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PAMELA WHITMORE

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October 28, 2025

**VIA CERTIFIED MAIL AND PERSONAL DELIVERY
TO MR. RICHARD ROSILLO**

Mr. Richard Rosillo
3803 West 3rd Street
Mankato, MN 56001

RE: Abatement Action 703 West 3rd Street

Dear Mr. Richard Rosillo,

I am the attorney for the City of Mankato ("City"). This letter concerns 703 West 3rd Street, ("Property"), where you are the property owner of record.

As you are aware, the City conducted a survey of properties throughout the community in preparation for the City's annual Spring Cleanup to ensure properties comply with the Mankato City Code ("City Code"). Based upon their observations of the Property, the City issued you a letter on April 25, 2025, stating the Property was not in compliance with City Code and provided a checklist with various items to correct to bring your Property into compliance.

The City then followed up to the initial letter by providing you with a notice and order to abate on August 7, 2025, informing you the Property constitutes a public nuisance per Sections 11-2, 11-3(16), 11-5 and 11-35(a). The conditions on your Property include an accumulation of debris and trash throughout the yard, and apparent abandoned/inoperable vehicles located on the yard. The notice informed you of the proper actions needed to bring the Property into compliance. Following reinspection of the Property on August 19, 2025, the City observed the Property remained non-compliant with City Code. The City provided a second notice and order to abate on August 20, 2025, informing you the Property continued to be in violation of the same City Code Sections stated above and describing the actions needed to bring the Property into compliance. The City performed a reinspection on September 3, 2025, and observed the Property remained non-compliant with City Code.

In order to determine the full extent of the nuisance conditions that need to be resolved on the Property, the City requests that you sign the enclosed Consent to allow the City and its representatives to enter the Property and document any violations of the City Code or, in the alternative, please provide the City with proof of compliance. Please return the signed Consent

or proof of compliance to me at my address above by November 3, 2025 . If I have not heard from you by then, I will recommend that the City authorize me to immediately pursue legal action to enforce the City's Code and Minnesota Statutes. If you wish to avoid the City seeking judicial remedies to enforce the City Code and for the City, you may enter into a voluntary abatement agreement with the City. An abatement agreement allows the City to enter the Property to abate remaining nuisances and remedy code violations if you do not meet deadlines or conditions contained in the Agreement. Please let me know by November 3, 2025 your preference of next steps.

Sincerely,

/s/ Pamela Whitmore

Pamela Whitmore
City Attorney

cc: Devan Mortwedt, Community Resource Coordinator, dmortwedt@mankatomn.gov
Jeremy Clifton, Mankato Public Safety Director, jclifton@mankatomn.gov

CONSENT TO ENTER AND INSPECT

RECITALS

1. Richard Rosillo (the “Owner”) holds quit claim deed to the residential property in Blue Earth County, located at: 703 W 3rd St, Mankato, MN, legally described as _____ (the “Property”).
2. The Owner agrees authorizes the City to enter the Property, abate the Nuisance Conditions laid out in the Notices and Orders previously sent to the Owner and attached hereto, and assess the costs of doing so, acknowledging waiver of special assessment process set forth in state law.
3. The City has identified the Property to constitute a public nuisance in violation of City Code Sections 11-2, 11-3(16), 11-5, and 11-35(a) and has posted a letter and issued two notices and orders to abate, with the most recent notice being sent on August 7, 2025.
4. The nuisances identified in the letter and notices have not been remedied by the Owner and still exist on the Property.
5. The Owner wishes to give the City permission to enter the Property **immediately** to determine the extent of the nuisance conditions, including all remaining refuse and garbage, automobile parts, lawn equipment, tires, furniture, and any other debris or items being stored outside of the Dwelling, including junk vehicles as that term is defined in state statute.¹
6. The Owner agrees they will not object to the City, or a representative of the City, entering the Property to do inspections, and obtain estimates for the abatement of the Nuisance Conditions (the “Abatement”) and abating the nuisance conditions.

