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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
12/13/2012 08:42:13.84



2012126987

THIS PAGE INCLUDED FOR INDEXING

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RETURN TO: City of Omaha
Planning Department
Code Enforcement
1819 Farnam St., Suite 1003
Omaha, NE 68183

CHECK NUMBER





City of Omaha
Jim Suttle, Mayor

Virgil D. Anderson
1920 Dorcas St.
Omaha, NE 68108

NOTICE OF VIOLATION
December 12, 2012

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 546-0714

R. E. Cunningham, RA, F.SAME
Director

Parcel No.: 2457000002
Legal Description: See Exhibit

This notice concerns the Property at: **2515 CENTER 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 February 10, 2013. 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 \$108.00 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,


Yvonne Barna
Code Inspector, 402-444-7735


Kevin J. Denker
Chief Code Inspector

C:

The City of Omaha Planning Department
Housing Division
Permits and Code Requirements
for property address: 2515 CENTER ST
Structure Type: Apartment Building-Entire Structure
December 12, 2012

A Building permit is required for the amount of \$50,000.00. 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 type="checkbox"/> Window Replacement | <input type="checkbox"/> Interior Inspection. |
| <input type="checkbox"/> Fire | <input type="checkbox"/> Soffits, Gutters, etc. | Requested for the following reason(s) : |
| <input type="checkbox"/> Reroof | <input type="checkbox"/> Kitchen Remodel | |
| <input type="checkbox"/> Remove Existing Roof | <input type="checkbox"/> Bath Remodel | |
| <input 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 type="checkbox"/> Decks/Porches | |
| <input type="checkbox"/> Retaining Wall | <input 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.

Other requirements: Apartments have no permits or Certificates of Occupancy.

Violations List

December 12, 2012

Virgil D. Anderson
1920 Dorcas St.
Omaha, NE 68108

Re: 2515 CENTER ST
Inspected by: Yvonne Barna
Structure Type: Apartment Building

Owner Violation List items and Corrective Actions

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. All mechanical repairs and alterations must be made by a mechanical contractor, licensed and bonded by the City of Omaha. Appropriate mechanical permits and final inspections are required.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
043-101. Generally. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have special inspection as specified in the building code as adopted by this jurisdiction.	Apartments. Construction work shall remain accessible & exposed for inspections until approved.	

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the building code, this Code or other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the building code, this Code or other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.
(Ord. No 33582, SS 1(43-101), 6-27-95)

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p>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)</p>	<p>Apartments. Permits are required for any replacement of siding, windows, doors, roofs or structural replacements and repairs. Building permits are also required for new structures or additions. Unless all work is completed by the owner, all contractors will need contractor licenses as per Sec. 43-288 of the Omaha Municipal Code.</p>	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p>043-91. Permit Fees. Fees shall be assessed in accordance with the provisions of this section. The fee for each building permit shall be as set forth in Table 43-91.</p>	<p>Apartments. Fee shall be assessed in accordance with the provisions of this sections.</p>	

The determination of value or valuation for the purpose of assessing the permit fee shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued.

Penalty fees: When construction begins before the permit has been issued, the applicant shall pay a penalty fee. Said fee shall be quadruple the amount of the regular fee.

