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OCT 05 2016

STATE OF MINNESOTA  
COUNTY OF RAMSEY

CITY CLERK

DISTRICT COURT  
SECOND JUDICIAL DISTRICT

Case type: Other Civil

In Re:

File No. \_\_\_\_\_

Petition of Christopher P. Walker

**NOTICE OF ASSESSMENT APPEAL**

**TO THE CITY OF ST. PAUL, CITY CLERK, 15 KELLOGG BLVD W, 310 CITY HALL,  
ST. PAUL, MINNESOTA 55101:**

Please take notice that Christopher P. Walker ("Appellant"), the owner of the property located at 977 Front Avenue, St. Paul, Minnesota 55103, described as:

See attached Exhibit A (the "Property")

hereby appeals the Assessment of \$12,015.00 against the Property for Paving & Lighting-Como/Chatsworth Area (Phase One, Part Two). No.115205 adopted September 21, 2016.

The basis for Appellant's petition is that the Assessment is in an amount in excess of the actual benefit to the Property, together with any other grounds discovered by Appellant in preparation for trial

Date: October 5, 2016

/s/Paul W. Fahning

Paul W. Fahning

pfahning@pfb-pa.com

PFB Law, Professional Association

55 E. 5<sup>th</sup> St., Suite 800

St. Paul, MN 55101

651-291-8955

Attorney for Christopher P. Walker

**ACKNOWLEDGMENT**

The undersigned hereby acknowledges that pursuant to Minn. Stat. § 549.211, costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party or parties in this litigation if the Court should find that the undersigned or his client acted in bad faith; asserted a claim or defense that is frivolous and that is costly to the other party; asserted an unfounded position solely to delay the ordinary course of the proceedings or to harass; or committed a fraud upon the Court.

Dated: October 5, 2016

/s/Paul W. Fahning

Paul W. Fahning

Exhibit A

Lots 10 and 11, Block 55, Sahlgaard's Subdivision of Lot 55, Lake Como Villas

PID: 26-29-23-24-0180

**State of Minnesota**

County Ramsey

**District Court**

Judicial District: Second  
Court File Number:  
Case Type:

In Re:

Petition of Christopher P. Walker

Defendant

Date Case Filed: \_\_\_\_\_

**Civil Cover Sheet  
(Non-Family Case Type)  
Minn. R. Gen. Prac. 104**

This civil cover sheet must be filed by the initial filing lawyer or party, if unrepresented by legal counsel, unless the court orders all parties or their legal counsel to complete this form. Once the initial civil cover sheet is filed, opposing lawyers or unrepresented parties who have not already been ordered to complete this form may submit their own cover sheet within ten days after being served with the initial cover sheet. See Rule 104 of the General Rules of Practice for the District Courts.

**If information is not known to the filing party at the time of filing, it shall be provided to the Court Administrator in writing by the filing party within seven (7) days of learning the information.** Any party impleading additional parties shall provide the same information to the Court Administrator. The Court Administrator shall, upon receipt of the completed certificate, notify all parties or their lawyers, if represented by counsel, of the date of filing the action and the file number assigned.

ATTORNEY FOR PLAINTIFF

Paul W. Fahning  
55 E 5<sup>th</sup> Street, Suite 800  
St. Paul, MN 55101  
(651) 291-8955  
pfahning@pfb-pa.com  
Minnesota Attorney License No.167101

ATTORNEY FOR DEFENDANT

Samuel J. Clark, St. Paul City Attorney  
15 Kellogg Blvd W 400 City Hall  
St. Paul, MN 55102  
(651) 266-8710  
samuel.clark@ci.stpaul.mn.us  
Minnesota Attorney License No.

PLAINTIFF, Self-represented

DEFENDANT, Self-represented

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Postal Address

\_\_\_\_\_  
Postal Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
City State Zip Code

( )  
\_\_\_\_\_  
Telephone Number

( )  
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
E-mail address

\_\_\_\_\_  
E-mail address

(Attach addition sheet for additional attorneys / parties)

Note: If either Plaintiff or Defendant gets an attorney, the attorney's name, address, telephone number and attorney ID number must be given in writing to the Court Administrator immediately.

1. Provide a concise statement of the case including facts and legal basis:

Petitioner appeals from an Assessment against his property located at: \_\_\_\_\_

977 Front Avenue, St. Paul, MN  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Date Complaint was served: Not yet served/filed.

3. For Expedited Litigation Track (ELT) Pilot Courts only:

a.  the parties jointly and voluntarily agree that this case shall be governed by the Special Rules for ELT Pilot. Date of agreement: \_\_\_\_\_

b.  The court is requested to consider excluding this case from ELT for the following reasons: \_\_\_\_\_

Note: ELT is mandatory in certain cases, and where mandatory, exclusion may also be sought by timely motion under the Special Rules for ELT Pilot.

- c. Anticipated number of trial witnesses: \_\_\_\_\_
- d. Amount of medical expenses to date: \_\_\_\_\_
- e. Amount of lost wages to date: \_\_\_\_\_
- f. Identify any known subrogation interests: \_\_\_\_\_
4. Estimated discovery completion within six (6) months from the date of this form.
5. Disclosure / discovery of electronically stored information discussed with other party?  
 No       Yes, date of discussion: \_\_\_\_\_
- If Yes, list agreements, plans, and disputes: \_\_\_\_\_
6. Proposed trial start date: March 1, 2017
7. Estimated trial time: two (2) days \_\_\_\_\_ hours (estimates less than a day must be stated in hours).
8. Jury trial is:  
 waived by consent of \_\_\_\_\_ pursuant to Minn. R. Civ. P. 38.02.  
(specify party)  
 requested by Petitioner (NOTE: Applicable fee must be enclosed)  
(specify party)
9. Physical/mental/blood examination pursuant to Minn. R. Civ. P. 35 is requested:  
 Yes       No
10. Identify any party or witness who will require interpreter services, and describe the services needed (specifying language, and if known, particular dialect): \_\_\_\_\_  
none known at this time
11. Issues in dispute: Petitioner disputes the benefit to his property
12. Case Type / Category: Other Civil (NOTE: select case type from Form 23, Subject Matter Index for Civil Cases, appended to the Minnesota Rules of Civil Procedure).
13. Recommended Alternative Dispute Resolution (ADR) mechanism: Mediation

(See list of ADR processes set forth in Minn. Gen. R. Prac. 114.02(a))

Recommended ADR provider (known as a "neutral"): None

Recommended ADR completion date: February 1, 2017

If applicable, reasons why ADR not appropriate for this case: \_\_\_\_\_

By signing below, the attorney or party submitting this form certifies that the above information is true and correct.

Submitted by: Paul W. Fahning

Attorney License: 16710

Firm: PFB Law, Professional Association

Address: 55 E 5<sup>th</sup> Street, Suite 800

Telephone: 651-291-8955

Date: October 5, 2016