

\$30.50

BLOCK

Dan Galte

INST. NO 2000

NORTHVIEW 2

REGISTER OF DEEDS

010396

CHECKED

ENTERED

EDITED

2000 MAR 15 A 11:42

11 30 50 19

00R-51

Introduce: 2-14-00

RESOLUTION NO. A- 80031

SPECIAL PERMIT NO. 1820

P+ DLA Northview 2nd Add

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WHEREAS, Regal Building Systems, Inc. has submitted an application designated as Special Permit No. 1820 for authority to construct 128 dwelling units for the elderly and a 60 person domiciliary care facility on property located at North 24th and Dodge Streets, and legally described to wit:

A tract of land located in the North Half of Section 12, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska and more particularly described as follows:

Referring to the southeast corner of the Northeast Quarter of said Section 12; thence in a northerly direction, along the east line of the Northeast Quarter of said Section 12, on an assumed bearing of north 00 degrees 04 minutes 52 seconds west, for a distance of 811.04 feet to the centerline of Old Dairy Road; thence along said centerline of Old Dairy Road, north 88 degrees 42 minutes 53 seconds west, for a distance of 471.04 feet; thence north 01 degrees 17 minutes 07 seconds east, for a distance of 33.00 feet; thence on a curve to the right with a central angle of 42 degrees 36 minutes 55 seconds, a radius of 117.00 feet, a chord bearing of north 67 degrees 52 minutes 58 seconds west, a chord length of 85.03 feet, and an arc distance of 87.02 feet; thence south 43 degrees 25 minutes 34 seconds west, for a distance of 66.00 feet; thence north 88 degrees 45 minutes 16 seconds west, for a distance of 723.37 feet; thence north 00 degrees 02 minutes 31 seconds west, for a distance of 495.97 feet; thence north 00 degrees 14 minutes 33 seconds west, for a distance of 233.92 feet; thence south 88 degrees 47 minutes 20 seconds east, for a distance of 99.30 feet; thence on a curve to the left with a central angle of 01 degrees 11 minutes 16 seconds, a radius of 630.00 feet, a chord bearing of south 89 degrees 24 minutes 22 seconds east, a chord length of 13.06 feet, and an arc distance of 13.06 feet to a point of tangency; thence south 90 degrees 00 minutes 00 seconds east, for a distance of 186.38 feet; thence north 00 degrees 00 minutes 00 seconds

City Clerk - Joan

1 east, for a distance of 188.00 feet to the point of beginning;
2 thence north 00 degrees 00 minutes 00 seconds east, for a
3 distance of 193.24 feet; thence north 86 degrees 11 minutes
4 44 seconds east, for a distance of 33.99 feet; thence north 03
5 degrees 48 minutes 16 seconds west, for a distance of 60.00
6 feet; thence south 86 degrees 11 minutes 44 seconds west, for
7 a distance of 30.00 feet; thence north 00 degrees 00 minutes
8 00 seconds east, for a distance of 160.06 feet; thence north 76
9 degrees 34 minutes 46 seconds east, for a distance of 287.64
10 feet; thence north 89 degrees 57 minutes 45 seconds east, for
11 a distance of 232.02 feet; thence south 00 degrees 00 minutes
12 51 seconds east, for a distance of 425.40 feet; thence south
13 88 degrees 46 minutes 43 seconds east, for a distance of
14 39.81 feet; thence south 00 degrees 03 minutes 42 seconds
15 east, for a distance of 54.10 feet; thence north 90 degrees 00
16 minutes 00 seconds west, for a distance of 551.78 feet to the
17 point of beginning, containing 5.435 acres, more or less;

18 WHEREAS, the real property adjacent to the area included within the site
19 plan for this development of the elderly dwelling units and the domiciliary care facility will
20 not be adversely affected; and

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

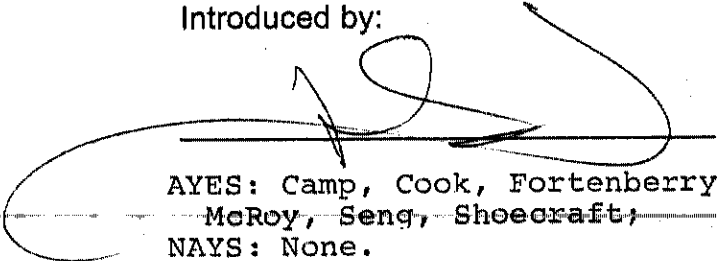
24 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
25 Lincoln, Nebraska:

26 That the application of Regal Building Systems, Inc., hereinafter referred to
27 as "Permittee", to construct 128 dwelling units for the elderly and a 60 person domiciliary
28 care facility on the property legally described above, be and the same is hereby granted
29 under the provisions of Section 27.63.210 and Section 27.63.530 of the Lincoln Municipal
30 Code upon condition that construction and operation of said elderly dwelling units and
31 domiciliary care facility be in strict compliance with said application, the site plan, and the
32 following additional express terms, conditions, and requirements:

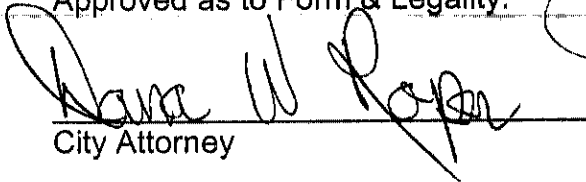
- 1 1. This permit approves 128 dwelling units for elderly persons and a 60
2 person domiciliary care facility.
- 3 2. All dwelling units for the elderly shall have at least one occupant of age
4 60 years or older.
- 5 3. Before receiving building permits:
 - 6 a. The Permittee must submit a revised and reproducible final
7 plan.
 - 8 b. The Permittee shall vacate the Timothy Court right-of-way stub
9 and reconstruct the street to private driveway standards in the
10 vacated right-of-way.
- 11 4. Before occupying the dwelling units all development and construction
12 shall be completed in conformance to the approve plans.
- 13 5. All privately-owned improvements shall be permanently maintained by
14 the Permittee or an appropriately established property owners association approved by the
15 City Attorney.
- 16 6. The site plan approved by this permit shall be the basis for all
17 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
18 elements, and similar matters.
- 19 7. The terms, conditions, and requirements of this resolution shall be
20 binding and obligatory upon the Permittee, its successors, and assigns. The building
21 official shall report violations to the City Council which may revoke the special permit or
22 take such other action as may be necessary to gain compliance.
- 23 8. The Permittee shall sign and return the City's letter of acceptance to
24 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:



Approved as to Form & Legality:


City Attorney

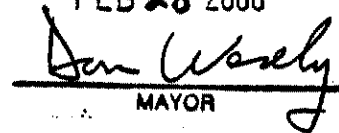
AYES: Camp, Cook, Fortenberry, Johnson,
McRoy, Seng, Shoecraft,
NAYS: None.

Staff Review Completed:


Administrative Assistant

APPROVED

FEB 28 2000


MAYOR

ADOPTED

FEB 28 2000

By City Council

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, MARTIN the undersigned representative of Regal Building Systems, Inc Permittee in Special Permit No. 1820 granted by Resolution No. A-80031 adopted by the City Council of the City of Lincoln, Nebraska, on February 22, 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 01 day of MAR, 2000.



Permittee

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. 1820** approved by Resolution No. A-80031 adopted by the City Council on February 22, 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 15 day of March, 2000.

Joan E. Ross
Deputy City Clerk

Ret to City Clerk