

2015-12223

05/29/2015 2 20 51 PM

Clay J. Dowling

REGISTER OF DEEDS

COUNTER LM C.E. LM
VERIFY LM D.E. LM
PROOF P
FEES \$ 88.00
CHECK # _____
CHG COP CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____



**FIRST AMENDMENT TO MIXED USE
DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO MIXED USE DEVELOPMENT AGREEMENT is made pursuant to Article XXII of the Zoning Ordinance of the City of Papillion, and entered into by and between the CITY OF PAPIILLION, NEBRASKA, a municipal corporation (hereinafter referred to as "City"), and PAPIILLION DEVELOPMENT SETTLERS CREEK LLC, a Nebraska limited liability company (hereinafter referred to as "Developer")

WITNESSETH.

WHEREAS, the City and Developer have entered into a certain Mixed Use Development Agreement that was approved by the City Council of the City of Papillion on August 5, 2008 by Resolution No R08-0122 (hereinafter referred to as the "Agreement"), setting forth certain conditions with respect to the development of property owned by the Developer known as Settlers Creek; and

WHEREAS, the Developer desires to amend the Agreement to i) incorporate administratively approved minor amendments to the site plan, ii) amend the sign budget to reflect replatting of the Development Area, and iii) increase the permitted monument sign height for out parcel monument signs.

NOW, THEREFORE, the following is agreed between the parties hereto

1. Capitalized Terms All capitalized terms used in this First Amendment shall have the meanings set forth in the Agreement except as otherwise defined herein

2 Area of Application This First Amendment applies to Lot 2, Settlers Creek Replat 2, Lots 1, 3, 4, 5, 6, and Outlot A Settlers Creek Replat 6, and Lots 1 and 2, Settlers Creek Replat 7

3 Amendments

A Exhibit A to the Agreement is hereby amended to incorporate Settlers Creek Replat 6 and Settlers Creek Replat 7

B. Exhibit B to the Agreement is hereby repealed and replaced with Exhibit B-1, attached hereto and incorporated herein with this reference

C Section 7 of Exhibit C to the Agreement is hereby repealed and replaced with Section 7.1 of Exhibit C, attached hereto and incorporated herein with this reference

RJR
City of Papillion
122 East 3rd St
Papillion NE 68046

A

- D. Appendix A to the Agreement is hereby repealed and replaced with Appendix A-1, attached hereto and incorporated herein with this reference.
- E. Appendix D to the Agreement is hereby repealed and replaced with Appendix D-1, attached hereto and incorporated herein with this reference
- F. Appendix E to the Agreement is hereby amended by Appendix E-1, attached hereto and incorporated herein with this reference, with respect to the out parcel (or pad) monument sign design

4 No Other Amendments Except as specifically set forth herein, the Development Agreement shall remain in full force and effect

IN WITNESS WHEREOF, the executing parties, by their respective duly authorized agents, have entered into this First Amendment to Mixed Use Development Agreement effective on the date of City Council approval

This AMENDMENT approved and accepted by the CITY OF PAPILLION, NEBRASKA, this 19th day of May, 2015

CITY OF PAPILLION, NEBRASKA, a Municipal corporation,

By [Signature]
David P. Black, Mayor

ATTEST.

[Signature]
Elizabeth Butler, City Clerk

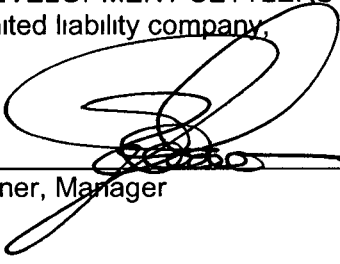
[Seal]



B

DEVELOPER

PAPILLION DEVELOPMENT SETTLERS CREEK LLC,
a Nebraska limited liability company.

By: 
Jay Lerner, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me this 14th day of May, 2015, by Jay Lerner, Manager of PAPILLION DEVELOPMENT SETTLERS CREEK LLC, a Nebraska limited liability company, on behalf of said company


Notary Public

[Seal]



