Dear Council member Samantha Henningson and President Amy Brendmoen,
I am writing to express my and my wife's support for the property line adjustment agreed to by the homeowners living at 2239 Como Av. W. and the City of St. Paul.

I am a lifetime resident of St. Anthony Park who has long used and enjoyed the beauty of the St. Anthony Park Library. It is, without doubt a gem in our community. I first recall using the library when I was in elementary school in the 1950s.

The St. Anthony Park Garden Club, of which my wife is a member and former officer, has done outstanding work in beautifying the grounds of the Library for many years.

Through no fault of their own, the Foss family has been thrust into a disagreement over the correct property line between their home and the library that goes back to the beginning of the 20th Century.

I know Rick and Nancy Foss. They are honest, caring and committed members of our community. They have made a conscious effort to resolve the issue, at some cost to themselves.

They, and the City, have reached an agreement on an adjusted property line. I hope that you, and other members of the City Council will support the agreement.

Sincerely yours,

Glen and Anna Skovholt
1473 Grantham Street
Saint Paul, Minnesota 55108

Dear Council President Brendmoen,

I am writing to you in support of Rick and Nancy Foss who are attempting to come to a settlement agreement with the City of St. Paul with regards to a sale of library property adjacent to their personal lot. I originally have written to express support for the Foss family to, then, Mayor Coleman and to Russ Stark.

Through no fault of their own, the Foss property line has come under dispute due to confusing and uncertain circumstances. This has been a long standing dispute, primarily initiated by third party individuals, who now refuse to accept the resolution of this situation in the manner that has been derived. The result, a sale of land to the Foss family, is the culmination of a laborious process with input from all interested parties. Those who fail to accept the current plan have renewed their complaints with the change in city administration.

The land is owned by the City, not the Garden Club or the SAP Library Association (who otherwise should be recognized for their contributions to the library property). For many decades, it seemed that the Foss family, and previous owners, owned the land. There will be no further construction on the East side of the library property, so allowing for setbacks will not be an issue. The land does have value, and they are willing to pay, again, for the land in question. St. Anthony Park is known for "pride in ownership" even when there is none. This is good for the neighborhood when it comes to celebrating community, but can become an embarrassment when protracted and absurd in it's degree. It is time to settle this issue so

that the Fosses, who have spent considerable resources beautifying their property, can rest easy and continue with their plans.

Thank you for your consideration of this matter. If you have any further questions or concerns, please feel free to contact me.

David A. Lee, M.D., 2195 Como Ave., St. Paul, MN 55108
From: Hal Dragseth [mailto:hal@seracomm.com]
Sent: Tuesday, February 27, 2018 11:57 AM
To: *CI-StPaul_Contact-Council; #CI-StPaul_Ward4
Subject: St. Paul Public Libraries File No. 04-2016

Dear Amy Brendmoen, Council President,

This email is offering support for Rick and Nancy Foss and their hearing before the council-St. Paul Public Libraries File No. 04-2016.
They have agreed to a resolution of the property line dispute by paying again for the property they have assumed was theirs. This agreement should be upheld by the council. There is no real loss to the community or the library in this agreement.

Respectfully,

Hal Dragseth
Pamela Myhre Dragseth
1470 Hythe Street
Saint Paul, MN 55018

Council President Brendmoen and Council Member Henningson,

We are writing in support of Rick & Nancy Foss, the landowners who are seeking to resolve a land line issue with the St. Paul Public Library and City. We have been homeowners in St. Anthony Park for about 35 years, and we are long time supporters of both the St. Anthony Park Library and The Friends of the St. Paul Public Library.

As a preliminary matter, I want to tell you that I (Audrey) am currently chair of the St. Anthony Park Branch Library Association, a non-profit whose mission is to support the St. Anthony Park Branch Library. However, I am writing in my individual capacity and *not* on behalf of the Association. While the Association has been aware of the lot line issue for some time, it has affirmatively decided to *take no position* as to its resolution. I'm sure that other Association members who may submit comments are also making this clear to you.

