



*File Against legal description as shown on pages 10 - 14.

RESOLUTION NO. PC- 01440

SPECIAL PERMIT NO. 872H

1 WHEREAS, FT Development II, Inc. has submitted an application designated as
2 Special Permit No. 872H requesting to (1) revise the use on approximately 44 acres of the
3 Firethorn CUP, to designate an additional 42 dwellings and an outdoor recreation facility as
4 allowed uses, and (2) waive associated Land Subdivision Ordinance and Zoning Code
5 requirement on property generally located southeast of the intersection of South 84th and Van
6 Dorn Streets and legally described as:

7 A TRACT OF LAND COMPOSED OF A PORTION OF LOT 38 I.T., A
8 PORTION OF SOUTH 88TH STREET RIGHT-OF-WAY, LOTS 1 THROUGH
9 4, BLOCK 1, FIRETHORN ADDITION, LOTS 1 THROUGH 3, BLOCK 2,
10 FIRETHORN ADDITION, LOTS 8 THROUGH 10, BLOCK 2, FIRETHORN
11 ADDITION, LOTS 13 THROUGH 36, BLOCK 2, FIRETHORN ADDITION,
12 AND LOTS 41 THROUGH 51, BLOCK 2, FIRETHORN ADDITION,
13 OUTLOTS "A", AND "B", FIRETHORN ADDITION, LOT 3 BLOCK 1,
14 FIRETHORN 2ND ADDITION, LOTS 4 THROUGH 24, BLOCK 2,
15 FIRETHORN 2ND ADDITION, LOTS 2 THROUGH 7, FIRETHORN 6TH
16 ADDITION, LOTS 9 THROUGH 25, FIRETHORN 6TH ADDITION, LOTS 27
17 THROUGH 40, FIRETHORN 6TH ADDITION, LOTS 1 AND 2, BLOCK 1,
18 FIRETHORN 7TH ADDITION, LOTS 2 AND 3, BLOCK 2, FIRETHORN 7TH
19 ADDITION, LOT 1, BLOCK 3, FIRETHORN 7TH ADDITION, LOT 1,
20 FIRETHORN 8TH ADDITION, OUTLOT "A" FIRETHORN 8TH ADDITION,
21 LOT 1, FIRETHORN 10TH ADDITION, A TRACT OF LAND COMPOSED
22 OF VACATED ORDINANCE NO. 98-2670, FIRETHORN 10TH ADDITION,
23 LOT 1, FIRETHORN 11TH ADDITION, LOT 1, FIRETHORN 12TH ADDITION,
24 LOT 1, FIRETHORN 13TH ADDITION, LOT 1, FIRETHORN 14TH ADDITION,
25 LOTS 3 THROUGH 8, BLOCK 1, FIRETHORN 15TH ADDITION, OUTLOTS
26 "B", "D", AND "E", FIRETHORN 15TH ADDITION, THE REMAINING
27 PORTION OF OUTLOT "A", FIRETHORN 17TH ADDITION, OUTLOT "D",
28 FIRETHORN 17TH ADDITION, A PORTION OF OUTLOT "E" FIRETHORN
29 17TH ADDITION, LOTS 1 THROUGH 14, BLOCK 1, FIRETHORN 20TH
30 ADDITION, OUTLOT "A" FIRETHORN 20TH ADDITION, LOTS 1 AND 2
31 FIRETHORN 23RD ADDITION, LOTS 1 AND 2, FIRETHORN 24TH

CRG-SEK

1 ADDITION, OUTLOT "A", FIRETHORN 24TH ADDITION, LOTS 1 AND 2,
2 FIRETHORN 25TH ADDITION, LOT 1, FIRETHORN 26TH ADDITION, LOTS
3 1 THROUGH 10, BLOCK 1, FIRETHORN 27TH ADDITION, LOTS 12
4 THROUGH 20, BLOCK 1, FIRETHORN 27TH ADDITION, LOT 2, BLOCK 2,
5 FIRETHORN 27TH ADDITION, LOT 1, BLOCK 4, FIRETHORN 27TH
6 ADDITION, OUTLOTS "B", "G", "N", "O", AND "P", FIRETHORN 27TH
7 ADDITION, LOTS 1 THROUGH 3, FIRETHORN 28TH ADDITION,
8 OUTLOTS "A", AND "C", FIRETHORN 28TH ADDITION, OUTLOTS "B", "C",
9 "E" AND "F", FIRETHORN 29TH ADDITION, LOTS 1 THROUGH 3,
10 FIRETHORN 31ST ADDITION, OUTLOT "A", FIRETHORN 31ST ADDITION,
11 LOTS 1 THROUGH 16, BLOCK 1, FIRETHORN 32ND ADDITION, LOTS 1
12 THROUGH 3, BLOCK 2, FIRETHORN 32ND ADDITION, LOTS 6 THROUGH
13 19, BLOCK 2, FIRETHORN 32ND ADDITION, OUTLOTS "A", "B", "C", AND
14 "D", FIRETHORN 32ND ADDITION, LOTS 1 THROUGH 4, FIRETHORN
15 33RD ADDITION, LOTS 1 AND 2, FIRETHORN 34TH ADDITION, OUTLOT
16 "A", FIRETHORN 34TH ADDITION, LOT 1, FIRETHORN 35TH ADDITION,
17 OUTLOT "A", FIRETHORN 35TH ADDITION, LOT 1, FIRETHORN 36TH
18 ADDITION, LOTS 1 AND 2, FIRETHORN 37TH ADDITION, OUTLOTS "A",
19 "B", "C", "D" AND "E", FIRETHORN 37TH ADDITION, LOT 1, FIRETHORN
20 38TH ADDITION, AND LOTS 1 AND 2, FIRETHORN 39TH ADDITION, ALL
21 LOCATED IN SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF
22 THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE
23 PARTICULARLY DESCRIBED AS FOLLOWS:
24

