



RESOLUTION NO. PC- 01327

SPECIAL PERMIT NO. 12034

1 WHEREAS, Rokeby Holdings, LTD has submitted an application designated as  
2 Special Permit No. 12034 for authority to develop Grandview Estates Community Unit Plan for  
3 64 lots with a maximum density of 174 dwelling units, on property generally located at South  
4 70th Street and Countryview Road and legally described as:

5 *W.R.E.S!* *W.R.E.S.* Outlot A and B, Windmill Ridge Estates 1st Addition, Outlot I,  
6 Windmill Ridge Estates, Lot 69 I.T. and a portion of Lot 65 I.T., all  
7 located in the Southwest Quarter of Section 27, Township 9  
8 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County,  
9 Nebraska, and more particularly described as follows:

10 Referring to the northwest corner of the South Half of the  
11 Southwest Quarter of said Section 27; thence on an assumed  
12 bearing of south 89 degrees 57 minutes 47 seconds east on the  
13 north line of the South Half of the Southwest Quarter of said  
14 Section, a distance of 53.72 feet to a point on the east right-of-  
15 way line of South 70th Street and the point of beginning, said  
16 point being also on the southwest corner of Lot 69 of Irregular  
17 Tract; thence north 5 degrees 15 minutes 44 seconds west on the  
18 westerly line of said Lot 69, a distance of 50.78 feet; thence south  
19 89 degrees 02 minutes 42 seconds west on the westerly line of  
20 said Lot 69, a distance of 16.30 feet; thence north 0 degrees 15  
21 minutes 39 seconds west on the westerly line of said Lot 69, a  
22 distance of 219.68 feet; thence north 0 degrees 41 minutes 29  
23 seconds east on the westerly line of said Lot 25, a distance of  
24 252.81 feet to the northwest corner of said Lot 69; thence north  
25 89 degrees 44 minutes 34 seconds east on the north line of said  
26 Lot 69, a distance of 32.84 feet to the southwest corner of Outlot  
27 A, Windmill Ridge Estates 1st Addition; thence north 00 degrees  
28 16 minutes 24 seconds west along the west line of said Outlot A,  
29 Windmill Ridge Estates 1st Addition, a distance of 116.38 feet to  
30 the southwest corner of Lot 1, Windmill Ridge Estates 1st  
31 Addition; thence along the north line of said Outlot A, Windmill

*4/16/00*  
*CRG*  
*CRD*

1 Ridge Estates 1st Addition on a bearing of north 89 degrees 43  
2 minutes 57 seconds east, a distance of 283.38 feet; thence north  
3 00 degrees 16 minutes 03 seconds west along the east line of Lot  
4 3, Windmill Ridge Estates 1st Addition, a distance of 120.00 feet  
5 to the south right-of-way of Countryview Road; thence along the  
6 south right-of-way of Countryview Road on a bearing of north 89  
7 degrees 43 minutes 57 seconds east, a distance of 30.00 feet;  
8 thence along the west line of Lot 4, Windmill Ridge Estates 1st  
9 Addition on a bearing of south 00 degrees 16 minutes 03 seconds  
10 east, a distance of 144.57 feet; thence along the south line of Lots  
11 4 and 5, Windmill Ridge Estates 1st Addition on a bearing of north  
12 89 degrees 43 minutes 57 seconds east, a distance of 127.54  
13 feet; thence along the south line of Lots 6 and 7, Windmill Ridge  
14 Estates on a bearing of south 67 degrees 08 minutes 39 seconds  
15 east, a distance of 110.20 feet; thence along the south line of Lots  
16 8 and 9, Windmill Ridge Estates on a bearing of south 50 degrees  
17 58 minutes 19 seconds east, a distance of 140.00 feet; thence  
18 along the south line of Lot 1, Block 2, Windmill Ridge Estates on a  
19 bearing of south 67 degrees 07 minutes 07 seconds east, a  
20 distance of 141.43 feet to a point on the west right-of-way of  
21 Fairbury Lane, thence on a curve to the left with an arc length of  
22 61.08 feet with a radius of 430.00 feet, with a chord bearing of  
23 south 18 degrees 50 minutes 44 seconds west, with a chord  
24 length of 61.03 feet; thence south 46 degrees 59 minutes 42  
25 seconds east, a distance of 69.77 feet to a point on the east right-  
26 of-way of Fairbury Lane; thence on a curve to the right with an arc  
27 length of 74.19 feet with a radius of 370.00 feet, with a chord  
28 bearing of north 15 degrees 24 minutes 14 seconds east, with a  
29 chord length of 74.07 feet; thence along the north line of Outlot I,  
30 Windmill Ridge Estates on a bearing of south 68 degrees 54  
31 minutes 05 seconds east, a distance of 119.93 feet; thence along  
32 the east line of said Outlot I, Windmill Ridge Estates on a bearing  
33 of south 16 degrees 14 minutes 03 seconds west, a distance of  
34 60.44 feet; thence south 00 degrees 15 minutes 53 seconds east,  
35 a distance of 296.31 feet to a point on the north line of said Lot 69  
36 I.T.; thence along the south line of Lot 69 on a bearing of south 89  
37 degrees 57 minutes 47 seconds east, a distance of 193.94 feet;  
38 thence south 0 degrees 15 minutes 43 seconds east, a distance  
39 of 500.00 feet; thence north 89 degrees 57 minutes 46 seconds  
40 west on the south line of said Lot 69, a distance of 1107.39 feet;  
41 thence north 0 degrees 43 minutes 03 seconds east on the west  
42 line of said Lot 14, a distance of 142.16 feet; thence north 5  
43 degrees 15 minutes 44 seconds west and continuing on the west  
44 line of said Lot 14, a distance of 359.38 feet to the point of  
45 beginning; said property contains 25.02 acres more or less;

