

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

<b>DOROTHY GAUTREAUX, et al,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>66 C 1459</b>
<b>vs.</b>	)	<b>66 C 1460</b>
	)	
<b>CHICAGO HOUSING AUTHORITY, et al.,</b>	)	<b>Hon. Marvin E. Aspen</b>
	)	
<b>Defendants.</b>	)	

**DEFENDANT CHICAGO HOUSING AUTHORITY’S MOTION TO ACQUIRE  
PUBLIC HOUSING ELDERLY/SENIOR UNITS IN THE ROSENWALD  
COURTS REDEVELOPMENT INITIATIVE**

Defendant Chicago Housing Authority (“CHA”), respectfully moves that the Court enter an order in the form attached, which would authorize the development of 60 new elderly/senior public housing units at Rosenwald Courts, formerly known as Michigan Boulevard Apartments, located on the city block between Michigan Avenue and Wabash Avenue and 46<sup>th</sup> and 47<sup>th</sup> Streets in Chicago.

CHA further requests that the Court’s entry of said order does not create a precedential decision as to the Plaintiffs’ or the Defendant’s position on Gautreaux’s applicability to the construction of elderly/senior units. CHA asks that any determination of such matter be reserved for future interpretation by this Court.

In support of this motion, CHA states as follows:

1. The CHA and the Gautreaux plaintiffs presently have differing positions on the interpretation of Gautreaux orders regarding CHA’s ability to use HUD Capital Funds and Moving To Work Funds on senior/elderly unit development without prior order of

this Court. Rather than litigating this issue, and because CHA supports the Rosenwald Courts development project and the Gautreaux Plaintiffs do not object to the project on the merits, CHA has chosen to request the Court's approval to use federal funds on this project and preserve its position for later determination by this Court. Accordingly, CHA seeks the Court's approval of this project without prejudice to its right to argue in the future that the Court's prior orders do not restrict CHA's ability to develop senior/elderly units.

2. The plan for Rosenwald Courts provides for two hundred and thirty nine (239) units of rental housing, of which sixty (60) will be public housing elderly/senior one-bedroom units, sixty (60) will be project-based elderly/senior one-bedroom units supported by CHA's Property Rental Assistance Program, one hundred and five (105) will be affordable units, and eighteen (18) will be market rate units. The affordable and market rate units are one and two bedroom family units. James Bergman's Affidavit (hereafter's Bergman Affidavit) attached as Exhibit A, describes in greater detail the physical and financial structure of the development project. See Exhibit A.

#### ROSENWALD COURTS

Unit Type	Senior Public Housing	Senior CHA-PRA Units	Affordable LIHTC	Market Rate	Total Units Senior/Family
	50% AMI	50% AMI	60% AMI	N/A	
1 BR	60	60	49	6	175
2 BR	0	0	56	8	64
TOTAL	60	60	105	14	239

3. Rosenwald Courts is located on the entire city block between Michigan and Wabash Avenues and 46<sup>th</sup> and 47<sup>th</sup> Streets in Chicago. Rosenwald Courts includes the following structures: seven 3-story walk-up buildings located on the Northwest section containing approximately 33 units; one 5-story elevator building with an entrance on Michigan Avenue and a second entrance on 47<sup>th</sup> Street containing approximately 120 units; and one 5-story elevator building with an entrance on 46<sup>th</sup> Street and another entrance on Wabash Avenue containing approximately 86 units. There is a connected retail/office portion of the site along 47<sup>th</sup> Street that connects the 5-story elevator buildings and 2 acres of secured and landscaped courtyard space exclusively for use by residents and their guests. See Bergman Affidavit, Ex. A1 – Master Building Plan.

4. The CHA has a potential need for acquiring elderly/senior units and the development of the current site (now vacant) will re-integrate the site in the Bronzeville community and support the City's redevelopment initiative of the historic Michigan Boulevard Apartments.

5. The CHA is proposing to acquire 60 elderly/senior units and project-base another 60 vouchers for senior residences. Senior housing is a much needed commodity in this area, with the aging population and the length of its current senior housing waitlists. The CHA currently has a 98% occupancy rate in its elderly/senior units. CHA's elderly/senior units have little turnover; therefore, the CHA cannot alleviate the present need for more elderly/senior families unless existing units become available, CHA creates or acquires new units, or a third-party allocates some of its units to one of the CHA's programs. The Rosenwald Courts Project would provide the CHA with a total of 120 elderly/senior units. These extra units would help to relieve some of CHA's present strain.



6. The Rosenwald Courts redevelopment project also will help the area continue to move in a positive direction for revitalization. For the last 10 years, Rosenwald Courts has been a vacant square city block within a growing community. The vacant building is not only an eyesore, but it also inhibits redevelopment of the surrounding properties. Rosenwald Courts developers have acquired funding from various sources to create needed housing and continued business growth to the community. However, for the project to move forward, the closing to start construction must occur before the end of December 2014 in order to meet the financing restriction deadlines for the financing approved for the project by the City in December 2013. Bergman Affidavit, par.7.

