

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAU, et al.,	)	66 C 1459
	)	
plaintiffs,	)	66 C 1460
	)	
v.	)	(Consolidated)
	)	
Jack Kemp, Secretary of	)	
Department of Housing and	)	
Urban Development, and	)	JUDGE ASPEN
CHICAGO HOUSING AUTHORITY,	)	
	)	
defendants.	)	

MOTION FOR
PRELIMINARY AND PERMANENT INJUNCTION

NOW COMES Movant-Intervenor , Southeast Side Residents For Justice (hereinafter "SERJ") and moves for leave to intervene as a plaintiff in this matter. In support of this Motion To Intervene Movant states as follows:

1. Movant SERJ is a voluntary organization of residents, block clubs, religious institutions, individual community organizations, local park advisory councils and businesses in the Northern half of the Community of Kenwood bound by 43rd Street on the North, 47th Street on the South, Cottage Grove on the West (800 East) and extending to the Lake on the East in the City of Chicago.

2. SERJ is an organization committed to the establishment and maintenance of a racially and economically stable and integrated neighborhood.

3. SERJ also seeks in this action to act in a representative capacity for its individual members, Black, White, Hispanic and Oriental, including persons living in assisted housing, residing in Census Tract 3901, and adjoining tracts, who have the right to live in a racially and economically stable and intergrated area. The geographical boundaries of the Movant encompass and overlap the geographical boundaties of Census Tract 3604. See Exhibit 5 attached hereto and made a part hereof.

4. That the Habitat Corporation, acting as a Receiver for the Chicago Housing Authority ("CHA") in the above captioned case has announced that the CHA will build at 4519-4531 South Lake Park Avenue, a location within the above referenced section of North Kenwood and Census Tract 3901, housing units pursuant to its mandate in the above captioned case, i.e. the "scattered-site" prpogram.

5. That neither the Habitat Corporation or CHA had informed or otherwise advised any of the residents or other groups comprising Movant of its intention to build such housing in the above referenced area.

6. That construction of these new units of housing began without publication and is currently in progress.

7. Construction of such units on said site violated the intent of the previous finds and remedial orders entered in this case in that:

a) Said area is severely impacted with subsidized housing units, with the 4600 block of South Lake Park Avenue immediately south of the site and part of Census Tract 3901 having only three habitable structures on the block two of which together contain 198 housing units 100% per cent of which are assisted housing.

b) The area is experiencing substantial segregation-racially and economically in that it was 99% Black in 1970, 99% Black in 1980 and 99% Black in 1988. It is believed that the 1990 Census will show even greater detrimental economic change to the area.

c) Shakespeare School, the neighborhood school, is 99% Black and 0% white.

d) The Community has .5% park space in the entire area.

e) The Community (Area 39) is adjacent to community areas 36 (Oakland) and 38 (Grand Boulevard) whose number of subsidized housing units are 2924 and 4530 respectively based upon 1980 Census date. See Exhibit number 3 attached hereto and made a part hereof.

8. Construction of such units on said site would violate Movant's right to live in a economically and racially stabilized and intergrated area in that they will solidify the area as an economically and racially segregated area.

9. The CHA has previously determined that the North Kenwood area was too severely impacted by assisted housing and that no new scatter-sites should be constructed therein pursuant the "buffer-zone " concept embraced in the Consent Decree entered in the Gautreaux Litigation.

10. Of 77 community area in the City of Chicago approximately 39 have no "scatter-site" units. Community Areas 39 and 36 are impacted with over 5,000 units of public and subsidized units.

11. Movant would suffer irreparable harm in that the ability to live in an intergrated area is an intangible benefit the loss for which they cannot be adequately compensated.

12. The Movant has no adequate remedy at law.

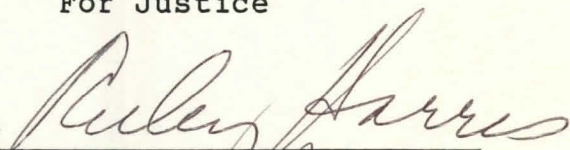
WHEREFORE, Movant prays the Court to find in their favor, grant Movant leave to intervene and enjoin Defendants from the construction of the aforesaid "scatter-site " units.

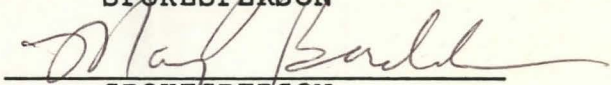
WHEREFORE, Movant prays the Court to find in their favor,
grant Movant leave to intervene and enjoin Defendants from
the construction of the aforesaid "scatter-site " units.

