

**\$25.50**

BLOCK

*Debra J. ...*

INST. NO 98

REGISTER OF DEEDS

038691

1998 JUL 31 A 9:52

CODE
I.T.
CHECKED
ENTERED
EDITED

29

98R-200

Introduce: 6-29-98

RESOLUTION NO. A- 78866

SPECIAL PERMIT NO. 1733

1                   WHEREAS, M & S Construction has submitted an application designated  
 2 as Special Permit No. 1733 for authority to develop Muff Addition Community Unit  
 3 Plan consisting of 5 single family dwelling units and 34 two family dwelling  
 4 units on property located southwest of S.W. 8th Street and West C Street, and  
 5 legally described to wit:

6                   Lot 75 I.T. and Lot 42 I.T. located in the Southwest  
 7 Quarter of Section 27, Township 10 North, Range 6 East  
 8 of the 6th P.M., Lincoln, Lancaster County, Nebraska;

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

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

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

17                   That the application of M & S Construction, hereinafter referred to  
 18 as "Permittee", to develop Muff Addition Community Unit Plan consisting of 5  
 19 single family dwelling units and 34 two family dwelling units, on the property  
 20 legally described above, be and the same is hereby granted under the provisions  
 21 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon  
 22 condition that development of said community unit plan be in strict compliance

X

1 with said application, the site plan, and the following additional express terms,  
2 conditions, and requirements:

3 1. This permit authorizes the development of a maximum of 39  
4 dwelling units. Based upon the size of the proposed lots (which exceed the  
5 minimum area requirement for the District), the Community Unit Plan Design  
6 Standards requiring the provision of recreational facilities to serve this  
7 Community Unit Plan are hereby waived.

8 2. Before receiving building permits:

9 a. The Permittee must submit a revised and reproducible  
10 final plan, together with five copies thereof.

11 b. The construction plans must conform to the approved  
12 plans.

13 c. A final plat of Muff Addition must be approved by the  
14 City.

15 3. Before occupying the dwelling units, all development and  
16 construction must be completed in conformance with the approved plans.

17 4. All privately-owned improvements shall be permanently  
18 maintained by the owner or an appropriately established homeowners association  
19 approved by the City Attorney.

20 5. The site plan accompanying this permit shall be the basis for  
21 all interpretations of setbacks, yards, locations of buildings, location of  
22 parking and circulation elements, and similar matters.

23 6. The terms, conditions, and requirements of this resolution  
24 shall be binding and obligatory upon the Permittee, its successors, and assigns.

1 The building official shall report violations to the City Council which may  
2 revoke the special permit or take such other action as may be necessary to gain  
3 compliance.

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

Introduced by:

*Linda Wilson*

AYES: Donaldson, Fortenberry,  
Seng, Shoecraft, Wilson, Young;  
NAYS: None;  
ABSENT: Johnson.

Approved as to Form & Legality:

*William F. Hunter*  
City Attorney

Staff Review Completed:

*Gregory M. Clary*  
Administrative Assistant

APPROVED

JUL 10 1998

*[Signature]*  
MAYOR

3

ADOPTED

JUL 6 1998

By City Council

**LETTER OF ACCEPTANCE**

City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

I, ~~Phillip R. Stettinger~~ authorized representative of M & S Construction, referred to as Permittee in **Special Permit No. 1733**, granted by **Resolution No. A-78866**, adopted by the City Council of the City of Lincoln, Nebraska, on July 6, 1998, 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 30 day of July, 1998.

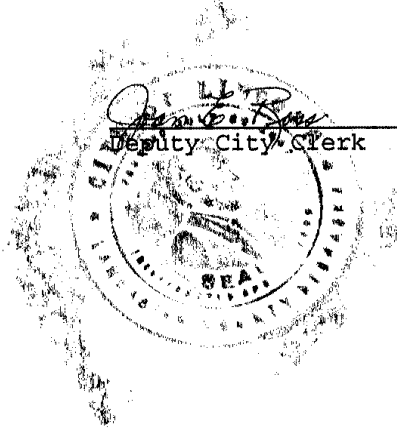
  
M & S Construction

C E R T I F I C A T E

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

I, Joan E. Ross, 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 No. 1733** approved by **Resolution No. A-78866** adopted by the City Council on July 6, 1998, 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 17 day of July, 1998.



*Ret to City Clerk*