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QUARTERLY Bundle of Writes

NEWS AND EVENTS FOR IRWA CHAPTER 67

Q3 2025

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PRESIDENT'S MESSAGE

Lara Boyko, J.D., SR/WA
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Welcome to Pumpkin Spice and Everything Nice Season!

With fall in full swing, I am excited to start my tenure by serving as your chapter president and looking forward to a year of learning, laughter, and helping our chapter continue to thrive.

While I am excited for what is coming this year, our chapter's success is not just determined by what speakers, classes, and outside opportunities our board puts together, but more importantly what our members would like.

Whether it is speakers at our lunches or IRWA classes to help with being able to make more infrastructure development projects successful, the 2025-26 board would like to hear from you! We want to know what some of the topics are that you would like to learn more about so we can support your professional success. Please feel free to email me directly with your ideas!

P R E S I D E N T



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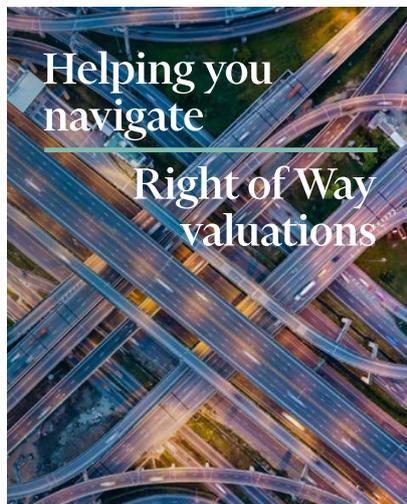
Jillian Friess Leivas, Esq.
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Along with our regular lunch speakers and classes we schedule, this year is a **Tri-Chapter lunch** year! Chapter 1 is hosting the event on **December 10 at The Huntington Library, Art Museum and Botanical Gardens** in San Marino (greater Pasadena). Please save the date and plan to arrive early and maybe even stay late as there will be great networking, art, rare books, and botanical gardens to enjoy.

Also, please mark your calendars now for the **annual education conference on June 26-29** in Omaha, Neb. Fun fact about Omaha -- it is the home of the NCAA College World Series! Play ball!

While we are all feeling the impact of a tougher economic climate, don't forget, **IRWA offers valuable scholarship opportunities** each year to help with the costs of taking classes. As a recipient of two scholarships, these were invaluable to helping me grow in our industry and they were easy to apply for! While I don't control how the scholarships are awarded, for anyone who wants to submit an application and essay, I would be happy to read/review their essay before submitting it.

Looking forward to having a great year with everyone!



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Welcome back readers to the Q3 2025 edition of our newsletter. If you would like to contribute content to the newsletter, advertise, have questions or any ideas to improve the content, please contact me.

Thank you to our newsletter sponsors! As we approach the end of 2025, we will be reaching out to our sponsors regarding renewal opportunities in 2026. If you or your organization are interested in exploring sponsorship opportunities, please reach out to me for additional information.

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UPCOMING EVENTS

TRI-CHAPTER LUNCHEON

December 19, 2025

The Huntington

1151 Oxford Road, San Marino, CA 91108



Chapter 67 Is now on LinkedIn!

[Please join us. here.](#)

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CASE OF THE MONTH

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SAVE the Date!!!

Tri-Chapter Luncheon – The Huntington Haaga Hall

December 10, 2025

Chapter 1 is excited to host this year's Tri-Chapter Luncheon at **The Huntington**, a prestigious cultural and educational institution offering curious, transformative experiences. Founded in 1919 by Henry E. and Arabella Huntington, it supports research and promotes public engagement through its expansive library, art, and botanical collections.

The luncheon will take place in the elegant Haaga Hall, which features warm oak finishes, high ceilings, and deep-casement windows. Your ticket will include a delicious catered Italian buffet-style menu, drinks, and admission to the stunning botanical gardens and galleries, which showcase iconic collections of art, history, and literature.



The Huntington is located at 1151 Oxford Road, San Marino, CA 91108

Please contact Alana Edwards at Aedwards1@socalgas.com with any questions or to volunteer for this event.



EDUCATION

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For questions regarding IRWA education, whether it be information on a particular course, how to register, potential upcoming courses, or the credentialing program, please reach out to James.

