

**CITY OF WELLS
RESOLUTION NO. 2010-16**

**RESOLUTION ORDERING THE REMOVAL OF HAZARDOUS CONDITIONS
LOCATED AT 500 1ST AVE SW**

WHEREAS, pursuant to Minn. Stat. §§ 463.15 and 463.261, the City Council of Wells finds the building located at 500 1st Ave SW to be a hazardous building for the following reasons:

1. The house has burnt down with the debris pile being open to trespass.
2. The building is conducive to harboring vermin.
3. This property is an attractive nuisance.

WHEREAS, the conditions listed above are more fully documented in the photographs prepared by Austin Bless, Community Development Director on May 5, 2010, a copy (or copies) of which is (are) attached to this resolution as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WELLS,
MINNESOTA, AS FOLLOWS:**

1. That pursuant to the foregoing findings and in accordance with Minn. Stat. §§ 463.15 and 463.261, the council orders the record owners of the above hazardous building or their representatives to make the following corrections on the property at 500 1st Ave SW:
 - a. Removal of all debris.
 - b. Securing any holes or pits remaining from the structure.
2. That the repairs listed above must all be made within 21 days after the order is served upon the property owner. The repairs must be completed in compliance with all applicable codes and regulations and done pursuant to proper permits from the city. The removal is estimated to cost \$10,000 and take approximately 2 days to complete.
3. That a motion for summary enforcement of the order will be made to the District Court of Faribault County in which the hazardous building or property is situated unless corrective action is taken, or unless an answer is filed within the time specified in Minn. Stat. § 463.18, which is 20 days.
4. That in accordance with Minn. Stat. § 463.24, the owner or occupant must remove all personal property and/or fixtures that will reasonably interfere with the work within 7 days. If the property and/or fixtures are not removed and the city enforces this order, the city may sell personal property, fixtures, and/or salvage materials at a public auction after three days posted notice.
5. That if the city must take actions to enforce this order, all enforcement costs will be specially assessed against the property and collected in accordance with Minn. Stat. §§ 463.22, 463.21, and 463.161.

6. That the city attorney is authorized to serve this order upon the owner of the premises at 500 1st Ave SW and all lien-holders of record.
7. That the city attorney is authorized to proceed with the enforcement of this order as provided in Minn. Stat. §§ 463.15 and 463.261.

Adopted by the City Council of the City of Wells on May 10, 2010.

Approved:

Mayor

Attested:

City Administrator

Exhibit A

