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INST. NO 2004

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LANCASTER COUNTY, NE

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 LANCASTER COUNTY, NE
 [Handwritten signatures and initials]

#30

04R-23

Introduce: 2-2-04

RESOLUTION NO. A- 82592

USE PERMIT NO. 57D

1 WHEREAS, Ridge Development Company and Superior Point Partners
 2 have submitted an application in accordance with Section 27.37.070 of the Lincoln
 3 Municipal Code designated as Use Permit No. 57D for authority to amend the Lincoln
 4 Crossings Use Permit to increase the boundary and floor area, and to modify the required
 5 front yard setback along Folkways Boulevard and the setback from the residential district,
 6 on property generally located at North 27th Street and Folkways Boulevard, and legally
 7 described as follows:

8 Lots 3-10 and Outlot A, King Ridge Addition, Lots 4-7, and
 9 Outlots A and B, Lincoln Crossing Addition, Lots 1-9 and
 10 Outlot A, Lincoln Crossing 1st Addition, Lots 1 and 2, Lincoln
 11 Crossing 2nd Addition, Lots 1-3, Lincoln Crossing 3rd
 12 Addition, Lots 1 and 2, Lincoln Crossing 4th Addition, and Lot ^{per}
 13 47 I.T., located in Section 6, Township 10 North, Range 8 East
 14 of the 6th P.M., Lancaster County, Nebraska; and

33107-

15 WHEREAS, the real property adjacent to the area included within the site
 16 plan for increase in boundary and modifications to setbacks within this Use Permit will not
 17 be adversely affected; and

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

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

23 That the application of Ridge Development Company and Superior Point

Teresa City Clerk

1 Partners, hereinafter referred to as "Permittee", to amend the Lincoln Crossings Use
2 Permit to increase the boundary and floor area, and to modify the required front yard
3 setback along Folkways Boulevard and the setback from the residential district be and the
4 same is hereby granted under the provisions of Section 27.37.070 of the Lincoln Municipal
5 Code upon condition that all construction be in strict compliance with the application, the
6 site plan, and the following additional express terms, conditions, and requirements:

7 1. This permit approves the expansion of the Lincoln Crossings Use
8 Permit for a total of 867,769 square feet of floor area with 51,300 square feet of floor area
9 permitted north of North Hill Road and 816,469 square feet of floor area permitted south of
10 North Hill Road, and modifications to the required front yard setback along Folkways
11 Boulevard and setback from the residential district as shown on the site plan.

12 2. Before receiving building permits:

- 13 a. The Permittee must submit an acceptable revised and
14 reproducible final plan including seven copies.
15 b. The construction plans must conform to the approved plans.
16 c. Administrative Amendment #03089 to reduce the boundary
17 and floor area for King Ridge Use Permit #103 must first be
18 approved.

19 3. Before occupying the new commercial areas all development and
20 construction must be completed in conformance to the approved plans.

21 4. All privately-owned improvements must be permanently maintained
22 by the Permittee or an appropriately established owners association approved by the City
23 Attorney.

1 5. The site plans approved by this permit shall be the basis for all
2 interpretations of setbacks and yards, and the locations of buildings, location of parking
3 and circulation elements, and similar matters.

4 6. The terms, conditions, and requirements of this resolution shall be
5 binding and obligatory upon the Permittee, its successors and assigns. The building
6 official shall report violations to the City Council which may revoke this use permit or take
7 such other action as may be necessary to gain compliance.

8 7. The Permittee shall sign and return the City's letter of acceptance to
9 the City Clerk within 30 days following approval of this use permit, provided, however, said
10 30-day period may be extended up to six months by administrative amendment. The City
11 Clerk shall file a copy of the resolution approving this use permit and the letter of
12 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
13 Permittee.

14 8. The site plan as approved with this resolution voids and supersedes
15 all previously approved site plans, however, all resolutions approving previous permits
16 remain in force unless specifically amended by this resolution.

Introduced by:

Jonathan Cook

Approved as to Form & Legality:

David W. Rippe
City Attorney

AYES: Camp, Cook, Friendt,
McRoy, Newman, Svoboda,
Werner; NAYS: None.

ADOPTED

FEB 23 2004

BY CITY COUNCIL

Approved this 26th day of Feb, 2004:
Calvin J. Seng
Mayor

04R-23

2/9/04 Council Proceedings:

COOK Moved to delay action on Bill No. 04R-23 for two weeks to 2/23/04.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook,
McRoy, Newman, Svoboda; NAYS: None; ABSENT: Friendt, Werner.

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, Thomas E. White, John C. Brager and Donald W. Linscott the undersigned representative(s) of **RIDGE DEVELOPMENT CO. & SUPERIOR POINT PARTNERS**, Permittee(s) in Use Permit 57D granted by **Resolution A-82592** adopted by the City Council of the City of Lincoln, Nebraska, on **Feb. 23, 2004** 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 requirements therein.

Dated this 11 day of March, 2004.

Thomas E. White
RIDGE DEVELOPMENT CO.
Donald W. Linscott
SUPERIOR POINT PARTNERS

C E R T I F I C A T E

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:
CITY OF LINCOLN)

I, Teresa J. Meier, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Use Permit 57D** approved by **Resolution No. A-82592** adopted by the City Council on **Feb. 23, 2004** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 12th day of March, 2004.


