



CITY 2006089391



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/7/2006 12:56:43.67



2006089391

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

City
FEE No Fee FB 01-60000
16 BKP 21-15-13⁰⁰ C/O _____ COMP _____
1 DEL _____ SCAN _____ FV _____

Temp. 12.4.01

Gary

CITY OF OMAHA
PLANNING DEPT.
1819 Farnam St., Rm.  1003
Omaha, NE 68183



City of Omaha
Mike Fahey, Mayor

CODE ENFORCEMENT

NOTICE OF VIOLATION

July 14, 2006

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 444-6140

Steven N. Jensen, AICP
Director

Legacy Group L.L.C. % Ryan J. Barry
2629 Cornelia Street
Bellevue, NE 68147

Legal Description: W 75' of N 132' of Sublot 1 of Tax Lot
16 in Sec 21, Twp 15, Rge 13, Lands SE 1/4 NW 1/4

This notice concerns the Property at: **3027 FARNAM ST Apartment Building Entire Structure.**

The Property is in violation of the Omaha Municipal Code. The violations currently known to exist on this Property are listed in the attached Violations List.

You are ordered to repair or cure the said violations by September 12, 2006. A follow-up inspection, to determine whether the violations have been repaired or cured and whether the Property can thereby be released, will be scheduled on or shortly after that date, or sooner if you so request.

This occupied Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. If any of those designated violations are not cured within the time period stated above, the Property will be placarded, and occupancy will be prohibited until the violations are cured and released.

While the necessity of City permits to conduct the necessary work will depend on the method of repair chosen by the Property owner, it presently appears that the following types of permits will have to be obtained from the City to perform the necessary work: **Building, Electrical, Plumbing, Mechanical,**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$30.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this notice (add an additional three business days if this notice was sent by regular mail). The appeal application shall state all grounds for objection to this notice.

If you desire clarification of this notice or of any of the violations listed, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,

Roger Carroll
Code Inspector, 444-5382

Kevin J. Denker
Chief Code Inspector

C: New Century Mtge Corp, 18400 Von Karman, Ste #1000, Irving, CA 92612
CerescoBank, 130 W Elm, PO Box 36, Ceresco, NE 68017

**The City of Omaha Planning Department
Housing Division**
Permits and Code Requirements
for property address: 3027 FARNAM ST
Structure Type: Apartment Building-Entire Structure
July 14, 2006

The following permits are required for the primary structure:

A Building permit is required for the amount of \$25,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

<input checked="" type="checkbox"/> General Repair	<input checked="" type="checkbox"/> Window Replacement	<input checked="" type="checkbox"/> Interior Inspection.
<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Soffits, Gutters, etc.	Requested for the following reason(s) :
<input type="checkbox"/> Reroof	<input type="checkbox"/> Kitchen Remodel	Dangerous water heater. Dangerous
<input type="checkbox"/> Remove Existing Roof	<input type="checkbox"/> Bath Remodel	front porch.
<input checked="" type="checkbox"/> Reside	<input checked="" type="checkbox"/> Plans required	
<input type="checkbox"/> Remove existing siding	<input type="checkbox"/> Fence	
<input type="checkbox"/> Basement Finish	<input checked="" type="checkbox"/> Decks/Porches	
<input type="checkbox"/> Retaining Wall	<input checked="" type="checkbox"/> Fire Escape	

Separate Permits required for the following:

☒ Electrical ☒ Plumbing ☒ Mechanical Wreck

Special Code Requirements:

Electrical Requirements -

Under 121-142. Chapter 44. Bring electrical service up to code. A licensed, bonded, electrical contractor is required to make repairs. A City of Omaha electrical permit and an inspection by the City Electrical Inspector is required for conformance.

Plumbing Requirements-

Under 131-135. Chapter 49. Bring plumbing service up to code. A licensed, bonded, plumbing contractor is required to make repairs. A City of Omaha plumbing permit and an inspection by the City Plumbing Inspector is required for conformance.

HVAC Requirements-

Under 111-116. Chapter 40. Replacement of a forced air furnace shall be done by a licensed, bonded, H.V.A.C. contractor. A City of Omaha H.V.A.C. permit and an inspection by the City H.V.A.C. Inspector is required for conformance.

