

FILE HISTORY
340 NW 19TH STREET

- (1) 2012-2014: Two prior offenses for property maintenance violations.
- (2) 5/12/2014: Complaint filed in Lancaster County District Court seeking injunction.
- (3) 8/25/2014: Permanent Injunction issued with authority to enter property for two years for clean-up.
- (4) 9/17/2014: Contractor, under supervision of Building and Safety, cleaned up the property. Cost is \$2,049.91.
- (5) 2/20/2015: Costs are confirmed by the Lancaster County District Court.

LINCOLN SOLID WASTE OPERATIONS
555 S. 10TH RM 203 - 441-7771
BLUFF RD SOLID WASTE FACILITY
(402)441-8102

Weighed: LOU
BILL TO: 1471
DUMP IT, LLC
12728 NW 112TH, PO BOX 54
MALCOLM NE 68402

Vehicle ID: 7703
Rolloff ID: 5623
Reference:
Grid: LANDFILL

Origin: #21
DATE IN: 09/17/2014 TIME IN: 12:04:29
DATE OUT: 09/17/2014 TIME OUT: 12:04:29

INBOUND TICKET Number: 30-00954145

SCALE 1 GROSS WT. 37300 LB
STORED TARE WT. 33480 LB
NET WEIGHT 3820 LB

Qty Description Amount
1.91 REFUSE-OPENTOP RES 30.58

Occ. Tax 17.19
TICKET AMOUNT: 47.75

X

LINCOLN SOLID WASTE OPERATIONS
555 S. 10TH RM 203 - 441-7771
BLUFF RD SOLID WASTE FACILITY
(402)441-8102

Weighed: TOM
BILL TO: 1471
DUMP IT, LLC
12728 NW 112TH, PO BOX 54
MALCOLM NE 68402

Vehicle ID: 7703
Rolloff ID: 09268
Reference:
Grid: LANDFILL

Origin: #21
DATE IN: 09/17/2014 TIME IN: 13:02:17
DATE OUT: 09/17/2014 TIME OUT: 13:02:17

INBOUND TICKET Number: 30-00954192

SCALE 1 GROSS WT. 37540 LB
STORED TARE WT. 32300 LB
NET WEIGHT 5240 LB

Qty Description Amount
2.62 REFUSE-OPENTOP RES 41.92

Occ. Tax 23.58
TICKET AMOUNT: 65.50

X

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA,)
)
 Plaintiff,)
)
 v.)
)
 THOMAS J. DOUGHERTY and)
 PATRICK J. DOUGHERTY,)
)
 Defendants.)

CASE NO. CI 14-1647

ORDER OF
PERMANENT INJUNCTION

LANCASTER COUNTY
CLERK OF THE
DISTRICT COURT
2014 AUG 25 PM 3 46

This matter came before the Court on the 15th day of July, 2014, for trial on the Plaintiff's Complaint. Appearances were as follows: Christopher J. Connolly, Assistant City Attorney, appeared on behalf of the Plaintiff; Defendant Thomas J. Dougherty was present without an attorney, and Defendant Patrick J. Dougherty was not present and was not represented an attorney.

Evidence was adduced and the Plaintiff and Defendant Thomas Dougherty were given an opportunity to be heard by the Court.

The Court finds that the Plaintiff is entitled to a permanent injunction. Specifically, the Court finds the following:

(1) Plaintiff has established by a preponderance of the evidence that Defendant Thomas Dougherty is the owner of 340 NW 19th Street in Lincoln, Nebraska, and that he has consistently failed to maintain his property in violation of Lincoln Municipal Code §21.05.320 by allowing an accumulation of debris, litter, rubbish, rubble, solid waste, and other items evidencing lack of maintenance at 340 NW 19th Street;

(2) Defendant Patrick Dougherty is a tenant at 340 NW 19th Street and is responsible for placement of the debris, litter, rubbish, solid waste, and other items evidencing lack of maintenance at 340 NW 19th Street;

(3) The presence of the materials described above creates an unsightly and unsafe condition that will cause irreparable damage to the neighborhood and constitutes a public nuisance by endangering the health and welfare of the surrounding properties and residences;

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(4) Plaintiff has no adequate damages or remedies at law and injunctive relief is necessary to protect the welfare of the citizens of the city of Lincoln;

(5) That neither Defendant has offered any evidence, pleading, defense, or argument as to why this permanent injunction should not be issued.

(6) Defendant Thomas Dougherty consents to the imposition of an injunction and the authority to impose a lien on the property.