2013-23462

SETTLERS CREEK REPLAT 6

LOTS 1 THROUGH 6 AND OUTLOT A

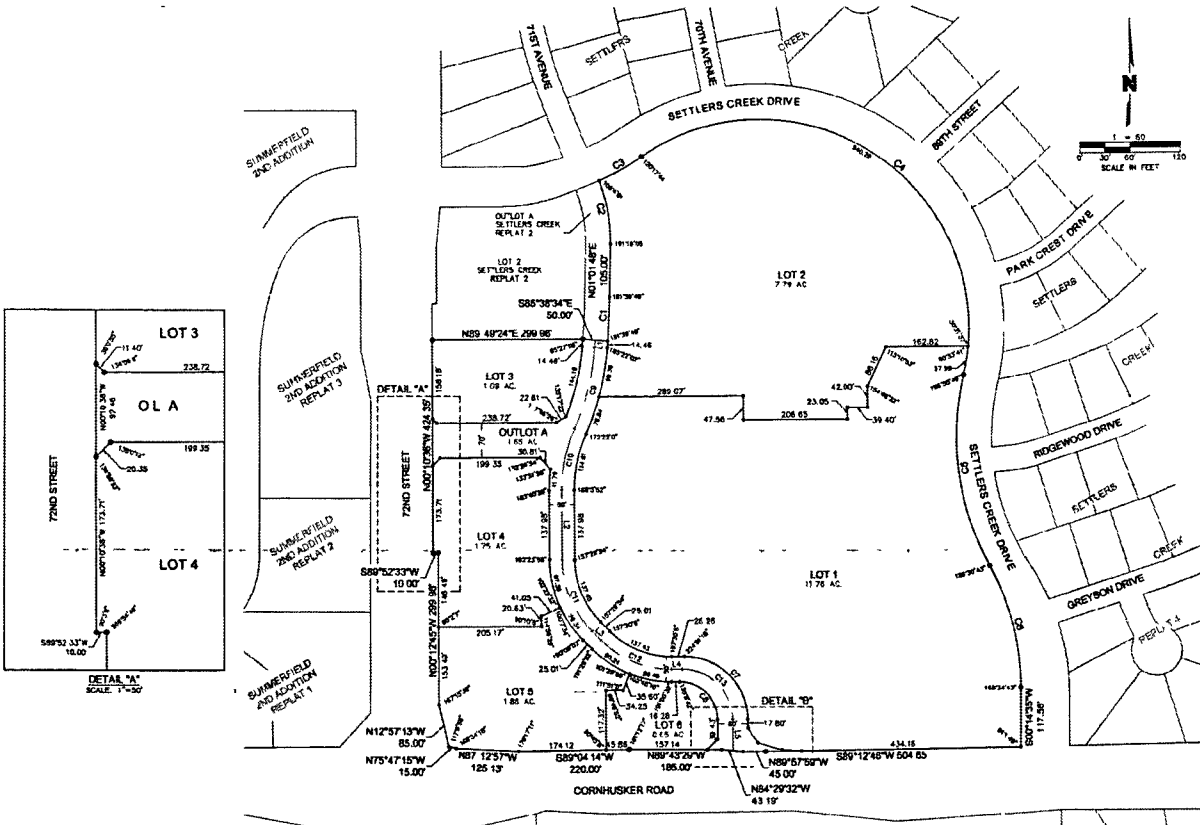
BEING A REPLATTING OF LOTS 1 THROUGH 6 AND OUTLOT A, SETTLERS CREEK REPLAT 3, A SUBDIVISION LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH RANGE 12 EAST OF THE 6TH P.M. IN SARPY COUNTY, NEBRASKA.

OWNER	LL
REPLY	BT
FILE	10/22/13
DATE	10/22/13
BY	DDP
REASON	REPLAT



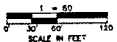
MOLSON & ASSOCIATES

EXHIBIT A



LEGEND

- EXISTING PROPERTY LINE
- EXISTING PROPERTY LINE
- FOUND PROPERTY CORNER
- PROPERTY CORNER TO BE SET

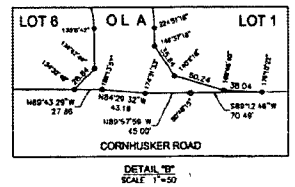
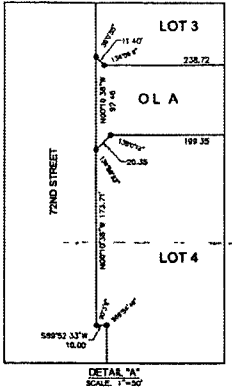


NOTES

- NO DIRECT ACCESS WILL BE PERMITTED ONTO CORNHUSKER ROAD FROM LOTS 1, 3, AND 6
- NO DIRECT ACCESS WILL BE PERMITTED ONTO 72ND STREET FROM LOTS 3, 4 AND 5
- ACCESS TO OUTLOT A FROM 72ND STREET AND CORNHUSKER ROAD SHALL BE LIMITED TO RIGHT-IN / RIGHT-OUT
- DIRECT VEHICULAR ACCESS TO THE EAST/WEST PORTION OF OUTLOT A FROM LOT 3 AND LOT 4 SHALL BE PROVIDED
- DIRECT VEHICULAR ACCESS TO LOT 1 AND LOT 6 FROM THE PORTION OF OUTLOT A THAT CONNECTS TO CORNHUSKER ROAD SHALL NOT BE PERMITTED WITHIN 100 FEET OF THE INTERSECTION
- DIRECT VEHICULAR ACCESS TO LOT 1 FROM SETTLERS CREEK DRIVE SHALL BE LIMITED TO THE INTERSECTION OF CREEK DRIVE
- DIRECT VEHICULAR ACCESS TO LOT 3 FROM SETTLERS CREEK DRIVE SHALL BE LIMITED TO THE INTERSECTION OF 5, 70TH AVENUE AND S. 66TH STREET
- ALL EASEMENTS REQUIRED SHALL BE DEDICATED UNDER SEPARATE DOCUMENT
- ALL INTERIOR ANGLES ARE 90° UNLESS SHOWN OTHERWISE

MINIMUM SETBACK TABLE (FEET)

FRONT YARD	15
INTERIOR SIDE YARD	10
STREET SIDE YARD	10
REAR YARD	10



R.O.W. CURVE DATA TABLE

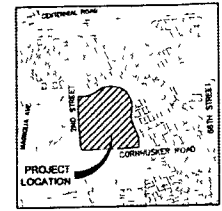
CURVE #	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	0031°30'	1325.00	88.36	88.55	N02°41.37'E
C2	0223°10'	325.00	128.21	127.38	N01°18.17'W
C3	0102°28'	535.00	97.18	97.05	N60°38'52"E
C4	137°48.24'	415.00	898.27	774.41	S55.36°41'E
C5	041°51.50'	535.00	390.83	382.29	S07°38.58"E
C6	028°50.54'	500.00	25.70	24.85	S14°07'42"E
C7	089°47.37'	125.00	185.72	178.33	S45°19'11"E
C8	089°47.37'	75.00	117.43	105.80	S45°19'11"E

