

City hit with damage claim over building demolition

Earthquake '89 - City of Santa Cruz

By GUY LASNIER
Sentinel staff writer

1-24-90

SANTA CRUZ — An attorney who filed a damage claim against the city over earthquake demolition said the city could be in "really bad shape" if he is ultimately successful in court.

Attorney Jack Jacobson filed a \$62,500 claim with the city over property lost when his office was destroyed by the wrecking ball. He said if he wins, it could unleash a flood of other claims from people who lost property in demolished downtown buildings.

"I don't really feel good about it," Jacobsen said Tuesday.

But Jacobson said the city made "an economic choice" when it chose to rush with demolition and not give him the time to salvage his belongings.

The City Council routinely denied the claim Tuesday. The next step is a civil suit in Superior Court.

Jacobson lost antique furniture, his

law library and equipment when the Hihn Building at Lincoln Street and Pacific Avenue was demolished less than two weeks after the quake.

Jacobson and two other attorneys in the building, Hermia and Emily Kaplan, obtained a court order to enter the building and retrieve business files. But Jacobson said he was allowed only 10 minutes and wasn't able to save anything else.

"They made a conscious choice to not give me time to get my stuff out," Jacobson said. "The city in effect condemned my property and took it. They

need to pay for it," he said.

Ironically, it was because of Jacobson and the Kaplans that other downtown business owners were able to devise plans to construct "safety tunnels" to remove contents from buildings. Bookstore owners John Livingston and Neal Coonerty were able to rescue their entire stock over a several hour period after mineshaft-like tunnels were built inside their buildings.

Jacobson bases his claim on "inverse condemnation" suits that followed the Coalinga earthquake six years ago that set precedents for city liability.