

LEGAL AID SOCIETY OF MINNEAPOLIS

TIMOTHY LEE THOMPSON
tthompsn@midmnlegal.org
(612) 746-3750

DOWNTOWN OFFICE
430 FIRST AVENUE NORTH, SUITE 300
MINNEAPOLIS, MN 55401-1780

CLIENT INTAKE: (612) 334-5970
TELEPHONE: (612) 332-1441
FACSIMILE: (612) 334-5755
TDD: (612) 332-4668

March 11, 2005

Chuck Lutz
Community Planning and Economic Development
105 Fifth Avenue South – Suite 200
Minneapolis, MN 55401-2534

RE: *Hollman Decree and Heritage Park home ownership units timeline extension*

Dear Mr. Lutz:

As you know, Heritage Housing LLC has requested an extension of the timelines set out in the redevelopment contract for completion of home ownership units at Heritage Park. It is my understanding that CPED and Heritage Housing LLC have now reached an agreement in which they would seek approval from the City Council for amending the redevelopment contract to provide for the completion of the first 171 home ownership units by March 2007.

As you know, the March 2004 Order entered by the Court included a stipulated agreement in which the parties agreed that 167 home ownership units would be completed by December 2006. Thus, the newly negotiated terms essentially provide for a three month extension. As counsel for class plaintiffs, we remain concerned about a gradual erosion of the Decree and action plan and master plan timelines, but under the circumstances, are willing to agree on a one-time basis to this short-term extension. Although normally we would insist upon a Court-approved amendment to the previous Order, given the fact that the Court file is currently in "closed" status (subject to reopening), that is not practical. In light of that, I think it is sufficient to note that in the event this newly negotiated extension is not complied with, plaintiffs reserve all rights they may have to challenge the City's failure to live up to the Decree, including all of the obligations incorporated therein.

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Unless I hear otherwise from the City, I will assume that this conforms with the understanding that you and your counsel have regarding this matter.

Sincerely,

Timothy Lee Thompson / by cas

Timothy Lee Thompson
Litigation Director

TLT:cas

cc: Cherre Palenius
Tom Streitz, MPHA
Shelley Roe, Office of the Minneapolis City Attorney
Peter Ginder, Office of the Minneapolis City Attorney
Rodney Hardy, Heritage Housing LLC

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