Respectfully submitted,

Southeast Side Residents
For Justice

By


SPOKESPERSON


SPOKESPERSON

SOUTHEAST SIDE RESIDENTS
FOR JUSTICE
4556 SOUTH LAKE PARK AVENUE
CHICAGO, ILLINOIS 60653

A F F I D A V I T

On oath, MARY FRANCES BORDELON and RUBY DELORES HARRIS, state as follows:

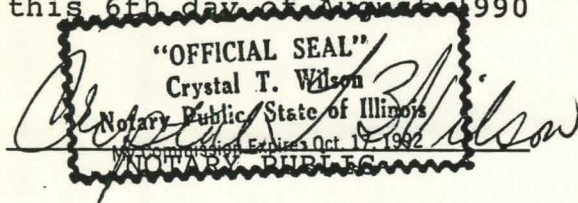
1. That they are authorized spokespersons for the Plaintiff-Movant, the SOUTHEAST SIDE RESIDENTS FOR JUSTICE, in the foregoing Motion To Intervene and Motion For Injunction.

2. The statements contained in said Motions are true and correct.

FURTHER AFFIANT SAYETH NAUGHT.

Ruby D. Harris
Mary F. Bordelon
SPOKESPERSONS, SOUTHEAST SIDE
RESIDENTS FOR JUSTICE

Subscribed and sworn to before me
this 6th day of August 1990



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Jack Kemp, Secretary of	)	
Department of Housing and	)	
Urban Development, and	)	JUDGE ASPEN
CHICAGO HOUSING AUTHORITY,	)	
	)	
defendants.	)	

MOTION TO INTERVENE

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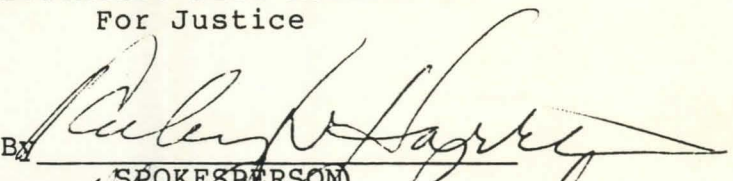
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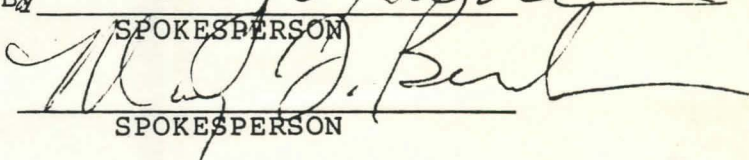
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SOUTHEAST SIDE RESIDENTS
FOR JUSTICE
4556 SOUTH LAKE PARK AVENUE
CHICAGO, ILLINOIS 60653

GAUTREAUX CASES

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Chicago, Illinois 60603
312-641-5570

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GALTREAU ET AL,

PLAINTIFFS

-vs-

JACK KEMP, SEC. OF
THE U.S. DEPT. OF HOUSING
AND URBAN DEV., AND
CHGO HOUSING AUTHORITY

DEFENDANTS

66C-1459

66C-1460

CONSOLIDATED
CIVIL ACTION NO.

JUDGE'S NAME:

MARVIN ASPEN

NOTICE OF MOTION

~~ANSWER TO THE COMPLAINT~~

AND

CERTIFICATE OF SERVICE

TO: ATTACHED SERVICE LIST.

PLEASE TAKE NOTICE THAT ON 8/10/90
AT 9:30 A.M., OR AS SOON THEREAFTER
AS COUNSEL MAY BE HEARD, OR SPOKES-
PERSON MAY BE HEARD, WE SHALL APPEAR
BEFORE THE HONORABLE MARVIN E. ASPEN,
IN THE COURTROOM USUALLY OCCUPIED
BY HIM AT THE DIRKSEN FEDERAL BUILDING,
219 S. DEARBORN STREET, CHGO, ILL 60604,
AND PRESENT THE MOTION FOR INJUNCTION,
COPIES OF WHICH ARE ATTACHED HERETO.

WE CERTIFY THAT A COPY OF THIS NOTICE
AND MOTIONS WERE MAILED TO ALL
PARTIES ON THE ATTACHED SERVICE SHEET
ON THIS 10TH DAY OF AUG, 1990, BEFORE 5.00

NOTICE OF MOTION AND CERTIFICATE
OF SERVICE (CONT PAGE 2)

P.M.) EXCEPT THAT OF RATNER AND
LOBUE WERE SENT BY NEXT DAY
AIR. U.S. MAIL.

Ruby Larrus
Spokesperson for S.E.R.J.

May Boudt
Spokesperson for S.E.R.J.

S.E.R.J.

MAILING ADDRESS

4556 S. LAKE PARK

CH 60 ILL. 60653