Fee \$..50.00. NO. 2380SW 4, SEC. 1 T. 9 N., R. 6 E. **APPLICATION FOR SUBDIVISION PERMIT** TO THE LINCOLN CITY-LANCASTER COUNTY PLANNING DEPARTMENT The undersigned hereby applies for a permit to subdivide the following described parcel of land: LEGAL DESCRIPTION OF PROPERTY. Lot 43 I.T., in the southwest quarter of Section 1, Township 9 North, Range 6 East of the 6th P.M., Lincoln DESCRIPTION OF PARCELS CREATED: DESCRIPTION KEY: Parcel numbers are not to be used for legal descriptions. PARCEL 1 See attached Exhibit "A" NOTES: (1) This subdivision permit is issued in accordance with Resolution No. 69582 adopted by City Council on August 20, 1984, attached to and made a part of this subdivision approval as Exhibit "B". (2) The approval of this subdivision permit is granted with the conditions of approval as specified in agreement attached to and made a part of this subdivision approval as Exhibit "C". (3) FAILURE TO OBTAIN DEMOLITION PERMIT AND REMOVE EXISTING BUILDING STRUCTURES AS SPECIFIED IN CONDITION NO. 2 OF EXHIBIT "C" WILL RENDER THIS SUBDIVISION PERMIT NULL AND APPROVED THIS 370 DAY OF CALLER 198 NO HALE 1. CITY OF LINCOLN, AND ITS CITY COUNCIL PICNETRO I HEREBY CERTIFY THAT THE ABOVE 2. LANCASTER COUNTY, AND ITS COUNTY BOARD STATEMENTS ARE CORRECT See attached Exhibit "D" for CHAIRMAN, COUNTY BOARD owners' signatures OWNER COUNTY SURVEYOR PLANNING DIRECTOR **ADDRESS**

EXHIBIT "A"

DESCRIPTION OF PARCELS CREATED:

LEGAL DESCRIPTION - PARCEL 1

Beginning at a point 75.00' East and 33.00' North of the southwest corner of section 1, T9N, R6E of the 6th P.M., Lancaster County, Nebraska. Thence in a Northerly direction along the east right-of-way line of South 14th Street on an assumed bearing of N $25^{\circ}31'00"$ W a distance of 48.70'; thence continuing along the east right-of-way line of South 14th Street on a bearing of N $2^{\circ}00'05"$ W a distance of 109.11'; thence on a bearing of N $90^{\circ}00'00"$ F a distance of 213.79'; thence on a bearing of S $0^{\circ}00'00"$ W a distance of 153.00'; thence along the north right-of-way line of Pioneers Blvd. on a bearing of S $90^{\circ}00'00"$ W a distance of 189.00' to the point of beginning and containing a calculated area of 0.73 acres.

LEGAL DESCRIPTION - PARCEL 2

Commencing at a point 75.00' East and 33.00' North of the southwest corner of section 1, T9N, R6E, of the 6th P.M., Lancaster County, Nebraska. Thence in a Northerly direction along the east right-of-way line of South 14th Street on an assumed bearing of N 25°31'00" W a distance of 48.70'; thence continuing along the east right-of-way line of South 14th Street on a bearing of N 2°00'05" W a distance of 109.11' to the point of beginning; thence continuing along said east right-of-way of South 14th Street on said bearing of N 2°00'05" W a distance of 135.55'; thence continuing along said east right-of-way line of South 14th Street on a bearing of N 3°19'17" W a distance of 100.70' to a point on the southwesterly 50' right-of-way line of the Burlington Northern Railroad as the same is now located, constructed and in operation over and across said Southwest Quarter, thence in a Southeasterly direction on a 2914.93' Radius curve to the left on a chord bearing of S 59°59'05" E a chord distance of 25°.11' (arc distance 25°.19') to a point on the curve of the southwesterly railroad right-of-way line; thence on a bearing of S 0°00'00" W a distance of 106.43'; thence on a bearing of S 90°00'00" W a distance of 213.79' to the point of beginning and containing a calculated area of 0.84 acres.

LEGAL DESCRIPTION - PARCEL 3

Commencing at a point 75.00' East and 33.00' North of the southwest corner of section 1, T9N, R6E, of the 6th P.M., Lancaster County, Nebraska. Thence in a Easterly direction along the north right-of-way line of Pioneers Blvd. on an assumed bearing of N 90°00'00" E a distance of 189.00' to the point of beginning; thence on a bearing of N 0°00'00" E a distance of 259.48' to a point on the southwesterly 50' right-of-way line of the Rurlington Northern Railroad as the same is now located, constructed and in operation over and across said Southwest Quarter; thence in a Southeasterly direction on a 2914.93' Radius curve to the left on a chord bearing of S 64°51'28" E a chord distance of 182.27' (arc distance 182.30') to a point on the curve of the southwesterly railroad right-of-way line; thence on a bearing of S 0°00'00" W a distance of 192.04'; thence along the north right-of-way line of Pioneers Blvd. on a bearing of S 90°00'00" W a distance of 165.00' to the point of beginning and containing a calculated area of 0.93 acres.