Engineer Review:

Registered Engineer's drawing and stamp required.

Other requirements: Structural repair to rear enclosed 2nd floor addition. Structural repair to east bay. Front porch beam repair documents to be by engineer.

3027 FARNAM ST

Violations List

July 14, 2006

Legacy Group L.L.C. % Ryan J. Barry
2629 Cornelia Street
Bellevue, NE 68147

Re: 3027 FARNAM ST
Inspected by: Roger Carroll
Structure Type: Apartment Building

Violations and corrective action:

Owner Violation List items

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
040-106. Permit required. The installation, alteration, repair or replacement of any air conditioning/air distribution system or exhaust system shall not be undertaken within the jurisdiction of the city without a permit issued by the permits and inspections division prior to said installation.	Building Exterior. All mechanical repairs and alterations must be made by a mechanical contractor, licensed and bonded by the City of Omaha & requires permits and inspections. Dangerous water heater flue at basement water heater	Yes
043-71. Required. Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)	Building Exterior. Structural permits are required.	
043-71. Required. Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)	Building Interior. Structural permits are required. Deteriorated front porch beams at the second floor where temporary steel columns are in place. Temporary columns to be verified adequate by structural engineer. Repair drawings and specifications to prepared and stamped by engineer.	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
043-71. Required. Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)	Building Interior. Structural permits are required. Rear projecting 2nd floor wood enclosed porch has dropped approximately 6" at the west side. Repairs to be designed and stamped by engineer.	Yes
044-121. Permit required.. Before proceeding to install, alter, repair, relocate, affix or suspend any electrical wiring, or to install or connect any equipment or apparatus which requires electrical wiring to be installed, affixed or suspended to make the same operable, for either interior or exterior wiring, a permit shall be obtained by an electrical contractor or a master electrician from the electrical official at the permits and inspections division.	Building Interior. All electrical repairs must be made by a electrical contractor, licensed and bonded by the City of Omaha & requires permits and inspections. Zip cord	Yes
048-13. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Fire Code and Electrical Code, all as defined in this code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 55 of the Omaha Municipal Code.	Building Interior. All city codes apply. Including plumbing, electrical and mechanical.	
048-15. Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.	Building Exterior. All repairs & alterations are to be made in a workmanlike manner.	
048-15. Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.	Building Interior. All repairs & alterations are to be made in a workmanlike manner. Mortar smeared on brick joints at east side of building to be cleaned in a workmanlike manner.	Yes
048-33 a. Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.	. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies.	
048-33 a. Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.	. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies. Interior inspection of all units is requested due to broken window glass and deteriorated basement conditions.	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
048-53. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with this code shall be deemed guilty of a misdemeanor, as provided in Section 1-10 of the Omaha Municipal Code. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.	. Any person failing to comply with a notice shall be prosecuted.	
048-65. Transfer of ownership. If the ownership of a property subject to a pending notice or order under this code is to be transferred, the transferring owner shall report to the city housing division the impending transfer of the property and the name and address of the transferee, at least seven (7) days prior to the transfer.	Building Exterior. Inspector must be noticed of pending transfer of ownership seven (7) days prior to transfer.	
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048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.	Building Exterior. Unsafe structure. Rear enclosed suspended addition has bearing beam out of level.	
a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.		
048-71b. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.	Basement. Plumbing system is deteriorated. Water heater is unsafe and inadequate.	
b) Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Unfit Repaired</u>
048-74. Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard reading "Danger - Closed" or similar language, and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.	. Structure will be placarded.		
048-75. Prohibited occupancy. It shall be unlawful for any person to occupy a placarded premises or to operate placarded equipment, and for any owner or any person responsible for the premises to let anyone occupy a placarded premises or operate placarded equipment. Such persons shall be liable for the penalties provided by this Code.	. Upon failure to comply with this notice of violation within the time given, structure shall be vacated.		
048-81. Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited By The Code Official", or similar language. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.	Building Interior. This water heater is unsafe and its use has been prohibited by the code official. Water heater is green tagged.	Yes	
048-81. Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited By The Code Official", or similar language. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.	Basement. This structure is unsafe and its occupancy has been prohibited by the code official. Basement occupancy is dangerous and must be vacated.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
049-300. Required. It shall be unlawful for any person to begin any job of plumbing until a license holder has secured from the permits and inspections division a permit to do such work; provided that no permit will be required for minor repair work as defined in sections 49-400 and 49-303.	Building Exterior. All plumbing repairs must be made by a plumbing contractor, licensed and bonded by the City of Omaha and require permits and inspections. Owner to provide determination to city inspector, by licensed plumbing contractor of sufficient hot water capacity. Existing hot water heater has no visible overflow tube.	Yes	
302.2. Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.	Building Exterior. Exterior grass at the west sidewalk is eroded and missing, including between the public sidewalk and the street curb.		
302.7. Accessory structures. All accessory structures, including detached garages, fences and walls shall be maintained structurally sound and in good repair.	Building Interior. Deteriorated retaining wall. Rotted rail road tie wall at west public sidewalk.		
302.7. Accessory structures. All accessory structures, including detached garages, fences and walls shall be maintained structurally sound and in good repair.	Building Interior. Deteriorated retaining wall. Rotted wood tie wall at north and west sides walks.	Yes	
303.10. Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Building Interior. Deteriorated deck and stairs at front of structure, broken concrete floor at overhead porch. Broken steps including broken concrete at the front stair.	Yes	
303.10. Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	Building Exterior. Deteriorated deck(s). South wood deck is not secure to supporting concrete. Provide building plan. Obtain build permit. Deck must rest on front footing.	Yes	
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Interior. Deteriorated window sash, jambs, sills, and trim throughout. Including broken window glass at the north side second floor east windows.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Interior. Deteriorated doors and frames . Including broken basement door jamb and frame at west stair well.	Yes	
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment 2. Deteriorated window sash, jambs, sills, and trim throughout. Peeling paint at window troughs, window jambs. Broken entry door jambs, doors, broken hardware at west entry to south stairwell and to basement.		
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Exterior. Broken windows including those covered by plywood at the west side.	Yes	
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Basement. Deteriorated window at east basement filled by non exterior grade flake board is deteriorated.	Yes	
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Commons. Deteriorated window sash, jambs, sills, and trim throughout. Double hung windows at west stair well to not open, ropes are missing, wood is scared window troughs are soiled with peeling paint.		
303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Building Exterior. Deteriorated window sash, jambs, and sills. Broken leaded glass window at the west entry.	Yes	
303.14. Insect screens. During the period from May 1st to October 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.	Apartment 2. Deteriorated, torn, and missing screens on all sides.		
Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.			