CENTERLINE CURVE DATA TABLE

CURVE #	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C9	019°20.20'	500.00	168.78	167.90	S 41° 36' W
C10	023°57.13'	300.00	125.02	124.12	S 11° 45' 38" W
C11	045°00'12"	200.00	157.09	153.08	S 22° 40' 35" E
C12	044°59'48"	200.00	157.07	153.07	S 27° 40' 35" E
C13	089°47'37"	100.00	158.27	141.08	S 45° 19' 11" E

CENTERLINE LINE DATA TABLE

LINE #	DIRECTION	LENGTH
L1	S04°21'26" W	14.46
L2	S00°07'29" E	137.88
L3	S45°10'41" E	25.01
L4	N89°49'31" E	21.25
L5	S00°27'31" E	82.47



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT BE PAVILLION SETTLERS CREEK, L.L.C. A NEBRASKA LIMITED LIABILITY COMPANY BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND SUBRANGED WITHIN THIS PLAT HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO STREETS AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS SETTLERS CREEK REPLAT 6, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE DO HEREBY GRANT A PERPETUAL EASEMENT TO THE QUANA PUBLIC POWER DISTRICT, CENTURY LINK, BEACH HILLS ENERGY AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBRANGED THEREIN SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND REVERSE POLAR WIRE CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, TOWERETS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEIPT THEREOF INCLUDING SCHEDULE PROVIDED BY A CABLE TELEVISION SYSTEM AND WIRE RECEPTION ON OVER-HAULING LINES AND RIGGING AND OTHER PRELINES, HYDRANTS, VALVES AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES FOR THE TRANSMISSION OF GAS AND WATER ON THROUGH UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ADJOINING OUTLOT A. A PERPETUAL EASEMENT IS ALSO GRANTED TO THE CITY OF PAVILLION AND WAD THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND REMOVE ANY AND ALL UTILITY LINES AND EQUIPMENT AND TO EXTEND THEREON WIRES FOR THE TRANSMISSION OF GAS AND WATER ON THROUGH UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ADJOINING OUTLOT A. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOGGERS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SWIMMING POOLS, DRIVEWAYS, DRIVEWAYS, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE AFORESAID USES OF RIGHTS HEREBY GRANTED.

PAVILLION SETTLERS CREEK, L.L.C.
 BY: RED PAVILLION SETTLERS CREEK, L.L.C. A MISSOURI LIMITED LIABILITY COMPANY, MANAGER
 BY: RED CONSOLIDATED HOLDINGS, L.L.C. A OREGONIAN LIMITED LIABILITY COMPANY, MANAGER

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS MADE UNDER MY DIRECT SUPERVISION FOR THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF THE BOUNDARY AND THAT PERMANENT MARKERS WILL BE SET AT ALL LOT CORNERS, ANGLE POINTS AND AT THE END OF ALL CURVES WITHIN SAID SUBDIVISION TO BE KNOWN AS SETTLERS CREEK REPLAT 6, LOTS 1 THROUGH 6 AND OUTLOT A, BEING A REPLATTING OF SETTLERS CREEK REPLAT 3, A PLATTED AND RECORDED SUBDIVISION LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH RANGE 12 EAST OF THE 6TH P.M. CITY OF PAVILLION, SARPY COUNTY, NEBRASKA.

DATE: 7/17/2013
 RICH L. LEBERT
 SURVEYOR
 NEBRASKA R.L.S. 853

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA
 COUNTY OF SARPY
 I, THE FORGING OWNER CERTIFICATION WAS ACKNOWLEDGED BEFORE ME, A NOTARY PUBLIC, THIS _____ DAY OF _____, 2013, BY MICHAEL L. LEBERT, NOT PRESIDENT OF RED CONSOLIDATED HOLDINGS, L.L.C. AND _____, NOT PRESIDENT OF PAVILLION SETTLERS CREEK, L.L.C. A NEBRASKA LIMITED LIABILITY COMPANY.

APPROVAL BY PAVILLION CITY ENGINEER
 THE PLAT OF SETTLERS CREEK REPLAT 6 WAS APPROVED BY THE PAVILLION CITY ENGINEER ON THIS _____ DAY OF _____, 2012.

REVIEW BY SARPY COUNTY PUBLIC WORKS
 THIS PLAT OF SETTLERS CREEK REPLAT 6 WAS REVIEWED BY THE SARPY COUNTY PUBLIC WORKS OFFICE ON THIS _____ DAY OF _____, 2012.

APPROVAL BY PAVILLION CITY PLANNING DIRECTOR
 THE PLAT OF SETTLERS CREEK REPLAT 6 WAS APPROVED BY THE PAVILLION CITY PLANNING DIRECTOR ON THIS _____ DAY OF _____, 2012.

APPROVAL OF PAVILLION CITY ADMINISTRATOR
 THE PLAT OF SETTLERS CREEK REPLAT 6 WAS APPROVED BY THE CITY ADMINISTRATOR OF THE CITY OF PAVILLION, NEBRASKA, ON THIS _____ DAY OF _____, 2012.

