

*Dan Galt*  
REGISTER OF DEEDS  
1999 OCT 15 P 2:26

**\$30.50**  
INST. NO 99  
055484

BLOCK

CODE

CHECKED

ENTERED

EDITED

97R-350

Introduce: 11-3-97

RESOLUTION NO. A- **78472**

SPECIAL PERMIT NO. 622D

1 WHEREAS, Lakeside Partners, L.L.C. has submitted an application  
2 designated as Special Permit No. 622D for authority to amend Lakeside Village  
3 Community Unit Plan to increase the approved density from 320 to 352 dwelling  
4 units and to revise the building configuration to consist of 8 structures on  
5 property generally located at Lakeside Drive and West "S" Street, and legally  
6 described to wit:

*SW 1/4*  
7 Lots 109, 110, and 111 Irregular Tracts, located in  
8 Section 21, Township 10 North, Range 6 East of the 6th  
9 P.M., Lancaster County, Nebraska;

10 WHEREAS, the real property adjacent to the area included within the  
11 site plan for this amendment to said community unit plan will not be adversely  
12 affected; and

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

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

19 That the application of Lakeside Partners, L.L.C., hereinafter  
20 referred to as "Permittee", to amend Lakeside Village Community Unit Plan to  
21 increase the approved density from 320 to 352 dwelling units and to revise the  
22 building configuration to consist of 8 structures be and the same is hereby

*City Clerk*

1 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the  
2 Lincoln Municipal Code upon condition that development of said community unit  
3 plan be in strict compliance with said application, the site plan, and the  
4 following additional express terms, conditions, and requirements:

5 1. This permit approves a community unit plan consisting of 352  
6 multi-family units in 8 structures and other recreational buildings and  
7 facilities as shown on the site plan.

8 2. Before receiving building permits:

9 a. The Permittee must submit and receive approval of the  
10 following:

11 i. A landscape plan approved by the Director of  
12 Planning that:

13 (1) Provides required screening in all parking  
14 areas.

15 (2) Indicates preservation of all trees in the  
16 vacated West "S" Street right-of-way.

17 (3) Provides at least at 50% screen from 6' to  
18 15' in height, of multiple dwellings,  
19 structures, garages, maintenance buildings,  
20 etc. (Preservation of trees in the vacated  
21 right-of-way may satisfy a portion of this  
22 requirement).

23 (4) Provides sufficient growing space for all  
24 trees.

1                   ii. A permanent reproducible final plan of the whole  
2                   area included in this community unit plan showing  
3                   all revisions as approved by the City Council.

4                   iii. Ornamental street lights for private roadways and  
5                   pedestrian way easements approved by LES.

6                   b. The construction plans must conform to the approved  
7                   plans.

8                   c. The required easements as shown on the plan must be  
9                   recorded with the Register of Deeds.

10                  d. A final plat shall have been approved to create a  
11                  private roadway, Outlot "A", and the apartment lot.

12                  e. An assessment district must be created or an Executive  
13                  Order must be approved providing for the paving of West  
14                  "S" Street between North Coddington Avenue and N.W. 20th  
15                  Street.

16                  3. Before occupying buildings in any phase, as shown on the  
17                  approved Phasing Plan, all development and construction within that phase must  
18                  be completed in conformance with the approved plans.

19                  4. All privately-owned improvements, including landscaping and  
20                  recreational facilities, shall be permanently maintained by the owner or an  
21                  appropriately established homeowners association approved by the City Attorney.

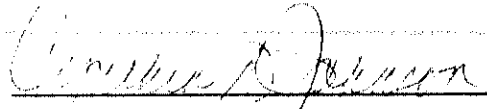
22                  5. The site plan as approved with this resolution voids and  
23                  supersedes all previously approved site plans, but the conditions set forth in

1 all resolutions approving Special Permit 622 and all previous amendments remain  
2 in force unless specifically amended by this resolution.

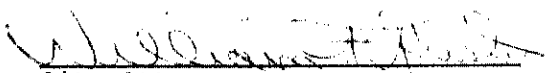
3 6. The terms, conditions, and requirements of this resolution  
4 shall be binding and obligatory upon the Permittee, its successors, and assigns.  
5 The building official shall report violations to the City Council which may  
6 revoke the special permit or take such other action as may be necessary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

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

Introduced by:

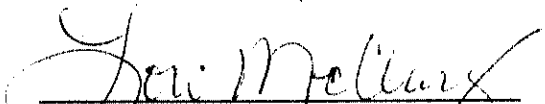


Approved as to Form & Legality:

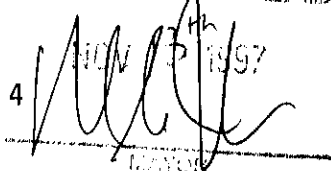
  
City Attorney

AYES: Donaldson, Fortenberry, Johnson,  
Seng, Shoecraft, Wilson, Young;  
NAYS: None.

Staff Review Completed:

  
Administrative Assistant

APPROVED

4   
NOV 10 1997

ADOPTED

NOV 10 1997

By City Council

## LETTER OF ACCEPTANCE

City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

I, CRAIG G. BAUER, the undersigned, referred to as Permittee in **Special Permit No. 622D**, granted by **Resolution No. A-78472** adopted by the City Council of the City of Lincoln, Nebraska, on November 10, 1997, 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 14 day of OCTOBER, 1997.

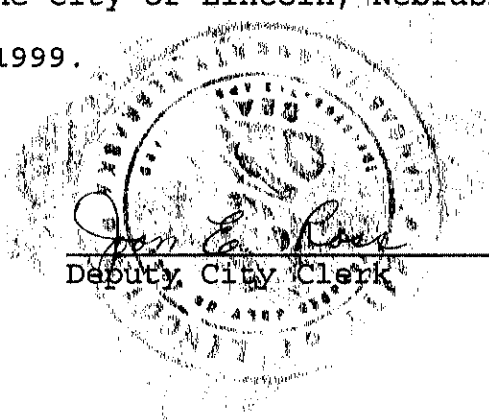
  
Lakeside Partners, L.L.C.

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. 622D** approved by Resolution No. A-78472 adopted by the City Council on November 10, 1997, 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 15 day of October, 1999.

  
Joan E. Ross  
Deputy City Clerk

*Ret to City Clerk*