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303.14. Insect screens. During the period from May 1st to October 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition. Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.	Building Exterior. Deteriorated, torn, and missing screens on all sides.		
303.2. Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.	Building Interior. Peeling/missing paint front porch. Including peeling paint at Farnam street two story porches and columns.	Yes	
303.3. Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).	. Address numbers are not visible from the street. 305 entrance numbers are painted white at the west entry and are difficult to see from the street.		
303.4. Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.	Building Interior. Structural review required by a State of Nebraska registered structural engineer and report given to inspector. Deteriorated front porch beams and structure. Repair and temporary shoring to be designed and stamped by engineer. Copies of documents to be submitted with application for building permit.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
303.4. Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.	Building Interior. Structural review required by a State of Nebraska registered structural engineer and report given to inspector. Deteriorated east brick wall at brick bay windows.		
303.5. Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.	Building Exterior. Hole(s) in foundations wall(s). Missing glazed brick at front foundation.	Yes	
303.6. Exterior walls. All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained, weatherproof and properly surface coated where required to prevent deterioration.	Building Interior. Deteriorated and/or missing masonry joints.		
303.6. Exterior walls. All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained, weatherproof and properly surface coated where required to prevent deterioration.	Building Interior. Deteriorated and/or missing masonry joints. Including at the east and west side of the building. Peeling exterior paint including at concrete columns, beams. Cement smeared onto east walls is not a workman like finish and must be cleaned off. Open mortar joints at the east side including at the roof parapet are a hazard.	Yes	
303.6. Exterior walls. All exterior walls shall be free from holes, breaks and loose or rotting materials; and maintained, weatherproof and properly surface coated where required to prevent deterioration.	. Deteriorated siding and trim. Peeling wood and concrete exterior surfaces at south side of building at 2nd and 3rd story building connector is deteriorated, peeling and rotted.	Yes	
303.7. Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Building Interior. Deteriorated gutters and down spouts. Deteriorated front downspouts, plastic drains.		
304.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Building Interior. Abraded finish on insulation at basement plumbing fixtures and piping insulation. Remove broken asbestos insulation.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
304.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Basement. Abraded finish on walls and wall door and window trim, including stair well windows, window troughs. Including soiled landing surfaces at basement halls.	Yes
304.5. Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.	Basement. Deteriorated handrails to basement. Broken basement handrail.	Yes
305.1. Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.	Basement. Owner/Occupant. Rubbish and garbage. All rubbish including broken water heaters at basement. Rubbish in halls. Soiled hall and stair carpets.	
305.3.2. Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.	Building Exterior. No approved containers. Rubbish and garbage containers with cover not found on site.	Yes
402.2. Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m2) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.	Building Interior. No light bulb in hall. Common areas shall be lighted at all times. Lights out at stair wells.	
402.2. Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m2) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.	. Insufficient lighting. Common area lights are not on, are missing.	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
403.5. Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.	Building Interior. Clothes dryer exhaust vent is not in accordance with manufacturer's instructions. Hard piped dryer exhaust is required. Flexible metal exhaust is looped down and will trap lint.	Yes	
504.3. Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Basement. Improperly installed piping, fixtures and/or fittings. Dangerous non code water heater at basement has damper altered, exposed electrical wire at pump. New water heater to code for number of units and occupancy projection is required.	Yes	
504.3. Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Building Interior. Deteriorated plumbing fixtures and pipes throughout. Rotted and duct taped cast iron drains at basement ceiling.	Yes	
505.4. Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120 degrees F (49 C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.	Building Interior. Inadequate water heater for occupancy. Existing deteriorated water heater provides inadequate hot water for number of units and occupancy. Occupants complain of running out of hot water.	Yes	
602.4. Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 1st to maintain a temperature of not less than 65 degrees F (18 C) during the period the spaces are occupied. Exceptions: 1) Processing, storage and operation areas that require cooling or special temperature conditions. 2) Areas in which persons are primarily engaged in vigorous physical activities.	Apartment 2. Inadequate heat supply. Thermostat is out of level and does not turn furnace blower fan on or off.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
604.2. Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the ICC Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.	Apartment 2. Occupant presses main breaker at apartment panel in and out to turn furnace blower fan on. This is an immediate electrical hazard. Electrical panel is to checked and sized by a licensed, bonded electrical contractor with the City of Omaha for usage. Electrical repair permit and inspection of panel by city electrical inspector are required.	Yes
604.3. Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Building Interior. Deteriorated wiring. Switches and outlets hanging out of surface mounted boxes at basement, including at water heater location. Loose metallic flexible cable not supported.	Yes
604.3. Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Basement. Improperly installed wiring. Exposed electrical connections at old panel in basement area of south stairwell. No interior panel cover. Conductors are exposed. Abandoned, taped off electrical conductors at abandoned exterior mast at the east side of the building are deteriorated.	Yes
604.3. Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Apartment 2. Improperly installed wiring. Electrical outlets at north and west walls of apartment do not work.	
604.3. Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	. Deteriorated wiring. Broken entry door bells at west entry door.	Yes

