

PUBLIC SAFETY COMMITTEE

12-0234R

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 \$74,000.

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: 820 Lake Ave. N., legally described as S 35 ft of N 105 ft of Lots 2 and 4 ex part SELY of a line running from a pt 105 ft S of N line & 17 ft W of E Line of Lot 4 to a pt on E line 88 ft S of NE corner of Lot 4 inc S 35 ft of N 140 ft of Lots 2 & 4 ex part SELY of a line running from a pt 140 ft S of N line & 48.10 ft NELY of W line to a pt 105 ft S of N line & 17 ft W of E line Lot 4 inc that part of Lot 6 NWLY of a line running from a pt on NELY line 41 ft SELY of NELY corner to a pt on SWLY line 85.68 ft SELY of NWLY corner, Block 116, Duluth Proper Third Division, notice by registered mail to Sten Walfrid Bylund, 315 E. 1<sup>st</sup> Street, Duluth MN 55805, signed by Sten Bylund on September 23, 2010; and

Parcel 2: 5715 Cody Street, legally described as S 15 ft of E 25 ft of W 75 ft of Lot 13 and E 25 ft of W 75 ft of Lots 14, 15 & 16, Block 165, West Duluth 5<sup>th</sup> Division, notice by registered mail to Michael A. Slaviero, 1031 86<sup>th</sup> Ave. W., Duluth MN 55808, signed by Michael Slaviero on February 2, 2012; and

Parcel 3: 3215 Elm Street, legally described as Lot 24 and 25, Block 2, Centredale Addition to Duluth, notice by registered mail to Ted W. Sutkowy, 3215 Elm Street, Duluth MN 55806, returned marked "NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD" and advertised in the Duluth News-Tribune on February 10, 2012 and February 17, 2012; and

Parcel 4: 13002 W. 3<sup>rd</sup> Street, legally described as Lots 97 and 99, Fond Du Lac Third Street Duluth, notice by registered mail to Wells Fargo Bank NA as trustee, c/o BAC Home Loans Servicing, LP, 400 Countrywide Way, Simi Valley, CA 93065, signed by Nelson Hernance on February 13, 2012; and

Parcel 5: 315 E. 1<sup>st</sup> Street, legally described as Lots 7 & 8, Block 28, Portland Division including all of frac Lot 55, East 1<sup>st</sup> Street Duluth Proper First Division, notice by registered mail to Sten Walfrid Bylund, 315 E. 1<sup>st</sup> Street, Duluth MN 55805, signed by Sten Bylund on March 24, 2011; and

Parcel 6: 824 E. 7<sup>th</sup> Street, legally described as Lot 12, Block 141, Portland Division, notice by registered mail to Johnny Gilbert Olson, 11751 E. Pocket Rd., Gordon WI 54838, returned marked "UNCLAIMED" and advertised in the Duluth News-Tribune on March 2, 2012 and March 9, 2012; and

(b) All such orders are now final; and

(c) The cost for demolition of the structures has been estimated to not exceed \$74,000, and there is a current unobligated balance in Fund 110-150-1503-5453 of \$74,864.62; and

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 110-150-1503-5453; and

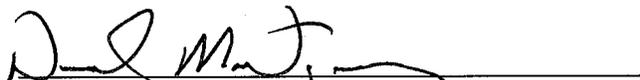
(b) Should the sale of the salvage from such work exceed the cost of the demolition, the balance in excess of the cost shall be paid to the owner of said building or to such other persons as may by law be entitled thereto; and

(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:

  
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Department Director

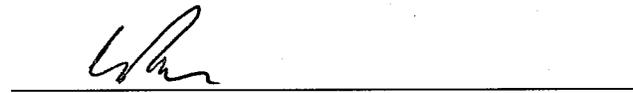
Approved for presentation to council:

  
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Chief Administrative Officer

Approved as to form:

  
\_\_\_\_\_  
Attorney

Approved:

  
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Auditor

BLDG SFTY DWN:ek 05/02/2012

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: 110-150-1503-5453  
Current unobligated amount: \$ 74,864.62  
Estimated cost of demolition: \$ 74,000.00