

Tuesday, February 17, 2009

Great Park Neighborhoods cemetery fight headed to jury trial

Forest Lawn claims Lennar Corp. backed out of plans for a 73-acre memorial park.

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THE ORANGE COUNTY REGISTER

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IRVINE – A Superior Court judge has cleared the way for a jury trial in the legal battle between Forest Lawn and Lennar Corp. over a final resting place near the Great Park.

In the latest twist of an ongoing legal saga that threatens to derail construction of Irvine's first cemetery, the court has allowed Forest Lawn to move forward with efforts to reclaim hundreds of thousands of dollars the mortuary claims was spent designing a 73-acre memorial park in Lennar's Great Park Neighborhoods.

Lennar has also claimed victory in the recent court hearings, however, pointing out that the judge declared that Forest Lawn has no right to the Great Park Neighborhoods property, and is unable to block the developer from negotiating with other parties.

Forest Lawn and Lennar previously agreed to jointly develop the cemetery, with the developer promising to get city approval and the mortuary agreeing to purchase the land for \$20 million, according to court filings.

The agreement quickly fell apart, with Forest Lawn recently claiming that Lennar informed Irvine city leaders more than a year ago that they had no intention of moving forward with the planned cemetery, while at the same time encouraging the mortuary to keep spending on the projects design.

The partnership came to an acrimonious end in August of last year, when Lennar reportedly indicated to Forest Lawn that they had decided to "move on."

Lennar claims in court filings that they believed the mortuary was no longer interested in the project after a series of meetings throughout 2007 ended in a standstill. Forest Lawn Lawyers say the mortuary was still interested in the project, but that Lennar had spent months dodging their telephone calls and correspondence.

A date for the jury trial has not yet been set, with Lennar still required to respond to Forest Lawn's most recent court complaint.

Lennar is currently preparing for construction of the first portion of the Great Park neighborhoods. The "Lifelong Learning District" is expected to focus largely on educational and commercial development.

The planned construction has already impacted several current tenants of the former El Toro airbase, the bulk of which was purchased by Lennar in 2005.

Cal State Fullerton recently announced that they are looking for a new space for their satellite campus after negotiations with Lennar to renew the lease for the college's current South County facility appear stalled or dead. The lease for a Montessori school on the base was also not renewed, with Lennar saying the facility needed to be demolished to make way for construction.

Lennar is also facing a lawsuit from another former partner, Recycled Materials Co., who were hired in 2005 to remove runways from the El Toro base.

Recycled Materials work was halted after only about 1 percent of runways were removed, and the Colorado based company abruptly closed up their Great Park shop after trying for more than a year to hammer out a long-term contract with Lennar. Recycled Materials last August filed a breach of contract lawsuit against Lennar.

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