7. The Court has on a number of occasions entered similar orders permitting development of non-elderly public housing in Limited Areas, following a site-specific, case-by-case review, provided that the development of these units was "in furtherance of the purposes" of the Judgment Order. The Court entered such orders on August 5, 2003 and August 22, 2005 (permitting the development of 14 and later 57 public housing units on and near the site of the former Rockwell Gardens development, as part of a mixed-income development) and on December 16, 2003 (permitting the development of 27 public housing units adjacent to the old Stateway Gardens development, as part of a mixed-income development). Most importantly, on March 26, 2004, April 17, 2006, November 6, 2007, July 23, 2009 and February 26, 2014, the Court permitted five phases of the Taylor development (collectively called Legends South) to go forward, including Phases C-3 whose South Parcels are directly to the south of the site proposed for Rosenwald Courts.

8. The area itself where Rosenwald Courts is located has continued to move in a

positive direction for revitalization. The area has continued to experience a substantial increase in public and private investment which has led to residential rehabilitation and new construction both residential and commercial. The CHA believes the proposed development of Rosenwald Courts is “designed to achieve results consistent with [the Judgment Order]” pursuant to paragraph X of the Judgment Order, 304 F. Supp. 736, 741 (N.D. Ill. 1969) for the following reasons:

A. Mixed-Income Housing – The proposed sixty (60) elderly/senior public housing units will offer to members of the *Gautreaux* plaintiff class as an opportunity to live in quality mixed-income housing. In addition to the sixty (60) elderly/senior public housing units, Rosenwald Courts will consist of sixty (60) project-based elderly/senior units, one hundred and five (105) affordable rental units designated for households earning up to 60% of the area median income, and eighteen (18) market-rate rental units. The proposed buildings will be privately owned and managed. See Bergman Affidavit, par. 6.

B. Commercial and Residential Development – Ongoing redevelopment surrounding the site.

- i. Robert Taylor Homes Redevelopment: Redevelopment continues both on and off the former Robert Taylor Homes site. Completed to date are the Langston and the Quincy, both offsite developments. Mahalia Place, Hansberry Square, Coleman Place and Savoy Square have been completed, all part of the Legends South development. Development continues with the creation of Gwendolyn Place, Phase C-3, an offsite portion of Legends South with eight sites (i.e. the “South Parcels”) located on S. Calumet Avenue between East 47<sup>th</sup> St. and East 49<sup>th</sup> St. and approximately one half mile from Rosenwald Courts. All phases of Legends South have brought mixed income rental housing to the area. See Affidavit of Don Oshita, par. 1, attached as Exhibit B;
- ii. Stateway Gardens Redevelopment: Redevelopment continues both on and off the former Stateway Gardens site. Since the high-rise demolition,



three phases of development are complete with the fourth phase presently under construction. Now known as Park Boulevard, this mixed income and racially diverse new community provides diverse housing opportunities for different life styles within its single family homes, 3, 4 and 6 flats, townhouses and midrise condominium apartments. This development has a considerable homeowner component. Illinois Institute of Technology provided purchase incentives to its employees to buy new homes in the redevelopment areas and is currently a member of the Stateway Gardens redevelopment Working Group. Oshita Affidavit, par.2;

- iii. A major development project located approximately one mile east of the Rosenwald Court project is the delivery of Shops and Lofts, a Court-authorized development, located at 47<sup>th</sup> and Cottage Grove. It includes 96 mixed-income rental units: 28 public housing, 44 affordable and 24 market rate. The project broke ground in April 2013, bringing mixed income rental units to the area as well as important, smaller national and local retail business including a Walmart Neighborhood Express Market grocery store which opened in October 2014. Construction is complete and units leased. Oshita Affidavit, par.3;
- iv. Also completed is the construction of Bronzeville Artists Lofts, located at 436 East 47<sup>th</sup> Street. It is funded by the Neighborhood Stabilization Program and includes a café/bakery, community arts programs, and a permanent art gallery, along with residential units;
- v. A private developer, Brinshore, is in the process of renovations to a residential building located at 48<sup>th</sup> Street and Calumet Avenue, near the Rosenwald Courts project. This rehabilitation will include 21 units, and new for-sale single family homes on S. Calumet Avenue between 47<sup>th</sup> and 48<sup>th</sup> Streets. Oshita Affidavit, par. 7;
- vi. CHA was approached to allow for the acquisition of land for a new tennis facility, XS Tennis, Inc., at 50<sup>th</sup> and State Street, the southern end of the original Robert Taylor site. Internal discussions concerning the possible sale of the land in exchange for market value (inclusive of commensurate benefit) began in January 2014. Disposition of the land will allow for market cash value of \$2 million, commensurate benefit of 60 annual class scholarships for CHA youth totaling \$180,000 yearly for a period of ten (10) years and reserving employment for CHA residents. Fulfillment of the employment opportunity is guaranteed for ten (10) years including any potential turnover in employment. CHA completed publication of an amendment to its Annual Plan for potential disposition of the land, submitted the Disposition Application to HUD for approval on November 25, 2014, and supplied information for comments to the CHA Resident Representatives, The Central Advisory Council. Oshita Affidavit, par. 6.