Upcoming Courses

Date: 10/21/25 - 10/22/25
Course: 501 Residential Relocation Assistance
Course Level: Intermediate
IRWA Credits: 16 QEU / CEU
Class Time: 8am - 5pm
Tuition: Member - \$415.00 / Non-member - \$575.00
Location: Virtual Class

Course Description: This course discusses the processes and procedures involved in providing relocation assistance to residential occupants. Materials presented are based on the lead agency's (Federal Highway Administration) regulations in implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended.

Instructor: Darryl Root, R/W-RAC has successfully led and trained acquisition/relocation consultants and sub-consulting firms while managing such services as real estate appraisal, F&E appraisal, title and escrow, environmental, and property management. These services have been performed throughout the United States and Canada including the states of Texas, Arizona, Nevada, Missouri, Florida, Hawaii, North Carolina, New Hampshire, West Virginia, Washington, North Dakota, Illinois, Oregon, Louisiana, Indiana, Georgia, Guam and the provinces of Alberta and Ontario. He also prepares and reviews various proposals for competitive bids. Mr. Root has more than 20 years of professional real estate experience involving acquisition of right of way, as well as residential and commercial relocation assistance. He is a frequent contributor to the IRWA Magazine and has spoken at every IRWA annual education seminar since 2006. He was a Senior Right of Way Project Manager at HDR. Mr. Root currently works for LA Metro in Southern California.

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Call for Sessions

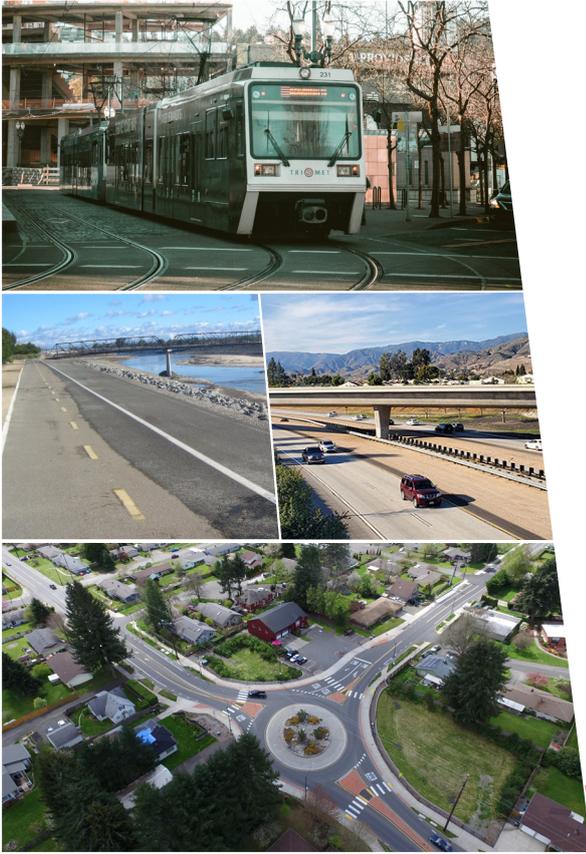
The 72nd Annual International Education Conference
Friday, June 26 to Monday, June 29

The International Right of Way Association is seeking experienced and dynamic presenters to deliver high-level educational programming to the attendees of the 72nd Annual International Education Conference.

DEADLINE: OCTOBER 9, 2025 BY 5:00 P.M. (PACIFIC TIME)



[Submit a Session](#)



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The advertisement features a background image of a complex highway interchange with multiple overpasses and ramps. The text is overlaid on this image. The logo for Monument is a stylized lowercase 'm' in a green square, followed by the word 'onument' in a white, lowercase, sans-serif font.

CASE OF THE QUARTER

Limitations and Standing to Sue Dry Up Landowners' Claim to Texas Riverbed

By Charles Sartain, Esq., Partner

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State of Texas. V. Reimer et al. studied lawyer-nerdy questions of standing to bring a lawsuit and statutes of limitations as applied to inverse condemnation suits. Spoiler alert: To the chagrin of the landowners, waiting over 30 years to assert your takings claim is not the best course of action.

The Facts

In 1965 the Sanford Dam created Lake Meredith, significantly reducing downstream flow of the Canadian River through the six-mile stretch at issue. The reduction exposed previously submerged land.

Beginning in 1982 the State granted oil and gas leases on portions of the riverbed to Huber. The 10-year leases were consistently renewed for decades with Huber establishing numerous productive wells. During the litigation Huber operated 21 wells in the area. The litigation began in 1993 when the State sued a Reimer forefather for trespass when he erected a fence blocking oil and gas lessee Huber's access to producing wells. The Landowners asserted an unconstitutional taking of their oil and gas interests without compensation sometime between October 1999 and April 2000.

