



July 2006
vol. 52 • no. 03

• SPECIAL ISSUE •
2006 FALL SEMINAR
SEPTEMBER 27, 28 & 29
LAKE VIEW HOTEL • MACKINAC ISLAND, MI



**MICHIGAN CHAPTER 7
INTERNATIONAL RIGHT OF WAY ASSOCIATION**

2006 Fall Education Seminar
Lake View Hotel • Mackinac Island, Michigan • September 27, 28 & 29, 2006

2006 Tentative Seminar Program

WEDNESDAY • SEPTEMBER 27

- 4:45 - 5:30PM Chapter 7 Executive Board Meeting, Valerie Lafferty SR/WA, President
- 5:00 - 7:00PM 2006 Seminar Check In, Welcome Reception & Education Auction
- 7:00PM Enjoy Dinner on your own at one or more of the Island's unique Restaurants

THURSDAY • SEPTEMBER 28 • MORNING SESSION

- 7:15 - 7:45am 2006 Seminar Sign In - Coffee & Tea
- 7:45am Working Breakfast - Full Breakfast Buffet
- 7:45 - 8:15am Business Meeting & Committee Reports, Valerie Lafferty SR/WA, Chapter 7 President
- 8:15 - 9:00am Environmental News & IRWA Intern'l Environmental Comm. Update, Fred Walasavage, IRWA Intern'l Environmental Comm. Chair
- 9:00 - 10:00am Understanding Water Rights Today, William A. Horn, Attorney
- 10:00 - 11:00am Land Conservancy & Related Issues - Michigan DNR TBA
- 11:00 - 11:45am Federal Highway Administration Updates for Relocation, FHWA Rep.
- 11:45am - 12:45pm LUNCH ON YOUR OWN

THURSDAY • SEPTEMBER 28 • AFTERNOON SESSION

- 12:45 - 1:00pm Afternoon Session Sign In
- 1:00 - 2:00pm Transitioning from State Employee to Private Contractor, Margaret Steketee - First Right of Way
- 2:00 - 3:00pm Proximity Damage Analysis, David C. Maturen SR/WA - Maturen & Assoc.
- 3:00 - 4:00pm Regional Cooperation for Environmental Protection & Preservation - John McCullough Oakland County Drain Commissioner
- 4:00 - 5:00pm Asset Management - An MDOT Perspective, Kirk T. Steudle, Director Michigan Department of Transportation
- 5:45 - 6:00pm Make sure that you are all dressed-up and ready for the carriage ride to the GRAND HOTEL for a DINNER TO REMEMBER
To meet the Grand Hotel's Dinner dress code: Men must wear Suit Coats & Ties. Women must wear Dressy Dresses or Dressy Pant Suits

FRIDAY • SEPTEMBER 29 • MORNING SESSION

- 7:30 - 8:00AM Morning Session Sign In & Continental Breakfast
- 8:00 - 9:00AM Easement Valuation - It's the Damage that Counts!, Paul Sander - MDOT Appraisal Manager - Metro Region
- 9:00 - 10:00AM Eminent Domain Issues from a Core City Perspective, Avery Williams. Attorney - Williams Acosta PLLC
- 10:00 - 11:00am Michigan Condemnation Review & Proposed Act 87 Constitutional Amendments, Raymond O. Howd, First Asst. Attorney General, Transportation Div., State of MI
- 11:00 - 12:00NOON Valuation Roundtable - Andrew Reed, State Certified General Appraiser, Group Coordinator and Discussion Monitor
- 12:00NOON ADJOURNMENT - HAVE A SAFE TRIP HOME!

WEDNESDAY • SEPTEMBER 27

8:00AM - 5:00PM

Pre-Seminar

IRWA Course #801

Environmental Contamination and Real Estate - Fred Walasavage, Bonneville Power Admin. Portland, OR. Contact Pat Petitto at 248 524 3376 for Course Registration, Fees and detailed information.

**Don't Miss Michigan's
Outstanding Education Event!**

Make Your Hotel Reservations NOW!