While the Gautreaux Plaintiffs intend to submit their own filing to the Court, CHA notes that – importantly – the Gautreaux Plaintiffs do not object to CHA's participation in this project. Because both CHA and the Gautreaux Plaintiffs see the merits of the project, neither party wishes at this juncture to engage in a dispute of whether the Court's prior permission is required. Rather, the parties have chosen to seek the Court's approval and preserve litigation for a later date.

**WHEREFORE**, for all of the reasons stated above, CHA requests that the Court approve its participation in the transformation of the Michigan Boulevard Apartments into the Rosenwald Courts by entering the attached order.

**Respectfully Submitted,**

  
\_\_\_\_\_  
One of the Attorneys for the CHA

**Attorney No. # 50100  
Scott Ammarell, Esq.  
Elizabeth M. Silas, Esq.  
Chicago Housing Authority  
60 East Van Buren, 12<sup>th</sup> Floor  
Chicago, Illinois 60605  
(312) 913-7090  
(312) 913-7905 FAX**



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

DOROTHY GAUTREAUX, et al,	)	
Plaintiffs,	)	
	)	No. 66 C 1459
vs.	)	66 C 1460
	)	
CHICAGO HOUSING AUTHORITY, et al,	)	Hon. Marvin E. Aspen
Defendant.	)	
	)	

AFFIDAVIT

I, James Bergman on behalf of Rosenwald Courts Apartments, L.P. being first duly sworn on oath, states:

- 1) Rosenwald Courts, formerly the Michigan Boulevard Apartments, is located in the Grand Boulevard Community on Chicago's south side. It sits on one square city block approximately 4.6 acres and is bordered by 46th St. to the north, 47th St. to the south, Michigan Ave. to the west and Wabash Ave. to the east.

The building was designated as a Historic Landmark by the National Park Service in 1981. The site consists of five-story walk-ups and three-story walk-ups. Renovation of the Landmark Buildings will return 239 senior & family quality housing opportunities to the community of which up to 225 will be affordable to families with incomes up to 60% AMI and create 56,747 sq. ft. of commercial space opportunities for retail, office and community service facilities. The renovation will preserve the building's historic façade, while undertaking a complete gut rehab and redesign of interior spaces. One section of the five-story building (5 units) will be returned to the original floor plans.

On the five-story building the senior housing will enter and front on Michigan Ave., the family housing will enter and front on Wabash St. and the commercial space will enter and front on 47th street. All five-story entrances are centralized and have secured entries with cameras and entry by key-fob. Building amenities include seating lounges, computer rooms, fitness centers, reading lounges and provide residents with 2 acres of landscaped courtyard. The unit amenities in the 1 and 2 bedroom configurations provide all modern conveniences to include air-conditioning. The senior units will have laundry lounges on each floor while the family units have a washer/dryer in each unit.

The balance of the site includes seven attached three-story walk-up buildings located at 46<sup>th</sup> and Michigan Avenue. These buildings will remain three-story walk-ups and will have their own separate entrances and rear porches. They have common stairwells and will not have elevators or common space. These buildings will share a small backyard and will have a security fence with a key-fob secure gate to allow access to the courtyard.



- 2) CHA will participate in 60 PH Senior (ACC) units and 60 Senior units through the Property Rental assistance (PRA) program. The unit mix and breakdown is as follows:

	Senior Public Housing ACC	CHA - Senior PRA Units	Affordable - LIHTC	Market Rate/ Unrestricted Property Management	Total FAMI LY/PM Units
	50% AMI	50% AMI	60% AMI		
1 BR	60	60	0	N/A	120
2 BR	0	N/A	0	0	0
Total:	60	60	0	0	120

Unit Type:	Public Housing - ACC	CHA - PRA Units	Affordable - LIHTC	Market Rate/ Unrestricted Property Management	Total FAMI LY/PM Units
AMI:	50% AMI	50% AMI	60% AMI		
1 BR	N/A	N/A	49	6	55
2 BR	N/A	N/A	56	8	64
Total:			105	14	119


- 3) This Rosenwald will be a redevelopment catalyst for the Bronzeville community by creating needed quality housing, jobs and commerce, all contributing to and strengthening the local economy. It will remove the blight and liability of a square city block within the community and reclaim a historically significant building and its cultural importance. In 2003, it was deemed one of the 11 most endangered historical places and in 2007 Preservation Chicago deemed it "Chicago's seven most threatened buildings".
- 4) It will also re-energize the 47<sup>th</sup> Street Commercial Corridor. This commercial composition includes; ground floor retail and the western half of the upper four floors for professional office space.
- 5) Highest and best use is a mixed use project that creates quality affordable housing, strengthen local economy and create jobs. This project is consistent and supported by the City's 5 year Affordable Housing Plan ('09-'13) related to preserving affordable housing and commitment to Seniors, City's "Taking Stock Plan" for affordable Senior Housing (06-'09), LISC/QCDC Quad Communities Plan strategies related to housing, reclaiming historic buildings, developing retail and fostering locally owned businesses and the 2010 Urban Land Institute (ULI) TAP Report "The Rosenwald's historical and cultural significance outweighed the preservation challenges".
- 6) The ownership entity, Rosenwald Courts Apartments, LP, consists of the General Partner, Rosenwald Courts GP, LLC, and is comprised of DR Rosenwald LLC (9% member), GB Rosenwald(76% managing member,) and Rosenwald LGG LLC, 15% member). The investor USA Rosenwald Courts LLC is now the sole limited partner (99.99% ownership interest). The Owner purchased the building in January 2013.

