

FERDINAND F. PETERS, ESQ. LAW FIRM
Lakes & Plains Office Building
842 Raymond Avenue, Suite 200
St. Paul, Minnesota 55114
Phone: (651) 647-6250 Fax: (651) 251-1183
ferdpeters@ferdlaw.com

RECEIVED
OCT 05 2016
CITY CLERK

October 4, 2016

St. Paul City Council
Ms. Shari Moore, City Clerk
15 Kellogg Blvd. West
310 City Hall
St. Paul, MN 55102
Fax: 651-266-8574
Shari.moore@ci.stpaul.mn.us

VIA EMAIL, U.S. MAIL AND FACSIMILE

Subject: Objection to 2016 ROW Assessment
Property Addresses: 841 Bradford Street and
2330 Long Avenue, St. Paul, MN 55114

Dear Sir or Madam:

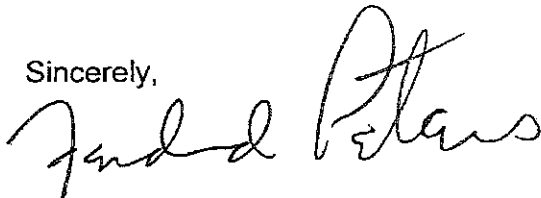
Lakes & Plains, LLC, the owner of a building located at 841 Bradford Street in Saint Paul (such address a/k/a 842 Raymond Avenue, Saint Paul), MN, objects to the right of way (ROW) assessments imposed by the City. This property along with its additional parking lot which is located at 2330 Long Avenue, St. Paul, MN are both located on corner lots, which result in much higher ROW Assessments because two sides of each property abut residential streets. Each side of the properties that abuts a street is charged the residential street rate of \$9.98 per lineal foot (841 Bradford Ave.) and \$7.34 per lineal foot (2330 Long Ave.). The 2016 Right-of-Way Assessments ("ROW Assessments") for these properties are \$2,185.62 for 841 Bradford Street and \$2,326.78 for 2330 Long Avenue. Other similarly sized, similarly located properties in St. Paul that situate in the middle of a block are charged only for the residential street amount for the front side of the property. In addition, the City of St. Paul made an alteration to the lineal footage of 841 Bradford when in 2014 it installed a storm water reservoir at the corner of Bradford and Ellis Avenue, and the actual front footage of the property is less than what the city uses to compute the ROW assessment.

I object to both of the 2016 ROW Assessments for the above-referenced properties because the assessments are not based upon the benefits conferred to the properties as required by Minnesota Statute section 429.051, and because it violates the Minnesota Constitution and the U.S. Constitution, and also violates the recent Minnesota Supreme Court case of *First Baptist Church of St. Paul, et al., vs. City of St. Paul (A15-0015)*.

St. Paul City Council
October 4, 2016
Page 2

Objection is also made based on the above-referenced properties do not confer an increased benefit from the ROW Assessment because two sides of each property are assessed versus one front side. Additionally, the property owner objects to the ROW Assessments because the assessment structure is not proportional or uniform.

Sincerely,

A handwritten signature in black ink, appearing to read "Ferdinand F. Peters". The signature is fluid and cursive, with the first name "Ferdinand" and last name "Peters" clearly distinguishable.

Ferdinand F. Peters