



CLASSIFICATION NO. 156  
Established: 10/07  
FLSA: Non Exempt  
EEO: 2

## **RIGHT-OF-WAY AGENT 2**

### **CLASS CHARACTERISTICS**

Under direction, to acquire rights-of-way, other easements, and fee acquisitions required for the construction of county roads, bridges and related projects; and perform other work as required.

### **DISTINGUISHING CHARACTERISTICS**

The Right-of-Way Agent classifications conduct and/or oversee all types of appraisals and negotiations for easement and fee acquisitions with an emphasis in the areas of Capital Project Construction, Road Maintenance and Development Review for the Department of Transportation and Development (DTD) and assists other county departments as needed. These classifications exercise functional and technical direction over technical, administrative staff and outside consultants in order to secure land rights, relocation assistance, appraisal and survey support functions and assistance.

The Right-of-Way Agent 2 is the journey level classification in the Right-of-Way Agent series. This classification is responsible for moderately complex and sensitive right-of-way acquisitions and assists with the most complex right-of-way projects which may be performed by outside consultants. It is distinguished from the higher level classification by its responsibility for completing less complex right-of-way acquisitions including project planning and review of property rights in order to determine project impacts while protecting the public's interest; assists in administrative summary determinations involving valuations of a less complex nature. This level requires public contact and the use of independence, initiative and discretion within established guidelines and under general guidance. This classification series is currently filled by a single incumbent assigned to the advanced level.

Right of Way Agent classifications differ from Property Appraiser classifications which describe, classify and estimate the replacement cost of structures, obtain and analyze sales data and determine market value appraisals of property for tax assessment purposes and from Property Agent classifications which perform professional property disposal work including marketing surplus properties and supervising the coordination of public auctions and private sales, and the transfer of real and personal property, easements and leases.

### **TYPICAL TASKS**

Duties may include but are not limited to the following:

1. Maintain County right-of-way standards, filing procedures, policies and procedures to respond to DTD and other internal agency needs; presents information and explains procedures to the public pertaining to past, present and future right-of-way acquisitions; plans, designs and presents the county position at public hearings on proposed and planned right-of-way acquisition projects; researches and responds to other County and external

agencies and citizen inquiries; investigates complaints and advises internal county departments as necessary, recommending corrective actions to resolve complaints; advises and assists other county departments on right-of-way, other property rights acquisitions, easement requirements on county-owned fee properties; and compliance with federal and state regulations.

2. Conducts in project planning responsibilities; reviews capital project and development plans and alternative plans to determine property rights and types of property rights required for road construction and related projects as designed; prepares estimates of right-of-way costs; participates in project meetings with design engineers, project managers and other appropriate persons to assist in budgetary, alignment, feasibility and scheduling recommendations.
3. Identifies and evaluates potential complexities in projects and provide estimates, scheduling, appraisals methods and negotiations; identifies need to hire consultants based on workload or expertise required; monitors performance of consultants; reviews and recommends invoices for approval; analyzes and determines the best approach to complete acquisition projects by consultant or county staff.
4. Researches, develops or directs technical or administrative staff to research and develop all acquisition documents, including documents that will be recorded; researches or directs staff in determining and obtaining ownership information, legal descriptions and maps; analyzes existing acquisition documents for errors or flaws; if found, develops strategies to mitigate impact to project; may coordinate with consultants to perform required site analysis and research to address potential contamination issues; performs or directs staff to perform site inspections.
5. Contacts and advises property owners of contemplated projects, alternatives under consideration, and need for preliminary design work; obtains permission for survey crews to enter property and remove survey obstructions; works with property owners or tenants under occasionally difficult conditions to resolve issues or barriers to rights-of-entry; advises owner(s) of the need for and the scope of project(s), of the impact to remaining property and of owners' rights under federal and state laws and county ordinances, policies and procedures.
6. Review appraisals for total or partial acquisitions, before-and-after appraisals, easements, permits and damages; coordinates independent reviews of appraisals in accordance with federal, state and county policies and procedures; maintains contact with property owner throughout process; directs survey crews, appraisers and relocation experts to potential acquisition sites.
7. Prepares Requests for Proposals for on-call appraisal contracts and right of way acquisition and relocation services contracts; reviews submittals and recommends contract awards; manages outside professional service contracts for appraisers and other real property professionals; requests appraisal reports from independent appraisers to determine the value of easements or real property to be acquired; coordinates resolution of discrepancies between original appraisal and independent review of appraisal; evaluates methodology of reports submitted, approves reports and sets just compensation; may be authorized to provide administrative determinations for just compensations for simple valuations; determine appraisal methods and comparison factors, conduct research and site visits and write administrative summary determinations.