As SAP homeowners who have followed this matter, we believe that the lot line issue has been thoroughly considered by the SPPL and City, and we support the negotiated sale to the Fosses. While we understand that there are conflicting surveys and no easy answers, the equities clearly favor the Fosses. The SPPL and City have determined that the portion to be sold is not considered necessary nor suitable for library expansion and has not been used by the library. On the other hand, the Fosses and prior owners before them have believed that the land was part of their lot, have purchased and sold the

home on the assumption that the disputed land was theirs, and have paid taxes on the disputed property.

The property in question is an odd, wedge-shaped parcel 40 feet wide at its widest and narrowing to less than 15 feet, according to the drawing we have seen. It can't be sold separately for development or any other purpose. It is part of the Fosses' yard. It doesn't lend itself to any meaningful use by the library without significant expenditure of SPPL/City money.

We support resolving the matter by clearly transferring title to the Fosses as agreed among the SPPL, the City and the Fosses.

John Eaton and Audrey Estebo

2318 Commonwealth Avenue

Dear Council President Amy Brendmoen and Concilmember Samantha Henningson,
I am a resident of St. Anthony Park and have been for 62 of my 67 years on this earth. In this neighborhood, there are many irregular lots due to the irregular layout of our streets. In good faith for over a hundred years the owners at 2239 Como have believed the property line to be much different than the recent survey showed. These owners have cared for that property and paid taxes on it. To believe that the property line was always where the recent survey showed, you would have to believe the original property owner was nuts to build so close to the property line. Still a dispute arose and needed to be solved.
I commend the St. Paul City Council for working to prepare a resolution to the property line dispute. I ask you to continue to move this proposed resolution forward to approval.

David Christianson
Dear council president Amy Brendmeon,

I live 5 houses down from the Fosses and the library at 2170 Carter avenue.

I strongly agree with the proposed sale of the disputed land to them from the library.

I believe those who opposed to this are being reactionary, misinformed or both.

The Fosses were placed in a very difficult situation due to the survey discrepancies, and are have acted as humble reasonable citizens to solve this issue that they never wished would have happened.

Thank you for your time,

Respectfully,

Tony Pfaff
2170 Carter avenue

Dear City Council members,

As neighbors of Richard and Nancy Foss and as long-time users of the St. Anthony Library, we support the resolution of the above-mentioned matter. We support the Fosses.

The Fosses are remarkably patient and good neighbors. They have made great sacrifices and compromises, and now it's time to resolve this matter. There is no doubt that a vast majority of friends and neighbors of the Library support the Fosses in this matter.

Thank you for listening.

Jay Weiner and Ann Juergens

Jay Weiner
and Ann Juergens
2137 Commonwealth Avenue
Minneapolis-Saint Paul, MN, USA

To Council President Amy Brendmoen,

I am writing in regard to the property dispute with the library at 2239 Como. I am dismayed with those claiming the property belongs to the library. There is something about land and the possession of it that can quickly turns neighbor against neighbor.

The fact that different owners of the house at 2239 Como have been paying taxes on the land in dispute for decades is a testament to who is the rightful owner of this property. That the City now wants to "sell" the property to the Fosses is somewhat like a shoplifter wanting to get a refund for the property they stole.

I also want to mention the "Garden Club". That group is headed up by someone that I can only classify as a bully, as she has rallied all of the more pleasant members to support her position. She does not represent this community and I'm frustrated that her self-righteous position has had such a strong voice in this matter. I could go on and on about the "voice" of the garden club, but suffice it to say she doesn't speak for me or most of the people I know in the neighborhood. Finally, the Fosses are such lovely neighbors that it has has been particularly painful to witness the level of stress they have had to endure.

Thank you for taking the time to hear me out.

