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To: kassonalliance@kmtel.com
Cc:
Subject: KARE Email News, Vol. 1, No. 3, 09 June 2007: Injunction Granted, Kasson School
Attachments: Page02 of 08June07 Court Order.jpg (102KB) Page01 of 08June07 Court Order.jpg (219KB)

Hello,

Great News!!

On June 7, 2007, the Honorable Judge Casey J. Christian GRANTED the Kasson Alliance for Restoration's Motion of a Temporary Injunction to stop the demolition of the Kasson Public/Elementary School. See the attached files for a copy of the judge's order. The short turn around time (only 2 days after the initial court hearing) was surprising and you could argue that it speaks to the strength of the legal and historic resource related evidence provided to the judge.

However, the Temporary Injunction will be allowed only if KARE can post cash or a bond in the amount of \$50,000 in Dodge County District Court by 4:30 PM on June 19. KARE is currently investigating our options for obtaining a bond. If the bond can be posted, a trial to allow the judge to hear more detailed evidence about the case will be held on February 11, 2008 (yes, next year) and is scheduled to last 3 days. In the judge's order you will see this referred to as a "trial on the merits" which in essence means the judge will hear from the lawyers, expert witnesses and citizens on both sides. The judge will then make a decision on whether or not the school is a protected historic resource and therefore if KARE should be granted additional time to find a reuse for the school.

The judge required the bond in case KARE loses the February 11 trial. If that happens, and the city incurs additional costs to obtain new bids to demolish the school, the bond would be in place to offset those costs. We, of course, are confident that the Feb. 11 trial we be in our favor.

Summary:

1. This is only a TEMPORARY Injunction. The school is still in danger of being demolished although we have bought some additional time until at least Feb. of 2008.
2. KARE needs to obtain a \$50,000 bond by June 19. We don't think this will be a problem but we will have to jump through some hoops to do it in 10 days time.
3. The battle to save the school is far from being won, but we are a step closer.

If you are reading this, and you have some experience in obtaining bonds or ideas in that regard, please reply to this email or call Kenton Spading at 651-488-8893 (I manage this email list). As you know, KARE is a small non-profit organization so a handful of us work/volunteer on our own time. So, any support, help or advice you can provide is much appreciated!

As we go forward, it is going to require help from our entire membership to save the school. Saving it will only happen if the judge grants us more time and we ultimately find an economical reuse/purpose for the school within the community.

If you know someone who would like to be added to our email list.....please send their email address to us (you can respond to this email). KARE thanks everyone who attended the May 23 council meeting and the June 5 court hearing. It was standing room only on KARE's side of the court room and judges do notice that type of support.

These email updates are posted on our website at <http://www.kassonalliance.org>

Thank you,

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