72-124 6154 Introduce: 5-1-72

ORDINANCE NO. 10444

AN ORDINANCE establishing the official grades of certain streets in PIERCE-RENTFRO INDUSTRIAL PLAZA, as an addition within the City of Lincoln, Nebraska, with reference to a datum plane herein described, and accepting and approving the plat of PIERCE-RENTFRO INDUSTRIAL PLAZA, as an addition within the City of Lincoln, Nebraska, filed with the office of the Planning Department of the City of Lincoln, Nebraska, upon certain conditions herein specified and providing for sureties conditioned upon the strict compliance with such conditions, ~~and declaring an emergency~~.

amended 5/8/72

WHEREAS, Robert J. Rentfro and Frances J. Rentfro, husband and wife; and Crawford G. Pierce and Gloria J. Pierce, husband and wife, owners of all of Lots 199 and 200 of Irregular Tracts in the Northwest Quarter of Section 8, Township 10 North, Range 7 East of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska, and more particularly described as follows:

Beginning at a point on the south line of said Lot 200 of Irregular Tracts a distance of 40.0 feet west from the east line of said Northwest Quarter; thence westerly along the said south line a distance of 168.0 feet to the point of curvature of a curve to the right having a central angle of 63° 15' and a radius of 606.62 feet; thence along said curve an arc distance of 669.66 feet to the point of tangency of said curve; thence along tangent to last described curve a distance of 350.0 feet to the point of curvature of a curve to the left having a central angle of 14°17' and a radius of 746.20 feet; thence along said curve an arc distance of 186.02 feet to the point of tangency of said curve; thence along tangent of last described curve a distance of 340.0 feet to the point of curvature of a curve to the left having a central angle of 69°16' and a radius of 339.71 feet; thence along said curve a chord distance of 198.27 feet to a point on the east line of 44th Street (30 feet normal to centerline of said street); thence northerly along said east line a distance of 525.03 feet to a point on the south line of Superior Street (40 feet normal from the

centerline of said street); thence easterly along said south line a distance of 1390.35 feet to a point on the west line of 48th Street (40 feet normal to centerline of said street); thence southerly along said west line a distance of 1701.0 feet to the point of beginning, and having filed said plat in the office of the Planning Department of the City of Lincoln, Nebraska, with a request for approval and acceptance thereof, in the manner and form as by ordinance required; and

WHEREAS, it is for the convenience of the inhabitants of said City of Lincoln, Nebraska, and for the public that said plat be approved and accepted as filed.

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

Section 1. That the grades of certain streets in Pierce-Rentfro Industrial Plaza, as an addition within the City of Lincoln, Nebraska, be and they hereby are established with reference to a datum plane, which is located as follows: Bench mark cut in water table at the northeast corner of City Hall Building (at 10th & "O" Streets) is 79.94 feet above datum plane.

The grades hereby established shall be uniform straight lines between adjacent points hereinafter specified in said streets and between the grade points heretofore established by ordinance in adjacent streets.

Section 2. Grade at the intersection of Easy Street and 48th Street: Northwest corner 47.50, Southwest corner 47.50.

Section 3. Grade at a point in Easy Street 1,050 feet northwest of the centerline of 48th Street: East side 41.00, West side 41.00; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 200 feet long.

Section 4. Grade at a point in Easy Street 1,500 feet northwest of the centerline of 48th Street: East side 46.00, West side 46.00; provided, however, that the grades established in this section shall be considered as points of intersection of tangents to vertical curves 100 feet long.

Section 5. Grade in Easy Street at the south line of

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Superior Street: East side 48.43, West side 48.43.

Section 6. Grade at the intersection of Easy Street and Superior Street: Southeast corner 48.50, Southwest corner 48.25.

Section 7. Grade at the intersection of Easy Street and Pierce Drive: Northeast corner 41.76, Southeast corner 41.93.

Section 8. Grade in Pierce Drive at the east line of Easy Street: North side 41.86, South side 41.86.

Section 9. Grade in Pierce Drive at the west line of 48th Street: North side 45.90, South side 45.90.

