

September 5, 2023

**VIA EMAIL ONLY**

City of Saint Paul  
Attn: City Clerk  
15 W. Kellogg Blvd.  
310 City Hall  
St. Paul, MN 55102

Email: [Contact-Council@ci.stpaul.mn.us](mailto:Contact-Council@ci.stpaul.mn.us)

Re: Property ID: 06-28-22-12-0059  
Assessment Description: Wabasha: Kellogg to 7<sup>th</sup> Street (2022)  
Property Owner: VCI-VICRAMP, LLC  
Assessment: 225200  
Project 19209

Dear City Clerk and Members of the City Council:

I represent VCI-VICRAMP, LLC (“VCI”) in connection with the above referenced Property ID and proposed Assessment. VCI understands that the above-referenced matter is scheduled to be heard by the Saint Paul City Council on September 13, 2023.

VCI hereby objects to the proposed assessments for the following reasons:

1. The proposed assessments violate the provisions of Minnesota Statutes Chapter 429 including, without limitation, Sections 429.051 and 429.061.
2. The proposed assessments constitute an unconstitutional taking of VCI’s Property without just compensation.
3. The proposed assessments violate VCI’s constitutional due process and equal protection rights.
4. The proposed Project is for the general benefit of the City of Saint Paul and others who will use the Project and therefore there is no special benefit to the Property. The proposed Project decreases the value of the Property.
5. The proposed assessment exceeds any purported increase in value of the Property as a result of the Project.
6. The proposed assessment may violate relevant provisions of the Saint Paul City Code.

7. The proposed assessment violates other Minnesota law and statutes.
8. The assessment formula used is not legal.
9. Other properties that should have been assessed were not assessed.
10. The City's assessment notice violates and misstates Minnesota law.
11. Such other factual and legal reasons, which may become evident in the future.

VCI formally requests that these objections be accepted as part of the record before the City Council and that the total assessment for the Property be reduced to \$0 for the reasons stated in this letter and as may be determined at trial. In the alternative, VCI requests that any action on the assessment roll be tabled so City staff can meet with VCI to see if an acceptable compromise can be worked out for later vote by the City Council.

Finally, please provide me with a copy of the appraisal or any other valuation analysis relied upon by the City of Saint Paul, to justify the proposed assessment. Please call me with any questions.

Sincerely,



Howard A. Roston  
**Direct Dial:** 612.492.7441  
**Email:** hroston@fredlaw.com

HAR/ras

JOINDER

The property owner joins in this objection for the reasons set forth above.

VCI-VICRAMP, LLC

By  \_\_\_\_\_  
Todd Geller

Its President \_\_\_\_\_