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KVK Rents

Wed 6/22/2022 3:29 PM

To: #CI-StPaul_Ward3



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6/22/2022 City Council Meeting

1805 Saint Clair Ave.

File # J2225A

Assessment # 228527

Dear City Council Members,

We are writing a written objection to Assessment #228527. The City of Saint Paul has charged DPH Properties I LLC \$1362.00 for the removal of a branch from a tree hanging over the street right of way at 1805 Saint Clair Ave.

In the recent case of,

First Baptist Church of St. Paul, Krinkie Company, J. James Walsh, 475 Cleveland Assoc. LLC, Dart Transit et. al.

Vs.

City of St. Paul

and the recent case of,

Christina Anderson and Simon Taghioff, et al.,

Vs.

City of St. Paul

The Honorable Robert A. Awsumb sided with the Plaintiffs and asserted in his order "that the charges at issue are a tax requiring proof of special benefit to Plaintiffs."

We would argue that the same application would apply to this charge of \$1362.00 to remove the tree branch that was hanging over the street right of way. There is no "special benefit" to the owners of 1805 Saint Clair Ave. Rather, the removal of the branch is equally beneficial to anyone who uses the road, not just the owners of 1805 Saint Clair Ave.