

# The First Twenty-Five Years

*This article is an edited version of a three part history printed twenty-five years ago.*

As the International Right of Way Association enters its 50th year, a look back at our roots seems appropriate.

The founder of the Southern California Right of Way Agents' Association was Frank Balfour. Balfour discovered soon after he was hired by the California Division of Highways as a right of way agent in 1931, that the majority of right of way men working for government agencies held their positions through political patronage or were junior engineers working right of way part-time. Within private companies many of the agents were "engineers" who didn't make it, but found their niche by skill, luck, or favor in the company's right of way department.

Frank Balfour thought right of way work could be upgraded into a profession. He spent many long hours of discussion with Spencer V. Cortelyou, District Engineer in charge of the Los Angeles office of the California Division of Highways. What could be done to improve right of way and land acquisition techniques, procedures, and status of right of way employees? Cortelyou encouraged Balfour to take "the bull by the horns" and do something to

bring right of way workers together for the mutual benefit of all concerned.

Fourteen men met October 16, 1934 to organize an association. One additional meeting was held. On December 6, 1934, Frank Balfour was elected First President of what is today the International Right of Way Association.

In its first year of operation, the Association instituted policies that exist today. The first issue of Right of Way News, a four page monthly newsletter, was published March 20, 1935. This was the forerunner of RIGHT OF WAY magazine. A major education effort was initiated that included monthly meetings, a six-month extension course in condemnation appraisal procedures that met once a week, and the Chapter sponsored a right of way and land acquisition program for the 7th Annual Institute on Government. Flush with success, the Association changed its name to American Right of Way Association to reflect the hopes and aspirations of a national organization.

The Association continued to grow in its second year. In 1936, the official emblem, the R/W shield was designed. The proceedings from the 8th Institute on Government were

printed by the Association. Additionally, a second extension course on land titles was offered. Eighty-three attended the twelve-week course.

With membership growing to 190 by October 1936, the Executive Board put a constitutional limit of 200 members that could belong to the Association. In January 1937, a committee for national expansion was established. (The limit was repealed.) One action taken was to mail the 1938 edition of Right of Way Procedure and Land Acquisition, published by the Association, to every state highway right of way department. San Francisco Chapter 2 was chartered on April 18, 1939.

The policy of expansion was one of soft-sell. A chapter would be chartered only if the local agents wanted to organize a chapter within the Association umbrella. It would be up to the other agencies and industries to investigate what the Association meant to Los Angeles and San Francisco to be able to decide whether forming a local entity would help them.

In 1941, a Code of Ethics was written by a committee chaired by Harold Throckmorton. It was another forty-one years until the Association developed a mission statement.

Five years later, on April 5, 1946, the Association was incorporated as a non-profit educational organization. On December 18, 1946, the first Board of Directors meeting was held.

The formation of the Oregon and Seattle chapters were a direct result of both J.M. Devers, Chief Counsel for the Oregon State Highway Commission and Frank Stocking, Chief Right of Way Agent for the Washington State Department of Highways attending seminars sponsored by Chapter 1 and 2. They saw the Association working and went home



*California Division of Highways - Los Angeles Staff 1934.*

to organize chapters. Oregon Chapter 3 was chartered October 27, 1950 and Seattle Chapter 4 was chartered on February 6, 1952. In between, the Board of Directors had met, with a final treasurer's report stating that the Association had no liabilities with a plus balance of \$140.22. Disbursements for the year totaled \$142.60.

In the early fifties, extension courses and one-day seminars still proved popular. Also, the Case of the Month was instituted by Chapter 1 luncheon meeting and has remained a feature since.

In October 1952, the first intercity chapter meeting took place involving all four chapters. This showed that the Association was not a local organization and that increased educational benefits do accrue the broader the spectrum of participants.

Soon thereafter, Heart of America Chapter 5, Kansas City, Kansas was chartered. And with its formation one of the lovable right of way characters, "Rip" Flanagan makes his appearance as President.

At the Annual meeting in 1953, three major rules were developed. They were expulsion of members for cause, termination of membership, and the formation of club affiliates.

Also during the summer of 1953, the California Supreme Court passed a decision on the famous California condemnation case, *People vs. Ricciardi*. This decision established new concepts and many requirements, both in the valuation of right of way to be acquired, the legal procedure involved in determining fair market value and what constitutes damage.



*Frank Balfour presenting charter to Rip Flanagan at Chapter 5 chartering.*

At the close of 1953, the newsletter published by Chapter 1 for the last twenty years for all members ceased publication. RIGHT OF WAY magazine was born, published by the national association. Right of Way news's last big story was the announced chartering of Mile High Chapter 6, Denver, Colorado, for the following spring.

Chapter 6 and Michigan Chapter 7 were chartered March 6 and 9, 1954 respectively. Richard Taylor, after attending a Chapter 5 meeting, was bound and determined to form a chapter in Michigan. He succeeded in his efforts and went on to become Atlantic Coast Area Regional Chairman, National Chairman, and National Liaison Committee Chairman.

