

#48

**INDUSTRIAL EQUITIES L.L.P.***Development and Investments*

TEL 612 332 9966

321 First Avenue North, Minneapolis, Minnesota 55401

FAX 612 332 0241

October 7, 2015

City Clerk and City Council  
City of St. Paul  
310 City Hall  
15 Kellogg Boulevard West  
St. Paul, MN 55102

**Re: Written Objection to proposed Assessment****Project: Raymond Ave-Hampden to Energy Park Drive**

Assessment #155201 – File #19171

Property Identification Nos. 29-29-23-13-0028 and 29-29-23-13-0030

Dear City Clerk and City Council Members,

If there ever was a case for an improvement not benefiting a property this is the poster child for it.

Bradford Industrial Properties LLC owns two vacant land parcels at 1004 Raymond Ave (PID # 29-29-23-13-0030) and 1012 Raymond Ave (PID # 29-29-23-13-0028), which are located at the foot of a steep embankment adjacent to Raymond Avenue. These parcels abut other parcels, which together are used for surface industrial parking (see enclosed aerial map). Based on the assessment roll, these other parcels are not subject to the assessment. None of the parcels have access to Raymond Avenue.

Because of the dramatic topographical difference from Raymond Avenue to the subject parcels, these lots have never had access to Raymond Avenue. These lots receive no benefit from the proposed street and lighting improvement. It would make no appreciable difference to these parcels if the City closed Raymond Avenue. It is very clear to anyone inspecting the property that these parcels have nothing in common with the other properties along Raymond Avenue. These parcels abut a cliff next to Raymond Avenue. The attached photos show the how far below Raymond Avenue that the subject parcels sit. Any access to these properties (and, therefore, any benefit) is impossible and impractical. The embankment is so steep that it is unfeasible to create a driveway, even if the city would permit a curb cut to do so. The parcels would have to be significantly re-graded and built up for such an access to not be dangerously vertical.

Under Section 14.01.1(3) of the St. Paul City Code, the City must consider and give weight to the particular physical attributes of the property to be levied: "In estimating the benefits to any particular lot, piece or parcel of land, the proper city officers shall consider the owners' interest therein, the form and position of the several parcels of land, the qualified rights of the owners, and any other circumstances rendering the improvement beneficial to him or them." No such consideration has been given to the subject properties' situation here.

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Minnesota law requires that, for an assessment to stand, the property subjected to the assessment must acquire a special benefit from the improvement. Moreover, the amount of the assessment may not exceed the benefit that inures to the property. Bradford Industrial Properties LLC believes that the proposed assessment generates no benefit for the property. Ramsey County currently values these parcels for property taxation at \$44,400 (PID 29-29-23-13-0028) and \$42,900 (PID 29-29-23-13-0030). The proposed special assessments are \$23,009 (PID 29-29-23-13-0028) and \$11,704 (PID 29-29-23-13-0030). The proposed assessments amount to nearly 50% of the county's already over-valued tax assessment. Even assuming the tax valuations are somewhat accurate, it cannot be the case that the improvements to Raymond Avenue add such value to these properties. That value enhancement would be based solely upon the improvement of a street to which these parcels have no access (and likely will never have access).

Bradford Industrial Properties LLC asserted an objection to this assessment on May 6, 2015 and subsequently filed a formal appeal of the assessment on June 4, 2015. The City Council hearing on October 7, 2015 is for the purpose of adopting the final assessment amounts. Please consider this our official timely and supplemental objection to the proposed assessments, and accordingly, the preservation of our legal right to seek further action as the properties receive absolutely no benefit from the improvements.

Sincerely,

John N. Allen



Enclosures

cc: Jeff McNaught, Attorney at Law  
Neil Polstein, Attorney at Law

Objection to Proposed Assessment at Raymond Ave-Hampden to Energy Park Dr.

- 1) Steep Embankment from the Property to Raymond Avenue.



2) Car parked on the Property facing Raymond Avenue.



3) Steep Embankment from Raymond Avenue to the Property.

