

\$ 54.00

*Dan Jolte*

REGISTER OF DEEDS

2001 AUG -2 P 4:47

LANCASTER COUNTY, NE

INST. NO 2001

043706

BLOCK

CODE

CHECKED

ENTERED

EDITED

RESOLUTION NO. PC- 00665

A RESOLUTION accepting and approving the plat designated as **STEVENS CREEK RIDGE ADDITION** as an addition to the City of Lincoln, filed in the office of the Planning Department of the City of Lincoln, Nebraska, upon certain conditions herein specified and providing for sureties conditioned upon the strict compliance with such conditions.

WHEREAS, **Gerry A. Krieser and Dianne Krieser, husband and wife,** owner of a tract of land legally described as:

Lot 20 Irregular Tract; and the Northeast Quarter of the Southeast Quarter of Section 17, Township 10 North, Range 8 East of the Sixth Principal Meridian, Lancaster County, Nebraska; more particularly described by metes and bounds as follows:

Commencing at the east quarter corner of Section 17, Township 10 North, Range 8 East of the Sixth Principal Meridian, Lancaster County, Nebraska, and the point of beginning; thence south 00 degrees 33 minutes 39 seconds west (an assumed bearing) on the east line of the Southeast Quarter of Section 17, a distance of 1317.30 feet to the east 1/16 corner of the Southeast Quarter; thence north 89 degrees 51 minutes 32 seconds west on the south line of the North Half of the Southeast Quarter, a distance of 1319.52 feet to the center of the Southeast Quarter of said Section 17; thence south 00 degrees 25 minutes 48 seconds west on the east line of the West Half of the Southeast Quarter of Section 17, a distance of 1267.14 feet to a point on the north right-of-way of Holdrege Street; thence north 89 degrees 51 minutes 10 seconds west on said north right-of-way, and parallel to the south line of the Southeast Quarter, a distance of 991.62 feet to the southeast corner of Lot 19 Irregular Tract; thence north 00 degrees 17 minutes 56 seconds east and parallel to the west line of the Southeast Quarter, a distance of 403.00 feet, to the northeast corner of Lot 19, Irregular Tract; thence north 89 degrees 51 minutes 10 seconds west and parallel to the south line of the Southeast Quarter, a distance of 325.00 feet, to the northwest corner of Lot 19 Irregular Tract, said point being on the west line of the Southeast Quarter; thence north

L-1-5, OLA-C Stevens Creek Ridge

Teresa City Clerk

1 00 degrees 17 minutes 56 seconds east on the said west line  
2 of the Southeast Quarter, a distance of 2180.99 feet to the  
3 center of Section 17; thence south 89 degrees 51 minutes 54  
4 seconds east on the north line of the Southeast Quarter, a  
5 distance of 2645.06 feet to the point of beginning; and  
6 containing a calculated area of 5,019,016.59 square feet or  
7 115.221 acres, more or less;

8 have filed said plat in the office of the Planning Department of the City of Lincoln,  
9 Nebraska, with a request for approval and acceptance thereof; and

10 WHEREAS, it is for the convenience of the inhabitants of said City and for  
11 the public that said plat be approved and accepted as filed.

12 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster  
13 County Planning Commission:

14 1. That the plat of **STEVENS CREEK RIDGE ADDITION** as an addition to  
15 the City of Lincoln, Nebraska, filed in the office of the Planning Department of said City by  
16 **Gerry A. Krieser and Dianne Krieser, husband and wife**, as owners, is hereby accepted  
17 and approved, and said owners are given the right to plat said **STEVENS CREEK RIDGE**  
18 **ADDITION** as an addition to said City in accordance therewith. Such acceptance and  
19 approval are conditioned upon the following:

20 First: That said owners shall at their own cost and expense pay for  
21 all labor, material, engineering, and inspection costs in connection with the construction  
22 of street improvements, including the grading and rocking for all streets as shown on the  
23 approved final plat. The construction shall be completed within two years following  
24 Planning Commission approval of this final plat.

25 Second: That said owners shall at their own cost and expense pay  
26 for all labor, material, engineering, and inspection costs in connection with the construction

1 of a public water distribution system as shown on the approved preliminary plat. The  
2 construction shall be completed within two years following Planning Commission approval  
3 of this final plat.

