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### Residents at stadium site mull offers Arlington: Some hold out, but officials say process going smoothly *JEFF MOSIER Staff Writer*

This will be Bill Rychlik's 46th and final summer at his house on Sweetbriar Drive.

Mr. Rychlik is negotiating with the city to sell the home he's owned since 1959 and a rental house next door to make way for a Dallas Cowboys stadium. He said he's mostly satisfied with the offer, although he's asking for a little more money.

"We don't have a long way to go," he said. "They seem to want to treat you right."

Mr. Rychlik, 81, is one of several residential property owners sandwiched between Randol Mill Road and Sanford Street who have received offers for their homes. City officials would not reveal the number of people who have been given offers or the number who have agreed to them.

Because this mix of rent houses and longtime residents is in the stadium "footprint," Arlington officials are making offers there first so construction can begin in spring 2006. Other property owners, whose land will be needed for parking, will receive offers later. The \$650 million stadium is scheduled to open in 2009.

"Right now, it's going surprisingly smoothly," said Roger Venables, the city's real estate manager. "There was a lot of angst and apprehension."

City officials said they hope to finish presenting the offers - which are made in face-to-face meetings - within the next two weeks.

Sweetbriar Drive resident Faye Rodden said the offer made by Pinnacle Consulting Management Group, a company hired by the city to assist with land acquisition, was better than she expected, but she, too, is holding out for more.

"Obviously, it wasn't exactly what I hoped for," she said.

Ms. Rodden, a retiree who has lived in her home for 54 years, said she hopes to settle soon because she said she knows that her days in this neighborhood are numbered.

"I'm going to be on the 50-yard line," she said. "I'll have to go."

Other property owners, including some who haven't received offers yet, aren't likely to be as accommodating.

Glenn Sodd, a Corsicana attorney and eminent domain specialist, said he's representing about a half-dozen homeowners and an apartment complex owner. Several others have said they would hire him if they were unhappy with their appraisals.

Several clients could not be reached for comment.

City officials said that if they can't come to an agreement with the property owners, they would use eminent domain to obtain the land.

Mr. **Sodd** said his argument is likely to be a simple one if these cases go to court. The property purchased by the city should be valued based on its commercial potential, he said, rather than the current residential value. A majority of the property that the city plans to purchase is residential although some commercial land along Division Street is needed for parking.

"We think that the evidence is going to show that this area has a lot of commercial potential," said Mr. **Sodd**, who represented property owners whose land was taken for Amerquest Field. "These people are surrounded by retail and a stadium."

Mr. **Sodd** said that case law requires that the property be appraised at its "highest and best use," which is not always its current use. He said that a few years ago, the residents of that neighborhood had agreed to sell their land for a commercial development, but that project fell through.

Ron Wright, Arlington's mayor pro tem, said he believes that the appraisals should take into account only the current value, not some unknown future value.

"It would be terribly unfair for the taxpayers who are footing some of the bill for this," he said.

John McClish, a partner in an Austin law firm specializing in eminent domain cases, said that the "highest and best use" standard is the correct one, and that's the instruction given to a jury in such cases. The city could argue that the neighborhood would always be residential while the homeowners could say that it would inevitably be swallowed by the commercial development surrounding it.

"How that comes out is going to depend on the specific facts of each case," he said.

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