Bill Quie

Dear Council President Brendmoen,
I am writing to you to express my support for the sale of the land that is between the St. Anthony Park Library and the next door neighbors at 2239 Como Avenue, at the line that has been agreed between the City of St. Paul and the Fosses.
I am a member of the St. Anthony Park Branch Library Association. The Library Association itself takes no official stance on this matter. My support for the sale of the land is my personal opinion.
As a Library Association, we've been involved with discussions about gardening on the library grounds and have provided funding and workers to support the effort. This is in combination with funding and volunteers provided by the St. Anthony Park Garden Club. This has historically been a very informal arrangement, with unclear governance.
What concerns me is that the gardeners are opposing the agreement because of what they plan to do with the property. I would ask, under what authority have they made these plans. Unless the City of St. Paul, through the Public Library system, has agreed that the gardeners can develop that piece of the library grounds according to their desires, then the group has no standing for their claim.
In closing, I would say that the Fosses have been good neighbors to the library, and I would urge you to continue forward with the sale.

Thank you for your consideration.

Sincerely,
Patty Stolpman
1394 Grantham St., St Paul, MN 55108

I raised my kids in St Anthony Park and have had a business in SAP for 25 years and do to date.
I have been totally shocked at this situation, especially since the neighbors themselves, the Fosses and the Library, have no dispute over this piece of property. I find the garden club's stance on this to be wholly incomprehensible in fact and in spirit.

I think those gardeners should be told to quit being busy bodies in no uncertain terms. I also find the amount of time and expense they have caused with their incomprehensible pettiness to be DISGRACEFUL. If you have any questions, feel free to address them with me here or at 651-373-4579.
Finally, I think the property should be sold to the Fosses in its entirety for no more than "$1.00 and other good and valuable CONSIDERATION!" I only suggest this to ensure that this does not come up again in the future. I know the gardeners want a strip at the top of the hill, but I walked through their garden next to the library more than once last year and found their path to be more than adequate. Give them NOT another one!

Mary C Miller

TO WHOM IT MAY CONCERN:

The dispute regarding the parcel of land between the house at 2239 Como Avenue (owned by Nancy and Rick Foss) and the Library seems to have taken a bit of a personal turn in a few recent posts on the ListServ and in other forms of communication.

The Fosses bought a house and thought they knew that the property line was where the edge of their yard and a fence were located.

The Garden Club, on the other hand, seized upon an opportunity to improve and expand the library property when some uncertainty as to the legal boundary appeared.

I don't think it helps to demonize anyone, or characterize what kind of neighbors they are when discussing the facts of this issue. This community, which I know and love, is better than that.

It is important to know and understand the facts and try to keep the discussion on track.

The facts as I understand them:

FACT 1) The Ramsey County GIS maps, upon which mortgage lenders, title companies, home buyers and sellers and their real estate agents rely on to some degree, shows the property line in dispute to be approximately where the current owners of 2239 Como Avenue thought it was when they purchased the home in 2011.

FACT 2) A survey of the Library property was done in 1998 by Advance Survey and Engineering for the City of St. Paul and showed the property to line to be approximately where the current owners of 2239 Como Avenue thought it was when they purchased the home in 2011. The Library claimed that this survey represented an accurate depiction of the property line when seeking a zoning variance needed for the Library expansion**. If the City and the Library could rely on this survey, I wonder why the Fosses couldn't?**

FACT 3) Another survey of the properties was done in 2006. This one was commissioned by William Glew, a neighbor at 2235 Como Avenue. This survey, also done by Advance Survey and Engineering also showed the property to line to be approximately where the current owners of 2239 Como Avenue thought it was when they purchased the home in 2011

FACT 4) A final survey was recently (2015) completed. This survey came as a result of the owners of 2239 Como Avenue wanting to be absolutely sure where the property line was, so they contacted the Library to inform the Library of their intentions to build a fence. The Library commissioned the 2015 survey and it showed a different property line.

FACT 5) The most recent survey is the only one that people are talking about. The previous two surveys, done by a qualified, registered land surveyor, are being totally dismissed. No one has been able to explain to me (or to the Fosses) why the first two surveys are being so totally ignored.

