

# Legal knots still tying up fate of blighted building

*Building*  
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A Toledo Chamber of Commerce promotion brochure, circa 1954, described what first-time visitors to the city would see as they left the then-new Central Union Terminal train station in the South End — a billboard bearing the words "You'll Do Better in Toledo" and the nearby Page Dairy plant, which the leaflet ballyhooed as "tangible proof" of the city's industrial enterprise.

City leaders 34 years later could not find a worse example to show visitors, because the three-story Page building at Wade and Knapp streets, now fortunately hidden from view off most arteries, is slowly rotting as it has been since the company went out of business in 1975.

Broken windows stare from the red-brick building, and first-floor doors and windows are open to vandals, transients, and neighborhood children. A crumbling smokestack stands uneasily near the rear of the huge building, and bricks sometimes fall from a gaping hole in one side, put there by Toledo firemen fighting a stubborn fire set by arsonists in 1977.

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### Once all boarded up

The city at one time had the windows and doors boarded up, but they are no longer. One day recently, several men were seen entering the building. One had a bottle wrapped in a paper bag; the other two were carrying boxes.

"We can't keep it closed," said Gene Borton, city inspection commissioner. "As fast as we put up plywood; it's torn down."

Inside the old dairy, beer cans,

bottles, trash, human waste, and other litter covers the floors. Remains of campfires can be found.

The building was declared a nuisance in 1985, but city officials found that trying to tear it down was nothing like moving to raze an abandoned house. For one thing, demolition would cost more than \$100,000, with little likelihood that the cost could ever be recovered.

Complicated legal obstacles also stand in the way of the city in trying to obtain and demolish the eyesore, according to Sheldon Rosen, city law director.

City council considered having the building torn down in January, 1985, but legislation earmarking \$116,300 for the job was withdrawn, and David Boston, then city manager, was directed to see whether the owners could be forced to demolish it.

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But Mr. Rosen said that there was no way then or now that the owners could be forced to tear it down.

"What you have is an insolvent estate that is defunct, with a court judgment on the property that exceeds its value. It's a hopelessly deadlocked situation," he said.

### Shut down in 1975

Page Dairy closed in 1975 after A&P Food Stores, which bought half of its local output, shut down most of its Toledo stores. A Page creditor, Milk Marketing, Inc., of Strongsville, O., sued the company for \$1.1 million in unpaid debts and subsequently obtained a \$262,693 lien against the property, according to the Lucas County treasurer's office.

Charles Shaffer, a deputy treasurer, said the property is valued at \$102,860, but Page Dairy owes the

county \$122,414 in real estate and personal property taxes.

"We could have foreclosed and put it up for sale, but until the judgment lien is released, we're dead in the water," Mr. Shaffer said.

Mr. Rosen said that city officials have held extensive talks with attorneys for Milk Marketing and were unsuccessful in getting them to release the lien, declare the property a loss, and allow the city to take possession and raze the building.

Spokesmen for Milk Marketing declined comment on the status of the property, beyond confirming that they hold the lien.

### Development plan fails

Ray Kest, county treasurer, said he considered a proposal a year ago to allow a prospective developer to either pay delinquent taxes under a long-term payment plan or have the taxes assessed at two-thirds of the property's appraised value, if Milk Marketing would release the lien.

"It's a shame that it can't be put to productive uses instead of just sitting there and falling apart," Mr. Kest said.

Ned Howard, owner of U.S. Standard Sign Co., 210 Wade St., said he planned to develop the former dairy building if Mr. Kest's move had succeeded.

"It looks terrible and people gripe about kids playing on the roof and bums living there, but nothing gets done," he said.

Mr. Borton said that one of the greatest dangers is to Toledo firemen, because no one knows the interior condition of the building or how many holes there are in the floor, roof, and walls.

"They [firemen] won't know what's facing them in there."



Former dairy plant still crumbling away at Wade and Knapp streets

— Blade Photo