

Dan Galte

REGISTER OF DEEDS

2001 SEP 14 A 11: 57

LANCASTER COUNTY, NE

\$6050

INST. NO 2001

053111

BLOCK

INDEXED  
MUFF 1  
MUFF 2  
MUFF 3  
FILED  
EDITED  
2001

01R-223

Introduce: 8-13-01

RESOLUTION NO. A- 81078

SPECIAL PERMIT NO. 1733B

1 WHEREAS, Park Ridge Apartments, L.L.C., has submitted an application  
2 designated as Special Permit No. 1733B for authority to amend the Muff and Muff 1st Addition  
3 Community Unit Plan to increase the number of dwelling units from 83 to 166, and to reduce the  
4 required lot area on two-family lots within the Muff 2nd Addition Preliminary Plat from 5,000 to  
5 4,500 square feet per family, on property generally located at SW 8th and West "C" Streets, and  
6 legally described to wit:

7 Lots 105 and 74 of Irregular Tracts, Blocks 1 and 2 in Muff 4th  
8 Addition, Blocks 1 and 2, and Outlots A and B in Muff 3rd Addition,  
9 Blocks 1 and 2, Muff 2nd Addition, Block 1, Muff 1st Addition,  
10 Blocks 1, 2, and 3 and Outlot A in Muff Addition, all located in the  
11 Southwest Quarter of Section 27, Township 10 North, Range 6 East  
12 of the 6th P.M., Lancaster County, Nebraska and more particularly  
13 described as follows:

14 Beginning at the northwest corner of the Southeast Quarter of the  
15 Southwest Quarter of Section 27, Township 10 North, Range 6 East,  
16 thence on an assumed bearing of north 89 degrees 53 minutes 59  
17 seconds east on the north line of Lot 105 of Irregular Tracts for a  
18 distance of 671.99 feet; thence south 00 degrees 05 minutes 50  
19 seconds west on the east line of said Lot 105, for a distance of  
20 594.93 feet; thence south 89 degrees 55 minutes 12 seconds west  
21 for a distance of 2.69 feet; thence south 00 degrees 23 minutes 52  
22 seconds east for a distance of 54.52 feet; thence south 89 degrees  
23 55 minutes 12 seconds west for a distance of 30.25 feet; thence  
24 south 00 degrees 23 minutes 52 seconds east for a distance of  
25 36.25 feet to the southeast corner of Lot 74 of Irregular Tracts;  
26 thence south 00 degrees 15 minutes 23 seconds east on the east  
27 line of Blocks 1 and 3 in Muff Addition for a distance of 315.82 feet;  
28 thence south 00 degrees 30 minutes 22 seconds east and  
29 continuing on the east line of said Block 3 for a distance of 159.72  
30 feet to the southeast corner of Lot 7 in said Block 3; thence south 89  
31 degrees 58 minutes 54 seconds west on the south line of Blocks 2  
32 and 3 in Muff Addition and on the south line of Block 2 in Muff 3rd  
33 Addition and on the south line of Block 2 in Muff 2nd Addition for a

Teresa City Clerk

1 distance of 632.08 feet to a point on the centerline of Trimble Street;  
2 thence south 00 degrees 53 minutes 04 seconds east on the  
3 centerline of Trimble Street for a distance of 140.83 feet; thence  
4 north 90 degrees 00 minutes 00 seconds west on the south line of  
5 Block 1 in Muff 2nd Addition extended for a distance of 175.74 feet  
6 to the southwest corner of Block 1 in Muff 2nd Addition; thence north  
7 00 degrees 30 minutes 46 seconds west on the west line of Block 1  
8 Muff 2nd Addition and on the west line of Blocks 1 and 2 in Muff 4th  
9 Addition for a distance of 1300.86 feet to the northwest corner of  
10 Block 1 in Muff 4th Addition; thence north 89 degrees 53 minutes 59  
11 seconds east on the north line of Block 1 in Muff 4th Addition for a  
12 distance of 175.80 feet to the point of beginning. Said property  
13 contains 22.628 acres more or less.

