

2008 Barnett Shale Royalty & Landowner Symposium

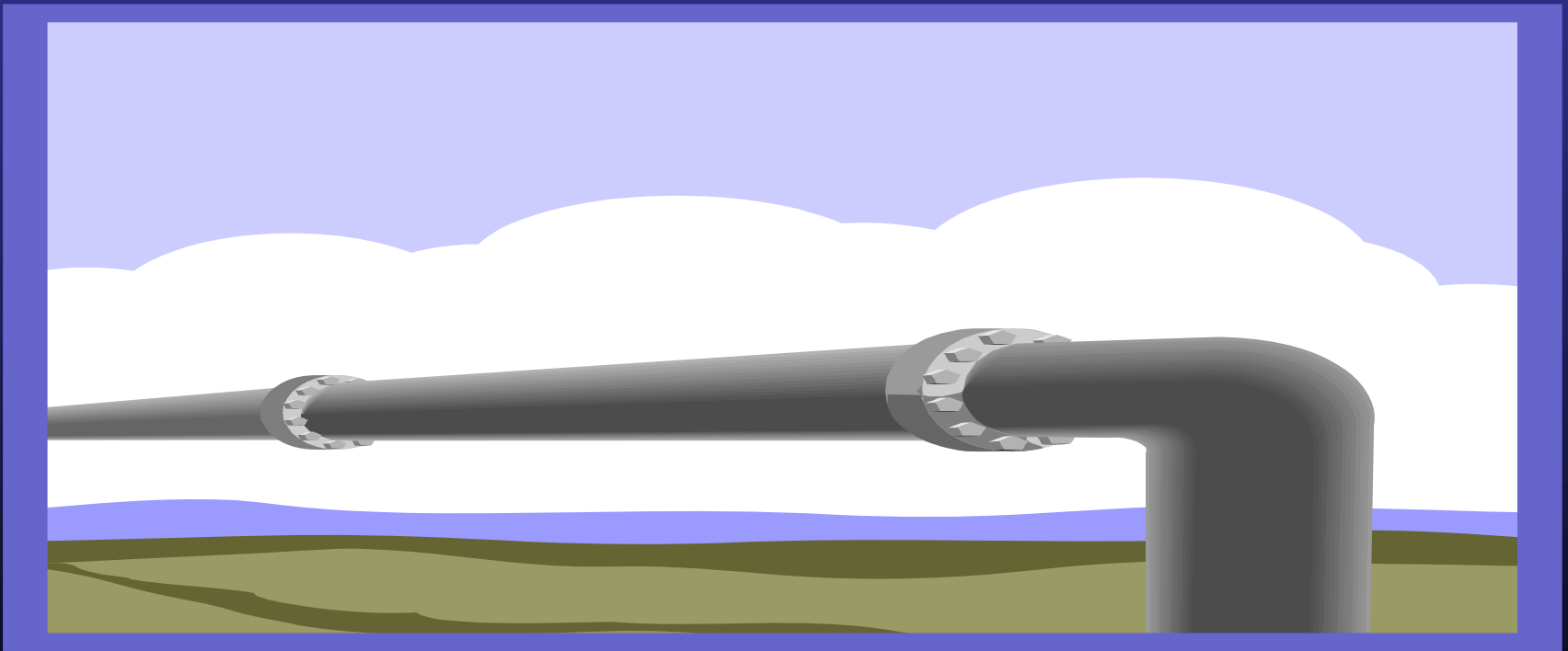
Presented by

Brad Boyd

Lovell, Lovell, Newsom & Isern, L.L.P.

May 16, 2008

Condemnation for Pipeline Purposes in Texas



Texas Property Code Governs Condemnation Process in Texas

Restraints That Prevent Outright Taking by Private Company

- Public Use
- Public Necessity
- Adequate Compensation
- Due Process

Public Use

Could the general public derive some benefit from the project?

Public Necessity

Limits the Amount of Land
That Can Be Taken

Adequate Compensation

“No persons property shall be taken, damaged or destroyed for public use without adequate compensation being made.”

Art. I, Section 17, Texas Constitution.

Due Process

The Right to be Heard Before
Property Taken.

Condemnation Process

1.Negotiation

2.Condemnation

3.Appeal via Trial Court

Commonly Asked Questions

- Do I lose my land?
- Do I lose my minerals?
- How wide is a typical easement?
- How close to my house?

Negotiating an Easement