

Pacific Union College wins land dispute against ex-partner

Judge rules against Sustainable Community Partners in Angwin property battle

March 7, 2014 • [PETER JENSEN](#)

Pacific Union College scored a significant victory in its ongoing dispute with a development company in Napa County Superior Court on Friday.

The court ordered a notice of pending lawsuit removed from property the college had agreed to sell to the company last year, according to a news release from the college.

The college filed a lawsuit against its former partner, Sustainable Community Partners, last December amid the fallout of a failed purchase-and-sale agreement involving hundreds of acres in Angwin.

The two sides had come to an agreement in early 2013, but that fell apart after Sustainable Community Partners failed to make a second deposit payment on the property of \$210,000.

A partner in the company, Curt Johansen, argued in court documents that his company did not do so because PUC had revealed millions of dollars in debts on some of the land and was worried it would assume the debt if the sale went through.

The college terminated the purchase-and-sale agreement after the deposit wasn't made. When SCP threatened to record a "lis pendens" on the land to prevent the sale to an unidentified buyer, PUC sued.

The court granted PUC's motion to remove the lis pendens Friday. In its news release, PUC alleged that Sustainable Community Partners had filed the restriction "with the goal of dragging the college's name through the mud via public innuendo."

In a statement, an attorney for the college, Barry Lee, called the situation "an embarrassment" to Johansen.

"After they were unable to honor their contractual commitments resulting in the termination of their purchase agreement, they threatened to run into court unless the college paid them a significant amount of money," Lee said in the news release.

"This case should be an embarrassment to SCP and Mr. Johansen and was a nuisance to the college. That is why SCP's attempts to shake the college down and settle this frivolous claim were rejected."

Robert Stumpf, an attorney for Sustainable Community Partners, was contacting his clients Friday afternoon to see if they were willing to publicly respond, and whether or not they planned to appeal.

With the legal victory, PUC has removed any claim Sustainable Community Partners had to the land.

PUC President Heather Knight said in a statement that the college is now looking to move past the dispute.

“Today, we have been validated in our claims that SCP failed to live up to their obligations,” Knight said. “Now, the college can move ahead, secure in knowing this is behind us and a bright future is ahead of us. We have been an important part of Napa County for more than 100 years. Now we can look to our shared future.”