

Duluth City Counsel

Re: Street preservation, Skyline Parkway from Mesaba Ave to Kenwood Ave
Plat Parcel numbers: 0470-01410 and 0470-01390
Owner of record: Lori J. Prudhomme

To whom it may concern,

I am the owner of the two parcels listed above. I hereby respectfully express my opposition to the above referenced street improvement project and to the proposed special assessments relating thereto and concerning my two separate parcels, also referenced above.

First, with respect to the project itself, it is my belief and opinion that the subject approximately ½ mile section of Skyline Parkway is in much better condition than many or even most of Duluth City streets and does not NEED repaving at this time.

Second, with respect to the proposed special assessments, my objections are many, including, with respect to 0470-01410:

- 1) This 25 foot parcel is undeveloped woodlands and any "special assessment" shall be deferred pursuant to Minn Stat sec 429.061 sub 2,

And with respect to parcels 01410 and 01390:

- 2) Neither parcel receives a special benefit from the proposed street improvement.
- 3) Neither parcel's market value is increased by said improvements and/or in the alternative, any increase in value is less than the proposed assessment.
- 4) The proposed assessment is uniformly applied to different "classes" of property.

Parcel 01410 is a vacant and undeveloped lot adjacent to 01390 upon which my residence and small garage are situated. Any special assessments levied against such are properly deferred as per the Minn Stat set forth above.

The proposed project, along the 75 foot section adjoining my lots, consists only of reclamation of existing asphalt and repaving. No other "improvements" are planned for "my" 75 foot section. The roadway there is currently in good condition (in my opinion) and repaving will not be an "improvement". If it is arguably an "improvement", it is of no "special" benefit to me. Skyline is a major roadway and receives much traffic. The use by residents along the proposed project makes up only a very small fraction of the hundreds (thousands?) of drivers whom travel it on any given day. It is an emergency route, a scenic route and an iconic Duluth feature. The roadway's maintenance and repairs benefit a great many people, but are not of any "special" benefit to my parcels nor to me. In fact, I have no access to either parcel from Skyline, neither by vehicle nor foot. Nor can I even ever park (posted no parking this side of street) along Skyline on my side of the street in "my" 75 foot section. Often I go about my daily life for days w/o driving on Skyline Parkway at all.

No good faith argument can be made that the market value will be increased at all with respect to either of my parcels. The only access to my parcels, by foot or vehicle, is from

the muddy dirt dead end alleyway off of East 13th street. My only vehicle parking is a small muddy sloped "wide spot" in the alley sufficient for a small car or two. And again, assuming for argument sake, that the property values are increased, it would be absurd to suggest that the proposed special assessments of \$531.25 on lot 01410 and \$1062.50 on lot 01390 do not exceed any miniscule increase in market value due to "improvements" on a street going past my property.

The courts have required when examining proposed special assessments under the "special benefit test" that the assessment be uniform as to the same class of property. The proposed assessment for this project is uniform as to property owners (\$21.25/front foot) but the "class" of property affected varies greatly. The uniform foot frontage approach is only appropriate AFTER a finding that the improvement provides "substantially the same benefit to adjacent properties". Upon examination of the City Engineering plan, sheet 14 of 19, and the County Land explorer page attached hereto, it is readily apparent that the frontage foot approach cannot be fairly applied to the very different types or "class" of properties. Although the affected properties are mostly single family residences, whether, and to what extent, they are benefited for the project is anything but "substantially the same". My unofficial impromptu survey counted about 60 homes situated w/in the project. Approximately 20 homes have driveways, parking and access directly off of Skyline. Another approximately 30 have parking and/or access directly off of Skyline. Only 5 to 10 homes, including mine, have no driveways, access, nor parking available off of Skyline. To spread the cost uniformly on a foot frontage approach is unfair to those of us who are conferred little to no benefit, generally, and specifically when compared to the other affected properties, from the proposed project.

It is for the above reasons that I object both to the project and the proposed specials assessment regarding my parcels listed above.

