

PUBLIC SAFETY COMMITTEE

09-0591R

RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE CERTAIN NUISANCES BY REMOVAL OF STRUCTURALLY UNSOUND BUILDINGS IN THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$86,786.97.

CITY PROPOSAL:

RESOLVED, that the council finds as follows:

(a) The building official of the city of Duluth duly issued condemnation orders for structures located upon the below described parcels of land located within the city of Duluth after determining that the criteria of Section 10-3 of the city of Duluth Legislative Code was met in each case:

Parcel 1: 323 East Ninth Street, legally described as east 1/2 Lot 59, Block 126, Duluth Proper Third Division, notice by certified mail to Estate of George Cox, c/o Todd Conrad, 7209 Hartkopf Lane, Brooklyn Park, MN 55428, signed by Todd Conrad on July 3, 2009; and

Parcel 2: 106 South Blackman Avenue, legally described as that part of Lot 5, lying north of a line beginning on the west line of said Lot 5, 58.73 feet north of the southwest corner thence to a point on the east line of said Lot 5, 75.11 feet north of the southeast corner, Block 3, Clearview Park Duluth, notice by certified mail to Patricia Erickson, 1274 Water Hen Road, Cotton, MN 55724-0232, signed by Patricia Erickson on July 3, 2009; and

Parcel 3: 2412 West First Street, legally described as the west 1/2 of Lot 390, Block 49, Duluth Proper Second Division, notice by certified mail to Timothy M. Chuk, 2822 Second Avenue East, Hibbing, MN 55746, signed by Michele Chuck on July 6, 2009, and by certified mail to state of Minnesota, c/o St. Louis County Land Department, 607 Government Services Building, 320 West Second Street, Duluth, MN 55802, signed by Ken Schoen on July 6, 2009; and

Parcel 4: 619 North 58th Avenue West, legally described as Lot 7, Block 166, West Duluth Fifth Division, notice by certified mail to Gary E. Vittorio, 5803 Cody Street, Duluth, MN 55807, signed by Stephanie Vittorio on July 27, 2009; and

Parcel 5: 1330 Fern Avenue, legally described as the northerly ten feet of Lot 6 and the southerly 25 feet of Lot 7, Block 9, Homewood Addition to Duluth, notice by certified mail to Joann G. Tesdahl, 1330 Fern Avenue, Duluth, MN 55805, returned to sender, marked "Moved left no address - unable to forward" and advertised in the Duluth News Tribune on July 23, 2009, and July 24, 2009; and

Parcel 6: 2410 Florence Avenue, legally described as Lot 4, Block 2, Lincoln Park Gardens Third Division, notice by certified mail to MN Housing Finance Agency, c/o US Bank Home Mortgage, Foreclosure Department, PO Box 1030, Minneapolis, MN 55480-1030, signed by Tom Hall on July 3, 2009; and

Parcel 7: 615 East Tenth Street, legally described as east 1/2 of Lot 103, Block 161, Duluth Proper Third Division, notice by certified mail to state of MN Chapter 278, c/o St. Louis County Land Department, 607 Government Services Building, 320 West Second Street, Duluth, MN 55802, signed by Barb Samarzia on August 31, 2009; and

(b) All such orders are now final; and

(c) The cost for demolition of the structures has been estimated to not exceed \$70,000, and there is a current unobligated balance in Fund 110-150-1504-5453 of \$70,110.70; and

(d) Fire escrow monies are being held for the removal of structures on parcels 4 and 6 in the amount of \$16,676.27.

BE IT FURTHER RESOLVED, that pursuant to Section 10-3(b) of the city of Duluth Legislative Code the building official is authorized to:

(a) Proceed with the work ordered, or to contract to have the work done, payable from Fund 110-150-1504-5453 and from the fire escrow monies; and

(b) Should the sale of the salvage from such work exceed the cost of the demolition, the balance in excess of the cost shall be paid to the owner of said building or to such other persons as may by law be entitled thereto; and

(c) Submit to the city council a statement of the cost of such work for

its further determination of the manner by which such costs shall be recouped as provided by Section 10-3(b) of the city of Duluth Legislative Code.

Approved:

Approved for presentation to council:

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Department Director

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Chief Administrative Officer

Approved as to form:

Approved:

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Attorney

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Auditor

BLDG SFTY      JG:ek      9/22/2009

STATEMENT OF PURPOSE: This resolution identifies buildings that are subject to final demolition orders, and authorizes the building official to take appropriate action for their removal.

Budget information: 110-150-1504-5453  
Current unobligated amount:      \$70,110.70  
Fire escrow account balance:      \$16,676.27  
Estimated cost of demolition:      \$70,000.00