- 7) In December 2013, the Owner closed on the Federal Home Loan Bank, Illinois Department of Commerce and Economic Opportunity grant, and \$1.45M permanent loan debt. This closing enables the project to take advantage of the 30% Low Income Housing Tax Credit basis boost which would not have been available should the tax exempt bonds close after December 13, 2013. Construction will not begin on the project until the CHA Closing for the CHA Moving To Work Funds (anticipated for December 2014) at which time the CHA funds will be fully committed. The bonds and Tax Increment Funding included mandatory redemption language should the CHA closing not occur prior to November 3, 2014, which has been extended for a December closing date. If the CHA closing does not occur by December 31, 2014, it would require a reissuance of the bonds and the deal would lose the boost making the project infeasible.
- 8) The area around the proposed new Rosenwald redevelopment has shown signs of improvement in recent years. Outlined below are factors that we believe are likely to continue attracting mixed income families and commercial investment.
  - a. Robert Taylor Redevelopment. The former site now known as Legends South has continue to bring mixed income housing into the area both on and off the former Robert Taylor Homes site. Four rental phases are complete and fully leased. Development continues with construction of Gwendolyn Place, Phase C-3, an offsite portion of Legends South with eight sites of the project (i.e. the "South Parcels") building near Rosenwald Courts on S. Calumet Avenue between East 47<sup>th</sup> St. and East 49<sup>th</sup> St.
  - b. Stateway Gardens Redevelopment. Redevelopment continues both on and off the former Stateway Gardens site with the completion of 3 phases of development and the 4<sup>th</sup> phase currently under construction. Now known as Park Boulevard, the site is mixed income and racially diverse providing diverse housing opportunities of both mixed income rental and homeownership.
  - c. Public Institutions and Investment. The following is a list of some of the public institutions and investments in the area: (1) the Chicago Police Department Headquarters at 35<sup>th</sup> Street and Wabash Avenue, (2) the Bronzeville Military Academy at 35<sup>th</sup> Street and Giles Street, (3) the Dawson Technical Institute (one of the Chicago City Colleges) at 39<sup>th</sup> Street and (4) King Magnet High School at 41<sup>st</sup> Street and Drexel Boulevard (newly renovated and designated as a college preparatory magnet school with new programs), and (5) the historic Chicago Bee Building at 37<sup>th</sup> Street and State Street, which was rehabilitated and reopened as a branch library.
  - d. Community Institutions. Harold Washington Cultural Center located on 47<sup>th</sup> & King Dr. is the closest community institution. Others community institutions include – the Illinois Institute of Technology ("IIT") and U.S. Cellular Field, home of the Chicago White Sox. IIT has embarked on a major capital program, including new dormitories and other campus facilities.
  - e. New Commercial Development. Alongside the residential development, commercial development has grown. Most recent is the Shops and Lofts development located at 47<sup>th</sup> St. and Cottage Grove that is now complete. It provides a Wal-Mart Express store on the ground level of a multi-use building. Bronzeville Cookin' is under construction at 51<sup>st</sup> Street near the CTA Green line and will bring several dining destinations. On State St., the historic Overton Building was renovated and now provides storefront and office space. Area redevelopment brought the area's first StarBucks coffee shop, along with other businesses that include; PNC



Bank, Federal Express office, Jimmy Johns sandwiches, Pizza and Pop-corn shop.

Further sayeth not.