SARPY COUNTY TREASURER'S CERTIFICATE

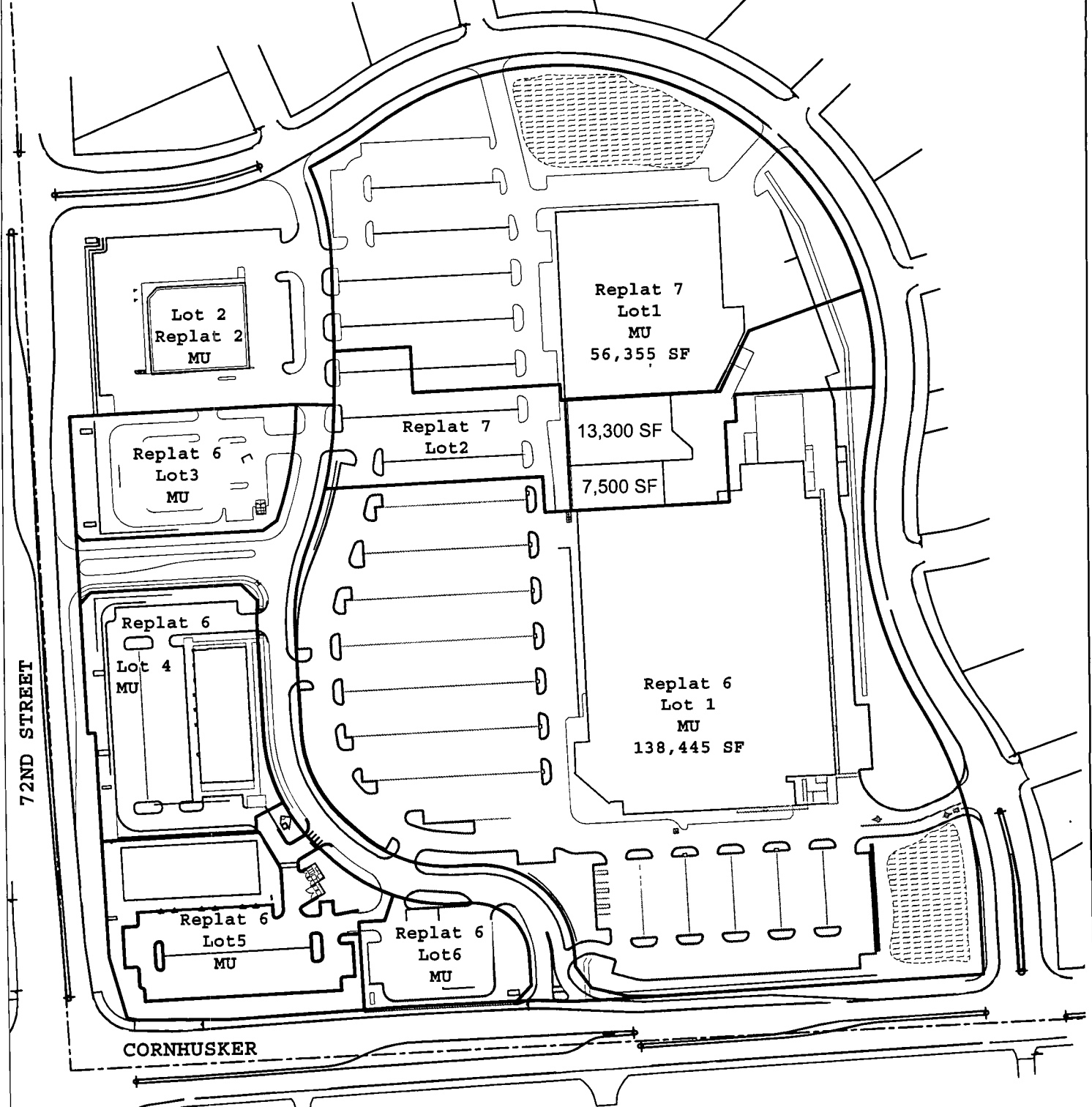
I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES DUE OR DELINQUENT UPON THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AS APPEARS ON THIS PLAT AS OF THIS _____ DAY OF _____, 2013.

Rich L. Lebert by Sue Johnson
 SARPY COUNTY TREASURER

SMALL SUBDIVISION
 SETTLERS CREEK REPLAT 6
 ADMINISTRATIVE REPLAT
 PAVILLION, NEBRASKA
 SHEET 1 OF 1

E

EXHIBIT B-1
DEVELOPMENT SITE PLAN



72ND STREET

CORNHUSKER

Lot 2
Replat 2
MU

Replat 7
Lot1
MU
56,355 SF

Replat 6
Lot3
MU

Replat 7
Lot2

13,300 SF

7,500 SF

Replat 6
Lot 4
MU

Replat 6
Lot 1
MU
138,445 SF

Replat 6
Lot5
MU

Replat 6
Lot6
MU

PARKING RATIOS

	RETAIL	OUTLOTS	BLENDED RETAIL
STALL COUNT	1,037	323	1,360
BLDG SQ FT.	215,600	42,100	257,700
RATIO/1000 SQ F.T	4 81	7 67	5 28



SETTLERS CREEK

MIXED-USE AGREEMENT

LOTS 1 THROUGH 6 AND OUTLOT A

March 16, 2015

7.1 SIGNAGE

Signage requirements specific to the Shadow Lake Towne Center Mixed-Use Development are as follows.