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

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

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

10           That the application of Rokeby Holdings, LTD, hereinafter referred to as  
11 "Permittee", to develop Grandview Estates Community Unit Plan for 64 lots with a maximum  
12 allowed density of 174 dwelling units, be and the same is hereby granted under the provisions  
13 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
14 construction of said development be in substantial compliance with said application, the site  
15 plan, and the following additional express terms, conditions, and requirements:

16           1.     This permit approves 174 dwelling units.

17           2.     Before receiving building permits the Permittee shall cause to be prepared and  
18 submitted to the Planning Department a revised and reproducible final plot plan including five  
19 copies with all required revisions as listed below:

20           a.     Revise the plan as follows:

21           i.     Delete General Note #10.

22           ii.    Add a general note that states, "Temporary right and left turn  
23 lanes will be constructed in South 70th Street to the satisfaction of  
24 Public Works and Utilities, the cost of such lanes to be  
25 guaranteed at the time of final plat but completed prior to the  
26 issuance of the first certificate of occupancy."

27           iii.   Show the pedestrian sidewalk between Lots 4 and 5, Block 4,  
28 relocated to be between Lots 8 and 9, Block 4.

1 iv. Add a general note which states, "The oversized water line in  
2 Lilee Lane is at the owner's expense with no City subsidy.

3 v. Show South 73rd Street named as Fairbury Lane and South 74th  
4 Street named as Dutch Mill Road.

5 vi. Shade the right-of-way to be dedicated in South 70th Street as  
6 noted in the legend.

7 vii. Revise the plan set showing street grades and potential lot layout  
8 extending 300 feet beyond the limit of the development.

9 b. Submit revised grading, drainage, and utility plans, including before and  
10 after improvement plans for South 70th Street, and ADA compliance for  
11 pedestrian sidewalks to the satisfaction of the Public Works and Utilities  
12 Department.

13 c. City Council must approve the associated requests, Annexation # 12005  
14 and Change of Zone 12030.

15 d. The construction plans must comply with the approved plans.

16 e. Final plats shall be approved by the City.

17 3. Before occupying the dwelling units all development and construction shall  
18 substantially comply with the approved plans.

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

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

25 6 The terms, conditions, and requirements of this resolution shall run with the land  
26 and be binding upon the Permittee, its successors and assigns.

27 7 The Permittee shall sign and return the letter of acceptance to the City Clerk.  
28 This step should be completed within 60 days following the approval of the special permit. The  
29 City Clerk shall file a copy of the resolution approving the special permit and the letter of

- 1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
- 2 Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

DATED: April 17, 2013.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney

**LETTER OF ACCEPTANCE**

City of Lincoln  
Lincoln, Nebraska

RE: **Special Permit No. 12034 - Grandview Estates Community Unit Plan**  
(South 70<sup>th</sup> Street and Countryview Road)

TO THE CITY CLERK

The undersigned, "Permittee" under **Special Permit No. 12034**, granted by **Resolution No. PC-01327**, adopted by the Lincoln City-Lancaster County Planning Commission on April 17, 2013, 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 10<sup>th</sup> day of May, 2013.

ROKEBY HOLDINGS, LTD., a Nebraska limited partnership, Permittee

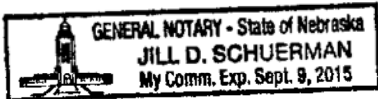
By. ROKEBY GP, LLC, a Nebraska limited liability company, General Partner

By. Southview, Inc., a Nebraska corporation, Member

By: [Signature]  
Thomas G. Schleich, President

STATE OF Nebraska )  
COUNTY OF Lancaster ) ss

The foregoing Instrument was acknowledged before me this 10<sup>th</sup> day of May, 2013 by Thomas G Schleich, President of Southview, Inc., a Nebraska corporation, Member of Rokeby GP, LLC, general partner of Rokeby Holdings, Ltd., on behalf of Rokeby Holdings, Ltd., as permittee



[Signature]  
Notary Public

# CERTIFICATE

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 12034** as adopted and approved by **Resolution No. PC-01327** of the Lincoln City-Lancaster County Planning Commission at its meeting held **April 17, 2013** 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 19th day of April, 2013.

  
City Clerk