NOW THEREFORE, the Owner consents to the following:

A. The Owner grants access to the Property for the City's employees, agents and contractors for the purpose of inspecting and obtaining estimates for the Abatement and completion of the Abatement. City will provide the Owner with the estimate for the Abatements and, after receiving

¹ "Junk vehicle" means a vehicle that:

- (1) is three years old or older;
- (2) is extensively damaged, with the damage including such things as broken or missing wheels, motor, drive train, or transmission;
- (3) is apparently inoperable;
- (4) does not have a valid, current registration plate; and
- (5) has an approximate fair market value equal only to the approximate value of the scrap in it.

the estimated cost of abatement, Owner agrees to enter into an abatement agreement or, in the alternative, acknowledge the City has a right to institute abatement action against the Owner.

B. The Owners and Resident agrees to protect, defend, indemnify and hold the City and its officials, employees, contractors and invitees harmless from and against any and all losses, costs, claims, fines, charges, damages and expenses, including, without limitation, reasonable attorneys' fees, consultant and expert witness fees by reason of the execution of this Agreement and Waiver or the performance of this Agreement and Waiver.

E. This Agreement and Waiver shall inure to the benefit of and be binding upon the Owner and their respective successors and assigns.

F. Nothing in this Agreement and Waiver shall prohibit the City from being able to take enforcement action and specially assess expenses associated with that action with respect to any other outstanding or future code violation on the Property.

OWNERS:

DATE: _____

Richard Rosillo

9.5 Photos taken from Public Right of Way (camper was sitting here, camper was removed and exposed more junk.)



9.5 Photos taken from Public Right of Way (camper was sitting here, camper was removed and exposed more junk.)



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



Photos taken from Public Right of Way – September 3, 2025



710 S. Front St.
Mankato, MN 56001
Phone: (507) 387-8735

www.mankatomn.gov



Date: April 25, 2025

ICR: MKP 25- 11661

Re: Nuisance Complaint at 703 W 3rd St, Mankato MN

Dear Resident,

In preparation for the City's annual Spring Cleanup, held the first four weekends in May, Public Safety staff are taking this opportunity to patrol the City of Mankato to ensure properties are in compliance with city ordinances. Enforcement is an important part of our job to maintain our community's cleanliness and integrity.

Attached you will find a "Spring Cleanup Property Checklist". Please bring your property into compliance regarding the mentioned items prior to June 1, 2025, as a reinspection will happen on or around this date. Our inspection and enforcement are timed to align with the City Cleanup for resident benefit. Spring Cleanup is provided at no cost as a value-added benefit of Mankato's garbage and recycling service. Spring Cleanup is scheduled for the following days: May 1, 2, 3, 8, 9, 10, 15, 16, and 17 at Mankato Public Works, 501 South Victory Drive, Mankato.

Residents can also dispose of unwanted prescription and non-prescription medications during Spring Cleanup. Year-round, these medications may be disposed of at drop boxes located at Mankato Public Safety, 710 South Front Street or the Blue Earth County Justice Center, 401 Carver Road, Mankato.

More information regarding Spring Cleanup can be found at
<https://www.mankatomn.gov/residents/garbage-and-recycling/annual-clean-up>

If you have any questions, please call 507-304-4863 and ask to speak to the on-duty Community Service Officer. Make sure you have your ICR number as noted at the top ready for reference.

Thank you for your cooperation and assistance in keeping our neighborhoods looking great!

Mankato Dept. of Public Safety Officers

ICR #: 11661

SPRING CLEANUP PROPERTY CHECKLIST

DATE/TIME INSPECTED <u>4/25 @ 18:12</u>	INSPECTED BY (Name/Badge #) <u>Schild 3193</u>	CS # <u>25-11226</u>	RENTAL LICENSE # <u>R</u>
LOCATION OF VIOLATION <u>703 W 3rd St</u>		<u>Mankato, MN 56001</u>	
PROPERTY OWNER NAME <u>Jess Rosillo</u>			
PROPERTY OWNER ADDRESS (If different than above)			
LOCAL AGENT NAME (If applicable)			
LOCAL AGENT ADDRESS (If applicable)			

☒ ACCUMULATION OF DEBRIS/TRASH

Describe:

Mounds of trash and auto parts in backyard.
Lawnmower, tires and benches in front yard.