- A. Sign material shall be consistent with the overall design of the buildings.
- B Monument signs, instead of single pole signs, shall be used for all lots in development, except for vehicular and pedestrian directional/way finding signage.
- C A minimum of 100 SF landscape base shall be provided at each monument sign and all development complex signs

General Signage Design Criteria

Project and retail signage are paramount in developing the overall design quality and character of Settlers Creek Following are guidelines that will be followed to ensure a pedestrian friendly and inviting atmosphere

Number of Signs

- Signage is limited to number of signs as discussed in more detail within each respective section within Secondary signage is permitted in the window facing the street when the primary sign cannot be viewed by pedestrians because of awning or overhang
- The Landlord encourages the use of facade signs, blade and grand blade signs and interior glass signs The Landlord does not provide a sign band
- Service doors to tenant areas throughout the project shall have a standard identification (tenant name and suite number only) A 4" black Arial font identification only. This signage shall be designed and installed by the tenant

Content on Signs:

Signage shall be limited to trade name, Tenant use or other signage relative to Tenant's branding strategy or logo, as approved City of Papillion Planning Director shall have the ability to approve variations in signage content based on consistency with the objectives of this Development Agreement

Mounting of Signs:

Signs attached to buildings shall be integral with the storefronts No exterior sign or sign panel will be permitted to extend above any roof line

- All sign bolts, fastenings and clips shall be hot-dipped galvanized iron, stainless steel, aluminum, brass or bronze They should be concealed, if possible Threaded rods or anchor bolts shall be used to mount sign letters, which are spaced out from the building face Angle clips attached to letter sides will not be permitted All mounting attachments shall be sleeved, painted and concealed
- All metal letters shall be fabricated using full-welded construction, with all welds not visible
- All signage shall be pin mounted on building facade Halo illuminated signage shall be pin mounted a minimum of 1-1/2" from building facade Direct or internally illuminated signage shall be pin mounted a minimum of 1/2" and maximum of 1" from building face
- Tenants are required to provide a concealed access panel from within the Tenant's leasable area to service and install exterior building signage. Transformers to be concealed and accessed from tenant space wherever possible.

Lighting of Signs:

The lighting to Tenant's signage shall be controlled by a 24-hour time clock set in accordance to the landlord's specified hours

- Sign illumination shall be internal and self contained or directly illuminated with decorative

- gooseneck type fixture
- All electric signs and installation methods must meet UL standards and contain a UL label. UL label shall not be visible from public view.

Sign Treatments Not Permitted:

- Poor quality materials, i.e. plastic appliqué letters, non-fade resistant materials, etc
- Sign bands
- Flashing, moving, audible or odor making signs
- Cluttered signs
- Inflatable displays or sandwich boards
- Advertising or promotional signs on parked vehicles
- No sign makers labels or other identification shall be permitted on the exposed surface of signs
- No exposed conduit, ballast boxes, transformers, tubing or raceways, conductors, transformers and other equipment will be permitted
- No pre-manufactured signs, such as franchise signs, that do not meet these criteria
- No cloth, paper, cardboard or similar stickers or decals around or on surfaces on the storefront or within the Design Control Zone, without prior written approval.
- Professionally prepared interior window signs advertising special sales, small door stickers indicating hours of business, emergency telephone, or credit cards will be considered for exemption.

Facade Signage

Facade signs are intended for immediate recognition of the Tenant's premises by the public. It is recommended that the signage be designed for day and night-time visibility.

- Signs are mounted on the facade of the store, above Tenant's awnings or Landlord's canopy, or mounted on the Landlord's metal marquee canopy
- Tag lines shall be permitted, but shall be limited to a specific use within the tenant's space, trade name, logo or other graphic relevant to Tenant's brand strategy. Tag line height shall be limited to 50% of the maximum main sign letter height and shall be included within the overall square footage permitted to the tenant.

Marquee / Canopy Top Signage

This signage type consists of illuminated signage that sits on top of the Landlord-provided marquee canopy that occurs at specific locations in this project.

- The finish and color of the lettering is ultimately subject to the Landlord's approval to ensure only the highest quality for the project.
- The maximum allowable height for each sign shall be as outlined for facade signage.

Facade-Mounted Blade

The Tenant may erect one blade sign at the facade of the premises. Tenants at corner locations are permitted to install a sign at each face of the building.

- Facade-mounted blade signs are intended to be fixed to the facade of the building at suitable locations. They may be mounted to any neutral pier with a minimum height above the sidewalk to the bottom of sign of 8'-0".
- Blade signs are intended as much for their decorative value to the buildings and streetscape as for their advertisement of the tenant's premises. Letter height shall have a maximum average of 12". Individual letters shall not exceed 18".
- Though they are referred to as blade signs, their projection may occur as spheres, boxes, cylinders or any other combination of 3-dimensional objects and shapes. They must be double sided.
- The mounting height of the building sign should be selected to avoid being obscured by the awning or awning frame.

Suspended Canopy Signage

In locations where the Landlord has provided sidewalk canopies, the Tenant is permitted to suspend blade signs

- The image on the sign is limited to the Tenant's trade name and logo only
- Generally, one suspended blade sign is permitted for each Tenant, but where a Tenant has a corner location, one sign for each face of the storefront is permitted
- The minimum dimension from the sidewalk to the underside of the sign is 8'-0" The edge of the sign may not project beyond the outer edge of the Landlord's canopy overhead.
- Signs may be internally and externally illuminated

Grand Blade Signs

Grand blade signs (instead of facade signs) are permissible after review and approval by the Landlord

- The Tenant has wide latitude in the design of these signs, to stimulate the creativity of their designs However, it must be noted that, due to the prominent position of these signs, the Landlord reserves the right to exert control over submittals to ensure the overall suitability of the design for this project
- Signs may be affixed to the corner of the building on the diagonal, thereby giving visibility from two directions Bottom of sign must be a minimum of 8'-0" above the sidewalk
- Signs must allow for nighttime illumination Electrical supply conduit/wiring and transformers must be concealed within the Tenant's premises

Signage on Glass

Tenants are encouraged to apply signs to the glass portion of the storefront Acceptable materials include. painted gold or silver leaf, silk-screened logo, cut or polished metal veneers applied to glass, etched glass. Unacceptable materials paper or postcard taped to glass, etc Signage must not obscure view through glass, and shall be limited to trade name or other graphic/text relative to the tenant's brand strategy and/or logo The maximum average height is 12". Individual letters shall not exceed 18".

