

**Dallas to Houston High-Speed Rail
Final Environmental Impact Statement**

**Appendix I:
TCRR Plans and Public Outreach**



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Texas Central Railroad & Infrastructure, Inc.
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Relocation Assistance Brochure



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I. Introduction

Texas Central Railroad & Infrastructure's (TCRI) Relocation Assistance Program is designed to ensure fair and equitable treatment for persons displaced by the high-speed train project.

This booklet is designed to answer your questions about your relocation entitlements. If you are required to move, a relocation agent will contact you. The agent will answer your specific questions and provide additional information you may need throughout the entire relocation process. You are encouraged to work closely with your relocation agent to ensure maximum receipt of all eligible relocation entitlements.

We will do everything we can to minimize any disruptions. Thank you for taking the time to read this booklet.

II. Definitions

Acquiring Agency: Texas Central Railroad and Infrastructure, Inc. (TCRI) is the company with the authority to acquire private property for public use.

Alien Not Lawfully Present: The law provides that if a displaced person is an alien not lawfully present in the United States, such person is not eligible for relocation payments or assistance, unless ineligibility would result in exceptional and extremely unusual hardship to the alien's spouse, parent or child, and such spouse, parent or child is a citizen or an alien lawfully admitted for permanent residence.

Business: Any lawful activity conducted primarily for the purchase, sale, lease and rental of either personal or real property; or for the manufacture, processing, or marketing of an article of commerce; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display when forced to move; or by a nonprofit organization. Farm operations are not included in this definition.

Displaced Person: Any individual, family, business, farm or association that moves from real property or moves their personal property from real property as a result of the acquisition of real property. This can be as a direct result of a written notice of intent to acquire, the negotiations for the acquisition of, or the rehabilitation or demolition of such real property.

Displaced persons are classified as:

- An owner occupant of a residential property (includes mobile homes)
- A tenant occupant of a residential property (includes mobile homes and sleeping rooms)
- A business, farm or nonprofit organization
- An individual with only displaced personal property

Family: Two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



Farm: Any activity conducted solely or primarily to produce agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

Initiation of Negotiations: The date TCRI makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a high-speed train project.

Nonprofit Organization: An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code

Small Business: A business having no more than 500 employees working at the site being acquired.

III. Relocation Assistance Advisory Services

Any person, family, business or farm displaced by a project shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TCRI. TCRI's goal and desire is to assist you in any way possible to help you successfully relocate. Relocation advisory services are provided to you free of charge.

A. Residential Assistance

Your relocation agent will provide you with assistance to meet your needs. You will be assisted in completing the application and claim forms for payments and all relevant financial information concerning replacement housing will be explained. Every displaced person will be offered assistance in order to minimize hardships encountered in searching for and locating a decent, safe, and sanitary replacement property. This includes transportation to inspect housing we have referred to you, if needed. If you have a special need, your agent will make every effort to secure the services of other public and private agencies in your community which are equipped to help you. Please make your needs known to your agent.

B. Business, Farm and Nonprofit Organization Assistance

The relocation assistance agent will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the community. The agent will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

Remember - your relocation agent is there to help and advise you; be sure to make full use of their services. Don't hesitate to ask questions and be sure you understand fully all your rights and relocation benefits.

Do not move until you have contacted your relocation agent for a definite understanding of eligibility requirements and ensure the maximum relocation benefits.



IV. Individuals and Families

A. Moving Costs

Displaced individuals and families may choose to be paid based on actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to assure your eligibility and prompt payment of moving expenses, you should contact the TCRI relocation agent before you move.

You can choose from either:

Commercial Move

1. You hire the mover
2. You pay the bills
3. We reimburse you based on our approved move estimate

OR

Move Yourself

1. Amount is based on number of rooms based on a Moving Cost Schedule
2. No receipts required

If you hire a commercial mover, actual reasonable moving expenses may be reimbursed. Certain other expenses are also reimbursable if TCRI determines that such costs are necessary, such as transportation costs to the new location, temporary housing, storage of personal property, insurance costs while personal property is in storage or transit, reconnection of utilities, and other related costs. Your expenses must be reasonable and supported by receipted bills. Reimbursement is also limited to a 50-mile moving distance in most cases.