LEGAL DESCRIPTION - PARCEL 4

Commencing at a point 75.00' East and 33.00' North of the southwest corner of section 1, T9N, R6E of the 6th P.M., Lancaster County, Nebraska. Thence in a Easterly direction along the north right-of-way line of Pioneers Blvd. on an assumed bearing of S 90°00'00" W a distance of 354.90' to the point of beginning; thence on a bearing of N 0°00'00" E a distance of 182.04' to a point on the southwesterly 50' right-of-way line of the Eurlington Northern Railroad as the same is now located, constructed and in operation over and across said Southwest Quarter; thence in a Southeasterly direction on a 2911.63' Radius curve to the left on a chord bearing of S 72°31'41" E a chord distance of 606.31' (arc distance 607.41') to a point on the curve of the southwesterly raidlroad right-of-way line, said point also being on the North right-of-way line of Pioneers Blvd. thence on a bearing of S 90°00'00" W a distance of 578.34' to the point beginning and containing a calculated area of 1.06 acres.

2-215

PLANNING COMMISSION RECOMMENDATION

84R-225

Introduce: 8-13-84

RESOLUTION NO. A 69582.

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01	WHEREAS, an application for an administrative subdivision of real
02	property described as Lot 43, Irregular Tract, in the Southwest Quarter of
03	Section 1, Township 9 North, Range 6 East, Lincoln, Lancaster County, Nebraska,
04	has been made by Thomas E. White on behalf of the Lincoln Lawn and Home Center,
05	Inc.; and
06	WHEREAS, the application for administrative subdivision approval was
07	not approved for nonconformance with the requirement relating to the construction
08	of sidewalks along the east side of South 14th Street and along the north side
09	of Pioneers Boulevard adjacent to the subject property; and
10	WHEREAS, applicant has requested a modification to waive said require-
11	ments pursuant to Section 26.31.010 of the Lincoln Municipal Code; and
12	WHEREAS, the Planning Commission has reviewed said request and has
13	recommended partial approval thereon to waive the sidewalk requirement along
14	the north side of Pioneers Boulevard, but not to waive the sidewalk requirement
15	along the east side of South 14th Street; and
16	WHEREAS, the City Council finds that the strict application of all
17	subdivision requirements would result in actual difficulties or substantial
18	hardship or injustice to the applicant.
19	NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
20	Lincoln, Nebraska:
21	That, in accordance with the recommendations of the Planning Commission,
22	the requirement that sidewalks presently be constructed along the north side of

That, in accordance with the recommendations of the Planning Commission the requirement that sidewalks presently be constructed along the north side of Pioneers Boulevard adjacent to the subject property is hereby waived; provided, however, that the applicant understands and agrees that this waiver shall in no way be construed to relieve the applicant or any future owners of any future obligation to construct sidewalks upon proper order of the City.

All other conditions for approval of this administrative subdivision shall be complied with by the applicant. $_{RECENT}$

APPROVED

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AUG 27 1984 2:03 Am

Approved as to Form and Legality:

City Attorney Xush

Introduced by:

AUG 24-1864 10115 A.M MAYORS U FICE

Staff Review Completed:

ADOPTED

Administrative Assistant

AUG 20 1984

By City Council

AYES: Ahlschwede, Danley, Ham Hoffman, Johnson, Shackelford; NAYS: Gayley.

24275

EXHIBIT 'C'

AGREEMENT

IN CONSIDERATION of the City of Lincoln, Nebraska, a municipal corporation, granting administrative subdivision approval as specified on the attached subdivision permit, it is agreed by and between the subdivider and the City as follows:

- 1. The subdivider will construct sidewalks in accordance with applicable City standards in the sidewalk space along the east side of South 14th Street adjacent to Parcels No. 1 and 2 as described on attached Exhibit 'A'. The said sidewalks shall be constructed within four (4) years of the date of subdivision approval as shown on the attached subdivision permit.
- 2. The subdivider will obtain a demolition permit from the City of Lincoln to remove the building structures presently located on Parcels No. 1 and 2 as described on attached Exhibit 'A' and the removal of said structures will be accomplished within one year of the date of subdivision approval as shown on the attached subdivision permit. Failure to obtain said demolition permit and acomplish said removal within said time period shall render the attached subdivision permit null and void.

The agreements contained herein shall run with the land described above and shall be binding and obligatory upon the heirs, successors and assigns of the subdivider to all or any part of the real estate as described above.

DATED this Znd day of October, 1984.

Sorting J. Seeler

Sonley F. Gerbig

Julia V. Gerbig

STATE OF NEBRASKA)

S8:

COUNTY OF LANCASTER)

Before me, a Notary Public qualified for said county, personnally came Donley F. Gerbig and Julia V. Gerbig, husband and wife, to me known to be the identical person or persons who signed the foregoing instruments, and acknowledged the execution thereof to be their voluntary act and deed.

	nd and notarial seal on
	Robert D Zmini
GENERAL NUTARY - State of Nebrosta ROBERT D. ZIMMERMAN My Comm. Exp. July 15, 1988	Notary Public
Му	commission expires:

EXHIBIT "D"

OWNERS' SIGNATURES:

"I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS ARE CORRECT"

Donley F. Gergib

"owners of record"

LINCOLN LAWN and HOME CENTERS, INC.

THIEEN W. EJANS, VIEE PRESIDENT "contract purchaser"

NAME OF THE PARTY OF THE STATE OF THE STATE

SC. FILECTURRECTIONS

INST. NO. 84- 24275