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

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

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
20 Nebraska:

21 That the application of Park Ridge Apartments, L.L.C., hereinafter referred to as  
22 "Permittee", increase the number of dwelling units from 83 to 166 and to reduce the required lot  
23 are on the two-family lots, on the property legally described above, be and the same is hereby  
24 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal  
25 Code upon condition that construction and operation of said community unit plan be in strict  
26 compliance with said application, the site plan, and the following additional express terms,  
27 conditions, and requirements:

28 1. This permit approves an additional 83 dwelling units within the Muff and Muff  
29 1st Addition Community Unit Plan for a total of 166 dwelling units, and a reduction in the required

1 lot area on two-family lots within the Muff 2nd Addition Preliminary Plat from 5,000 square feet per  
2 family to 4,500 square feet per family.

3 2. Before receiving building permits:

- 4 a. The Permittee must submit a revised and reproducible final plan and  
5 five copies to the Planning Department.
- 6 b. The construction plans must conform to the approved plans.
- 7 c. The final plat within this community unit plan must be approved by  
8 the City.

9 3 Before occupying the dwelling units all development and construction must  
10 be completed in conformance with the approved plans.

11 4 All privately owned improvements shall be permanently maintained by the  
12 Permittee or an appropriately established homeowners association approved by the City Attorney.

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

16 6. The terms, conditions, and requirements of this resolution shall be binding  
17 and obligatory upon the Permittee, their successors, and assigns. The building official shall report  
18 violations to the City Council which may revoke the special permit or take such other action as may  
19 be necessary to gain compliance.

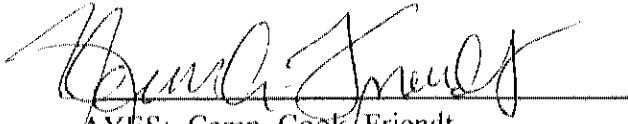
20 7. The Permittee shall sign and return the City's letter of acceptance to the City  
21 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period  
22 may be extended up to six months by administrative amendment. The City Clerk shall file a copy  
23 of the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

1  
2  
3

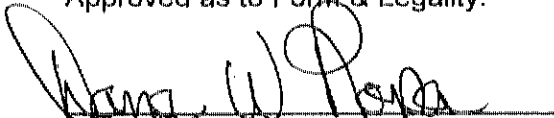
8. The site plan as approved with this resolution voids and supersedes all previously approved plans for this site, however, all resolutions approving previous permits remain in force unless specifically amended by this resolution.

See further Council Proceedings on next page.

Introduced by:

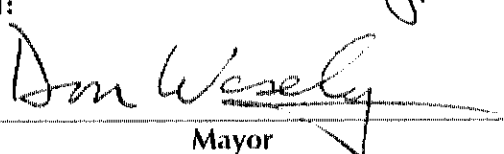
  
AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner  
NAYS: None.

Approved as to Form & Legality:

  
City Attorney

Staff Review Completed:

  
Administrative Assistant

Approved this 31<sup>st</sup> day of Aug., 2001:  
  
Mayor

**ADOPTED**

**AUG 27 2001**

**By City Council**

01R-223

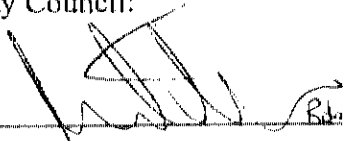
08/20/01 Council Proceedings:

SENG Moved to delay action for Bill No. 01R-223 for one week to 8/27/01.  
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt,  
McRoy, Seng, Svoboda, Werner; NAYS: None.

**LETTER OF ACCEPTANCE**

City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

I,  Robert L. Stegobbe the undersigned representative(s) of **Park Ridge Apartments, LLC**, Permittee in **Special Permit 1733B** granted by **Resolution No. A-81076** adopted by the City Council of the City of Lincoln, Nebraska, on Aug. 27, 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 13<sup>th</sup> day of September, 2001.

  
\_\_\_\_\_  
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 1733B** approved by **Resolution No. A-81076** adopted by the City Council on **Aug. 27, 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 13<sup>th</sup> day of September, 2001.

  
Teresa J. Meier Brock  
Deputy City Clerk