FACT 6) Property taxes are based on the value of the real estate (home and lot combined). If the home at 2239 Como Avenue was located elsewhere, it would probably have a considerably different value, and consequently a considerably different tax bill. As a real estate agent for 45 years (38 years working primarily here in North St. Anthony Park), I can speak somewhat knowledgeably about people's perceptions of value. And since I was professionally involved with the sale of 2239 Como Avenue to the

current owners, I can tell you that the current owners would have had a considerably different perception of value if they thought for a minute that the property line was where it is now purported to be. In fact, I believe they may not have even purchased the property to begin with. I can only imagine that prior owners may have felt the same way. So, the taxable value of the property, and consequently the property tax burden on the property may have been inflated since the property was first built over 100 years ago. It seems that the current owners, and most likely all prior owners may have paid taxes on the real estate currently under discussion at a very inflated rate if the purported property line is held to be accurate.

FACT 7) I consulted with another Registered Land Surveyor, one whom has done several surveys for my clients and me, including several of them in North St. Anthony Park. After he reviewed the available information, he wrote:

"Based on my prior experience with surveys in this neighborhood, surveying in this neighborhood can be extremely difficult. The original plat is missing dimensions, missing curve data, etc. The surveys in this area can be a challenge to the best of surveyors. I do not see any future in trying to pit one surveyor against another as to the true location of the line, as this may only be known by the original surveyor who laid out these lots over 100 years ago. It would appear that the Advance survey from 1998 tried to represent this line many years ago and at one time was accepted as the best evidence for the Library building permit."

All the information referenced above is in my file and available to anyone upon request.

One can only imagine the frustration a homeowner must feel when, after carefully considering available historical information (two surveys, a GIS map produced by the County, existing fencing, over 100 years of continuous usage, etc.) the homeowners are told that they are not the owners of the land they thought they had already purchased.

If the Fosses are going to have to pay for the land they believe they already own, they should at least be permitted to do so without further ado.

Using this situation as a guide for the future, it makes me fear that EVERY home buyer, especially in North St. Anthony Park, might want to totally disregard what they see as being the lot they think are purchasing based on GIS maps, fencing, lawn mowing habits, building placements, etc. (even existing surveys!) and have the sellers get a survey done before they purchase. In fact, they should probably have the sellers get a second survey done, and then finally get a THIRD survey done, just to be sure that the first two are not in error.

Steve Townley

To Whom This May Concern:

I am writing in support of upholding the settlement made by the City of St. Paul in November 2017 regarding the property line between the Foss's house at 2239 Como Avenue and the library at 2245 Como Avenue. When the Fosses purchased their house from the McCords in 2011, property lines were based on surveys completed in 1998 and 2006, verifying boundaries that had existed for 100 years. The land between the house and the library came into dispute in 2015, when the Fosses made plans to

upgrade their side yard. Currently, some members of the St. Anthony Park community feel that the land in question belongs to the city and that the Fosses should relinquish their land, even though the Fosses and previous owners have maintained and paid taxes on the land for years.

I see no reason the previous decision should be changed, and I fully support the Fosses being able to (re)purchase the land in question from the city, land that, according to previous surveys, they already own. They have been stellar neighbors since they bought the land and house in 2011, and have made beautiful upgrades to their front yard, including installing a large retaining wall.

Please contact me at ehlee1958@gmail.com with questions. Thank you considering my opinion in this matter.

Elizabeth Lee

Council President Amy Brendmoen
Councilmember Samantha Henningson

Hello,
I am a resident of Saint Anthony Park and have been following the land dispute regarding the Saint Paul library and a homeowner.
I would like to express my support for the homeowner's position in this case. What stands out to me is that this border has been understood to be as the homeowner knows it for a very long time, and the house has been purchased and resold with this as a reasonable assumption. The homeowners have been paying taxes on this property and have offered reasonable redress. I would like to see the matter settled in their favor rather than producing further animosity in the neighborhood.

Thank you and best regards, Don Stryker, 1510 Hythe Street, St. Paul, MN 55108
Council President Amy Brendmoen,

In regard to the property line issue between the St. Anthony Park Library and Rick and Nancy Foss, I support the agreement that has been reached between the City of St. Paul and the Rick and Nancy Foss.

Before Rick and Nancy renovated the landscape in the front, there was no interest by anyone for a garden on the library grounds. Only after the Foss's cleaned the buckthorn, honeysuckle, and overgrown lilacs on their side of the historically accepted property line, was there any interest in the property line location or the idea of planting a garden on library grounds. The area between the Foss's and the library was a neglected hillside populated with invasive and overgrown plants. I think the efforts, by the Garden Club, to improve the slope are an asset to the library grounds. But, it seems a poor location for an interactive pollinator garden. The argument that a flat space at the top of the hill to expand the garden and make maintaining the garden safer as a reason to take the +/- 30' of property is ridiculous. (As a member of the garden club, I can see a time in the future where there will not be an interest to maintain the garden as it is, let alone an expansion).

With the varying city documentation on the location of the line, it seems unfair to take property away from the 2239 Como Avenue property owners. And it seems unjustified to expect the owners of 2239 Como Avenue to pay a fee to resolve an issue that stems from discrepancies in city records.

I understand the importance of keeping property donated for public use. It seems likely that 100+ years ago, before the house at 2239 and the library was built, there was an agreement made to split the lot in question.

With that all said, I support the agreement the the City and the Foss's reached.

John Thomas
2276 Doswell Avenue
St. Paul, MN 55108

St. Paul Public Libraries File No. 04-2016

March 5, 2018

Council member: Samantha Henningson,

We are alley neighbors of Rick and Nancy Foss who live at 2239 Como Avenue in Saint Anthony Park. We are writing in full support of the Fosses concerning the disputed property line between the Foss's home and the SAP Library.

It seems incredible that this boundary is in dispute. The property line, as both understood and paid by the Fosses (and all previous home owners), has been observed for over 100 years, and has been formally surveyed in 2006 and, more significantly, in 1998. The 1998 survey was presented by the SAP Library and accepted by the City of Saint Paul as a reliable survey when the library requested a zoning variance for its rotunda addition.

For 28 years we have been great appreciators and supporters of SAP's public and private properties and its community and neighborly spirit. We believe that the Fosses have been extremely accommodating to the library gardeners' wish for a bit more space to pass behind their garden space.

The City of Saint Paul took great care in its November 2017 proposal to find a reasonable compromise in resolving the property line dispute between the Fosses and the SAP Library. This proposal draws the property line from the current edge of the Foss's front yard retaining wall to a point six feet closer to their house on the alley. We fully support the November 2017 proposal in resolving this unfortunate dispute. Thank you for your consideration.

Sincerely,

Tim and Muffi Abrahamson
2176 Carter Avenue

The Fosses and the Library have no dispute over this property. This whole situation has been caused in its entirety by some incomprehensibly petty women who want the property to garden. They have caused great stress and expense for the Fosses, the library and the community. The path at the top of the hill requested by the petty women should not be granted as they already have a path which I found to be quite adequate every time I walked through the garden last summer.

These women have plenty of public land they can secure in the city for their pollinator gardens -- locally in North St Anthony Park there is a sunny triangle park, named Alden Square on Brewster, 1 block East of Raymond which is 10 times the size of this poor steep hill and totally flat. To just name a few more, Langford Park has any sunny locations; boulevards; clinic property at Health Partners; around the soccer field on Eustis; the FRONT yard of the library; the little triangle on Commonwealth; around the edges of the public

gardens in South St Anthony Park; the churches would probably love to have their services which might help their spiritual growth if the pastors would kindly come out and teach these poor souls a thing or two about things OTHER than gardening.

The Fosses should have what they thought was theirs in its entirety and what was previously attested to in old and fair surveys; what they have paid taxes on; and what the library agrees they should have. This should be sold to the Fosses for NO MORE than $1.00 and other good and valuable consideration to ensure this problem NEVER rears its ugly head again. Those surveys aren't cheap and I imagine the stress these nasty women have caused has been priceless. Please remind the women of this at the end of the meeting.

Sincerely,

Mary C Miller

Long time resident and

Business owner

PS This is a bit repetitive as I wasn't sure both email addresses were good, but the listing of prospective gardens is new.