25 COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST
26 QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF
27 THE 6TH P.M.; THENCE SOUTHERLY ON THE EAST LINE OF SAID
28 NORTHEAST QUARTER ON AN ASSUMED BEARING OF S00°22'59"W,
29 A DISTANCE OF 50.28' TO A POINT; THENCE N89°37'01"W, A
30 DISTANCE OF 77.54' TO THE NORTHEAST CORNER OF OUTLOT "B",
31 FIRETHORN 37TH ADDITION, SAID POINT BEING ON A SOUTH RIGHT-
32 OF-WAY LINE OF VAN DORN STREET, AND ON THE WEST RIGHT-OF-
33 WAY LINE OF SOUTH 98TH STREET, SAID POINT BEING THE TRUE
34 POINT OF BEGINNING; THENCE S01°15'52"E, ON A EAST LINE OF
35 SAID OUTLOT "B", SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-
36 WAY, A DISTANCE OF 509.93' TO A POINT; THENCE S89°37'01"E, ON
37 A NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING A SOUTH LINE
38 OF SAID RIGHT-OF-WAY, A DISTANCE OF 12.88' TO A POINT; THENCE
39 S00°22'59"W, ON A EAST LINE OF SAID OUTLOT "B", AND AN EAST
40 LINE OF OUTLOT "C", FIRETHORN 37TH ADDITION, SAID LINE BEING
41 A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00'
42 WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST
43 QUARTER, A DISTANCE OF 999.74' TO A POINT; THENCE N89°37'01"W,
44 ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING A NORTH
45 LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO A POINT;
46 THENCE S00°22'59"W, ON A EAST LINE OF SAID OUTLOT "C", AND AN
47 EAST LINE OF OUTLOT "O", FIRETHORN 27TH ADDITION, SAID LINE
48 BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 60.00'
49 WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST

1 QUARTER, A DISTANCE OF 1,073.26' TO THE NORTHEAST CORNER
2 OF OUTLOT "B", FIRETHORN 29TH ADDITION; THENCE S00°22'50"W,
3 ON A EAST LINE OF SAID OUTLOT "B", AN EAST LINE OF OUTLOT "B",
4 FIRETHORN 15TH ADDITION, AND AN EAST LINE OF OUTLOT "A",
5 BLOCK 1, FIRETHORN 20TH ADDITION, SAID LINE BEING A WEST LINE
6 OF SAID RIGHT-OF-WAY, SAID LINE BEING 60.00' WEST OF AND
7 PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF
8 SAID SECTION 2, A DISTANCE OF 1,872.38' TO THE SOUTHEAST
9 CORNER OF SAID OUTLOT "A"; THENCE N89°37'10"W, ON A SOUTH
10 LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTH LINE OF SAID
11 RIGHT-OF-WAY, A DISTANCE OF 10.00' TO THE NORTHEAST CORNER
12 OF OUTLOT "E", FIRETHORN 15TH ADDITION; THENCE S00°22'50"W,
13 ON THE EAST LINE OF SAID OUTLOT "E", SAID LINE BEING A WEST
14 LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 70.00' WEST OF AND
15 PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A
16 DISTANCE OF 722.82' TO THE SOUTHEAST CORNER OF SAID OUTLOT
17 "E", SAID POINT BEING 50.00' NORTH OF THE SOUTH LINE OF SAID
18 SOUTHEAST QUARTER, SAID POINT BEING ON A NORTH RIGHT-OF-
19 WAY LINE OF PIONEERS BOULEVARD; THENCE N89°49'45"W, ON THE
20 SOUTH LINE OF SAID OUTLOT "E", THE SOUTH LINE OF OUTLOT "A",
21 BLOCK 1, FIRETHORN 20TH ADDITION, THE SOUTH LINE OF OUTLOT
22 "A", FIRETHORN 22ND ADDITION, THE SOUTH LINE OF OUTLOT "D",
23 FIRETHORN 15TH ADDITION, THE SOUTH LINE OF LOT 1, FIRETHORN
24 14TH ADDITION, A SOUTH LINE OF OUTLOT "B", FIRETHORN 29TH
25 ADDITION, AND A SOUTH LINE OF OUTLOT "A", FIRETHORN 34TH
26 ADDITION, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY,
27 SAID LINE ALSO BEING 50.00' NORTH OF AND PARALLEL WITH THE
28 SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF
29 2,575.71' TO A POINT; THENCE N89°53'33"W, ON A SOUTH LINE OF
30 SAID OUTLOT "A", AND A SOUTH LINE OF SAID OUTLOT "B", SAID LINE
31 BEING A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO
32 BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF
33 THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF
34 600.39' TO THE SOUTHWEST CORNER OF SAID OUTLOT "B"; THENCE
35 N00°40'06"E, ON A WEST LINE OF SAID OUTLOT "B", A DISTANCE OF
36 1,003.59' TO THE SOUTHEAST CORNER OF LOT 15, BLOCK 2,
37 FIRETHORN 32ND ADDITION; THENCE N89°53'26"W, ON THE SOUTH
38 LINE OF SAID LOT 15, THE SOUTH LINE OF LOTS 16, 17 AND 18,
39 BLOCK 2, FIRETHORN 32ND ADDITION, A DISTANCE OF 630.78' TO THE
40 SOUTHWEST CORNER OF SAID LOT 18, SAID POINT BEING ON THE
41 EAST LINE OF LOT 38 I.T.; THENCE S00°33'37"W, ON A EAST LINE OF
42 SAID LOT 38 I.T., A DISTANCE OF 144.19' TO A POINT; THENCE
43 N89°26'59"W, A DISTANCE OF 359.96' TO A POINT OF INTERSECTION
44 WITH THE WEST LINE OF SAID LOT 38 I.T.; THENCE N00°33'44"E, ON
45 THE WEST LINE OF SAID LOT 38 I.T., A DISTANCE OF 150.42' TO THE
46 NORTHEAST CORNER OF LOT 42 I.T.; THENCE N89°20'26"W, ON A
47 SOUTH LINE OF SAID LOT 38 I.T., SAID LINE BEING A NORTH LINE OF
48 SAID LOT 42 I.T., A DISTANCE OF 169.64' TO THE SOUTHEAST
49 CORNER OF LOT 40 I.T.; THENCE N00°39'09"E, ON A WEST LINE OF
50 SAID LOT 38 I.T., SAID LINE BEING A EAST LINE OF SAID LOT 40 I.T.,

