

69827

RESOLUTION NO. A

SPECIAL PERMIT NO. 228A

01 WHEREAS, Dave Pierson for Nebraska Department of Banking and Finance, Capitol Beach, Inc.,
02 and Lake Management Inc., has submitted an application designated as Special Permit No. 228A for author-
03 ity to construct a community unit plan west and north of Capitol Beach Lake and legally described to wit:

04 Lots 72 and 73, Section 15, Township 10 North, Range 6 East; Lots 61, 62, and 65, and
05 part of Lots 60, 63, and 64, Section 16, Township 10 North, Range 6 East; Lots 89, 90,
06 and 91, and part of Lots 88 and 92, Section 21, Township 10 North, Range 6 East, all in
07 Lincoln, Lancaster County, Nebraska, and more particularly described as follows:
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09 Beginning at the northernmost corner of Lot 44, Block 1, Capitol Beach Manor 2nd Addi-
10 tion to the City of Lincoln, Nebraska, and extending thence south 47 degrees 41 minutes
11 02 seconds east, a distance of 90.0 feet along the northeast line of said Lot 44 to the
12 easternmost corner of said Lot 44; thence north 53 degrees 16 minutes 00 seconds east,
13 a distance of 79.37 feet; thence north 70 degrees 27 minutes 00 seconds east, a distance
14 of 59.85 feet; thence north 30 degrees 16 minutes 00 seconds east, a distance of 23.20
15 feet; thence north 13 degrees 56 minutes 50 seconds east, a distance of 119.00 feet;
16 thence north 18 degrees 59 minutes 20 seconds east, a distance of 160.06 feet; thence
17 north 2 degrees 57 minutes 00 seconds east, a distance of 128.48 feet; thence north 26
18 degrees 48 minutes 00 seconds east, a distance of 64.93 feet; thence north 25 degrees 36
19 minutes 02 seconds east, a distance of 204.79 feet; thence south 65 degrees 15 minutes
20 58 seconds east, a distance of 25.00 feet; thence north 25 degrees 36 minutes 02 seconds
21 east, a distance of 111.29 feet; thence north 64 degrees 55 minutes 58 seconds west, a
22 distance of 25.00 feet; thence north 25 degrees 36 minutes 02 seconds east, a distance of
23 120.15 feet; thence south 64 degrees 23 minutes 58 seconds east, a distance of 18.30
24 feet; thence north 25 degrees 36 minutes 02 seconds east, a distance of 298.98 feet;
25 thence north 64 degrees 55 minutes 58 seconds west, a distance of 18.30 feet; thence
26 north 25 degrees 36 minutes 02 seconds east, a distance of 1,380.12 feet; thence south
27 63 degrees 59 minutes 58 seconds east, a distance of 16.83 feet; thence north 25 degrees
28 36 minutes 02 seconds east, a distance of 60.39 feet; thence north 64 degrees 11 minutes
29 58 seconds west, a distance of 16.83 feet; thence north 25 degrees 36 minutes 02 seconds
30 east, a distance of 419.19 feet; thence north 28 degrees 32 minutes 29 seconds east, a
31 distance of 56.67 feet; thence north 25 degrees 11 minutes 27 seconds east, a distance of
32 50.53 feet; thence south 70 degrees 27 minutes 34 seconds east, a distance of 93.81 feet;
33 thence south 32 degrees 05 minutes 01 seconds east, a distance of 97.38 feet; thence
34 south 67 degrees 33 minutes 14 seconds east, a distance of 74.39 feet; thence south 89
35 degrees 40 minutes 04 seconds east, a distance of 21.40 feet; thence north 73 degrees 54
36 minutes 26 seconds east, a distance of 235.48 feet; thence north 72 degrees 31 minutes
37 23 seconds east, a distance of 80.07 feet; thence north 54 degrees 47 minutes 07 seconds
38 east, a distance of 83.52 feet; thence north 23 degrees 57 minutes 05 seconds east, a dis-
39 tance of 40.80 feet; thence north 10 degrees 35 minutes 40 seconds west, a distance of
40 80.61 feet; thence north 23 degrees 28 minutes 09 seconds west, a distance of 87.77 feet;
41 thence north 39 degrees 41 minutes 11 seconds west, a distance of 94.44 feet; thence
42 north 74 degrees 37 minutes 51 seconds west, a distance of 250.44 feet; thence north 42
43 degrees 34 minutes 03 seconds west, a distance of 54.96 feet; thence north 07 degrees 01
44 minute 47 seconds east, a distance of 60.01 feet; thence north 19 degrees 47 minutes 25
45 seconds east, a distance of 54.75 feet; thence north 61 degrees 18 minutes 05 seconds
46 east, a distance of 37.91 feet; thence south 79 degrees 10 minutes 09 seconds east, a dis-
47 tance of 241.74 feet; thence south 76 degrees 09 minutes 19 seconds east, a distance of
48 261.56 feet; thence south 15 degrees 57 minutes 49 seconds east, a distance of 92.92
49 feet; thence south 02 degrees 58 minutes 50 seconds west, a distance of 50.13 feet;
50 thence south 41 degrees 32 minutes 21 seconds east, a distance of 90.44 feet; thence
51 south 84 degrees 09 minutes 37 seconds east, a distance of 110.21 feet; thence north 74
52 degrees 28 minutes 04 seconds east, a distance of 123.28 feet; thence north 65 degrees 04
53 minutes 55 seconds east, a distance of 97.63 feet; thence north 68 degrees 22 minutes 07
54 seconds east, a distance of 100.08 feet; thence north 74 degrees 32 minutes 59 seconds
55 east, a distance of 63.88 feet; thence south 85 degrees 20 minutes 50 seconds east, a dis-
56 tance of 150.41 feet; thence north 86 degrees 14 minutes 21 seconds east, a distance of
57 161.81 feet; thence south 65 degrees 18 minutes 43 seconds east, a distance of 45.86
58 feet; thence south 82 degrees 00 minutes 20 seconds east, a distance of 155.10 feet;
59 thence south 84 degrees 17 minutes 13 seconds east, a distance of 276.04 feet; thence
60 south 89 degrees 25 minutes 53 seconds east, a distance of 285.28 feet; thence north 03
61 degrees 35 minutes 21 seconds west, a distance of 335.12 feet to the centerline of Oak
62 Creek; thence north 84 degrees 01 minute 01 second west, a distance of 1,502.11 feet
63 along said centerline to the point of curvature of a circular curve to the right having a
64 central angle of 13 degrees 06 minutes 50 seconds, a radius of 1909.86 feet and a tangent