☒ ABANDONED/INOPERABLE VEHICLE(S)

Describe: (include license plate number, state, and year where possible)

MN, 895XPR, 2002 BMW, Exp: 12/31/2022 - Left rear tire flat - Front yard
MN, 66M428, 2001 Ford, Exp: 3/31/2023 - Missing tires - Backyard
MN, HHL 848, 2001 Chevrolet, Exp: ? - Appears to be sunk in the ground - Backyard
2 abandoned trailers in the backyard

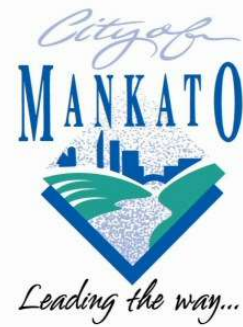
☐ OTHER VIOLATIONS/NOTES:

FOR OFFICE USE ONLY

Mailed date: 4/29 By: 3175

Re-inspection date: _____ By: _____

☐ Compliant☐ Non-Compliant



August 7, 2025

ICR: 25-11661

Richard Rosillo
703 W. 3rd St.
Mankato, MN 56001

1st Notice and Order to Abate Nuisance at 703 W. 3rd Street

Mr. Rosillo,

You are hereby notified that as the owner, agent, or tenant of the above listed location in the City of Mankato, Blue Earth County, Minnesota that the condition of your property is in violation of the below indicated ordinance(s). You are hereby ordered to make the following correction(s) within 10 days of this notice **The property will be reinspected on August 19, 2025.** Failure to comply with this notice may result in the City seeking legal action against you, including but not limited to the City ordering the necessary work to be performed at the expense of the owner to which said cost will be assessed against the property benefited. This notice is in effect for twelve (12) months from the date of this notice and any reoccurrence of the nuisance conditions within the twelve (12) month period will result in the City will abating the nuisance without further notification of the property owner.

Sec. 11-2 – Nuisance Defined. *Nuisance means any substance, matter, emission or thing which creates a dangerous or unhealthy condition or which threatens the public peace, health, safety or sanitary condition of the city or which is offensive or has a blighting influence on the community and which is found upon, being discharged from, or flowing from any street, alley, highway, railroad right-of-way, vehicle, railroad car, water, excavation, building, erection, lot, grounds or other property located within the city. The term "nuisance" includes acts and omissions defined in this Code or by state law as nuisances.*

Sec. 11-3(16) – Conditions designated as Class I nuisances. *Other conditions: Any other conditions whereby a substance, matter, emission or thing which creates a dangerous or unhealthy condition or which threatens the public peace, health, safety or sanitary condition of the city or which is offensive or has a blighting influence on the community and which is found upon, being discharged, or flowing from any street, alley, highway, railroad right-of-way, vehicle, railroad car, water, excavation, building, erection, lot, grounds or other property located within the city exists or is allowed to exist.*

Sec. 11-5 – Prohibited acts generally. *No person shall directly or indirectly or by omission create a nuisance, and no owner or responsible party shall allow a nuisance to remain upon or in any property or structure under his or her control.*

Sec. 11-35(a) – Junked motor vehicle. *Defined: Junked motor vehicle means any motor vehicle, as defined in this section, which does not have lawfully affixed or attached thereto an unexpired state registration or license plate, or the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.*

(b) Storing or parking junked motor vehicles prohibited. It is unlawful for any person to park, store or leave any junked motor vehicle, whether attended or not, upon any public or private property within the city, or for any person, as an owner of or an occupant having control of private property within the city, to permit the parking, storing or leaving of any junked motor vehicle upon

such private property, unless such junked motor vehicle is within an enclosed building or structure lawfully situated upon private property or is so parked, stored or left upon private property lawfully zoned and operated as a junkyard.

On or before August 19:

- Any and all junked motor vehicles must be removed or returned to a road operable state
- Any and all motor vehicles, trailers, and other vehicles parked on the yard must be removed and parked on an approved hard surface
- Any and all junk, trash, scrap metal, auto body parts, strewn throughout the yard must be removed and stored appropriately
- The camper that is parked on the alley / right of way must be moved every 24 hours or removed entirely and parked on private property

As previously mentioned, I will reinspect the property on **August 19, 2025.** If the above items are corrected before the re-inspection date, please contact me.

