

**City of Minneapolis**  
**Request for Committee Action**

**To:** Transportation & Public Works  
**Date:** 2/8/2016  
**Referral:** Ways & Means  
**From:** City Attorney's Office  
**Prepared by:** Gregory P. Sautter  
**Presented by:** Susan L. Segal  
**File type:** Action  
**Subcategory:** Settlement

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**Subject:**

Legal Settlement of appeal by 1221 Acquisitions, LLC, v. City of Minneapolis

**Description:**

Approving the settlement of the Special Assessment Appeal brought in the matter of 1221 Acquisitions, LLC, v. City of Minneapolis (Court File No. 27-CV-15-10057) and authorizing the City Attorney's Office and the Department of Public Works to execute any documents necessary to effectuate the settlement.. The City will reassess and/or amend the special assessments associated with the Nicollet Mall Reconstruction placed on 1221 and 1221 ½ Nicollet Mall in the following way:

1. The assessment of 1221 Nicollet Mall would be changed from \$68,323.34, to be reassessed for \$59,164.19; and,
2. The assessment of 1221 ½ Nicollet Mall would be changed from \$9,358.37, to be reassessed for \$8,099.96.

**Previous Actions:**

Special Assessment Levy – 2015R-217

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**Ward/Address:**

Ward 7  
1221 Nicollet Mall, 1221 ½ Nicollet Mall.

**Background/Analysis:**

1221 Acquisitions, a corporation controlled by the Westminster Presbyterian Church, challenged the Nicollet Mall Reconstruction special assessment on two parcels which share the block with the building. 1221 Acquisitions is currently in the process of converting both parcels to exclusive church use. After six months of litigation, discovery, and negotiation, the parties have agreed to settle this assessment appeal and all claims of 1221 Acquisitions by amending the levy to reflect the parcel's church use, from their previous designation as commercial and parking. The City Attorney's Office and the Public Works Department administration believe that the proposed settlement is in the best interest of the City and recommend approval by this Committee and the City Council.

**Financial Review:**

**No additional appropriation required, amount included in current budget.**