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Memo: Refer to microfilm for accompanying map.

### Landowners say Rangers are pulling a squeeze play

Club officials hope to develop nearby holdings as neighbors of the new stadium face losing property for a parking lot.

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*Star-Telegram Writer*

ARLINGTON - For about 50 years, Clara Fanning or family members have occupied a small frame house adjacent to a barn filled with a few horses on 10 acres.

Her children would like to wait until the nearby Texas Rangers ballpark project opens in 1994, probably increasing surrounding property values, and sell the land.

Instead, they are being forced to sell the prime real estate - at the values set before the project was announced - so it can be paved over as a parking lot for the ballpark.

Landowners like the Fannings say the Rangers got a much better deal on 73 acres the team sold the city than they're being offered.

And they're even more upset that the Rangers get to save other land, some of which is already a parking lot, for what the club hopes will be even greater profits in the future.

City and stadium authority officials counter that the perks given to the Rangers were just part of the deal to keep the team in Arlington and that the 73 acres weren't really sold to the city.

"I see what they're saying. I guess I really don't know how to respond," said Bill Snider, president of the Arlington Sports Facilities Development Authority. "Whether or not it's fair that the Rangers get to keep the land north and someone else's land was condemned - all I can say is that was the deal."

Other ballclubs or stadium developers also have reaped the benefits that come with being a sports franchise. For example, the developers of Joe Robbie Stadium in Dade County near Miami received property adjacent to the county-donated land for private development.

The Rangers would like to use their property along Copeland Road for high-rise office buildings, similar to those in Las Colinas, Rangers President Tom Schieffer said, adding that such plans are 10 to 20 years away. That property includes part of the current parking and land the Rangers will obtain next to the Sheraton CentrePark in exchange for parcels next to the Arlington Convention Center and Punch Wright Park.

While the Rangers are setting that land aside for the future, the Fanning property - owned by Clara Fanning, who lives in a nursing home, and occupied by her grandson - already has been filed for condemnation in county court, according to deed records.

And the stadium authority is working with bankruptcy court to gain approval to condemn about 13 acres owned by the Kelton Mathes family, which includes property owned by Ramshire Joint Venture and Creditron. Price negotiations are still under way for Vantage

Co.'s property, already developed as an office park, said attorneys for those property owners.

But the attorneys say their clients aren't being treated fairly because decisions about which land will be used for parking are made by the Rangers, who can profit from those decisions. Normally, they argue, governmental entities are given the power to condemn land so they can obtain it at a fair value.

"The propriety of the take will be an issue," said Joe Geary, an attorney for Vantage Co. "It seems to buy and tear down buildings for a parking lot when you've already got . . . acres adjacent to it raises a question."

Ron Dusek, a spokesman with the state attorney general's office, said the office couldn't give an opinion on the situation without a formal complaint.

Ray Hutchison, the city and stadium authority's bond attorney, said he doesn't believe that the Rangers' clout or their right to design the ballpark, including its location, makes the condemnations unethical or illegal.

"They happen to own a baseball franchise. They have some leverage," Hutchison said. "The discretion rests in the city and the authority to determine which land they want to acquire."

In condemnation hearings, land is taken and then either court-designated arbitrators or a jury decides what a fair market price should be after hearing testimony from both sides. In condemnations, the price paid must be based on the value of the land before any announcement of its purpose has been announced.

Mayor Richard Greene added that if property prices and values are too high, then the city won't approve the purchase, even if the Rangers want the land.

During condemnation hearings, attorneys for the property owners plan to argue that the Rangers gave some land to the stadium authority in exchange for the city paying \$17 million in debt owed by the club. If that is considered a purchase, the land brought about \$5 a square foot, more than double what some property owners have been offered, said attorney Glenn **Sodd**, who represents two owners: the Kelton Mathes and Fanning families.

"A good business deal was cut," **Sodd** said of the Rangers-city agreement. "But they're not willing to cut a good business deal with anyone else."

Rangers and city officials argue that the \$17 million wasn't a negotiated land price, but a separate transaction that helped keep the major-league team in Arlington.

"We were paying off the debt as part of the whole deal," Snider said. "The fact that certain land was conveyed to the authority . . . it's almost as if one doesn't have anything to do with the other."

The tracts surrounding the site are appraised at \$2.19 per square foot to \$3.80 per square foot, according to city tax records. The stadium authority has purchased two surrounding properties: 63 acres south of the ballpark site for \$6 million or \$2.19 per square foot; and 13.12 acres east of the site for \$1 million or \$2.19 per square foot, according to city records.

But there have been too few sales in the area to establish a good market rate, said Arlington real estate broker Larry Durbin. Prices for land range from as little as 50 cents a square foot to more than \$5 a square foot, he said.

Whatever the arrangement that left the Rangers with the land along Copeland, there is no doubt that the ballclub got a good deal, Durbin said.

"It's obvious as far as commercial value, it's the most valuable piece over there," he said.

Schieffer says the landowners' objections are just part of negotiation tactics often taken in condemnation proceedings.

"I think the people who think it's unfair are people who are trying to sell the property for a higher value than it's worth, and I don't blame them for taking that position," Schieffer said.

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