If you move yourself, you will be paid based on the moving cost schedule. Moving cost schedules are prepared to provide adequate reimbursement for your moving expenses. The amount of the payment is based on the number of rooms in your dwelling. If you choose this option, your expenses need not be supported by receipted bills. Under this option you will not be eligible for reimbursement of related expenses since those are taken into consideration within the scheduled payment.

Persons moving from a rooming or dormitory type situation, and who have a minimal amount of personal property will be limited to a total moving payment of \$100. This amount also applies to anyone whose move is performed by TCRI at no cost to the person.

Prior to acting or incurring any moving expenses verify eligibility for reimbursement with your relocation agent.

V. Replacement Housing Assistance & Payments

Replacement Housing Payments are to compensate the displaced person for increases in housing costs caused by acquisition of their dwelling. These payments represent the difference between the acquisition



cost of your present dwelling and the purchase price of a comparable dwelling chosen by TCRI, or of the replacement dwelling you occupy, whichever is less. A comparable replacement dwelling means that your present dwelling and your replacement dwelling are substantially the same.

A. Comparable Replacements

A comparable replacement dwelling is functionally equivalent and substantially the same as the original dwelling acquired, regarding the number of rooms, area of living space, construction, age and condition. It must in an area with comparable public utilities, public and commercial facilities must be reasonably accessible to your place of employment and adequate to accommodate your needs. It must in an equal or better neighborhood and within your financial means. A comparable replacement dwelling must also be available on the open market and be fair housing, open to all persons regardless of race, color, religion, sex or national origin.

B. Decent, Safe and Sanitary Housing

A comparable replacement dwelling must also be decent, safe and sanitary. Often referred to as DSS housing, decent, safe and sanitary housing meets all the minimum requirements established by regulation and conforms to local housing codes and ordinances for existing structures. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.
- The kinds of Replacement Housing Payments that you may be eligible for depends on whether you are an owner or tenant and how long you have lived in the property being acquired prior to negotiations.
- There are three categories of payments:
 - Purchase Supplement – Owner Occupants of 90 Days or More
 - Rent Supplement – Owner Occupants & Tenants of 90 Days or More, and
 - Down Payment – Owner Occupants & Tenants of 90 Days or More

Purchase Supplement

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible for a purchase supplement. This



would be in addition to the acquisition price of your property, as well as assistance with incidental costs necessary to purchase a comparable DSS replacement dwelling. TCRI will compute the maximum payment you are eligible to receive.

To qualify for this supplemental payment, you must purchase and occupy a DSS replacement dwelling within one year.

Reimbursement for Other Costs

TCRI will also reimburse you for other costs that may be involved in the purchase of a replacement dwelling. The purchase supplement and other incidental costs are payments in addition to the purchase price of the dwelling acquired from you.

It is the intent of the relocation program to compensate you for your actual relocation expenses. However, those reimbursements must be reasonable and necessary.

Following here are some of the items which will be reimbursed, and the conditions which must be met for doing so.

Increased Interest Cost

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

Incidental Expenses

You may be reimbursed for some of your closing costs connected with the purchase of your replacement dwelling, but not for prepaid expenses such as taxes or insurance.

C. Rental Assistance and Payments

Owner occupants and tenants of 90 days or more may be eligible for a rent supplement. To be eligible for this type of payment, tenants and owners must have been in occupancy at least 90 days prior to the initiation of negotiations for the acquisition of the property. This type of payment is a supplement, enabling you to rent a DSS replacement dwelling.

The maximum payment which you qualify for, if any, will be determined by TCRI in accordance with established procedures. The rent supplement payment will be disbursed as determined by TCRI.

In addition to the occupancy requirements, you must rent and occupy a DSS replacement dwelling within one year.



D. Down Payment Assistance

Owner occupants of less than 90 days and tenants who purchase a replacement dwelling are entitled to a down payment assistance payment in the amount the person would receive as a rent supplement as described previously.