Lake View Hotel & Additional Lodging

Accommodations: we have recommended early hotel reservations since February for this year's Seminar, *remaining rooms at the Lake View Hotel are limited.* The IRWA room rate is \$110.00, plus taxes, per night for a single or double room. A two night minimum is required as a room deposit. If you are only staying one night, your credit card will be credited for the 2nd night upon check out. You must call the Lake View: 800 213 7077, ask for Jean, and you *must* mention International Right of Way to receive our special rate under our Room Block. Should the sleeping rooms fill up at the Lake View, there are many other overnight accommodations listed for Mackinac Island (Not Mackinaw City) on the Chamber of Commerce website: <http://www.mackinacisland.org> The Lake View has suggested either the Lilac Tree Hotel: 888 847 6575 or the Chippawa Hotel: 906 847 3341 as alternatives. They have similar amenities except no pool.

Questions regarding Hotels?
Please contact Alicia Worthley at 248 588 8293 or worthleya@aol.com



Region 5 Forum – worth the trip to Wisconsin!

I had the pleasure of attending my first Region 5 Forum in my official capacity as International Director of Chapter 7 and it was worth the trip to Madison, WI! On Friday April 21, at Dave Maturen's office in Portage, Dave and I waited patiently for Jeff Jones and Mary Anne Marr. (Ok, maybe I was the only one waiting patiently...)

Of course, we were only on I-94 for maybe five minutes when the subject of lunch came up. So we stopped in New Buffalo at Redemaks, where homemade burgers are made their way or not at all. However, their way was good enough to get us back on the return trip – well, that and cheap asparagus.



After lunch, Jeff chauffeured us around Chicago and on to Madison and beautiful Lake Winona.

Following registration, we

met with other attendees in the hotel bar and in the hospitality suite, where the beer was cold and the conversation friendly. After a way too heavy dinner, we called it a night.

The Spring Forum was a one-day program with representatives of all chapters in Region 5, as well as Jim Finnegan, the incoming International President, along with Ken Davis and Nancy Halvorson, both IEC candidates. The Chapter 7 and International Committees contingent also included Pat Petitto, Mary Anne Marr, Dave Maturen and Jeff Jones, who represented Chapter President Val Lafferty, as an International Director. I know, "Where did Pat Petitto come from?" And, no, we didn't have her strapped to the luggage rack. She flew in from vacation in Gulf Shores, AL to join us.

The morning was taken up primarily with international level business with both Ken and Nancy giving political pitches. Jim brought the attendees up-to-date: including changes in educational course offerings and the elimination of the International Membership Committee, which will be replaced by a Marketing Committee. After a late morning break the individual chapter reports were made. These reports reflect finances, membership, education offerings and other items deemed significant by the chapter presidents. It was my pleasure, and I mean pleasure, to present the Chapter 7 report, because it became clear after listening to other chapter's reports that Chapter 7 has been very well managed. Committee and region business followed lunch and finally adjournment.

A brief stop at the hospitality suite was followed by dinner with the college crowd at a local sports bar where Marr Anne defended her title as pool queen of Chapter 7. Then it was back to the hospitality suite for a last hurra before retiring.

Sunday morning found the now five blurry eyed travelers climbing back into our chariot for the return ride back around Chicago to Michigan and home, but not without a stop at Redemaks and even cheaper asparagus (.69/lb) at Joes Market in New Buffalo.

I look forward to the fall Region Forum in Oak Brook, IL, and invite all of you to try the experience.

*Submitted by: Dick Roth
President Elect, International Director*



Appraisal Foundation

Dave Maturen and Dave Layne share a light moment at the May Appraisal Foundation Spring Board of

Trustees (BOT) meeting held in Florida. Maturen is the IRWA appointee to the BOT and Layne the IRWA representative to the Education Council of Appraisal Foundation Sponsors (ECAFS).

A Good Match: MAR, MiCREA & IRWA

Carrie Wolanin, MAR (Michigan Association of Realtors) with Chapter President Val Lafferty.



MAR sponsored the March meeting and continues to support IRWA and Chapter 7 issues and education. Also, by including IRWA events on their web page master calendar. MiCREA

is the Michigan Council of Real Estate Appraisers - a division of the MAR. Both Val and Dave Maturen were on the Board of Directors for the inception of MiCREA and Dave was just reappointed for a three year term.

