

- 11.400 Real Property Acquisition by Eminent Domain
- 11.401 Authority. The Board has the exclusive authority to exercise the power of eminent domain to acquire real property for the System. The Board shall exercise the power of eminent domain only to the extent and degree necessary to advance the purpose of the System and only in accordance with state law.
- 11.402 Condemnation Proceedings. The Board must identify all real property to be acquired by eminent domain for the advancement of the System, and a condemnation proceeding and in accordance with state law. The Board must issue an order approving and directing the System to initiate condemnation proceedings before the System is permitted to issue a final offer to the owner of the property to be condemned.
- 11.403 Prior Administrative Approval. The Chancellor, the President of the Institution for which the property will be acquired, if applicable, and the Vice Chancellor for Strategic Infrastructure must approve an acquisition by eminent domain before it is submitted to the Board for approval.
- 11.404 Responsibility. All activities involving the condemnation of real property must be coordinated by the Office of Strategic Infrastructure.
- 11.405 Appraisals. Condemnation of real property, excluding mineral interests, must be supported by two appraisals. For purposes of this Regents Rule, the most recent appraisal of the local property tax appraisal district may be used as one of the required appraisals. Appraisers retained by the System shall meet the minimum certification requirements for appraisers established by the Texas Higher Education Coordinating Board Rules.
- 11.406 Inspection. To the extent reasonably possible, the Office of Strategic Infrastructure must inspect, or cause to be inspected, all real property interests to be condemned prior to acquisition. When possible, an environmental assessment shall be conducted that, at a minimum, makes a reasonable inquiry into the previous ownership and uses of the property and is consistent with good commercial or customary practice.

