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2003 NOV 19 P 3:05

LANCASTER COUNTY, NE



A82450

37

03R-300

Introduce: 10-20-03

RESOLUTION NO. A- 82450

USE PERMIT NO. 134A

1 WHEREAS, Ridge Development Company and Southview, Inc. have
 2 submitted an application in accordance with Section 27.27.080 of the Lincoln Municipal
 3 Code designated as Use Permit No. 134A for authority to construct approximately 44,875
 4 sq. ft. of office floor area, including waivers to allow zero setbacks on certain lots and to
 5 reduce the front yard setback along South 27th Street, on property generally located
 6 northeast of the intersection of South 27th Street and Yankee Hill Road, and legally
 7 described to wit:

8 A portion of Outlot "E" Pine Lake Heights South 4th Addition,
 9 located in the Southwest Quarter of Section 19, Township 9
 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster
 11 County, Nebraska, and more particularly described as follows:

12
 13 Commencing at the southwest corner of said Southwest
 14 Quarter; thence on an assumed bearing of north 00 degrees
 15 02 minutes 09 seconds west along the west line of said
 16 Southwest Quarter, a distance of 1162.79 feet to a point, said
 17 point being the true point of beginning; thence continuing north
 18 00 degrees 02 minutes 09 seconds west along said west line,
 19 a distance of 227.93 feet to a point; thence north 89 degrees
 20 57 minutes 52 seconds east, a distance of 324.56 feet to a
 21 point of curvature; thence along a curve in a counter clockwise
 22 direction, having a radius of 1,540.00 feet, arc length of
 23 169.87 feet, delta angle of 06 degrees 19 minutes 11
 24 seconds, a chord bearing of north 86 degrees 48 minutes 16
 25 seconds east, and a chord length of 169.78 feet to a point of
 26 curvature of a non tangent curve, said point being on the center
 27 line of Grainger Parkway right-of-way; thence along a curve in
 28 a clockwise direction, having a radius of 300.00 feet, arc
 29 length of 144.61 feet, delta angle of 27 degrees 37 minutes 10
 30 seconds, a chord bearing of south 50 degrees 06 minutes 16
 31 seconds east along said center line, and a chord length of

1 143.22 feet to a point of reverse curvature; thence along a
2 curve in a counter clockwise direction, having a radius of
3 800.00 feet, arc length of 398.51 feet, delta angle of 28
4 degrees 32 minutes 28 seconds, a chord bearing of south 50
5 degrees 33 minutes 55 seconds east along said center line,
6 and a chord length of 394.40 feet to a point; thence south 23
7 degrees 30 minutes 40 seconds west, a distance of 148.95
8 feet to a point; thence along a curve in a clockwise direction,
9 having a radius of 200.00 feet, arc length of 68.31 feet, delta
10 angle of 19 degrees 34 minutes 10 seconds, a chord bearing
11 of south 33 degrees 17 minutes 45 seconds west, and a chord
12 length of 67.98 feet to a point, thence north 46 degrees 55
13 minutes 10 seconds west, a distance of 67.29 feet to a point,
14 thence north 52 degrees 39 minutes 47 seconds west, a
15 distance of 316.32 feet to a point, thence north 15 degrees 35
16 minutes 02 seconds west, a distance of 45.78 feet to a point of
17 a non tangent curve; thence along a curve in a counter
18 clockwise direction, having a radius of 50.00 feet, arc length of
19 52.65 feet, delta angle of 60 degrees 19 minutes 54 seconds,
20 a chord bearing of north 45 degrees 45 minutes 00 seconds
21 west, and a chord length of 50.25 feet to a point of tangency;
22 thence north 75 degrees 54 minutes 57 seconds west, a
23 distance of 173.43 feet to a point, thence south 89 degrees 57
24 minutes 52 seconds west, a distance of 55.43 feet to a point;
25 thence south 00 degrees 29 minutes 28 seconds west, a
26 distance of 60.80 feet to a point; thence south 89 degrees 57
27 minutes 52 seconds west, a distance of 238.59 feet to the
28 point of beginning, said tract contains a calculated area of
29 198,213.46 square feet or 4.5504 acres, more or less;