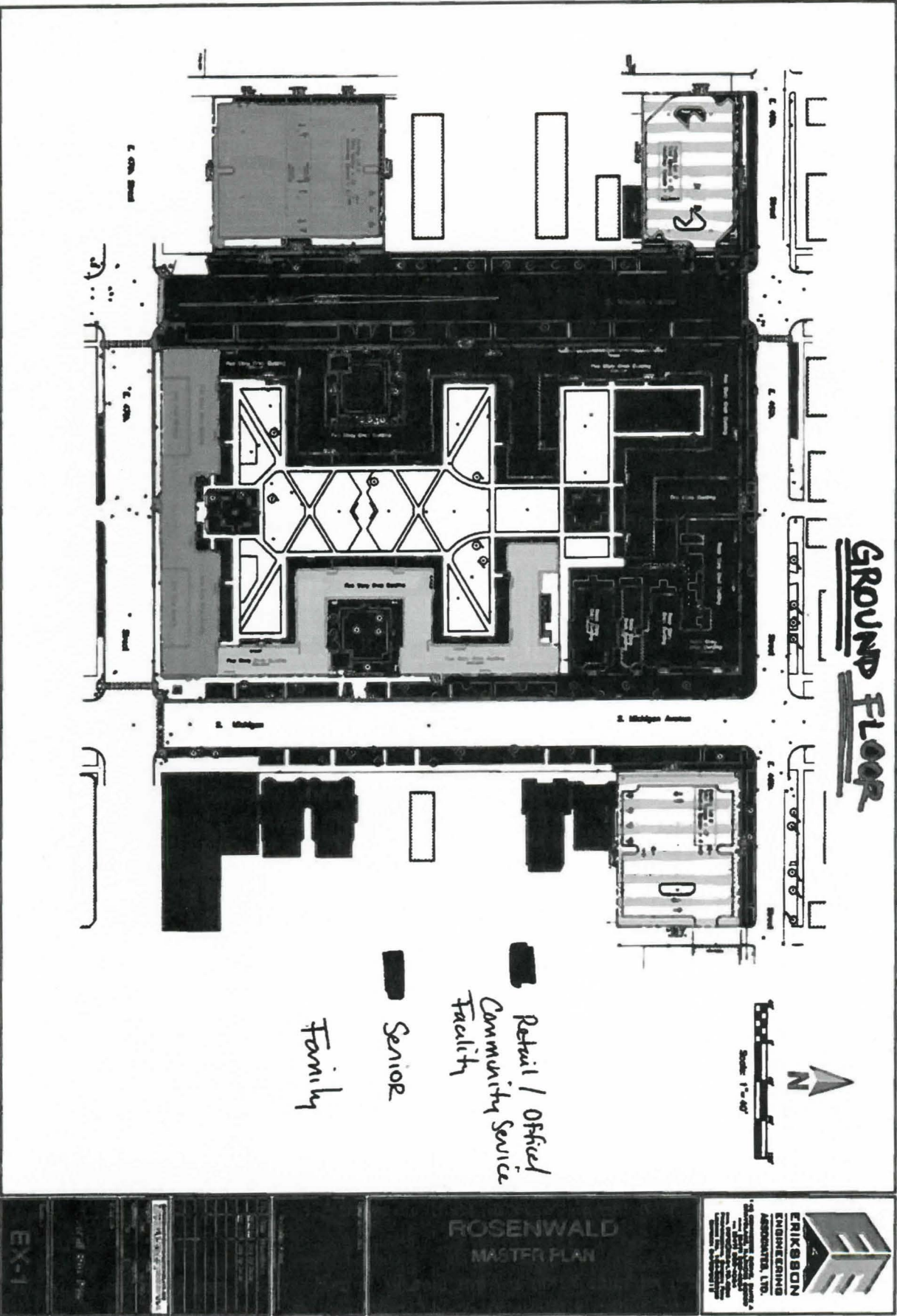
  
James J. Kagan, managing member of GB Rosenwald, LLC,  
the managing member of Rosenwald Courts GP, LLC, the  
Sole General Partner of Rosenwald Courts Apartments, LP

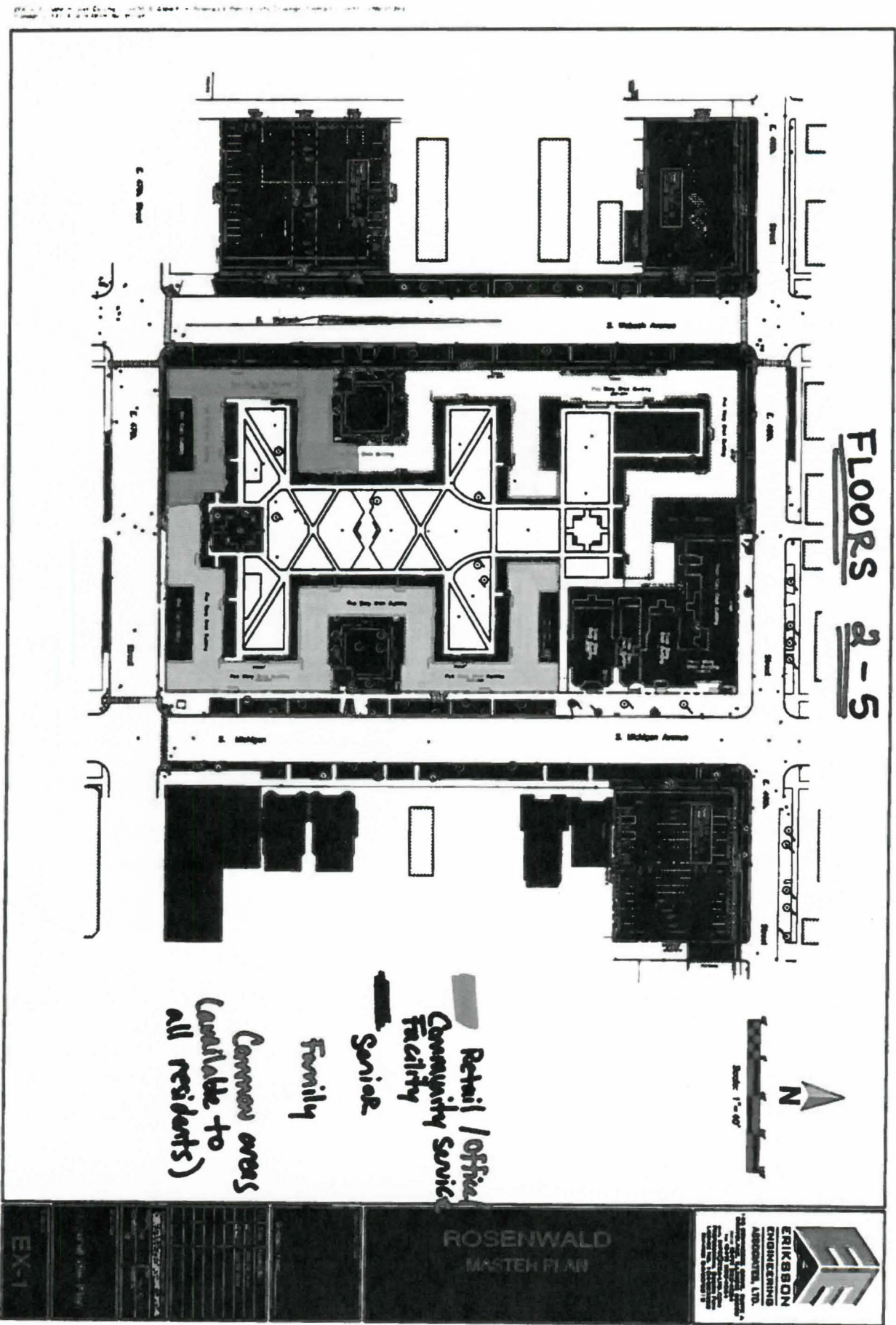
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before me this 7th day of December, 2014