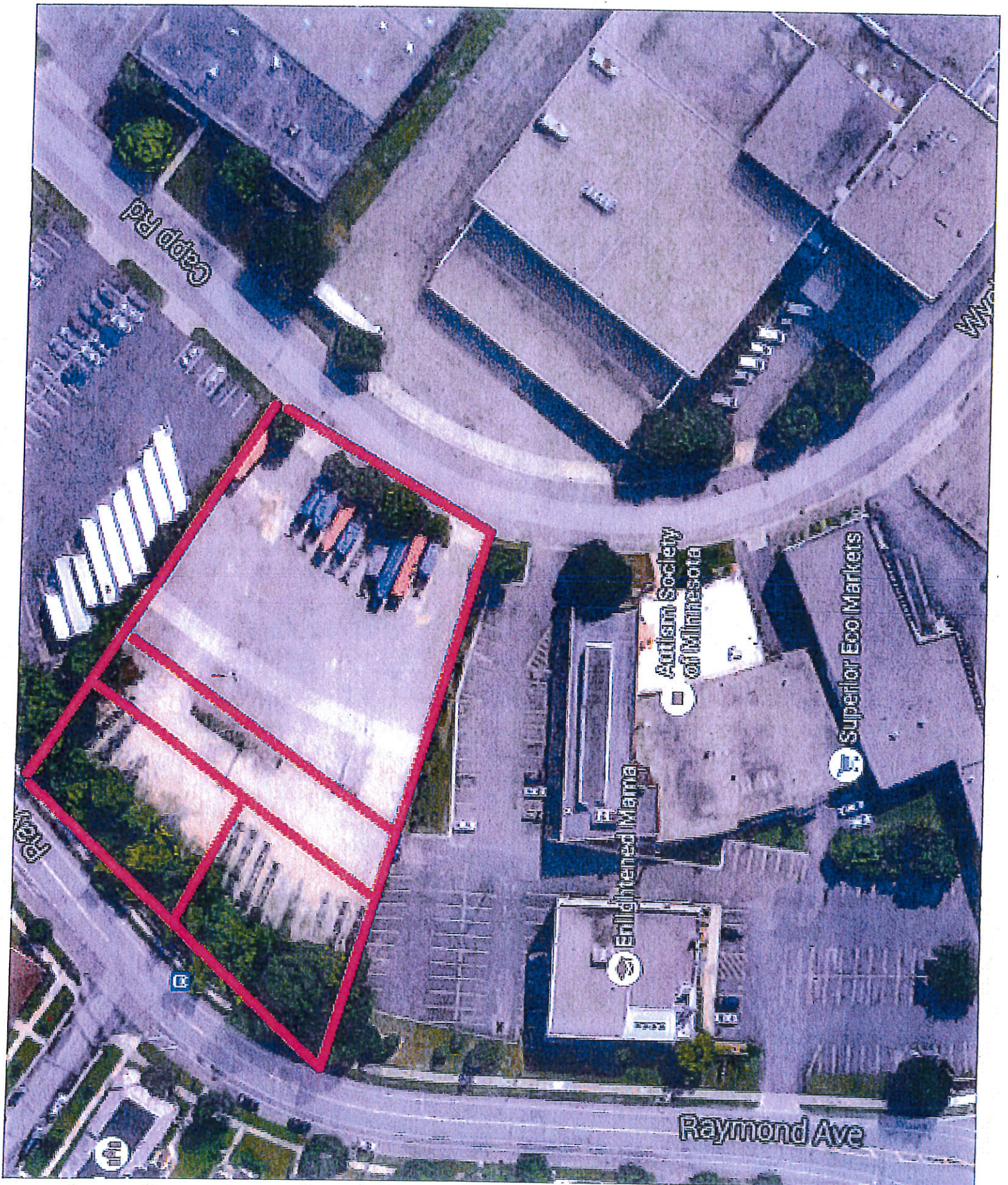


- 4) Existing guard rail to prevent motorist and pedestrians using the sidewalk from going down the steep embankment.



5) Road closed at Raymond Ave and Manvel Street for construction.





Copp Rd

Autism Society of Minnesota

Superior Eco Markets

Enlightened Mama

Raymond Ave

C





# Saint Paul City Council Public Hearing Notice Ratification of Assessment

**OWNER OR TAXPAYER**

Bradford Industrial Prop Llc  
321 1st Ave  
Mpls MN 55401-1609

COUNCIL DISTRICT #4  
PLANNING DISTRICT #12  
FILE #19171  
ASSESSMENT #155201  
PROPERTY ADDRESS  
1012 RAYMOND AVE  
PARCEL ID  
29-29-23-13-0028

**PROPERTY TAX DESCRIPTION**

REGISTERED LAND SURVEY 339 TRACT A

**THE TIME:** Wednesday, October 07, 2015 at 5:30 PM  
**PUBLIC PLACE:** City Council Chambers, 3rd Floor City Hall-Court House  
**HEARING** Written or oral statements by any owner will be considered by the Council at this hearing.

**PURPOSE** To consider approval of the assessment for:  
Raymond Ave- Hampden to Energy Pk Dr

**ASSESSMENT INFORMATION** The proposed assessment for the above property is **\$23,009.00**. If the City Council approves the assessment you will have 30 days to pay without interest. Any unpaid balance will be collected with your property taxes over **20** year(s) at **4.2500%** interest. The proposed roll for this project is available for review in the Real Estate Office, 25 W. 4th Street - 10th floor - City Hall Annex.

<b>ASSESSMENT CALCULATION</b>	Grade and Pav	173.00 X	113.00 / foot	=	\$19,549.00
	Lighting	173.00 X	20.00 / foot	=	\$3,460.00

**NOTE** **THIS IS NOT A BILL.** YOU WILL RECEIVE AN INVOICE AFTER THE HEARING SPECIFYING THE AMOUNT APPROVED BY THE CITY COUNCIL WITH COMPLETE INSTRUCTIONS ON HOW TO PAY THIS ASSESSMENT.