1 A DISTANCE OF 255.93' TO THE NORTHWEST CORNER OF SAID LOT
2 38 I.T., SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT
3 40 I.T., SAID POINT BEING ON A SOUTH LINE OF OUTLOT "B",
4 FIRETHORN 32ND ADDITION; THENCE N89°49'56"W, ON A SOUTH LINE
5 OF SAID OUTLOT "B", AND THE SOUTH LINE OF LOT 3, FIRETHORN
6 28TH ADDITION, SAID LINE BEING THE NORTH LINE OF SAID LOT 40
7 I.T., A DISTANCE OF 818.02' TO THE SOUTHWEST CORNER OF SAID
8 LOT 3; SAID POINT BEING ON A EAST RIGHT-OF-WAY LINE OF SOUTH
9 84TH STREET, SAID POINT BEING 69.00' EAST OF THE SOUTHWEST
10 QUARTER OF SAID SECTION 2; THENCE N00°23'35"E, ON THE WEST
11 LINE OF SAID LOT 3, SAID LINE BEING A EAST LINE OF SAID RIGHT-
12 OF-WAY, SAID LINE BEING 69.00' EAST OF AND PARALLEL WITH THE
13 WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 721.31'
14 TO THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT BEING ON
15 THE SOUTH LINE OF LOT 2, FIRETHORN 28TH ADDITION; THENCE
16 N89°36'25"W, ON THE SOUTH LINE OF SAID LOT 2, SAID LINE BEING
17 A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 4.33' TO THE
18 SOUTHWEST CORNER OF SAID LOT 2, SAID POINT BEING 64.67'
19 EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE
20 N00°13'13"W, ON A WEST LINE OF SAID LOT 2, SAID LINE BEING A
21 EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 322.94' TO A
22 POINT; THENCE N12°56'00"E, ON A WEST LINE OF SAID LOT 2, SAID
23 LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF
24 30.17' TO THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT
25 BEING THE SOUTHWEST CORNER OF LOT 1, FIRETHORN 28TH
26 ADDITION, SAID POINT BEING 67.76' EAST OF THE WEST LINE OF
27 SAID SOUTHWEST QUARTER; THENCE N27°38'05"E, ON A WEST LINE
28 OF SAID LOT 1, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-
29 WAY, A DISTANCE OF 18.78' TO A POINT 76.36' EAST OF THE WEST
30 LINE OF SAID SOUTHWEST QUARTER; THENCE N01°44'30"W, ON A
31 WEST LINE OF SAID LOT 1, SAID LINE BEING A EAST LINE OF SAID
32 RIGHT-OF-WAY, A DISTANCE OF 230.86' TO THE NORTHWEST
33 CORNER OF SAID LOT 1, SAID POINT BEING THE SOUTHWEST
34 CORNER OF OUTLOT "C", FIRETHORN 28TH ADDITION, SAID POINT
35 BEING 67.76' EAST OF THE WEST LINE OF SAID SOUTHWEST
36 QUARTER; THENCE N00°37'08"W, ON A WEST LINE OF SAID OUTLOT
37 "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A
38 DISTANCE OF 52.96' TO A POINT; THENCE N44°44'01"E, ON A
39 NORTHWEST LINE OF SAID OUTLOT "C", SAID LINE BEING A
40 SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 21.15' TO
41 THE NORTHWEST CORNER OF SAID OUTLOT "C"; THENCE
42 S89°55'27"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE
43 BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, AND ON A SOUTH
44 LINE OF OUTLOT "E" FIRETHORN 17TH ADDITION, A DISTANCE OF
45 528.17' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN
46 A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF
47 36°07'10", A RADIUS OF 240.21', AN ARC LENGTH OF 151.43' ON A
48 NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE
49 OF SAID OUTLOT "E", A CHORD LENGTH OF 148.93', A TANGENT