International Right of Way Association Michigan Chapter 7

2006 Executive Board

Valerie F. Lafferty, SR/WA, RW-AC
President, International Director

Richard W. Roth, R/W-AC
President-Elect, International Director

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Jeffrey L. Jones, SR/WA
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Education

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Fall Education Seminar

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Avery Williams
Raymond Howd
Law & Legislation

Frank Del Vecchio, SR/WA
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Larysa Figol
Local Public Agency

Julie A. Sandzik
Membership

Michael Oakes
Newsletter

Jeffrey L. Jones, SR/WA
Norman G. Thomas, SR/WA

Laura K. Southwell, R/W-AC
Nominations

Professional Development

Roland B. Cilke, SR/WA

Mary Anne Marr, SR/WA

Jeffrey L. Jones, SR/WA

Edward R. Bradley, SR/WA
Parliamentarian & Historian

Gary E. Bowman, SR/WA
Past Presidents
& Retired Members

Carl L. Meyer, SR/WA
Gayle Konik
Pipeline

Andrew M. Reed
Program

Alicia T. Worthley, SR/WA
Recognition & Awards

Kelly Ramierez
Relocation

Verne Cappell
Roster

Chris Lamus
Survey

Paul E. Sander
Steve Roon
Transportation

Kimberly A. Tassen
Ronald Sneller
Utilities

Doug Hodge
A. K. Smith
Valuation

Lynn P. Hall, SR/WA
Website

Class of 2006

Class of 2007

Class of 2007

Every man owes some of his time to the upbuilding of the profession to which he belongs.

–Theodore Roosevelt

About the Program...

Thanks to an outstanding effort by Chapter Vice President, Andy Reed, along with the Executive Board and Chapter Committees the *2006 Fall Education Seminar* at the Lake View Hotel on Mackinac Island will prove to be one of our best ever. This year's program will have something for everyone!

Seminar Check-In will begin at 5:00 PM on Thursday, September 27 at the Lake View Hotel, followed by the Welcome Reception and Education Benefit Silent Auction.



Auction Donations are always needed. Remember, you need to take a ferry to the island, we recommend your donation(s) be small items. Auction questions? Please contact: Lynn P. Hall SR/WA 810 364 7940.

Pre-Seminar IRWA Course #801 Environmental Contamination, will begin at 8:00 AM on Wednesday, September 27. Course or Registration Fees questions? Please contact Patricia Petitto SR/WA at 248 524 3376 right away.

2006 Seminar Registration Fees will be as follows: IRWA Members \$215.00 *less \$10.00 early Registration Discount. Non-IRWA \$235.00 *less \$10.00 early Registration Discount. Spouse/Nonaffiliated Guest \$120.00 *less \$10 early Registration Discount. *Early Registration Discounts will apply for those who mail Seminar Registration Forms along with checks which are received by August 26, 2006. Checks should be made out to Chapter 7 IRWA and mailed to Alicia Worthley SR/WA, 260 Bellevue Avenue, Clawson, Michigan 48017. See page 8/back panel of this newsletter for Registration Form.

Directions to the Island & Ferry Service is fairly simple: for those traveling from point's south, follow I-75 north to Mackinac City. For those traveling from the north or west, follow I-75 south to St. Ignace. The Mackinac Bridge spans the Lower and Upper Peninsulas connecting the two communities and tolls are assessed for vehicles traveling over the Bridge. Tolls begin at approximately \$2.50 for passenger vehicles increasing according to size of your vehicle, truck, RV or bus. The Mackinac Bridge Authority accepts tokens or cash only. Watch for the well-marked exits to your boat dock of choice. Scheduled ferryboat service is available throughout the day and ample parking is available on the mainland at all ferry docks. All ferries charge a \$20.00/per adult, round trip and \$10.00/per child. We hope to be able to provide all Registrants and Speakers with \$2.00 discount coupons for one or more of the ferry companies which will either be mailed to you by the Lake View Hotel or along with your Seminar Registration Confirmation. The ferry companies are Shepler's: 231 436 5023 (closest dock to the Lake View Hotel on the Island), Starr Lines: 231 436 5045, and Arnold Lines: 231 436 5542. Each line has its' own Ferry Schedule – you must contact them separately and request departure *AND* return times to and from the Island back to your car in either Mackinaw City or St. Ignace. Each also has a website with additional information and schedules.

