

Marcia Moormond
Item #54

Mark A. Hubble
Attorney at Law

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via personal delivery

April 2, 2014

Kathy Lantry, President
St. Paul City Council
320-C City Hall
15 W. Kellogg Avenue
St. Paul, MN 55102

Dear Council President Lantry:

On behalf of Leonard N. Anderson, Carol Berg, and Carol Berg LLC, it has come to our attention that pursuant to item #54 on the agenda for the April 2, 2014 meeting of the St. Paul City Council, scheduled for 5:30 p.m, the City Council is being asked to ratify a Special Tax Assessment to recover costs associated with abatement at 559 S. McKnight Road, St. Paul, MN 55119. We request that this matter be laid over to a later date for the following reasons:

1. Leonard N. Anderson has today filed suit against the City of St. Paul and K.A. Kamish regarding issues not allowed to be raised in the previous litigation.

Alliance Bank Center
55 E. Fifth Street, Suite #1220
Saint Paul, MN 55101
612-323-0089
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2. The invoice allegedly evidencing the amount to be assessed incorrectly references 131 Ivy Ave. rather than 559 S. McKnight Road, suggesting either that the amount is incorrect, or may have been commingled with another property. In either case, it seems prudent to confirm the amounts prior to legislative action.

3. The property owner requests a hearing before a hearing officer to contest the amounts of the assessment prior to placing this on the legislative agenda for City Council action. This hearing could negate the need for further litigation and expense for all parties, including the City.

4. Pursuant to St. Paul City Ordinance 14.01.3, the property owner, Leonard N. Anderson, requests the City Council order a reassessment based upon the above information.

I certainly recognize the long history on this issue, but ensuring the accuracy of the assessment and the issues to be litigated in this lawsuit should override the immediacy of action.

Very truly yours,



Mark A. Hubble

Cc: Marcia Moermond, Dan Bostrom, Russ Stark, Dai Thao, Dave Thune, Chris Tolbert, Amy Brandmoen

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State of Minnesota

Conciliation Court

County Ramsey

Judicial District Second

Case No.

STATEMENT OF CLAIM AND SUMMONS

Plaintiff #1

Name Leonard N. Anderson
Address 559 S. McKnight Road
City/State/Zip St. Paul, MN 55119

Plaintiff #2

Name
Address
City/State/Zip

Defendant #1

Name City of St. Paul
Address 15 Kellogg Blvd West
City/State/Zip St. Paul, MN 55102

Defendant #2

Name K.A. Kamish Excavation
Address 1301 Concord St
City/State/Zip South St. Paul, MN 55106

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Case No.

PLAINTIFF'S STATEMENT OF CLAIM

1. The Defendant(s) owe(s) me \$ over 10,000, plus filing fees and costs of \$ 70.00, for a total of \$ 10,070.00 because (state what happened and when it happened): Defendants removed and destroyed personal property not included in a nuisance abatement.

2. The Defendant(s) has/have the following property that belongs to me (list property), valued at \$, plus filing fees and costs of \$, for a total of \$. I want the Court to order this property returned to me or make the Defendant(s) pay me money for the value of the property.

3. I believe the person(s) I am suing is/are at least 18 years old and not in the military service.

Defendant #1 date of birth not applicable Defendant #2 date of birth not applicable

4. I understand that if I do not come to court on my hearing date, my case will be dismissed and I may have to pay money to the Defendant(s) on any counterclaim that has been filed.

NOTARY STAMP OR COURT SEAL

SWORN TO BEFORE ME ON:

THE ABOVE STATEMENT OF CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

Date: April 2, 2014

Signature: Leonard N. Anderson

Signature: [Handwritten Signature]

Name: Leonard N. Anderson

Title (if representative):

Telephone: 651-738-9696

Plaintiff #1 date of birth 4-17-1940

Plaintiff #2 date of birth

Notice of Settlement

The above-entitled case having been settled, the same may be and hereby is dismissed with my consent.

Date: Plaintiff's Signature:

SUMMONS: IMPORTANT NOTICE TO THE PARTIES

You must come to court for a hearing on at .m. at

Location/Address

If you do not come to court for this hearing, you may lose the case and have to pay money to the other party.

Dated: Court Administrator/Deputy