

PUBLIC SAFETY COMMITTEE

11-0373R

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 \$108,000.

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: 25 N. 58th Ave. W., legally described as Lot 4, Block 105, West Duluth Second Division, notice by registered mail to EH Pooled 411, LP, 1901 W. Braker Lane, Suite D-200, Austin TX 78757, signed by Bethany Pratt on May 31, 2011; and

Parcel 2: 1501 - 99th Ave. W., legally described as Lot 30, Block 7, Gary First Division, notice by registered mail to State of Minnesota Chapter 278, c/o St. Louis County Land Department, 607 Government Services Building, 320 W. 2nd Street, Duluth MN 55802, signed by Stacy M. Caldwell on July 15, 2010; and

Parcel 3: 2917 W. 3rd Street, legally described as Lot 2, Block 3, Walbanks Third Street Rearrangement Duluth, notice by registered mail to Mark H. Wick, 2218 Anderson Rd., Duluth MN 55811, signed by Judy Wick on July 16, 2010, notice to Thomas Nimtze, P.O. Box 16983, Duluth MN 55816-0983 returned marked "UNCLAIMED" and advertised in the Duluth News-Tribune on August 6, 2010 and August 13, 2010; and

Parcel 4: 1117 N. 46th Ave. East, legally described as S. 23 1/3' and S. 1/2 of N. 23 1/3' of S. 46 2/3' of Lots 7 and 8, Block 99, London Addition, notice to Roger F. Larson, 1117 N. 46th Ave. E., Duluth MN 55804, signed by James A. Larson on September 24, 2010; and

Parcel 5: 1017 E. 6th Street, legally described as Lot 9, Block 130, Portland Division of Duluth, notice by registered mail to Sharon L.

Witherspoon, P.O. Box 585, Duluth, MN 55801, returned marked "UNCLAIMED" and hand delivered by personal service to Sharon Witherspoon on July 28, 2009; and

Parcel 6: 2224 W. 11th Street, legally described as Easterly 5' of Lot 9, all of Lot 10 and Westerly 10' of Lot 11, Block 61, Harrisons Brookdale Division, notice by registered mail to Douglas R. Gault, 2224 W. 11th Street, Duluth MN 55806, returned marked "UNCLAIMED" and advertised in the Duluth News-Tribune on August 6, 2010 and August 13, 2010; and

Parcel 7: 8721 Vinland Street, legally described as Lot 5, Block 2, Bayview Gardens City, notice by registered mail to Tayebi Real Estate LLC, 2238 Lands End Dr., Glenbrook, NV 89413, signed by Tayebi on April 6, 2011; and

Parcel 8: 1130 E. 6th Street, legally described as Lot 15, Block 121, Portland Division, notice by registered mail to Richard O. Jackson, 1907 Rice Lake Rd., Duluth MN 55803, returned marked "UNCLAIMED" and advertised in the Duluth News-Tribune on May 27, 2011 and May 30, 2011; and

Parcel 9: 411 S. 71st Ave. West, legally described as Lot 6, and Nly ½ of Lot 7, Block 31, Carlton Place Addition, notice by registered mail to Dept. of HUD, 920 2nd Ave. S. #1300, Minneapolis, MN 55402-4012, signed by Luann Bartech of July 15, 2010 and notice by registered mail to Secretary of HUD, 220 S. 2nd Street, Minneapolis, MN 55401, returned marked "return to sender" and advertised in the Duluth News-Tribune on August 6, 2010 and August 13, 2010; and

(b) All such orders are now final; and

(c) The cost for demolition of the structures has been estimated to not exceed \$108,000, and there is a current unobligated balance in Fund 110-132-1304-5453 of \$99,638.28; and

(d) Fire escrow monies are being held for the removal of structures on Parcel 5 the amount of \$15,446.18.

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 110-132-1304-5453 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.

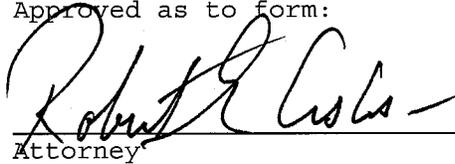
Approved:


Department Director

Approved for presentation to council:


Chief Administrative Officer

Approved as to form:


Attorney

Approved:


Auditor

BLDG SFTY JG:ek 06/30/2011

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.

