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CITY COUNCIL  
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& BYRON, P.A.

July 2, 2014

Mayor Christopher B. Coleman  
City of St. Paul  
390 City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

City of St. Paul Clerk, Shari Moore  
City of St. Paul  
310 City Hall  
15 Kellogg Blvd., West  
Saint Paul, MN 55102

Council Member Dai Thao  
City of St. Paul  
310A City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Council Member Dave Thune  
City of St. Paul  
310B City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Council Member Chris Tolbert  
City of St. Paul  
310C City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Council Member Russ Stark  
City of St. Paul  
310D City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Council Member Amy Brendmoen  
City of St. Paul  
320A City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Council Member Dan Bostrom  
City of St. Paul  
320B City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Kathy Lantry, Council Member and President  
City of St. Paul  
320C City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

Re: Highland Village Streetscape Project ("Project")  
PINs 16-28-23-22-0091, 16-28-23-22-0083; 16-28-23-22-0084; 16-28-23-22-0085 and  
16-28-23-22-0086

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200 South Sixth Street, Suite 4000  
Minneapolis, Minnesota  
55402-1425

Dear Mayor Coleman, City Council Members and City of St. Paul Clerk Shari Moore:

I represent Highland Shopping Center, LLC (“HSC”), the owner of the properties with the above parcel-identification numbers and located at 790 Hillcrest Avenue<sup>1</sup>, 2035 Ford Parkway, 2027 Ford Parkway, 2021 Ford Parkway and 2019 Ford Parkway all in St. Paul, Minnesota (“Properties”). As you know, HSC, is locally owned, and has been a successful shopping center in the City of St. Paul for approximately 75 years, providing quality retail establishments and office space in the City. Importantly, HSC has always valued its relationship with the City and, as a general matter, supports the City’s efforts to bring positive improvements to the City.

However, HSC has no choice but to respectfully raise objections to the Project. At this point, it is difficult to fully determine what portion or portions of the Project will, in fact, provide a benefit to the HSC Properties. HSC is very interested in discussing these and other details with the City in an attempt to reach a fair resolution for the City, HSC and its tenants.

HSC understands that the above-referenced matter is scheduled to be heard by the City Council on July 9, 2014. HSC also understands that the hearing on July 9, 2014 is not the special assessment hearing required under Minn. Stat. § 429.061 and that a later assessment hearing will be scheduled.

Because HSC wants to make sure that the City fully evaluates the Project and the financing for the Project, it is important that the City understand that HSC must object to the assessments for the following reasons:

1. The proposed assessments violate the provisions of Minnesota Statutes Chapter 429 including, without limitation, Sections 429.051 and 429.061.
2. The proposed assessments constitute an unconstitutional taking of HSC’s Property without just compensation.
3. The proposed assessments violate HSC’s constitutional due process and equal protection rights.
4. The proposed Project is for the general benefit of the City of St. Paul and others who will use the Project, and therefore, there is no special benefit to HSC or HSC’s Properties.

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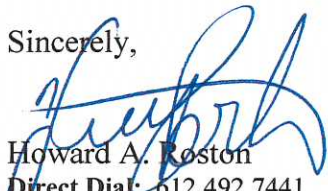
<sup>1</sup> The City’s notice identifies this property as 790 Hillcrest. HSC believes that the address should be 790 Cleveland Ave. S.

5. The proposed assessments exceed any purported increase in value to the HSC Properties.
6. The assessment formula used or proposed is not legal.
7. Other properties that should have been assessed were not assessed or were assessed at rates that render the assessment against the HSC Properties unfair and unlawful.
8. Such other factual and legal reasons, which may become evident in the future.

HSC formally requests that these objections be accepted as part of the record before the City Council at any future assessment hearing. HSC further requests that any action on the assessment roll be tabled so City staff can meet with HSC to see if an acceptable compromise can be worked out for later vote by the City Council. Finally, please provide me with a copy of any appraisal in the City's possession relating in any way to the Properties at issue.

I look forward to scheduling a time to discuss this further with the City with the hope of reaching a resolution.

Sincerely,



Howard A. Roston  
Direct Dial: 612.492.7441  
Email: hroston@fredlaw.com

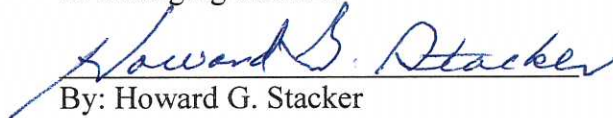
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The owner of the subject properties hereby objects for the same reasons set forth above.

Highland Shopping Center, LLC

Dated: July 2, 2014

BY: Highland Shopping Center, MM, LLC,  
its managing member



By: Howard G. Stacker

Its: President