

11052
RESOLUTION NO. A- 60147

WHEREAS, Byron Reed Company, Inc., has submitted an application to amend Special Permit No. 593, heretofore granted by Resolution No. A-59553 authorizing the construction of a community unit plan on the following described real property, to-wit:

All of Woodhaven Addition and all of Lot 80, Irregular Tract in the Northwest Quarter of Section 9, Township 9 North, Range 7 East of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska

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

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

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

That the application of Byron Reed Company, Inc., hereinafter referred to as "Permittee" for an amendment to Special Permit No. 593 be and the same is hereby granted under the provisions of Sections 27.40.010 and 27.40.150 of the Lincoln Municipal Code upon condition that construction, development and operation of said community unit plan as amended be in strict compliance with said application, the plot plan and the following additional express terms, conditions and requirements:

1. That the landscape plan as approved by the Planning Director be implemented within two planting seasons following 60 percent of the total number of dwelling units in each phase of this community unit plan receiving initial occupancy permits.

2. That Permittee construct the proposed walkways, hard-surfaced playareas and tennis courts proposed for this community unit plan prior to 60 percent of the total number of dwelling units in each phase of this community unit plan receiving initial occupancy permits.

3. That Permittee prepare and submit a final plat of the

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above described real property designated as Lot 80 of Irregular Tracts in accordance with the approved preliminary plat for Woodhaven Addition and the land subdivision ordinance for the City of Lincoln.

4. That construction of this proposed community unit plan not proceed until the same has been approved by the Superintendent of Building Inspections for the City of Lincoln, and that no dwelling units within this community unit plan shall be occupied or otherwise used until the Superintendent of Building Inspections has found that Permittee is complying with all the terms, conditions and requirements of the City set forth in this resolution.

5. That within 30 days from the date of this resolution, Permittee shall properly execute the Letter of Acceptance attached hereto as Appendix "A" and file the same with the City Clerk evidencing its unqualified acceptance of all terms, conditions, and requirements herein set forth, otherwise Special Permit No. 593 heretofore granted by Resolution No. A-59553 and amended herein shall be null and void and of no force and effect.

6. That all terms, conditions and requirements of this special use permit resolution shall be binding and obligatory upon the Permittee and its successors and assigns; and that Permittee shall at its own cost and expense within 40 days from the effective date of this resolution, cause a certified copy hereof together with a certified copy of the executed Letter of Acceptance attached hereto to be filed in the office of the Register of Deeds for Lancaster County, Nebraska.

BE IT FURTHER RESOLVED that Resolution No. A-59553 be and the same is hereby repealed, revoked and rescinded.

ADOPTED
MAY 21 1973
Approved as to Form and Legality:
By City Council
[Signature]
City Attorney

Introduced by

W. Richard Lake

APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance

Gentlemen and Mrs. Boosalis:

I, ROBERT E KALDAHL, VICE President
of BYRON REED COMPANY, INC
Applicant under Special Permit No. , granted by Resolution
No. A- 60147, adopted by the City Council on May 21,
19 73, do hereby certify that that I have thoroughly read said
resolution, understand the contents thereof and do hereby accept
on behalf of the Applicant without qualification, the terms
and conditions set forth therein.

Robert E Kaldahl
VICE President

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MICRO-FILED
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misc.

LANCASTER COUNTY NEBR.
REGISTER OF DEEDS

1973 JUN -7 AM 9:46

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 73- 11052

\$10.25

*Byron Reed
Atty
1020 "J"*