Awning Design Criteria

Tenants may provide awnings at their storefronts, except where the Landlord's canopies are already provided, or where a storefront faces onto a roofed public passage. Awnings are generally fabric, metal or glass Generally, consistent shape, color and pattern of the awnings is at the discretion of the tenant, but are subject to approval by the Landlord.

- Minimum height from sidewalk to bottom of awning is 8'-0".
- Awnings may not be supported from the sidewalk The Tenant is responsible for structural stability of the awnings, and must ensure that storefronts, transoms and other fixings are required
- The widespread occurrence of awnings in this project, and their required projection, means that all shoppers will be aware of the underside of the awnings Therefore, the structure of the awnings should be attractive, as well as functional, and it must have a suitable finish (unfinished galvanized pipe is unacceptable)
- Under side lighting that creates an awning glow effect is prohibited Awning lighting shall be controlled by a 24-hour time clock set in accordance to the hours specified in the lease

Temporary / Promotional Signage

All Out Parcel, Major and Sub-Major Tenants will be allowed one panel on project temporary construction sign

- No temporary or promotional signage can be taped in the windows
- Poster/sale cases in windows as a part of window displays, subject to review and approval
- Neon beverage or promotional signage may be part of a window display, but cannot be affixed or directly adjacent to an exposed window.

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- For restaurants or similar uses, permanently affixed exterior menu boards are permitted. Permanently affixed menu boards should not exceed 8 s f and must be integrated into the building's architectural theme, near the entrance. In addition, temporary menu boards for outdoor courtyards or a sidewalk cafe are allowable with the approval of the Landlord. Temporary menu boards must not obstruct pedestrian movement on public walks. They must be removed during non-business hours.

Small Shop & In-Line Restaurant Tenant Sign Parameters

(Less than 11,999 s f)

- The maximum height for individual letters within the sign block shall be 42", average letter height shall not exceed 36" for any line of text
- Maximum one facade / marquee sign per facade with a maximum of three
- Signs shall not extend more than 8" beyond the face of the surface to which the sign is mounted
- All signs must be illuminated and shall derive light from a concealed source. No exposed lamps, globes, tubes, etc. will be permitted without approval of the Planning Director.
- Signage shall be reverse channel, halo light illuminated individual letters mounted to the building face. A colored opaque face is required. Exception may be approved by the Planning Director for alternative sign designs that are consistent with the objectives of this Agreement
- Direct illuminated signs will be considered for approval, but will be reviewed on an individual basis
- Double stacked lettering shall be allowed on an individual basis only and are subject to Landlord approval. Double stacked letters shall comfortably fit within the Landlord bulkhead as determined by the Landlord.
- Tag lines shall be allowed on an individual basis only and are subject to Landlord approval. Any allowable tag lines shall be reverse channel illuminated letters (no box signs) and shall not exceed 10" in height. The width of the tag line, if approved, shall not exceed the width established for the primary signage
- All exposed conduit shall be concealed from public view and painted to match marquee structure. Exposed raceways behind letters are not permitted
- Marquee Signage. Allowed one per storefront in lieu of Facade sign - individual letters shall be 36" maximum with a maximum average height of 30", maximum of two total. Sign shall be individually illuminated letters, pin mounted to existing projected metal marquees. All exposed conduit shall be concealed from public view and painted to match marquee structure. Exposed raceways behind letters are not permitted
- Any additional signage shall be subject to review by the Landlord and City of Papillion Planning Director

Sub Major and Major Tenant Sign Parameters

(12,000 s.f. to 39,999 s.f.)

- Tenant sign area shall be on the building faces above the entrances or at a location approved by the Landlord and must be consistent with the building design
- The maximum height for any individual letter shall not exceed 72"; average letter height shall not exceed 60" for any line of text
- The sign areas shall not exceed 10% of the area of the storefront.
- Maximum one sign per building elevation with a maximum of three
- Signage shall be illuminated individual letters mounted to the face of the building. The use of a colored or frosted Plexiglas face is required, except that opaque materials such as aluminum may be approved by the Planning Director.
- Reversed halo lighting may be acceptable, but shall be reviewed on an individual basis
- All signs must be illuminated and shall derive light from a concealed source. No exposed lamps, globes, tubes, etc. will be permitted.
- Double stacked lettering shall be allowed on an individual basis only and are subject to Landlord approval. Double stacked letters shall comfortably fit within the Landlord bulkhead as determined by the Landlord's Representative
- Tag lines shall be allowed on an individual basis only and are subject to Landlord

J.

- approval.
- Form injected molded signs by nationally recognized tenants will be considered for approval on an individual basis and subject to an administrative approval by the Planning Director of the City of Papillion based on consistency with the objectives of this Agreement and significance of the signage to achieve tenant's national branding strategy.

