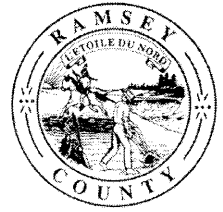


OFFICE OF THE RAMSEY COUNTY ATTORNEY

John J. Choi, County Attorney



50 West Kellogg Boulevard, Suite 560 • St. Paul, Minnesota 55102-1556
Telephone (651) 266-3222 • Fax (651) 266-3032

Civil Division

June 20, 2011

Shari Moore
Office of the Clerk
15 Kellogg Blvd. West, Suite 310
Saint Paul, MN 55102

RE: Resolution LH Substantial Abatement Order for 922 Westminster St.
City Council File # RLH RR 11-27
DSI File # 09 078913
County Attorney File # 48529

Dear Clerk Moore:

Ramsey County (the "County") seeks to prevent the unnecessary demolition of the structure at 922 Westminister Street and the additional burden to the taxing jurisdictions of an unproductive and undevelopable vacant lot. While the County is diligently pursuing remedies to meet the 15 day deadline imposed by the June 15, 2011 resolution, it finds that it must also seek to preserve its right for appellate review.

Attached, please find a Request for Stay of Enforcement of the Order to Abate Nuisance Building for premises located at 922 Westminister Street. Public Hearing was held on May 24, 2011 and City Council action was taken on June 15, 2011.

Given the short 15 day period for compliance with the Council's order, I ask for immediate consideration by the City Council of the County's Request, and ask for a response as soon as possible in order to provide the County with an opportunity to seek a stay from the Court of Appeals. If not granted by June 24, 2011, the County will seek a stay of enforcement from the Court of Appeals.

Please feel free to contact me if you have any questions.

Very truly yours,


James A. Mogen
Assistant County Attorney
james.mogen@co.ramsey.mn.us
Direct: 651.266.3121

cc: Sara Grewing, City Attorney
Kathy Lantry, Council President
Lee Helgen, Councilmember, Ward 5
Julie Kleinschmidt, County Manager

**STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF SAINT PAUL**

In the Matter of:

922 WESTMINSTER STREET
ST. PAUL, MN

Legally Described as:
Edmund Rices Fourth Addition W 7o Ft Of Lot 8 Blk 6

**REQUEST FOR
STAY OF ENFORCEMENT
AND ORDER**

TO: City of St. Paul, City Clerk, 15 Kellogg Blvd. West, Suite 310, Saint Paul, MN 55102

Ramsey County, as trustee of the above described property, does hereby move the City Council as follows:

1. Issue a stay of enforcement of the Order to Abate Nuisance Building for premises located at 922 Westminster Street.
2. An indeterminate stay is requested to seek appellate review of the resolution of the St. Paul City Council ordering the rehabilitation or razing and removal of the structure at 922 Westminster Street.

Ramsey County bases its request on the following:

1. The County is seeking review of the decision of the Council through Writ of Certiorari, because:
 - a. The decision was not supported by the record;
 - b. The decision failed to consider an important aspect of the issue;
 - c. The decision relied on factors not intended by the ordinance; and
 - d. The decision is not reasonable related to the purpose of the ordinance.
2. The County intends to rehabilitate the structure located on the property. It has inspected the property and determined that rehabilitation is both possible and appropriate. It has developed a program that provides funding for the rehabilitation and has established a timeline for the proposed rehabilitation.
3. Upon being rehabilitated, the property will be able to be sold to a private party homeowner, will be maintained without obligation of the public purse, and will be returned to the tax rolls.

4. If it is razed, the property will become a vacant parcel, will be saddled with a large assessment for the costs of demolition, and will be difficult to develop due to its non-compliance with City zoning codes.
5. The County will be responsible for maintaining this separate parcel, and the property will be excluded from the tax rolls.

THEREFORE, Ramsey County respectfully requests an immediate stay of enforcement of the above Order until such time as the Court of Appeals issues a decision of the appeal of said Order.

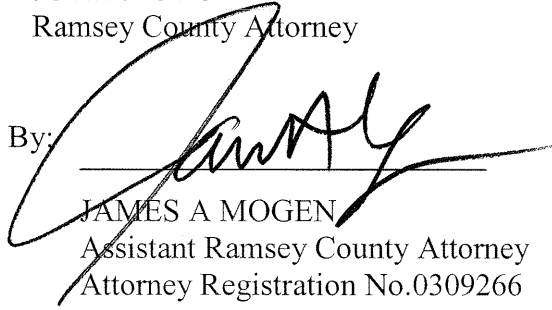
Respectfully submitted,

JOHN J. CHOI
Ramsey County Attorney

Dated:

JUNE 20, 2011

By:


JAMES A MOGEN
Assistant Ramsey County Attorney
Attorney Registration No.0309266
560 RCGC-West
50 West Kellogg Boulevard
St. Paul, MN 55102
651-266-3121