

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 one and one-half story, wood frame, single family home and detached, one
4 stall, wood frame, garage located on property hereinafter referred to as the "Subject Property"
5 and commonly known as **365 BURGESS STREET**. This property is legally described as
6 follows, to wit:

7
8 Robert A Smiths Rearran gem Lot 12 Blk 4
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 **March 16, 2010**, the
12 following are the now known interested or responsible parties for the Subject Property: Wells
13 Fargo Bank NA, Foreclosure Dept Mac 7801 013, 3476 Stateview Blvd, Fort Mill SC 29715-
14 7203; Reiter & Schiller, PA, Attorneys at Law, The Academy Professional Building, 25 N. Dale
15 Street, St. Paul, MN 55102; District 6 Planning Council; and

16
17 WHEREAS, Department of Safety and Inspections has notified the known interested or
18 responsible parties of the "Order to Abate Nuisance Building(s)" dated **June 8, 2010** as provided
19 for in Chapter 45 of the Saint Paul Legislative Code; and

20
21 WHEREAS, this order informed the then known interested or responsible parties that the
22 structure located on the Subject Property is a nuisance building(s) pursuant to Chapter 45; and

23
24 WHEREAS, this order informed the interested or responsible parties that they must repair
25 or demolish the structure located on the Subject Property by **July 12, 2010**; and

26
27 WHEREAS, the enforcement officer has posted a placard on the Subject Property
28 declaring this building(s) to constitute a nuisance condition; subject to demolition; and

29
30 WHEREAS, this nuisance condition has not been corrected and Department of Safety
31 and Inspections requested that the City Clerk schedule public hearings before the Legislative
32 Hearing Officer of the City Council and the Saint Paul City Council; and

33
34 WHEREAS, the interested and responsible parties have been served notice in accordance
35 with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and
36 purpose of the public hearings; and

37
38 WHEREAS, a hearing was held before the Legislative Hearing Officer of the Saint Paul
39 City Council on **Tuesday, August 24, 2010** to hear testimony and evidence, and after receiving
40 testimony and evidence, made the recommendation to approve the request to order the interested
41

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

47
48 WHEREAS, a hearing was held before the Saint Paul City Council on **Wednesday,**
49 **September 15, 2010** and the testimony and evidence including the action taken by the
50 Legislative Hearing Officer was considered by the Council.

51
52 NOW THEREFORE BE IT RESOLVED, that based upon the testimony and evidence
53 presented at the above referenced public hearings, the Saint Paul City Council hereby adopts the
54 following Findings and Order concerning the Subject Property at **365 BURGESS STREET**

- 55
- 56 1. That the Subject Property comprises a nuisance condition as defined in Saint Paul
57 Legislative Code, Chapter 45.
 - 58
 - 59 2. That the costs of demolition and removal of this building(s) is estimated to exceed
60 five thousand dollars (\$5,000.00).
 - 61
 - 62 3. That there now exists and has existed multiple Housing or Building code
63 violations at the Subject Property.
 - 64
 - 65 4. That an Order to Abate Nuisance Building(s) was sent to the then known
66 responsible parties to correct the deficiencies or to demolish and remove the
67 building(s).
 - 68
 - 69 5. That the deficiencies causing this nuisance condition have not been corrected.
 - 70
 - 71 6. That Department of Safety and Inspections has posted a placard on the Subject
72 Property which declares it to be a nuisance condition subject to demolition.
 - 73
 - 74 7. That this building has been routinely monitored by Department of Safety and
75 Inspections, Vacant/Nuisance Buildings.
 - 76
 - 77 8. That the known interested parties and owners are as previously stated in this
78 resolution and that the notification requirements of Chapter 45 have been fulfilled.
 - 79

80 ORDER

81
82 The Saint Paul City Council hereby makes the following order:

- 83
- 84 1. The above referenced interested or responsible parties shall make the Subject Property
85 safe and not detrimental to the public peace, health, safety and welfare and remove its

86 blighting influence on the community by demolishing and removing the structure in
 87 accordance with all applicable codes and ordinances. The demolition and removal of the
 88 structure must be completed within **fifteen (15)** days after the date of the Council
 89 Hearing.
 90

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

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

103 4. It is further ordered, that a copy of this resolution be mailed to the owners and interested
 104 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 _____

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: _____

