

## Fort Worth Star-Telegram

May 23, 1997

Section: ARLINGTON

Edition: ARLINGTON AM

Page: 5

## Landowners agree to \$7.3 million judgment in

Ballpark case  
MARY DOCLAR  
Star-Telegram Writer

ARLINGTON - The landowners involved in a dispute over the condemnation of their land to build The Ballpark in Arlington have agreed to accept a \$7.3 million judgment and will not pursue the case any further, their attorney said yesterday. Glenn **Sodd**, the Corsicana attorney representing the plaintiffs, who are the heirs to the Curtis-Mathes television-manufacturing fortune, said his clients decided to accept the offer made by the Arlington Sports Facilities Development Authority so it could put the case behind them.

"They've been in litigation over this matter for almost six years," **Sodd** said. "The prospect of going on through the appeals courts and back down to retry the case so they could have a chance to get land back was going to be expensive and take so much longer. Some of family are in poor health and wanted to bring this thing to an end." The plaintiffs and city officials signed the agreement yesterday, but City Attorney Jay Doegey said the courts still must approve the documents and enter orders disposing of the case.

Bill Snider, president of the sports authority's board of directors, said he was pleased to hear that the case has been resolved. The land was condemned by the authority and made into a parking lot at The Ballpark.

"It's a difficult process," Snider said. "There's a lot of merit to getting it resolved and getting it behind us." **Sodd** said the Mathes family has spent about \$3 million in legal costs and associated expenses in their fight to get what they consider to be fair compensation for their land.

It has been almost a year since a civil court jury determined that the sports authority must pay almost \$5 million for a 12.5-acre, L-shaped tract along Ballpark Way between Road to Six Flags and Randol Mill Road and a smaller parcel south of Randol Mill next to Johnson Creek.

Attorneys for the Mathes family rejected the sports authority's assertion that the land was worth about \$1 million. Appraisers hired by the family testified during the two-week trial that the property was worth as much as \$6 million.

City officials were preparing to appeal the jury's determination, but in March the council made what Doegey called a "business decision" to deposit the award into an escrow account to avoid escalating interest that had raised the original \$5 million judgment to \$7.2 million. Since then, the fund has grown to about \$7.35 million.

The judgment money came from The Ballpark rent payments made to the city by the Rangers, Doegey said. However, he said that the sports authority expects the Rangers to reimburse them for the jury award, although Rangers president Tom Schieffer disputed that, saying "the lawsuit is against the sports authority and that authority will ultimately pay the judgment." Schieffer also said that although he is pleased that the situation has been resolved, he still disagrees with the jury's decision.

Copyright 1997 Star-Telegram, Inc.