Question about the 2006 Fall Seminar Program or Speakers?
Please contact Chapter 7 Vice President & 2006 Program Chair:
Andy Reed at 248 547 5350 or reedandassociates@earthlink.net

Questions regarding Seminar Registration, Hotels, Arrangements or Ferry info?
Please contact 2006 Fall Education Seminar Chair:
Alicia Worthley at 248-588-8293 or worthleya@aol.com



Our Canadian partners agreed that the Comercia Meeting this May in Detroit was a huge success. What a beautiful facility – and area! Walking over to Jerry Rosenfeld's office in perfect weather afterward (for his post reception gathering) reminded several of us of vibrant downtown Chicago street scenes. We also had a great turn out for the June Executive Committee meeting at my house, for a great two hour outside meeting (excuse the bugs!) and BBQ hamburger lunch afterwards. But the really big event is coming up this September. Alicia Worthley always cleverly plans first class meeting/dinning facilities and this year will be no exception at Mackinac Island. We really hope to see everything there... a great program is planned!

With the year half-way over, President Elect Dick Roth is starting to think about his "team" for next year. If you're interested in getting involved in a committee, have a good idea for a speaker – perhaps want to speak yourself – contact Dick at either 800 723 8444 or roth@aaimi.net. He'd like to talk with you. Also, Andy Reed is still looking for speakers and/or ideas for the Thursday, November 9th meeting at Shulers in Marshal – Andy can be reached at 248 547 4350 or reedandassociates@earthlink.net and Verne Cappell is about ready to go to press with the 2006/2007 Michigan Roster. With that brief news update, I hope you all will have an enjoyable Michigan summer! We'll look forward to seeing you in Mackinac this fall!

Thursday Night Dinner at the Grand Hotel will be a wonderful adventure that you will remember for years to come. At approximately 5:45 PM on Thursday evening, September 28th, horse drawn carriages will pick-up our group in front of the Lake View Hotel and take all to Dinner at the Grand Hotel. Remember all Grand Hotel Dinner Guests Must Meet their Hotel Dinner Dress Code Requirements which is men must wear Suit Coats and ties and women must wear either dressy dresses or dressy pantsuits. After dinner you may explore the magnificence of this historic landmark and return to the Lake View either with a leisurely walk or by carriage (\$4.25 fee).

Special Note to Michigan Appraisers & Real Estate Licensees: Chapter 7 plans to submit the 2006 Fall Education Seminar Program and Schedule to the State of Michigan for Continuing Education Credit. If approved by the State, **you must provide accurate information on your Seminar Registration Form:** Name as it appears on each License, current and correct type and number of each license. You must also provide your Pocket Card License ID at the Seminar Check In on Wednesday Evening. In the event of State Approval, **you must attend all sessions** beginning at 7:45 AM Thursday, September 28 thru 12:00 Noon, Friday, September 29.



Grill master, Frank Del Vecchio, fixin' to feed the troops.

June 7, 2006
Executive Board Meeting
Val's Backyard on the Deck, Okemos, MI

As the panorama of Val's deck shows at left, the Executive Board Meeting was well attended! Starting in the foreground: that's the back of Alicia Worthley and Frank Del Vecchio, then a partial profile of Roland Cilke... continuing clockwise: Kim Tassan, Steve Roon, Ken Smith, Micheal Oakes, Micheal Odette, Mary Anne Marr, Verne Cappell, Laura Southwell, Kelly Ramirez, Dick Roth, Norm Thomas, Bonnie Bowers, Pat Petitto and Jeff Jones is partially hidden behind Pat. (wow...sorry if we missed anyone!)



Welcomes from 2 countries and in a couple of languages, too!

From far left, Mike Odette helps with a French translation for Michigan Chapter President, Val Lafferty. Ontario Chapter President Doug Wong welcomes members from Canada and the U. S. to Comerica Park in Detroit.

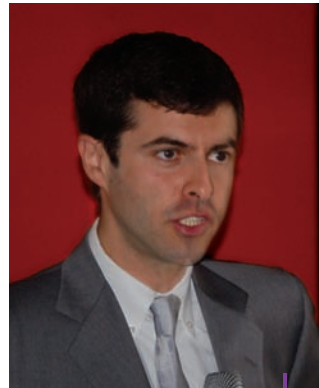


Michigan Chapter 7 and Ontario Chapter 29 • Joint
Comerica Park • Detroit, MI



A |

B |



E |

F |

G |



Membership Meeting



C



D



Above left, members of Toronto, Ontario Chapter #29 outside the Tiger's ballpark.
 Above, Michigan Chapter #7 at the Tiger Den
 Left, Andy Reed, Chapter #7 Vice President (Go, Tigers!)



