

By JESSICA CRAWFORD

- Daily Leader

On a petition filed Nov. 19, 2008, the City of Liberal asks judgement be brought against WaterPark Experts Inc. of Seguin, Texas. The company, hired for the construction of the new Liberal Aquatics Center to be completed in March of 2009, stating WPE was “experiencing financial hardship, that WPE was closing its doors, that WPE would be exploring the filing of bankruptcy.”

The city is asking for a judgment of \$2,260,000 be awarded them due to a breach of the agreement made between the city and WPE in the latter part of May of this year.

According to legal paperwork submitted by city attorney Shirla McQueen, the City of Liberal has sued the company for “sustained damages in amounts in excess of \$2,260,000.”

As stated in a petition signed by city manager Mark Hall, “WPE has certain tangible property currently within the city limits.” The property, which includes a Caterpillar backhoe with attachments and a concrete pump totals in value of \$50,000, which should be awarded to the City of Liberal, bringing the dollar amount of the judgment down.

The petition noted, “Liberal ought to recover, after allowing all credits and set-offs, and considering the value of the property sought to be attached, the amount of \$2,210,000.00.”

“All I really know in the lawsuit is that the Jim Stephenson of WaterPark Experts has been served with breach of contract,” said Liberal Mayor Joe Denoyer. “I think they sued him for the entire amount, but that is really all I know as of now.”

Denoyer also said the City of Liberal has taken over construction of the aquatic center. The city has hired Alamo Grid Construction of Mississippi LLC to subcontract the project, which will continue to leave the actual construction still in the hands of Cap Kelly.

“Cap Kelly was the subcontractor actually hired by WaterPark Experts to do our pool,” Denoyer added. “So basically the only one that is gone from the project is Jim Stephenson, everyone is still on the job. Alamo Grid is Cap Kelly’s company.”

Attempts to reach McQueen and Hall for comments were unsuccessful as of press time.