WHEREFORE, it is ordered that Thomas Dougherty is hereby permanently enjoined from maintaining the property at 340 NW 19th Street in Lincoln, Nebraska, in violation of Lincoln Municipal Code §21.05.320 and are hereby ordered to cleanup, repair, and otherwise rehabilitate this property to the extent necessary to become compliant with the Lincoln Municipal Code as described above. Thomas Dougherty is further ordered to maintain the property in a neat, orderly, and safe condition in and about this property. Thomas Dougherty is hereby given ten (10) days from the date of this order to cleanup and remove the offensive materials described above from 340 NW 19th Street. In the event that the Defendants, or either of them, fail to clean up the property within ten (10) days, the Plaintiff may, and is hereby granted authority, to enter upon the property at 340 NW 19th Street for the sole purpose of inspecting and removing and disposing of the debris, litter, rubbish, rubble, and solid waste found on the property. The Plaintiff is further granted authority to enter onto the property for purposes of cleanup at any time for a period of up to two (2) years from the date that it first enters the property for cleanup purposes pursuant to this Order.

Once cleanup and removal is complete, the Plaintiff may seek confirmation of expenses involved in the process of removing the materials and cleaning up the property and for imposition of a lien upon the property for said expenses.

Dated this 25 day of August, 2014.

By:



Andrew Jacobsen, District Judge

Prepared and submitted by:
Christopher J. Connolly, #18047
Assistant City Attorney
575 South 10th Street, Suite 300
Lincoln, NE 68508
(402) 441-7232

Address
Number

Alpha
Name

Batch
Number

074606

151618 Paragon Sanitation Inc W-9
PV 1573748 340 NW 19 ST

2,049.91

697742

Supplier
total

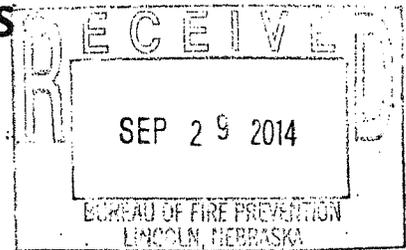
2,049.91

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Date Paid OCT 16 2014

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INVOICE
ILLEGAL DUMPING CLEANUPS
 Daily Summary Sheet
 Lancaster County



Contractor: Paragon Sanitation, Inc.
 5401 North 57th Street
 Lincoln, NE 68507

Report #'s 340 NW. 19th ST. Date Completed: 9-17-14.
 Attach copies of Report Form

Equipment Used	Rate/Hr	Total time	Amount
Pickup w/Dumpbox	\$25.00*	11.4	285.00
Compaction Truck	\$60.00*		
Front End Loader/Skid	\$45.00		
Roll Off Box	\$80.00*		
Pickup w/Trailer			
Not Found			
Equipment Subtotal			285.00

*Does not include gate fee. Cost of gate fee will be in addition to rate per hour fee.

Labor Costs	Rate/Hr	Total Time	Amount
Clean up Labor	\$25.00	32.0	800.00
Administration Labor	\$25.00		0
Not Found			
Clean up Labor Subtotal			800.00
Administrative Labor Subtotal			0

Disposal Costs	Quantity	Amount
Tires		
Appliances	1 Box	237.00
Landfill Fees	4 Boxes	727.91
Disposal Costs Subtotal		964.91
Total Amount Due		2,049.91

7.35 TON:
 2.88 TON:
 10.23 TON:

5-30 yd³ boxes



INVOICE/STATEMENT 532793
 DATE 09/25/2014
 ACCOUNT # 5998-004

Bill To:

Location:

340 NW 19TH ST

PARAGON SANITATION

DATE PAID _____

Statement Date
Due Date

09/25/2014
10/20/2014

5401 N 57TH ST
LINCOLN, NE 68507

CHECK NO. _____

AMOUNT _____

For proper credit please return top portion



DATE	REFERENCE	DESCRIPTION	QUANTITY	AMOUNT	BALANCE
		<u>Previous Balance</u>			0.00
		<u>CHARGES THIS INVOICE</u>			
09/24/14	9/17/14	30 YD ROLLOFF	1.00	140.00	140.00
09/24/14	9/17/14	Landfill Fee/Occ. TAX	2.88	25.00	72.00
09/24/14	9/17/14	FUEL SURCHARGE	1.00	25.00	25.00
		Current Charges:			237.00
		Taxes:			0.00
		Invoice Total:			237.00
	237.00	0.00	0.00	0.00	\$237.00

AGE CURRENT 30 DAYS 60 DAYS 90 DAYS FINANCE Please Pay

Please pay from this statement. This includes your remittance portion.
NIEDERHAUS REFUSE INC. P.O. Box 6325 • Lincoln, NE 68516 • Phone 475-8361