1 LENGTH OF 78.33', AND A CHORD BEARING OF N67°43'20"E TO THE
2 NORTHEAST CORNER OF SAID OUTLOT "C", SAID POINT BEING A
3 WEST CORNER OF LOT 2, FIRETHORN 25TH ADDITION; THENCE
4 S40°20'27"E, ON A NORTHEAST LINE OF SAID OUTLOT "C", SAID LINE
5 BEING A SOUTHWEST LINE OF SAID LOT 2, A DISTANCE OF 163.65'
6 TO THE MOST SOUTHERN CORNER OF SAID LOT 2, SAID POINT
7 BEING A WEST CORNER OF OUTLOT "A", FIRETHORN 35TH ADDITION;
8 THENCE N39°10'21"E, ON A SOUTHEAST LINE OF SAID LOT 2, SAID
9 LINE BEING A NORTHWEST LINE OF SAID OUTLOT "A", A DISTANCE
10 OF 632.28' TO A POINT; THENCE N54°59'46"E, ON A SOUTHEAST LINE
11 OF SAID LOT 2, ON A SOUTHEAST LINE OF LOT 1, FIRETHORN 25TH
12 ADDITION, AND A NORTHEASTERLY EXTENSION OF SAID LINE, SAID
13 LINE BEING A NORTHWEST LINE OF SAID OUTLOT "A", AND ON A
14 NORTHEASTERLY EXTENSION SAID LINE, A DISTANCE OF 875.75' TO
15 A POINT OF INTERSECTION WITH THE SOUTHWESTERLY
16 EXTENSION OF THE EAST LINE OF LOT 4, BLOCK 1, FIRETHORN 17TH
17 ADDITION; THENCE N11°46'20"W, ON THE SOUTHWESTERLY
18 EXTENSION OF THE EAST LINE OF SAID LOT 4, AND ON THE EAST
19 LINE OF SAID LOT 4, SAID LINE BEING A SOUTHEASTERLY
20 EXTENSION OF A WEST LINE OF OUTLOT "A", FIRETHORN 17TH
21 ADDITION, AND ON A WEST LINE OF SAID OUTLOT "A", A DISTANCE
22 OF 469.04' TO A POINT; THENCE N50°08'51"W, A DISTANCE OF 395.98'
23 TO A POINT; THENCE S44°44'23"W, A DISTANCE OF 183.73' TO THE
24 NORTHWEST CORNER OF SAID LOT 4, SAID POINT BEING A POINT
25 OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE
26 DIRECTION HAVING A CENTRAL ANGLE OF 24°47'12", A RADIUS OF
27 549.00', AN ARC LENGTH OF 237.50' ON A WEST LINE OF SAID LOT 4,
28 SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A CHORD
29 LENGTH OF 235.65', A TANGENT LENGTH OF 120.64', AND A CHORD
30 BEARING OF S03°46'59"W TO A POINT; THENCE S04°37'58"W, ON A
31 WEST LINE OF SAID LOT 4, SAID LINE BEING A EAST LINE OF SAID
32 OUTLOT "A", A DISTANCE OF 50.17' TO THE SOUTHWEST CORNER OF
33 SAID LOT 4, SAID POINT BEING A SOUTH CORNER OF SAID OUTLOT
34 "A", SAID POINT BEING ON A NORTH LINE OF OUTLOT "E",
35 FIRETHORN 17TH ADDITION, SAID POINT BEING A POINT OF
36 CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER
37 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 15°53'58", A
38 RADIUS OF 340.00', AN ARC LENGTH OF 94.35' ON A SOUTH LINE OF
39 SAID OUTLOT "A", SAID LINE BEING A NORTH LINE OF SAID OUTLOT
40 "E", A CHORD LENGTH OF 94.05', A TANGENT LENGTH OF 47.48', AND
41 A CHORD BEARING OF S81°37'15"W TO A SOUTHWEST CORNER OF
42 SAID OUTLOT "A", SAID POINT BEING A SOUTHEAST CORNER OF
43 OUTLOT "A", FIRETHORN 24TH ADDITION; THENCE N16°19'44"W, ON
44 A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF
45 SAID OUTLOT "A", A DISTANCE OF 50.00' TO A POINT OF CURVATURE
46 FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE
47 DIRECTION HAVING A CENTRAL ANGLE OF 43°53'00", A RADIUS OF
48 449.00', AN ARC LENGTH OF 343.89' ON A WEST LINE OF SAID
49 OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A

1 CHORD LENGTH OF 335.55', A TANGENT LENGTH OF 180.88', AND A
2 CHORD BEARING OF N00°07'27"E TO A POINT; THENCE N21°49'03"W,
3 ON A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE
4 OF SAID OUTLOT "A", A DISTANCE OF 14.11' TO A POINT OF
5 CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION
6 HAVING A CENTRAL ANGLE OF 23°21'31", A RADIUS OF 329.00', AN
7 ARC LENGTH OF 134.13' ON A SOUTHWEST LINE OF SAID OUTLOT
8 "A", SAID LINE BEING A NORTHEAST LINE OF SAID OUTLOT "A", A
9 CHORD LENGTH OF 133.20', A TANGENT LENGTH OF 68.01', AND A
10 CHORD BEARING OF N33°29'49"W, TO A POINT; THENCE N45°10'34"W,
11 ON A SOUTHWEST LINE OF SAID OUTLOT "A", SAID LINE BEING A
12 NORTHEAST LINE OF SAID OUTLOT "A", A DISTANCE OF 302.44' TO
13 THE NORTHEAST CORNER OF OUTLOT "A", FIRETHORN 24TH
14 ADDITION; THENCE S83°16'39"E, A DISTANCE OF 80.22' TO A POINT
15 OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER
16 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 48°17'59", A
17 RADIUS OF 177.00', AN ARC LENGTH OF 149.21', A CHORD LENGTH
18 OF 144.83', A TANGENT LENGTH OF 79.36', AND A CHORD BEARING
19 OF N75°12'10"E TO A POINT; THENCE N51°03'10"E, A DISTANCE OF
20 94.98' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE
21 DIRECTION HAVING A CENTRAL ANGLE OF 07°36'31", A RADIUS OF
22 1,973.00', AN ARC LENGTH OF 262.01', A CHORD LENGTH OF 261.82',
23 A TANGENT LENGTH OF 131.20', AND A CHORD BEARING OF
24 N54°51'26"E, TO A POINT; THENCE N30°00'00"W, A DISTANCE OF
25 380.76' TO A POINT; THENCE N00°10'31"E, A DISTANCE OF 21.62' TO
26 A POINT OF INTERSECTION WITH A NORTH LINE OF SAID OUTLOT
27 "A", SAID POINT BEING ON A SOUTH RIGHT-OF-WAY LINE OF VAN
28 DORN STREET, SAID POINT BEING 50.00' SOUTH OF THE NORTH LINE
29 OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE
30 S89°49'29"E, ON A NORTH LINE OF SAID OUTLOT "A", AND ON A
31 NORTH LINE OF OUTLOT "A", FIRETHORN ADDITION, SAID LINE
32 BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING
33 50.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID
34 NORTHWEST QUARTER, A DISTANCE OF 1,321.39' TO A POINT;
35 THENCE S89°49'14"E, ON A NORTH LINE OF SAID OUTLOT "A", ON
36 THE NORTH LINE OF OUTLOT "P", FIRETHORN 27TH ADDITION, ON
37 THE NORTH LINE OF OUTLOT "A", FIRETHORN 37TH ADDITION, AND
38 ON THE NORTH LINE OF OUTLOT "B", FIRETHORN 37TH ADDITION, A
39 DISTANCE OF 2,565.50' TO THE POINT OF BEGINNING, SAID TRACT
40 CONTAINS A CALCULATED AREA 21,056,064.84 SQUARE FEET OR
41 483.38 ACRES, MORE OR LESS.