The term “required down payment” means the down payment ordinarily required to obtain conventional loan financing for the decent, safe and sanitary dwelling actually purchased and occupied by the displaced person.

The payment to an owner occupant of 90 days shall not exceed the amount the owner would receive as a purchase supplement if the owner met the 180-day occupancy requirement. The full amount of the down payment assistance payment must be applied to the purchase price of the replacement dwelling and related incidental expenses. TCRI’s relocation agent will explain the procedure.

VI. Businesses, Farms & Nonprofit Organizations

A. Moving Cost Options and Reimbursement

Owners or tenants are eligible for payments designed to reimburse them for:

- Their costs in moving personal property
- Their time in searching for a new location
- Actual loss of tangible personal property
- Their expenses in re-establishing at a new site

OR

- They can take a fixed payment in lieu of the other relocation benefits
 - This payment is between \$1,000 and \$40,000, based on the net earnings of the business or farm

Not all businesses, farms, or nonprofit organizations qualify for all payments. A relocation study will determine the extent of your eligibility.

When there is personal property to move, the owner has two methods to choose from:

1. Commercial Move

You may be paid the actual reasonable costs of your move provided by the services of a commercial mover. All your expenses must be supported by receipted bills in order to assure payment of your moving claim.

2. Self-Move



If you decide to move yourself, you may be paid an amount which does not exceed the lower of two firm bids by two qualified moving firms. If bids can't be obtained, your payment may be based on your actual, reasonable moving expenses supported by receipted bills or other evidence of expenses incurred.

You must first provide TCRI with an inventory of the items to be moved. The relocation agent will make a moving estimate or will secure two bids from commercial movers. You will be offered an amount to move yourself, or you can hire a commercial mover; reimbursement not to exceed the lowest bid. You must give your agent advance notice of the start of your move so that the move can be assisted, if needed.

B. Eligible and Non-Eligible Expenses

Some, but not all, of the elements of the move eligible for reimbursement are:

- Transportation costs packing costs
- Disconnect and reconnection of equipment
- Storage costs, if necessary
- Insurance
- Unused portions of licenses or permits
- Costs of obsolete signs and stationery

Searching Expenses

Displaced businesses, farms and nonprofit organizations may be reimbursed for actual reasonable expenses related to searching for a replacement property, not to exceed \$2,500.

Expenses may include costs such as transportation, meals, lodging when away from home, and the reasonable value of time spent in search. All expenses must be reasonable and necessary and supported by receipted bills. A detailed record of your searching activities must be kept and submitted before payment can be made.

Actual Direct Losses of Tangible Personal Property

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

C. Re-Establishment Expenses

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, determined by TCRI, for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TCRI. Your relocation assistance agent will explain the eligible expenses included under this category of relocation assistance.

Ineligible Expenses



The following is a nonexclusive list of re-establishment expenses **not** eligible for reimbursement:

1. Purchase of capital assets, such as office furniture, machinery, or trade fixtures.
2. Purchase of materials, supplies, or other items used in the course of normal operations.
3. Interest on money borrowed to make the move or purchase the replacement site.
4. Payment to a part-time business in the home which does not contribute substantial income.

D. Fixed Payment for Moving Expenses

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment IN LIEU of actual moving expenses, reestablishment expenses, actual direct loss of tangible personal property, and searching expenses. Such payment may not be less than \$1,000 or more than \$40,000.

For the owner of a **business** to be eligible for this payment, TCRI must determine that:

1. The business owns or rents personal property to be moved.
2. The business cannot be relocated without a substantial loss of its existing patronage (income).
3. The business contributes materially to the owner's income.
4. The displaced business is not part of an enterprise having at least three other similar entities not being acquired.
5. The business is not solely for the purpose of rental property

For the owner of a **farm operation** to be eligible for this payment, it must be determined that:

1. The operation contributes materially to the operator's income.
2. The acquisition of part of the land causes the operator to be displaced from the remaining land.
3. The partial acquisition causes a substantial change in the nature of the farm operation.

The amount of the actual payment for businesses and farms is determined by the average of the annual net earnings for the operations in the two years preceding the taxable year during which the enterprise is relocated.

