

Hoffman, James (CI-StPaul)

From: John Traxler <jtraxler@captainkens.com>
Sent: Tuesday, November 13, 2012 6:07 PM
To: Hoffman, James (CI-StPaul)
Subject: Summary Abatement Order 12-208866

Hello Jim,

Thank you for the map. But, it is not very helpful. In fact, I don't believe it's accurate. I will need from you detail lot/parcel coordinates of Captain Ken's property, and adjacent properties, to compare against Captain Ken's Foods' Alta Land Title Survey official survey. Based on my review of the Alta Land Title Survey performed of Captain Ken's Foods' property dated October 26, 1999, now, more than ever, I contend that the property that the debris is illegally dumped on is not Captain Ken's Foods' property.

Note: Until I receive detailed lot/parcel coordinates from you I won't even speculate whose property the debris is dumped on. It could be the railroad, or the property of the Tapestry Rehabilitation Center for chemically dependent women, or some other property owner, but it does not appear to be Captain Ken's Foods' property. Based on my review of the Alta Land Title Survey the debris is east of Captain Ken's Foods farthest east property line.

Furthermore,

1. Based upon my visual inspection of the debris this afternoon, I am now convinced that the illegal dumping that has occurred "*on the hill side at rear of property*" cited in the Summary Abatement Order, originated from the rental property triplex house immediately east of Captain Ken's Foods' property. I contacted the police today to file a claim against that rental property's owner for "illegal dumping" even though the debris does not appear to be on Captain Ken's property. I wanted to go on the record that illegal dumping has occurred. Since the police could not make before it got dark this afternoon we have rescheduled that meeting with the police until tomorrow, 11/14/12, during the daylight.
2. Now that I have visually inspected all of the debris dumped down the hill, i.e., mattresses, lawn chairs, home furnishings, baby strollers, school backpacks, green soccer ball, old rusty swing set, etc., I will contend that most of it has been dumped since Friday, March 23, 2012. [Note: March 23rd, 2012 was a date last Spring when I spent a lot of time on that hillside due to a break in a city water line on Captain Ken's Foods' property that had caused a lot of water to accumulate at the bottom of the hill along the railroad tracks. When seasonal temperatures in the Spring allowed we commenced repairs, which initially included scouring the hill on Friday, March 23rd after the city turned that water line back on in an attempt to: 1. identify the amount of water flowing from the break, and 2. Possibly identify the general area downhill from the break. Needless to say, due to an inability to find where the water was coming from caused all of us to spend a lot more time searching every area below the hill from Captain Ken's property and below the hill from the triplex trying to find the water which should have been pouring out from somewhere. If all of the current debris was on the hill last March 23rd I would have not only seen it, I would have had to walk over it.]
3. The green soccer ball, referred to in 2. above, was an interesting find down the hill this afternoon. On two occasions as I came into work early in the morning over the past Summer I would find that ball on Captain Ken's Foods side of the fence, i.e., Captain Ken's property. On each occasion I got out of my car early in the morning and threw the ball back over the fence back into the triplex's backyard. Furthermore, the old rusty swing set that was in the back yard of the triplex for years is now also dumped down the hill along with all of the other debris.

4. Racquel Naylor, Assistant to Alexandra Iverson, COPP Facilitator, has advised me that Captain Ken's Foods' Appeal's Legislative Hearing is scheduled for Tuesday, November 27, 2012, 11:00 a.m., Suite 330 City Hall/Courthouse, 15 Kellogg Boulevard West. Consequently, I would much appreciate receiving back from you, prior to Friday, November 16th, 2012, the requested *"detail lot/parcel coordinates of Captain Ken's property and adjacent properties to compare against Captain Ken's Foods' Alta Land Title Survey official survey"*. I would like to hasten the resolution of this issue in any case, prior to the Legislative Hearing, since winter is here and snow will not facilitate anybody's clean-up of this illegal dumping.

5. Please contact me if you would like to sit down and review your *"detail lot/parcel coordinates of Captain Ken's property and adjacent properties"* and *"compare against Captain Ken's Foods' Alta Land Title Survey official survey"*.

I look forward to hearing back from you.

John

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