No quadruple fee penalty set forth in this chapter shall be imposed if the work is of an emergency nature where a delay in performing the work may cause a risk to life or health or will significantly increase the risk of property damage, provided a permit is applied for within 48 hours of the start of the work, in which case no penalty shall be imposed.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p>043-94. Commencing work without permit. Whenever any work for which a permit is required has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued. A penalty fee shall be assessed in accordance with table 43-91. Payment of the penalty fee shall not exempt the applicant from making any changes that may be required to bring the work into compliance with the city's building, zoning and other codes. (Ord. No 33582, SS 1(43-94), 6-27-95)</p>	<p>Apartments. Whenever any work for which a permit is required has been commenced without first obtaining said permit a penalty fee shall be assessed.</p>	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. All electrical repairs and alterations must be made by an electrical contractor, licensed and bonded by the City of Omaha. Appropriate electrical permits and final inspections are required.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-101. Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the building board of review, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served or posted, as the case may be. If the decision, notice or order was served by first class mail, then three (3) business days shall be added to the time for appeal. Appealable issues shall include, but not be limited to, notices of violation, repair orders, placards, notices to vacate, closure orders, the results of inspections, orders to purchase permits or pay fees, and the denial of permits. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause an undue hardship. To the extent that there are any differences in the procedures for appeals to the board under this code and under Chapter 43, the procedures set forth in this code shall govern appeals occurring under this code.	Apartments. Owner. Any person directly affected by this notice shall have the right to appeal.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-102. Stays of enforcement. An appeal of a notice or order (other than an Imminent Danger notice or order) shall stay the enforcement of the administrative notice and order until the appeal is heard by the board, but shall not stay the criminal prosecution of any violation of any section of this code.	Apartments. Owner and / or person(s) responsible.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-12a. Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.	Apartments. Owner.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. All city codes apply. Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-25. Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code shall be as indicated in the following schedule:	Apartments. Owner. Fee shall apply.	

Reinspection, charged once for each notice per dwelling unit \$41.00

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-33a. 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.	Apartments. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-34. Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.	Apartments. The code official is authorized to enter the structure or premises at reasonable times.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-44. Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.	Apartments. Owner.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-51. Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violations of any of the provisions of this code.	Apartments. Any violation of any provision of this code is unlawful.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. Any person failing to comply with a notice shall be prosecuted.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-54. Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.	Apartments. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or locals laws.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-61. Notice to owner or to person or persons responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in sections 48-62 and 48-63. Not more than one notice of violations shall be issued for the same violation. Notices for procedures declaring property unsafe or unfit for human occupancy shall also comply with Division 8.	Apartments. Owner and / or person(s) responsible.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. Inspector must be notified of pending transfer of ownership seven (7) days prior to transfer.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-71d. 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.	Apartments. Structure is being occupied contrary to law. No permits and no Certificate of Occupancy.	Yes

d. Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-72. Closing of vacant structures. If the premises are vacant and unfit for human habitation and occupancy, the code official is authorized to post a closure placard on the premises and order the premises closed up so as not to be an attractive nuisance. The owner or person responsible for the premises shall close up the premises within the time specified in the notice or order, and shall keep the premises closed until authorized or permitted by the code official to be opened. It shall be unlawful for the owner or any person responsible for the premises to fail to close and keep closed such a premises, on a continuing basis after the said notice or order. Upon failure of the owner or other person responsible for the premises to close up the premises within the time specified in the order, the code official may, in addition to other civil or criminal remedies, cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal means.	Apartments. If the structure becomes or is vacant it must be comply with city codes including final inspections, before it is reoccupied.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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, removing the placard, or failing to close the premises or keep the premises closed.	Apartments. Structure will be placarded.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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 subject to the penalties set out in section 1-10 of this Code.	Apartments. Occupancy is prohibited until all required permits have been obtained, all repairs have been completed, all final inspections have been completed. Owner or repair persons are allowed to be on the property between 7:00 AM and 5:00 PM making repairs. No one is allowed to be at or on the property other than aforementioned times.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-76. Removal of placard. The code official shall remove the placard whenever the defect or defects upon which the placard was based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this Code.	Apartments. Danger-closed sign shall not be removed until directed by the City of Omaha.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-77. Filing with Register of Deeds. If a notice declaring a property unsafe or unfit for human occupancy is unsuccessfully appealed or if the time for such appeal has passed without the filing of such appeal, then the code official may file the said notice against the property with the Register of Deeds. Upon correction of the relevant violations, the code official shall file a release of the notice with the Register of Deeds, without cost to the owner.	Apartments. Structure determined to be unfit/unsafe.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
048-81. Imminent danger. When, in the opinion of the code official, there is <i>imminent danger of failure or collapse of a building or structure</i> 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 or allow any use of such structure or the premises upon which it is located, except for the purpose of securing the premises, making the required repairs, removing the hazardous condition or of demolishing the same.	Apartments. Apartments do not have Certificate of Occupancy and permits and inspections were not attained.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
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.	Apartments. All plumbing repairs must be made by a plumbing contractor, licensed and bonded by the City of Omaha. Appropriate plumbing permits and inspections are required.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
301.2. Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.	Apartments. Owner. Entire Structure.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
301.3. Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.	Apartments. Owner and / or person(s) responsible. If structure is to be vacated, it must be maintained in a clean, safe, secure, and sanitary condition.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
305.1. General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.	Apartments. No permits or Certificates of Occupancy.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
501.2. Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.	Apartments. No permits or Certificates of Occupancy.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
601.2. Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.	Apartments. No permits or Certificates of Occupancy.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
701.2. Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.	Apartments. No permits or Certificates of Occupancy.	Yes