  
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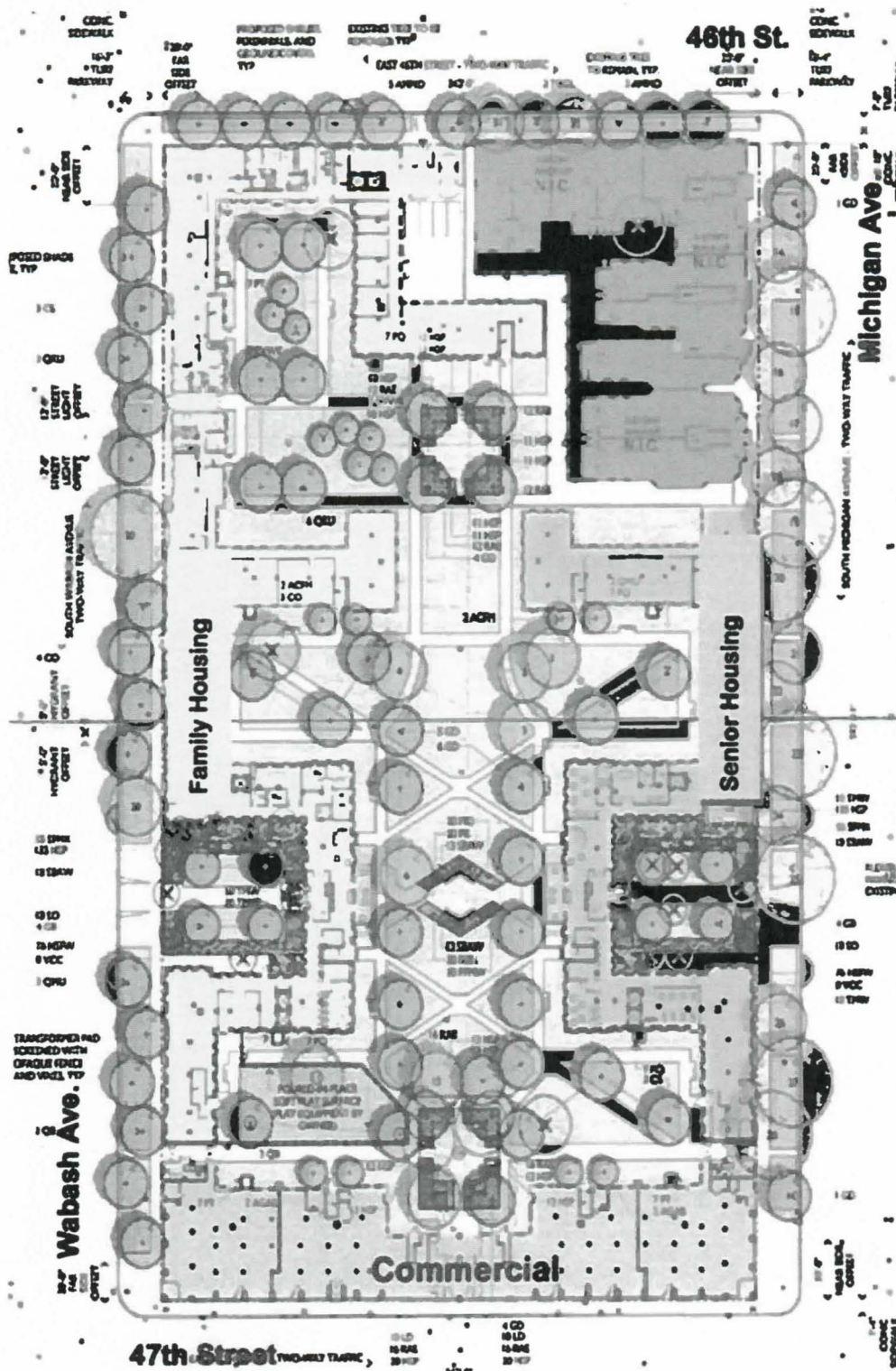




