

## Dallas Morning News, The (TX)

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### **Stadium eminent domain imminent for homeowners** **Arlington: They say offers are too low; city says plan won't change** *JEFF MOSIER Staff Writer*

The Arlington City Council is expected to authorize on Tuesday eminent domain proceedings against as many as 19 properties needed for a new Dallas Cowboys stadium and approve resolutions paving the way for 33 more condemnations in the coming weeks.

Mayor Robert Cluck said the properties are owned by individuals who are either unwilling to sell or are demanding an unreasonable price for their homes or lots. Some have not responded to the city's offers, he said, and a few would not allow city negotiators on their property.

"If they can't make reasonable counteroffers," Dr. Cluck said, "we have to use this tool."

City officials said they would continue to negotiate with property owners through Tuesday to try to avoid the need for condemnation. However, Dr. Cluck said, some homeowners are unlikely to settle without legal action.

The city's announcement came a day after the U.S. Supreme Court released a decision confirming that cities have wide latitude in condemning property for economic development purposes. That decision, which Dr. Cluck said didn't affect the timing of next week's votes, means that federal appeals of condemnations for the stadium in Arlington are unlikely.

Robert Magnus, whose house is on the condemnation list, said he was unaware of the City Council's vote next week, but he's not surprised. He had hoped that the Supreme Court would help him with its *Kelo v. New London* case.

Mr. Magnus would not say how much the city has offered him for the house he's owned for two years, but he said it wasn't enough to pay off his mortgage.

"They are just giving me pennies and telling me to get out," he said.

City officials said they are required to pay fair market value for the properties, and in addition, they are offering incentives ranging from \$5,250 for renters to \$22,500 for homeowners who agree to accept an offer and move quickly. Also, some moving expenses would be paid by the city.

Glenn Sodd, a Corsicana attorney specializing in eminent domain cases, could not be reached for comment Friday. He has said that he represents the owners of 15 homes and lots and four apartment complexes that are on the stadium site and that he would take the cases to the state Supreme Court if necessary.

The City Council approved resolutions last week stating that 19 properties are needed for the stadium. Dr. Cluck said those resolutions were the first steps toward the filing of eminent domain proceedings. At next week's meeting, 33 more of those resolutions are on the agenda.

The council also is expected to vote on the voluntary purchase of nine other properties. The city has already agreed to purchase prices for a dozen other homes.

A majority of the 33 homes on the resolution list are rental properties owned by Charlie Scott, a major landlord in that neighborhood. Mr. Scott could not be reached Friday.

Walter Herrington, who owns 10 homes in the neighborhood that will be cleared for the stadium, said he wants to be avoid going to court, but he wants the city to pay enough to allow him to purchase more rental houses elsewhere.

"I would love to keep it out of the courts, but they're going to have to pay me what I need," he said.

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