**Invoice will be sent to the taxpayer**

**DEFERRED  
PAYMENTS**

Persons 65 and older or permanently disabled may qualify for deferred payment of special assessments with a term greater than 1 year. If it would be a hardship and you homestead this property, you may apply for deferred payment after the City Council approves the **RATIFICATION OF ASSESSMENTS**.

This is not a forgiveness of payment. It is a deferred payment plan in which interest continues to accrue. The deferred payment shall be for a period no longer than the term of the special assessment. Assessments with a term of 1 year are not eligible for deferral.

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

**VIEW  
ASSESSMENTS**

To view assessments online visit our website at [www.stpaul.gov/assessments](http://www.stpaul.gov/assessments). Properties can be looked up either by street address or by parcel identification number.

**QUESTIONS**

Before the public hearing call 651-266-8858 and refer to the File # on page 1 of this notice. City staff will be available to answer any last minute questions located on the 10th floor of the City Hall Annex the same day as the hearing. After the public hearing call 651-266-8858 and refer to the Assessment # on page 1.

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.

**APPEAL**

City Council decisions 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 from 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.

**NOTICE SENT BY THE OFFICE OF FINANCIAL SERVICES  
REAL ESTATE SECTION  
25 W. 4TH ST.  
1000 CITY HALL ANNEX  
SAINT PAUL, MN 55102-1660**



# Saint Paul City Council Public Hearing Notice Ratification of Assessment

**OWNER OR TAXPAYER**

**Bradford Industrial Prop Llc**  
321 1st Ave  
Mpls MN 55401-1609

COUNCIL DISTRICT #4  
PLANNING DISTRICT #12  
FILE #19171  
ASSESSMENT #155201  
PROPERTY ADDRESS  
**1004 RAYMOND AVE**  
PARCEL ID  
**29-29-23-13-0030**

**PROPERTY TAX DESCRIPTION**

REARRANGEMENT OF BLOCKS 62, 67, 68 AND LOT 1 OF BLOCK 75 ST. ANTHONY PARK SUBJ TO ST THE FOL; PART OF LOT 2 NELY OF FOL L; COM AT SE COR OF LOT 1 BLK 1 TH NLY ALONG EL OF LOTS 1 & 2 148.34 FT TO PT OF BEG TH N 73 DEG 17 MIN 10 SEC W TO RAYMOND AVE AS WIDENED & THERE TERMINATING & ALL OF LOTS 3 & LOT 4 BLK 2

**THE TIME:** Wednesday, October 07, 2015 at 5:30 PM  
**PUBLIC PLACE:** City Council Chambers, 3rd Floor City Hall-Court House  
**HEARING** Written or oral statements by any owner will be considered by the Council at this hearing.

**PURPOSE** To consider approval of the assessment for:  
Raymond Ave- Hampden to Energy Pk Dr

**ASSESSMENT INFORMATION** The proposed assessment for the above property is **\$11,704.00**. If the City Council approves the assessment you will have 30 days to pay without interest. Any unpaid balance will be collected with your property taxes over 20 year(s) at 4.2500% interest. The proposed roll for this project is available for review in the Real Estate Office, 25 W. 4th Street - 10th floor - City Hall Annex.

<b>ASSESSMENT CALCULATION</b>	Grade and Pave	88.00 X	113.00 / foot	=	\$9,944.00
	Lighting	88.00 X	20.00 / foot	=	\$1,760.00

**NOTE** **THIS IS NOT A BILL.** YOU WILL RECEIVE AN INVOICE AFTER THE HEARING SPECIFYING THE AMOUNT APPROVED BY THE CITY COUNCIL WITH COMPLETE INSTRUCTIONS ON HOW TO PAY THIS ASSESSMENT.

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REAL ESTATE SECTION  
25 W. 4TH ST.  
1000 CITY HALL ANNEX  
SAINT PAUL, MN 55102-1660**



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

Dan Haak, Manager Telephone: 651-266-6080  
Street Engineering/Construction Fax: 651-292-6315  
900 City Hall Annex  
25 W. Fourth Street  
Saint Paul, MN 55102-1660

September 9, 2015

Dear Raymond Avenue Property Owner:

The **Raymond Avenue Paving Project** in your neighborhood will be completed this fall. As a result of the project, you will have streets that are smoother, safer, and better lit. In coordination with this project, Xcel Energy, Saint Paul Regional Water Services, and other utility services have been upgraded and improved.

A Public Hearing before the City Council for the approval of the assessments for the project has been scheduled for October 7, 2015. You will receive a separate mailing informing you of this meeting.

An "open house" style meeting to answer questions about the assessment rates and the construction project will be held at:

**Thursday, September 24, 2015**  
**6:00 – 7:00 p.m.**  
**Langford Park Recreation Center**  
**30 Langford Park**

Public Works' Division of Street Design and Construction and the Office of Financial Services' Real Estate Section will have staff on hand to answer your questions.

If you have any construction related questions prior to the meeting, you can call me at 651-266-6112. If you have any billing or assessment questions you can call 651-266-8858.

Thank you,

Barb Mundahl  
Project Engineer

cc: Real Estate  
Project Inspector



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