



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

361

August 29, 2011

11-245140

Mohamed and Amina Musani
2700 Hennepin Ave
Minneapolis MN 55408-1001

ASL Inc.
4001 University Avenue NE
Columbia Heights MN
55445-2722

Gries & Lenhardt
12725 43rd Street NE #201
St. Michael MN 55376

Veit & Co
14000 Veit Place
Rogers MN 55374

Linco Fab Inc
12786 60th Street NE
St. Michael MN 55376

Buck Black Top
32 Owasso Blvd S
Saint Paul MN 55117

Pete's Water & Sewer
800 Lowry Avenue NE
Minneapolis MN 55418

BDM Consulting Engineers & Surveyors
60 Plato Blvd E #140
Saint Paul MN 55107

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:

778 SMITH AVE S

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Lawton Brothers Addition Lots 15 And Lot 16 Blk 51

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 August 18, 2011, 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 unfinished construction consisting of concrete foundation and steel framing and the commercial advertisement sign.

Abate the nuisance conditions at the site created by incomplete work. The project has not had any work performed, completed or done in over six months. Letters have been sent to the owner and the contractor explaining that the site is a nuisance and requires attention. There has been no response from any responsible party.

The following issues need to be addressed:

1. Install an approved erosion control system (BMP) around the perimeter of the project.
2. Secure the site to prevent entry to the project.
3. Repair/replace sidewalk.
4. Remove the scrap and materials that are strewn throughout the property.
5. Cut all tall grass and weeds.

Permits have expired and neither the owner nor the contractor has responded to orders from the Building Inspector.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **September 28, 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.

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: Legistar Approval list and City Council