

25551

92-100

Introduce: 5-11-92

ORDINANCE NO. 16122

1 AN ORDINANCE accepting and approving the plat designated as THE RIDGE
 2 5TH ADDITION as an addition to the City of Lincoln, filed in the office of the
 3 Planning Department of the City of Lincoln, Nebraska, upon certain conditions
 4 herein specified and providing for sureties conditioned upon the strict compli-
 5 ance with such conditions.

6 WHEREAS, Ridge Development Limited Partnership, owner of a tract of
 7 land legally described as:

8 A portion of the remaining portion of the Southeast
 9 Quarter of Section 13, Township 9 North, Range 6 East of
 10 the 6th P.M., Lincoln, Lancaster County, Nebraska, more
 11 particularly described as follows:

12 Commencing from the southwest corner of Lot 1, Block 2,
 13 The Ridge Addition, said point also being the true point
 14 of beginning, thence on an assumed bearing of south 62
 15 degrees 38 minutes 31 seconds east, along the south line
 16 of said Lot 1, Block 2, a distance of 156.32 feet to the
 17 southeast corner of said Lot 1, thence south 73 degrees 42
 18 minutes 29 seconds east, a distance of 31.71 feet to a
 19 point, thence south 35 degrees 16 minutes 10 seconds west,
 20 a distance of 180.00 feet to a point, thence around a
 21 curve in a counterclockwise direction having a delta angle
 22 of 01 degrees 47 minutes 26 seconds, an arc distance of
 23 10.00 feet, a radius of 320.00 feet, and a chord of south
 24 55 degrees 37 minutes 33 seconds east, a distance of 10.00
 25 feet to a point, thence south 33 degrees 28 minutes 44
 26 seconds west, a distance of 60.00 feet to a point, thence
 27 around a curve in a clockwise direction having a delta
 28 angle of 07 degrees 48 minutes 26 seconds, an arc distance
 29 of 51.78 feet, a radius of 380.00 feet, and a chord of
 30 north 52 degrees 37 minutes 03 seconds west, a distance of
 31 51.74 feet to a point, thence south 41 degrees 17 minutes
 32 10 seconds west, a distance of 148.30 feet to a point,
 33 thence south 24 degrees 03 minutes 08 seconds east, a
 34 distance of 132.52 feet to a point, thence south 58
 35 degrees 43 minutes 43 seconds west, a distance of 195.00
 36 feet to a point, thence north 47 degrees 31 minutes 54
 37 seconds west, a distance of 215.00 to a point, thence
 38 south 42 degrees 28 minutes 06 seconds west, a distance of
 39 132.99 feet to a point, thence around a curve in a clock-
 40 wise direction having a delta angle of 02 degrees 43
 41 minutes 43 seconds, an arc distance of 12.86 feet, a radius
 42 of 270.00 feet, and a chord of south 43 degrees 49 minutes

