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Introduce: 5-5-75

RESOLUTION NO. A- 61802

SPECIAL PERMIT NO. 723

WHEREAS, Herbert H. Heumann has submitted an application designated as Special Permit No. 723 for authority to operate an off-street parking lot on the following described real property, to-wit:

The east 100 feet of Lot 1, and the north 40 feet of Lot 2, Block 1, Cone's Subdivision, Lincoln, Lancaster County, Nebraska.

WHEREAS, the real property adjacent to the area included within the plot plan for this proposed off-street parking lot will not be adversely affected; and

WHEREAS, said plot plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, morals and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Herbert H. Heumann, hereinafter referred to as "Permittee" under Special Permit No. 723, be and the same is hereby granted under the provisions of Sections 27.40.010 and 27.40.085 of the Lincoln Municipal Code upon condition that construction, development and operation of said parking lot be in strict compliance with the application, the plot plan filed therewith, and the following additional express terms, conditions and requirements:

- 1: That the property be developed in accordance with the plot plan; however, prior to the issuance of the building permit for the construction of this parking lot, the Permittee shall submit to the Planning Director for his review and approval, a plot plan showing the parking lot and the location of all existing trees, including those which will be left and those

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which will be removed. The parking lot, driveway and curb cut shall be so designed to save as many existing trees as possible.

2. That Permittee prepare and submit a planting plan to the Planning Director for his approval, and that the planting plan be implemented within two planting seasons after construction of the parking lot. The plantings are to be maintained by the Permittee to the satisfaction of the City.

3. That the paving and wheel blocks in the parking lot meet the standards of the City and that those wheel blocks be placed to prevent cars from intruding into the front yard area of 50th and Holdrege Streets.

4. That the parking lot shall not be occupied or otherwise used until the Superintendent of Building Inspections has found that the Permittee has complied with all the terms, conditions and requirements of the City.

5. That within 30 days from the date of approval of this resolution the Permittee shall properly execute the Letter of Acceptance attached hereto as Appendix "A" and file the same with the City Clerk evidencing his unqualified acceptance of all terms, conditions and requirements herein set forth, otherwise Special Permit No. 723, hereingranted, shall be null and void and of no force and effect.

6. That all terms, conditions and requirements of this special permit shall be binding and obligatory on the Permittee, his successors and assigns and that the City Clerk shall within 40 days from the effective date of this resolution cause a certified copy hereof together with a certified copy of said executed Letter of Acceptance to be filed in the Office of the Register of Deeds, for Lancaster County, filing fees to be paid in advance by Permittee.

Introduced by

James B. Cook

Approved as to Form and Legality:

Charles D. Humble  
City Attorney

Staff Review Completed:

Michael R. Merrett  
Administrative Assistant to the Mayor

ADOPTED

MAY 5 1975 APPROVED

By City Council

MAY 13 1975

James B. Cook  
MAYOR

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APPENDIX "A"

City Council  
City of Lincoln  
Lincoln, Nebraska

Re: Letter of Acceptance  
Special Permit No. 723

TO THE CITY COUNCIL:

I, Herbert H. Heumann, Applicant  
under Special Permit No. 723, granted by Resolution No.  
A- 61802, adopted by the City Council on 5-5-75,  
19 75, do hereby certify that I have thoroughly read said  
resolution, understand the contents thereof and do hereby accept  
without qualification all of the terms, conditions, and require-  
ments therein.

*Herbert H. Heumann*  
Applicant

C E R T I F I C A T E

STATE OF NEBRASKA :  
: :  
COUNTY OF LANCASTER : SS  
: :  
CITY OF LINCOLN :

I, Harold W. Springer, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. A-61802 and letter of acceptance attached thereto.

as the original appears of record in my said office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 2nd day of June, 1975.



*Harold W. Springer*  
City Clerk

LANCASTER COUNTY NEBR.  
*Kenneth L. Ferguson*  
REGISTER OF DEEDS

1975 JUN -2 AM 11:04

ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD AS:

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INST. NO. 75- 7734

*City Clerk*