

## Letter From the President

Greetings Chapter 8!

I don't know about you, but I am enjoying the nice cool weather we are experiencing here in Houston. It's very un-Houston like for April. If I was a good golfer I could see myself out playing quite a bit. As I am anything but a good golfer, I've mostly stayed indoors working and wishing I was outdoors.

As my term winds down and I am preparing to hand the reigns over to Mrs. Curry, I am deeply grateful for the opportunity to be a part of Chapter 8. We have a very good group of professionals in our Chapter and I want to thank all of you for the opportunity to be on the leadership team.



*Bruce Trepl, SR/WA  
IRWA Chapter 8 President*

### In This Issue

- Officers
- Calendar of Events
- Monthly Meeting Recap
- Yo Pros
- Educational Opportunities
- Fun & Games
- New Members
- Educational Milestones



Houston Weather in April

*Bruce Trepl*

# Chapter 8 Officers and Committees

## Officers

### President

#### Bruce Trepl

bruce.trepl@contractlandstaff.com  
Contract Land Staff, LLC  
2245 Texas Drive STE 200  
Sugar Land, TX 77479  
Phone: 288-404-6580

### President Elect

#### Rebecca Curry

recurry@eprod.com  
Enterprise Products Company  
9420 W. Sam Houston Parkway N.  
Houston, TX 77064  
Phone: 281-887-3312

### Secretary

#### Brandon Hodge

bhodge@appraiser.com  
Allen Williford & Seale, Inc  
11999 Katy Freeway STE 400  
Houston, TX 77079  
Phone: 281-493-4444

### 2 Year Director

#### Ken Vacek

Kenneth.vacek@centerpointenergy.com  
CenterPoint Energy  
PO Box 1700  
Houston, TX 77251  
Phone: 713-204-6803

### Treasurer

#### Kasy Chambers

Kasy.chambers@airliquide.com  
Air Liquide Large Industries U.S. LP  
9811 Katy Freeway, STE 100  
Houston, TX 77024  
Phone: 713-438-6404

## Committees

### Education

#### Eric Alley

ealley@eprod.com  
Enterprise Products Company  
9420 W. Sam Houston Parkway N.  
Houston, TX 77064  
Phone: 281-887-3303

### Membership

#### Brandon Hodge

bhodge@appraiser.com  
Allen Williford & Seale, Inc  
11999 Katy Freeway STE 400  
Houston, TX 77079  
Phone: 281-493-4444

### Professional Development

#### James Spurgeon

jim.spurgeon@centerpointenergy.com  
CenterPoint Energy  
PO Box 1700  
Houston, TX 77251-1700  
Phone: 713-207-6804  
Fax: 713- 207-9040

### Communications

#### Teri Cameron

teri.cameron@contractlandstaff.com  
Contract Land Staff  
2245 Texas Drive, Suite 200  
Sugar Land, TX 77479  
Phone: 281.240.3609  
Fax: 281.582.5005

## Young Professionals

### Chair

#### Kelly Simmons

ksimmons@paragon\_partners.com  
Paragon Partners LTD  
3801 Kirby Drive STE 411  
Houston, TX 77098  
Phone: 713-661-7777





Harness the leading edge knowledge and skills to excel in your Right of Way career, earn your credential, and enhance your lifelong continuing education journey.

Choose from five categories of professional education that are customized to fit your unique learning needs and wishes! The five categories are:

- VEIT classes- online classes with a classroom feel
- Leadership Institute- online classes for emerging leaders
- On Demand Classes- online audio/ppt classes
- Education-to-Go- mini-enrichment online classes
- Classroom-based classes- traditional in person classes

[IRWA Education Link](#)

# Calendar of Events

## April 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

**April 6 - Chapter 8 Monthly Luncheon**

**Hess Club**

### CLASSES:

**April 2&3 - C215 - Right of Way Acquisition for Pipeline Projects**

**Crestwood Mainstream Partners**

**April 9&10 - C219 - Introduction to Presentation, Instruction & Facilitation** **Kinder Morgan**

**April 11&12 - 400 - Principles of Real Estate Appraisal**

**Kinder Morgan**



# Calendar of Events

## May 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May 11 - Chapter 8 Monthly Luncheon

Hess Club

CLASSES:



# Chapter 8 Monthly Meeting Recap

## IRWA Chapter 8 Meeting Recap – April 13, 2018

**By Teri Cameron, Contract Land Staff**

**Speaker:** Zachary Craft, Enterprise Products Partners, LP  
In-House Counsel, Environmental/Health/Safety

Our April IRWA luncheon brought us Zach Craft (aka “Crafty”) as our speaker. Zach is truly an entertaining speaker! (I know what you are thinking - an attorney is an entertaining speaker?). But, Zach surprised us all and made a difficult subject and presentation come to life.

Zach’s agenda had four topics he covered:

- Phase I/Phase II
- Common provisions in sales agreements
- Legal issues commonly forgotten
- After the agreement

### **Phase I/Phase II**

- Phase I:
  - ◇ Site visit and desktop review
  - ◇ Noninvasive, does not quantify contamination levels
  - ◇ Determines whether Phase II is needed
  - ◇ Often disclosable to future prospective purchasers
- Phase II:
  - ◇ Invasive sampling, quantifies contamination levels
  - ◇ Potential to trigger cleanup obligations for current owner

# Chapter 8 Monthly Meeting Recap

## Common Provisions in Sales Agreements

- Pre-closing due diligence
- ◊ Buyer's right to Phase I/Phase II
- ◊ Seller protections
- Representations/warranties
- ◊ Spills
- ◊ Permits/law compliance
- ◊ Pending legal proceedings
- ◊ Wide variety of other types
- ◊ Knowledge/materiality qualifiers
- Buyer remedy types:
  - ◊ Walk-away right
  - ◊ Indemnity
  - ◊ Escrow
  - ◊ Defect notice and cure
  - ◊ Exclusion of property from multi-property deal
- Common indemnity features:
  - ◊ Survival period
  - ◊ Caps and baskets
- Sole remedy
- As is, where is
- Further assurances
  - ◊ E.g., permit transfers, transferring responsibility for ongoing cleanup

## Legal Issues Commonly Forgotten

- State law disclosure requirements
- ◊ Can override terms of contract

# Chapter 8 Monthly Meeting Recap

- ◇ Examples: Indiana, Michigan, New York (certain local jurisdictions), Oregon, Washington
- Transaction-triggered statutory obligation to investigate/remediate
- ◇ Rare; examples: New Jersey, Connecticut, California (certain areas), Delaware
- Spill reporting for historical contamination
- ◇ Beliefs of consultants and regulators
- ◇ Legal status

## After The Agreement

- “Waters of the United States”
- Species:
  - Endangered species
  - Migratory birds
  - Cultural/historical artifacts
- NEPA review

## Zach Craft Bio

- Law degree from Columbia University School of Law in NY
- Spent approximately 7 years at the law firm Baker Botts, representing industrial clients in a variety of environmental law matters
- Joined Enterprise in 2017 and is the company’s in-house environmental/health/safety lawyer
- Current work portfolio includes environmental aspects of mergers and acquisitions and land transactions, environmental permitting, government investigation and enforcement matters, regulatory compliance counseling



## IRWA Luncheons Approved for SR/WA Recertification Credits

As you may know, the IRWA International Credentialing Committee has moved to a “Self Reporting” model. Meaning, IRWA members simply report that they attended X amount of meetings for X amount of hours on their CE forms. Each luncheon attended will earn you one (1) hour re-certification credit. Be sure to pick up a form you can fill out and retain for your records at your next IRWA Chapter 8 Meeting!

# Young Professionals



IRWA Chapter 8 Young Professionals

The IRWA Young Professionals Network is focused on building a strong foundation for the next generation of Right of Way Professionals. Ethics, education and encouragement are the nucleus of our organization. Be a part of the initiative!





Chapter 8 Young Professionals Present ...