First Choice Roll-Offs, LLC

PO Box 54
Malcolm, NE 68402-9579

Invoice

Date	Invoice #
9/17/2014	5162

Bill To
PARAGON SANITATION ATTN: STEVE HATTEN 5401 NORTH 57TH STREET LINCOLN, NE 68507

P.O. No.	Terms
	Due on receipt

Item	Serviced	Description	Rate	Amount
30 1	9/17/2014 9/17/2014	30 Yard Roll-Off Box Emptied ----12:04 PM City Landfill Gate Fee Charge, #30-00954145	135.00 47.75	135.00 47.75
30 1	9/17/2014 9/17/2014	30 Yard Roll-Off Box Emptied----1:02 PM City Landfill Gate Fee Charge, #30-00954192	135.00 65.50	135.00 65.50
30 1	9/17/2014 9/17/2014	30 Yard Roll-Off Box Emptied----2:56 PM City Landfill Gate Fee Charge, #30-00954265	135.00 22.66	135.00 22.66
30 1	9/17/2014 9/17/2014	30 Yard Roll-Off Box Emptied----3:30 PM City Landfill Gate Fee Charge, #30-00954291	135.00 52.00	135.00 52.00
		ABATEMENT LOCATED AT: 340 NW 19TH STREET LINCOLN, NE 68528		
		14,700 lbs = 7.35 TONS		
		<i>Pd cb 1068 9-18-14</i>		
Thank you for your business. We sincerely appreciate it. 402.464.8369			Total	\$727.91

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA,

Plaintiff,

v.

THOMAS J. DOUGHERTY and
PATRICK J. DOUGHERTY,

Defendants.

CASE NO. CI 14-1647

ORDER FOR CONFIRMATION OF COSTS

Upon motion of the Plaintiff for confirmation of costs, it is ordered that Plaintiff's costs are confirmed in the amount of \$2,849.91 for work performed on September 17, 2014, and that said costs are assessed to the Defendants.

Dated this 20 day of February, 2015.

By: 
Andrew R. Jacobsen, District Judge

Prepared by:
Christopher J. Connolly, #18047
Assistant City Attorney
555 South 10th Street, Suite 300
Lincoln, NE 68508
402-441-7232

LANCASTER COUNTY
2015 FEB 20 PM 4 18
CLERK OF THE
DISTRICT COURT



001501446D02

Advertise 1x Friday, April 17, 2015

**NOTICE OF ASSESSMENT - CLEAN UP COST
FOR INADEQUATE PROPERTY MAINTENANCE**

Notice is hereby given that on Monday, May 4, 2015, at 3:00 p.m., or as soon thereafter as possible, the City Council of the City of Lincoln, Nebraska, will hold a public hearing and will assess the costs associated with the clean-up of the property legally described as:

Woods Bros. Lakeview Acres, Block 7, Lot 8, Lincoln, Lancaster County, Nebraska, commonly known as 340 NW 19th Street.

Owner of record: Patrick Daugherty

Total cost: \$2,049.91.

Any persons interested in or affected by the proposed assessment may file written protests with the City Clerk at any time prior to the public hearing.

Teresa J. Meier, City Clerk



FINANCE DEPARTMENT
Office of the City Clerk
555 South 10th Street Suite 103 Lincoln, NE 68508
402-441-7436 fax: 402-441-8325 lincoln.ne.gov

APRIL 17, 2015

CERTIFIED MAIL & U.S. MAIL

MR PATRICK J DOUGHERTY
340 NW 19TH ST
LINCOLN NE 68503

RE: 340 NW 19th Street, Lincoln, Nebraska, legally described as Woods Bros. Lakeview Acres, Block 7, Lot 8, Lincoln, Lancaster County, Nebraska

Notice is hereby given to the owners of record of the above-described property that on **Monday, May 4, 2015, at 3:00 p.m.** or as soon thereafter as possible, the City Council will assess the costs of cleaning up the above-described property as a violation of inadequate maintenance in accordance with §21.05.320 of the Lincoln Municipal Code. **The clean-up costs to be assessed are \$2,049.91.**

Should you wish to appear before the City Council, **Monday, May 4, 2015 at 3:00 p.m.** is the appropriate date and time. The City Council meets in the Council Chambers located in the County-City Building at 555 South 10th Street, Lincoln, Nebraska.

Such assessment shall constitute a special assessment against and a lien upon the property as described and shall be paid in one annual installment and shall bear interest at the rate of 14% annually.

If you have any questions in regard to this proposed assessment, please contact Christopher Connolly of the City Attorney's Office at (402) 441-7232.

If you wish to file an objection or protest thereto, please contact me via email at tmeier@lincoln.ne.gov or by U.S. Mail to City Clerk's Office, 555 South 10th Street, Room 103, Lincoln NE 68508.

SINCERELY,

Teresa J. Meier
TERESA J. MEIER
CITY CLERK

ec: John Boise, Building & Safety
Christopher Connolly, City Attorney

7014 0510 0002 1856 1878

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

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

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions