

ORDINANCE NO. 11553

01 AN ORDINANCE accepting and approving the plat designated
02 as SKYLINE ROLLING HILLS 2nd ADDITION as an addition to the City
03 of Lincoln, Nebraska, filed in the office of the Planning Department
04 of the City of Lincoln, Nebraska, upon certain conditions herein
05 specified and providing for sureties conditioned upon the strict
06 compliance with such conditions.

07 WHEREAS, F. PACE WOODS II, owner of a tract of land
08 legally described as:

09 Commencing at the north quarter corner of Section
10 13, Township 9 North, Range 6 East of the Sixth
11 Principal Meridian, Lancaster County, Nebraska;
12 thence north 89 degrees 06 minutes 30 seconds west
13 along the north line of said Section 13, a distance
14 of 990.40 feet; thence south 0 degrees 51 minutes
15 20 seconds west, a distance of 33.00 feet to the
16 point of beginning; thence south 0 degrees 51 minutes
17 20 seconds west, a distance of 7.00 feet to the
18 northwest corner of Lot 4, Block 1, Skyline Rolling
19 Hills First Addition; thence south 0 degrees 51
20 minutes 20 seconds west, a distance of 200.14 feet;
21 thence north 89 degrees 08 minutes 40 seconds west,
22 a distance of 91.70 feet to the northwest corner
23 of Lot 1, Block 3, Skyline Rolling Hills First
24 Addition; thence south 0 degrees 51 minutes 20
25 seconds west, a distance of 195.00 feet to the
26 northwest corner of Lot 3, Block 3, Skyline
27 Rolling Hills First Addition; thence south 3 degrees
28 40 minutes 45 seconds east, a distance of 111.57
29 feet to the northwest corner of Lot 4, Block 3,
30 Skyline Rolling Hills First Addition; thence south
31 17 degrees 52 minutes 09 seconds east, a distance
32 of 104.43 feet to the northwest corner of Lot 5,
33 Block 3, Skyline Rolling Hills First Addition; thence
34 south 31 degrees 57 minutes 16 seconds east, a
35 distance of 104.43 feet to the northwest corner of
36 Lot 6, Block 3, Skyline Rolling Hills First Addition;
37 thence south 38 degrees 59 minutes 50 seconds east,
38 a distance of 415.00 feet to the northwest corner of
39 Lot 3, Block 4, Skyline Rolling Hills First Addition;
40 thence south 34 degrees 29 minutes 45 seconds east,
41 a distance of 76.32 feet to the northwest corner
42 of Lot 4, Block 4, Skyline Rolling Hills First
43 Addition; thence south 19 degrees 43 minutes 50
44 seconds east, a distance of 69.59 feet to the north-
45 west corner of Lot 5, Block 4, Skyline Rolling Hills
46 First Addition; thence south 5 degrees 01 minutes
47 13 seconds east, a distance of 74.08 feet to the
48 southwest corner of Lot 5, Block 4, Skyline Rolling
49 Hills First Addition; thence south 0 degrees 05
50 minutes 15 seconds east, a distance of 125.00 feet;
51 thence south 82 degrees 02 minutes 01 seconds west,

