

President's Message

Now that Labor Day is past and Fall has begun, it is time to think about the upcoming chapter election. Bud Storm is heading a nominating committee. Anyone who is interested in serving, or knows someone who is, can contact Bud.

I will be going to the Region Forum later this month; there will be more said about it in the next newsletter.

Our Dakota Affiliate is having their fall meeting in Sioux Falls, SD this month also. This may well mark their last meeting as an affiliate of Chapter Twenty. Their application for a charter is before the International Executive Board. If all goes well, they should be Chapter Seventy Two in the near future.

The September Meeting on the 20th should be an interesting one. It is our 25th Anniversary, so I would recommend that you attend the functions. In addition to the two segments of Course 101, we have a busy schedule. A board meeting is scheduled for 11:00 AM on the 20th. Bob Art, our International President, will be here along with John Day, our International Treasurer. The board meeting will be open to all members and will be primarily a question and answer session with these gentlemen.

The meeting should be a good one so I expect to see many of you there.

Dave Erickson SR/WA, President-Chapter 20

Dakota Affiliate

On Thursday morning, April 29, 1982 at 8:00 AM the Dakotas Affiliate Spring Seminar and Meeting started with a most interesting Energy Tour.

As the bus crossed the Grant Marsh Bridge our tour guide and moderator, Ed Metzger, pointed out the first of the power plants we were to see. The Heskett Plant is owned and operated by MDU and produces 83 megawatts (MW) unit 1 at 23 MW, unit 2 at 60 MW. The Amoco Refinery was also seen from this locale. A count of passengers was taken and 33 were present including Chapter President and Chapter Treasurer, Dave Erickson and Ed Brunkhorst, in that order.

Cruising along as we passed the Milton R. Young Plant where we again found two units, one producing 220 MW and another unit an output of 440 MW for a total of 660 MW. We passed through Center and headed north passing the Leland Olds Plant of Basin Electric. This plant also has a total output of 660 MW, consisting of 1 - 220 MW unit and 1 - 440 MW unit. Across the road south of Leland Olds Plant was the Glenharold Mine which is now owned by Basin Electric and furnishes all the coal for the plants.

Just a short ways west of the Leland Olds Plant we viewed the United Power Association Plant which produces 150 MW. At this same location is the pumping station which furnishes the water for the MDU Coyote Plant. Between Hazen and Beulah we saw the remainder of the "Olden Days." The spoil banks from the old days of the Knife River Coal Company were planted with trees and made a beautiful wild-life habitat.

Turning south into Beulah we went past one of the oldest power plants in the state. The MDU Beulah Plant with only 15 MW of power.

We arrived at the MDU Coyote Plant and toured the entire plant under the direction of Gene Morrison. The Coyote Plant has a rated capacity of 440 MW. It is owned by five utilities but run by MDU.

We then headed a little east and were given a guided tour by Herb H. Scherbinske. He took us down into one of the strips where we saw 2 of the worlds largest front end loaders, loading trucks with a capacity of 120 cu. yds. While in the mine we were able to see the various layers of coal, one of which the workers were drilling for blasting. After a very rough ride we arrived at the large dragline, with a scoop that held 70 yards of material.

The Knife River Mine is owned as a subsidiary of Montana Dakota Utilities. At the present time they mine approximately 40 million ton per year. The reserves at this time are considered to be between 360 million and 420 million ton, which figures out at 6 million ton per year for 60 or 70 years. After a hard U turn we were shown the pit where the coal is dumped. The coal goes through 3 crushers, broken down to 6", 4", then 2" or less. Some is loaded into coal cars for shipment to other plants and some goes by conveyor belt to the Coyote Plant.

As we approached the ANG - Antelope Valley site, we were informed by Scott Lang that the two 345 KV lines were built by Basin Electric connecting the Antelope Valley Plant to the Leland Olds Plant. The lines run through an easement corridor 200 feet wide. He also explained that the railroad line spur was built jointly by ANG and Basin. We viewed Basin Antelope Valley Plant from the distance where two units were under construction with 440 MW each for a total of 880 MW.

Mike Brogan of ANG met the bus on the highway adjacent to the plant site. Mike explained the several points of interest where ANG and Basin are working together. In one instance they use the same water reservoir which is filled from a tunnel deep under Lake Sakakawea and piped to the plants in a 42" pipe. Also, the most efficient size for coal for the gasification is a 2" cube, anything finer is transported to Basin for use in their generator plant. Then the 2" size that Basin has is belted to ANG. Both plants are served by the mines under contract to ANG. The gasifier requires 14,000 tons per day. The remainder will be used by Basin. The by-products have also found an outlet. The carbon dioxide will be used by the oil companies in the area. The hydrous ammonia will be sold to fertilizer companies, and the sulphur will be used for pharmaceutical purposes because of its purity. The plant has a life expectancy of 25 years, although it may have to operate longer than that because they have 5 billion tons of coal in reserve. This is the first synthetic plant of this scale in the U.S. They will require the mining of approximately 250 acres of land a year.

