



May 19, 2021

Rk Midway Shopping Center LLC  
c/o RD Management Corp  
810 7th Ave  
New York NY 10019-5876

Bruce J. Parker  
Kaplan, Strangis and Kaplan PA  
730 Second Ave S, Suite 1450  
Minneapolis MN 55402-2475

## Order to Abate Nuisance Building(s)

Dear Responsible or Interested Party:

**The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:**

**1484 UNIVERSITY AVE W**

With the following Historic Preservation information: NONE

**and legally described as follows, to wit:**

Mls Soccer Redevelopment Lot 2 Blk 2

**to comprise a nuisance condition in violation of the Saint Paul Legislative Code, Chapter 45.02, and subject to demolition under authority of Chapter 45.11.**

On May 13, 2021 a Building Deficiency Inspection Report was compiled and the following conditions were observed.

**This list of deficiencies is not necessarily all the deficiencies present at this time. This building(s) is subject to the restrictions of Saint Paul Ordinance Chapter 33.03 and shall not again be used for occupancy until such time as a Certificate of Compliance or a Certificate of Occupancy has been issued. All repairs must be in accordance with appropriate codes. Changes or additions to the electrical system, mechanical system, or the plumbing system may necessitate updating or upgrading the systems involved.**

This is a one-story, concrete and steel, commercial structures.

The following addresses are part and parcel to this property: 1460, 1462, 1464, 1466, 1470, 1472, 1474, 1486, 1488, 1490, 1498, 1500, 1522, 1524, 1526, 1536, 1538, 1562, and 1564 University Avenue West.

## **DEFICIENCIES**

- Large areas of the secondary structure, open web steel joists and roof decking have failed and collapsed leaving open areas in the roof. There is potential for additional collapse of the roof due to gravity loading.
- Additional areas of secondary structure show signs of failure and potential collapse.
- Primary structural members, roof beams, also show damage to the point of failure and potential collapse.
- There are large mechanical roof top units in and around the area of structural damage.
- The building has been open and exposed to the elements in this condition for over nine months allowing for further failure and collapse.
- The east wall of the building in this area is of masonry construction, it appears that the continuing failure and collapse of the roof in the areas adjacent to this wall have caused excessive stress on this wall to the point of failure and there is danger of further collapse.
- Large open areas in the roof deck and structure will degrade its ability to act as a diaphragm and has the potential to degrade the ability of the lateral load resisting system of the building to resist wind loading.
- The overstressed masonry wall on the east side of the building is directly adjacent to the public right of way, any debris from a further collapse has the potential to affect the public right of way.
- There have been several intentional fires set in the property.
- Holes have been put in the floor and walls creating pitfalls. There are abandoned refrigerators, broken glass, metal, and tripping hazards throughout the buildings.
- Asbestos has been disturbed. There is mold in the basement. The convenience store has rotting food and open bags of dog food. This has created a harborage for rats and other rodents.
- There are multiple open sewer lines that have not been capped.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **June 18, 2021** the Department of Safety and Inspections, Division of Code Enforcement, will begin a substantial abatement process to demolish and remove the building(s). The costs of this action, including administrative costs and demolition costs will be assessed against the property taxes as a special assessment in accordance with law.

As first remedial action, a Code Compliance Inspection Report must be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989. This inspection will identify specific defects, necessary repairs and legal requirements to correct this nuisance condition. You may also be required to post a five thousand dollars (\$5,000.00) performance deposit with the Department of Safety and Inspections before any permits are issued, except for a demolition permit. Call the Department of Safety and Inspections for more information at 651-266-8989.

If this building is located in a historic district or site (noted on page 1, above, just below the property address) then you must contact Heritage Preservation (HPC) staff to discuss your proposal for the repairs required by this order and compliance with preservation guidelines. Copies of the guidelines and design review application and forms are available from the

Department of Safety and Inspections web site (see letterhead) and from the HPC staff. No permits will be issued without HPC review and approval. HPC staff also can be reached by calling 651-266-9078.

As an owner or responsible party, you are required by law to provide full and complete disclosure of this "Order to Abate" to all interested parties, all present or subsequent renters and any subsequent owners. The property shall not be sold, transferred or conveyed in any manner until the Nuisance Conditions have been abated and the Certificate of Code Compliance or Certificate of Occupancy has been issued.

The Enforcement Officer is required by law to post a placard on this property which declares it to be a "nuisance condition", subject to demolition and removal by the City. This placard shall not be removed without the written authority of the Department of Safety and Inspections, Division of Code Enforcement. The department is further required to file a copy of this "Order to Abate" with the City Clerk's Office.

If corrective action is not taken within the time specified in this order, the Enforcement Officer will notify the City Council that abatement action is necessary. The City Clerk will then schedule dates for Public Hearings before the City Council at which time testimony will be heard from interested parties. After this hearing the City Council will adopt a resolution stating what action if any, it deems appropriate.

If the resolution calls for abatement action the Council may either order the City to take the abatement action or fix a time within which this nuisance must be abated in accordance with the provisions of Chapter 33 of the Saint Paul Legislative Code and provide that if corrective action is not taken within the specified time, the City shall abate this nuisance. The costs of this action, including administrative costs will be assessed against the property as a special assessment in accordance with law.

If you have any questions or request additional information please contact **Joe Yannarely** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

***Joe Yannarely***

Vacant Buildings Enforcement Inspector