FILED IN DISTRICT COURT
STATE OF MINNESOTA
FEB 01 2021

STATE OF MINNESOTA
COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
DISTRICT COURT
CASE TYPE
FILE NUMBER

62-CV-22-577

IN RE THE APPEAL OF:

JON DAVID FAIAD
APPELLANT

VS.

NOTICE OF APPEAL

City of Sit Paul
RESPONDENT

PLEASE TAKE NOTICE that the Appellant hereby appeals the Order of the Saint Paul City Council dated unknown on the grounds that:

1. The City of St. Paul chose to do Alley maintence during the Summer of 2021. My home Located at 620 Victoria St. S., St. Paul MN 55102 was affected by this decision

2. My lot has only 1 access point to the Alley, as do my neighbors. Those neighbors we assed fo 40 feet of frontage to the alley.

3. My home was assessed for 200 feet on 2 sides of the lot.

4. The assesment is in an amount far in excess of the actual benefits to the property

5. The maintence was done under Project number 215600

6. This appeal is proper under Section 14.01.4 of the St. Paul City Municipal Code and under MNStat 429.018

7.

8.

9.

10.

WHEREFORE, Appellant demands relief against the Respondent as follows: The Assesment be adjusted & revised to reflect the benefit received, or an amount equal to 40 feet, the same as the 16 adjacent properties were assessed

Jon Favod
Appellant

VERIFICATION AND ACKNOWLEDGEMENT

A. I have read this document. To the best of my knowledge, information

contained in this document is well grounded in fact and is warranted by existing law.

B. I have not been determined by any court in Minnesota or in any other State to be a frivolous litigant or subject to any Order precluding me from serving and filing this document.

C. I am not serving or filing this document for any improper purpose such as, to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.

D. I understand that if I am not telling the truth or if I am misleading the Court or if I am serving or filing this document for any improper purpose, the Court can order me to pay money to the other party, including reasonable expenses incurred by the other party because of the serving or filing of this document such as court costs, and reasonable attorney fees.

Jon Faied

APPELLANT

6020 VICTORIA ST. S.

ADDRESS

ST. PAUL MN 55102

651-492-8030

TELEPHONE

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 1st DAY OF February, 2022

Jonathan Aguilar

NOTARY PUBLIC/COURT CLERK

MY COMMISSION EXPIRES 01·31·2025

JONATHAN L. AGUILAR-CASALES
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2025

I am appealing the amount of the accessment is in an amount in actual benefit to the property

Sec 14.01.4 - Appeal

(2)

JON FAIAD
620 VICTORIA ST. SOUTH
ST. PAUL MN 55102
651-492-8030

RECEIVED
JAN 17 2022
CITY CLERK

APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

We need the following to process your appeal:

- ☐ $25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number_____)
- ☐ Copy of the City-issued orders/letter being appealed
- ☐ Attachments you may wish to include
- ☐ This appeal form completed
- ☐ Walk-In *OR* ☐ Mail-In

  for abatement orders only: ☐ Email *OR* ☐ Fax

HEARING DATE & TIME
(provided by Legislative Hearing Office)
*Tuesday,*_____

Time: you will be called between
_____ *&* _____
Location of Hearing:
Teleconference due to Covid-19 Pandemic

Address Being Appealed:

Number & Street: 620 VICTORIA ST. SOUTH City: ST. PAUL State: MN Zip: 55102

Appellant/Applicant: JON FAIAD Email jondfaiad@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 651-492-8030

Signature: Jon D Faiad Date: 1/18/2022

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? *Attachments Are Acceptable*

- ☐ Vacate Order/Condemnation/ Revocation of Fire C of O _____
- ☐ Summary/Vehicle Abatement _____
- ☐ Fire C of O Deficiency List/Correction _____
- ☐ Code Enforcement Correction Notice _____
- ☐ Vacant Building Registration _____
- ☐ Other (Fence Variance, Code Compliance, etc.) Attached

I am appealing the current assessment for project number 215600. The assessment being billed is excessive and unjust. My access is comparable to the other residents on the alley way. The majority of the north and east is fenced. In the past, I was assessed for the 57 feet of my property on the east end which seemed more reasonable and equitable. The boldface portion of the following in Special Assessments under the second Section 14.01.4 of Appeals states the following which supports my rational for appeal.

The only defense to an assessment shall be that the assessment is fraudulent, or that it is made upon a demonstrable mistake of fact of law, **or that the assessment is in an amount in excess of the actual benefits to the property**. The jurisdiction of the court shall not be affected by an error or active omission not affecting the substantial right of any person.

Thank you for your consideration, time and assistance regarding my property assessment.

