

RIGHT OF WAY ON THE BIG SCREEN

BY DAVID LAYNE, SR/WA, ASA

Ever notice just how many old movies have a right of way theme?

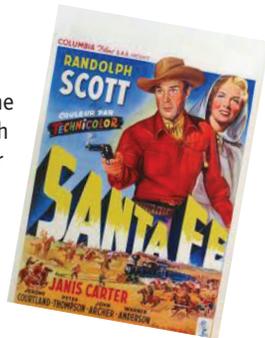
Recently, while facilitating Course 207 at Chapter 10, I admitted to owing my choice of professions to a movie. The movie, *Wild River*, tells of the acquisitions for the construction of a Tennessee Valley Authority dam. It was my introduction to eminent domain. That movie got me wondering how many others there might be that relate to our Association's disciplines. So, here it is, my Top Ten Right of Way Movies.

10 **Fighter of the Saddle (1929)**

Silent and mercifully short. The protagonist, Dick Weatherby (Art Accord), is a young rancher whose father is a ruthless, uncaring developer/relocation agent. "Bulldog" Weatherby is becoming rich buying ranches cheaply, evicting the occupants and selling the land to road builders. When Bulldog sends Dick to force the Wayne family from their ranch, Dick sees how unjust his father's actions are. Dick falls in love with the landowner's sister, Nesta, and promises to help her keep the ranch. Family strife, kidnapping, and arrests follow - just your normal acquisition. Of course, as is common with relocation agents, Dick saves the day.

9: **Santa Fe (1951)**

Santa Fe takes place just after the Civil War. Britt Canfield (Randolph Scott) and his brothers leave their Chapter 52 plantation and head west. While his brothers become outlaws, Britt takes a job with the Santa Fe Railroad, working in Chapters 5 and 53. Britt learns that Snidely Whiplash (or someone like Snidely) has interfered with the company's surveyor, which is keeping the railroad from receiving a government land grant. Britt, of course, intervenes and quickly saves the land grant. He ends his railroad career in Chapter 44.



8: **All at Sea (1957)**

All at Sea is a movie about a property owner trying to stop an expropriation (pre-Kelo). In this story, Captain William Ambrose (Alec Guinness) buys a rundown amusement pier in a British coastal town and operates the business like a ship. When the town council attempts to expropriate the captain's enterprise, Captain Ambrose "liberates his ship" from land authorities and registers the pier under a foreign flag. I wonder what the U.S. Supreme Court would think of that idea.



7 **Canadian Pacific (1950)**

Canadian Pacific is about yet another surveyor (I never knew that surveyors were so interesting). The story tells of the development of the Canadian Pacific Railroad through Chapters 54's and 62's Rocky Mountains. The project is stopped by the challenges of finding a route through the Rockies and by a trader trying to ferment an Indian uprising. (Sounds like *Santa Fe*, doesn't it, but with a lot "ehs.") Tom Andrews (Randolph Scott, again) is mapping a route through the mountains and, in his spare time, acting as the project manager.

While distracted by the multi-tasking, Tom is shot. After more shootings, some fist fights, a few explosions, and the death of the project's opposition leader, the rail line is built.

6: **Pacific Heights (1990)**

Chapter 2's Pacific Heights' neighborhood is the setting for this namesake movie. A couple (Melanie Griffith and Matthew Modine) buy a San Francisco "Painted Lady," renovate it, and to help pay for it all, rent an apartment to Carter Hayes (Michael Keaton). Carter becomes the tenant from hell. He changes the locks, stops paying rent, refuses to leave, and barricades himself in the apartment. Carter's motive? Besides being a sociopath, he wants to use California's tenant laws to obtain the property. More mayhem, lying, subterfuge and even death occur. Who'd have thought that a movie about property management could be so scary? Probably every property manager in IRWA, I suppose.