Sincerely,

Devan Mortwedt
Community Resource Coordinator, Badge 3175
Mankato Department of Public Safety
dmortwedt@mankatomn.gov
507-387-8689 (office)



August 20, 2025

ICR: 25-11661

Richard Rosillo
703 W. 3rd Street
Mankato, MN 56001

2nd Notice and Order to Abate Nuisance at 703 W. 3rd Street.

Mr. Rosillo,

On August 7, 2025, following the issuance of the First Notice and Order to Abate Nuisance, you presented at the Public Safety Center to speak with me. During that conversation, you raised a concern specifically regarding the section of the notice related to the camper parked in the public right of way. You expressed the belief that the extension of Spence Street is part of your private property.

In response, I have attached two maps for your reference. These maps clearly delineate the boundaries between privately owned parcels and public right of way, specific to your property located at 703 W. 3rd Street. The first map is a standard "Basemap," while the second provides an aerial view of your property, showing the camper situated within the public right of way, as previously stated. If you choose to keep the camper parked in this location, please be advised that it must be moved every 24 hours in order to comply with City Ordinance.

Furthermore, you are hereby notified that this is your **2nd Notice and Order to Abate Nuisance** and as the owner, agent, or tenant of the above listed location in the City of Mankato, Blue Earth County, Minnesota that the condition of your property is in violation of the below indicated ordinance(s). You are hereby ordered to make the following correction(s) within 10 days of this notice. **The property will be reinspected on September 2, 2025.** Failure to comply with this notice **will** result in the City seeking legal action against you, potentially including but not limited to the City ordering the necessary work to be performed at the expense of the owner to which said cost will be assessed against the property benefited. This notice is in effect for twelve (12) months from the date of this notice and any reoccurrence of the nuisance conditions within the twelve (12) month period will result in the City will abating the nuisance without further notification of the property owner.

Sec. 11-2 – Nuisance Defined. *Nuisance means any substance, matter, emission or thing which creates a dangerous or unhealthy condition or which threatens the public peace, health, safety or sanitary condition of the city or which is offensive or has a blighting influence on the community and which is found upon, being discharged from, or flowing from any street, alley, highway, railroad right-of-way, vehicle, railroad car, water, excavation, building, erection, lot, grounds or other property located within the city. The term "nuisance" includes acts and omissions defined in this Code or by state law as nuisances.*

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Sec. 11-5 – Prohibited acts generally. *No person shall directly or indirectly or by*

omission create a nuisance, and no owner or responsible party shall allow a nuisance to remain upon or in any property or structure under his or her control.

Sec. 11-35(a) – Junked motor vehicle. *Defined: Junked motor vehicle means any motor vehicle, as defined in this section, which does not have lawfully affixed or attached thereto an unexpired state registration or license plate, or the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.*

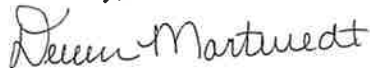
(b) Storing or parking junked motor vehicles prohibited. It is unlawful for any person to park, store or leave any junked motor vehicle, whether attended or not, upon any public or private property within the city, or for any person, as an owner of or an occupant having control of private property within the city, to permit the parking, storing or leaving of any junked motor vehicle upon such private property, unless such junked motor vehicle is within an enclosed building or structure lawfully situated upon private property or is so parked, stored or left upon private property lawfully zoned and operated as a junkyard.

On or before September 2:

- Any and all junked motor vehicles must be removed or returned to a road operable state.
- Any and all motor vehicles, trailers, and other vehicles parked on the yard must be removed and parked on an approved hard surface.
- Any and all junk, trash, scrap metal, auto body parts, strewn throughout the yard must be removed and stored appropriately.
- The camper that is parked on the alley / right of way must be moved every 24 hours or removed entirely and parked on private property

As previously mentioned, I will reinspect the property on **September 2, 2025**. If the above items are corrected before the re-inspection date, please contact me.