**Anchor Tenant
(40,000 s.f. or greater)**

- Tenant sign area shall be on the building faces above the entrances and as part of the building design.
- The maximum height for individual letters in the body of the sign shall not exceed 132", the average height of letters shall not exceed 84" in any line of text.
- The sign area shall not exceed 10% of the area of the storefront
- Maximum one sign per building elevation with a maximum three
- Signage shall be illuminated individual letters mounted to the face of the building The use of colored or frosted Plexiglas face is required
- Form injected molded signs by nationally recognized tenants will be considered for approval on an individual basis and subject to an administrative approval by the Planning Director of the City of Papillion based on consistency with the objectives of this Agreement and significance of the signage to achieve tenant's national branding strategy

Out Parcel Tenant

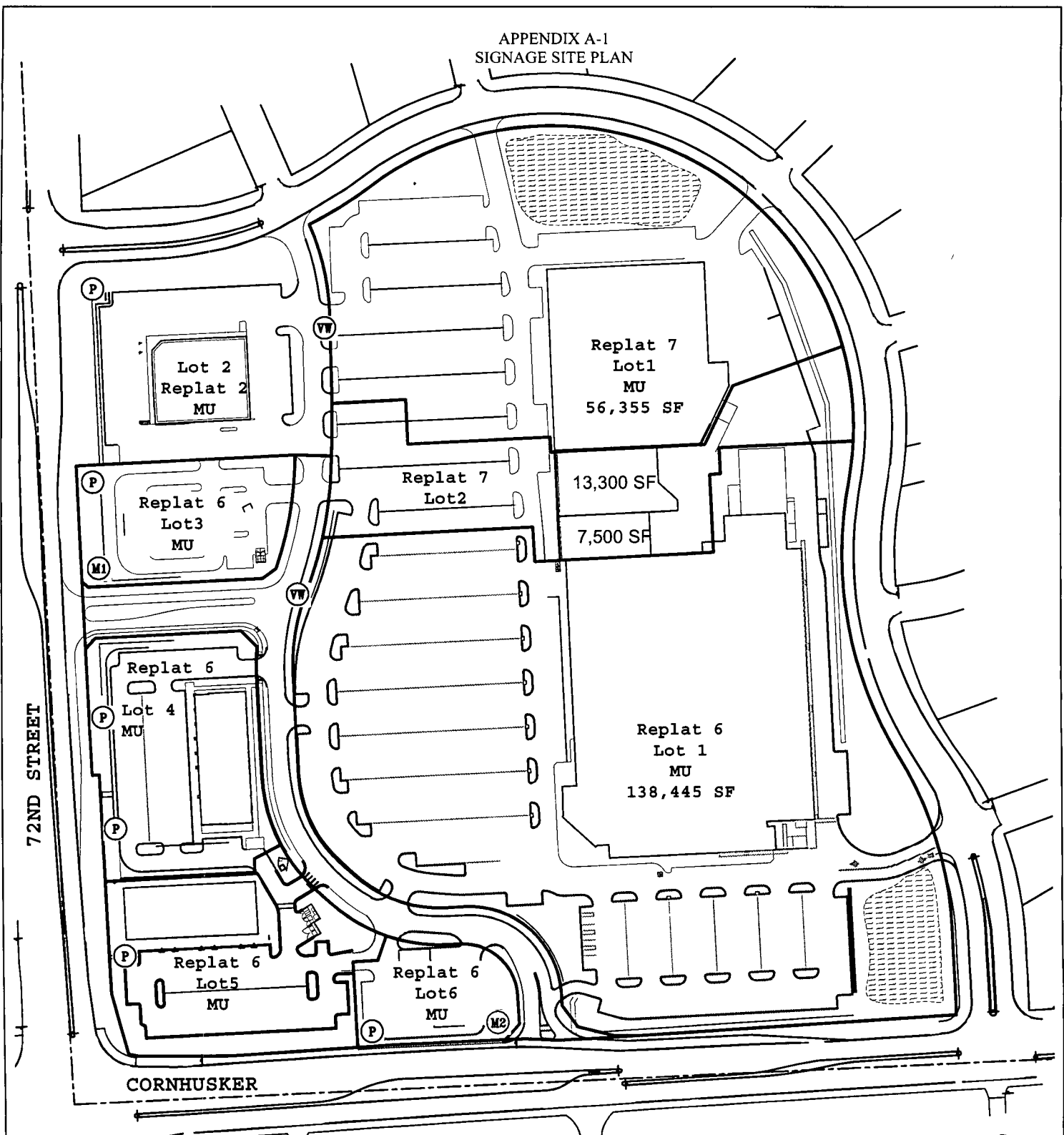
- A maximum of three wall signs and one monument sign will be allowed
- All signs must be illuminated and shall derive light from a concealed source No exposed lamps, globes, tubes, etc will be allowed
- All signs shall not extend more than 8" beyond the face of the surface to which the sign is mounted
- The buildings signage areas shall not exceed 10% of the area of the storefront
- Signage on the building shall be reverse channel, halo light illuminated individual letters mounted to the building face A colored opaque face is required Exceptions may be approved by the Planning Director based on consistency with the objectives of this Agreement.
- No logos will be allowed on Tenant store fronts without written approval from the Landlord
- The maximum height for any individual letter in the body of a sign shall not exceed 48" and the maximum average height of letters shall not exceed 36" for any single line of text Tag lines shall be allowed on an individual basis and are subject to the Landlords approval