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

1 WHEREAS, the community as a whole, the surrounding neighborhood, and the real
2 property adjacent to the area included within the site plan for this community unit plan will not
3 be adversely affected by granting such a permit; and

4 WHEREAS, said site plan together with the terms and conditions hereinafter set
5 forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and
6 purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and
7 general welfare.

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

10 That the application of FT Development II, Inc., hereinafter referred to as "Permittee"
11 to revise to use on approximately 44 acres of the Firethorn CUP, to designate an additional 42
12 dwellings and an outdoor recreation facility as allowed uses, be and the same is hereby granted
13 under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code
14 upon condition that construction of said development be in substantial compliance with said
15 application, the site plan, and the following additional express terms, conditions, and
16 requirements.

17 1. This permit approves a total of 395 dwelling units, and two separate outdoor
18 recreation facilities including the sale of alcohol for consumption on the premises, with waivers
19 of the Land Subdivision Ordinance and Zoning Code to waive the maximum block length, to
20 waive sidewalks and street lights, to allow street trees to be planted on private property, and to
21 adjust setbacks to 0 feet for lots 104-145.

22 2. The City Council must approve the associated requests:

23 a. Change of Zone #15003

24 b. Annexation #15005

- 1 3. Before receiving building permits:
- 2 a. The Permittee shall cause to be prepared and submitted to the Planning
- 3 Department a revised site plan including 5 copies showing the following revisions:
- 4 i. Revise the Lot Table to include unallocated units and a cap total.
- 5 ii. Delete Notes 1, 2, 8, 10, 13, 16, 18, 22, 23, 31, 32, and 35 as they
- 6 either state current requirements or are otherwise redundant.
- 7 iii. Add a note which states, "Parking shown for the outdoor recreation
- 8 facility is conceptual. Actual parking to be determined at the time of
- 9 building permit based upon the specific elements, and area dedicated
- 10 to those elements."
- 11 iv. Revise the street names as follows: Change the north-south section
- 12 between Birdie Run and Eagle View Way to South 89th Street; and
- 13 change the north-south section beyond the apex of the curve in Eagle
- 14 View Way to South 90th Street.
- 15 v. Revise the sixth section in the waiver table on Sheet 1 regarding the
- 16 setback adjustments to state, "To reduce front, side, and rear
- 17 setbacks for Lots 104-145 to 0 feet, except between separate
- 18 buildings the setback shall be 5 feet. Where residential buildings
- 19 have a zero foot side or rear setback and is built to the lot line,
- 20 accessory buildings on the outlot are prohibited within 6 feet of the
- 21 common lot line."
- 22 vi. Add a note which states, "All required screening and landscaping to
- 23 be provided at the time of building permit or final plat in accordance
- 24 with LMC."
- 25 vii. Revise the grading and drainage plan to the satisfaction of Public
- 26 Works and Utilities.
- 27 b. Provide verification from the Register of Deeds that the letter of acceptance
- 28 as required by the approval of the special permit has been recorded.
- 29 4. Before occupying the new dwellings or outdoor recreation facility all
- 30 development and construction shall substantially comply with the approved plans.

1 5. All privately-owned improvements, including landscaping and recreational
2 facilities, shall be permanently maintained by the Permittee or an appropriately established
3 owners association approved by the City.


4 6. The physical location of all setbacks and yards, buildings, parking and
5 circulation elements, and similar matters must be in substantial compliance with the location of
6 said items as shown on the approved site plan.

7 7. The terms, conditions, and requirements of this resolution shall run with the land
8 and be binding upon the Permittee, its successors, and assigns.

9 8. The Permittee shall sign and return the letter of acceptance to the City Clerk.
10 This step should be completed within 60 days following the approval of the special permit. The
11 City Clerk shall file a copy of the resolution approving the special permit and the letter of
12 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
13 applicant. Building permits will not be issued unless the letter of acceptance has been filed.

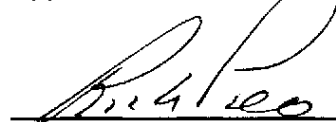
14 9. The site plan as approved with this resolution voids and supersedes all
15 previously approved site plans, however the terms and conditions of all resolutions approving
16 previous versions of this special permit remain in full force and effect except as specifically
17 amended by this resolution.

ATTEST:



Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**LEGAL DESCRIPTION
AMENDMENT TO SPECIAL PERMIT**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 38 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., A PORTION OF VACATED SOUTH 88TH STREET RIGHT-OF-WAY, LOTS 1 THROUGH 4, BLOCK 1, FIRETHORN ADDITION, LOTS 1 THROUGH 3, BLOCK 2, FIRETHORN ADDITION, LOTS 8 THROUGH 10, BLOCK 2, FIRETHORN ADDITION, LOTS 13 THROUGH 36, BLOCK 2, FIRETHORN ADDITION, LOTS 41 THROUGH 51, BLOCK 2, FIRETHORN ADDITION, OUTLOT "A", FIRETHORN ADDITION, AND THE REMAINING PORTION OF OUTLOT "B", FIRETHORN ADDITION, LOTS 4 THROUGH 24, BLOCK 2, FIRETHORN 2ND ADDITION, AND CLUBHOUSE AREA, FIRETHORN 2ND ADDITION, LOTS 2 THROUGH 7, FIRETHORN 6TH ADDITION, LOTS 9 THROUGH 25, FIRETHORN 6TH ADDITION, AND LOTS 27 THROUGH 40, FIRETHORN 6TH ADDITION, LOTS 1 AND 2, BLOCK 1, FIRETHORN 7TH ADDITION, LOTS 2 AND 3, BLOCK 2, FIRETHORN 7TH ADDITION, AND LOT 1, BLOCK 3, FIRETHORN 7TH ADDITION, LOT 1, FIRETHORN 8TH ADDITION, AND OUTLOT "A", FIRETHORN 8TH ADDITION, LOT 1, FIRETHORN 10TH ADDITION, LOT 1, FIRETHORN 11TH ADDITION, LOT 1, FIRETHORN 12TH ADDITION, LOT 1, FIRETHORN 13TH ADDITION, LOT 1, FIRETHORN 14TH ADDITION, LOTS 3 THROUGH 8, BLOCK 1, FIRETHORN 15TH ADDITION, AND OUTLOTS "B", "D", AND "E", FIRETHORN 15TH ADDITION, THE REMAINING PORTION OF OUTLOT "A", FIRETHORN 17TH ADDITION, OUTLOT "D", FIRETHORN 17TH ADDITION, AND A PORTION OF OUTLOT "E" FIRETHORN 17TH ADDITION, LOTS 1 THROUGH 14, BLOCK 1, FIRETHORN 20TH ADDITION, AND THE REMAINING PORTION OF OUTLOT "A" FIRETHORN 20TH ADDITION, LOT 1, FIRETHORN 22ND ADDITION, AND OUTLOT "A", FIRETHORN 22ND ADDITION, LOTS 1 AND 2, FIRETHORN 23RD ADDITION, LOTS 1 THROUGH 10, BLOCK 1, FIRETHORN 27TH ADDITION, LOTS 12 THROUGH 20, BLOCK 1, FIRETHORN 27TH ADDITION, LOT 2, BLOCK 2, FIRETHORN 27TH ADDITION, AND OUTLOTS "B", "G", "N", "O", AND "P", FIRETHORN 27TH ADDITION, LOTS 1 THROUGH 3, FIRETHORN 28TH ADDITION, AND OUTLOTS "A", AND "C", FIRETHORN 28TH ADDITION, OUTLOTS "B", "C", AND "F", FIRETHORN 29TH ADDITION, LOTS 1 THROUGH 3, FIRETHORN 31ST ADDITION, AND OUTLOT "A", FIRETHORN 31ST ADDITION, LOTS 1 THROUGH 16, BLOCK 1, FIRETHORN 32ND ADDITION, LOTS 1 THROUGH 3, BLOCK 2, FIRETHORN 32ND ADDITION, LOTS 6 THROUGH 18, BLOCK 2, FIRETHORN 32ND ADDITION, AND OUTLOTS "A", "B", "C", AND "D", FIRETHORN 32ND ADDITION, LOTS 1 THROUGH 4, FIRETHORN 33RD ADDITION, LOTS 1 AND 2, FIRETHORN 34TH ADDITION, AND OUTLOT "A", FIRETHORN 34TH ADDITION, LOT 1, FIRETHORN 35TH ADDITION, AND OUTLOT "A", FIRETHORN 35TH ADDITION, LOT 1, FIRETHORN 36TH ADDITION, LOTS 1 AND 2, FIRETHORN 37TH ADDITION, AND OUTLOTS "A", "B", "C", "D" AND "E", FIRETHORN 37TH ADDITION, LOT 1, FIRETHORN 38TH ADDITION, LOTS 1 AND 2, FIRETHORN 39TH ADDITION, AND LOT 1, FIRETHORN 40TH ADDITION, ALL LOCATED IN SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER ON AN ASSUMED BEARING OF S00°22'59"W, A DISTANCE OF 50.28' TO A POINT; THENCE N89°37'01"W, A DISTANCE OF 77.54' TO THE NORTHEAST CORNER OF OUTLOT "B", FIRETHORN 37TH ADDITION, SAID POINT BEING ON A SOUTH RIGHT-OF-WAY LINE OF VAN DORN STREET, AND ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 98TH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S01°15'52"E, ON A EAST LINE OF SAID OUTLOT "B", SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 509.93' TO A POINT; THENCE S89°37'01"E, ON A NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 12.88' TO A

