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Former owners of Ballpark land considering settlement offer

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ARLINGTON - Owners involved in a six-year dispute over whether their land could be condemned to build The Ballpark in Arlington have not decided if they will accept the city's offer of \$7.2 million and drop their appeal, their attorney said yesterday.

Glenn **Sodd**, the Corsicana attorney representing the property owners, said the offer made this week by the Arlington Sports Facilities Development Authority probably would be attractive to his clients.

If they accept the \$7.2 million that has been placed into an escrow account with the court, **Sodd's** clients, the heirs to the Curtis-Mathes television-manufacturing fortune, would give up their right to appeal the case further.

"I think it's fair to say that it's a positive development," **Sodd** said. "Under the right circumstances, it might very well be attractive to these people to complete the case."

Sodd said that two of his clients are out of the country and that he has been unable to reach the third.

One of those clients, Jane Mathes Kelton, reached in Costa Rica yesterday, referred all questions to **Sodd** except to say that no decision had been reached.

In June, a Tarrant County civil court jury determined that the sports authority must pay almost \$5 million for 12.5 acres it offered the Mathes family \$817,220 for in 1991.

Interest had brought that amount to \$7.2 million.

The matter landed in court because the city and the Mathes family could not agree on the fair market value of the land.

The land includes an L-shaped tract along Ballpark Way between Road to Six Flags and Randol Mill Road and a smaller parcel south of Randol Mill Road adjacent to Johnson Creek.

Bill Snider, president of the sports authority's board of directors, said the funds were placed into an escrow account with the court so it would no longer accrue interest at a rate of \$1,800 a day.

The three representatives of the Mathes fortune would have to agree to no longer contest Judge Calvin Ashley's ruling that the sports authority had the right to condemn property near The Ballpark in Arlington and use it for parking lots.

"That is a tough decision because they feel so strongly about it," **Sodd** said. "They would very much prefer to sell the property at their own leisure and at their own price, as opposed to a price set by a jury. The decision they have to make is 'Is five years long enough?'"

If the family does not end the dispute and continues to appeal, the sports authority can ask for a lesser judgment, City Attorney Jay Doegey said.

However, the \$7.2 million will not be paid out of sales tax funds because the Rangers ballclub has a contract with the sports authority stipulating that the authority doesn't have to contribute more than the \$135 million it has already spent in acquisition of land and construction of The Ballpark

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