The next power facility we passed was the Bureaus Plant at the Garrison Dam site. This facility produces 480 MW of power.

The last stop on the trip was at the Snake Creek lift station where we were met by Leo Silbernagel who gave us a tour of the entire plant. We were taken to the lower level where we were far below the lake. This station is used to pump water from Lake Sakakawea to Lake Audubon where it is released into the McClusky Canal. The three Synchronous motors develop 8,000 horse power, which moves a lot of water.

Returning to the Townhouse Motor Inn we participated in a very delicious banquet. We also realized that we had viewed 9 power plants which produced 4,468 MW of electricity, to say nothing about the power produced at the refinery.

At the banquet we were entertained for 30 minutes by the Plainsmen. After the banquet the "dignitaries" were introduced. Past Pres., George F. Papachek, was presented his plaque in due form. George was recognized for his accomplishments as our Past Pres.

Second Quarterly Meeting - April 30, 1982

Harlan D. Giese, Vice President of Dakotas Affiliate, opened the meeting at 8:30 A.M.

He introduced Mr. Paul Sandness, a Legal Council for Montana Dakota Utilities who spoke to the title of "Relationship Between The Landman and the Attorney." He indicated that the most important feature of Negotiations is Fairness. Close cooperation is required between the attorney so that all documents are correct and the attorney can keep the company out of court. In outline, he covered the technical aspects and the formalities and what they mean. Then making sure all legal descriptions and options are listed correctly.

It is very important to find and obtain the signatures of both husband and wife regardless of title. The homestead laws make it imperative. Be sure all is correct and that you have a recordable document and that the document can be negotiated because in Condemnation you are confronted with a "No Win" situation. The R/W agent must have a

Announcement and Call for Papers

April 20th, 21st & 22nd, 1983
La Mansion del Rio Motor Hotel
San Antonio, Texas

Sponsored by:
Surveying and Mapping Division
American Society of Civil Engineers

Co-sponsored by:
American Congress on
Surveying and Mapping



Endorsed by:



International Right
of Way Association

Hosts:
Texas Section, ASCE



Facilities

The specialty conference will be held at the beautiful La Mansion del Rio Motor Hotel in central San Antonio. In addition to the specialty conference, participants will want to consider taking part in Fiesta Week activities which are scheduled for the last week in April.

Additional information regarding pre-registration and reservations will be mailed later. Additional information can be obtained by contacting:

David A. Wahlstrom
Purdue University-Indianapolis
799 W. Michigan St.
Indianapolis, IN 46202
(317) 264-3423, 848-2622

Specialty Conference on R.o.W. Surveying and Engineering

Announcement

The principle focus of this specialty conference is directed at improving Right-of-Way (R.o.W.) survey policies, practices, principles, and procedures.

The specialty conference is scheduled for three days and will include the presentation of technical papers on the following subjects:

1. R.o.W. Survey Policies
2. R.o.W. Survey Procedures
3. R.o.W. Mapping Procedures
4. Fee and Easement Considerations
5. Land Record Systems
6. Survey Planning Procedures
7. Other related areas

Call for Papers

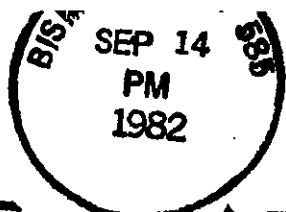
This specialty conference is an outgrowth of the ASCE Right-of-Way Survey Practices Guide which was published in 1981. The specialty conference is directed at R.o.W. policy makers, R.o.W. policy implementers, and educators. Papers are being solicited on any of the topics listed above. All papers accepted for presentation will be printed as specialty conference proceedings and will be distributed to all attendees. The proceedings will also be distributed by ASCE as an official publication.

Abstracts - Due Sept. 18th, 1982


Send abstracts of approximately 500 words to the technical program chairman:

Peter K. Willerup
c/o Pacific Gas & Electric
Rm. 4C16, 77 Beale Street
San Francisco, CA 94106

Also include a brief biographical sketch. Authors of accepted papers will be notified on or about October 22nd, 1982. Completed papers are due February 18th, 1983.



International Right of Way Assn.
 Tri-State Chapter 20
 1208 S. EVERETT
 STILLWATER, MN. 55082



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 Alan P. Leirness
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 John G. Flaherty

Specializing In
 Eminent Domain Law

PAUL A. SKJERVOLD
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 Shorewood, MN 55331 Ho. 474-0080



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