H

- a) another great turn-out
- b) David Lake, MTO
- c) Mohammed Alghurabi, MDOT
- d) Ontario's Mark Norsworthy
- e) Dave Burgoyne & Andy Chamberlain: Upstanding Panel Discussion
- f) Solicitor Shane Rayman: OntarioExpropriation Law

- g) Kris Wisniewski, MDOT: Community Building
- h) Alicia Worthley: Fall Seminar Information

C. Bonnie Bowers
Property Analyst

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2006 USPAP - Scope of Work

The Uniform Standards of Professional Appraisal Practice (USPAP) are the generally accepted standards for professional appraisal practice in North America. USPAP contains standards for all types of appraisal services. Standards are included for real estate, personal property, business and mass appraisal.

Attention: all appraiser members, if you haven't taken the National 7-Hour USPAP update yet, please plan on doing so soon. Regardless of how this course is credited to your Continuing Education requirements, the 2006 National 7-hour USPAP update explains major changes which have occurred to USPAP of which every appraiser should be aware.

If you are an appraiser whose certification expires this year on July 31st and you already took a previous USPAP update course last year (or any time in your current two-year cycle) you may wish to wait until after July 2006 when you enter a new two-year cycle. If your license or certification expires in July 2007 and you took the USPAP update in the previous two-year cycle (before July 2005), you will still get credit for taking this course. At the very least, visit the Appraisal Foundation website: <http://www.appraisalfoundation.org/> and click on the USPAP Q & A link.

Submitted by Michael A. Oakes – Real Estate Appraisal Leader, Consumers Energy Company

...Law & Legislative Update Report

In March 2006, the Legislature introduced House Bills 5817-5821 to amend the moving expenses statute and portions of the Uniform Condemnation Procedures Act (UCPA). These Bills follow up on Senate Joint Resolution E, the proposed amendment to Art X, § 2 of the Michigan Constitution, that will be on the ballot this November.

On May 31, 2006, the Michigan House passed substitute House Bills 5817-5821. On June 6, 2006, the Michigan Senate referred these bills to the Committee on Transportation. If signed into law, the bills will make substantial changes in condemnation practices.

A summary of each of these House Bills – as currently passed – follows:

HB 5817. This bill would amend 1965 PA 40, § 2 (MCL 213.352) pertaining to the allowance for moving expenses.

HB 5818. This bill would amend 1980 PA 87, Sec. 16 (MCL 213.66) by adding a provision that if the acquisition involves the relocation of an indigent individual, the court may award reasonable attorney or expert fees attributable to an unsuccessful necessity challenge, so long as the challenge was made in good faith. This provision would not be applicable to the taking of property for the construction of a highway.

HB 5819. This bill would amend 1980 PA 87, Sec. 9 (MCL 213.59) by requiring an agency to pay relocation benefits not later than 30 days before physical dispossession. If the surrender of possession requires the relocation of an individual who occupies a residential dwelling, the individual shall not be required to move from the dwelling until he or she has had a reasonable opportunity to relocate to a comparable replacement dwelling, up to 180 days after moving expense have been paid.

HB 5820. This bill amends 1980 PA 87, Sec. 8 (MCL 213.58) by exempting property that was a residential dwelling property from the agency's ability to escrow any portion of the deposit as security for environmental contamination.

HB 5821. This bill amends 1980 PA 87, Sec. 5 (MCL 213.55) in several ways.

These House Bills are "tie-barred" meaning that all of the bills must be passed together. Stay tuned for further developments. Need information on these issues? Please contact Raymond Howd: howdro@michigan.gov

Submitted by Raymond O. Howd – Law & Legislation Committee

Pipeline Notes

U.S. Department of Transportation Fines BP Pipelines

The U.S. Department of Transportation fined BP Pipelines (North America) Inc. \$45,250 for failing to clear its right of way. The Findings of Violation included failure to inspect rights-of-way at certain locations using a method that allowed the surface conditions to be observed. The inspections occurred at BP's River Rouge pipeline facilities in Indiana and Michigan, as well as their facilities in Illinois, Ohio and Kansas.

TEPPCO Fined for Trees on ROW

TEPPCO was fined \$10,000 for failure to keep its ROW cleared of trees.

