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FACILITIES

Complex owner may sue UTA

Don Robinson, who owns the apartments, says university statements about buying his property have financially harmed him.

BY JEREMY HOLLINGER
Contributor to The Shorthorn

The owner of College Oaks apartments said Thursday he may file a lawsuit against the university on grounds that statements made by officials are "financially damaging."

Don Robinson, who owns the private, on-campus apartment complex, says comments from university officials in a prior *Shorthorn* article about buying the complex to make way for a new residence hall are incorrect.

University officials said Monday they plan to demolish the apartments after the purchase and begin construction next summer — statements which Robinson claims have financially harmed him.

"We have had half our tenants ask if the property is condemned and had three tenants skip because of what was said," he said. "We have been damaged be-

cause of what the university has said. They need to be responsible for that. I'm about ready to file suit on the college."

Dan Williams, senior vice president for finance and administration, said he has no comment on financial damages Robinson may incur.

"This is no great secret that we intend to purchase this property," he said. "It was in the Campus Master Plan three years ago."

The property, located at 901 S. Oak St., is defined in the Master Plan as a "first priority acquisition." Published in 1999, the Master Plan outlines the pro-

jected construction and land acquisitions of the university for the next 20 years.

Robinson said the university has made no "reasonable attempt" to purchase the property.

"There is no deal with the property, and it's probably going to be sold to somebody else," he said.

He said that at this point, he is negotiating with a potential buyer — not the university.

Robinson also claims UTA has repeatedly turned away potential buyers.

APARTMENT continues on page 5

Apartment

continued from page 1

"I have had four buyers turned off by the college over the last year," he said.

Robinson rejected an earlier price offered by the university.

"They had the property appraised about a year ago for half of what it was worth," he said. "They are not playing the game with a full deck."

If Robinson refuses to sell the property to the university, it has the option of invoking eminent domain. Eminent domain allows the university to take control of the property and proceed with demolition plans, said Andrew Hanz, finance and real estate assistant professor.

"The power of eminent domain is one of government interest in property, which is above and beyond any private interest in property," he said. "If the state has a use for the property for the good of the public, they can take it from us (private citizens) — but they have to pay just compensation."

Condemnation, the process

of establishing eminent domain, involves the legal system and can be argued on two points, he said.

"The property owner can argue one of two things," he said. "The property isn't for public use, or they can raise an argument over the fair market price."

A dormitory would qualify for public use, Hanz said.

Williams said the university has tried to offer Robinson \$850,000, but Robinson asked for 50 percent more than that.

"We will pay that price if that's what the property appraisers for," he said.

He said the university expects to pay the appraised price for Robinson's property.

"The university as a state agency has the right to exercise eminent domain," he said.

"If we can't negotiate the price when these appraisals are done, then that leaves us no choice but to exercise eminent domain. It's really not correct for him to act like he had no idea that the university was interested in buying that property."

Robinson said he disagrees with the university's appraised price of his property, and that



The College Oaks apartment complex, located at 901 S. Oaks St., is the proposed location for the construction of a new university residence hall, officials say. Owner Dan Robinson said he disputes the university's proposal and appraisal of his property.

will have to be dealt with if a case goes to trial.

John Hall, associate vice president for finance and administration, said this week

he expects an appraisal for the property within a few weeks dictating the amount the university would be willing to pay, something Robinson dis-

putes.

"They have never come anywhere close to what the property is worth," Robinson said. "They can apply eminent

domain, but they have to be realistic. There is a judge."

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