*(cont. next page)*

**Complete Real Estate Services  
for**

**School Districts, Transportation Agencies  
Utility Districts and Local Governments**

- Full Right of Way Services
- Property Acquisitions
- Appraisals
- Disposition Services
- Feasibility Studies

**Professional Appraisal Services**

**Bob Hicks** 916-782-6955  
**SR/WA, SRA, CA-S** 916-969-2327

**Right-of-Way Services Since 1972  
for**

**Pipeline Co.'s, Electric & Gas Utilities  
Telecommunications, D.O.T.'s, Municipalities**



- Full R/W and Land Acquisition Service
- Appraisals, Reviews and Agency Permits
- Photogrammetric Survey and Mapping
- Recreation Areas Employee Payroll Service
- Complete Pre-job Cost Evaluations
- Leasing for Exploration, Production or Storage

**Service Resources Corporation**  
**404-261-5811**

2970 Peachtree Rd., N.W., Suite 805 • Atlanta, Georgia 30305  
Branch Offices: St. Petersburg, Florida • Charlotte, North Carolina

On September 23, 1954 the first Club Affiliate was formed in San Diego, attached to Los Angeles Chapter 1. Expansion of the Association would not stop, with thirty chapters formed by the end of the decade. By the end of 1954 five all-day seminars were held in different locations in the month of December. Local education programs were the backbone of the Association.

On June 23-24, 1955, Association history was made when the first National Educational Seminar was held. There were 603 registrants with over 150 public and private organizations represented at the Seminar. Nine different subject areas were addressed with the "Relationship of the Right of Way Agent, Negotiator, Appraiser, Engineer, and Attorney in Condemnation Proceedings" presented in the form of a pre-trial conference attracting the largest audience. Tom Mason was Seminar Chairman.

At the Seminar, the Board of Directors addressed new problems of growth—the transfer of members

from one chapter to another—framework and budgeting requirements for an annual Seminar—each chapter limited to two directors—a national salary survey was published in cooperation with AASHTO and the National Highway Research Board.

By the close of 1956, the ideals of professionalism in right of way were becoming a reality. Frank Balfour: *"Right of way acquisition work must be supported by sound, fair and equitable appraisals and that 'horse trading' in negotiations could lead only to poor public relations and future detrimental effects upon our principals, be they stockholders or taxpayers."*

At the 1956 Seminar, held in Houston, new policies instituted included the establishment of regional seminars and the establishment of the position of Executive Vice Chairman, responsible for running the day-to-day operations of the Association. Today, that position is known as Executive Vice-President and is held by Charles Fornaci, SR/WA.

The 1957 National Education Seminar was held in Chicago, the Interstate Highway program was in full progress and Betram Tallamy, FHWA, addressed the Assembly. Today, with the program almost complete, right of way professionals can look back and feel proud of the ideals upheld and the work accomplished that Tallamy could only speculate about at the time.

*"There is just one more thing that I want to speak of, and that is the advancement of the program and the part you people have to play in it. I would say that you who are associated with highway departments or municipalities have probably the most serious responsibility in the advancement of this program that any of us confront. It's up to you to see that the right of way is purchased on time, that a fair value is established, that families are moved or at least time is permitted for families to be moved without great hardship, and for commercial and industrial establishments to seek other places. Yet the program must advance on schedule, so you have a tremendous job of forward planning and arrangement in order to accomplish that objective. Furthermore, I would say as a matter of integrity, there are more possibilities for improper actions—immoral actions—in the land and right of way acquisition phase of this work than anything else. I read with a great deal of care your code of ethics last night, and I'm sure that if you gentlemen will live up to your own code of ethics that this phase of the program will go forward on a sound basis and with integrity. Now there will be a great many people who don't belong to your association and there will be one or two who will infiltrate into your group who will probably not observe the code. Certainly, the State Highway Departments and the Bureau of Public Roads will do everything that they can to search these out and we'll give them no quarter when we find them. But I hope that you people will also do your share back home and in the line of duty, to find out and to spot anyone engaged in your line of work*

DICK AVAZIAN  
PRESIDENT

GENE SCHMOLL  
VICE PRESIDENT

RIGHT OF WAY ACQUISITION • SURVEYING •  
TELEPHONE ENGINEERING • MINERALS LEASING •  
ENVIRONMENTAL IMPACT STATEMENTS •

**NFS**

**NATIONAL FIELD SERVICE CORP**

NATIONAL BLDG., 162 ORANGE AVE.  
SUFFERN, N.Y. 10901/914-368-1600

*who does not have integrity. Your reputation is at stake as individuals and as a profession. Not only your reputation but possibly the very program is at stake, so I can't emphasize too much the important part that you have in every way in the advancement of this program. Remember that this program means more to the United States and its future than any of us can possibly imagine today. I know a good many of you, and in looking around the audience I'm sure that our State Highway Departments and our municipalities and bureaus can count on you and the job will be accomplished."*

Action taken at the meeting included investing the National Chairman the power to appoint members to three National Committees—

Highway, Pipeline, and Utility. Also a Land Economic Study program was instituted to implement appraisal and negotiation data with factual material in the area of damages and special benefits.

The first Regional Educational Seminar was held February 7-8, 1958 in what is now Region 4. Chapters 9, 14, 15, 16, and 18 sponsored the program in Atlantic City, New Jersey. Over 300 attended. It was considered by some to be the finest educational event ever held up to that time in the Association. It started a keystone of the Association's on-going educational program.

At the 4th Annual National Seminar held in San Francisco, the Board of Directors authorized individual chapters to issue membership certificates. Also, a full half-day was

taken to discuss chapter and regional seminars within the overall nationwide education program. A permanent National Liaison Committee was also established.

The Association had grown from fourteen to 7,000 members in the first twenty-five years. This rapid expansion and selfless service by dedicated members is the foundation from which the Association builds on today. The greatest tribute of dedication that could possibly be paid to this group of volunteer members is that there was not one paid employee in the entire twenty-five years. All activities were carried out by volunteers and while members did encourage and assist the creation of new chapters, no promotional campaign was ever conducted.



1951 State of California Division of Highways (l. to r.) Pingry, Wagner, Balfour, Pianzzi, and MacDonald.



By 1956, the original California brochure had led to other states producing needed public information.



Hawaii Chapter 30 chartering festivities held in 1959.