

\$36.50

BLOCK

Dan Galte

INST. NO 2000

NORTHVIEW 1
NORTHVIEW 2
CHECKED

REGISTER OF DEEDS

2000 MAR 22 P 2:09

011558

ENTERED

EDITED

\$36.50

00R-50

Introduce: 2-14-00

RESOLUTION NO. A- 80030

SPECIAL PERMIT NO. 1781

1 WHEREAS, Gerald Maddox has submitted an application designated as
 2 Special Permit No. 1781 for authority to develop Northview 1st Community Unit Plan
 3 consisting of 122 attached single family dwelling units on property generally located at
 4 North 24th and Dodge Streets, and legally described to wit:

5 Lot 2, Block 1, Northview 1st Addition, Outlot "A", Northview
 6 2nd Addition, and Lot 140 I.T., located in the North One-half of
 7 Section 12, Township 10 North, Range 6 East of the 6th P.M.,
 8 City of Lincoln, Lancaster County, Nebraska, and more
 9 particularly described as follows:

10 Referring to the southeast corner of the Northeast Quarter of
 11 said Section 12, thence in a northerly direction, along the east
 12 line of the Northeast Quarter of said Section 12, on an
 13 assumed bearing of north 00 degrees 04 minutes 52 seconds
 14 west for a distance of 811.04 feet to the centerline of Old Dairy
 15 Road; thence along said centerline of Old Dairy Road, north 88
 16 degrees 42 minutes 53 seconds west for a distance of 471.04
 17 feet; thence north 01 degrees 17 minutes 07 seconds east for
 18 a distance of 33.00 feet to the point of beginning; thence on a
 19 curve to the right, with an angle of 42 degrees 36 minutes 55
 20 seconds, a radius of 117.00 feet, a chord bearing of north 67
 21 degrees 52 minutes 58 seconds west, a chord length of 85.03
 22 feet, and an arc distance of 87.02 feet; thence south 43
 23 degrees 25 minutes 34 seconds west for a distance of 66.00
 24 feet; thence north 88 degrees 45 minutes 16 seconds west for
 25 a distance of 723.37 feet; thence north 00 degrees 02 minutes
 26 31 seconds west for a distance of 495.97 feet; thence north 00
 27 degrees 14 minutes 33 seconds west for a distance of 233.92
 28 feet; thence south 88 degrees 47 minutes 20 seconds east for
 29 a distance of 99.30 feet; thence on a curve to the left, with an
 30 angle of 01 degrees 11 minutes 16 seconds, a radius of
 31 630.00 feet, a chord bearing of south 89 degrees 24 minutes
 32 22 seconds east, a chord length of 13.06 feet, and an arc
 33 distance of 13.06 feet to a point of tangency; thence south 90

L140 in NE 1/4

Joan Ross City Clerk

1 degrees 00 minutes 00 seconds east for a distance of 323.50
2 feet; thence north 00 degrees 00 minutes 00 seconds east for
3 a distance of 60.00 feet; thence north 90 degrees 00 minutes
4 00 seconds west for a distance of 137.12 feet; thence north 00
5 degrees 00 minutes 00 seconds east for a distance of 128.00
6 feet; thence south 90 degrees 00 minutes 00 seconds east for
7 a distance of 551.78 feet; thence south 00 degrees 03 minutes
8 42 seconds east for a distance of 437.28 feet; thence south 00
9 degrees 03 minutes 42 seconds east for a distance of 478.25
10 feet; thence north 88 degrees 42 minutes 53 seconds west for
11 a distance of 2.79 feet to the point of beginning. Said parcel
12 containing a calculated area of 16.50 acres, including 3.112
13 acres of right-of-way, more or less.

14 AND

15 Referring to the southeast corner of the Northeast Quarter of
16 said Section 12, thence in a northerly direction, along the east
17 line of the Northeast Quarter of said Section 12, on an
18 assumed bearing of north 00 degrees 04 minutes 52 seconds
19 west for a distance of 811.04 feet to the centerline of Old Dairy
20 Road; thence along said centerline of Old Dairy Road, north 88
21 degrees 42 minutes 53 seconds west for a distance of 471.04
22 feet; thence north 01 degrees 17 minutes 07 seconds east for
23 a distance of 33.00 feet; thence on a curve to the right, with an
24 angle of 42 degrees 36 minutes 55 seconds, a radius of
25 117.00 feet, a chord bearing of north 67 degrees 52 minutes
26 58 seconds west, a chord length of 85.03 feet, and an arc
27 distance of 87.02 feet; thence south 43 degrees 25 minutes 34
28 seconds west for a distance of 66.00 feet; thence north 88
29 degrees 45 minutes 16 seconds west for a distance of 723.37
30 feet; thence north 00 degrees 02 minutes 31 seconds west for
31 a distance of 495.97 feet; thence north 00 degrees 14 minutes
32 33 seconds west for a distance of 233.92 feet; thence north 00
33 degrees 01 minutes 15 seconds west for a distance of 60.00
34 feet to the point of beginning; thence north 00 degrees 01
35 minutes 15 seconds west for a distance of 125.74 feet; thence
36 south 90 degrees 00 minutes 00 seconds east for a distance
37 of 238.78 feet; thence south 00 degrees 00 minutes 00
38 seconds west for a distance of 128.00 feet; thence south 90
39 degrees 00 minutes 00 seconds west for a distance of 126.10
40 feet; thence on a curve to the right, with an angle of 01
41 degrees 11 minutes 17 seconds, a radius of 570.00 feet, a
42 chord bearing of north 89 degrees 24 minutes 22 seconds
43 west, a chord length of 11.82 feet, and an arc distance of

