

**EXTRACT OF MINUTES OF MEETING OF THE
HOUSING AND REDEVELOPMENT AUTHORITY
IN AND FOR THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the Housing and Redevelopment Authority in and for the City of Roseville, County of Ramsey, Minnesota, was duly called and held at the City Hall on Tuesday, the 15th day of June, 2004, at 7:00 p.m..

The following members were present: Jill Bean, Ann Hermes, Jeanne Kelsey, Jen Jackson Millasovich, Bill Majerus, Joe Scheunemann.

and the following were absent: Sam Marks

Commissioner Kelsey introduced the following resolution and moved its adoption:

Resolution No. 9

**A RESOLUTION AUTHORIZING THE ACQUISITION OF THE
PROPERTY AT 2012 ELDRIDGE STREET BY PROCEEDINGS IN
EMINENT DOMAIN**

BE IT RESOLVED by the Board of Commissioners (the "Commissioners") of the Housing and Redevelopment Authority in and for the City of Roseville (the "Authority") as follows:

Section 1. Recitals.

1.01 In 2004, Mr. Frank Wu acquired the property at 2012 Eldridge Street (the "Property") from his mother, Ms. Shu Lien Wu.

1.02 Since 1993, the City of Roseville (the "City") has worked with Ms. Wu and, most recently, Mr. Wu regarding ongoing neglect and code deficiencies at the Property. The Property is currently vacant and both interior and exterior deferred maintenance has caused neighborhood complaints and concern.

1.03 In 1996, City staff worked with Ms. Wu to remove a shed that was falling down and to repair a leaking roof that was covered with a tarp. The Property has consistently been in violation of City Code regarding length of grass and overgrown shrubbery and many times the City has had the grass cut for the property owner. In addition, there are ongoing issues and inconsistencies with payment of the water bill, resulting in late fees. In 1998, after several years of attempts to work with the property owner, the Council approved a \$3,000 assessment against the Property to paint the exterior of the home.

1.04 To help facilitate improvements to the property, the City requested the assistance of the Greater Metropolitan Housing Corporation (GMHC) to voluntarily purchase the property using City gap funds, demolish the building and build a new home. In 2003 GMHC received permission from Frank Wu on behalf of Ms. Wu to enter the home for an inspection. Following its inspection, GMHC came to the following conclusions:

- (a) The house on the Property has sustained severe water damage due to roof leakage and there is extensive mold and wood rot throughout;
- (b) There is evidence of rodents nesting in the house (which condition had been the subject of a previous complaint);
- (c) The house has no basement and only a crawl space with a dirt floor where a large area of the masonry foundation wall has caved in and also has extensive mold issues;
- (d) The interior floor plan is outdated and has been altered to an extent that relocation of interior walls would be necessary were a new owner to try to remodel;
- (e) The mechanical systems, electrical, plumbing and HVAC are outdated and do not appear to be in working order, are poorly located and would need to be replaced;
- (f) All interior finished surfaces including ceilings, walls and floors would need to be replaced; and
- (g) The bathrooms and kitchen would require new fixtures, cabinets and appliances.

1.05 Based upon the findings outlined above, GMHC determined that it would be less expensive to demolish the existing structure and build a new home rather than try to extensively remodel the home and add a new foundation and basement. GMHC offered to purchase the home from Ms. Wu, but that offer was declined.

1.06 The Property continues to be in violation of City codes. Specific violations include broken storm door, peeling paint, rodent holes in siding and roof, rusted rain gutters throughout and junk and debris in rear yard. The City continues to receive complaints from area residents regarding the Property and its negative impact on the neighborhood.

1.07 In the fall of 2003 the City obtained a court order to enter the house for an inspection to determine if the structure was unsafe as defined in the Building Code. Following an inspection, the conclusion was reached that the structure is in violation of Minnesota State Building Code Section 1308.0180, "Unsafe Building," as adopted by the City. The structure was declared unsafe and its Certificate of Occupancy was revoked. Notice of the revocation was served on the property owner on October 15, 2003.

1.08 In an order dated October 15, 2003 and served on Ms. Wu, the building was ordered to be repaired or demolished within 90 days. To date the building has not been demolished or repaired and remains in an unsafe condition.

1.09 Frank Wu, the current owner of the Property, appeared at the April 16, 2004 meeting of the Authority, at which meeting the condition of the Property was discussed. The Authority granted Mr. Wu's request that he be given 30 days to submit a timeline for demolition of the house and commencement of construction of a new house.

1.10 At its May 18, 2004 meeting, the Authority set June 15, 2004 as the date for a public hearing to consider use of the Authority's powers of eminent domain to acquire the Property pursuant to Minnesota Statutes, Section 469.012, subdivision 7.

Section 2. Findings.

2.01 The Authority hereby finds that the building and other improvements on the Property are substandard pursuant to Minnesota Statutes, Section 469.012, subdivision 7, which finding is a condition to the Authority's power to acquire the Property pursuant to Minnesota Statutes, Section 469.012, subdivision 7.

2.02 The Authority hereby finds that it and the City have exercised considerable efforts over an extended period of time to work with Ms. Wu and her son, Frank Wu, to encourage them to repair or raze the structure or redevelop the Property so as to avoid the necessity of the Authority's exercising its power of eminent domain, and that such efforts have failed.

Section 3. Authorization.

3.01. The Authority's law firm, Krass Monroe, P.A., is authorized and directed on behalf of the Authority to acquire the Property through the exercise of the Authority's power of eminent domain pursuant to Minnesota Statutes, Section 469.012, and is specifically authorized to notify the owner of intent to take possession pursuant to Minnesota Statutes, Section 117.042 (the "quick take section"). The Authority's attorneys are further authorized to take all actions necessary and desirable to carry out the purposes of this Resolution.

Adopted by the Board of the Authority this 15th day of June 2004.

Certificate

I, the undersigned, being duly appointed and acting Executive Director of the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota, hereby certify that I have carefully compared the attached and foregoing resolution with the original thereof on file in my office and further certify that the same is a full, true, and complete copy of a resolution which was duly adopted by the Board of Commissioners of said Authority at a duly called and regularly held meeting thereof on June 15, 2004.

I further certify that Commissioner Kelsey introduced said resolution and moved its adoption, which motion was duly seconded by Commissioner Jackson Millasovich, and that upon a vote being taken thereon, the following Commissioners voted in favor thereof:

Hermes, Kelsey, Scheunemann, Jackson Millasovich

and the following voted against the same: Majerus, Bean

whereupon said resolution was declared duly passed and adopted.

Witness my hand as the Executive Director of the Authority this 16th day of June, 2004.



Executive Director
Housing and Redevelopment
Authority in and for the City
of Roseville, Minnesota