PT 20745

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1 58 seconds west, a distance of 12.86 feet to a point,
2 thence north 44 degrees 48 minutes 11 seconds west, a
3 distance of 60.00 feet to a point, thence around a curve
4 in a counterclockwise direction having a delta angle of 02
5 degrees 43 minutes 43 seconds, an arc distance of 10.00
6 feet, a radius of 210 feet, and a chord of north 43
7 degrees 49 minutes 58 seconds east, a distance of 10.00
8 feet to a point, thence north 47 degrees 31 minutes 54
9 seconds west, a distance of 150.00 feet to a point, thence
10 north 57 degrees 45 minutes 59 seconds west, a distance of
11 291.04 feet to a point, thence north 5 degrees 34 minutes
12 44 seconds west, a distance of 83.14 feet to a point,
13 thence north 0 degrees 01 minutes 54 seconds west, a
14 distance of 423.81 feet to a point, thence north 7 degrees
15 36 minutes 59 seconds west, a distance of 113.64 feet to a
16 point, thence north 23 degrees 40 minutes 06 seconds east,
17 a distance of 117.44 feet to a point, thence around a
18 curve in a counterclockwise direction having a delta angle
19 of 08 degrees 30 minutes 32 seconds, an arc distance of
20 42.39 feet, a radius of 285.46 feet, and a chord of north
21 66 degrees 41 minutes 47 seconds west, a distance of 42.35
22 feet to a point, thence north 19 degrees 02 minutes 57
23 seconds east, a distance of 60.00 feet to a point, thence
24 around a curve in a clockwise direction having a delta
25 angle of 01 degrees 39 minutes 31 seconds, an arc distance
26 of 10.00 feet, a radius of 345.46 feet, and a chord of
27 south 70 degrees 07 minutes 18 seconds east, a distance of
28 10.00 feet to a point, thence north 20 degrees 42 minutes
29 28 seconds east, a distance of 219.18 feet to a point,
30 thence north 0 degrees 32 minutes 27 seconds east, a
31 distance of 72.70 feet to a point on the north line of
32 said Southeast Quarter, thence south 89 degrees 27 minutes
33 33 seconds east, along the north line of said Southeast
34 Quarter a distance of 803.34 feet to the northwest corner
35 of Outlot "A", The Ridge 1st Addition, thence south 0
36 degrees 32 minutes 27 seconds west, along the west line of
37 said Outlot "A", a distance of 142.00 feet to the south-
38 west corner of said Outlot "A", thence south 11 degrees 03
39 minutes 24 seconds west, along the west line of Lot 1, The
40 Ridge 1st Addition, a distance of 135.21 feet to the
41 northwest corner of Lot 4, Block 1, thence south 24
42 degrees 11 minutes 52 seconds west, along the west line of
43 Lots 4 through 2, Block 1, The Ridge Addition, a distance
44 of 428.61 feet to the north corner of Lot 1, Block 1, of
45 said Ridge Addition, thence south 42 degrees 20 minutes 38
46 seconds west, along the northwest line of said Lot 1,
47 Block 1, a distance of 112.07 feet to the west corner of
48 said Lot 1, Block 1, thence south 57 degrees 14 minutes 47
49 seconds east, along the southwest line of said Lot 1,
50 Block 1, a distance of 249.74 feet to a point on the east
51 right-of-way line of Ridge Road, thence around a curve in
52 a counterclockwise direction having a delta angle of 05
53 degrees 23 minutes 45 seconds, an arc distance of 767.25
54 feet, a radius of 714.05 feet, and a chord of north 30

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degrees 03 minutes 21 seconds east, a distance of 67.22 feet to the point of beginning, containing a calculated area of 23.96 acres, more or less,

has filed said plat in the office of the Planning Department of the City of Lincoln, Nebraska, with a request for approval and acceptance thereof, in the manner and form as by ordinance required; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

Section 1. That the plat of THE RIDGE 5TH ADDITION as an addition to the City of Lincoln, Nebraska, filed in the office of the Planning Department of said City by Ridge Development Limited Partnership as owner is hereby accepted and approved, and said owner is given the right to plat said THE RIDGE 5TH ADDITION as an addition to said City in accordance therewith. Such acceptance and approval are conditioned upon the following:

First: That said owner shall at its own cost and expense pay for all labor, material, engineering, and inspection costs in connection with the construction of street improvements, including the grading, paving, and installation of curb and gutter, curb inlets, and storm drain laterals for all streets as shown on the approved final plat. The construction shall be completed within two years following City Council approval of this final plat.

Second: That said owner shall at its own cost and expense pay for all labor, material, engineering, and inspection costs in connection with the construction of a public wastewater collection system as shown on the approved preliminary plat. The construction shall be completed within two years following City Council approval of this final plat.

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1 Third: That said owner shall at its own cost and expense pay for
2 all labor, material, engineering, and inspection costs in connection with the
3 construction of sidewalks as shown on the approved preliminary plat. The
4 construction shall be completed within four years following City Council
5 approval of this final plat.

6 Fourth: That said owner shall at its own cost expense pay for all
7 labor, material, engineering, and inspection costs in connection with the
8 construction of a public water distribution system as shown on the approved
9 preliminary plat. The construction shall be completed within two years
10 following City Council approval of this final plat.

11 Fifth: That said owner shall at its own cost and expense pay for
12 all labor, material, engineering, and inspection costs in connection with the
13 construction of drainage facilities as shown on the approved drainage study.
14 The construction shall be completed within two years following City Council
15 approval of this final plat.

