



Legislation Details (With Text)

File #: RLH RR 12- 85 **Version:** 2

Type: Resolution LH Substantial Abatement Order **Status:** Passed

In control: City Council

Final action: 1/2/2013

Title: Ordering the razing and removal of the structures at 1278 POINT DOUGLAS ROAD SOUTH within fifteen (15) days after the December 5, 2012 City Council Public Hearing. (Public hearing held December 5)

Sponsors: Kathy Lantry

Indexes: Substantial Abatement Orders, Ward - 7

Code sections:

Attachments: 1. 1278 Point Douglas Rd.Order to Abate.8-22-12, 2. 1278 Point Douglas Rd.Public Hearing Notification.10-12-12, 3. 1278 Point Douglas Rd.Code Compliance Inspection.10-8-12, 4. 1278 Point Douglas Rd.Photos.5-27-09, 5. 1278 Point Douglas Rd.R-R.Nelson Ltr 11-16-12, 6. 1278 Point Douglas Rd.R-R.Nelson Ltr 11-28-12, 7. 1278 Point Douglas Rd.Nelson Email.12-5-12, 8. 1278 Point Douglas Rd.Nelson Email.12-5-12 at 224 pm

Date	Ver.	Action By	Action	Result
1/4/2013	2	Mayor's Office	Signed	
1/2/2013	2	City Council	Adopted	Pass
12/5/2012	2	City Council	Laid Over	Pass
11/27/2012	1	Legislative Hearings	Referred	
11/13/2012	1	Legislative Hearings	Laid Over	

Ordering the razing and removal of the structures at 1278 POINT DOUGLAS ROAD SOUTH within fifteen (15) days after the December 5, 2012 City Council Public Hearing. (Public hearing held December 5)

WHEREAS, the Department of Safety and Inspections has determined that 1278 POINT DOUGLAS ROAD S is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Section 23 Town 28 Range 22 Com At Nw Cor Of Ne1/4 Of Ne 1/4 Th Sely Par To Tan Part Of Cl Of Hwy 61 For 799.3 Ft To Pt Th W Par To NI Sd 1/4 1/4 To El Of Sd Hwy & Pt Of Beg Th E Par To NI Of Sd 1/4 1/4 180 Ft Th Nwly Par To Sd Hwy Cl Tan 84 Ft Th W Par To Sd NI 180 Ft To El Hwy Th; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of October 12, 2012: Vachain & Linda Lor, 15407 126th St N, Collinsville OK 74021; America's Wholesale Lender, 4500 Park Granada, MSN# SVB-314, Calabassas CA 91302-161; MERS, PO Box 2026, Flint MI 48501-2026; The Bank of New York Mellon, 400 Countrywide Way, Simi Valley CA 93065; Peterson, Fram & Bergman, 55 E 5th Street #800, Saint Paul MN 55101; BAC Home Loan Servicing LP, 400 National Way, Simi Valley CA 93065; BAC Field Services, 30870 Russell Ranch Road,

Westlake Village CA 91362; and District 1 Community Council; and

WHEREAS, each of these parties was served a written order dated August 22, 2012 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by September 21, 2012; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by September 21, 2012; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on August 23, 2012 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by September 21, 2012, and therefore an abatement hearing was scheduled before the City Council on December 5, 2012 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearing on November 13, 2012; and

WHEREAS, a public hearing was held on December 5, 2012, and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 1278 POINT DOUGLAS ROAD S is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner;
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45; and
3. That the owners, interested parties or responsible parties have not [have] presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days; And, Be It

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall raze and remove the structure(s) within fifteen (15 days) after the City Council public hearing; And, Be it

FURTHER RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).