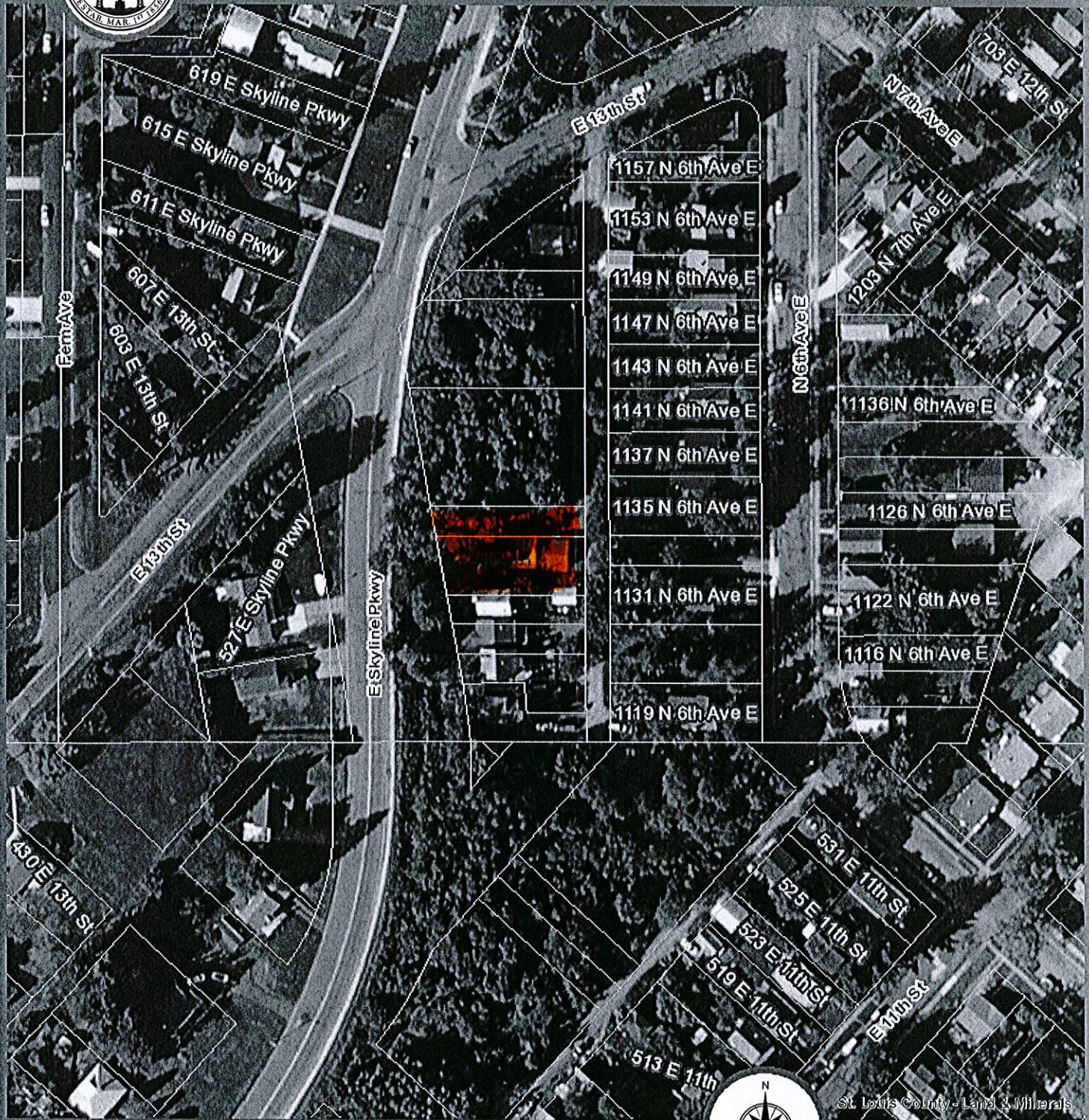
Thank you for your attention,
Lori J. Prudhomme

A handwritten signature in blue ink that reads "Lori J. Prudhomme 3/23/10". The signature is written in a cursive, flowing style.



County Land Explorer

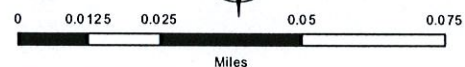
St. Louis County, Minnesota



St. Louis County - Land & Minerals

County Land Explorer Map - St. Louis County MN

Map created using County Land Explorer
gis.stlouiscountymn.gov/CountyLandExplorer



County Land Explorer

St. Louis County www.stlouiscountymn.gov/CountyLandExplorer Minnesota

Disclaimer

This is a compilation of records as they appear in the Saint Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein

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