A **nonprofit organization** is eligible for this payment when it cannot be relocated without a substantial loss of its membership or clientele. Any payment above \$1,000 is based on annual gross revenue minus administrative expenses.

You must provide tax information to TCRI to support your net earnings. If you've been in business less than two years, the net earnings for the actual period will be projected to an annual rate. Net earnings include compensation paid to the owner, the owner's spouse or dependents.

VII. Personal Property

All personal property within the acquired portion of your property will ultimately need to be moved. The relocation team will work closely with you to determine how and where to move equipment, livestock or other personal property.



VIII. Right of Appeal

If you believe that TCRI has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TCRI's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing.

TCRI will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

The Review Committee is led by Katie Barnes, Director of ROW. Katie Barnes can be reached at 1409 South Lamar Street, Suite 1022, Dallas, TX 75215 or by email at kbarnes@texascentral.com.

IX. Relocation Payments Not considered Income

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

The Texas High-Speed Train and Your Property Rights



Texas Central has prepared this Acquisition and Relocation Mitigation Plan for you as a landowner or tenant who may be affected by construction of the Texas Central high-speed passenger rail system, a transportation project that will offer a total travel time of less than 90 minutes between Dallas and Houston, Texas. If it appears that your property will be affected by the project, you have certain rights and are eligible for certain forms of payment and assistance in the event that you need to relocate your home or business.

This Acquisition and Relocation Mitigation Plan is designed to provide answers to the following questions:

- 1. Who will contact me about an offer to buy my property?**
 - a. Will my property be appraised?
 - b. What if Texas Central is only offering to buy a part of my property?
 - c. What will be the appraiser's qualifications?

- 2. What will I be paid for my property?**
 - a. What is an offer of just compensation?
 - b. Will I need to pay sales expenses for selling my property?
 - c. When will I receive the purchase price for my property?
 - d. Will Texas Central be able to enter onto my property?

- 3. Will Texas Central help me find a new place to live?**

- 4. Will Texas Central provide relocation advisory services to me?**

- 5. Will I receive payment toward purchasing a new place to live?**



- 6. Who will pay my moving costs?**
 - a. What if I own a business or farm or run a nonprofit organization on my property?
 - b. How will I receive reimbursement?
- 7. How much advance notice will I have before I have to move?**
- 8. How can I appeal the decision on payments for my property and relocation?**
- 9. What happens if a condemnation proceeding is initiated for my property?**
- 10. Why does Texas Central have the right to buy my property?**
 - a. What is eminent domain and how does it apply to Texas Central?



The Texas Central team is committed to working with landowners and tenants along the length of the train's 240-mile route, treating all parties with respect and negotiating in good faith in a fair, transparent process consistent with all applicable laws. We will make every reasonable effort to acquire real property expeditiously by negotiation. Texas Central will also seek to minimize the need for relocations and the permanent closure of displaced businesses as a result of relocations, pursue cooperative settlements of property acquisitions and relocation claims, and avoid protracted disputes and litigation wherever practicable. Texas Central is also committed to compensating landowners and tenants fairly, including spending the time to understand each person's concerns and unique property. As part of the land acquisition process, Texas Central will consider the market value of the property it acquires and take into account other specific considerations in order to determine the offer to each landowner and tenant like you.





Important Terms Used in This Acquisition and Relocation Mitigation Plan

- **Acquisition** – the process of purchasing real property (real estate) or an interest in real property.
- **Appraisal** – a written statement independently and impartially prepared by a qualified appraiser that presents an opinion of the value of a certain parcel of property as of a specific date, supported by an analysis of relevant market information.
- **Condemnation** – the legal process for acquiring private property for a public use or public purpose through the power of eminent domain.
- **Easement** – in general, the right of a person to use all or part of the property of another person for some specific purpose (e.g., construction, operation, and maintenance of a railroad). Easements can be permanent or temporary (i.e., limited to a particular time period).
- **Eligible Person** – a person who Texas Central determines (a) has been displaced from a home or business by the Project, and (b) qualifies to receive forms of relocation payment and assistance described in this document.
- **Eminent Domain** – the right of the government or other entity authorized by law to purchase private property for a public use or public purpose.
- **Fair Market Value** – the value of real property established by an appraisal.
- **Interest** – a right, title, or legal share in something, such as land or real property.
- **Just Compensation** – the price or amount paid to a property owner by Texas Central based on the fair market value of the property being acquired. The Fifth Amendment to the United States Constitution provides that when property is taken for a public use, the owner must be given just compensation. Article I, section 17 of the Texas Constitution uses the term “adequate compensation.”
- **Lien** – a charge against a property in which the property is the security for payment of a debt. A mortgage is a lien. So are taxes. Customarily, liens must be paid in full when the property is sold.
- **Market Value** – the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it.