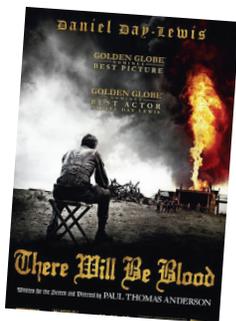


5 The Castle (1997)

An expropriation comedy (is that an oxymoron?) about an Australian couple, who take great pride in their family and their modest home, located next to the Melbourne, Australia airport. All goes well until the government and airport authority attempt to expropriate their property to expand the airport. As in “my home is my castle,” this is the story of how they fight to remain in their home, taking their case as far as the Australian High Court. It’s all here - toxic landfills, power lines, appraisals, airports, offers and notices of taking, expropriation, lawyers, evictions and a precedent-setting legal case. It’s a very funny movie with plenty of dry British/Australian humor.

4: There Will Be Blood (2007)

First of all, any movie starring Daniel Day-Lewis is going to be good. Add a story about oil exploration and buying oil rights, and it becomes a right of way agent’s must see.



Based on Upton Sinclair’s novel, “Oil,” the movie is set in Chapter 1 during the late 19th and early 20th century oil boom. Daniel Plainview (Daniel Day-Lewis) plays an oil speculator, who, while amassing a fortune, loses his humanity. Although not recommended in any of the Association’s 200 series courses, Plainview uses an interesting negotiation technique. He fines an orphaned waif and passes the child off as his son, which helps Plainview establish rapport with the vulnerable property owners.

3 Local Hero (1983)

This is a quirky movie about Knox Oil and Gas Company, headquartered in Chapter 8. Knox’s President, Felix Happer (Burt Lancaster) plans to buy the Scottish village of Ferness to build a refinery. He sends agent, “Mac” Macintyre (Peter Riegert) to complete the task. Mac spends several weeks in Ferness but starts to question his assignment, which will result in the ruination of the quaint village. As Mac proves unable to complete the assignment, Happer arrives to take over the negotiations. Happer, too, falls under the village’s charm and opts to build an astronomical observatory and oceanographic research facility instead of the refinery. A fantasy movie.

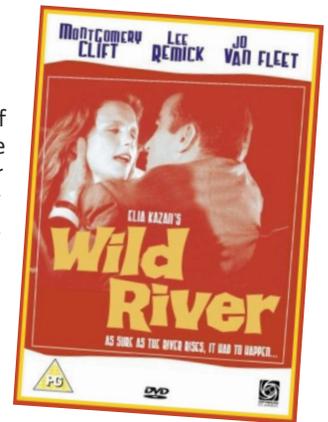
2: Chinatown (1974)

The story, set in 1937, centers on the need for water in Chapter 1’s Los Angeles area. “Jake” Gittes (Jack Nicholson), an L.A. private investigator, is hired to follow L.A. Department of Water and Power’s Chief Engineer, Hollis Mulwray (Darrell Zwerling). Jake follows him to a public meeting about a proposed new dam and then to several water and power sites. (How can a movie get any better than that?) The further Jake gets into the investigation, the more secrets he uncovers about the Mulwrays and Hollis Mulwray’s former business partner and Mrs. Mulwray’s (Faye Dunaway) father, Noah Cross (John Huston). Jake continues to investigate and uncovers a complicated conspiracy. All the characteristics of a good infrastructure movie are present; public meetings, municipal corruption, irate property owners, land use irregularities, illegal real estate transactions, deceit, murder and incest.



1: Wild River (1960)

Wild River relates the story of the construction of a Tennessee Valley Authority dam in Chapter 32. The protagonist, Chuck Grover (Montgomery Clift), attempts to get a particularly recalcitrant woman, Ella Garth (Jo Van Fleet), and her granddaughter, Carol Baldwin (Lee Remick) relocated from a soon to be flooded island. There are strong subplots, one of which tells of the imbalance of human rights, local customs, and dignity and a second subplot dealing with balancing the project’s benefits against the social and economic upheavals that will result. One very engaging scene occurs when Ella explains eminent domain, in a compelling and quietly moving way, to her hired hand, Sam Johnson (Robert Earl Jones).



So there you have it. My Top Ten Right of Way Movies. Extra butter on the popcorn, please.



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With more than 30 years experience in right of way, David is the owner of Layne Consulting Services. He is a certified general real estate appraiser in New York and currently serves as Trustee to the Appraisal Foundation. He has advanced degrees in business and adult education and is a subject matter expert for IRWA professional development programs.

