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INST. NO 2005

2005 MAR 16 P 2:06

014177

LANCASTER COUNTY, NE

BLOCK

CODE

CHECKED

ENTERED

EDITED

33

05R-31

Introduce: 2-7-05

RESOLUTION NO. A- 83228

SPECIAL PERMIT NO. 04009

1 WHEREAS, Scott Anderson has submitted an application designated as
2 Special Permit No. 04009 for authority to develop Anderson's Place Planned Service
3 Commercial Center consisting of 86,120 square feet of floor area, with requested
4 waivers to reduce the front yard setback along N. 84th Street, eliminate internal
5 setbacks, and to reduce the side yard setback, on property located south of Leighton
6 Avenue and east of N. 84th Street, and legally described to wit:

7 A portion of Lot 100 I.T., located in the Southwest Quarter of
8 Section 14, Township 10 North, Range 7 East of the 6th P.M.,
9 Lancaster County, Nebraska, more particularly described by
10 metes and bounds as follows:

11 Commencing at the west quarter corner of Section 14, Township
12 10 North, Range 7 East of the 6th P.M.; thence south 89 degrees
13 24 minutes 54 seconds east (an assumed bearing) on the north
14 line of the Southwest Quarter, a distance of 1326.42 feet to a
15 found 5/8" rebar for the north 1/16 corner of the Southwest
16 Quarter; thence south 00 degrees 02 minutes 38 seconds west,
17 on the west line of Lot 10 I.T. extended, a distance of 33.00 feet,
18 to the northwest corner of Lot 10 I.T.; thence along the north line
19 of said Lot 10 I.T. north 89 degrees 24 minutes 55 seconds west,
20 for a distance of 560.58 feet and the point of beginning; thence
21 south 00 degrees 35 minutes 05 seconds west, a distance of
22 234.50 feet; thence south 89 degrees 24 minutes 55 seconds
23 east, a distance of 110.00 feet; thence south 00 degrees 35
24 minutes 05 seconds west, a distance of 49.00 feet; thence north
25 89 degrees 24 minutes 55 seconds west, a distance of 110.00
26 feet; thence south 00 degrees 35 minutes 05 seconds west, a
27 distance of 398.61 feet; thence south 89 degrees 57 minutes 47
28 seconds west, on the north line of said Addition, a distance of
29 668.35 feet to the northwest corner of Morning Glory Estates
30 Addition, said point being on the east right-of-way of North 84th
31 Street; thence north 00 degrees 02 minutes 13 seconds west on
32 the east right-of-way of North 84th Street, a distance of 105.38
33 feet; thence north 00 degrees 59 minutes 41 seconds west, on
34 said right-of-way, a distance of 299.12 feet; thence north 00

City Clerk

1 degrees 02 minutes 13 seconds west, on the east right-of-way of
2 North 84th Street, a distance of 245.00 feet; thence north 26
3 degrees 39 minutes 06 seconds east, on the southeasterly right-
4 of-way of North 84th Street, a distance of 44.53 feet to a point on
5 the south right-of-way of Leighton Avenue; thence south 89
6 degrees 24 minutes 55 seconds east, on said south right-of-way,
7 a distance of 660.79 feet to the point of beginning, and containing
8 a calculated area of 468,020.91 square feet or 10.74 acres, more
9 or less;

10 WHEREAS, the real property adjacent to the area included within the site
11 plan for this commercial center will not be adversely affected; and

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

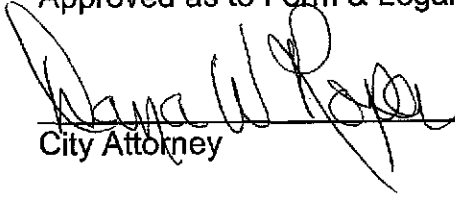
15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
16 Lincoln, Nebraska:

17 That the application of Scott Anderson, hereinafter referred to as
18 "Permittee", to develop Anderson's Place Planned Service Commercial Center
19 consisting of 86,120 square feet of floor area, on the property legally described above,
20 be and the same is hereby granted under the provisions of Section 27.63.470 of the
21 Lincoln Municipal Code upon condition that construction and operation of said
22 development be in strict compliance with said application, the site plan, and the
23 following additional express terms, conditions, and requirements:

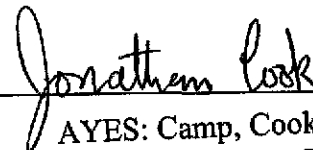
24 1. This permit approves 86,120 square feet of floor area and
25 reduction of the front yard setback along N. 84th Street to 40 feet, elimination of internal
26 setbacks to 0 feet, and reduction of the side yard setback to 20 feet as shown on the
27 site plan.

- 1 2. Before receiving building permits:
 - 2 a. The Permittee must submit an acceptable, revised final plan
 - 3 including 7 copies.
 - 4 b. The construction plans must conform to the approved plans.
 - 5 c. Final Plats must be approved by the City.
- 6 2. Before occupying the buildings all development and construction
- 7 must be completed in conformance with the approved plans.
- 8 3. All privately-owned improvements shall be permanently maintained
- 9 by the Permittee or an appropriately established owners association approved by the
- 10 City Attorney.
- 11 4. The site plan approved by this permit shall be the basis for all
- 12 interpretations of setbacks, yards, locations of buildings, location of parking and
- 13 circulation elements, and similar matters.
- 14 5. The terms, conditions, and requirements of this resolution shall be
- 15 binding and obligatory upon the Permittee, his successors, and assigns. The building
- 16 official shall report violations to the City Council which may revoke the special permit or
- 17 take such other action as may be necessary to gain compliance.
- 18 6. The Permittee shall sign and return the City's letter of acceptance
- 19 to the City Clerk within 30 days following approval of the special permit, provided,
- 20 however, said 30-day period may be extended up to six months by administrative
- 21 amendment. The City Clerk shall file a copy of the resolution approving the special
- 22 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
- 23 paid in advance by the Permittee.

Approved as to Form & Legality:


City Attorney

Introduced by:


AYES: Camp, Cook, Friendt,
McRoy, Newman, Svoboda, Werner;
NAYS: None.

Approved this 2nd day of March, 2005:


Mayor

ADOPTED
FEB 28 2005
BY CITY COUNCIL

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, **Scott Anderson**, Permittee(s) under **Special Permit 04009** granted by **Resolution No. A-83228** adopted by the Lincoln City Council on **Feb. 28, 2005**, do hereby certify that we 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 13 day of MARCH, 2005




Scott Anderson

CERTIFICATE

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

I, Joan E. Ross, City Clerk of the City of Lincoln, Nebraska, hereby certify that the foregoing is a true and correct copy of **Special Permit No. 04009** approved by **Resolution A-83228** adopted by the City Council on **February 28, 2005**, as the original appears of record in my said office.

In Witness Whereof, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, on March 16, 2005.


Joan E. Ross, City Clerk