The Legislature at one time directed the GLO to make a survey marking the boundary of the river, which the GLO never did. Instead, Huber commissioned his own survey. In January 1982

Huber's surveyor Shine filed his survey, which the GLO adopted. The survey identified the gradient boundary of the river locating the last natural riverbed before the dam's completion. According to the Court, January 28, 1982, was the day when the State began taking the Landowners' mineral interests.

Standing – constitutional or prudential?

The state challenged the Landowners' standing to bring the suit on three grounds:

- they did not own the land when the taking occurred and had no assignment;
- existing mineral leases prevented the Landowners from developing minerals themselves;
- Huber acquired ownership through adverse possession, the Landowners had no compensable interest.

The Landowners satisfied constitutional standing by alleging concrete injuries to claimed property interests, traceable to the State's conduct, with likelihood of redress through favorable judgment. Thus, the challenge was not to subject matter jurisdiction (Had the Court found there was none, it would be compelled to dismiss the case without addressing the merits).

The State's challenge was to prudential jurisdiction because it involved the general prohibition on a litigant raising a claim on another person's legal rights without proper assignment or authority. It is not standing as much as it is a substantive limitation on the landowner's legal capacity. Regardless, the Landowners' claim was barred as a matter of law.

Limitations

The Landowners' claims were barred by limitations as a matter of law. Texas has no dedicated statute of limitations for inverse condemnation claims. Using the law of adverse possession as an analogy, Texas courts have concluded that inverse condemnation claims are barred by expiration of the 10-year limitations period in Texas Civil Practice & Remedies Code §16.026. The taking begins when the physical taking occurs or entry on land is made. The Landowners claimed the 25-year limitations in §16.028 governed. The 25-year limitations did not apply.

Simply put, the Court looked at the plain language of the two statutes and gave the unambiguous statutory language its plain meaning. The Court declined to judicially amend the statute by adding words that are not implicitly contained in the language of the statute.

The Court denied the Landowners' aggregation theory (involving separate properties owned by different landowners) because it could lead to an absurd result.

The judgment

Reversing the trial court, the Court rendered judgment that the Landowners take nothing.

Charlie Sartain, leader of Gray Reed's Energy Industry Team, is an experienced trial lawyer who primarily focuses on resolving complex energy disputes in Texas and Louisiana through litigation, arbitration and negotiation. His clients include oil and gas producers and investors, midstream transportation operators, and mineral and royalty owners involved in all types of contractual, payment and operational disputes. Sartain is the author and editor of *Energy & The Law*, a blog focused on exploring critical developments in the energy industry and how they impact clients from a legal and business perspective. He is based in Gray Reed's Dallas office and can be reached at csartain@grayreed.com.





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ARTICLE

California Developers Hit Pause on Projects Due to High Costs

*By: Sebastian Obando
Construction Drive
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Rising construction costs are weighing on California's commercial real estate market, with office and parts of the retail sector still struggling to gain momentum.

Office sentiment remains subdued in much of Southern California. Only 16% of developers in the region plan new projects, according to the report. Meanwhile, in Northern California, about 17% of developers are planning new projects.

"After a prolonged period of uncertainty, the office market sentiment is starting to turn a corner, albeit slowly," said Julie Hoffman, partner at Allen Matkins, a Los Angeles-based law firm. "Broad-based recovery is still a few years out."

Retail growth is uneven as well.

The survey forecasts Los Angeles rental rate growth to lag inflation and big box development to fall out of favor. Meanwhile, about 38% of respondents expect a new retail growth cycle within three years, though much of it will be confined to mixed-use and speciality projects rather than broad expansion, according to the report.

The opposite, however, is playing out in industrial and multifamily development.

Industrial demand is still outpacing supply in both Northern and Southern California, led by ecommerce. Developers are even considering office-to-industrial conversions. Vacancy rates are projected to remain steady or decline, according to the report.

Multifamily sentiment is also the most optimistic it has been in years, with 66% of respondents planning new projects, according to the report. That's the highest share since 2022.

"Demand continues to outpace supply across the state, especially for highly amenitized rental product that offers work from home space," said Heather Riley, partner at Allen Matkins. "Despite rising costs, our clients are actively looking to build at a rate we have not seen in years."

The survey collected responses from 60 firms in Northern California and 80 firms in Southern California. Out of these firms, 46% of respondents identified themselves as value investors, and most of the remaining identified as developers.



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