4 Third: That said owners shall at their own cost and expense pay for  
5 all labor, material, engineering, and inspection costs in connection with the construction  
6 of drainage facilities as shown on the approved drainage study. The construction shall be  
7 completed within two years following Planning Commission approval of this final plat.

8 Fourth: That said owners shall at their own cost and expense pay for  
9 all labor, material, and related costs in connection with the installation of street name signs  
10 as approved by the Public Works Department. This installation shall be completed within  
11 two years following Planning Commission approval of this final plat.

12 Fifth: That said owners shall at their own cost and expense pay for  
13 all labor, material, engineering, and inspection costs in connection with the placing of  
14 permanent lot stakes at all corners of all lots and blocks of this final plat. The permanent  
15 lot staking shall be completed before construction on or conveyance of any lot shown in  
16 this final plat.

17 Sixth: That said owners shall at their own cost and expense pay for  
18 all labor, material, engineering, and inspection costs in connection with the seeding and  
19 erosion control as shown on this final plat. This installation shall be completed within two  
20 years following Planning Commission approval of this final plat.

21 2. That this plat shall not be filed for record or recorded in the Office of the  
22 Register of Deeds of Lancaster County and no lot shall be sold from this plat unless and

1 until said owners shall enter into a written agreement with the City which shall provide as  
2 follows:

3 The owners, their successors and assigns agree:

4 a. To submit and receive approval from the Director of Public  
5 Works of an erosion control plan.

6 b. To protect the remaining trees on the site during construction  
7 and development.

8 c. To pay all improvement costs.

9 d. To submit to lot buyers and home builders a copy of the soil  
10 analysis.

11 e. To complete the private improvements shown on the preliminary  
12 plat and community unit plan.

13 f. To maintain the outlots and private improvements on a  
14 permanent and continuous basis. However, the owners may be relieved and discharged  
15 of this maintenance obligation upon creating in writing a permanent and continuous  
16 association of property owners who would be responsible for said permanent and  
17 continuous maintenance. The owners shall not be relieved of such maintenance obligation  
18 until the document or documents creating said property owners association have been  
19 reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

20 g. To comply with the provisions of the Land Subdivision  
21 Ordinance regarding land preparation.

22 h. To relinquish the right of direct vehicular access to Holdrege  
23 Street, except at North 129th Court.

1                   i.     To complete the permanent lot and block staking before  
2 construction on or conveyance of any lot shown on this final plat.

3                   3. That said owners shall, prior to adoption of this resolution, execute and  
4 deliver to the City of Lincoln:

5                   a.     A bond or an approved escrow or security agreement in the  
6 sum of \$9,925.00 conditioned upon the strict compliance by said owners with the  
7 conditions contained in paragraph designated "First" of Paragraph 1 of this resolution.

8                   b.     A bond or an approved escrow or security agreement in the  
9 sum of \$5,075.00 conditioned upon the strict compliance by said owners with the  
10 conditions contained in paragraph designated "Second" of Paragraph 1 of this resolution.

11                  c.     A bond or an approved escrow or security agreement in the  
12 sum of \$400.00 conditioned upon the strict compliance by said owner with the conditions  
13 contained in paragraph designated "Fourth" of Paragraph 1 of this resolution.

14                  d.     A bond or an approved escrow or security agreement in the  
15 sum of \$500.00 conditioned upon the strict compliance by said owner with the conditions  
16 contained in paragraph designated "Fifth" of Paragraph 1 of this resolution.

17                  e.     A bond or an approved escrow or security agreement in the  
18 sum of \$1,000.00 conditioned upon the strict compliance by said owner with the conditions  
19 contained in paragraph designated "Sixth" of Paragraph 1 of this resolution.

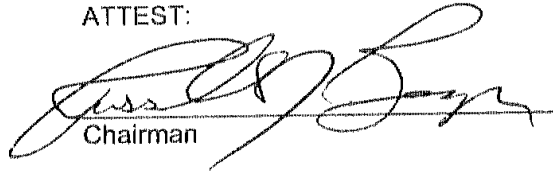
20                  The bonds required above shall be subject to approval by the City Attorney.  
21 In the event that said owners or their surety shall fail to satisfy the conditions herein set  
22 forth within the time specified in this resolution, the City may cause the required work to be  
23 performed and recover the cost thereof from said owners and their surety.