**YP Educational Luncheon Series**

Thursday, April 26th, 11:30 AM - 12:30 PM

Sponsored By:



**Work/Life Balance**

Presented by:  
Ana Rausch, SR/WA, R/W-RAC  
Senior Vice President  
Percheron LLC

**WHERE:** DCP Midstream: 5718 Westheimer Rd, Ste 1900, Houston, TX 77057

**RSVP:** In order to accurately prepare for guests, please kindly reserve a seat at [irwaypc8@gmail.com](mailto:irwaypc8@gmail.com) by Tuesday, April 24, 2018.

# Young Professionals



## Alan D. Wurtz, SR/WA Scholarship Fund

Funded by Percheron, LLC  
in conjunction with Right of Way International Educational Foundation  
and the International Right of Way Association

### Who is Alan D. Wurtz, SR/WA?

*Alan D. Wurtz, SR/WA had a tremendous passion for education. After spending the first 6 years of his professional career as a teacher and coach, Alan started an abstract and real estate company. Alan then transitioned to the right-of-way business as an agent and quickly joined the IRWA. While working in the right-of-way industry, he continued his education and obtained his law degree. Over the course of his nearly 40 years in the industry, Alan served the IRWA from the chapter level through the International Executive Committee, serving as IRWA President from 2001-2002. In his last professional role, Alan served as President of Percheron, LLC – Field Services where his wisdom, discernment, and leadership helped make the company what it is today. Alan’s passion for education, the IRWA, and for helping young professionals to develop their career was evident to everyone who knew him.*

### Alan D. Wurtz, SR/WA Scholarship Fund Objective:

The Alan D. Wurtz, SR/WA Scholarship Fund seeks to award a \$1000 scholarship to an active IRWA Young Professional who exemplifies Alan’s enthusiasm for learning and his passion for the IRWA. The Alan D. Wurtz, SR/WA Scholarship Fund will reimburse the Scholarship Recipient up to \$1000 for educational courses and seminars sponsored by the IRWA over a 3-year period.

### Eligibility:

Percheron, LLC welcomes applicants to apply for the Alan D. Wurtz, SR/WA Scholarship Fund. To qualify for the scholarship, applicants must be (1) a member in good standing of the IRWA for a minimum of one year, (2) a young professional (age 35 or younger) practicing in the right of way profession (3) committed to enhancing their knowledge of the industry, and (4) willing to honor the legacy of Alan D. Wurtz, SR/WA by furthering the IRWA’s Purpose and Mission.

### Schedule:

Applications may be submitted to [WurtzScholarship@percheronllc.com](mailto:WurtzScholarship@percheronllc.com) between March 1, 2018 and May 1, 2018. The Scholarship Recipient will be notified June 1, 2018 and will be announced at the IRWA’s Annual Conference. The award will begin on July 1, 2018 and may be used for IRWA sponsored courses and seminars through June 30, 2021.

### Selection Criteria:

Selection will be based on an essay (up to 500-words) outlining how the Alan D. Wurtz SR/WA Scholarship Fund will enable you to enhance your education and professional development and empower you to contribute to IRWA’s Purpose and Mission. A current resume must also be included.

### Selection Committee

The Selection Committee will include Allison Wurtz, SR/WA daughter of Alan D. Wurtz, SR/WA; the current Chair of the IRWA Young Professionals; one representative of Percheron, LLC; and one industry professional not employed at Percheron, LLC.

**Application:**

Please complete the below in its entirety.

Applicant Name: \_\_\_\_\_ IRWA Member Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State/Province: \_\_\_\_\_ Zip/Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Chapter #: \_\_\_\_\_ Region #: \_\_\_\_\_

**Essay Question:**

Answer the following question using up to 500 words:

***How will you use the Alan D. Wurtz, SR/WA Scholarship Fund to enhance your understanding of the industry and to contribute to the IRWA's Purpose and Mission?***

**IRWA's Purpose:**

We improve people's quality of life through infrastructure development.

**IRWA's Mission:**

We empower professionals by elevating ethics, learning and a standard of excellence within the global infrastructure real estate community.

**Completed Application:**

Please send completed application, up to 500-word essay, and updated resume to [WurtzScholarship@percheronllc.com](mailto:WurtzScholarship@percheronllc.com) by May 1, 2018

# Young Professionals



## **FIESTA FORE CHARITY** **MAY 3, 2018**

**WILDCAT GOLF COURSE  
12000 ALMEDA RD  
HOUSTON, TX 77045**

Interested in Volunteering?