1 11.82 feet to a point of tangency; thence north 88 degrees 47
2 minutes ~~20 seconds west for a distance of 100.84 feet to the~~
3 point of beginning. Said parcel containing a calculated area of
4 0.699 acres, more or less.

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

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

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

12 That the application of Gerald Maddox, hereinafter referred to as "Permittee",
13 to develop Northview 1st Community Unit Plan consisting of 122 attached single family
14 dwelling units on the property legally described above, be and the same is hereby granted
15 under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal
16 Code upon condition that construction and operation of said community unit plan be in
17 strict compliance with said application, the site plan, and the following additional express
18 terms, conditions, and requirements:

19 1. This permit only approves ¹²² ~~121~~ dwelling units. ~~as the requested 122~~
20 ~~dwelling units exceeds the allowable maximum density.~~

21 2. Before receiving building permits:

- 22 a. The Permittee must submit a revised and reproducible final
23 plat.
24 b. The construction plans shall conform to the approved plans.
25 c. Final plats within the area of this community unit plan must be

AMENDED 2/22/00

1 approved by the City.

2 3. Before occupying any of this development all development and
3 construction shall be completed in conformance to the approve plans.

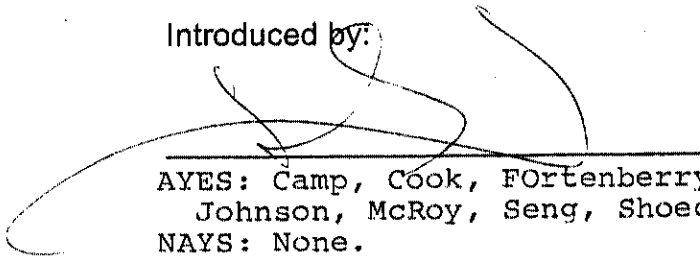
4 4. All privately-owned improvements shall be permanently maintained by
5 the owner or an appropriately established property owners association approved by the
6 City Attorney.

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

10 6. The terms, conditions, and requirements of this resolution shall be
11 binding and obligatory upon the Permittee, its successors, and assigns. The building
12 official shall report violations to the City Council which may revoke the special permit or
13 take such other action as may be necessary to gain compliance.

14 7. The Permittee shall sign and return the City's letter of acceptance to
15 the City Clerk within 30 days following approval of the special permit, provided, however,
16 said 30-day period may be extended up to six months by administrative amendment. The
17 City Clerk shall file a copy of the resolution approving the special permit and the letter of
18 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
19 Permittee.

Introduced by:


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

Approved as to Form & Legality:


City Attorney

Staff Review Completed:

Ann Howell

Administrative Assistant

2/22/00 Council Proceedings:

CAMP Moved to amend Bill No. 00R-50 on page 3, line 19 after the word "approves" strike the number 121 & insert in lieu thereof the number 122, and page 3 line 19, after the word "units" strike the remaining portion of the sentence on lines 19 & 20.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVED

FEB 22 2000

Don Wards
MAYOR

ADOPTED

FEB 22 2000

By City Council

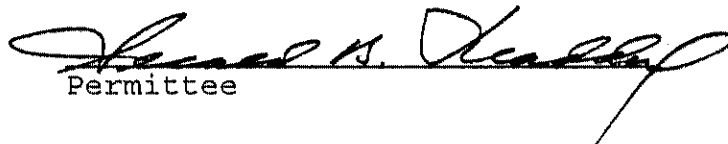
LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, Gerald Maddox, Permittee under **Special Permit No. 1781** granted by **Resolution No. A-80030** adopted by the Lincoln City Council 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 22ND day of MARCH, 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. 1781** approved by Resolution No. A-80030 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 12 day of March, 2000.

Joan E. Ross
Deputy City Clerk

Ret to City Clerk