1                   4.       Immediately upon the adoption of this resolution and receipt of the  
2 written agreement required herein, the City Clerk shall cause the final plat and a certified  
3 copy of this resolution together with said written agreement to be filed in the office of the  
4 Register of Deeds of Lancaster County, Nebraska. Filing fees shall be paid by said  
5 owners.

6                   The foregoing Resolution was approved by the Lincoln City - Lancaster  
7 County Planning Commission on this 21st day of March, 2001.

8                   Dated this 21st day of March, 2001.

ATTEST:

  
Chairman

Approved as to Form & Legality:

  
Chief Assistant City Attorney

## A G R E E M E N T

THIS AGREEMENT is made and entered into by and between **Gerry A. Krieser and Dianne Krieser, husband and wife** hereinafter called "Subdivider", whether one or more, and the **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, hereinafter called "City."

WHEREAS, Subdivider has made application to City for permission to subdivide and for approval of the subdivision plat of **STEVENS CREEK RIDGE ADDITION**; and

WHEREAS, the resolution approving said plat contains certain provisions requiring an agreement between Subdivider and City relating to said plat and the development thereof.

NOW, THEREFORE, IN CONSIDERATION of City granting permission to plat and approval of the plat of **STEVENS CREEK RIDGE ADDITION**, it is agreed by and between Subdivider and City as follows:

1. The Subdivider agrees to submit and receive approval from the Director of Public Works an erosion control plan.
2. The Subdivider agrees to protect the remaining trees on the site during construction and development.
3. The Subdivider agrees to pay all improvement costs.
4. The Subdivider agrees to submit to lot buyers and home builders a copy of the soil analysis.
5. The Subdivider agrees to complete the private improvements shown on the preliminary plat and community unit plan.

6. The Subdivider agrees to comply with the provisions of the Land Subdivision Ordinance regarding land preparation.

7. The Subdivider agrees to relinquish the right of direct vehicular access to Holdrege Street, except at North 129th Court.


8. The Subdivider agrees to complete the permanent lot and block staking before construction on or conveyance of any lot shown on this final plat.


9. The Subdivider agrees to maintain the outlots and private improvements on a permanent and continuous basis. However, the Subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The Subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

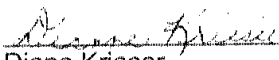
10. That the agreements contained herein shall be binding and obligatory upon the heirs, successors and assigns of Subdivider.

Dated this 15<sup>th</sup> day of March, 2001.

  
Witness

  
Gerry A. Krieser

  
Witness

  
Diane Krieser  
N



ATTEST:

CITY OF LINCOLN, NEBRASKA,  
a municipal corporation

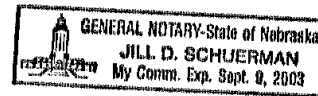
Teresa J. Meier-Bloch, Deputy  
City Clerk

Don Wesely  
Mayor

STATE OF NEBRASKA       )  
                                  ) ss.  
COUNTY OF LANCASTER   )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of  
March, 2001, by Gerry A. Krieser.

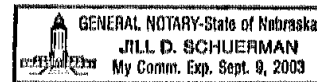
Jill D. Schuerman  
Notary Public



STATE OF NEBRASKA       )  
                                  ) ss.  
COUNTY OF LANCASTER   )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of  
March, 2001, by Dianne Krieser.

Jill D. Schuerman  
Notary Public



STATE OF NEBRASKA       )  
                                  ) ss.  
COUNTY OF LANCASTER   )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of  
April, 2001, by Don Wesely, Mayor of the City of Lincoln, Nebraska, a  
municipal corporation.



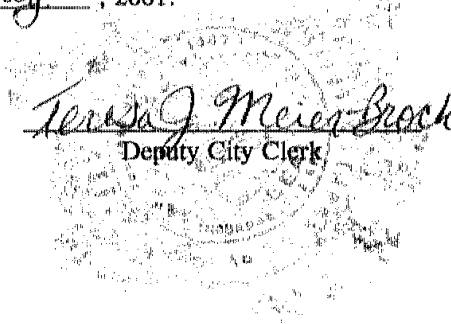
Judith A. Roscoe  
Notary Public

# 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 the plat designated as **Stevens Creek Ridge Addition and the Agreement** as passed and approved by the Lincoln City-Lancaster County Planning Commission at its meeting held March 21, 2001, 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 2<sup>nd</sup> day of Aug, 2001.

  
*Teresa J. Meier-Brock*  
Deputy City Clerk