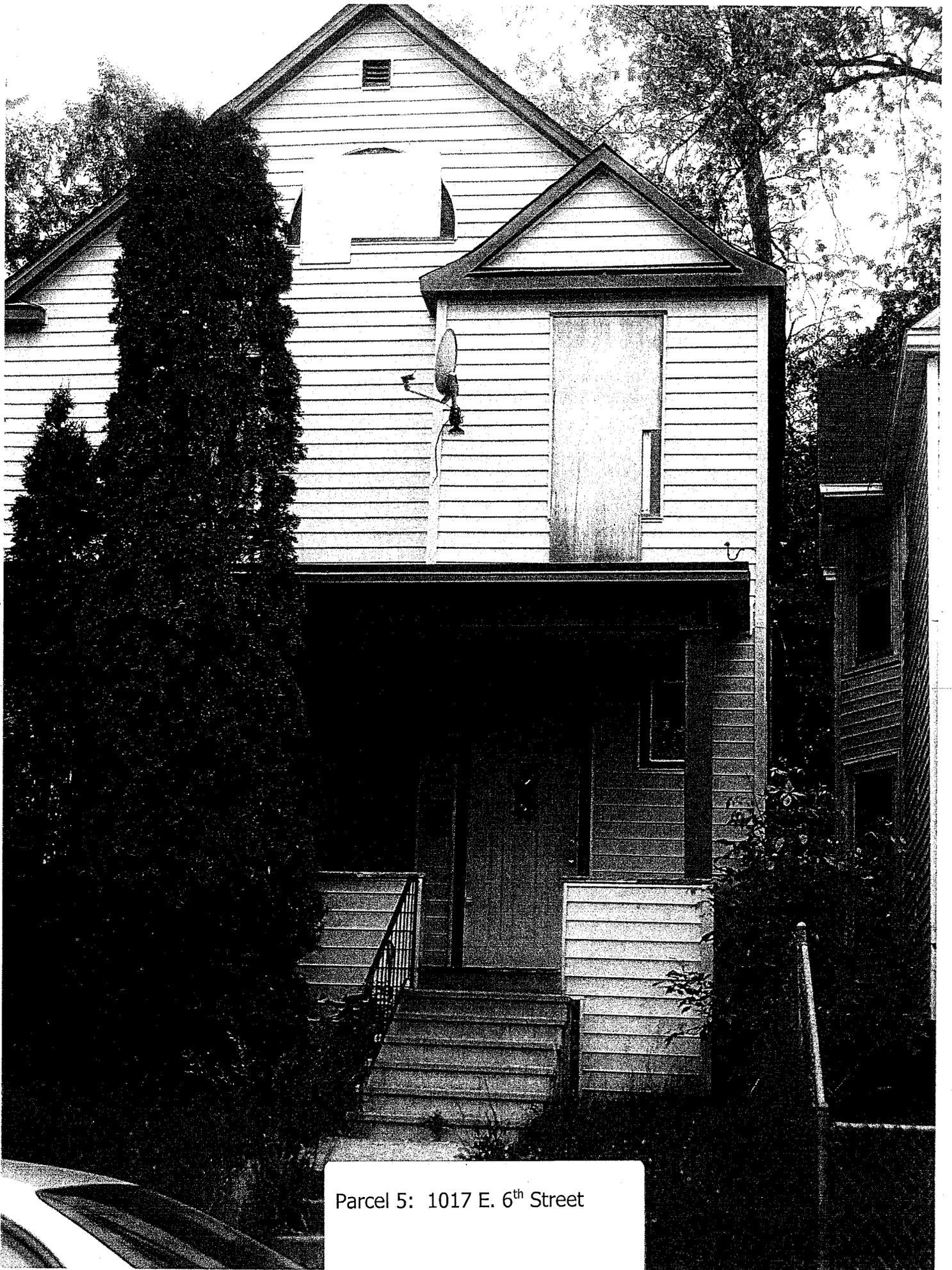
Budget information: 110-132-1304-5453
Current unobligated amount: \$ 99,638.28
Fire escrow account balance: \$ 15,446.18
Estimated cost of demolition: \$ 108,000.00



Parcel 1: 25 N. 58th Ave. W.