Sincerely,

Jon D. Faiad
620 South Victoria St. 55102
jondfaiad@gmail.com
651-492-8030

SAINT PAUL
MINNESOTA

City of Saint Paul
INVOICE

OWNER OR TAXPAYER

Jon D Faiad
620 Victoria St S
St Paul MN 55102-4037

Property Address:	620 VICTORIA ST S
Property ID Number:	11-28-23-43-0065
Project Number:	215600
AMOUNT DUE:	**$ 1,084.00**

FEE FOR WORK PERFORMED ***** REVISED INVOICE *****
2021 Street Maintenance Service Program - Sealcoating Street and/or Alley

ASSESSMENT CALCULATION

Sealcoating - Alley (1)	30.00 X	$5.42 /	foot	=	$162.60
Sealcoating - Alley (1)	170.00 X	$5.42 /	foot	=	$921.40

FEE AUTHORIZATION The City of Saint Paul is authorized under Chapter 429 of the Minnesota State Statutes and Chapters 62 and 64 of the Saint Paul Administrative Code to charge fees to property owners for various services provided through its Street Maintenance Service Program. Those services include Mill and Overlay and Sealcoating projects.

PAYMENT INFORMATION You may pay the full amount of your fee or a portion of it by **2/11/2022** without interest. Please enclose the lower portion of this invoice with your payment.

If you do not pay the fee by **2/11/2022**, the amount due will become an assessment on your property. Each year an installment will be sent to Ramsey County for collection with your property taxes. Any unpaid amount will be charged interest at **0.50%** per year, plus an annual **$1.30** flat fee per city ordinance to cover administrative costs related to the assessment.

Per city ordinance you will be allowed **8** years to pay the assessment. If you wish to shorten the term of the assessment, the City will accept additional payments each year until NOVEMBER 15th.

Returned checks are subject to a $30.00 returned item fee.
(Continued on reverse side.)

(Return this portion with your payment)

OWNER OR TAXPAYER

Jon D Faiad
620 Victoria St S
St Paul MN 55102-4037

Property Address:	620 VICTORIA ST S
Property ID Number:	11-28-23-43-0065
Project Number:	215600
AMOUNT DUE:	**$ 1,084.00**

Make checks payable to the **CITY OF SAINT PAUL** and mail to:

Office of Financial Services - Assessments
700 City Hall
15 West Kellogg Boulevard
Saint Paul MN 55102 - 1658

PAYMENT OPTIONS

1. Detach the bottom portion of this invoice and mail it with your payment to the address below.
2. Pay online from your checking/savings account at www.stpaul.gov/assessments. No additional fee.
3. Pay online using a credit/debit card at www.stpaul.gov/assessments. Bank fee of 2.49%

QUESTIONS If you have questions about your fee, call **651-266-8858.** City staff are also available to answer your questions in person. We are located on the 7th floor of the City Hall / Courthouse, 15 W. Kellogg Blvd., St. Paul.

Tenemos a su disposición servicios de intérpretes gratuitos 651-266-8858. Adeegyada tarjumaada oo lacag la'aan ah ayaad helaysaa 651-266-8858. Yog koj xav tau tus neeg pab txhais lus dawb 651-266-8858.

THIS SECTION APPLIES ONLY IF THE FEE IS NOT PAID BY THE DUE DATE AND IS LATER APPROVED AS AN ASSESSMENT

DEFERRED PAYMENTS Persons 65 and older or permanently disabled may qualify for deferred payment of the assessment. If it would be a hardship and you homestead the property, you may apply for deferred payment.