City of Omaha
Jim Suttle, Mayor

Occupant(s) of:
2515 CENTER ST, Apt. No.1
Omaha, NE 68105

ORDER TO VACATE
December 12, 2012

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 546-0714

R. E. Cunningham, RA, F.SAME
Director

This order concerns the Property at 2515 CENTER ST , Apt. No.1 - Apartment Building

You are ordered to vacate this Property by January 12, 2013 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.

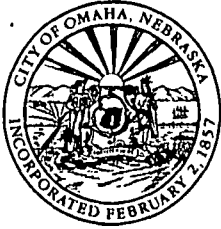
Any person directly affected by this order may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$108.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 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,

Yvonne Barna
Code Inspector
402-444-7735

Kevin Denker
Chief Code Inspector
402-444-5488



City of Omaha
Jim Suttle, Mayor

Occupant(s) of:
2515 CENTER ST, Apt. No.2
Omaha, NE 68105

ORDER TO VACATE
December 12, 2012

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 546-0714

R. E. Cunningham, RA, F.S.A.M.E.
Director

This order concerns the Property at 2515 CENTER ST , Apt. No.2 - Apartment Building

You are ordered to vacate this Property by January 12, 2013 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 \$108.00 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,

Yvonne Barna
Code Inspector
402-444-7735

Kevin Denker
Chief Code Inspector
402-444-5488

2410 Center
2515 Center

LEGAL DESCRIPTION:

All of Sub Lots 1 through 8, inclusive of Tax Lot 8, which includes the vacated South 20 feet of Center Street adjoining said Sub Lots 1 and 8 on the North, together with a strip of land beginning at the North-East corner of Sub Lot 4; thence South a distance of 16.1 feet; thence Easterly along a straight line a distance of 270.0 feet to a point that is 18.88 feet distance South measured at right angles, from the South line of Center Street; thence Northeasterly along a straight line a distance of 120.49 feet, more or less, to the point of intersection of the South line of Center Street with the Northwesterly right of way line of the Union Pacific Railroad Company, which right of way line is parallel with and 100 feet distance Northwesterly, measured radially, from the Center line of the original main tract of said Railroad Company as formerly located; thence West along said South line of Center Street a distance of 389.0 feet more or less, to the point of beginning, together with South one-half of vacated Center Street adjoining the North line of Sub Lot 4 of Tax Lot 8 and adjoining the above described strip of land. All in the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28-15-13, City of Omaha. (A metes and bounds description of all of the foregoing real property, except parts of vacated Center Street, is contained in the following deeds recorded in Deed Records of Douglas County, Nebraska, to-wit: Book 1038 at Pages 193 to 201, Inc.; Book 1160 at Page 651; Book 725 at Page 273, Book 727 at Page 507; and Book 814 at Page 31)

28-15-13
NESE

Also Part of Tax Lot 5, having a North line 14 feet South of the South line of Shull's 4th Addition, a South line border on the North line of Center Street an East line being the extension of the East line of Lot 1 of Shull's 4th Addition to the South until it intersects with the Northwest line of the Union Pacific right of way and thence Southwest on the right of way line to the North line of Center Street, and a West line of the East line of 25th Avenue (except for the East 37-1/2 feet of Tax Lot 2,) together with the North 1/2 of vacated Center Street adjoining on the South, in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28-15-13, (a metes and bounds description of said real property described in this paragraph, except North $\frac{1}{4}$ of vacated Center Street adjoining on the South, is contained in deed recorded in said Deed Records in Book 799 at Page 146). Also the East 37 $\frac{1}{2}$ feet of Tax Lot 2, together with the North $\frac{1}{4}$ of vacated Center Street adjoining on the South, in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28-15-13.