Contact Kirsten White at [kjwhite@eprod.com](mailto:kjwhite@eprod.com) or  
Kelly Simmons at [ksimmons@paragon-partners.com](mailto:ksimmons@paragon-partners.com)



## Now Accepting 2018-2019 IRWA Young Professionals Committee Applications

**Due May 31, 2018**

Please contact Kelly Simmons at  
[ksimmons@paragon-partners.com](mailto:ksimmons@paragon-partners.com) for  
this year's application.

Applicants must be active members of IRWA Chapter 8.

# C215 - Right of Way Acquisition for Pipeline Projects

**Start Date:** 4/2/2018

**End Date:** 4/3/2018

**No. of Days:** 2 days

**Course Level:** Intermediate

**CEU Credits:** 16.00

**Class Time:** 8:00 AM - 5:00 PM

**Tuition:** \$415.00 Member/\$520.00 Non-Member

**Sponsored By:** Chapter 8

**Course Description:** [C215 Right of Way Acquisition for Pipeline Projects](#)

## INSTRUCTOR:

**David W. Sinclair, SR/WA** has worked in the right of way profession for 34 years and is presently the Land Project Manager for the Alaska LNG Pipeline Project working for Paragon Partners Ltd. (Paragon) in Anchorage, AK. Prior to joining Paragon, Mr. Sinclair was President of Steele Land Services, served in various executive positions for ENGlobal Corporation and its predecessor company, and worked at Enron for more than 16 years serving as their Director of Right of Way until January 2001. Prior to Enron in 1984, he was an independent consultant, performing land and right-of-way acquisition in various regions throughout the country. Mr. Sinclair is presently a Trustee and past President of the Right of Way International Education Foundation, an IRWA instructor, an instructor for the BLM Pipeline Systems Course, and member of the Pipeliners Association of Houston. He is also the past Chair and current Treasurer of the IRWA Pipeline Committee, Past President and



Professional of the Year of IRWA Chapter 8, and a past Chair of the Southern Gas Association (SGA) Roundtable.

## COURSE COORDINATOR:

Krista Affolter

811 Main Street STE 3400

Houston, TX 77002

Phone: (832) 519-2218

Email: [krista.affolter@crestwoodlp.com](mailto:krista.affolter@crestwoodlp.com)

## CLASS FACILITY LOCATION:

Crestwood Midstream Partners

811 Main Street STE 3400

Houston, TX 77002

Phone: (832) 519-2218

**PARTICIPAN CAPACITY:** 35

## HOTEL ACCOMODATIONS:

Participants are responsible for their own accommodations.

# C219 - Introduction to Presentation Instruction and Facilitation

**Start Date:** 4/9/2018

**End Date:** 4/10/2018

**No. of Days:** 2 days

**Course Level:** Intermediate

**CEU Credits:** 16.00

**Class Time:** 8:00 AM - 5:00 PM

**Tuition:** \$415.00 Member/\$520.00 Non-Member

**Sponsored By:** Chapter 8

**Course Description:** [C219 Introduction to Presentation Instruction and Facilitation](#)

## INSTRUCTOR:

**Donald J. Sherwood, SR/WA, MAI**, is the owner of Donald J. Sherwood LLC focusing on appraisal review and education. Mr. Sherwood is the former Managing Director of the Fort Worth office of Integra Realty Resources DFW, LLC, a full-service real estate consulting and appraisal firm. Mr. Sherwood has been an appraiser of all types of real property since December 1978. Donnie has performed appraisals on various properties including, but not limited to, shopping centers, apartment complexes, industrial facilities, a nuclear bomb storage site, an air force base, automobile race track, raw and developed land, office complexes, motels, hotels, marinas, cemeteries, bowling alley, amusement parks and mixed use developments. Donnie is a CLIMB certified instructor and is a past recipient of IRWA's Balfour Award and author of several courses and articles. He served as an adjunct professor at TCU for nine years.



## COURSE COORDINATOR:

Ramiro Roel, Jr.

