

*Dan Galte*

REGISTER OF DEEDS

2008 MAY -4 P 3:46

INST. NO 2000

018838

#54.00

ASPEN 5  
ASPEN 6  
ASPEN 7  
ASPEN 9

BLOCK  
CODE  
CHECKED  
ENTERED  
EDITED

~~BLOCK  
CODE  
CHECKED  
ENTERED  
EDITED~~

10

00R-109

Introduce: 4-10-00

RESOLUTION NO. A- 80121

SPECIAL PERMIT NO. 1713A

1 WHEREAS, Krein Real Estate and Aspen Partnership have submitted an  
2 application designated as Special Permit No. 1713A for authority to amend the Aspen 3rd  
3 Addition Community Unit Plan to reduce the front yard setback on the single-family and  
4 two-family residential lots from 25 feet to 20 feet on property located at Eagle Ridge Road  
5 and Carmen Circle, and legally described to wit:

6 Lots 2-6, Block 2, Aspen 5th Addition; Lots 1-19, Block 2,  
7 Aspen 5th Addition; Lots 1-12, Block 4, Aspen 5th Addition;  
8 Lots 1-8, Block 1, Aspen 6th Addition; Lots 1-3, Block 2, Aspen  
9 6th Addition; Lots 1-4, 8 and 9, Block 3, Aspen 6th Addition;  
10 Lots 1-3, Aspen 7th Addition; Lots 2 and 3, Aspen 9th Addition,  
11 Lincoln, Lancaster County, Nebraska;  
12

13 WHEREAS, the real property adjacent to the area included within the site  
14 plan for this will not be adversely affected; and

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

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

20 That the application of Krein Real Estate and Aspen Partnership, hereinafter  
21 referred to as "Permittee", to amend the Aspen 3rd Addition Community Unit Plan to  
22 reduce the front yard setback on the single-family and two-family residential lots from 25

*City Clerk*  
*JOAN*

1 feet to 20 feet be and the same is hereby granted under the provisions of Section 27.63.  
2 320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that the reduction of  
3 the front yard setback be in strict compliance with said application, the site plan, and the  
4 following additional express terms, conditions, and requirements:

5 1. This permit approves a reduction in the front yard setback from 25 feet  
6 to 20 feet.

7 2. Before receiving building permit the construction plans must conform  
8 to the approved plans.

9 3. Before occupying the dwelling units, all development and construction  
10 must be completed in conformance with the approved plan.

11 4. All privately-owned improvements, including landscaping, recreational  
12 facilities and the off-site storm water detention cell located upon that portion of Outlot "A"  
13 Aspen 1st Addition, must be permanently maintained by the Permittee or an appropriately  
14 established homeowners association approved by the City Attorney.

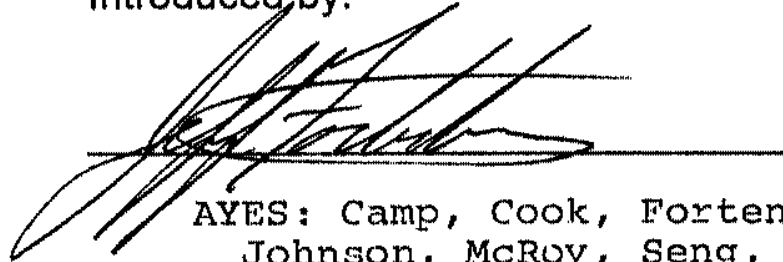
15 5. The site plan approved by this permit shall be the basis for all  
16 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
17 elements, and similar matters.

18 6. The terms, conditions, and requirements of this resolution shall be  
19 binding and obligatory upon the Permittee and the Permittee's successors and assigns.  
20 The building official shall report violations to the City Council which may revoke the special  
21 permit or take such other action as may be necessary to gain compliance.

22 7. The Permittee shall sign and return the City's letter of acceptance to  
23 the City Clerk within 30 days following approval of the special permit, provided, however,

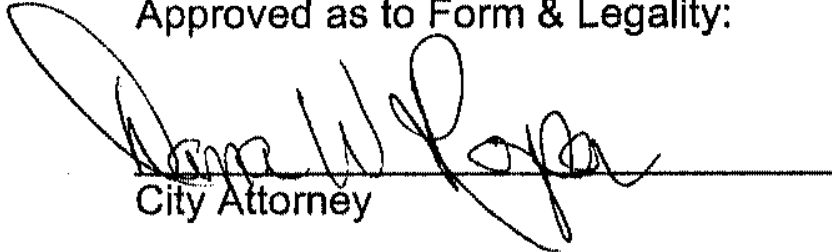
1 said 30-day period may be extended up to six months by administrative amendment. The  
2 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
3 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
4 Permittee.

Introduced by:



AYES: Camp, Cook, Fortenberry,  
Johnson, McRoy, Seng, Shoecraft;  
NAYS: None.

Approved as to Form & Legality:

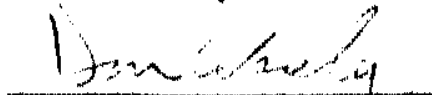
  
City Attorney

Staff Review Completed:

  
Administrative Assistant

**APPROVED**

APR 19 2000

  
MAYOR

**ADOPTED**

APR 17 2000

By City Council

**LETTER OF ACCEPTANCE**

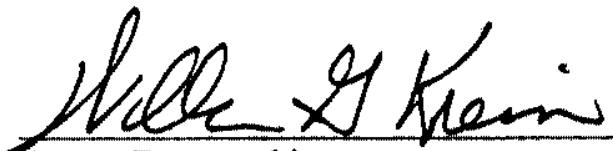
City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

We, William G Krein and William B Krein the undersigned representatives of Krein Real Estate and Aspen Partnership., Permittee in Special Permit No. 1713A granted by **Resolution No. A-80121** adopted by the City Council of the City of Lincoln, Nebraska, on April 17, 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 29 day of April, 2000.

  
Krein Real Estate

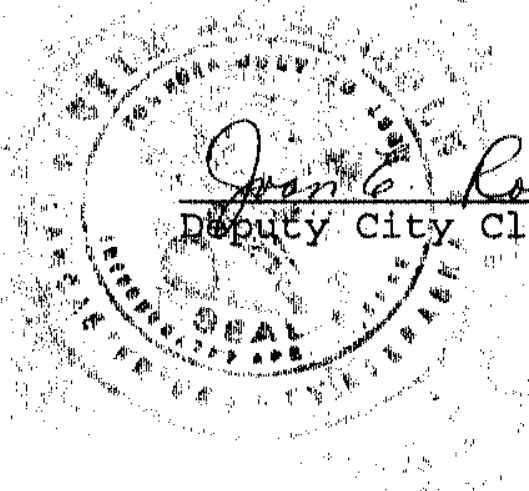
  
Aspen Partnership

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. 1713A** approved by Resolution No. A-80121 adopted by the City Council on April 17, 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 4<sup>th</sup> day of May, 2000.

The seal of the City of Lincoln, Nebraska, is circular and features the text "SEAL OF THE CITY OF LINCOLN, NEBRASKA" around the perimeter. In the center, there is a smaller emblem. Overlaid on the seal is a handwritten signature "Joan E. Ross" and a horizontal line. Below the line, the text "Deputy City Clerk" is printed.

Joan E. Ross  
Deputy City Clerk

*Ret to City Clerk*