- **Negotiation** – the process used by Texas Central to acquire property required for the Project.
- **Option** – a contract on a specific piece of real property that gives the buyer the exclusive right to purchase an owner’s property. Once the buyer pays for the option to buy the property, the option continues to be effective for the life of the option, even if the owner sells the property to someone else.
- **Person** – an individual, family, partnership, corporation, or association.
- **Personal Property** – in general, property that can be moved and that is not a part of or permanently attached to real property. Personal property is not included in the appraisal of the value of real property.
- **Project** – in the Texas Central high-speed passenger rail system, a transportation project that will offer a total travel time of less than 90 minutes between Dallas and Houston, Texas.
- **Real Property or Real Property Interest** – any interest in land and any improvements to such land, including fee and less-than-fee interests such as temporary and permanent easements, air or access rights, access control, options, and other contractual rights in property.
- **Waiver Valuation** – an administrative process that estimates the fair market value for relatively low-value, non-complex acquisitions, prepared in lieu of an appraisal.





Questions & Answers

1. Who will contact me about an offer to buy my property?

Texas Central is dedicated to working with all landowners in a direct and open manner. In order to acquire your property, Texas Central may seek to exercise existing option contract(s), enter into an option contract to purchase your property, or purchase your property outright, with an agreed-upon purchase price, based on Texas Central's offer of just compensation to you.

a. Will my property be appraised?

If Texas Central determines that all or part of your property needs to be acquired to build the Project, you will be notified as soon as possible of Texas Central's interest in your property and Texas Central's obligation to secure an appraisal of your property. You will be contacted by phone by a Texas Central Relocation Agent who will discuss Texas Central's interest in your property with you, as well as by letter. Texas Central assigns relocation agents geographically along the alignment to enhance their familiarity with your neighborhood.

Texas Central will obtain a written appraisal of your property based on nationally recognized appraisal standards known as the Uniform Standards of Professional Appraisal Practice (USPAP), including using qualified appraisers and review appraisers licensed by the Texas Appraiser Licensing & Certification Board. In limited circumstances, such as less-complex or costly acquisitions, Texas Central may prepare a waiver valuation instead of an appraisal.

A Texas Central agent and/or a qualified appraiser will contact you to make an appointment to initiate an appraisal of your property. You will be given the opportunity to accompany the appraiser during the inspection of your property.

During inspection, the appraiser will also provide you with additional general information about the project. The appraiser will analyze your property and examine all of the features which contribute to its market value. Information about improvements you have made and any other special features that you believe may affect the market value of your property should be given to the appraiser to ensure he or she has all the information that you feel is relevant to your property. You should advise the appraiser if there are other persons who own or have interest in your property, if there are tenants on the property, if your property includes other real or personal property that belongs to someone else, or if it includes any hazardous materials, underground storage, or utilities.



b. *What if Texas Central is only offering to buy a part of my property?*

If Texas Central only needs to acquire a part of your property for the Project, you will still be eligible for just compensation. An appraisal will be conducted in the same fashion as discussed in the response to Question 1.a, and Texas Central may seek to enter into an option contract to purchase your property, or purchase your property outright, with an agreed-upon purchase price, based on Texas Central's offer of just compensation to you. The appraisal and offer on your property will take into account any loss in market value to your remaining property in a case where Texas Central decides to purchase only part of your property.

