

\$35.50

BLOCK

CODE

~~CHECKED~~

~~ENTERED~~

~~EDITED~~

Dan Jolte

REGISTER OF DEEDS

2001 SEP 26 P 3:56

LANCASTER COUNTY, NE

INST. NO 2001

055795

01R-222

Introduce: 8-13-01

RESOLUTION NO. A- 81074

USE PERMIT NO. 139

1 WHEREAS, Hampton Development Services has submitted an
 2 application in accordance with Section 27.27.080 of the Lincoln Municipal Code
 3 designated as Use Permit No. 139 for authority to develop 500,500 sq. ft. of industrial
 4 and office space on property generally located between North 14th and North 27th
 5 Streets, north of I-80 and south of Alvo and Arbor Roads, and legally described to wit:

6 A part of Lots 17, 31, 3, and 20, Irregular Tracts, all in the
 7 Northwest Quarter and the Northeast Quarter of Section 36,
 8 Township 11 North, Range 6 East of the 6th P.M., Lancaster
 9 County, Nebraska, and more fully described by metes and
 10 bounds as follows:

11 Referring to the northwest corner of said Section 36; thence
 12 south 89 degrees 28 minutes 59 seconds east (an assumed
 13 bearing) on the north line of the Northwest Quarter, a
 14 distance of 2645.59 feet; thence south 89 degrees 31
 15 minutes 31 seconds east, on the north line of the Northeast
 16 Quarter, a distance of 905.39 feet to the point of beginning;
 17 thence continuing south 89 degrees 31 minutes 31 seconds
 18 east, a distance of 997.08 feet, to a point on the westerly
 19 right-of-way line of Interstate 80; thence south 28 degrees
 20 16 minutes 49 seconds west, on said line, a distance of
 21 495.92 feet; thence south 39 degrees 44 minutes 14
 22 seconds west on said line, a distance of 395.97 feet; thence
 23 south 42 degrees 30 minutes 33 seconds west on said line,
 24 a distance of 774.29 feet; thence south 89 degrees 33
 25 minutes 37 seconds east on said line, a distance of 73.98
 26 feet; thence south 50 degrees 54 minutes 23 seconds west,
 27 a distance of 146.20 feet; thence south 35 degrees 44
 28 minutes 24 seconds west on said line, a distance of 1325.67
 29 feet; thence north 65 degrees 04 minutes 42 seconds west,
 30 a distance of 424.62 feet; thence north 40 degrees 00
 31 minutes 54 seconds west, a distance of 422.69 feet; thence
 32 north 49 degrees 59 minutes 06 seconds east, a distance of
 33 26.92 feet to the point of curvature of a curve to the left,

Teresa city clerk

1 having a central angle of 14 degrees 14 minutes 04
2 seconds, a radius of 1236.00 feet, an arc length of 307.07
3 feet, a chord length of 306.28 feet and a chord bearing north
4 42 degrees 52 minutes 04 seconds east; thence on said
5 curve, a distance of 307.07 feet to the point of tangency;
6 thence north 35 degrees 45 minutes 02 seconds east, a
7 distance of 2153.48 feet to the point of beginning and
8 containing a calculated area of 52.700 acres more or less;

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this development of industrial and office space will not be adversely affected;
11 and

12 WHEREAS, said site plan together with the terms and conditions
13 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
14 Municipal 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 Hampton Development Services, hereinafter
18 referred to as "Permittee", to develop 500,500 sq. ft. of industrial and office space on
19 the property legally described above be and the same is hereby granted under the
20 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
21 construction and operation of said industrial and office space be in strict compliance
22 with said application, the site plan, and the following additional express terms,
23 conditions, and requirements:

- 24 1. This permit approves:
 - 25 a. 500,500 square feet of industrial and office floor area, of
26 which no more than 30% of the floor area may be used for
27 office space.

1 b. A reduction of the front yard setbacks along Interstate 80
2 from 50 feet to 40 feet at a point shown on the plan, and a
3 reduction of side yard setbacks along the property line with
4 Outlot D from 50 feet to 20 feet.

5 2. Before receiving building permits:

6 a. The Permittee must submit a revised and reproducible final
7 plan acceptable to the Planning Director, including five
8 copies .

9 b. The construction plans must conform to the approved plans.

10 3. Before occupying the industrial and office space, all development
11 and construction must be completed in conformance with the approved plans.

12 4. All privately owned improvement must be permanently maintained
13 by the Permittee or an appropriately established owners association approved by the
14 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
17 circulation elements, and similar matters.

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

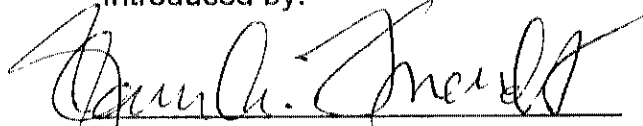
22 7. The Permittee shall sign and return the City's letter of acceptance
23 to the City Clerk within 30 days following approval of this use permit, provided,

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

5 8. The site plan as approved with this resolution voids and
6 supersedes all previously approved site plans, however all resolutions approving
7 previous permits remain in force unless specifically amended by this resolution.

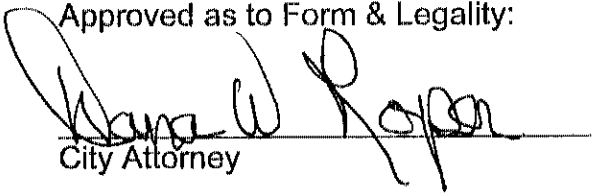
See further Council Proceedings
on next page.

Introduced by:



AYES: Camp, Cook, Friendt,
McRoy, Seng, Svoboda, Werner
NAYS: None.

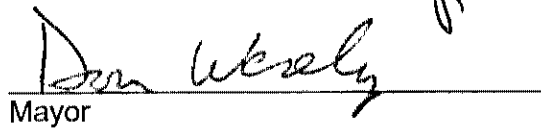
Approved as to Form & Legality:


City Attorney

Staff Review Completed:


Administrative Assistant

Approved this 31st day of Aug., 2001:


Mayor

ADOPTED

AUG 27 2001

By City Council

01R-222

08/20/01 Council Proceedings:

WERNER Moved to delay action on Bill No. 01R-222 for one week to 8/27/01.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: Friendt.

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, ROBERT D. HAMPTON the undersigned representative(s) of **Hampton Development Services, Permittee in Use Permit 139** granted by **Resolution No. A-81074** adopted by the City Council of the City of Lincoln, Nebraska, on Aug. 27, 2001 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 20 day of September, 2001.

Robert D. Hampton
Permittee

C E R T I F I C A T E

STATE OF NEBRASKA)

COUNTY OF LANCASTER) ss:

CITY OF LINCOLN)

I, Teresa J. Meier-Brock, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Use Permit 139** approved by **Resolution No. A-81074** adopted by the City Council on **Aug. 27, 2001** 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 26th day of Sept., 2001.

Teresa J. Meier Brock
Deputy City Clerk