16 Sixth: That said owner shall at its own cost and expense pay for
17 all labor, material, engineering, and inspection costs in connection with land
18 preparation and the installation of an ornamental street lighting system as
19 required by the preliminary plat for all streets shown on this final plat.
20 The construction shall be completed within two years following City Council
21 approval of this final plat.

22 Seventh: That said owner shall at its own cost and expense pay for
23 all labor, material, and related costs in connection with the installation of
24 street trees as shown on the landscape plan. The planting shall be completed
25 within four years following City Council approval of this final plat.

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Eighth: That said owner shall at its own cost and expense pay for all labor, material, and related costs in connection with the installation of street name signs as approved by the Department of Transportation. This installation shall be completed within two years following City Council approval of this final plat.

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

Section 2. That prior to the passage of this ordinance, said owner shall enter into a written agreement with the City which shall provide as follows:

The owner, its successors and assigns agree:

- a. To submit to the Director of Public Works an erosion control plan for his review and approval.
- b. To complete the private improvements shown on the preliminary plat and/or community unit plans.
- c. To protect the remaining trees on the site during construction and development.
- d. To pay all improvement costs, except the City agrees to contribute \$8,900 to the cost of the 12-inch water main extending from 27th Street to the west limits of this final plat. The City's agreement to contribute shall lapse if the construction is not completed by the owner within 2 years after the date of acceptance of this final plat.

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1 e. To submit to lot buyers and home builders a copy of the soils
2 analysis submitted with the preliminary plat.

3 f. To complete the permanent lot and block staking before con-
4 struction on or conveyance of any lot shown on this final plat.

5 Section 3. That said owner shall, prior to final passage of this
6 ordinance, execute and deliver to the City of Lincoln:

7 a. A bond or an approved escrow or security agreement in the sum
8 of \$200,000 conditioned upon the strict compliance by said owner with the
9 conditions contained in paragraph designated "First" of Section 1 of this
10 ordinance.

11 b. A bond or an approved escrow or security agreement in the sum
12 of \$23,000 conditioned upon the strict compliance by said owner with the
13 conditions contained in paragraph designated "Second" of Section 1 of this
14 ordinance.

15 c. A bond or an approved escrow or security agreement in the sum
16 of \$45,000 conditioned upon the strict compliance by said owner with the
17 conditions contained in paragraph designated "Third" of Section 1 of this
18 ordinance.

19 d. A bond or an approved escrow or security agreement in the sum
20 of \$80,000 conditioned upon the strict compliance by said owner with the
21 conditions contained in paragraph designated "Fourth" of Section 1 of this
22 ordinance.

23 e. A bond or an approved escrow or security agreement in the sum
24 of \$53,000 conditioned upon the strict compliance by said owner with the
25 conditions contained in paragraph designated "Fifth" of Section 1 of this
26 ordinance.

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1 f. A bond or an approved escrow or security agreement in the sum
2 of \$11,000 conditioned upon the strict compliance by said owner with the
3 conditions contained in paragraph designated "Sixth" of Section 1 of this
4 ordinance.

5 g. A bond or an approved escrow or security agreement in the sum
6 of \$9,800 conditioned upon the strict compliance by said owner with the
7 conditions contained in paragraph designated "Seventh" of Section 1 of this
8 ordinance.

9 h. A bond or an approved escrow or security agreement in the sum
10 of \$450 conditioned upon the strict compliance by said owner with the condi-
11 tions contained in paragraph designated "Eighth" of Section 1 of this ordi-
12 nance.

13 i. A bond or an approved escrow or security agreement in the sum
14 of \$1,200 conditioned upon the strict compliance by said owner with the
15 conditions contained in paragraph designated "Ninth" of Section 1 of this
16 ordinance.

17 The bonds required above shall be subject to approval by the City
18 Attorney. In the event that said owner or its surety shall fail to satisfy
19 the conditions herein set forth within the time specified in this ordinance,
20 the City Council may order the required work to be performed by the City and
21 recover the cost thereof from said owner and its surety.

