

## STATE OF SOUTH DAKOTA CLASS SPECIFICATION

**Class Title: Senior Right of Way Specialist**

**Class Code: 11562**

**Pay Grade: GJ**

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### **A. Purpose:**

Acquires right of way for highway use or other governmental use for the state and other governmental agencies by performing work in more than one right of way activity such as appraisal, appraisal review, acquisition, and relocation; or working as a title examiner to ensure clear title to property needed for state transportation projects.

### **B. Distinguishing Feature:**

Senior Right of Way Specialists perform two or more right of way activities, or are title examiners.

Right of Way Specialists specialize in one right of way activity.

Right of Way Supervisors direct right of way activities such as appraisal, acquisition, and relocation; and supervise.

### **C. Functions:**

*(These are examples only; any one position may not include all of the listed examples nor do the listed examples include all functions which may be found in positions of this class.)*

1. Reviews property appraisals completed by staff and consultants to ensure compliance with federal and state requirements.
  - a. Reviews appraisers' work and verifies that the most efficient and effective market value supportable has been determined and justified.
  - b. Accepts or rejects appraisals; and prepares reports containing findings, conclusions, and recommendations.
  - c. Prepares appraisals for court and testifies in condemnation proceedings.
2. Appraises property by conducting research to acquire sufficient background and supporting information in the area of the project to ensure development of the highest supportable market value.
  - a. Studies project plans, plats, and other related documents to plan for the appraisal process; and to obtain right of way requirements and owner information.
  - b. Inspects the project area to become familiar with various parcels, to identify the exact area and nature of the property to be appraised, and to take photographs of the parcels.
  - c. Compiles data on the property and on comparable sales in the property area by contacting real estate brokers; and applicable county offices such as Directors of Equalization, Treasurers, and Registers of Deeds.
    - i. Inspects comparable sales sites to ensure data is accurate.
    - ii. Verifies site locations and takes photographs of comparable sales.
    - iii. Verifies accuracy of information with buyers/sellers, and determines motivation for the sale.
  - d. Selects proper appraisal approach to analyze and evaluate the data to arrive at market value and just compensation for each parcel.
  - e. Creates and submits a final appraisal report for review; and performs any additional follow-up activities to ensure that the final report is accurate.
  - f. Completes procedures and forms, and includes the appraisal information in the appropriate project files.



- a. Determines the needs of displaced property owners in conjunction with the acquisition, condemnation, and relocation of property.
    - i. Orders and reviews Certificates of Title, survey plats, and other documents.
    - ii. Reviews project concepts with engineers and managers.
  - b. Develops and analyzes socio-economic data on individuals and businesses displaced through the acquisition of property, searches for alternative relocation sites, determines fair reimbursement for relocation expenses, prepares and recommends comprehensive relocation plans.
  - c. Coordinates conditions of right of way settlements with other divisions of the department.
  - d. Coordinates issuance of public notices.
  - e. Initiates and maintains contacts with human resources agencies, real estate companies, and various governmental agencies for the purpose of relocation of persons and businesses.
  - f. Provides relocation cost estimates for project planning, including transitional costs such as temporary rentals, payments for crop loss, etc.
  - g. Inspects relocation housing to ensure compliance with federal relocation requirements.
  - h. Recommends condemnations, calculates and recommends amounts of settlements.
  - i. Prepares reports on relocation activities; and prepares relocation claims along with supporting documentation.
  - j. Prepares closing statements and directs final abstract update and final title opinion.
6. Performs other work as assigned.

**D. Reporting Relationships:**

Reports to a Right of Way Supervisor or the Right of Way Program Manager. Does not supervise.

**E. Challenges and Problems:**

Challenged to meet the needs and wishes of property owners while acquiring the necessary property in the most cost effective manner for the state. This is challenging because it requires establishing a view of the various parcels which will allow for better communication with the respective property owners; the effect of the project must be explained to each owner until it is understood and accepted; it often requires negotiating with property owners who may be at odds with the offer of compensation or with the effect of the project on their property, often requiring several meetings to arrive at acceptable terms; it is difficult to reach an estimate of market value when available data is either not current or is obtained from a large market area; it is difficult to verify sales data in terms of buyer/seller motivation and the impact on the nature of the market; and it is difficult to maintain data accuracy and reliability when large quantities of data are obtained and analyzed. Further challenged to research, obtain, and review all information bearing on legal titles to real property; and to analyze title information and form opinions as to the current legal status. This is difficult because it requires extensive record searches to verify legal descriptions; to determine that all actions on the title have been cleared; to identify other issues that may affect purchase or use of the property; to review whether the property is affected by mortgages, liens, or personal judgments; to ensure that taxes have been paid; etc.

Problems include coping with methods of indexing and filing property information that may vary from county to county; dealing with the emotional issues that arise with property owners; finding adequate property sales data to support appraisals in areas where sales may be years and miles apart; securing comparable replacement housing for relocated persons; working with the

pressure of bid letting deadlines; and ensuring that current, adequate, and appropriate documentation accompanies required paper work.

#### **F. Decision-making Authority:**

Decisions include whether or not appraisals done by others are based on a significant and supportable amount of relevant data; whether an appraisal will hold up under the scrutiny of a condemnation proceeding; whether enough data has been collected on sales and property values to calculate the most cost effective appraisal; recommendations for changes to plans and plats after property inspections; solutions to property owners' concerns within established parameters; appropriate offers of compensation within set limits; whether or not titles are clear of mortgages, liens, or judgments and property may be transferred to the state's ownership or use; when negotiations are no longer feasible and stronger measures are required from higher authority; the extent and estimated costs of relocation needs including transitional costs such as rent for temporary housing, and payment for loss of crops; whether or not relocation facilities meet guidelines; and priority and schedule of assigned work within project deadlines.

Decisions referred are final approval of settlements, condemnation of property, and relocation claims; and issues which require legal or policy expertise.

#### **G. Contact with Others:**

Daily contact with property owners to explain project plans, inspect property, and negotiate the purchase or use of property; local government agencies and businesses to collect market and comparable sales data and title information; banks and other lending institutions to discuss mortgaged property; and property owners' attorneys to provide information; and weekly contact with staff and consultants to review appraisals.

#### **H. Working Conditions:**

Extensive travel is required statewide.

#### **I. Knowledge, Skills, and Abilities:**

Knowledge of:

- real estate activities such as acquisition, sales, leasing, appraisal, title examination, and others;
- principles and practices of economics, finance, and business;
- legal documents, contracts, contracts for deeds, title reports, and sale and lease documents relating to real estate activities;
- property appraisal and right of way acquisition processes and related statutes, guidelines, and procedures;
- state and federal regulations and requirements pertaining to property acquisition and relocations on local, state, or federally assisted projects;
- housing codes and state and federal statutes and regulations pertaining to minimum standards of housing.

Ability to:

- seek out and analyze sufficient data to estimate true market value of affected property based on location and other factors peripheral to the location;
- interpret plans and plats, recognize the relationship to the project site, and recommend changes to the plans or issues for additional review;

- establish and maintain effective working relationships with property owners, design and construction engineers, local government officials, real estate agencies, lending agencies, and the public;
- communicate information and proposals to property owners in a professional, respectful, courteous, and cooperative manner;
- develop and prepare comprehensive and systematic plans for orderly relocation of affected parties;
- interpret and apply guidelines as tasks vary; and use established policies and practices to develop strategies and solve problems;
- prepare and present accurate and reliable reports containing findings and recommendations;
- operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- perform a wide variety of duties and responsibilities with accuracy and speed under pressure of time-sensitive deadlines;
- communicate information clearly and concisely.