Monument Out Parcel Signs

- A single monument sign is allowed for each out parcel.
- Monument Signage shall also be internally illuminated canned letters.
- Monument signs brick color is to match the brick color of the tenant's building.
- Monument signs structure shall not exceed 75 s f. in area and 10' in height
- Monument sign shall be set back at least 5' from the property line
- Out parcel sign types shall be placed 100' or more from adjacent tenants out parcel signs
- All monument signs shall set on prescribed base and be landscaped by the Tenant See base detail
- Appendix A illustrates approximate placements
- Multi-tenant signs (M1 & M2 on Appendix A) are limited to 14' in height

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APPENDIX A-1
SIGNAGE SITE PLAN



- (P) Pad
- (M1) Entry Multi-Tenant
- (M2) Entry Multi-Tenant
- (VW) Vehicular Way Finding
- (P0) Pedestrian Way Finding



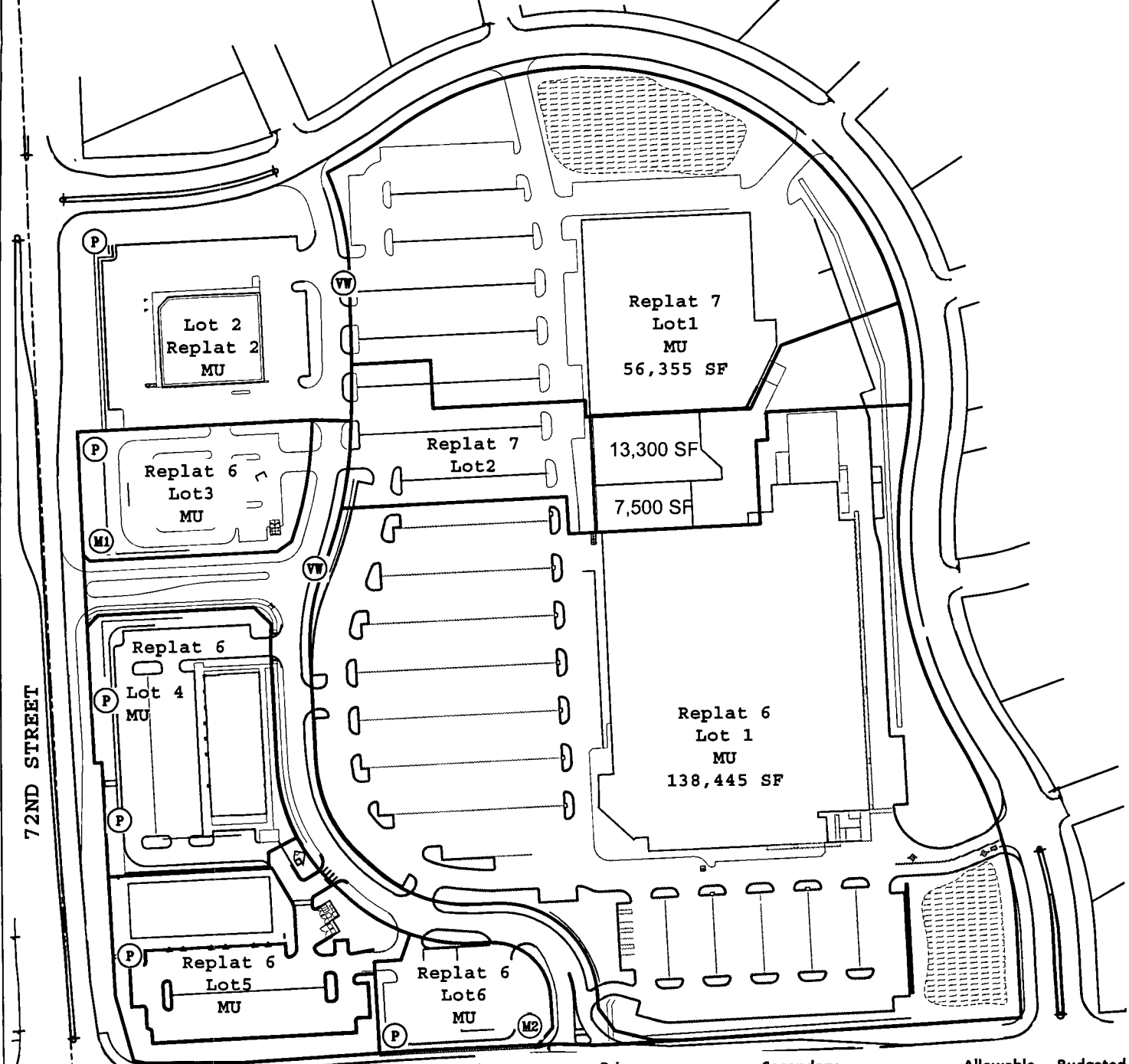
SETTLERS CREEK

MIXED-USE AGREEMENT

LOTS 1 THROUGH 6 AND OUTLOT A

April 23, 2015

APPENDIX D-1
SIGNAGE BUDGET



CORNHUSKER

	Primary		Secondary		Allowable	Budgeted
	Frontage	Multiplier	Frontage	Adjustment	Area	Area
Lot 1, Replat 7	905.5	1.5	0	0.75	500	500
Lot 2, Replat 7	132	1.5	0	0.75	198	198
Lot 2, Replat 2	273.9	1.5	264.2	0.75	500	500
Lot 1, Replat 6	760.2	1.5	434.16	0.75	500	500
Lot 3, Replat 6	158.1	1.5	0	0.75	237	237
Lot 4, Replat 6	320.1	1.5	0	0.75	480	480
Lot 5, Replat 6	314.2	1.5	238.4	0.75	500	650
Lot 6, Replat 6	204.4	1.5	0	0.75	307	157
Total					3222	3222



SETTLERS CREEK

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