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01 a distance of 98.42 feet; thence south 71 degrees
02 06 minutes 19 seconds west, a distance of 116.99
03 feet; thence south 64 degrees 29 minutes 46 seconds
04 west, a distance of 90.56 feet; thence south 32
05 degrees 05 minutes 15 seconds east, a distance of
06 35.00 feet; thence south 57 degrees 54 minutes 45
07 seconds west, a distance of 310.91 feet; thence
08 north 32 degrees 05 minutes 15 seconds west, a distance of
09 300.00 feet; thence south 69 degrees 10 minutes
10 15 seconds west, a distance of 79.34 feet; thence
11 south 45 degrees 47 minutes 30 seconds west, a distance
12 of 267.85 feet; thence north 44 degrees 12 minutes
13 30 seconds west, a distance of 411.12 feet; thence
14 south 45 degrees 47 minutes 30 seconds west, a distance
15 of 120.00 feet; thence south 79 degrees 29 minutes
16 05 seconds west, a distance of 72.11 feet; thence south
17 45 degrees 47 minutes 30 seconds west, a distance
18 of 150.56 feet; thence north 42 degrees 43 minutes
19 30 seconds west, a distance of 77.92 feet; thence
20 north 67 degrees 43 minutes 30 seconds west, a distance
21 of 180.00 feet; thence north 89 degrees 43 minutes
22 30 seconds west, a distance of 220.76 feet to a point
23 33.00 feet east of the west line of said Section 13;
24 thence north 0 degrees 08 minutes 30 west along a
25 line 33.00 feet east of and parallel to the west line
26 of said Section 13, a distance of 108.39 feet to a
27 point of curvature; thence right on a curve whose
28 radius is 325.77 feet and delta is 14 degrees 00
29 minutes 00 seconds, a distance of 79.60 feet to a
30 point of compound curvature; thence right on a curve
31 whose radius is 864.20 feet and delta is 17 degrees
32 56 minutes 00 seconds, a distance of 270.49 feet
33 to a point of compound curvature; thence right on a
34 curve whose radius is 325.77 feet and delta is 14
35 degrees 00 minutes 00 seconds, a distance of 79.60
36 feet to a point of tangency, said point being 80.00
37 feet southeast of the southeast right-of-way line
38 of the C.R.I. & P Railroad; thence north 45 degrees
39 47 minutes 30 seconds east along the line 80.00 feet southeast
40 of and parallel to said southeast right-of-way, a
41 distance of 888.56 feet to a point of curvature; thence
42 right on a curve whose radius is 927.18 feet and delta
43 is 45 degrees 06 minutes 00 seconds, a distance of
44 729.82 feet to a point of tangency, said point being
45 33.00 feet south of the north line of said Section
46 13; thence south 89 degrees 06 minutes 30 seconds east
47 along the line 33.00 south of and parallel to the
48 north line of said Section 13, a distance of 159.45
49 feet to the point of beginning, said tract contains
50 43.56 acres.

51 has filed said plat in the office of the Planning Department of
52 the City of Lincoln, Nebraska, with a request for approval and
53 acceptance thereof, in the manner and form as by ordinance
54 required; and

55 WHEREAS, it is for the convenience of the inhabitants
56 of said City and for the public that said plat be approved and
57 accepted as filed.

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01 NOW, THEREFORE, BE IT ORDAINED by the City Council
02 of the City of Lincoln, Nebraska:

03 Section 1. That the plat of SKYLINE ROLLING HILLS 2ND
04 ADDITION to the City of Lincoln, Nebraska, filed in the office
05 of the Planning Department of said City by F. PACE WOODS II, is
06 hereby accepted and approved, and said owner is hereby given the
07 right to plat said SKYLINE ROLLING HILLS 2ND ADDITION as an addition
08 to said City in accordance therewith. Such acceptance and approval
09 are conditioned upon the following:

10 First: That said owner shall at his own cost and expense
11 pay for all labor, material, engineering, and inspection costs in
12 connection with the construction of sidewalks to be constructed
13 in the sidewalk space along both sides of all interior streets and
14 along the south side of Old Cheney Road along Lots 1 through 5, Block
15 1, and along the east side of South 14th Street along Lot 7, Block
16 6, and on the pedestrian easement along the north lot line of Lot 7,
17 Block 6 from the sidewalk in South 14th Street to Trelawney Drive
18 and in Outlot B from Bartholomew Circle to a line between the
19 rear of the adjacent lots. The construction of said sidewalks shall,
20 be completed not later than January 1, 1980.

21 Second: That said owner shall at his own cost and expense
22 pay for all labor, material, engineering, and inspection costs in
23 connection with construction of an ornamental street lighting
24 system along all interior public streets, all of which construction
25 shall be equivalent to standards and specifications for residential
26 street lighting for the City of Lincoln. As an alternative the said
27 owner may, on or before the effective date of this ordinance, petition
28 the City for the creation of an ornamental street lighting district
29 as required by Article VI, Section 3 of the City Charter to accomplish
30 the construction of said ornamental street lighting system. The
31 construction of said ornamental street lighting system shall be
32 completed not later than January 1, 1978.