22 Section 4. Immediately upon the taking effect of this ordinance,
23 the City shall cause the final plat and a certified copy of this ordinance
24 together with the written agreement required herein to be filed in the office
25 of the Register of Deeds of Lancaster County, Nebraska. Filing fees shall be
26 paid by said owner.

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1 Section 5. That this ordinance shall take effect and be in force
2 from and after its passage and publication according to law.

Introduced by:

Ken Haar

AYES: Haar, Johnson, Lyons,
Minnick, Seng, Wilson, Young;
NAYS: None.

Approved as to Form & Legality:

William F. Austin
City Attorney

Staff Review Completed:

Margie Johnson
Administrative Assistant

APPROVED

MAY 29 1992

Colleen J. Seng
MAYOR

PASSED

MAY 26 1992

7

A G R E E M E N T

THIS AGREEMENT is made and entered into by and between RIDGE DEVELOPMENT LIMITED PARTNERSHIP, 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 THE RIDGE 5TH ADDITION; and

WHEREAS, the ordinance 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 THE RIDGE 5TH ADDITION, it is agreed by and between Subdivider and City as follows:

1. The subdivider agrees to submit to the Director of Public Works an erosion control plan for his review and approval.
2. The subdivider agrees to complete the private improvements shown on the preliminary plat and/or community unit plans.
3. The subdivider agrees to protect the remaining trees on the site during construction and development.
4. The subdivider agrees to pay all improvement costs, except the City agrees to contribute \$8,900 to the cost of the 12-inch water main extending from 27th Street to the west limits of this final plat. The City's agreement to contribute shall lapse if the construction is not completed by the owner within 2 years after the date of acceptance of this final plat.
5. The subdivider agrees to submit to lot buyers and home builders a copy of the soils analysis submitted with the preliminary plat.

10

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

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

Dated this 29th day of MAY, 1992

ATTEST:

RIDGE DEVELOPMENT LIMITED
PARTNERSHIP

Karen P. Nelson
Secretary

Thomas E. White
General Partner

ATTEST:

RIDGE DEVELOPMENT LIMITED
PARTNERSHIP

Karen P. Nelson
Secretary

[Signature]
General Partner

ATTEST:

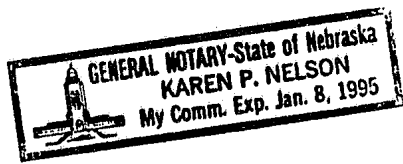
CITY OF LINCOLN, NEBRASKA,
a municipal corporation

[Signature]
City Clerk

[Signature]
Mayor - ACTING

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss.

The foregoing instrument was acknowledged before me this 23rd day of March, 1992 by Thomas White, General Partner of Ridge Development Limited Partnership, on behalf of the partnership.



Karen P. Nelson
Notary Public

12.

C E R T I F I C A T E

I, Paul A. Malzer, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of ORDINANCE NO. 16122 AND AGREEMENT

as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held MAY 26, 1992 as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 3RD day of JUNE, 19 92

[Signature]
City Clerk

Return to City Clerk

BLOCK
CODE
CHECKED
ENTERED
EDITED

LANCASTER COUNTY, NEB
Dan Nalte
REGISTER OF DEEDS

JUN 5 4 31 PM '92
INST. NO. 92 25551

50
\$60

CK Rec 8492

ORDINANCE NO. 16122

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 2 5TH ADDITION as an addition to the City of Lincoln, filed in the office of the
 3 Planning Department of the City of Lincoln, Nebraska, upon certain conditions
 4 herein specified and providing for sureties conditioned upon the strict compli-
 5 ance with such conditions.

6 WHEREAS, Ridge Development Limited Partnership, owner of a tract of
 7 land legally described as:

8 A portion of the remaining portion of the Southeast
 9 Quarter of Section 13, Township 9 North, Range 6 East of
 10 the 6th P.M., Lincoln, Lancaster County, Nebraska, more
 11 particularly described as follows:

PT 20745

12 Commencing from the southwest corner of Lot 1, Block 2,
 13 The Ridge Addition, said point also being the true point
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32 said Southeast Quarter, thence south 89 degrees 27 minutes
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