BP Violations Found in Ohio

Federal regulators proposed a \$2.4 million fine against BP Products North America over safety violations at an Ohio plant that are similar to those found during an investigation of the explosion at the company's Texas City plant last year that killed 15 people. OSHA found 39 violations including; locating people in vulnerable buildings among processing units, failing to correct depressurization deficiencies, failing to correct gas monitors and failing to prevent the use of non-approved electrical equipment in locations in which hazardous concentrations of flammable gases or vapors may exist. After last year's explosion, OSHA fined BP \$21.3 million, citing hundreds of violations.

Submitted by Carl Meyer SR/WA – Pipe Line Committee



Course #801

United States Land Titles

AUGUST 14-15, 2006

8AM – 5PM DAILY

United States Land Titles is an advanced course that builds upon prior professional knowledge and provides students with information about analysis of abstracts to determine who must execute a conveyance; learn terminology of title estates, covenants, liens, encumbrances, and contracts; and understand the preparation of chains of title from public records.

Registration Deadline: July 17, 2006

Holiday Inn Express

4350 Pontiac Lake Road
Waterford, MI 48328

Facilitator: Raymond O. Howd

Class Coordinator: Jeff Jones, SR/WA
RCOC • 248 858 4783 • jjones@rcoc.org

Course #603

Understanding Environmental Contamination in Real Estate

WEDNESDAY, SEPTEMBER 27, 2006

8AM – 5PM DAILY

Just a reminder: This course is offered in conjunction with the Fall Seminar!

This recently revised course is geared towards right of way professionals who may face the issue of contaminated properties. It focuses on causes, effects and remedies of environmental contamination. Topics include behavior of contaminants in the environment, environmental liabilities and auditing processes, underground storage tank removal, and contamination assessment, cleanup and closures.

The Lake View Hotel

Mackinac Island, MI

Instructor: Fred Walasavage

Class Coordinator: Pat Petitto, SR/WA
City of Troy • 248 524 3376 •
petittopa@ci.troy.mi.us

All classes scheduled by the IRWA are subject to cancellation. Although every effort is made to run each class as scheduled, occasionally a class must be cancelled due to insufficient enrollment or unavailability of instructor. Payments made to IRWA, for tax purposes, are not deductible as charitable contributions; but may qualify as a usual and necessary business expense.

The **Great Lakes State•ment** is a publication for the members of Michigan - Chapter 7 of the IRWA. Stories and articles of interest are encouraged. Please make your submissions to:
 Michael Oakes-, Newsletter Chair
 517 788 2332
 MAOAKES@CMSENERGY.COM
 Linda M. Polo, Polo Design
 Art Director/Editor
 LMPOLO@AOL.COM

Submissions for the August newsletter due by:

July 12, 2006

For information on IRWA Michigan Chapter 7, please contact the Secretary:
 Laura K. Southwell, R/W-RAC,
 734 327 6694
 SOUTHWELLL@WCROADS.ORG

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Verne Cappell
 c/o Consumers Energy Company
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• SPECIAL ISSUE •
2006 FALL SEMINAR
SEPTEMBER 27, 28 & 29
LAKE VIEW HOTEL • MACKINAC ISLAND, MI

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 Correction
 Requested*

Michigan Chapter 7 • 2006 Fall Education Seminar • Registration Form

Registration Fee per person:	\$215.00 – IRWA members	EARLY Registration DISCOUNT:	\$10. /per person*
	\$235.00 – non-members	EARLY Registration DISCOUNT:	\$10. /per person*
	\$120.00 – spouse / guest	EARLY Registration DISCOUNT:	\$ 5. /per person*
		* Check MUST be received by August 26, 2006	

please make checks payable to: *Chapter 7 IRWA*
 mail to: Alicia Worthley SR/WA • 260 Bellevue Ave. • Clawson, MI 48017

What:
 2006 Fall Education Seminar

When:
 September 27, 28, 29, 2006

Where:
Lake View Hotel
 Mackinac Island, MI

Register Today!
 Use this Seminar Registration Form – **Space is limited!**

Early registration deadline is August 26th!!!

Special note for brokers, salespersons & appraisers!

It is **extremely** important that you use the name(s) **exactly** as it appears on your license(s) as well as the correct type of license and license number.

name		IRWA membership number	
company / agency			
street address7			
city	state	zip	
phone / work	phone / home		
appraiser name as it appears on license		license # and type	
real estate broker / salesperson name as it appears on license		license # and type	
spouse / guest name			
sub total	< less early registration discount >	>	= total enclosed
	* Check MUST be received by August 26, 2005		