

A.I. SUMMARY OF TEXAS LANDOWNER'S BILL OF RIGHTS (pertaining to property)

This document outlines the Landowner's Bill of Rights in Texas regarding property condemnation, detailing the rights of landowners and the procedures for eminent domain.

Landowner's Rights in Condemnation

- Landowners are entitled to adequate compensation if their property is condemned, which must be for public use and executed by authorized entities.
- They must receive notification of the intent to condemn and a written appraisal detailing compensation owed.
- Landowners can file complaints against agents for misconduct and are entitled to hire appraisers or attorneys for assistance.
- A hearing before a panel of special commissioners is required to determine compensation, and landowners can appeal if dissatisfied with the outcome.

Condemnation Procedures

- Eminent domain allows certain entities to acquire private property for public use, with compensation reflecting market value.
- Adequate compensation may also include damages to remaining property.
- The condemning entity must provide the Landowner's Bill of Rights and make a bona fide offer before initiating legal proceedings.
- If an offer is not accepted, the condemning authority must wait at least 14 days before filing a lawsuit.

Legal Process and Special Commissioners

- The legal process begins with the condemning entity filing a lawsuit in the appropriate court, which must include specific details about the property and the public use.
- Special commissioners, appointed by the court, will hold a hearing to assess compensation based on evidence presented.
- They cannot determine the necessity of the condemnation or alter the terms of the easement.
- If the award is less than or equal to the initial offer, the landowner may bear the costs of the proceedings; otherwise, the condemning entity pays.

Objections and Appeals

- Parties can object to the special commissioners' award, leading to a trial where a judge or jury decides the compensation.
- If the trial verdict exceeds the commissioners' award, the condemning entity may be responsible for costs; if not, the landowner may incur costs.
- Any party can appeal the trial court's judgment.

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Dismissal and Challenges

- A condemnation action can be dismissed by the condemning authority or the landowner.
- Landowners can challenge the right to condemn by filing a motion to dismiss, potentially recovering fees if successful.

Repurchase Rights

- Landowners may have the right to repurchase their property if it is not used for the intended public purpose within ten years or if the public use is canceled.

Additional Resources

- The document references Texas Property Code chapters for further details on procedures and requirements.
- It includes addenda outlining specific terms for pipeline and electric transmission line easements, detailing rights and responsibilities of both landowners and entities acquiring easements.

Addenda Overview

- **Pipeline Easement Terms:** Specifies maximum pipeline numbers, types of appurtenances, and restoration responsibilities.
- **Electric Transmission Line Easement Terms:** Outlines surface use, access methods, and restoration obligations.
- **Optional Terms:** Discusses vegetation damage, income loss from agricultural disruption, and insurance requirements for Grantees.

This summary encapsulates the essential rights and procedures related to property condemnation in Texas, emphasizing the protections afforded to landowners and the legal framework governing eminent domain actions.