



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

361

February 24, 2011

08-101490

Corning-Donohue Inc
1210 5th St SW
Delano MN 55328-4553

Associated Commercial Finance
401 Kilbourn Avenue #350
Milwaukee WI 53202

US Bank NA
1550 American Blvd E
Bloomington MN 55425

Corning-Donohue Inc
10568 E Hummingbird Lane
Gold Canyon AZ 85218-6805

First Federal Capital Bank
176 Snelling Avenue N
Saint Paul MN 55164

Fabyanske, Westra, Hart & Thomson
800 LaSalle Ave #1900
Minneapolis MN 55402

Order to Abate Nuisance Building(s)

Dear: Sir or Madam

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

1407 MARSHALL AVE and 1415 MARSHALL AVE

With the following Historic Preservation information: NA

and legally described as follows, to wit:

1407 Marshall Ave

Auditors Subdivision No 27 Subj To Esmt The W 100 Ft Of E 162 Ft Of S 250 Ft Of Lot 15

1415 Marshall Ave

Auditors Subdivision No 27 Subj To Esmts And Ex E 62 Ft And Ex W 100 Ft Of E 162 Ft Of S 250 Ft And Ex W 114 Ft Of S 220 Ft And Part N Thereof And Nwly Of L Par With And 4 35/100 Ft Nwly Of Cl Of Spur As In Doc 1246586 Lot 15

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 January 11, 2011 a Building Deficiency Inspection Report for each parcel 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.

1407 Marshall Ave is the front showroom and attached warehouse (east side of the property), spaces joined as a one story wood frame building.

Front showroom

1. Infestation of Cockroaches. Exterminate and eliminate all cockroaches throughout the entire building. Provide this office with a copy of the extermination report from a licensed professional Pest Control Operator, and follow their recommendations to eradicate these pests.
2. The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.
3. The exterior walls and/or trim of the house has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.
4. The foundation is deteriorated, defective or in a state of disrepair. Repair all foundation defects in a professional manner to a weather-tight, water-tight and rodent-proof condition. Permit may be required.
5. FURNACE: Have a licensed heating contractor service and clean the furnace or boiler and make any necessary repairs. Perform a C/O test on the heating plant. Then, send the attached form back to the Inspector. Repair of gas fired appliances requires a permit.
6. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.
7. The interior walls are defective. Repair all wall defects and finish in a professional manner.
8. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.
9. Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
10. The exterior walls of the house are defective. Repair all holes, breaks, loose or rotting siding, to a professional state of maintenance.
11. The window and/or door screens are missing, defective or in a state of disrepair. Provide proper window and door screens for all openable windows and doors. Screens must be tight-fitting and securely fastened to the frames.

Attached warehouse

1. Infestation of Cockroaches. Exterminate and eliminate all cockroaches throughout the entire building. Provide this office with a copy of the extermination report from a licensed professional Pest Control Operator, and follow their recommendations to eradicate these pests.

2. The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.
3. The exterior walls and/or trim of the house has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.
4. The foundation is deteriorated, defective or in a state of disrepair. Repair all foundation defects in a professional manner to a weather-tight, water-tight and rodent-proof condition. Permit may be required.
5. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.
6. The interior walls are defective. Repair all wall defects and finish in a professional manner.
7. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.
8. Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
9. Exterior of walls of warehouse are defective
10. The window and/or door screens are missing, defective or in a state of disrepair. Provide proper window and door screens for all openable windows and doors. Screens must be tight-fitting and securely fastened to the frames.

1415 Marshall Ave is the one story building with attached warehouse, bank of wood frame garage stalls and one story metal accessory shed.

West side building with attached warehouse

12. Infestation of Cockroaches. Exterminate and eliminate all cockroaches throughout the entire building. Provide this office with a copy of the extermination report from a licensed professional Pest Control Operator, and follow their recommendations to eradicate these pests.
13. The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.
14. The exterior walls and/or trim of the house has defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.
15. The foundation is deteriorated, defective or in a state of disrepair. Repair all foundation defects in a professional manner to a weather-tight, water-tight and rodent-proof condition. Permit may be required.

16. FURNACE: Have a licensed heating contractor service and clean the furnace or boiler and make any necessary repairs. Perform a C/O test on the heating plant. Then, send the attached form back to the Inspector. Repair of gas fired appliances requires a permit.
17. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.
18. The interior walls are defective. Repair all wall defects and finish in a professional manner.
19. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.
20. Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
21. The exterior walls of the house are defective. Repair all holes, breaks, loose or rotting siding, to a professional state of maintenance.
22. The window and/or door screens are missing, defective or in a state of disrepair. Provide proper window and door screens for all openable windows and doors. Screens must be tight-fitting and securely fastened to the frames.

Bank of garages

1. The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.
2. The foundation is deteriorated, defective or in a state of disrepair. Repair all foundation defects in a professional manner to a weather-tight, water-tight and rodent-proof condition. Permit may be required.
3. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.
4. The interior walls are defective. Repair all wall defects and finish in a professional manner.
5. Exterior walls of garage are defective.
6. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.

Metal Accessory Shed

1. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.
2. The interior walls are defective. Repair all wall defects and finish in a professional manner.
3. Exterior walls of shed are defective.
4. The roof is deteriorated, defective, or in a state of disrepair. Repair or replace the roof covering to a sound, tight and water impervious condition. Permit may be required.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **March 14, 2011** 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 dollar (\$5,000.00) performance bond 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.

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If you have any questions or request additional information please contact **Matt Dornfeld** between the hours of 8:00 and 9:30 a.m. at **651-266-1902**, or you may leave a voice mail message.

Sincerely,

Matt Dornfeld
Vacant Buildings Enforcement Inspector

cc: Mary Erickson - Council Research
Cindy Carlson - PED Housing
Amy Spong – Heritage Preservation

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