Section 10. Grade at the intersection of Pierce Drive and 48th Street: Northwest corner 46.00, Southwest corner 45.90.

Section 11. That the plat of Pierce-Rentfro Industrial Plaza, as an addition within the City of Lincoln, Nebraska, filed in the office of the Planning Department of the City of Lincoln, Nebraska, by Robert J. Rentfro and Frances J. Rentfro, husband and wife, and Crawford G. Pierce and Gloria J. Pierce, husband and wife, as owners, be and it hereby is accepted and approved, and the said owners be and they hereby are given the right to plat said Pierce-Rentfro Industrial Plaza, as an addition within the City of Lincoln, Nebraska, in accordance therewith. Such acceptance and approval are conditioned upon the following conditions:

~~First: That the owners above set forth shall at their own cost and expense pay for all labor, material, engineering and inspection costs in connection with the construction of side walks in the sidewalk space along the east side of North 44th Street, along the south side side of Superior Street and along the west side of North 48th Street adjacent to the plat. The construction of said sidewalks shall be completed not later than October 1, 1975;~~

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First ~~Second:~~ That the owners above set forth shall at their own cost and expense pay for all labor, material, engineering and inspection costs in connection with the installation of a landscape planting screen which shall be approved by the Planning Director prior to installation. The installation of said planting screen shall be completed not later than October 1, 1973. Prior to final passage of this ordinance, the owners above set forth shall enter into an agreement with the City of Lincoln which shall provide

that said owners and their heirs, successors and assigns shall agree to maintain the aforesaid planting screen and that the area designated on said plat as "Landscape Area" shall not be used for any purpose other than a planting screen or related landscaping.

Second ~~Third~~: That prior to final passage of this ordinance the owners above set forth shall enter into a written agreement with the City of Lincoln whereby said owners and their heirs, successors and assigns shall agree that Lot 1, Block 3 and Lot 11, Block 1 of said plat shall be denied in perpetuity any and all means of vehicular access directly to Superior Street, that Lots 1, 2 and 3, Block 3, shall be denied in perpetuity any and all means of vehicular access directly to 44th Street, and that Lot 1, Block 1, Lots 1 and 10, Block 2, and Lot ~~19~~ 19, Block 3, shall be denied in perpetuity any and all means of vehicular access directly to 48th Street; and that vehicular access on 48th Street to Lot 1, Block 1, shall be limited to one such access.

Third ~~Fourth~~: That the owners above set forth shall at their own cost and expense pay for all labor, materials, engineering and inspections costs in connection with the construction and installation of a system of storm sewerage and drainage for said plat in accord with standards and specifications of the City of Lincoln at the following location:

(1) Storm sewer in 48th Street from Superior Street to Pierce Drive.

(2) Storm sewer culvert under Easy Street at 48th Street.

(3) Storm sewer in Pierce Drive from 48th Street west to the open drainage channel along the west boundary of said plat.

(4) Storm sewer in Easy Street from 300 feet south of Superior Street to Pierce Drive.

(5) Storm sewer in Easy Street from 400 feet west of 48th Street to Pierce Drive.

(6) Grading of property along the west side of said plat in such a manner that storm water runoff will not overflow the open channel bank abutting the west side of said plat, but instead will accumulate in storm sewer inlets which shall be constructed to discharge into said open drainage channel.

The construction and installation of said system of storm

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that said owners and their heirs, successors and assigns shall agree to maintain the aforesaid planting screen and that the area designated on said plat as "Landscape Area" shall not be used for any purpose other than a planting screen or related landscaping.

Second ~~Third~~: That prior to final passage of this ordinance the owners above set forth shall enter into a written agreement with the City of Lincoln whereby said owners and their heirs, successors and assigns shall agree that Lot 1, Block 3 and Lot 11, Block 1 of said plat shall be denied in perpetuity any and all means of vehicular access directly to Superior Street, that Lots 1, 2 and 3, Block 3, shall be denied in perpetuity any and all means of vehicular access directly to 44th Street, and that Lot 1, Block 1, Lots 1 and 10, Block 2, and Lot ~~19~~ 19, Block 3, shall be denied in perpetuity any and all means of vehicular access directly to 48th Street; and that vehicular access on 48th Street to Lot 1, Block 1, shall be limited to one such access.

