

Dan Nelson
REGISTERED CLERK

INST. NO 95

DEC 11 11 25 AM '95

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BLOCK

ACADNA

RESOLUTION NO. PC-00254

SPECIAL PERMIT NO. 1582

1 WHEREAS, Lincoln Cellular Corporation has submitted an application
2 designated as Special Permit No. 1582 for authority to construct a 150 foot
3 cellular tower on property located at 67th Street and Seward Avenue, and
4 legally described to wit:

5 Lots 7 and 8, Block 7, Ackerman Addition to Lincoln,
6 Lancaster County, Nebraska; and

7 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
8 held a public hearing on said application; and

9 WHEREAS, the community as a whole, the surrounding neighborhood,
10 and the real property adjacent to the area included within the site plan for
11 this cellular tower will not be adversely affected by granting such a permit;
12 and

13 WHEREAS, said site plan together with the terms and conditions
14 hereinafter set forth are consistent with the comprehensive plan of the City
15 of Lincoln and with the intent and purpose of Title 27 of the Lincoln
16 Municipal Code to promote the public health, safety, and general welfare.

17 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
18 County Planning Commission of Lincoln, Nebraska:

City clerk
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1 That the application of Lincoln Cellular Corporation, hereinafter
2 referred to as "Permittee", to construct a 150 foot cellular tower be and the
3 same is hereby granted under the provisions of Section 27.63.150 of the
4 Lincoln Municipal Code upon condition that construction of said tower be in
5 strict compliance with said application, the site plan, and the following
6 additional express terms, conditions, and requirements:

7 1. This permit approves a 150 foot monopole broadcast tower
8 with 12 panel antennae mounted on a 14 foot triangle platform.

9 2. This approval requires that there be no lighting on this
10 tower.

11 3. Before receiving building permits the Permittee must:

12 a. Submit certified information from an abstractor or an
13 attorney indicating the current record owner(s) of all
14 land within the limits of this application.

15 b. Post a bond in the amount of \$1,938.00 to guarantee
16 the installation of the approved landscape screen.

17 c. Revise the site plan to show the required parking
18 spaces.

19 d. Submit a revised and reproducible final plan.

20 e. The construction plans must comply with the approved
21 plans.

22 4. Before occupying the tower, all development and construction
23 must be completed in conformance with the approved plans.

24 5. All privately-owned improvements must be permanently
25 maintained by the owner.

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

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

13 The foregoing Resolution was approved by the Lincoln City-
Lancaster County Planning Commission on this 8 day of November, 1995.

ATTEST:



Chair

Approved as to Form & Legality:



Assistant City Attorney

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

RE: Special Permit No. 1582

TO THE CITY COUNCIL:

I, LAWRENCE R. OTTERSTEIN, President or authorized representative of Lincoln Cellular Corporation, herein called "Permittee" under **Special Permit No. 1582**, granted by Resolution No. PC-00254, adopted by the Lincoln City-Lancaster County Planning Commission on November 8, 1995, 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 7 day of DECEMBER, 1995.

Lawrence R. Otterstein
President/Authorized Representative

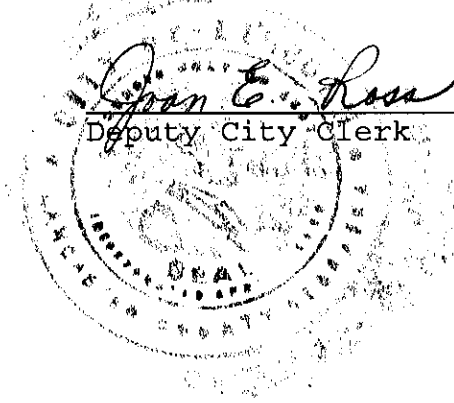
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4-12-94

C E R T I F I C A T E

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

I, Joan E. Ross, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit No. 1582** as passed and approved by **Resolution No. PC-00254** of the Lincoln City-Lancaster County Planning Commission at its meeting held **November 8, 1995**, 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 8th day of December, 1995.



*Ret to
City Clerk*