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Dan Jolte

REGISTER OF DEEDS

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INST. NO 2000

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RESOLUTION NO. PC-00569

COMBINED USE PERMIT/SPECIAL PERMIT NO. 11F

1 WHEREAS, Silver Office L.L.C. and Zermatt Equity Corp. have submitted  
2 an application in accordance with Sections 27.27.080 and 27.63.070 of the Lincoln  
3 Municipal Code designated as Combined Use Permit/Special Permit No. 11F to  
4 develop a child care facility for 170 children on property generally located northeast of  
5 32nd and Pine Lake Road, legally described as:

6 All of SouthPointe Pavilions 1st, 2nd, 3rd, and 4th Additions  
7 in the Northwest Quarter of Section 19, Township 9 North,  
8 Range 7 East of the 6th P.M., Lincoln, Lancaster County,  
9 Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site  
11 plan for this child care facility will not be adversely affected; and

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

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

17 That the application of Silver Office L.L.C. and Zermatt Equity Corp.,  
18 hereinafter referred to as "Permittee", to develop a child care facility for 170 children be  
19 and the same is hereby granted under the provisions of Sections 27.27.080 and  
20 27.63.070 of the Lincoln Municipal Code upon condition that construction and operation  
21 of said child care facility be in strict compliance with said application, the site plan, and  
22 the following additional express terms, conditions, and requirements:

City Clerk

1           1.     This permit approves the development of 31,000 square feet of  
2 office space, of which 12,550 may be used as an early childhood care facility with a  
3 maximum of 170 children.

4           2.     All conditions and waivers of Combined Use Permit/Special Permit  
5 11, 11A, 11B, 11C, and 11D shall remain in force unless specifically amended by this  
6 approval.

7           3.     Before receiving building permits:

8           a.     The Permittee must submit a revised and reproducible final  
9 plan.

10          b.     Provide a letter of compliance from the R.E.D. Capital  
11 Development, or their successor or assign, that buildings  
12 comply with notes 1 through 4 on Sheet 2 of 5 of the overall  
13 permit.

14          c.     The construction plans must conform to the approved plans.

15          4.     Before occupying any of this development all development and  
16 construction must be completed in conformance with the approved plans.

17          5.     All privately-owned improvements shall be permanently maintained  
18 by the Permittee or an appropriately established property owners association approved  
19 by the City Attorney.

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

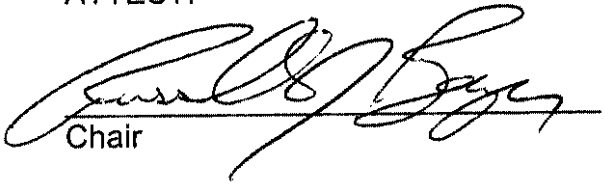
23          7.     The terms, conditions, and requirements of this resolution shall be  
24 binding and obligatory upon the Permittee, its successors and assigns. The building

1 official shall report violations to the City Council which may revoke this use 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  
4 to the City Clerk within 30 days following approval of this Combined Use Permit/Special  
5 Permit, provided, however, said 30-day period may be extended up to six months by  
6 administrative amendment. The City Clerk shall file a copy of the resolution approving  
7 this Combined Use Permit/Special Permit and the letter of acceptance with the Register  
8 of Deeds, filing fees therefor to be paid in advance by the Permittee.

9 The foregoing Resolution was approved by the Lincoln City-Lancaster  
10 County Planning Commission on this 12 day of January, 2000.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney

LETTER OF ACCEPTANCE

City Council  
City of Lincoln  
Lincoln, Nebraska

RE: Combined Use Permit/Special Permit No. 11F

TO THE CITY COUNCIL:

We, Silver Offices, LLC., President or authorized representative of Silver Office, L.L.C., and \_\_\_\_\_, President or authorized representative of Zermatt Equity Corp., herein called "Permittees" under Combined Use Permit/Special Permit No. 11F, granted by Resolution No. PC-00569, adopted by the Lincoln City-Lancaster County Planning Commission on January 12, 2000, 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 27 day of January, <sup>2000</sup>~~19~~.

  
\_\_\_\_\_  
President/Authorized Representative

\_\_\_\_\_  
President/Authorized Representative

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 **Combined Use Permit/Special Permit No. 11F** as passed and approved by **Resolution No. PC-00569** of the Lincoln City-Lancaster County Planning Commission at its meeting held **January 12, 2000** 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 3<sup>rd</sup> day of January, 2000.

  
Deputy City Clerk

*Ret to City Clerk*