c. *What will be the appraiser's qualifications?*

The appraiser or person performing the waiver valuation of your property will be licensed in the State of Texas by the Texas Appraiser Licensing & Certification Board, in good standing, and hold a professional designation from one or more nationally recognized appraisal societies. Appraisers will be independent and will not have any interest, direct or indirect, in the property being valued for Texas Central. The compensation that Texas Central pays to appraisers for performing their services will not be based on their valuation estimates for your property.

d. *What can I expect if I already have or am offered an option on my property?*

Texas Central may offer you a written option to purchase your property. If you accept this offer, Texas Central will pay you a portion of the full agreed-upon purchase price for your property as an up-front payment, which you may keep whether Texas Central ultimately needs to purchase your property for the Project or not. You will receive the full remainder of the purchase price as just compensation for your property if Texas Central decides to obtain your property for the Project and once the parties close on the sale at the agreed-upon terms.

e. *What can I expect if I am offered the full purchase price instead of an option?*

Texas Central may offer you the full purchase price of your property as just compensation rather than an option contract for your property. The offer from Texas Central will be in writing. To accept or discuss the offer, you will contact your Texas Central Right of Way Agent. You will receive the full price for the purchase of your property when you and Texas Central close on the sale at the agreed upon terms.



2. What will I be paid for my property?

Texas Central is committed to compensating landowners fairly, including spending the time to understand each landowner's concerns and unique property. As part of the process, Texas Central will consider the market value of real property as well as taking into account other unique considerations in order to determine the offer to each landowner. Texas Central will work to understand how owners use their property and how the Project can accommodate uses to minimize impacts on the land.

The sale of your property to Texas Central will be handled in the same way as any private sale of property.

a. *What is an offer of just compensation?*

Before negotiating with you to buy your property, Texas Central will establish a price that it believes is just compensation for your property. The amount will not be less than the approved appraisal of the fair market value of the property. Texas Central will then provide you with a written offer for your property, which will include a written statement of just compensation that outlines the basis for the offer. You will be given a reasonable opportunity to consider the offer, present any material that you believe is relevant to determining the value of your property, and suggest modifications to the proposed terms and conditions of purchase. Texas Central may update the offer of just compensation as appropriate.

b. *Will I need to pay sales expenses for selling my property?*

In addition to paying fair market value for your property, Texas Central will also pay for the preparation of all documents, all title and escrow fees, a policy of title insurance, recording fees, and other fees that may be required for the conveyance of title to Texas Central. Title insurance is usually paid for by the Seller but Texas Central will bear this cost in these transactions. Because this is a direct conveyance of real property from you, the owner, to Texas Central, there are no real estate commissions involved. Texas Central will not reimburse the cost of professionals you may choose to hire, such as an appraiser, broker, or attorney.

c. *When will I receive the purchase price for my property?*

Texas Central will pay you the full agreed-upon purchase price for your property when you and Texas Central close on the sale at the agreed upon terms.

d. *Will Texas Central be able to enter onto my property?*

Yes. Texas Central will need surveys to help map the Project's detailed route before the actual purchase of your property. Texas Central will seek your consent and will



give you advance notice of at least 24 hours before any surveyors enter your property. If consent is denied, and a survey is absolutely necessary, Texas Central may seek a court order permitting them to survey your property as those rights are granted under the Texas Transportation Code Sections 112 and 131.

3. Will Texas Central help me find a new place to live?

Your Texas Central Relocation Agent will provide you with assistance to meet your needs. You will be assisted in completing the application and claim forms for payments and all relevant financial information concerning replacement housing will be explained. If you are required to move, you will be offered assistance in order to minimize hardships encountered in searching for and locating a decent, safe, and sanitary replacement property.

Texas Central will recommend at least one comparable replacement dwelling to all eligible persons who relocate as a direct result of the Project. A comparable replacement dwelling is a residential dwelling that is functionally equivalent (performs the same function, and provides the same utility) to the one that you move away from and that is decent, safe, and sanitary, meaning that it meets local housing and occupancy codes.