**The Boardwalk**  
View from 47th Street at Hudson  
Group A  
10/14/2012











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

**DOROTHY GAUTREAUX, et al.,  
Plaintiffs,**

**-VS-**

**CHICAGO HOUSING AUTHORITY, et al.,  
Defendants.**

No. 66 C 1459  
66 C 1460

**Hon. Marvin E. Aspen**

**AFFIDAVIT OF DON OSHITA IN BEHALF OF DEFENDANT CHICAGO HOUSING  
AUTHORITY**

I, Don Oshita, Project Manager of the Chicago Housing Authority's Office of Development Management, being first duly sworn on oath, states on behalf of the Chicago Housing Authority:

The proposed Rosenwald Court Apartments is located in a Limited Area. Nonetheless, for the reasons described below as well as in the Bergman Affidavit (Exhibit A), it is the belief of the CHA that this area is improving and moving toward the goal of becoming a revitalizing area having experienced a substantial increase in public and private investment, including private residential rehabilitation and new construction evidenced by the following:

1. Approximately one-half mile from Rosenwald Courts are the “South Parcels” of replacement housing for Robert Taylor Homes Phase C-3. Renamed Legends South, development continues with the creation of Gwendolyn Place, an offsite portion of Legends South with eight sites (i.e. the “South Parcels”) located on S. Calumet Avenue between East 47<sup>th</sup> St. and East 49<sup>th</sup> St.




2. Redevelopment continues both on and off the former Stateway Gardens site. Since the high-rise demolition, three phases of development are completed with the fourth phase located 37<sup>th</sup> Place and Dearborn Street, which is approximately one mile from the Rosenwald presently under construction. Known as Park Boulevard, this mixed income and racially diverse new community provides diverse housing opportunities for different life styles within its single family homes, 3, 4 and 6 flats, townhouses and midrise condominium apartments. This development has a considerable homeowner component. Illinois Institute of Technology provided purchase incentives to its employees to buy new homes in the redevelopment areas and is a current member of the Stateway Gardens Redevelopment Working group.
3. Another major development project for the area is the Court-authorized development Shops and Lofts at 47. The project is approximately one mile east from the Rosenwald Courts project. The Shops and Lofts at 47 is a mixed-income, mixed-use development located at the southwest corner of the intersection of South Cottage Grove Avenue and East 47th Street, which includes both residential and commercial retail components. This project includes one five story building with a Walmart Neighborhood Express Market grocery store on the first floor, space for a mixture of smaller national and local retail businesses, and residential units on floors 3-5. There are also four separate residential buildings along South Evans Avenue. The residential portion of this project included a total of 96 mixed-income rental units: 28 public housing, 44 affordable and 24 market rate. Construction is complete and the Walmart Neighborhood Express Market opened in October 2014.
4. Also completed construction is Bronzeville Artists Lofts located at 436 East 47<sup>th</sup> Street, funded by the Neighborhood Stabilization Program, which includes a café/bakery, community arts programs, and a permanent art gallery, along with residential units.
5. At 51<sup>st</sup> Street near Calumet Avenue, approximately one half miles southeast of Rosenwald Courts, Urban Juncture, Inc. is building a restaurant called Bronzeville


Cookin'. Bronzeville Cookin' will bring into the area a unique dining destination where each venue of the culinary incubator will feature a different aspect of food cuisine and a fresh produce market.

6. The CHA was approached to allow disposition of land located at 50<sup>th</sup> and State Street for the construction of a commercial enterprise, namely a new tennis facility, by XS Tennis, Inc. This commercial development would offer indoor tennis court facilities and lessons, temporary basketball courts, a fitness center, running track, and classroom and training spaces for 400-500 students per year. The recreational center services with potential scholarships and community services for youth will have coaches and support staff available on a year-round basis. Internal discussions concerning the possible sale of the land in exchange for market value (inclusive of commensurate benefit) began in January 2014. The CHA completed publication of an amendment to its Annual Plan to allow for the possible disposition of the land and submitted the same to HUD for approval. An agreement was reached with XS Tennis for market cash value of \$2 million, commensurate benefit of 60 annual class scholarships for CHA youth totaling \$180,000 yearly for a period of ten (10) years and reserving employment for 2-3 CHA residents for a total annual salary compensation of \$80,000. Fulfillment of the employment opportunity is also guaranteed for ten (10) years including any potential turnover in employment. After CHA Board of Commissioners' approval, the Disposition Application was submitted to HUD on November 25, 2014 for final approval of the project and information supplied for comments to the CHA Resident Representatives, The Central Advisory Council. If required, the CHA will seek an amendment to the Master Plan for the Robert Taylor/Legends South Redevelopment from the court.
7. Finally, a Developer in the area, Brinshore, is in the process of renovating to a residential building located at 48<sup>th</sup> Street and Calumet Avenue, near the Rosenwald Courts project. This rehabilitation will include 21 housing units, and new for-sale single family homes on S. Calumet Avenue between 47<sup>th</sup> and 48<sup>th</sup> Streets.

