

\$39.50

Dan Galte  
REGISTER OF DEEDS  
2000 MAY 24 P 4: 09  
LANCASTER COUNTY, NE

INST. NO 2000

021888

NORTHVIEW 3  
NORTHVIEW 2

BLOCK  
CODE  
CHECKED  
ENTERED  
EDITED X

pos. Survey

00R-133

Introduce: 4-24-00

RESOLUTION NO. A- 80157

SPECIAL PERMIT NO. 1781A

1 WHEREAS, Design Associates has submitted an application designated as  
2 Special Permit No. 1781A for authority to amend the Northview 1st Community Unit Plan  
3 to adjust the rear yard setbacks on the lots within proposed Block 3 and to adjust the lot  
4 configuration on proposed Lots 10 through 13, Block 2, on property generally located at

5 North 24th and Dodge Streets, and legally described to wit:  
Northview 3rd, Outlot A,, Lots 1-6; Block 1

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

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

City Clerk  
Juan

1 a radius of 630.00 feet, a chord bearing of south 89 degrees  
2 24 minutes 22 seconds east, a chord length of 13.06 feet, and  
3 an arc distance of 13.06 feet to a point of tangency; thence  
4 south 90 degrees 00 minutes 00 seconds east for a distance  
5 of 323.50 feet; thence north 00 degrees 00 minutes 00  
6 seconds east for a distance of 60.00 feet; thence north 90  
7 degrees 00 minutes 00 seconds west for a distance of 137.12  
8 feet; thence north 00 degrees 00 minutes 00 seconds east for  
9 a distance of 128.00 feet; thence south 90 degrees 00 minutes  
10 00 seconds east for a distance of 551.78 feet; thence south 00  
11 degrees 03 minutes 42 seconds east for a distance of 437.28  
12 feet; thence south 00 degrees 03 minutes 42 seconds east for  
13 a distance of 478.25 feet; thence north 88 degrees 42 minutes  
14 53 seconds west for a distance of 2.79 feet to the point of  
15 beginning. Said parcel containing a calculated area of 16.50  
16 acres, including 3.112 acres of right-of-way, more or less.

17 AND

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

1 degrees 00 minutes 00 seconds west for a distance of 126.10  
2 feet; thence on a curve to the right, with an angle of 01  
3 degrees 11 minutes 17 seconds, a radius of 570.00 feet, a  
4 chord bearing of north 89 degrees 24 minutes 22 seconds  
5 west, a chord length of 11.82 feet, and an arc distance of  
6 11.82 feet to a point of tangency; thence north 88 degrees 47  
7 minutes 20 seconds west for a distance of 100.84 feet to the  
8 point of beginning. Said parcel containing a calculated area  
9 of 0.699 acres, more or less.

10 WHEREAS, the real property adjacent to the area included within the site  
11 plan for this adjustment to the rear yard setbacks will not be adversely affected; and

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

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

17 That the application of Design Associates, hereinafter referred to as  
18 "Permittee", to adjust the rear yard setbacks on the lots within proposed Block 3 and to  
19 adjust the lot configuration on proposed Lots 10 through 13, Block 2, on the property  
20 legally described above, be and the same is hereby granted under the provisions of  
21 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
22 construction and operation of said be in strict compliance with said application, the site  
23 plan, and the following additional express terms, conditions, and requirements:

24 1. This permit approves the reduction of the rear yard setback of Lots 1  
25 through 82, Block 3, from 30 feet or 20% of the depth of the lot to 5 feet, and the  
26 adjustment of the lot lines and easement lines for Lots 10 through 13, Block 2.

- 1                   2.     Before receiving building permits:
- 2                   a.     The Permittee must submit a revised and reproducible final
- 3                   plan.
- 4                   b.     The construction plans must conform to the approved plans.
- 5                   c.     Final plats within this community unit plan must be approved
- 6                   by the City.
- 7                   3.     Before occupying the dwelling units all development and construction
- 8     must be completed in conformance with the approved plans.
- 9                   4.     All privately-owned improvements shall be permanently maintained
- 10     by the Permittee or an appropriately established homeowners association approved by the
- 11     City Attorney.
- 12                  5.     The site plan approved by this permit shall be the basis for all
- 13     interpretations of setbacks, yards, locations of buildings, location of parking and circulation
- 14     elements, and similar matters.
- 15                  6.     The terms, conditions, and requirements of this resolution shall be
- 16     binding and obligatory upon the Permittee, its successors, and assigns. The building
- 17     official shall report violations to the City Council which may revoke the special permit or
- 18     take such other action as may be necessary to gain compliance.
- 19                  7.     The Permittee shall sign and return the City's letter of acceptance to
- 20     the City Clerk within 30 days following approval of the special permit, provided, however,
- 21     said 30-day period may be extended up to six months by administrative amendment. The
- 22     City Clerk shall file a copy of the resolution approving the special permit and the letter of

1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
2 Permittee.

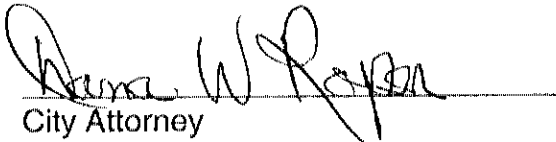
3 8. The site plan as approved with this resolution voids and supersedes  
4 all previously approved site plans. All prior resolutions approving Special Permit No.1781  
5 remain in force except as specifically amended by this resolution.

Introduced by:



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

Approved as to Form & Legality:

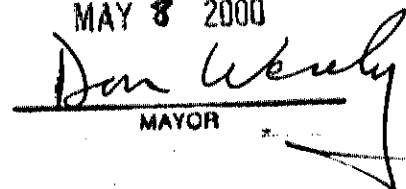
  
City Attorney

Staff Review Completed:

  
Administrative Assistant

**APPROVED**

MAY 8 2000

  
MAYOR

5

**ADOPTED**

MAY 1 2000

By City Council

**LETTER OF ACCEPTANCE**

City Council  
City of Lincoln  
Lincoln, Nebraska

To The City Council:

I, J.D. Burt the undersigned representative of Design Associates Permittee in Special Permit No. 1781A granted by **Resolution No. A-80157** adopted by the City Council of the City of Lincoln, Nebraska, on May 1, 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 1st day of May, 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. 1781A** approved by Resolution No. A-80157 adopted by the City Council on May 1, 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 19<sup>th</sup> day of May, 2000.

  
*Joan E. Ross*  
\_\_\_\_\_  
Deputy City Clerk

*Ret to City Clerk*