8. Negotiates and acquires rights-of-way, easements, fee ownership, letters of agreement, dedications and permits for properties needed for county projects, including but not limited to roads, slopes, storm drainage, sewer lines, utilities, park sites, greenways and maintenance sites; obtains, directs or assists staff or outside service providers in obtaining necessary mortgage and lien releases; reviews and directs preparation of certain escrow instructions for the closing of acquisitions.
9. Requests assistance of and provides support to County Counsel in condemnation or eminent domain actions when negotiations cannot be concluded in a timely manner; provides exhibits, appraisal updates, records support documents and may provide assistance for trial testimony.
10. Develops and presents Staff Reports for the Board of County Commissioners for acceptances of rights-of-way and fee acquisitions.
11. Explains relocation assistance program and benefits to property owners and tenants; hires relocations specialists and monitors their performance for conformity with the Uniform Relocation Act and County policy.

### **REQUIRED KNOWLEDGE AND SKILLS**

Thorough knowledge of: State of Oregon right-of-way and real land property law including condemnation law, and the Federal Uniform Relocation Act.

Working knowledge of: Principles, techniques and methods of right of way acquisition including highway engineering practices, appraisal methods including all approaches to value, negotiations and acquisitions; legal descriptions for rights of way and real property acquisition and various instruments of ownership; accounting; property management; engineering plans and profile design drawings, assessor maps and other map reading, land title reports; office equipment, including personal computers and software programs.

Skill to: Review, plan, prioritize and coordinate right-of-way acquisition projects; read and interpret legal descriptions, instruments of ownership, survey and assessor maps, engineering plans, profiles and other design drawings; draft exhibit maps and legal descriptions; negotiate and acquire the acquisition of rights of way, easements and real property; including negotiations under occasionally difficult conditions; monitor staff or outside consultants work on assigned right-of-way projects; implement and manage up-to-date right-of-way standards; operate computer software and other office equipment; communicate technical information in non-technical terms to facilitate understanding by property owners, working partners and key stakeholders; communicate effectively, both orally and in writing; preparation of and delivery of oral presentations to public groups, communicate effectively to minimize conflict and reach consensus and agreement; establish and maintain effective working relationships with supervisors, coworkers, other departments and agencies, and a diverse population within the general public.

### **WORKING CONDITIONS**

Occasional duties in the field require walking, twisting, balancing, and involve exposure to inclement weather, noise, and slippery and/or uneven surfaces.

## **MINIMUM QUALIFICATIONS**

Minimum qualifications are used as a guide for establishing the minimum experience, education, licensure, and/or certifications required for employment in the classification. The following minimum qualifications are established for this classification. Additional minimum qualifications and special conditions may apply to a specific position within this classification and will be stated on the job announcement.

**Experience:** A minimum of three (3) years of related experience that would provide the required knowledge and skills to perform the responsibilities of this position.

### **Licenses/Certifications:**

The following licensure/certifications are required at the time of hire.

- Possession of Notary Public in the State of Oregon

## **PRE-EMPLOYMENT REQUIREMENTS**

Driving is required for County business on a regular basis or to accomplish work. Incumbents must possess a valid driver's license, and possess and maintain an acceptable driving record throughout the course of employment.

Edited: 8/16