

RESOLUTION CITY OF SAINT PAUL, MINNESOTA

Presented by _____

1 WHEREAS, Department of Safety and Inspections has requested the City Council to
2 hold public hearings to consider the advisability and necessity of ordering the repair or wrecking
3 and removal of a single story, wood frame, single family dwelling and is wood frame shed
4 located on property hereinafter referred to as the "Subject Property" and commonly known as
5 **761 DULUTH STREET**. This property is legally described as follows, to wit:

6
7 **DAWSON'S SUBDIVISION OF BLOCK NO. 2 OF TERRY'S ADDITION TO ST. PAUL,**
8 **MINN. EX S 82 FT LOT 24 BLK 2**
9

10 WHEREAS, based upon the records in the Ramsey County Recorder's Office and
11 information obtained by Department of Safety and Inspections on or before **August 4, 2008**, the
12 following are the now known interested or responsible parties for the Subject Property: Channel
13 Properties LLC, 614 Waters Edge Terrace, Mendota Heights, MN 55120; Pledged Property II,
14 c/o Litton Loan Servicing, 4828 Loop Central Drive, Houston, TX 77081, Fidelity National Tax
15 Services, 3100 New York Dr, #100, Pasadena, CA 91107; Detloff Marketing/Asset
16 Management In, Jeff Detloff, 11200 W. 78th St. Eden Prairie, MN 55344; Daytons Bluff
17 District 4 Community Council.
18

19 WHEREAS, Department of Safety and Inspections has served in accordance with the
20 provisions of Chapter 45 of the Saint Paul Legislative Code an order identified as an "Order to
21 Abate Nuisance Building(s)" dated **November 25, 2008**; and
22

23 WHEREAS, this order informed the then known interested or responsible parties that the
24 structure located on the Subject Property is a nuisance building(s) pursuant to Chapter 45; and
25

26 WHEREAS, this order informed the interested or responsible parties that they must repair
27 or demolish the structure located on the Subject Property by **December 26, 2008**; and
28

29 WHEREAS, the enforcement officer has posted a placard on the Subject Property
30 declaring this building(s) to constitute a nuisance condition; subject to demolition; and
31

32 WHEREAS, this nuisance condition has not been corrected and Department of Safety
33 and Inspections requested that the City Clerk schedule public hearings before the Legislative
34 Hearing Officer of the City Council and the Saint Paul City Council; and
35

36 WHEREAS, the interested and responsible parties have been served notice in accordance
37 with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and
38 purpose of the public hearings; and
39

40 WHEREAS, a hearing was held before the Legislative Hearing Officer of the Saint Paul
41 City Council on **Tuesday, March 10, 2009** to hear testimony and evidence, and after receiving
42 testimony and evidence, made the recommendation to approve the request to order the interested

43 or responsible parties to make the Subject Property safe and not detrimental to the public peace,
44 health, safety and welfare and remove its blighting influence on the community by rehabilitating
45 this structure in accordance with all applicable codes and ordinances, or in the alternative by
46 demolishing and removing the structure in accordance with all applicable codes and ordinances.
47 The rehabilitation or demolition of the structure to be completed within **fifteen (15)** days after
48 the date of the Council Hearing; and

49
50 WHEREAS, a hearing was held before the Saint Paul City Council on **Wednesday,**
51 **April 1, 2009** and the testimony and evidence including the action taken by the Legislative
52 Hearing Officer was considered by the Council; now therefore

53
54 BE IT RESOLVED, that based upon the testimony and evidence presented at the above
55 referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and
56 Order concerning the Subject Property at **761 DULUTH STREET.**

- 57
- 58 1. That the Subject Property comprises a nuisance condition as defined in Saint Paul
59 Legislative Code, Chapter 45.
 - 60
 - 61 2. That the costs of demolition and removal of this building(s) is estimated to exceed
62 five thousand dollars (\$5,000.00).
 - 63
 - 64 3. That there now exists and has existed multiple Housing or Building code
65 violations at the Subject Property.
 - 66
 - 67 4. That an Order to Abate Nuisance Building(s) was sent to the then known
68 responsible parties to correct the deficiencies or to demolish and remove the
69 building(s).
 - 70
 - 71 5. That the deficiencies causing this nuisance condition have not been corrected.
 - 72
 - 73 6. That Department of Safety and Inspections has posted a placard on the Subject
74 Property which declares it to be a nuisance condition subject to demolition.
 - 75
 - 76 7. That this building has been routinely monitored by Department of Safety and
77 Inspections, Vacant/Nuisance Buildings.
 - 78
 - 79 8. That the known interested parties and owners are as previously stated in this
80 resolution and that the notification requirements of Chapter 45 have been fulfilled.

81
82 **ORDER**

83
84 The Saint Paul City Council hereby makes the following order:

- 85
- 86 1. The above referenced interested or responsible parties shall make the Subject Property
87 safe and not detrimental to the public peace, health, safety and welfare and remove its

88 blighting influence on the community by rehabilitating this structure and correcting all
 89 deficiencies as prescribed in the above referenced Order to Abate Nuisance Building(s) in
 90 accordance with all applicable codes and ordinances, or in the alternative by demolishing
 91 and removing the structure in accordance with all applicable codes and ordinances. The
 92 rehabilitation or demolition and removal of the structure must be completed within
 93 **fifteen (15)** days after the date of the Council Hearing.

94
 95 2. If the above corrective action is not completed within this period of time Department of
 96 Safety and Inspections is hereby authorized to take whatever steps are necessary to
 97 demolish and remove this structure, fill the site and charge the costs incurred against the
 98 Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative
 99 Code.

100
 101 3. In the event the building is to be demolished and removed by the City of Saint Paul, all
 102 personal property or fixtures of any kind which interfere with the demolition and removal
 103 shall be removed from the property by the responsible parties by the end of this time
 104 period. If all personal property is not removed, it shall be considered to be abandoned
 105 and the City of Saint Paul shall remove and dispose of such property as provided by law.

106
 107 4. It is further ordered, that a copy of this resolution be mailed to the owners and interested
 108 parties in accordance with Chapter 45 of the Saint Paul Legislative Code.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Requested by Department of:
 Safety and Inspections _____
 Code Enforcement / Vacant Buildings _____

By: _____

Form Approved by City Attorney
 By: _____

Adopted by Council: Date _____

Adoption Certified by Council Secretary
 By: _____

Approved by Mayor: Date _____
 By: _____

Form Approved by Mayor for Submission to Council
 By: _____

