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Arlington sports authority files motion for new trial on property near ballpark *Larry Hartstein Staff Writer of the Arlington Morning News*

Arlington's sports authority has asked a judge to set aside a \$5 million jury award won by landowners whose property was condemned for The Ballpark in Arlington project.

In a motion for a new trial filed Friday, the sports authority contends that a county court erred when it let appraisers testify about unaccepted offers for the 13-acre parcel, arguing that the offers were not relevant to the land's market value.

Jurors considered that evidence before determining that the property was worth \$5 million when it was condemned in 1992. Most of the land is now covered by ballpark parking lots.

Glenn **Sodd**, a lawyer for the landowners, did not return a phone message left at his office Monday.

If the motion for a new trial, which alleges several court errors, is rejected, the sports authority plans to appeal the jury award.

The condemnation occurred after the Rangers and the Arlington Sports Facility Development Authority were unable to negotiate a deal with the landowners.

In eminent domain cases, the governmental entity must pay the landowner fair market value, which is determined by appraisals.

In this case, land commissioners set the value at nearly \$800,000, a sum the sports authority has set aside until the dispute is settled.

Unhappy with that amount, the landowners took the authority to court and obtained a \$4.98 million award from a Tarrant County jury.

If the verdict is upheld on appeal, city officials say, the Rangers will have to pay the jury award minus the approximately \$800,000 set aside by the sports authority.

That arrangement is stipulated in a contract between the ballclub and the authority, city officials say.

With interest figured from the time the land was taken, the award is already worth more than \$6.5 million, according to lawyers on both sides of the case.

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