33 Third: That said owner shall at his own cost and expense
34 pay for all labor, material, engineering, and inspection costs in

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01 connection with the construction of a system of storm sewerage and
02 drainage to serve said plat. Said system of storm sewerage and
03 drainage shall be constructed as follows:

- 04 a. a 72-inch R.C.P. storm sewer under Trelawney Drive
05 just southwest of Brome Lane. This storm sewer
06 should extend at least the full width of the
07 Trelawney Drive right-of-way.
- 08 b. A 21-inch R.C.P. storm sewer in Trelawney Drive
09 from just west of Brome Lane to approximately
10 600 feet east of Woodstock Avenue.
- 11 c. A 42-inch R.C.P. in Trelawney Drive and Berkeley
12 Drive from the proposed 72-inch R.C.P. under
13 Trelawney Drive to Bartholomew Circle.
- 14 d. A 30-inch R.C.P. from Bartholomew Circle to the
15 southeast limits of the plat.
- 16 e. A 30-inch R.C.P. outlet from the intersection of
17 Saybrook Lane and Woodstock Avenue to the low
18 flow channel in Outlot B.
- 19 f. A 24-inch R.C.P. in Saybrook Lane from Woodstock
20 Avenue to Bradford Place.
- 21 g. An 18-inch R.C.P. in Saybrook Lane from Branford
22 Place to the eastern limits of the plat.
- 23 h. An 18-inch R.C.P. storm sewer in Woodstock Avenue from
24 Saybrook Lane to St. Andrews Place.
- 25 i. Paved low-flow channel lining will be required in the
26 main drainage channel in Outlots A and B from the
27 south-east limits of the plat to the twin 3 foot by
28 7 foot box culverts under Old Cheney Road cut-off at
29 the northwest limits of the plat. The width of the
30 paved section should be 6 feet in Outlots A and B.
- 31 j. An 18-inch R.C.P. in Woodstock Avenue from Trelawney
32 Drive about 120 feet south.

33 The aforesaid system of storm sewerage and drainage shall
34 be designed and constructed in conformance with "Storm Sewer Design
35 Criteria" published by the Department of Public Works for the
36 City of Lincoln in June, 1974, filed in the office of the
37 City Engineer. Construction of said system of storm sewerage and
38 drainage shall be completed not later than January 1, 1978.

39 Fourth: That said owner shall at his own cost and expense
40 pay for all labor, material, engineering, and inspection costs in
41 connection with the placing of permanent monuments at all corners
42 of all lots, streets, avenues, angle points, and ends of all
43 curves of the final plat of SKYLINE ROLLING HILLS 2ND ADDITION.
44 The above-required lot staking shall be completed prior to the
45 construction on or conveyance of any lot shown on the final plat.

Amended 1/12/76 by interlineation.

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01 Fifth: That said owner shall at his own cost and expense pay
02 for all labor, material, and related costs in connection with the
03 installation of a landscape planting screen along the east side of 14th
04 Street and along the south side of Old Cheney Road and along the southeast
05 side of Old Cheney Road cut-off. Said landscape plan as approved shall
06 be implemented within two planting seasons following the issuance of
07 occupancy permits for 60 percent of the total number of dwelling units
08 authorized for the community unit plan under Special Permit No. 634.

09 Sixth: That said owner shall at his own cost and expense pay for
10 all labor, material, and related costs in connection with the installation
11 of the approved recreation facilities in Outlot B. Said recreation
12 facilities shall be completed prior to 60 percent of the total number of
13 dwelling units authorized for the community unit plan under Special
14 Permit No. 634 are issued initial occupancy permits.

15 Seventh: That said owner shall at his own cost and expense pay for
16 all labor, material, engineering, and inspection costs in connection with
17 bringing all the streets and public ways within said plat to such grades
18 as shall be officially established, in writing, by the Director of Public
19 Works and maintained with the official records of the Department of
20 Public Works.

21 Eighth: That prior to the effective date of this ordinance, said
22 owner shall enter into a written agreement with City which shall provide
23 as follows:

24 a. That said owner shall develop the common open areas designated
25 Outlots A and B with trees, shrubs, and grasses and, agrees to maintain
26 the common open areas including the concrete ditch liners, the sidewalks,
27 recreation facilities and the trees, shrubs, and grasses. However, the
28 subdivider may be relieved and discharged of such maintenance obligations
29 upon creating in writing a permanent and continuous agency of property
30 owners within said plat, which agency shall assume such maintenance
31 obligation. The instrument creating any such permanent and continuing
32 agency shall have no force and effect until the same shall have been
33 approved by the City Attorney, and filed of record in the office of the
34 Register of Deeds for Lancaster County, Nebraska.

35 b. That said owner agrees to request an administrative amendment
36 following the approval of the final plat to revise the community unit
37 plan in accordance with the approved final plat.

Amended 1/12/76

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01 c. That said owner, his successors and assigns to Lot 7,
02 Block 6, agrees to maintain the sidewalk in the pedestrian easement
03 the same as if the sidewalk was located in the street in front of
04 his lot.