Kinder Morgan

1001 Louisiana Street, STE 1000

Houston, TX 77002

Phone: (713) 420-3353

Email: [ramiro\\_roel@kindermorgan.com](mailto:ramiro_roel@kindermorgan.com)

## CLASS FACILITY LOCATION:

Kinder Morgan

1001 Louisiana Street, STE 1000

Houston, TX 77002

Phone: (713) 420-3353

## PARTICIPAN CAPACITY: 25

## HOTEL ACCOMODATIONS:

Participants are responsible for their own accommodations.

# C400 - Principles of Real Estate Appraisal

**Start Date:** 4/11/2018

**End Date:** 4/12/2018

**No. of Days:** 2 days

**Course Level:** Core

**CEU Credits:** 16.00

**Class Time:** 8:00 AM - 5:00 PM

**Tuition:** \$415.00 Member/\$520.00 Non-Member

**Sponsored By:** Chapter 8

**Course Description:** [400 Principles of Real Estate Appraisal](#)

## INSTRUCTOR:

**Donald J. Sherwood, SR/WA, MAI**, is the owner of Donald J. Sherwood LLC focusing on appraisal review and education. Mr. Sherwood is the former Managing Director of the Fort Worth office of Integra Realty Resources DFW, LLC, a full-service real estate consulting and appraisal firm. Mr. Sherwood has been an appraiser of all types of real property since December 1978. Donnie has performed appraisals on various properties including, but not limited to, shopping centers, apartment complexes, industrial facilities, a nuclear bomb storage site, an air force base, automobile race track, raw and developed land, office complexes, motels, hotels, marinas, cemeteries, bowling alley, amusement parks and mixed use developments. Donnie is a CLIMB certified instructor and is a past recipient of IRWA's Balfour Award and author of several courses and articles. He served as an adjunct professor at TCU for nine years.



## COURSE COORDINATOR:

Ramiro Roel, Jr.

Kinder Morgan

1001 Louisiana Street, STE 1000

Houston, TX 77002

Phone: (713) 420-3353

Email: [ramiro\\_roel@kindermorgan.com](mailto:ramiro_roel@kindermorgan.com)

## CLASS FACILITY LOCATION:

Kinder Morgan

1001 Louisiana Street, STE 1000

Houston, TX 77002

Phone: (713) 420-3353

## PARTICIPAN CAPACITY: 25

## HOTEL ACCOMODATIONS:

Participants are responsible for their own accommodations.



## **Chapter 8 Members,**

The Chapter 8 Board has decided to offer its members the opportunity to receive a free lunch for the submission, acceptance and publication of a newsletter article.

To Qualify:

1. You must be a current IRWA Chapter 8 member.  
(Chapter Chairs and Executive Officers excluded)
2. Submit a newsletter article and have it published in the Award Winning The Centerline.
3. You receive a free lunch voucher for one of the regularly scheduled lunch meetings.

Submit your article today to  
[teri.cameron@contractlandstaff.com!](mailto:teri.cameron@contractlandstaff.com)



# Fun & Games

*“Life is more fun if you play games.” ~ Roald Dahl*

N E L A S R O F M E C N A R U S N I  
 U E T I S O P E D L W O L A G N U B  
 T R I P L E X S K Y S C R A P E R V  
 D U P L E X T E R I O R L S E L L A  
 I L T I B U I L D I N G P O A A S C  
 N N O I T A Z I T R O M A R S Q L A  
 T O F F E R H E L R L R E S U E I N  
 E E I S T T O L P A O T E A E O R C  
 R U T T C A U T W F A T R A T X T Y  
 I L I D A I S Y I L L E C V L N A L  
 O A M E R I E S L D F I A E P T A T  
 R V E N T R C O E O E L P R P S O B  
 E T S M N T C E O S U R O P I S U R  
 D E H E O N D T R A S P C A I Y N Z  
 N K A D C E A L T P E M R O I N O I  
 E R R N N G O I O R E P E N N N G G  
 L A E O E A O S T S P D G N E D E R  
 V M I C N N L Y P A Y M E N T C O E