28-15-13
SENE

Also, Lots 9, 10, 11 and the East 10 feet of Lot 12, Shull's 4th Addition, an addition to the City of Omaha, as surveyed, platted and recorded, being within the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28-15-13.

PARCEL NO. 1:

An irregular parcel of land situated in the Northeast Quarter of the Southeast Quarter of Section 28, Township 15 North, Range 13 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, bounded and described as follows: Beginning at the Southwest corner of that certain tract of land designated as parcel "D" in that certain Warranty Deed dated July 27, 1943 from Union Pacific Railroad Company to Miller Cereal Mills, said corner being a point in the East line of 26th Street South in said City as now established that is 72.55 feet distant South from the North line of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, measured along a line drawn at right angles thereto at a point thereon that is 661.3 feet distance East from the Northwest corner of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, measured along said North line; thence Easterly along the Southerly line of said Parcel "D" in Warranty Deed dated July 27, 1943, which is a line curving to the right having a radius of 1242.24 feet, a distance of 75.41 feet; thence Easterly continuing along said Southerly line of said parcel "D", which is a straight line tangent to the end of the last described curve, a distance of 8.18 feet to the Southeast corner of said Parcel "D", thence Easterly along the Southerly line of that certain parcel of land theretofore conveyed by Quit Claim Deed dated August 7, 1962 from Union Pacific Railroad Company to Kellogg Company a distance of 185.43 feet to a point thereon that is 18.01 feet distant South, measured at right angles, from the South line of Center Street, in

28-15-13
NESE

said City of Omaha, as now established, thence South along a straight line that is parallel with and 268.92 feet distance Easterly, measured at right angles, from said East line of 26th Street, South a distance of 18.67 feet; thence Southwesterly along a straight line that forms an angle of 86°39' from South to West with the last described line extended a distance of 38.18 feet; thence Southwesterly along a line curving to the left having a radius of 373.13 feet, tangent at its point of beginning to the last described straight line, a distance of 47.40 feet; thence Southwesterly along a line curving to the left having a radius of 930.27 feet, tangent at its point of beginning to the end of the last described curve, a distance of 93.04 feet; thence Southwesterly along a straight line tangent to the end of the last described curve a distance of 59.43 feet; thence Southwesterly along a line curving to the right having a radius of 406.52 feet, tangent at its point of beginning to the last described straight line, a distance of 37.25 feet, more or less, to a point in said East line of 26th Street South; thence North along said East line of 26th Street South, a distance of 29.93 feet, more or less, to the Southwest corner of that certain parcel of land designated as Parcel "E" in said Warranty Deed dated July 27, 1943 from Union Pacific Railroad Company to Miller Cereal Mills;

thence Northeasterly along the Southerly line of said Parcel "E" which is a line curving to the left, having a radius of 581.87 feet, tangent at its point of beginning to a straight line forming an angle from North to East of 80°44'21" with said East line of 26th Street South, a distance of 14.62 feet; thence Northeasterly continuing along said Southerly line of Parcel "E", which is a straight line tangent to the end of the last described curve, a distance of 70.33 feet to the Southeast corner of said Parcel "E"; thence North along the East line of said Parcel "E" a distance of 13.18 feet to the North-East corner thereof; thence Westerly along the Northerly line of said Parcel "E", which is a straight line forming an angle from North to West of 86°00' with the last described course produced Northerly, a distance of 9.36 feet; thence Westerly continuing along said Northerly line of Parcel "E", which is a line curving to the left having a radius of 1,225.24 feet, tangent at its point of beginning to the last described straight line, a distance of 74.23 feet to a point in said East line of 26th Street South; thence North along said East line of 26th Street South a distance of 17.0 feet to the point of beginning.