Texas Central will inform you in writing of all comparable replacement dwellings being made available should you chose to purchase or lease it. Texas Central will make every reasonable effort to inspect all comparable replacement dwellings to ensure that they are decent, safe, and sanitary. Where possible, Texas Central will offer you transportation to inspect any replacement housing to which you are referred. For further information, please see Question 7 below.

If you are a senior citizen or a person with a disability, Texas Central will recommend and provide comparable replacement housing options that are functionally equivalent to your current property in terms of your specific accessibility needs.

4. Will Texas Central provide relocation advisory services to me?

Texas Central has put into place a relocation assistance program that will assist you in navigating the moving process if you are required to move. Through these relocation advisory services, Texas Central will assist in determining your specific individualized relocation needs and explain, through an in-person interview with you, the eligibility requirements for you to obtain any available relocation payments or benefits. These services are over and above the payment you will receive for the



purchase of your land and/or improvements and will vary depending upon your unique factual circumstances. Depending upon your circumstances, these benefits include those associated with:

- Relocation Assistance Advisory Services for Residential, Businesses, Farms and Non-Profit Organizations
- Moving Costs
- Replacement Housing Assistance and Payments
- Other Assistance for Businesses, Farms and Non-Profit Organizations
- Personal Property

Notification of these benefits will be provided to you at least 90 days before you may be required to relocate, consistent with Question 7 below. Please contact your Texas Central Relocation Agent for further information.

5. Will I receive payment toward purchasing a new place to live?

If you are a tenant or owner who have been in occupancy at least 90 days prior to the initiation of negotiations for the acquisition of your property, you are entitled to receive a replacement housing payment toward the purchase price of a comparable replacement dwelling or other property that you move to. The kinds of replacement housing payments that you are eligible for depends on whether you are an owner or tenant and how long you have lived in the property being acquired prior to negotiations. Thus, eligibility for these benefits will vary depending upon your unique factual circumstances. Texas Central will send you a letter notifying you of your eligibility for relocation assistance. Your relocation notice letter will provide additional details on comparable replacement housing in your area, your eligibility for a replacement housing payment, and how your replacement housing payment will be calculated.

For further information, please see Question 7 below and contact your Texas Central Relocation Agent.

6. Who will pay my moving costs and relocation benefits?

After conducting an interview with you, Texas Central will determine your eligibility for certain payments for your moving expenses and other relocation benefits and assistance. If eligible, Texas Central will reimburse you for certain moving expenses

or may make a fixed payment to you in lieu of reimbursement. Additionally, Texas Central will pay moving costs to relocate personal property as described below.

Eligibility for these benefits will vary depending upon your unique factual circumstances. Texas Central will provide further details on the types of payments available to you when you receive advance notice of the need to relocate. For further information, please see Question 7 below and contact your Texas Central Relocation Agent.

a. *What if I own a business or farm or run a nonprofit organization on my property?*

If you relocate from a business, farm, or nonprofit organization as a direct result of the Project, Texas will reimburse for costs to move your personal or business property, for time spent searching for a new business location, and for expenses to re-establish your business at a new site if you are eligible. Alternatively, Texas Central will pay you a fixed payment in lieu of the relocation benefits described above if eligibility requirements are met. For further information, please see Question 7 below.

Texas Central will use all best efforts to minimize disruptions to or closures of businesses, farms, and nonprofit organizations affected by the Project.

b. *How will I receive reimbursement?*

To be reimbursed for, or to receive a fixed payment for, moving expenses and relocation benefits, you must submit a claim to Texas Central by filling out a claim form that we provide to you. You will have up to 18 months from relocation or when you receive final payment for your property, whichever is later, to submit your claim. Your claim must include supporting documentation of your incurred expenses, such as bills, certified prices, appraisals, or other evidence of such expenses. Texas Central will provide reasonable assistance to you necessary for you to complete and file your claim. Texas Central will review your claim and promptly notify you of any additional documentation that may be required. You will receive payment on your claim as soon as feasible after Texas Central receives sufficient supporting documentation.

