

January 11, 2017

City of Saint Paul, City Council Research
Attn: Marcia Moermond
15 Kellogg Blvd W Suite 310
Saint Paul, MN 55102

RECEIVED
JAN 12 2017
CITY CLERK

Re: Repurchase application relating to a tax-forfeited property at 1221 Bradley Street

Dear Marcia Moermond:

Enclosed please find a repurchase application received from Amos Graves, the owner at the time of forfeiture, for the property located at 1221 Bradley Street. The property forfeited to the State of Minnesota on August 1, 2012 and is a vacant single-family dwelling. The applicant has explained the circumstances that led to the forfeiture on the attached application. The amount of delinquent taxes owed on the property at the time of forfeiture was \$6,545.44. Ownership of this property was previously in a legal dispute between Amos Graves and Minnesota State Bank which caused the delay in processing an application. Until a decision was made by the Minnesota Supreme Court as to the rightful owner of the property both repurchase applications were on hold. Minnesota State Bank has recently withdrawn its repurchase application allowing Mr. Graves' application to proceed forward.

County Board policy, No. 99-507, adopted on December 21, 1999, allows for "each repurchase application to be referred to the municipality in which the property is located. The municipality will document whether the property is considered a municipal problem based on documented police, building code, illegal activity, or health violations within the past five years. The municipality, by resolution, shall recommend that the County Board approve or deny the repurchase application and return the repurchase application to Ramsey County along with the resolution and documentation of any violations."

The following documents are enclosed to assist you:

- Copy of Application to Repurchase after Forfeiture
- Map of the parcel

Please send a certified copy of the city council resolution and all relevant documents to the Tax Forfeited Land office for final processing. If you have any questions regarding the enclosed documents or require further information, please do not hesitate to contact me at (651) 266-2081.

Sincerely,



Kristine A. Kujala, Supervisor
Tax Forfeited Lands

Application to Repurchase after Forfeiture

Pin: 20-29-22-34-0091
Legal Description: Lot 17, Block 2, Clarke and Wilgus Addition
Address: 1221 Bradley Street, Saint Paul, MN 55130-3505
Forfeiture Date: August 1, 2012

I hereby make application to repurchase the above described parcel of land, located in Ramsey County, from the State of Minnesota, and understand that pursuant to Minnesota Statutes, section 282.241:

- The owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may file an application to repurchase any parcel of land claimed by the state to be forfeited to the state for unpaid property taxes, unless sold or conveyed to a third party.
- The property may be repurchased for the sum of all:
 - Cancelled taxes, including all delinquent real property taxes, plus penalties, accrued interest and costs attributable to the taxes.
 - All property taxes plus penalties, interest and costs on those taxes for the taxes payable year following the year of the forfeiture and all subsequent years through the year of repurchase.
 - All delinquent special assessments cancelled at the time of forfeiture, plus penalties, accrued interest and costs attributable to those assessments.
 - Special assessments not levied between the date of forfeiture and the date of repurchase.
 - Any additional costs and interest relating to taxes or assessments accrued between the date of forfeiture and the date of repurchase.
 - Extra costs related to repurchase and recording of deed.
- A \$250.00 administrative service (repurchase) fee, in certified funds, is due at the time the application is submitted.
- All maintenance costs accrued on the property while under the management of Ramsey County, Tax Forfeited Land, from the date of forfeiture until the adoption of a resolution by the Ramsey County Board of Commissioners, are to be paid by the applicant.
- Applicant will take possession of the property and be responsible for its maintenance and security upon approval of the repurchase by the Ramsey County Board of Commissioners.

The reason or circumstances that led to the forfeiture of the property is (describe hardship):

(See Attached)

Return application to: Department of Property Records and Revenue, Attn: Tax Forfeited Lands Section,
PO Box 64097, St. Paul, MN 55164-0097

Application to Repurchase after Forfeiture

Applicant Name: Amos Graves
Applicant's relationship to the property: Owner in Fee since 1999
Mailing Address: 1551 ~~Rice~~ ^{Albemarle} Street, Apt. # 210
City, State, Zip: St. Paul, MN 55130
Signature: *Amos Graves* Date: 7/31/2013
Phone: 651-493-3754

The foregoing instrument was acknowledged before me this 31st day of July,
2013, by Amos Graves

Given under my hand and official seal of this

31st day of July, 2013

[Signature]
Signature of Notary Public

Notary Commissioner Expires _____

NOTARY STAMP/ SEAL



Please Direct Correspondence Through My Attorney:

Jeramie Steinert
Steinert P.A.
33 South Sixth Street
Suite 4100
Minneapolis, MN 55402
(P) 612-353-4200
(F) 612-354-3248
Email: jsteinert@steinertlaw.com

Return application to: Department of Property Records and Revenue, Attn: Tax Forfeited Lands Section,
PO Box 64097, St. Paul, MN 55164-0097

Amos Graves
Application to Repurchase after Forfeiture

The Reason or Circumstances that Led to the Forfeiture of the Property is (Describe Hardship):

I, Amos Graves, am making this application to acquire the single family residence located at 1221 Bradley Street, St. Paul, Minnesota (PID 20-29-22-34-0091). I purchased the house in 1999 by warranty deed with Carol Saunders, who I later married. Carol passed away in 2008, at which time I became the sole owner of the house. The house was our sole and primary residence.

