

## FACILITIES

# Apartment owner says no to offer from UTA

The university will begin eminent domain proceedings if necessary, officials say.

BY JEREMY HOLLINGER  
Contributor to the Shorthorn

An offer to buy College Oaks apartments was rejected by its owner Monday, which will probably lead to condemnation proceedings, UT System officials say.

"The university has made an offer based on the appraisals we have received," said James S. Wilson, the executive director of the UT System Real Estate Office. "Robinson has already rejected it."

Don Robinson, owner of College Oaks apartments, declined to comment on the issue.

UT System officials say they will proceed with condemnation if Robinson continues to reject their offer, which will last until Friday.

"The university will continue to try and have a dialogue and negotiate with the owner," Wilson said. "And if that is not successful, we will turn it over to the eminent domain process."

Condemnation involves the university claiming eminent domain over the property that College Oaks apartments is on. Texas State Law authorizes the university to use any of the land included in its boundaries even if it is private property. The university must, though, compensate the owner of the property at the fair market value determined by the court of law.

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"Under that process, we will offer the appraised value," Wilson said. "The owner can claim whatever value he can support, and there will be hearings, and the value will be set. The purpose of the process is to determine the value."

The Tarrant County Tax Appraisal department rates the current market value of the property at \$383,000. University and UT System officials declined to comment on

the offered price for the complex.

Designated as first priority acquisition by the Campus Master Plan, College Oaks apartments has been under prospective investigation by the university since 1999.

Officials said their offer was the result of at least three appraisals conducted throughout the year.

"We made an offer because we thought the appraisals were accurate," Wilson said. "And under state law, we cannot pay more than the fair market value as determined by an independent appraisal."

The latest appraisal was completed by Dallas-based firm Hunsicker Appraisal, who declined to

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comment about the nature of the appraisal or its process.

The Transportation Division of the State Attorney General's Office will be responsible for condemnation.

Condemnation proceedings are nothing out of the ordinary, said Tom Kelly, a State Attorney General's Office

press officer.

"It happens all the time. These are pretty routine matters," he said. "We do get involved in issues like this one with universities statewide."

Currently, the Attorney General's Office has not been notified about this particular issue, he said.

At 901 S. Oak St., College Oaks apartments is on the site of a new residence hall slated to open in August 2004.

University officials say the condemnation legal process should not affect the construction plans and residents will be taken care of.

"We are going to handle it on a case by case basis. We will look at each situation," said Dan Williams, vice president of Finance and Administration. "We are going to try to treat everybody fairly."

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