Third ~~Fourth~~: That the owners above set forth shall at their own cost and expense pay for all labor, materials, engineering and inspections costs in connection with the construction and installation of a system of storm sewerage and drainage for said plat in accord with standards and specifications of the City of Lincoln at the following location:

(1) Storm sewer in 48th Street from Superior Street to Pierce Drive.

(2) Storm sewer culvert under Easy Street at 48th Street.

(3) Storm sewer in Pierce Drive from 48th Street west to the open drainage channel along the west boundary of said plat.

(4) Storm sewer in Easy Street from 300 feet south of Superior Street to Pierce Drive.

(5) Storm sewer in Easy Street from 400 feet west of 48th Street to Pierce Drive.

(6) Grading of property along the west side of said plat in such a manner that storm water runoff will not overflow the open channel bank abutting the west side of said plat, but instead will accumulate in storm sewer inlets which shall be constructed to discharge into said open drainage channel.

The construction and installation of said system of storm

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sewerage and drainage shall be completed not later than October 1, 1973; provided the owner above set forth shall not be required to complete construction of storm sewer in 48th Street adjacent to Lot 12, Block 1, until October 1, 1976.

~~Fifth:~~ Fourth: That the owners above set forth shall at their own cost and expense pay for all labor, material, engineering and inspection costs in connection with the construction and installation of an ornamental street lighting system on both sides of Easy Street and Pierce Drive within said plat. The construction and installation of said ornamental street lighting system shall be completed not later than October 1, 1973.

Section 12. That the owners above set forth, shall prior to the final passage of this ordinance, execute and deliver to the City of Lincoln:

~~(a) a bond in the sum of $11,400.00 conditioned upon the strict compliance by the above named owners with the conditions contained in paragraph designated "First" of the next preceding section of this ordinance;~~

a

~~(b)~~ a bond in the sum of $2,500.00 conditioned upon the strict compliance by the above named owners with the conditions contained in paragraph designated ~~"Second"~~ "First" of the next preceding section of this ordinance;

b

~~(c)~~ a bond in the sum of $65,800.00 conditioned upon the strict compliance by the above named owners with the conditions contained in paragraph designated ~~"Fourth"~~ "Third" of the next preceding section of this ordinance:

c

~~(d)~~ a bond in the sum of $8,100.00 conditioned upon the strict compliance by the above named owners with the conditions contained in paragraph designated ~~"Fifth"~~ "Fourth" of the next preceding section of this ordinance;

d

~~(e)~~ the bonds required above shall be subject to the approval of the City of Lincoln, Nebraska, and shall be further conditioned that in the event the above named owners fail to comply with the conditions herein set forth within the time specified in this ordinance, the City Council shall proceed to fulfill said conditions, the cost thereof to be paid by the surety. Such work shall be performed in the manner set forth in Title 26 of the Lincoln Municipal Code, known as the Land Subdivision Ordinance, as

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now existing or as may hereafter be amended.

Section 13. Immediately upon the taking effect of this ordinance, the owner shall file a certified copy of this ordinance, in the office of the Register of Deeds of Lancaster County, Nebraska.

Section 14. ~~Whereas an emergency exists~~ This ordinance shall take effect and be in force from and after its passage and publication according to law.

amended 5/8/72

Introduced by

PASSED

MAY 6 1972

BY CITY COUNCIL

Approved as to Form:

City Attorney

APPROVED

MAY 16 1972

MAYOR

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 Ordinance No. 10444

as the original appears of record in my said office, and is now in my charge remaining on file and of record.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 24th day of May, A. D. 72

Harold W. Springer

INDEXED 72-617
MICRO - FILED
GENERAL

LANCASTER COUNTY NEBR.
Kenneth L Ferguson
REGISTER OF DEEDS

MAY 25 9 06 AM '72

ENTERED ON
NUMERICAL INDEX.
FILED FOR RECORD AS:

INST. NO. 72- 8754

$2.25