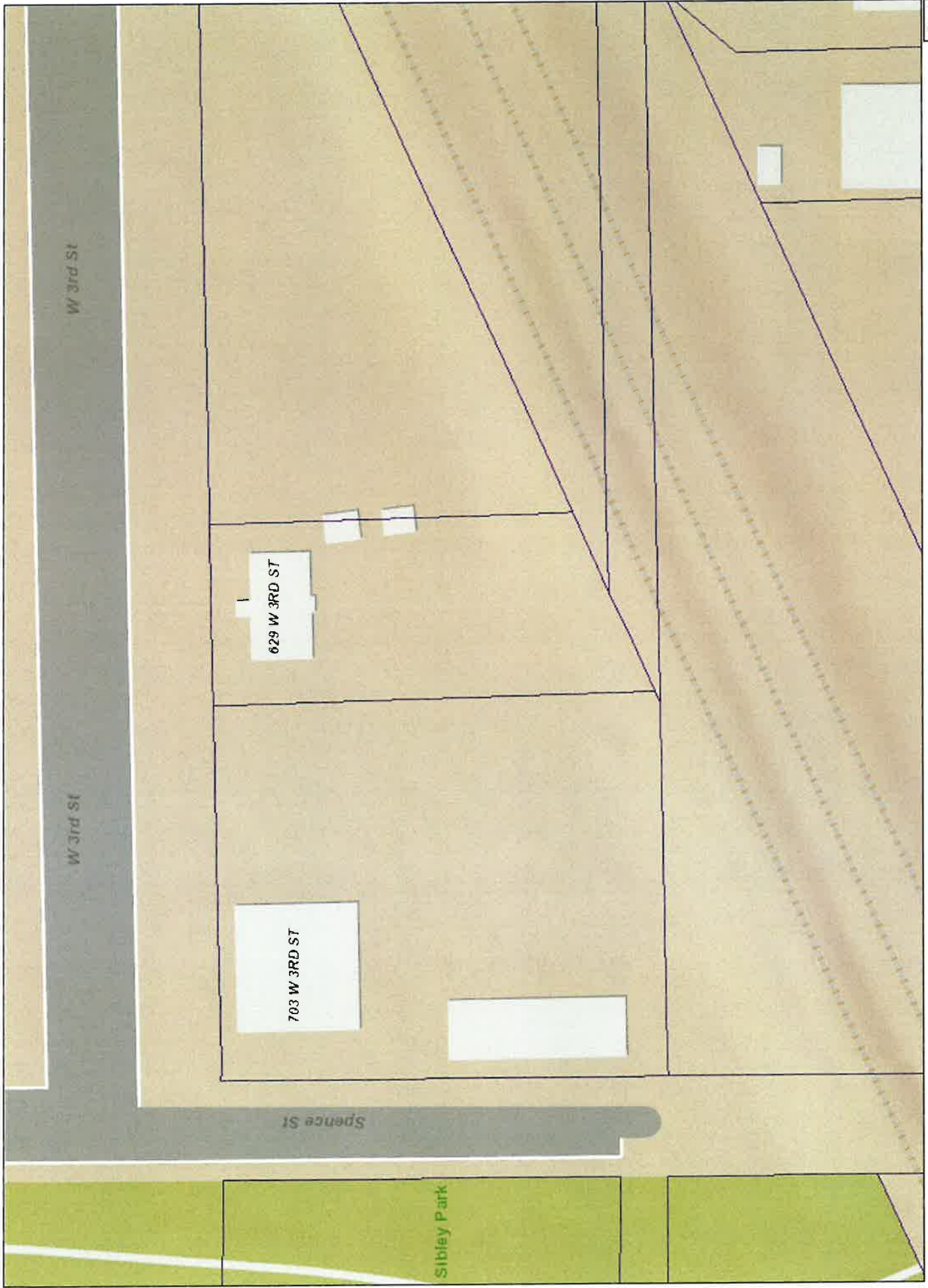
Sincerely,



Devan Mortwedt
Community Resource Coordinator, Badge 3175
Mankato Department of Public Safety
dmortwedt@mankatomn.gov
507-508-3835 (cell)
507-387-8689 (office)

CC: Sandra and Norman Weston, Kennedy&Graven

703 W. 3rd St. Parcels (Basemap)



Date: August 2025
Author:

703 W. 3rd St. Parcels



Date: August 2025

Author:

EXHIBIT F



9589 0710 5270 2716 2934 83

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Sent To

Richard Postilio

Street and Apt. No., or PO Box No.

3803 West 3rd Street

City, State, ZIP+4[®]

Mankato, MN 56001

