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Government agencies face lawsuit over loss of marshland

By *Lena Khzouz, The News-Herald*

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GIBRALTAR — Saying that the company has experienced a nightmare since purchasing 407 acres of waterfront property on the Detroit River, Made In Detroit Inc. has filed a federal lawsuit against the United States.

Generally, the lawsuit alleges that the government made it difficult for owners to develop the land because officials wanted to preserve it.

The lawsuit identifies the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the Department of the Interior and the U.S. Fish and Wildlife Service.

Made In Detroit bought the land Dec. 31, 1997, with plans to develop a mixed-use commercial, recreational and residential project known as Gibraltar Bay.

About 90 percent of the property, which includes an island, is in Gibraltar and the rest is in Trenton.

Sections

- ▶ HOME
- ▶ News
- ▶ AP Wire
- ▶ Travel
- ▶ Auto
- ▶ Business/Finance
- ▶ Entertainment
- ▶ Opinions
- ▶ Legal Notices
- ▶ Announcements
- ▶ Death Notices
- ▶ Archives
- ▶ Special Sections

Sports

- ▶ Local Sports
- ▶ MI Central Sports
- ▶ Lions/NFL
- ▶ Pistons/NBA
- ▶ Red Wings/NHL
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- ▶ College Basketball
- ▶ College Football
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- ▶ Place a Classified

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- ▶ Featured Ads
- ▶ Featured Homes
- ▶ Featured Job Ads

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- ▶ Advertising
- ▶ Place Advertisement

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- ▶ About Us
- ▶ Contact Us
- ▶ Community Directories
- ▶ Jobs at Heritage
- ▶ Letter to the Editor
- ▶ Newsstand Locations
- ▶ Newspaper in Education
- ▶ Subscribe & Renew

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- ▶ Cool Links
- ▶ Crossword
- ▶ Cruisin' Downriver
- ▶ Current TV Contest
- ▶ JobSearchMI
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The area, known as Humbug Marsh, now is protected for migratory birds, and other wildlife.

According to the lawsuit, Gibraltar Bay would have represented the largest minority-owned development project of its kind in the United States.

If the project had been completed, it was expected to have more than 300 a nine-hole golf course and a bridge from its mainland property to the isla where some of the homes would have been constructed. According to the Made In Detroit had the financial backing and the support of the community Gibraltar and Trenton.

Early in the process, some federal officials voiced opposition to developin property, and instead called for it to be preserved, according to the lawsuit Public pressure and state and federal regulatory agencies whittled the orig project.

The developer filed Chapter 11 bankruptcy in 2002. The Trust for Public l purchased the site in 2003.

That year, a U.S. Bankruptcy Court judge denied Made In Detroit approva reorganization plan and ruled in favor of the developer's unsecured credit instead. The decision included the sale of the land to the trust.

Made In Detroit appealed the decision and filed for a permanent stay on th U.S. District Judge John O'Meara denied the permanent stay, and a closin the property took place in the fall of 2003.

The would-be developer's lawsuit was filed June 9. It seeks compensation pursuant to wording in the Fifth Amendment to the U.S. Constitution, whi refers to the taking of property.

As of Monday, the case had not been assigned to a U.S. Department of Jus attorney yet, according to the U.S. Court of Federal Claims' Office of the t



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