

1544.00

[Signature]
REGISTER OF DEEDS
1999 MAY 18 P 2:08

INST. NO 99
027779

BLOCK
CODE
MUFF
CHECKED
ENTERED
EDITED

1544.00

99R-123

Introduce: 4-26-99

RESOLUTION NO. A- 79450
SPECIAL PERMIT NO. 1733A

MUFF ADD. B1 11-11
B2 11-10
B3 11-11
CLA
OLE

1 WHEREAS, M & S Construction, Inc. has submitted an application
2 designated as Special Permit No. 1733A for authority to amend the Muff 1st Addition
3 Community Unit Plan to expand the land area and add 44 dwelling units for a total of 83
4 dwelling units on property located at Trimble and West "A" Streets, and legally described
5 to wit:

6 Muff Addition and Lot 90 I.T., all located in the Southwest
7 Quarter of Section 27, Township 10 North, Range 6 East of the
8 6th P.M., Lancaster County, Nebraska;

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this amended Community Unit Plan will not be adversely affected; and

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

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

16 That the application of M & S Construction, Inc., hereinafter referred to as
17 "Permittee", to amend the Muff 1st Addition Community Unit Plan to expand the land area
18 and add 44 dwelling units for a total of 83 dwelling units, on the property legally described
19 above, be and the same is hereby granted under the provisions of Section 27.63.320 and
20 Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and

✓

1 operation of said Community Unit Plan be in strict compliance with said application, the
2 site plan, and the following additional express terms, conditions, and requirements:

3 1. This permit approves 83 dwelling units including 46 low-income
4 dwelling units and three low-income type "B" handicap dwelling units.

5 2. A reduction of the side yard from 10 feet to 5 feet on Lots 22-26, Block
6 2, and Lots 1-19, Block 3; and a reduction of the front yard from 25 feet to 23.5 feet is
7 hereby approved.

8 3. Before receiving building permits:

9 a. The Permittee must submit a revised and reproducible final
10 plan, acceptable to the Planning Director.

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

12 c. Final plats within Muff 1st Addition must be approved by the
13 City.

14 4. Before occupying the dwelling units all development and construction
15 must be completed in conformance with the approved plans.

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

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

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

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.
3 8. The Permittee shall sign and return the City's letter of acceptance to
4 the City Clerk within 30 days following approval of the special permit, provided, however,
5 said 30-day period may be extended up to six months by administrative amendment. The
6 City Clerk shall file a copy of the resolution approving the special permit and the letter of
7 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
8 Permittee.
9 9. The site plan as approved with this resolution voids and supersedes
10 all previously approved site plans, however, all resolutions approving previous permits
11 remain in force unless specifically amended by this resolution.

Introduced by:

Lynda Wilson

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

Approved as to Form & Legality:

Adt Rick Peo
City Attorney

Staff Review Completed:

Justina Beibel
Administrative Assistant

APPROVED

MAY 6 1999
Don Johnson
MAYOR
3

ADOPTED

MAY 9 1999
By City Council

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, Paul J Muff, authorized representative of M & S Construction, Inc., referred to as Permittee in **Special Permit No. 1733A**, granted by **Resolution No. A-79450** adopted by the City Council of the City of Lincoln, Nebraska, on May 3, 1999, 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 day of May, 1999.

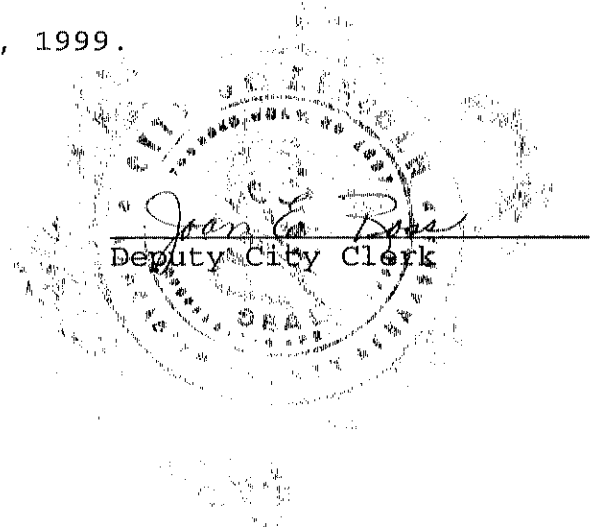
Paul J Muff
Permittee

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. 1733A** approved by Resolution No. A-79450 adopted by the City Council on May 3, 1999, 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 18th day of May, 1999.



Ret to City Clerk