05 d. That said owner agrees to vacate a portion of the
06 Old Cheney Road cut-off where it abuts South 14th Street, *if the city should*
so request.

07 e. That said owner agrees to relinquish to the City the
08 right of direct vehicular access from Lots 1 through 23 Block 1, to Old
09 Cheney Road and Old Cheney Road cut-off; from Lots 1 through 7, Block
10 6, and Outlot A to Old Cheney Road cut-off; *and to* ~~from~~ South 14th Street
11 and Lot 23, Block 1, and Outlot A to Brome Lane.

12 f. That said owner agrees to have the sanitary sewer
13 system revised as requested by the Director of Public Works to meet
14 City standards.

15 Section 2. That said owner shall, prior to final passage
16 of this ordinance, execute and deliver to the City of Lincoln:

17 a. a bond in the sum of \$61,000 conditioned upon the
18 strict compliance by said owners with the conditions contained
19 in paragraph designated "First" of the next preceding section
20 of this ordinance;

21 b. a bond in the sum of \$25,200 conditioned upon the
22 strict compliance by said owners with the conditions contained
23 in paragraph designated "Second" of the next preceding section
24 of this ordinance;

25 c. a bond in the sum of \$82,400 conditioned upon the
26 strict compliance by said owner with the conditions contained
27 in paragraph designated "Third" of the next preceding section
28 of this ordinance;

29 d. a bond in the sum of \$4,200 conditioned upon the
30 strict compliance by said owner with the conditions contained
31 in paragraph designated "Fourth" of the next preceding section of
32 this ordinance;

33 e. a bond in the sum of \$6,500 conditioned upon the
34 strict compliance by said owner with the conditions contained in
35 paragraph designated "Fifth" of the next preceding section of
36 this ordinance;

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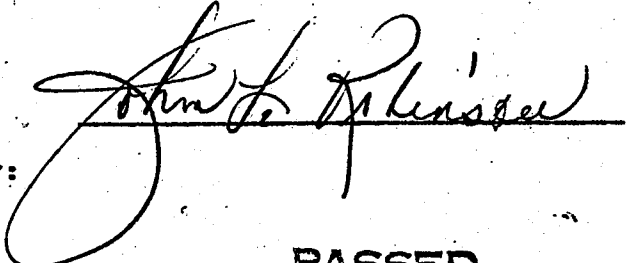
01 f. a bond in the sum of \$5,000 conditioned upon the
02 strict compliance by said owner with the conditions contained in
03 paragraph designated "Sixth" of the next preceding section of this
04 ordinance.

05 The bonds required above shall be subject to approval by
06 the City Attorney. In the event said owner or his surety shall fail
07 to satisfy the conditions herein set forth within the time specified
08 in this ordinance, the City Council may order the required work to
09 be performed by the City and recover the cost thereof from said
10 owner and his surety. Such work shall be performed in the manner
11 set forth in Title 26 of the Lincoln Municipal Code known as the
12 Land Subdivision Ordinance as now existing or as may hereafter be
13 amended.

14 Section 3. Immediately upon the taking effect of this
15 ordinance, the City shall cause the final plat, and a certified
16 copy of this ordinance together with the written agreement required
17 herein to be filed in the office of the Register of Deeds of
18 Lancaster County, Nebraska. Filing fees shall be paid by said owner.

19 Section 4. That this ordinance shall take effect and be in
20 force from and after its passage and publication according to law.

Introduced by:



Approved as to Form and Legality:

Charles D. Humble
City Attorney

PASSED

JAN 19 1976

Staff Review Completed:

Michael J. Mervish
Administrative Assistant to the Mayor

BY CITY COUNCIL

APPROVED

VOTE: All Present
All AYES

JAN 27 1976

Wesley B. Sale
MAYOR

C E R T I F I C A T E

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

I, M. E. Spaedt, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 11553

as passed and approved by the City Council of the City of Lincoln, Nebraska at the meeting held January 19, 1976 as the original appears of record in my said office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 3rd day of February, 19 76.

INDEXED
MICRO-FILED
GENERAL

6-429
msc

LANCASTER COUNTY NEBR.
Kenneth L. Ferguson
REGISTER OF DEEDS

1976 FEB -3 AM 9:11

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 76- 2070

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M. E. Spaedt
City Clerk

Baro Woods II
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