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
605.3. Lighting fixtures. Every public hall, interior stairway, toilet room kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.	Building Interior. Deteriorated light fixture(s). Broken lights fixtures, covers, exposed wires. Non code ceramic light fixture at top landing at front stair.	Yes
605.3. Lighting fixtures. Every public hall, interior stairway, toilet room kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.	. Deteriorated light fixture(s). Missing light fixtures at west entry.	Yes
702.4. Emergency escape openings. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the International Building Code and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 704.	Building Interior. Insufficient egress opening(s). Iron bars screwed over the exterior of garden level windows at north end of building. Emergency egress through windows by apartment occupants has been obstructed.	Yes
702.4. Emergency escape openings. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the International Building Code and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates or similar devices are installed in existing buildings, smoke detectors shall be installed in accordance with Section 704.	Building Exterior. Insufficient egress opening(s). Bars on grade level windows at living spaces. Interior inspection of units is requested within 5 days of the date of this notice of violation to verify egress opening compliance.	Yes
704.1. Smoke detectors. Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Basement. Missing smoke detectors/alarms. Missing smoke detectors are ceiling brackets in basement halls.	



City of Omaha
Mike Fahey, Mayor

ORDER TO VACATE

July 14, 2006

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 444-6140

Steven N. Jensen, AICP
Director

Occupant

3027 FARNAM ST, Apt. No. Basement Apartment
Omaha, NE 68131

This order concerns the Property at **3027 FARNAM ST Basement Apartment**

You are ordered to vacate this Property by **July 15, 2006** because this Property presents dangers to its occupants and users. Omaha Municipal Code section 48-81 makes it unlawful to enter the structure, except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Any person directly affected by this order may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$30.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this order (add an additional three business days if this order was sent by regular mail). The appeal application shall state all grounds for objection to this order. While the filing of an appeal will entitle you to a hearing before the Board, due to the emergency nature of this order you are still required to vacate the premises by the date stated above.

If you desire clarification of this order, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,

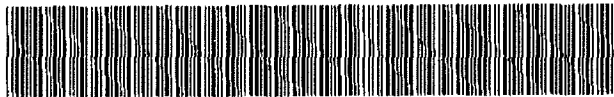
Roger Carroll
Code Inspector
444-5382

Kevin Denker
Chief Code Inspector
444-5488

C: Legacy Group L.L.C. % Ryan J. Barry 2629 Cornelia Street Bellevue, NE 68147



MISC 2005020708



FEB 24 2005 09:38 P 2

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/24/2005 09:38:49.86

2005020708

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

Return:

Jetz1

Kymise

FEE: 10⁰⁰ FB: 01.60000
BKPG: 21.15.13 *mm* CO: COMP:
DEL: SCAN: EV:

4929

Recording requested by and mail to:

Jetz Service Co., Inc. %
JETZ MIDWEST, INC.
4505 South 76th Circle
Omaha, NE 68127

NOTICE TO OWNER

This document is to give notice of a lease entered on November 26, 2003 by and between Legacy Group LLC "Lessor") and JETZ SERVICE CO., INC. ("LESSEE"). Lessor did lease to Lessee, and Lessee did accept the exclusive possession of a certain room or rooms described therein and located on the real property and improvements consisting of 21 multi-housing units, located at 3027 Farnam, aka 305-15 Turner Blvd, (larinda-Page Apts), Omaha, NE and legally described as:

LANDS SEC-TWN-RGE LOT 21-15-13 W 73 FT N132 Ft SUB LT 1 TAX Lot 16 SE ¼ NW 1/4

The provisions of the unrecorded lease are incorporated herein by this reference. A copy of said lease is available for inspection by persons having a legitimate interest in the property from the Home Office of the Lessee located at 901 NE River Rd, Topeka, Kansas 66616. Terms of said lease includes:

1. EXCLUSIVE POSSESSION. Lessor did convey, and transfer to Lessee the exclusive use and possession of certain premises, described in said lease.
2. TERM. The term of this lease was for fifteen (15) year(s) from the date of December 18, 2003 plus any applicable renewal provisions.

2. ASSIGNMENT OR TRANSFER. This lease shall be binding upon the heirs, personal representatives, successors, assigns or transferees of the Lessor.

JETZ SERVICE CO., INC. %
JETZ MIDWEST, INC. LESSEE

BY: TJR Owner

STATE OF: NEBRASKA)
)ss.
COUNTY OF: DOUGLAS)

Feb. 23 2005, by Michael R. Aspen, as Account Representative of Jetz Service Co. Inc

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Omaha, NE the day and year last above written.

My Commission expires:

Susan K. Frampton
Notary Public within and for said County and State