FURTHER AFFIANT SAYETH NOT

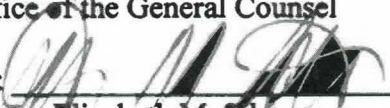
  
\_\_\_\_\_  
AFFIANT

Sworn and subscribed to before me  
This 4 day of DECEMBER, 2014.

  
\_\_\_\_\_  
Notary Public



Approved as to Legality and Form  
Chicago Housing Authority  
Office of the General Counsel

By:   
\_\_\_\_\_  
Elizabeth M. Silas  
Deputy General Counsel

Date 12/4/14

SCOTT AMMARELL  
ELIZABETH M. SILAS  
Office of the General Counsel  
Chicago Housing Authority  
60 East Van Buren, Suite 1200  
Chicago, IL 60605  
(312) 913-7116  
(312) 913-7090

Attorneys for the CHA



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

**DOROTHY GAUTREAUX, et al.,  
Plaintiffs,**

**-VS-**

**CHICAGO HOUSING AUTHORITY, et al.,  
Defendants.**

No. 66 C 1459

**Hon. Marvin E. Aspen**

## ORDER

This matter coming to be heard on the Defendant Chicago Housing Authority's Motion to acquire through third party development sixty public housing elderly/senior units in the City's redevelopment initiative of the historic Michigan Boulevard Apartments to be known as Rosenwald Courts; and

**The Plaintiffs not objecting on the merits of the Rosenwald Courts project; and**

The Court having reviewed and considered the motion, as well as the Affidavit of Don Oshita on behalf of Defendant CHA and the Affidavit of James Bergman the Developer for Rosenwald Courts; and

**The Court having reviewed and considered the response of the Plaintiffs;**

**Now therefore, IT IS HEREBY ORDERED:**

- A. The Chicago Housing Authority is authorized to develop/acquire 60 new elderly/senior public housing units at Rosenwald Courts, formerly known as Michigan Boulevard

Apartments, located on the entire city block between Michigan Avenue and Wabash Avenue and 46<sup>th</sup> and 47<sup>th</sup> Streets in Chicago.

- B. Such authorization shall be without prejudice to the position of either party as to the applicability of this Court's Orders on development of elderly/senior units and this Order shall not be cited by either party as bearing on such applicability.
- C. This Court's Judgment Order previously entered on July 1, 1969, as modified from time to time, shall remain in full force and effect, and this court retains jurisdiction to enforce the same.

Enter:

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Hon. Marvin E. Aspen  
United States District Court

Dated: \_\_\_\_\_



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

DOROTHY GAUTREAUX, et al,	)	
Plaintiffs,	)	
v.	)	
	)	
	)	66 C 1459
CHICAGO HOUSING AUTHORITY,	)	66 C 1460
et al,	)	
Defendants.	)	Hon. Marvin E. Aspen
	)	

TO: All Parties and Counsel of Record

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on the day of December 18, 2014 at 2:00 p.m. or as soon thereafter as counsel may be heard, Defendant, the Chicago Housing Authority, a Municipal Corporation, shall appear before the Honorable Judge Marvin E. Aspen of the United States District Court for the Northern District of Illinois in Room 2568 at 219 S. Dearborn Street, Chicago, IL, and shall then and there present the attached **Defendant CHA Motion To Acquire Public Housing Elderly/Senior Units In the Rosenwald Courts Redevelopment Initiative**, a copy of which is herewith served upon you.

CHICAGO HOUSING AUTHORITY

By: \_\_\_\_\_

Elizabeth M. Silas

Elizabeth M. Silas  
Scott Ammarell  
Chicago Housing Authority  
60 East Van Buren  
Chicago, IL 60605  
(312) 913-7090  
(313) 901-7091 Fax

**CERTIFICATE OF SERVICE**

The Undersigned, an attorney, hereby deposes and states that she caused the foregoing **NOTICE OF MOTION, Defendants Chicago Housing Authority's MOTION TO ACQUIRE PUBLIC HOUSING ELDERLY/SENIOR UNITS IN THE ROSENWALD COURTS REDEVELOPMENT INITIATIVE** to be filed with the Clerk of the Court on December 5, 2014 and served on all parties via the CM/ECF system, pursuant to Local Rule 5.9, as well as served on the following parties via First Class Mail/United States Postal Service by depositing the same in the mail chute located at 60 E. Van Buren, Chicago, Illinois 60605 before 5pm on December 5, 2014.

Julie Elena Brown, Esq.  
Business and Professional People for the Public Interest (BPI)  
25 E. Washington | Suite 1515  
Chicago, IL 60602

Alexander Polikoff  
Business and Professional People for the Public Interest (BPI)  
25 E. Washington | Suite 1515  
Chicago, IL 60602

s/Elizabeth M. Silas  
Deputy General Counsel  
The Chicago Housing Authority