The circumstances leading to this application are complex, leading to more than five years' worth of litigation involving two (2) eviction cases, two (2) district court civil cases, one (1) appeal to the Minnesota Court of Appeals, one (1) review by the Minnesota Supreme Court and one (1) bankruptcy petition. Because they are complex, I have attached a copy of a Minnesota Court of Appeals decision in the case of *Graves v. Wayman*, Case No. A11-1521 (Minn. App. 2012) to explain the background.

HISTORY

When we purchased the house in 1999, a portion of the purchase price was paid through a purchase money mortgage. In 2007, the purchase money mortgage was foreclosed upon by Wells Fargo Bank. My wife and I still occupied the house as our sole and primary residence.

Around this time, I had approximately \$80,000 of equity in the house. Apparently others recognized that we had a significant amount of equity and various persons solicited us with "offers." One of the offers came from Michael Wayman, who did business as C & M Real Estate Services, Inc. and REA Group, Inc.

Mr. Wayman's sales presentation was powerful and he assured us he could save our house if we signed documents he placed in front of us. These included a quitclaim deed, a "Rent Back Agreement" and a purchase agreement. Mr. Wayman told us that, even if we signed these documents, we were not bound and could cancel the transaction. We signed these various documents under the assurance that we could cancel over the next few days. Mr. Wayman even gave us a form to cancel the transaction.

Later that evening, my wife and I grew suspicious of Mr. Wayman and immediately left a voicemail to inform him we decided not go through with the transaction. The following day, we also mailed the notice of cancellation form to Mr. Wayman. Ultimately, Mr. Wayman decided to record the quitclaim deed, attempted to secure a mortgage by using our house as collateral, and attempted to strip most of our \$80,000 of equity. Mr. Wayman, through his C & M entity, executed a mortgage in favor of First Minnesota Bank.

Mr. Wayman told us he would not cancel the transaction and that we were required to make payments to him under the "Rent Back Agreement." He was an experienced expert in real estate foreclosure. My wife and I were inexperienced in real estate and this was our first house. We

Amos Graves
Application to Repurchase after Forfeiture

began making payments for PITI (Principal, Interest, Taxes and Insurance) as stated in the Rent Back Agreement. Beginning around September of 2007, we no longer received property tax statements or notices.

As I understand, Mr. Wayman stopped forwarding property tax payments to Ramsey County and stopped making payments to First Minnesota Bank. In 2008, First Minnesota Bank attempted to foreclose by action by filing a lawsuit with the Ramsey County District Court. During the same year, Mr. Wayman attempted to evict me and my family from the house. My wife passed away from an aneurism after enduring mounting pressure on the loss of our house.

In 2009, I filed a suit to save my house from being lost by the equity stripping scheme. That same year, Michael Wayman and C & M were found guilty on 19 counts of criminal racketeering, perjury and filing false documents involving his real estate foreclosure practices. He was sentenced to three years in prison by Hennepin County District Judge Warren Sagstuen.

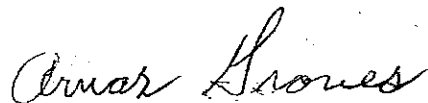
In late 2010, a trial was in my lawsuit to save my house from the equity stripping scheme. In early 2011, the district court determined that I owned the house. In mid-2011, the district court amended its judgment and declared that First Minnesota Bank was the owner of the property, which I appealed. First Minnesota Bank filed a complaint to evict me around August of 2011. Because First Minnesota Bank was held to be the owner, I was evicted around September of 2011.

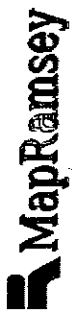
In July of 2012, the Minnesota Court of Appeals reversed the amended judgment, holding I owned the house and that First Minnesota Bank held no interest. In late 2012, the Minnesota Supreme Court granted First Minnesota Bank's petition for review. As of the present date, the Minnesota Supreme Court has not issued a decision, which is expected soon.

This was my first and only house that I owned. Beginning in 1999, the house has been my primary (and sole) residence. I have shared many memories with my late wife in the house and have taken good care of maintaining our home. I intend to move back into my home once the Minnesota Supreme Court rules, however I now understand that an application to repurchase must be approved. I have fought hard to keep my house for many years and through many lawsuits. I am sad that after giving my heart to save the house that I am once again facing the prospect of losing it as a consequence of the equity stripping scheme. I therefore respectfully ask that you accept my application.

Sincerely,

Amos Graves





CD 3 20-29-22-34-0091 1221 Bradley Street