30 WHEREAS, the real property adjacent to the area included within the site
31 plan for this office and commercial space will not be adversely affected; and

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

35 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
36 Lincoln, Nebraska:

1 That the application of Ridge Development Company and Southview, Inc.,
2 hereinafter referred to as "Permittee", to construct approximately 44,875 sq. ft. of office
3 floor area on the property legally described above be and the same is hereby granted
4 under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition
5 that construction and operation of said office space be in strict compliance with said
6 application, the site plan, and the following additional express terms, conditions, and
7 requirements:

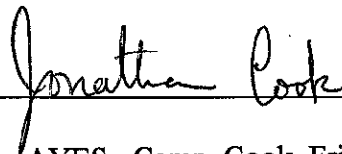
- 8 1. This permit approves 44,875 square feet of office floor area.
- 9 2. A waiver of the required front, rear and side yard setbacks to allow 0'
10 setbacks for all yards for Lots 5-8, Block 2 is hereby approved.
- 11 3. A waiver to reduce the front yard setback from 50 feet to 40 feet
12 along South 27th Street is hereby approved.
- 13 4. Before receiving building permits:
 - 14 a. The Permittee must submit an acceptable, revised and
15 reproducible final plan including five copies.
 - 16 b. The construction plans must conform to the approved plans.
 - 17 c. Final plats within the area of this Use Permit must be
18 approved by the City.
- 19 5. Before occupying the buildings, all development and construction
20 must be completed in conformance with the approved plans.
- 21 6. All privately-owned improvements must be permanently maintained
22 by the owner or an appropriately established property owners association approved by the
23 City Attorney.

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

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

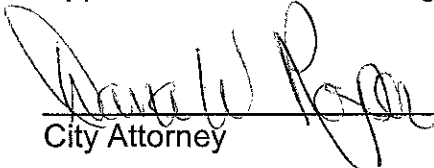
8 9. The Permittee shall sign and return the City's letter of acceptance to
9 the City Clerk within 30 days following approval of this use permit, provided, however, said
10 30-day period may be extended up to six months by administrative amendment. The City
11 Clerk shall file a copy of the resolution approving this use permit and the letter of
12 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
13 Permittee.

Introduced by:



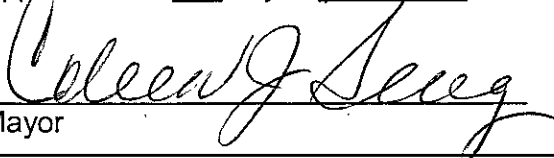
AYES: Camp, Cook, Friendt,
McRoy, Newman, Svoboda,
Werner; NAYS: None.

Approved as to Form & Legality:



City Attorney

Approved this 5 day of NOV, 2003:



Mayor

ADOPTED
NOV 03 2003
BY CITY COUNCIL

03R-300

10/27/03 Council Proceedings:

COOK Moved to delay action on 03R-300 for one week to 11/3/03.
 Seconded by McRoy & carried by the following vote: AYES: Cook, Friendt,
 McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp.

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

We, Thomas E. White, John C. Brager and Gerald L. Schleich the undersigned representatives of **Ridge Development Company** and **Southview, Inc.**, Permittees in Use **Permit 134A** granted by **Resolution A-82405** adopted by the City Council of the City of Lincoln, Nebraska, on **November 3, 2003** do hereby certify that we 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 17th day of November, 2003.

RIDGE DEVELOPMENT COMPANY, a
Nebraska corporation

By: Thomas E. White
Thomas E. White
President of Development

By: John C. Brager
John C. Brager
President of Construction

SOUTHVIEW, INC., a Nebraska
corporation

By: Gerald L. Schleich
Gerald L. Schleich, President

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, 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 134A approved by Resolution No. A-82450 adopted by the City Council on Nov. 3, 2003 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 19th day of Nov., 2003.

