



Texas Central Partners Guiding Principles for Land Acquisition and Landowner Rights

Texas Central Partners (TCP) is the Texas-based company responsible for building, operating and maintaining the transformational high-speed rail service connecting Dallas to Houston. Prior to the start of construction, TCP will acquire a narrow corridor of land to be used for the train's Rights of Way (ROW).

TCP is committed to treating landowners with respect, negotiating in good faith and engaging in a fair and transparent land acquisition process consistent with Texas law¹ and the "Texas Landowner Bill of Rights"². In addition to these commitments, TCP would like to highlight our company's "Guiding Principles for Land Acquisition and Landowner Rights" to help guide TCP's land acquisition activity.

BE IT RESOLVED that Texas Central Partners commits to the following policies regarding land acquisition:

1. TCP will provide the landowner with a written statement or certificate of the its right to exercise eminent domain as well as a copy of the resolution authorizing the taking of the landowner's property and its letter to the Texas Comptroller registering the right of eminent domain;
2. TCP will provide advance written notice to private property owners of the intent to survey or access the property and will secure such consent in writing before entering the property;
3. TCP will provide advance written notice, a thorough overview of the project and the rights of the property owner to the property owner before any negotiations commence;
4. TCP will negotiate in good faith and make a good faith offer in an amount equal to or greater than an appraised fair market value of the property and damage to the remainder;
5. Should TCP be found to have misused the legal process or unnecessarily threatened the interest of private property owners, TCP will provide for payment to the property owner of all resulting costs and expenses, including attorney's fees;

¹ Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

² Landowners Bill of Rights: <https://www.texasattorneygeneral.gov/agency/landowners-bill-of-rights>

6. TCP will not acquire land through condemnation for any other purpose than for construction of a rail corridor. This includes use of eminent domain for recreational purposes, open space or private economic development
7. TCP supports the position that the original landowner should be given the first option to re-purchase their property at the original sale price in the event the Project becomes obsolete.
8. TCP guarantees the original landowner will retain all mineral and groundwater rights.
9. Negotiations will be in good faith and a good faith offers will be made in an amount designed to induce the voluntary transfer of property rights based on appraised fair market value of the property and damage to the remainder for the landowner and adjacent landowners.
10. TCP will provide landowners with a written appraisal from a certified appraiser detailing the adequate compensation that is owed for the property.
11. TCP will provide the landowner with an indemnity, proof of insurance, or written assurance that any damages occasioned by the survey or other activities, including construction, on the property will be the responsibility of TCP.
12. Landowners are entitled to receive adequate compensation for any and all required property. TCP will make a bona fide offer to buy the property before it files a lawsuit to condemn the property – and that offer will conform with Chapter 21 of the Texas Property Code.
13. TCP will take full responsibility for themselves and contractors, including reasonable measures to monitor all gates, cattle guards, and fences securing livestock and repair or replace any such gates, cattle guards, and/or fences that are damaged.
14. TCP will provide written notice of the landowner's option to reacquire the condemned property, or property conveyed in lieu of condemnation, and all associated property rights, for the price originally paid by TCP if the original project does not progress or is not completed within a reasonable time;
15. TCP will limit the width of any temporary or permanent easement to the minimum essential for the proposed project, restore any surface area and vegetation, and take steps to prevent and/or eliminate the invasion of noxious plants.

16. TCP will continue to pursue alignments along existing right of ways of other utilities, transportation facilities or along property boundaries to minimize damages to the landowner.

BE IT FINALLY RESOLVED that Texas Central Partners promises to adhere to the letter of the law in all negotiations, and to pursue an alignment that minimizes impact to landowners.