

GENERAL DESCRIPTION OF CLASS

The RIGHT-OF-WAY AGENT (ENTRY) receives training in conducting appraisals of real and personal property, negotiating to acquire land and interests therein for highways and other public projects in a geographical region of the state. Employees in this class also receive training in conducting related right-of-way activities such as liaison studies, relocation analysis, project estimates, and property management activities.

DISTINGUISHING FEATURES

This is the first level of a three-level series. It is distinguished from the next higher level by the closeness of supervision and responsibility for learning and developing the principles, techniques, and practices used in appraising and negotiating acquisition of real and personal property necessary to highway and other public projects. At this level employees do not serve a liaison function between engineers or designers and the property owners. The Right-Of-Way Agent (Entry) classification is used as an underfill class for Right-Of-Way Agent 1 positions. Employees at this level have training and experience in one or more right-of-way discipline areas (e.g., appraisal, real property law, engineering, etc.) and are required to achieve competence in all areas by the end of their training period. The training period is determined by the agency, based upon the individual employee's background and level of proficiency as assignments increase in difficulty and variety.

DUTIES AND RESPONSIBILITIES

Under the guidance of a skilled Right-of-Way professional, employees in this classification participate in a variety of right-of-way tasks as follows:

- 1. Research and Appraisal.** Typical tasks: collects and analyzes maps, liaison reports and construction plans to become familiar with properties to be acquired for highway or other public projects; checks title reports to verify ownership; reviews title reports for liens, contracts, mortgages, easements, or judgments on project properties which may affect quality of title; inspects the project properties with property owners to verify accuracy of title report, to discuss impact of project on their property, design features of the project, and the appraisal process; researches courthouse records and multiple listing books to document values of similar properties; analyzes and correlates valuation information collected; prepares detailed written market value appraisals based on analysis of data collected, detailing the steps taken [appraisals must include the three standard approaches (e.g., market approach, cost approach, and income approach) to value when indicated]; since the parcels to be purchased are often less than the entire ownership of an individual or business, completion of these appraisal assignments requires development of great analytical skills. Analyzes parcels less than the entire ownership of an individual or business; visualizes property after completion of construction/improvement and completes appraisal of the parcel as projected; reduces to dollar terms the positive and negative impact to the property caused by the project; evaluates potential mitigating features which may reduce or eliminate the financial impact; may testify in court as an expert witness in condemnation cases to support appraisal estimate on specific property.
- 2. Negotiations.** Typical tasks: prepares for conferences with owners, attorneys, or representatives by reviewing appraisal reports, property files, and construction plans; meets with owners or their

attorneys or representatives, at their convenience and location, to explain impacts to their property resulting from highway or other public project; negotiates for the purchase or lease of project property; prepares benefits letter and final reports; obtains necessary signatures on closing documents and other legal papers such as deeds, quitclaims, releases, and subordinations to vest and clear titles; recommends acceptance of administrative settlements and initiation of legal action on those properties which cannot be obtained on the basis of the agency's initial offer; negotiates with unwilling property owners hostile to the mission of the agency.

3.Relocation. Typical tasks: provides relocation assistance to individuals and businesses displaced by highway and other public projects; computes benefits and completes and submits forms to supervisor for relocation claims; works with displaced individuals by searching for other suitable property; consults with lending institutions, title companies and realtors to expedite the relocation process; provides advice and guidance to individuals and businesses required to move as a result of highway or other public projects; monitors, verifies, and justifies relocation expenses claimed; inspects replacement housing selected by displaced individuals to assure it meets Federal statutory requirements of "decent, safe, and sanitary."

4.Property Management Assistant. Typical tasks: assists higher level right-of-way agent in property management by writing advertisements for the rental of agency-owned property, interviewing prospective tenants, preparing rental agreements and leases, and collecting rent from tenants; appraises surplus property for disposal; prepares advertisements and notices for the sale of surplus agency property.

RELATIONSHIPS WITH OTHERS

Employees in this class have daily telephone or in-person contact with highway engineers and designers to discuss and obtain project plans and related documents. They have regular telephone, in-person, or written contact with property owners, who may be uncooperative and hostile, for appraisal, negotiation, and relocation purposes. Employees have occasional telephone or in-person contact with the owners' attorneys or representatives to negotiate for highway property. Occasional telephone or in-person contact is made with title company employees and city and county government employees to verify records and obtain information. If involved in litigation, employees in this class have frequent contact with attorneys and other professionals in preparing to defend contested appraisals and relocation benefit determinations.

SUPERVISION RECEIVED

Employees in this class receive close supervision from a Right-of-Way Agent Supervisor or higher-level right-of-way agent who assigns appraisals, negotiations, relocation, and related activities to be performed. Employees work towards increasing independence as their proficiency increases with the goal of achieving the ability to make individual decisions regarding property settlements when working in the field. Completed reports are reviewed for accuracy, timeliness, format, and completeness, and to ensure compliance with Federal rules and regulations and applicable State and Federal laws. Employees in this class follow Federal Highway Administration Rules and Regulations, applicable State and Federal laws, Right-of-Way Manual guidelines and practices, and Highway Division policies and procedures to ensure that right-of-way activities are consistent with those directives.

GENERAL INFORMATION

Positions in this class require the willingness to work outdoors in all kinds of terrain and weather and the willingness to work a flexible schedule.

KNOWLEDGE, SKILLS, AND ABILITIES (KSA)

General knowledge in at least one of the following areas: real estate and condemnation law; appraisal theory, methods, and techniques including all approaches to value; forms and content of legal documents.

Skill in following oral and written instructions.

Skill in writing clear and concise letters.

Skill in collecting and analyzing data.

Ability to learn negotiation, acquisition, and relocation procedures and practices and their applicable laws, rules, and regulations.

Ability to learn Federal Highway Administration Rules and Regulations, applicable State and Federal laws.

Ability to learn Right-of-Way Manual guidelines and Highway Division policies and procedures.

Ability to learn highway engineering methods and practices in relation to planned highway construction.

Ability to learn to discuss change of survey with engineers in order to minimize right-of-way costs

Ability to negotiate and acquire property for highway projects.

Ability to collect, organize, and interpret technical right-of-way information and summarize it in written form.

Ability to read construction plans and maps.

Ability to independently conduct on-site inspections of various properties such as residential, industrial, and commercial property and to prepare a supportable and defensible estimate of value acceptable in court of law.

Ability to testify as an expert witness in judicial and quasi-judicial proceedings and to effectively represent the agency under rigorous examination and cross examination.

Ability to make oral presentations at public hearings or meetings regarding right-of-way matters.

Ability to learn to conduct public auctions of State surplus property.

Ability to walk for extended periods of time.

Ability to secure and maintain a valid driver's license at the time of appointment.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. ABILITIES may be required for initial consideration, at any time during the selection process, or during a trial service period as a final stage of the selection process. Some duties performed by positions in this class may require different KSA's. No attempt is made to describe every KSA required for **all** positions in this class. Additional KSA requirements will be explained on the recruiting announcement.

Adopted 1/90

Revised

Examples of work are typical of duties assigned to this class. No attempt is made to describe every duty performed by all positions in this class.