POINT; THENCE S00°22'59"W, ON A EAST LINE OF SAID OUTLOT "B", AND AN EAST LINE OF OUTLOT "C", FIRETHORN 37TH ADDITION, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 999.74' TO A POINT; THENCE N89°37'01"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO A POINT; THENCE S00°22'59"W, ON A EAST LINE OF SAID OUTLOT "C", AND AN EAST LINE OF OUTLOT "O", FIRETHORN 27TH ADDITION, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 60.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1,073.26' TO THE NORTHEAST CORNER OF OUTLOT "B", FIRETHORN 29TH ADDITION; THENCE S00°22'50"W, ON A EAST LINE OF SAID OUTLOT "B", AN EAST LINE OF OUTLOT "B", FIRETHORN 15TH ADDITION, AND AN EAST LINE OF OUTLOT "A", BLOCK 1, FIRETHORN 20TH ADDITION, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 60.00' WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 1,872.38' TO THE SOUTHEAST CORNER OF SAID OUTLOT "A"; THENCE N89°37'10"W, ON A SOUTH LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO THE NORTHEAST CORNER OF OUTLOT "E", FIRETHORN 15TH ADDITION; THENCE S00°22'50"W, ON THE EAST LINE OF SAID OUTLOT "E", SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 70.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 722.82' TO THE SOUTHEAST CORNER OF SAID OUTLOT "E", SAID POINT BEING 50.00' NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER, SAID POINT BEING ON A NORTH RIGHT-OF-WAY LINE OF PIONEERS BOULEVARD; THENCE N89°49'45"W, ON THE SOUTH LINE OF SAID OUTLOT "E", THE SOUTH LINE OF OUTLOT "A", BLOCK 1, FIRETHORN 20TH ADDITION, THE SOUTH LINE OF OUTLOT "A", FIRETHORN 22ND ADDITION, THE SOUTH LINE OF OUTLOT "D", FIRETHORN 15TH ADDITION, THE SOUTH LINE OF LOT 1, FIRETHORN 14TH ADDITION, A SOUTH LINE OF OUTLOT "B", FIRETHORN 29TH ADDITION, AND A SOUTH LINE OF OUTLOT "A", FIRETHORN 34TH ADDITION, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,575.71' TO A POINT; THENCE N89°53'33"W, ON A SOUTH LINE OF SAID OUTLOT "A", AND A SOUTH LINE OF SAID OUTLOT "B", SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 600.39' TO THE SOUTHWEST CORNER OF SAID OUTLOT "B"; THENCE N00°40'06"E, ON A WEST LINE OF SAID OUTLOT "B", A DISTANCE OF 1,003.59' TO THE SOUTHEAST CORNER OF LOT 15, BLOCK 2, FIRETHORN 32ND ADDITION; THENCE N89°53'26"W, ON THE SOUTH LINE OF SAID LOT 15, THE SOUTH LINE OF LOTS 16, 17 AND 18, BLOCK 2, FIRETHORN 32ND ADDITION, A DISTANCE OF 630.78' TO THE NORTHWEST CORNER OF VACATED SOUTH 88TH STREET RIGHT-OF-WAY; THENCE S00°33'37"W, ON A EAST LINE OF SAID VACATED RIGHT-OF-WAY, A DISTANCE OF 144.19' TO A POINT; THENCE N89°26'59"W, A DISTANCE OF 359.96' TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 38 I.T.; THENCE N00°33'44"E, ON THE WEST LINE OF SAID LOT 38 I.T., A DISTANCE OF 150.42' TO THE NORTHEAST CORNER OF LOT 42 I.T.; THENCE N89°20'26"W, ON A SOUTH LINE OF SAID LOT 38 I.T., SAID LINE BEING A NORTH LINE OF SAID LOT 42 I.T., A DISTANCE OF 169.64' TO THE SOUTHEAST CORNER OF LOT 40 I.T.; THENCE N00°39'09"E, ON A WEST LINE OF SAID LOT 38 I.T., SAID LINE BEING A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 255.93' TO THE NORTHWEST CORNER OF SAID LOT 38 I.T., SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 40 I.T., SAID POINT BEING ON A SOUTH LINE OF OUTLOT "B", FIRETHORN 32ND ADDITION; THENCE N89°49'56"W, ON A SOUTH LINE OF SAID OUTLOT "B", AND THE SOUTH LINE OF LOT 3, FIRETHORN 28TH ADDITION, SAID LINE BEING THE NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 818.02' TO THE SOUTHWEST CORNER OF SAID LOT 3; SAID POINT BEING ON A EAST RIGHT-OF-WAY LINE OF SOUTH 84TH STREET, SAID POINT BEING

69.00' EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE N00°23'35"E, ON THE WEST LINE OF SAID LOT 3, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 69.00' EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 721.31' TO THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT BEING ON THE SOUTH LINE OF LOT 2, FIRETHORN 28TH ADDITION; THENCE N89°36'25"W, ON THE SOUTH LINE OF SAID LOT 2, SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 4.33' TO THE SOUTHWEST CORNER OF SAID LOT 2, SAID POINT BEING 64.67' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N00°13'13"W, ON A WEST LINE OF SAID LOT 2, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 322.94' TO A POINT; THENCE N12°56'00"E, ON A WEST LINE OF SAID LOT 2, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 30.17' TO THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 1, FIRETHORN 28TH ADDITION, SAID POINT BEING 67.76' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N27°38'05"E, ON A WEST LINE OF SAID LOT 1, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 18.78' TO A POINT 76.36' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N01°44'30"W, ON A WEST LINE OF SAID LOT 1, SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 230.86' TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE SOUTHWEST CORNER OF OUTLOT "C", FIRETHORN 28TH ADDITION, SAID POINT BEING 67.76' EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N00°37'08"W, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 52.96' TO A POINT; THENCE N44°44'01"E, ON A NORTHWEST LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 21.15' TO THE NORTHWEST CORNER OF SAID OUTLOT "C"; THENCE S89°55'27"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, AND ON A SOUTH LINE OF OUTLOT "E" FIRETHORN 17TH ADDITION, A DISTANCE OF 528.17' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 36°07'10", A RADIUS OF 240.21', AN ARC LENGTH OF 151.43' ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "E", A CHORD LENGTH OF 148.93', A TANGENT LENGTH OF 78.33', AND A CHORD BEARING OF N67°43'20"E TO THE NORTHEAST CORNER OF SAID OUTLOT "C", SAID POINT BEING A WEST CORNER OF LOT 2, FIRETHORN 25TH ADDITION; THENCE S40°20'27"E, ON A NORTHEAST LINE OF SAID OUTLOT "C", SAID LINE BEING A SOUTHWEST LINE OF SAID LOT 2, A DISTANCE OF 163.65' TO THE MOST SOUTHERN CORNER OF SAID LOT 2, SAID POINT BEING A WEST CORNER OF OUTLOT "A", FIRETHORN 35TH ADDITION; THENCE N39°10'21"E, ON A SOUTHEAST LINE OF SAID LOT 2, SAID LINE BEING A NORTHWEST LINE OF SAID OUTLOT "A", A DISTANCE OF 632.28' TO A POINT; THENCE N54°59'46"E, ON A SOUTHEAST LINE OF SAID LOT 2, ON A SOUTHEAST LINE OF LOT 1, FIRETHORN 25TH ADDITION, AND A NORTHEASTERLY EXTENSION OF SAID LINE, SAID LINE BEING A NORTHWEST LINE OF SAID OUTLOT "A", AND ON A NORTHEASTERLY EXTENSION SAID LINE, A DISTANCE OF 875.75' TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY EXTENSION OF THE EAST LINE OF LOT 4, BLOCK 1, FIRETHORN 17TH ADDITION; THENCE N11°46'20"W, ON THE SOUTHEASTERLY EXTENSION OF THE EAST LINE OF SAID LOT 4, AND ON THE EAST LINE OF SAID LOT 4, SAID LINE BEING A SOUTHEASTERLY EXTENSION OF A WEST LINE OF OUTLOT "A", FIRETHORN 17TH ADDITION, AND ON A WEST LINE OF SAID OUTLOT "A", A DISTANCE OF 469.04' TO A POINT; THENCE N50°08'51"W, A DISTANCE OF 395.98' TO A POINT; THENCE S44°44'23"W, A DISTANCE OF 183.73' TO THE NORTHWEST CORNER OF SAID LOT 4, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 24°47'12", A RADIUS OF 549.00', AN ARC LENGTH OF 237.50' ON A WEST LINE OF SAID LOT 4, SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A CHORD LENGTH OF 235.65', A TANGENT LENGTH OF 120.64', AND A CHORD BEARING OF S03°46'59"W TO A POINT; THENCE S04°37'58"W, ON A WEST LINE OF SAID LOT 4, SAID LINE BEING A

EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 50.17' TO THE SOUTHWEST CORNER OF SAID LOT 4, SAID POINT BEING A SOUTH CORNER OF SAID OUTLOT "A", SAID POINT BEING ON A NORTH LINE OF OUTLOT "E", FIRETHORN 17TH ADDITION, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 15°53'58", A RADIUS OF 340.00', AN ARC LENGTH OF 94.35' ON A SOUTH LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTH LINE OF SAID OUTLOT "E", A CHORD LENGTH OF 94.05', A TANGENT LENGTH OF 47.48', AND A CHORD BEARING OF S81°37'15"W TO A SOUTHWEST CORNER OF SAID OUTLOT "A", SAID POINT BEING A SOUTHEAST CORNER OF OUTLOT "A", FIRETHORN 24TH ADDITION; THENCE N16°19'44"W, ON A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 50.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 43°53'00", A RADIUS OF 449.00', AN ARC LENGTH OF 343.89' ON A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A CHORD LENGTH OF 335.55', A TANGENT LENGTH OF 180.88', AND A CHORD BEARING OF N00°07'27"E TO A POINT; THENCE N21°49'03"W, ON A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 14.11' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 23°21'31", A RADIUS OF 329.00', AN ARC LENGTH OF 134.13' ON A SOUTHWEST LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTHEAST LINE OF SAID OUTLOT "A", A CHORD LENGTH OF 133.20', A TANGENT LENGTH OF 68.01', AND A CHORD BEARING OF N33°29'49"W, TO A POINT; THENCE N45°10'34"W, ON A SOUTHWEST LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTHEAST LINE OF SAID OUTLOT "A", A DISTANCE OF 302.44' TO THE NORTHEAST CORNER OF OUTLOT "A", FIRETHORN 24TH ADDITION; THENCE S83°16'39"E, A DISTANCE OF 80.22' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 48°17'59", A RADIUS OF 177.00', AN ARC LENGTH OF 149.21', A CHORD LENGTH OF 144.83', A TANGENT LENGTH OF 79.36', AND A CHORD BEARING OF N75°12'10"E TO A POINT; THENCE N51°03'10"E, A DISTANCE OF 94.98' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 07°36'31", A RADIUS OF 1,973.00', AN ARC LENGTH OF 262.01', A CHORD LENGTH OF 261.82', A TANGENT LENGTH OF 131.20', AND A CHORD BEARING OF N54°51'26"E, TO A POINT; THENCE N30°00'00"W, A DISTANCE OF 380.76' TO A POINT; THENCE N00°10'31"E, A DISTANCE OF 21.62' TO A POINT OF INTERSECTION WITH A NORTH LINE OF SAID OUTLOT "A", SAID POINT BEING ON A SOUTH RIGHT-OF-WAY LINE OF VAN DORN STREET, SAID POINT BEING 50.00' SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE S89°49'29"E, ON A NORTH LINE OF SAID OUTLOT "A", AND ON A NORTH LINE OF OUTLOT "A", FIRETHORN ADDITION, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,321.39' TO A POINT; THENCE S89°49'14"E, ON A NORTH LINE OF SAID OUTLOT "A", ON THE NORTH LINE OF OUTLOT "P", FIRETHORN 27TH ADDITION, ON THE NORTH LINE OF OUTLOT "A", FIRETHORN 37TH ADDITION, AND ON THE NORTH LINE OF OUTLOT "B", FIRETHORN 37TH ADDITION, A DISTANCE OF 2,565.50' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 21,056,064.84 SQUARE FEET OR 483.38 ACRES, MORE OR LESS.

Wednesday, August 26, 2015

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LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: **Special Permit No. 872H**
(Amend CUP to add approximately 42 single-family lots and an outdoor recreational facility to include the sale of alcohol – S 84th & Van Dorn Streets)

TO THE CITY CLERK:

The undersigned, "Permittee" under **Special Permit No. 872H**, granted by **Resolution No. PC-01440**, adopted by the Lincoln City-Lancaster County Planning Commission on March 18, 2015, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said Resolution and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

DATED the 9th day of April, 2015.

"Permittee"

FT DEVELOPMENT II, INC., a Nebraska corporation

By: Mark A. Wible
Mark A. Wible, President

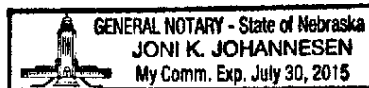
FIRETHORN GOLF COMPANY, L.L.C., a Nebraska limited liability company

By: Mark A. Wible
Mark A. Wible, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 9th day of April 2015, by Mark A. Wible, President of **FT Development II, Inc.**, a Nebraska corporation, on behalf of the corporation.

Joni K. Johannesen
Notary Public



STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 9th day of April 2015, by Mark A. Wible, Manager of **Firethorn Golf Company, L.L.C.**, a Nebraska limited liability company, on behalf of the limited liability company.

Joni K. Johannesen
Notary Public



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, 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 872H** as adopted and approved by **Resolution No. PC-01440** of the Lincoln City-Lancaster County Planning Commission at its meeting held **March 18, 2015** as the original appears of record in my office, and is now in my charge remaining as City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 21st day of August, 2015.

Teresa J. Meier
City Clerk