Parcel 3: 2917 W. 3rd Street



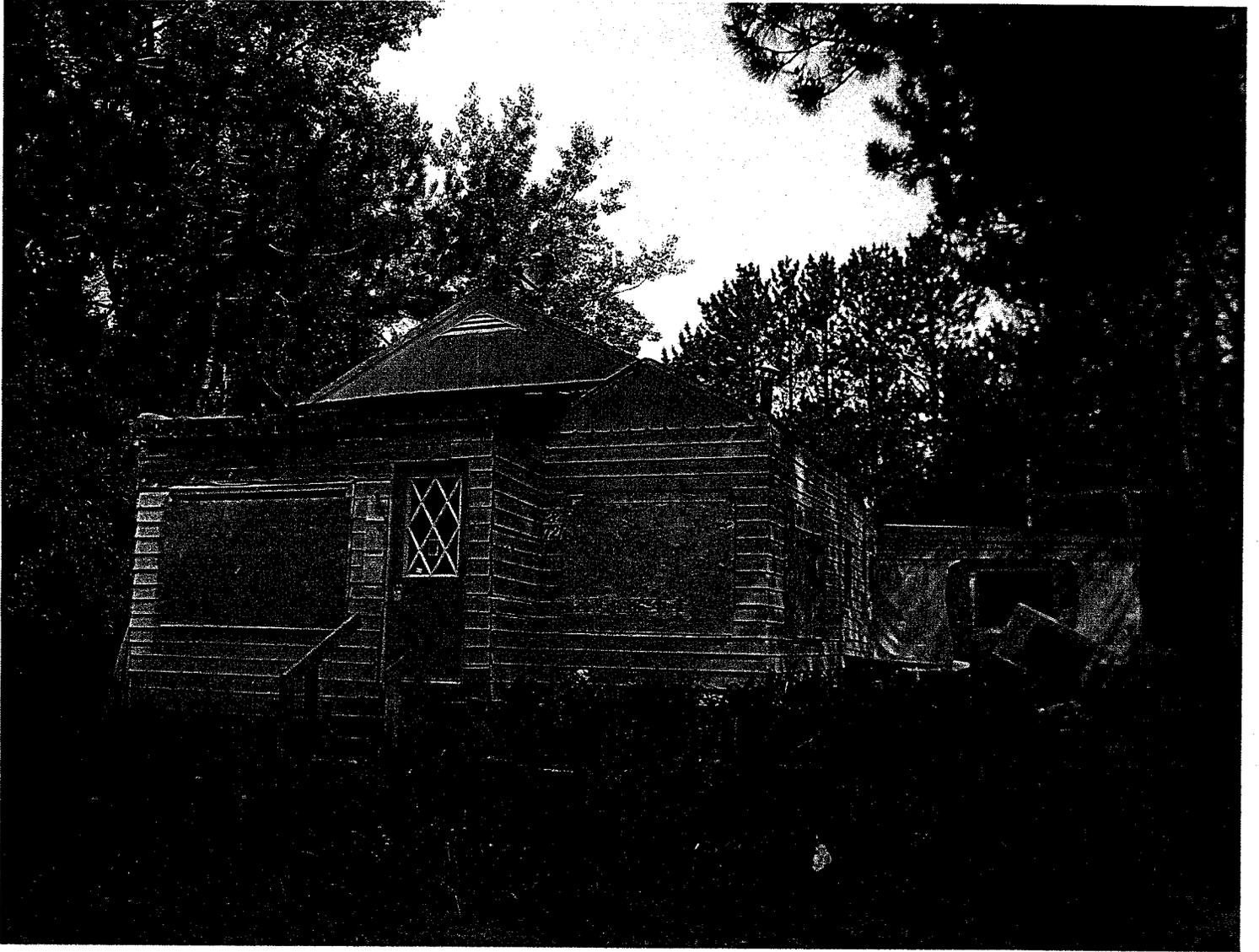
Parcel 5: 1017 E. 6th Street



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2224 W
11th

Parcel 6: 2224 W. 11th Street



Parcel 7: 8721 Vinland Street



Parcel 9: 411 S. 71st Ave. West