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length of 219.52 feet; thence along the arc of said circular curve, a distance of 437.13 feet to the point of tangency; thence north 70 degrees 54 minutes 11 seconds west, a distance of 181.21 feet; thence north 01 degree 57 minutes 58 seconds west, a distance of 329.70 feet to the easterly right-of-way line of Interstate Highway 80; thence south 25 degrees 36 minutes 02 seconds west, a distance of 4,432.06 feet along said right-of-way line; thence south 0 degrees 54 minutes 30 seconds west, a distance of 152.41 feet; thence south 17 degrees 33 minutes 58 seconds east, a distance of 40.00 feet; thence north 72 degrees 26 minutes 02 seconds east, a distance of 80.00 feet to the northwest corner of said Lot 44, and the point of curvature of a circular curve to the left having a central angle of 30 degrees 04 minutes 45 seconds, a radius of 154.15 feet, and a tangent length of 41.42 feet; thence along the arc of said circular curve a distance of 80.93 feet to the point of tangency which is also the point of beginning, containing 50.56 acres, more or less.

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

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

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

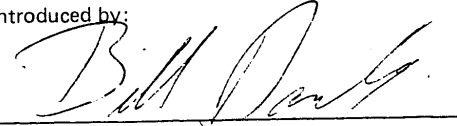
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That the application of Dave Pierson for Nebraska Department of Banking and Finance, Capitol Beach, Inc., and Lake Management Inc., hereinafter referred to as "Permittee," to construct said community plan west and north of Capitol Beach Lake, be and the same is hereby granted under the provisions of Section 27.65.320 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the plot plan, and the following additional express terms, conditions, and requirements:

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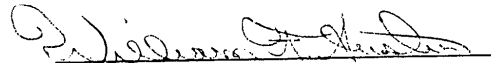
1. That the authorized number of dwelling units under this permit is limited to 106.
2. That the City Council approves the preliminary and final plats of Capitol Beach West.
3. That new construction shall comply with the community unit plan and all applicable ordinances and design standards of the City.
4. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
5. That Permittee shall sign and return the City's Letter of Acceptance to the City Clerk within thirty days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the Resolution approving the special permit and the Letter of Acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

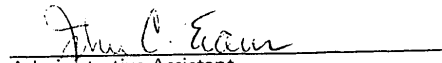


Approved as to Form and Legality:

AYES: Ahlschwede, Danley, Gayley, Hampton, Hoffman, Johnson, Shackelford; NAYS: None.


City Attorney

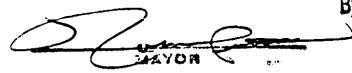
Staff Review Completed:


Administrative Assistant

APPROVED ADOPTED

JAN 7 1985
JAN 14 1985 4:21 PM

By City Council


MAYOR

4-30-85


APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance
Special Permit No. 228A

TO THE CITY COUNCIL:

I, Dave Pierson, President or authorized representative of Nebraska Department of Banking and Finance, herein called Permittee under Special Permit No. 228A, granted by Resolution No. A- 69827, adopted by the City Council of the City of Lincoln, Nebraska, on January 7, 1985, 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.


President or authorized representat

CITY OF LINCOLN
NEBRASKA

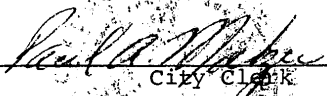
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CITY CLERK'S OFFICE
FILED

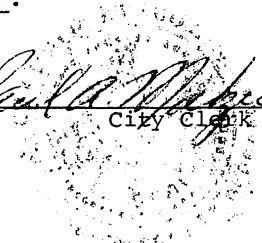
C E R T I F I C A T E

I, Paul A. Malzer, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of Resolution No. A-69827, Special Permit No. 228A application of Nebraska Department of Banking & Finance, Capitol Beach, Inc., & Lake Management Inc. as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held January 7, 1985 as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 7th day of March, 19 85.



City Clerk



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GENERAL
LANCASTER COUNTY NEBR.
Dan Jolo
REGISTER OF DEEDS
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