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### Hearing to focus on city's status in land suit

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A Tarrant County court judge will consider in a hearing today whether Arlington should be included in a lawsuit against the stadium authority over the right of the authority to take 13 acres for the Texas Rangers ballpark project.

Including the city in the lawsuit, which was originally filed against the Arlington Sports Facilities Development Authority, would mean that the city must adhere to whatever is decided in the case. That could prevent the city from condemning the land again if the stadium authority loses the lawsuit, City Attorney Jay Doegey said. Since condemning the land, the stadium authority has developed parking lots on part of the property. The land was owned by two partnerships controlled by the Kelton Mathes family.

"They just want to bind the city by whatever decision is made by the court," Doegey said, adding that without including Arlington in the lawsuit, the door is open for the city to try to take the land again.

The city hasn't been officially informed of the request to add it as a defendant in the case, Doegey said, but he plans to attend the hearing.

Glenn **Sodd**, attorney for the landowners, said in court documents that Arlington should be included in the lawsuit and that the sports authority and the city are intertwined.

"Failure to join the city, based on the present facts, might result in multiple litigation, confusion to the jury and a factual and legal 'mess' . . .," **Sodd's** request says. "The authority is merely the foot soldier which is carrying out the orders of its general - the city of Arlington."

**Sodd** was unavailable for comment yesterday.

Judge Vincent Sprinkle is scheduled to consider the issues in a hearing in a civil court in Fort Worth at 8:45 a.m. today.

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