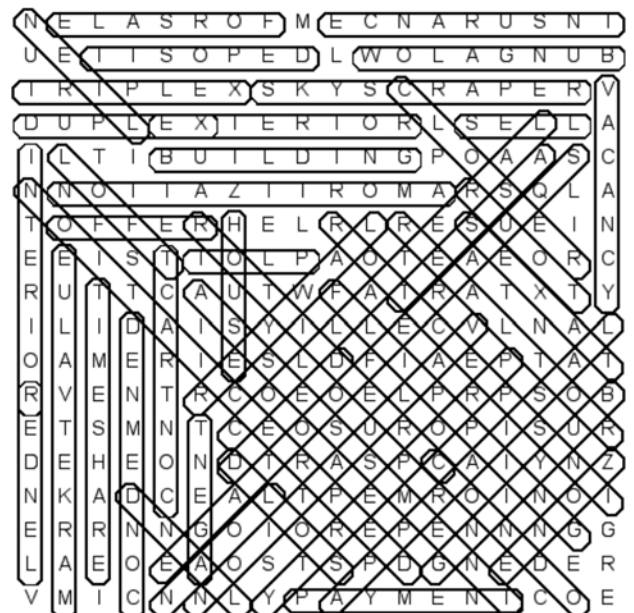
Agent	Contract	Insurance	Property	Valuation
Amortization	Creditor	Land	Realtor	Zone
Appraisal	Deed	Lawyer	Sell	
Asset	Deposit	Lender	Skyscraper	
Building	Depreciation	Lien	Sold	
Bungalow	Duplex	Loan	Square Footage	
Buying	Exterior	Loft	Taxes	
Close	Flipping	Market Value	Timeshare	
Collateral	For Sale	Offer	Tour	
Condemned	House	Payment	Triplex	
Condo	Inspector	Plot	Vacancy	

*Answers are on the next page!*

# Fun & Games

			1			4	8
		9	2				
		1		4		5	9
	8		4		1		
3	9					6	
	5				8		4
		8		6			
6				1			
						7	2

2	3	5	1	7	9	4	8	6
4	6	9	2	8	5	3	7	1
8	7	1	3	4	6	2	5	9
7	8	6	4	9	1	5	2	3
3	9	4	5	2	7	6	1	8
1	5	2	6	3	8	9	4	7
5	2	8	7	6	3	1	9	4
6	4	7	9	1	2	8	3	5
9	1	3	8	5	4	7	6	2



## About the IRWA

Since its inception as a not-for-profit association in 1934, the IRWA has united the efforts of its members toward professional development, strong ethics and improved service to employers and the public, along with advancements within the right of way profession. IRWA is the

unsurpassed source of right of way educational programs and professional services worldwide.

## Our Members

Dedicated exclusively to the right of way profession, IRWA has nearly 10,000 members throughout the US, Canada and Africa. Our members are multi-disciplined professionals employed by private industry and government agencies as Acquisition Agents, Appraisers, Environment Professionals, Engineers, Lawyers, Property Managers, Relocation Assistance Agents, Surveyors and Title Experts.

## Please welcome our newest Chapter Members:

Danielle Valenzuela

James Hanley Symington

Maria Olazaran

Christopher Robert Mercer

Cole Alan Heidaker

Beaux Broach

Andre Begneaud

## Please help us congratulate the following

### Educational Milestone,

### Recertification's and Candidacy's:

#### SR/WA Recertification

Christopher Morgan, SR/WA

#### RWP Certifications

Eric Alley, RWP

Stanley Kabzinski, RWP

#### R/W-URAC Certified

Luis Perches, SR/WA, R/W-NAC, R/W-RAC, R/W-URAC

#### R/W-NAC Certified

Shelly Johnson, R/W-NAC

#### R/W-RAC Certifications

Terry Gunn, R/W-RAC

Melissa Talley, R/W-RAC

## Meet Your Communications Committee:

Teri Cameron  
VP Marketing  
Contract Land Staff

Karla Breitinger  
Sr. Land Analyst  
Enterprise Products

Jason Reece  
Sendero Appraisals, LP

## Contact:

Teri.Cameron@  
contractlandstaff.com

We're on the web!

[www.irwachapter8.org](http://www.irwachapter8.org)