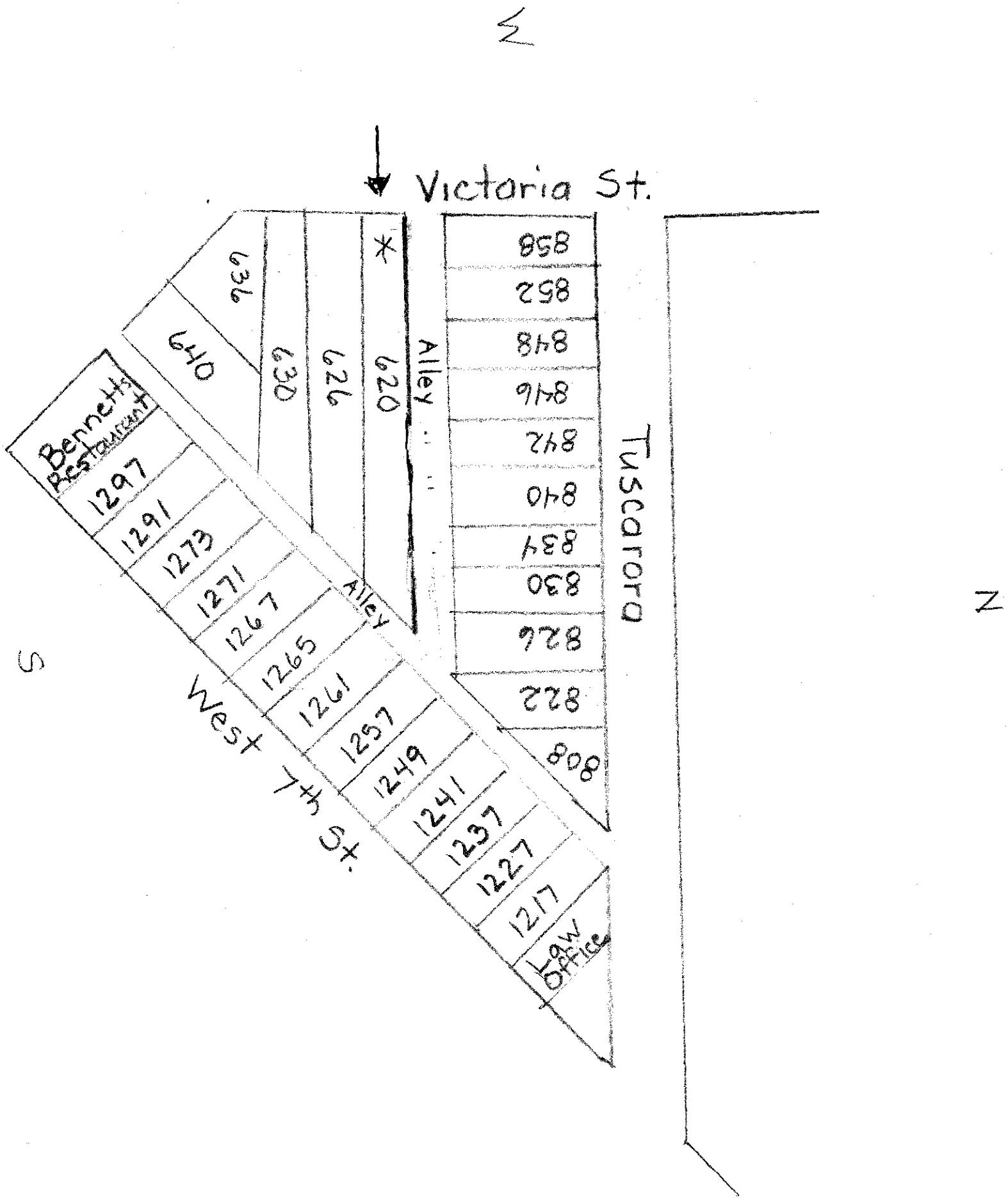
This is not a forgiveness of payment. It is a deferred payment plan in which interest continues to accrue. Payment may not be deferred longer than the term of the special assessment.

For more information on deferments, please call **651-266-8858**.

APPEAL City Council approval of assessments are subject to appeal in the Ramsey County District Court. You must file a notice stating the grounds for the appeal with the City Clerk within 20 days after the order adopting the assessment. You must file the same notice with the Clerk of District Court within 10 days after filing with the City Clerk.

NOTE: Failure to file the required notices within the times specified shall forever prohibit an appeal of the assessment.

Section 64.06 of the Saint Paul Administrative Code requires regular assessment payments to be made even if an assessment is under appeal. If the appeal is successful, the payments including interest will be refunded.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Law Office
West 7th St.
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SAINT PAUL
MINNESOTA

City of Saint Paul
INVOICE

OWNER OR TAXPAYER

Jon D Faiad
620 Victoria St S
St Paul MN 55102-4037

Property Address:	620 VICTORIA ST S
Property ID Number:	11-28-23-43-0065
Project Number:	215600
AMOUNT DUE:	**$1,144.00**

FEE FOR WORK PERFORMED **2021 Street Maintenance Service Program - Sealcoating Street and/or Alley**

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Jon D Faiad
620 Victoria St S
St Paul MN 55102-4037

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Property ID Number:	11-28-23-43-0065
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Office of the Revisor of Statutes

2019 Minnesota Statutes

Authenticate PDF

429.081 APPEAL TO DISTRICT COURT.

Within 30 days after the adoption of the assessment, any person aggrieved, who is not precluded by failure to object prior to or at the assessment hearing, or whose failure to so object is due to a reasonable cause, may appeal to the district court by serving a notice upon the mayor or clerk of the municipality. The notice shall be filed with the court administrator of the district court within ten days after its service. The municipal clerk shall furnish appellant a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal. The appeal shall be placed upon the calendar of the next general term commencing more than five days after the date of serving the notice and shall be tried as other appeals in such cases. The court shall either affirm the assessment or set it aside and order a reassessment as provided in section 429.071, subdivision 2. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

History: *1953 c 398 s 8; 1961 c 525 s 9; 1978 c 749 s 2; 1980 c 607 art 11 s 3; 1Sp1986 c 3 art 1 s 82*

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