

\$30.50

BLOCK

CODE

CHECKED

ENTERED

EDITED

Dan Galt

REGISTER OF DEEDS

2001 AUG 30 P 2:50

LANCASTER COUNTY, NE

INST. NO 2001

050236

01R-194

Introduce: 7-23-01

RESOLUTION NO. A- 81001

SPECIAL PERMIT NO. 1839

1 WHEREAS, Holdrege Investors, L.L.C. and the University Park Congregation
2 of Jehovah's Witnesses have submitted an application designated as Special Permit No.
3 1839 for authority to develop Morning Glory Estates Community Unit Plan consisting of 269
4 dwelling units on property located at the northeast corner of North 84th and Holdrege
5 Streets, and legally described to wit:

6 A portion of the remaining portion of Lots 93 I.T. and 94 I.T., all
7 located in the Southwest Quarter of Section 14, Township 10
8 North, Range 7 East of the 6th P.M., Lancaster County,
9 Nebraska, and more particularly described as follows:

10 Commencing at the northwest corner of the remaining portion
11 of Lot 93 I.T., said point being 90.00 feet east of the west line
12 of said Southwest Quarter; thence on an assumed bearing of
13 north 89 degrees 58 minutes 15 seconds east along the north
14 line of said remaining portion of Lot 93 I.T., a distance of
15 438.42 feet to the true point of beginning; thence continuing
16 north 89 degrees 58 minutes 15 seconds east along the north
17 line of said remaining portion of Lot 93 I.T., a distance of
18 796.96 feet to the northeast corner of said remaining portion of
19 Lot 93 I.T.; thence south 00 degrees 02 minutes 52 seconds
20 west along the east line of said remaining portion of Lots 93
21 I.T. and 94 I.T., a distance of 1896.50 feet to the southeast
22 corner of said remaining portion of Lot 94 I.T.; thence north 89
23 degrees 35 minutes 51 seconds west along the south line of
24 said remaining portion of Lot 94 I.T., a distance of 624.27 feet
25 to a point; thence north 00 degrees 00 minutes 00 seconds
26 west, a distance of 43.74 feet to a point of curvature; thence
27 along a curve in a counter clockwise direction having a radius
28 of 600.00 feet, arc length of 134.46 feet, delta angle of 12
29 degrees 50 minutes 25 seconds, a chord bearing of north 06
30 degrees 25 minutes 12 seconds west, and a chord length of
31 134.18 feet to a point of reverse curvature; thence along a
32 curve in a clockwise direction having a radius of 800.00 feet,

5.00 Long

Teresa City Clerk

1 arc length of 177.56 feet, delta angle of 12 degrees 43 minutes
2 00 seconds, a chord bearing of north 06 degrees 28 minutes
3 55 seconds west, and a chord length of 177.19 feet to a point
4 of tangency; thence north 00 degrees 07 minutes 25 seconds
5 west, a distance of 545.29 feet to a point of curvature; thence
6 along a curve in a clockwise direction having a radius of
7 303.00 feet, arc length of 105.69 feet, delta angle of 19
8 degrees 59 minutes 09 seconds, a chord bearing of north 09
9 degrees 52 minutes 10 seconds east, and a chord length of
10 105.16 feet to a point of tangency; thence north 19 degrees 51
11 minutes 44 seconds east, a distance of 90.57 feet to a point;
12 thence north 65 degrees 18 minutes 41 seconds west, a
13 distance of 201.91 feet to a point of curvature; thence along a
14 curve in a counter clockwise direction having a radius of
15 400.00 feet, arc length of 25.80 feet, delta angle of 03 degrees
16 41 minutes 45 seconds, a chord bearing of north 67 degrees
17 09 minutes 34 seconds west, and a chord length of 25.80 feet
18 to a point; thence north 20 degrees 59 minutes 34 seconds
19 east, a distance of 67.09 feet to a point; thence north 00
20 degrees 02 minutes 52 seconds west, a distance of 647.50
21 feet to the true point of beginning, said tract contains a
22 calculated area of 30.83 acres, or 1,342,924.78 square feet
23 more or less;

24 WHEREAS, the real property adjacent to the area included within the site
25 plan for this community unit plan will not be adversely affected; and

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

29 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
30 Lincoln, Nebraska:

31 That the application of Holdrege Investors, L.L.C. and the University Park
32 Congregation of Jehovah's Witnesses, hereinafter referred to as "Permittee", to develop
33 Morning Glory Estates Community Unit Plan consisting of 269 dwelling units, on the
34 property legally described above, be and the same is hereby granted under the provisions

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

5 1. This permit approves a community unit plan consisting of 269 dwelling
6 units.

7 2. Before receiving building permits:

8 a. The Permittee must submit an acceptable, revised and
9 reproducible final plan including five copies to the Planning
10 Department.

11 b. The construction plans must conform to the approved plans.

12 c. Final plats within the area of this community unit plan must be
13 approved by the City.

14 3. Before occupying the dwelling units, all development and construction
15 must be completed in conformance with the approves plans.

16 4. All privately-owned improvements must be permanently maintained
17 by the Owner or an appropriately established homeowners association approved by the
18 City Attorney.

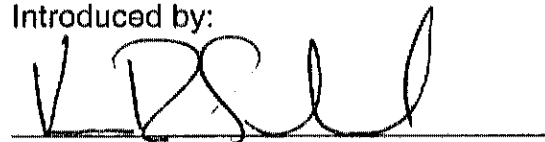
19 5. The site plan approved by this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
21 elements, and similar matters.

22 6. The terms, conditions, and requirements of this resolution shall be
23 binding and obligatory upon the Permittee, their successors, and assigns. The building

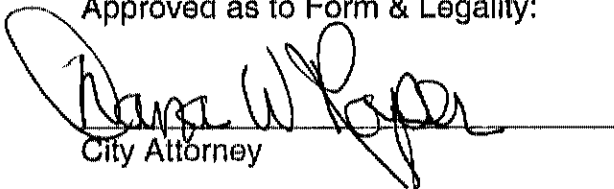
1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

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

Introduced by:

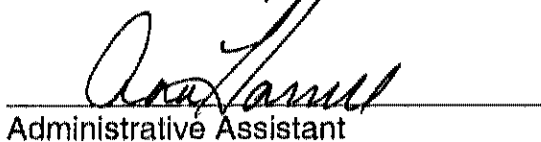


Approved as to Form & Legality:

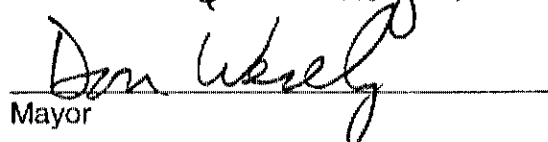

City Attorney

AYES: Camp, Friendt, McRoy,
Seng, Svoboda, NAYS: None.
ABSENT: Cook, Werner.

Staff Review Completed:


Administrative Assistant

Approved this 6 day of August, 2001:


Mayor

ADOPTED

JUL 30 2001

By City Council

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, JEROME L. HEINRICHS the undersigned representative(s) of **Holdrege Investors, L.L.C.**, Permittee in **Special Permit 1839** granted by **Resolution No. A-81001** adopted by the City Council of the City of Lincoln, Nebraska, on July 30, 2001 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 29 day of AUGUST, 2001.

Jerome L. Heinrichs
Permittee

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-Brock, 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 1839** approved by **Resolution No. A-81001** adopted by the City Council on **July 30, 2001** 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 30th day of August, 2001.

Teresa J. Meier-Brock
Deputy City Clerk