CLASS SPECIFICATION
Right of Way Agent II

FLSA Status: Covered
Union Representation: City of Portland Professional Employees Association (COPPEA)

GENERAL PURPOSE

Under general supervision, conducts specialized property acquisition assignments including negotiating with property owners to acquire rights of way, researching title records to determine ownership and encumbrances on properties, and preparing legal descriptions and conveyance documents; coordinates the street vacation process; negotiates and manages property leases; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

Right of Way Agents II are responsible for performing specialized right of way acquisition assignments including analyzing complex property and title records and negotiating with property owners on terms to acquire rights of way. Incumbents may also negotiate and manage leases, prepare legal documents and provide support to the City Attorney in condemnation proceedings. Work entails the use of independent judgment and the application of knowledge gained through education, professional training and experience regarding real property law, appraisal and the acquisition or vacation of rights of way.

Right of Way Agent II is distinguished from Right of Way Agent III in that incumbents in the latter class provide lead work direction to other professional and technical staff and perform the most complex professional property acquisition work requiring a substantial level of professional training and experience.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Any one position in this class may not perform all the duties listed below, nor do the listed examples of duties include all similar and related duties that may be assigned to this class.

1. Negotiates with property owners to acquire easements, dedications and property for public projects.

2. Prepares technical and legal documents such as legal descriptions, conveyance documents, maps, ordinances and engineer’s reports.

3. Researches county assessor and other public records to identify property ownership and determine property rights; orders title reports when required; examines and reconciles title reports for accuracy of the vesting and legal descriptions of properties, and any conflicting issues such as existing easements, judgments, covenants, conditions and restrictions, liens and encumbrances that might impact proposed right of way acquisitions.

4. Resolves boundary questions, easement encroachments, access issues and other matters related to bureau property rights; addresses property-related questions.

5. Requests appraisal reports from independent appraisers to determine the value of easements or real property to be acquired; evaluates the methodology of and approves appraisal reports submitted; recommends estimated value for acquisition of easements.

6. Prepares budget estimates for acquisition projects.

7. Processes release of surplus rights of way.

8. Reviews land use regulations to determine their impact on bureau real estate.

9. Develops and maintains various bureau real estate management records, such as database of property ownership, easements and obligations or GIS property and permit information.

10. Reviews subdivision and partition plats prior to approval by City Engineer.

11. Manages outside professional service contracts for appraisers and other real property professionals.

12. Coordinates with Commissioners' offices on street vacations and citizen issues; makes presentations to Council on street vacations; manages street vacation process between City bureaus, outside agencies and the public.

13. Negotiates and manages property leases above and below public rights of way.

14. Researches and responds to City bureaus, other agencies and citizen inquiries.

15. Provides support to the City Attorney in condemnation proceedings.

16. Uses and improves technological tools to increase productivity and effectiveness.

17. May provide lead work direction and guidance to other professional and technical staff.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Concepts, methods and techniques for appraising property and establishing market value.

2. Methods and techniques for property recording and property record search.

3. Federal, state and local laws and regulations applicable to land and easement acquisition by public agencies, including just compensation and eminent domain.

4. Federal, state and local provisions governing records retention and access.

5. Basic principles and practices of property and contract law, including appropriate procedures and documents to convey acquired property rights.

6. Basic terminology, methods and practices of facilities engineering design, land-use planning, land surveying, mapping and construction processes.

7. Basic understanding of GIS mapping systems.

8. Principles and practices of sound business communications.

9. Principles and practices of effective good-faith negotiations.

Ability to:

1. Perform basic problem solving and negotiate with property owners, City bureaus and neighborhood associations and other agencies.

2. Analyze technical data and legal requirements, evaluate alternatives and make sound, timely recommendations within established guidelines.

3. Plan, organize and provide work direction for carrying out assigned duties efficiently and effectively.

4. Understand, interpret, explain and apply federal, state and local laws and regulations applicable to right of way acquisition.

5. Read and interpret maps, engineering drawings and sketches; research and establish property ownership.

6. Prepare clear, concise, comprehensive and legally sound documents and reports.

7. Exercise sound independent judgment within general policy guidelines.

8. Communicate effectively orally and in writing.

9. Conduct effective negotiations to meet the City's and bureau's best interests in accordance with all legal and professional requirements.

10. Use tact, discretion and diplomacy in dealing with sensitive situations and concerned property owners.

11. Establish and maintain effective working relationships with managers, staff, consultants, independent appraisal and title search firms, other governmental real estate personnel, property owners and others encountered in the course of work.

Training and Experience:

A typical way of obtaining the knowledge, skills and abilities outlined above is graduation from high school, trade school or vocational school, or G.E.D. equivalent; supplemented by courses in real property law, appraisal, surveying or other related subjects; and three years of progressively

responsible real property acquisition, appraisal, title or surveying experience; or an equivalent combination of training and experience.

Licenses; Certificates; Special Requirements:

A valid state driver's license may be required for certain assignments.

Notary Public Commission.

PHYSICAL AND MENTAL DEMANDS

Persons with disabilities may be able to perform the essential duties of this class with reasonable accommodation. Reasonable accommodation will be evaluated on an individual basis and depends, in part, on the specific requirements for the job, the limitations related to disability and the ability of the hiring bureau to accommodate the limitation.

Class History:

Adopted:	07-01-01	Right of Way Agent II (6082) created as part of the COPPEA Classification and Compensation study from the following class(es): 3108 Technician III
Revised:	06-03-05	Clarified duties performed at other bureaus.
Revised:	08-01-06	Spec history revised to reflect pre-2001 COPPEA Study history. Spec formatting modified.
Revised:	08-07-06	Revised FLSA status from "Non-exempt" to "Covered."

June 2009 - Change Job Class number from 6082 to 30000349, due to system change.