7. *How much advance notice will I have before I have to move and when will I be advised of any benefits I may be eligible for?*

You will have at least 90 days of advance written notice before you have to move. Texas Central will send you a letter notifying you of your eligibility for relocation assistance. You will not be required to move any sooner than 90 days after receiving that letter. Texas Central also will pay you the agreed-upon purchase price for your



property when you and Texas Central close on the sale at the agreed upon terms. Furthermore, your notice letter will provide additional details on any benefits, advisory services, or other payments that are be available to you as part of the relocation process, as well as information on comparable replacement housing in your area, as described above. Moving expenses and relocation payments will be paid consistent with the claims process described in Question 6.b.

If you prefer to move from your property sooner, you may contact Texas Central to discuss your situation.

8. How can I appeal the decision on payments for relocation?

If you are dissatisfied with Texas Central's determination of your eligibility for any type of relocation payment or assistance described in this Acquisition and Relocation Mitigation Plan, or the amount of any such payment, you have the right to file a written notice of appeal with Texas Central at the address provided below:

Texas Central – Attn: Appeals
1409 South Lamar Street, Suite 1022
Dallas, TX 75215

Your appeal must be in writing. Texas Central will consider your written appeal regardless of form, and Texas Central will promptly review all appeals. Your notice or letter of appeal should state what issues you are claiming, the reasons why you believe your claim should be allowed, and any other ways in which you believe you are aggrieved based on Texas Central's acquisition of your property. The letter should clearly identify the specific real property involved in the appeal. You must provide your mailing address and signature, or the signature of your authorized representative. Texas Central may refuse to schedule any review or hearing on your appeal until these requirements have been met and may issue an order dismissing your appeal if the requirements are not met within a reasonable time period, which will be no less than 14 days.

When reviewing an appeal, Texas Central will consider all pertinent justification and any supporting information that you choose to submit. Texas Central will issue a written decision on the appeal, including an explanation of the basis on which the decision was made, and provide a copy of the decision to you or your authorized representative. If the full relief you request in your appeal is not granted, Texas Central will advise you of your right to seek judicial review of its decision. You have the right to be represented by an attorney or another representative in connection with



your appeal, which would be solely at your own expense. The reviewing official will not have been directly involved in the action being appealed.

9. What happens if a condemnation proceeding is initiated for my property?

Texas Central will make every effort to reach an agreement with you during negotiations. During the negotiation process, you are entitled to present additional information and make counter offers or proposals for Texas Central to consider. Texas Central seeks to minimize the need for condemnations and is committed to pursuing cooperative settlements of property acquisition and claim disputes whenever possible.

You can read more about Texas Central's commitment to landowners and tenants on our website: www.texascentral.com/landowners.

As a last resort, if Texas Central cannot reach an agreement with you to purchase your property, Texas Central would acquire the property by exercising eminent domain authority under Texas law.

If needed, a formal condemnation proceeding would be instituted in the appropriate state court in the county where the property is located. The court will appoint Special Commissioners—landowners who reside in the county—to hold a hearing regarding the amount of compensation you should be paid for your property. Texas Central and you will have the right to appear and present evidence at the Special Commissioners' hearing. If either party is dissatisfied with the Special Commissioners' award, they are able to file objections and request a trial by judge or jury. Texas Central will not reimburse you for costs you incur because of condemnation proceedings, unless ordered by the court.

More detail on the Texas condemnation process can be found in the Texas Landowners' Bill of Rights, which is attached as Appendix A.

10. Why does Texas Central have the right to buy my property?

a. What is eminent domain and how does it apply to Texas Central?

The United States Constitution and Texas Constitution and federal and state laws authorize public agencies and certain private entities to acquire private property for public use through a concept known as eminent domain. The law of eminent domain also provides certain safeguards for individual property owners. Texas law delegates



the power of eminent domain to certain private entities—such as railroads—that perform public functions. Texas law gives Texas Central eminent domain authority to purchase private property as a railroad and interurban electric railway company.



Contact Texas Central

For all other questions, please contact us. If you would like to request an in-person meeting to go over your unique situation, we will be happy to set up an appointment at a time and place convenient for you.

Jordan Riness
Director, Right of Way
Texas Central
213-945-1097
jriness@texascentral.com





APPENDIX A

The State of Texas Landowner's Bill of Rights