PARCEL NO. 2:

A strip of land 17.0 feet in width situated in the Northeast Quarter of the Southeast Quarter of Section 28, Township 15 North, Range 13 East of the Sixth P.M., in the City of Omaha, Douglas County, Nebraska, lying between lines that are parallel with and 72.5 feet and 89.5 feet, respectively, distant South, measured at right angles, from the North line of said Northeast Quarter of the Southeast Quarter of Section 28, and extending West from the West line of 26th Street South a distance of 326.3 feet.

28-15-13
NESE

PARCEL NO. 3:

An irregular strip of land situated in the Northeast Quarter of the Southeast Quarter of Section 28, Township 15 North, Range 13 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, bounded and described as follows: Beginning at a point in the West line of 26th Street South that is 127.86 feet distance South, measured along said West line of 26th Street South and said West line extended, from the North line of said Northeast Quarter of the Southeast Quarter of Section 28; thence Westerly along a straight line a distance of 43.67 feet, more or less, to a point that is 43.64 feet distance West, measured at right angles, from said West line of 26th Street South and 129.50 feet distance South, measured at right angles, from said North line of the Northeast Quarter of the Southeast Quarter of Section 28; thence West along a straight line that is parallel with and 129.50 feet distance South, measured at right angles, from said North line of the Northeast Quarter of the Southeast Quarter of Section 28, a distance of 278.36 feet; thence South at right angles, at a distance of 17.0 feet;

28-15-13
NESE

thence East along a straight line that is parallel with and 146.50 feet distance South, measured at right angles, from said North line of the Northeast Quarter of the Southeast Quarter of Section 28, a distance of 48.25 feet, more or less, to a point in the West line produced Northerly of that certain parcel of land designated as Parcel "C" in Warranty Deed dated July 27, 1943 from Union Pacific Railroad Company to Miller Cereal Mills; thence South at right angles, a distance of 13.0 feet; thence East along a straight line parallel with and 159.50 feet distance South, measured at right angles, from said North line of the Northeast Quarter of the Southeast Quarter of Section 28, a distance of 273.75 feet to a point on said West line of 26th Street South; thence North along said West line of 26th Street South, a distance of 31.64 feet to the point of beginning.

PARCEL NO. 4:

A strip of land 17.0 feet in width situated in the Northeast Quarter of the Southeast Quarter of Section 28, Township 15 North, Range 13 East of the 6th P.M., in the City of Omaha, Douglas County, Nebraska, lying between lines that are parallel with and 219.5 feet and 236.5 feet, respectively, distant South, measured at right angles, from the North line of said Northeast Quarter of the Southeast Quarter of Section 28 and extending West from the West line of 26th Street South a distance of 273.75 feet. INCLUDING the railroad trackage located on said premises and in 26th Street South between said parcel No. 1 and Parcels Nos. 2 and 3.

EXCEPT That part of Sub Lot 8 of Tax Lot 8 in the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 15 North, Range 13 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows: Beginning at a point from the Northwest corner of said Tax Lot 8, thence South $00^{\circ}08'45''$ West (an assumed bearing) along the West line of said Tax Lot 8 for 768.56 feet to the North right of way line of Ed Creighton Avenue; thence North $89^{\circ}48'45''$ East along the North right of way line of Ed Creighton Avenue for 66.03 feet to the Westerly right of way line of the Union Pacific Railroad spur track, thence N $13^{\circ}26'23''$ East along said Westerly railroad right of way for 57.88 feet, thence continuing Northeasterly along said Westerly railroad right of way and along a 500.56 foot radius curve to the right (having a chord bearing North $26^{\circ}06'42''$ East and a chord distance of 219.61 feet) for an arc distance of 221.41 feet; thence continuing along said Westerly Railroad right of way North $38^{\circ}47'01''$ East for 79.27 feet to a point that is 225.0 feet East from the West line of said Tax Lot 8; thence North $00^{\circ}08'45''$ East along a line 225.0 feet East from and parallel to the West line of said Tax Lot 8, for 454.53 feet to a point on the North line of said Tax Lot 8; thence South $89^{\circ}37'30''$ West along the North line of said Tax Lot 8 for 225.0 feet to the point of beginning.

28-15-13
NESE