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### Jury says city owes for land

#### Ballpark tracts could cost \$5 million

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ARLINGTON - The Arlington Sports Facilities Development Authority must pay almost \$5 million for 12.5 acres it took four years ago from private landowners for parking lots near The Ballpark in Arlington, a civil court jury ruled yesterday.

The action in Tarrant County Court at Law No. 1 is a victory for the Mathes family, which had owned an L-shaped tract along Ballpark Way between Road to Six Flags and Randol Mill Road and a smaller parcel south of Randol Mill adjacent to Johnson Creek.

"This is a huge victory, and my clients are ecstatic," said Glenn Sodd, a Corsicana lawyer who represents the Mathes family. "It's not because the price was high, but because it shows that our clients were right to fight this."

Arlington City Attorney Jay Doegey said the ruling was "obviously a setback for us," but predicted that the sports authority and the City Council would direct his office to appeal the decision.

Attorneys for the family, heirs to television-manufacturing magnate Curtis Mathes, steadfastly 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.

The family's argument that the sports authority had no right to take their property was rejected in previous court action.

Mayor Richard Greene, who spearheaded the effort to establish the sports authority to oversee the city's interest in the

sales-tax-supported Ballpark project, agreed that an appeal is likely and that the case could drag on another two years.

"I expect the council will get a briefing from the attorneys on Tuesday, and that's when a decision will be made on whether an appeal is the way we want to go," Greene said. "The amount that the jury awarded was far more than our appraisers said the property was worth."

The contested properties, a 10-acre parcel between Six Flags Over Texas and The Ballpark in Arlington and 2.5 acres south of Randol Mill Road, were taken by the sports authority in February 1992 under the law of eminent domain. The matter landed in court because the two sides are unable to agree on the fair market value of the land.

The Ballpark project is being financed in part with a half-cent sales tax increase in Arlington. Jurors were not allowed to consider what effect development would have on the value of the property at the time it was condemned.

The sports authority has placed \$817,220, which is the amount that three county land

commissioners said the property was worth, into an escrow account. Any more must be paid by the Rangers.

Rangers spokesman John Blake said ballclub officials will stand by their policy of not commenting on lawsuits.

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