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RESOLUTION NO. A- 62768

SPECIAL PERMIT NO. 755

01 WHEREAS, BUCKINGHAM DEVELOPMENT COMPANY has submitted an
02 application designated as Special Permit No. 755 for authority
03 to construct and operate a community unit plan on the following
04 described real property, to-wit:

05 Beginning at the center of Section 17, Township 9 North,
06 Range 7 East of the Sixth Principal Meridian, Lancaster
07 County, Nebraska; thence north along the west line of
08 the Northeast Quarter of said Section 17 a distance of
09 1779.95 feet; thence right 90 degrees 01 minutes 55
10 seconds from the last described course a distance of
11 657.12 feet; thence left 90 degrees 04 minutes 48 seconds
12 from the last described course a distance of 612.00 feet;
13 thence right 90 degrees 00 minutes 00 seconds from the
14 last described course a distance of 12.00 feet; thence
15 left 90 degrees 00 minutes 00 seconds from the last
16 described course a distance of 203.24 feet; thence right
17 90 degrees 13 minutes 59 seconds from the last described
18 course a distance of 644.12 feet; thence left 90 degrees
19 16 minutes 35 seconds from the last described course a
20 distance of 7.00 feet; thence right 90 degrees 16 minutes
21 22 seconds from the last described course a distance of
22 367.79 feet; thence right 89 degrees 39 minutes 23 seconds
23 from the last described course a distance of 537.15 feet;
24 thence left 89 degrees 39 minutes 23 seconds from the
25 last described course a distance of 382.00 feet;
26 thence right 89 degrees 39 minutes 23 seconds from the
27 last described course a distance of 456.16 feet; thence
28 left 0 degrees 00 minutes 04 seconds from the last
29 described course a distance of 1308.00 feet; thence left
30 90 degrees 00 minutes 00 seconds from the last described
31 course a distance of 530.00 feet; thence right 90 degrees
32 00 minutes 00 seconds from the last described course a
33 distance of 285.06 feet; thence right 89 degrees 53
34 minutes 48 seconds from the last described course a
35 distance of 1282.98 feet; thence left 0 degrees 01 minutes
36 14 seconds from the last described course a distance of
37 1316.69 feet to the point of beginning; said tract
38 containing a calculated area of 109.29 acres more or less.

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

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

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

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That the application of Buckingham Development Company,
hereinafter referred to as "Permittee", for authority to construct
and operate a community unit plan be and the same is hereby granted
under the provisions of Sections 27.40.010 and 27.40.150 of the
Lincoln Municipal Code upon condition that construction, development,
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:

1. That Permittee receives approval of the preliminary
plat and prepares and submits final plats and receives approval
and acceptance of said final plats in accordance with Title 26 of
the Lincoln Municipal Code.

2. That prior to the issuance of any building permits or
the approval of any final plat for Lots 16-32 in Block 4, the
Permittee shall prepare and submit to the Planning Director, for
his review and approval, a recreation plan for Outlot "D", and that
said approved recreation facilities shall be constructed and in-
stalled prior to the issuance of occupancy permits to 60 percent
of the total number of dwelling units allowed within Lots 16-32,
and that the tennis courts located south of Old Cheney Road and
east of 52nd Street shall be constructed prior to the issuance of
occupancy permits to 60 percent of the total number of dwelling
units allowed within this community unit plan. The Permittee agrees
to post a bond at the time of approval and acceptance of the final
plats in connection with this community unit plan to guarantee
construction of all recreation facilities.

3. That prior to the issuance of any building permits for
Lots 16-32, Block 4, and the multiple family lots located in
Block 9, the Permittee shall prepare and submit to the Planning
Director, for his review and approval, a landscape plan for the common
open areas surrounding the multiple family lots, and that said
landscape plan be implemented within two planting seasons following
the issuance of occupancy permits to 60 percent of the total number
of multiple family units within each phase in this community unit
plan. The Permittee agrees to post a bond at the time of approval

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and acceptance of the final plats in connection with this area to
02 guarantee construction of the landscape screen plan.

03 4. That the yard area adjustments as shown on the attached
04 plot plan for this community unit plan be approved.

05 5. That all driveways serving more than 30 parking stalls
06 shall be at least 26 feet in width, and driveways serving 30 or less
07 parking stalls shall be at least 20 feet in width. The driveways
08 and private roadways shall be paved to the standards recommended
09 by the Public Works Department and the Permittee agrees to post a
10 bond at the time of approval and acceptance of the final plats to
11 guarantee said construction. It shall be the Permittee's option
12 to install curb and gutters in the private roadways and driveways.

13 6. That ornamental street lights in conformance with the
14 Design Standards of the City of Lincoln for residential streets
15 shall be installed along all private roadways within this develop-
16 ment and the Permittee agrees to post a bond at the time of approval
17 of the final plats of this area to guarantee said construction.

18 7. That the Permittee abandon the individual sewage disposal
19 system serving the existing residents on the above described real
20 property in accordance with Section 24.38.080 of the Lincoln Municipal
21 Code, and that Permittee also abandon the existing water well located
22 on said real property in accordance with the Lincoln Municipal Code
23 when public utilities become available.

24 8. That the four tennis courts located south of Old Cheney
25 Road and east of South 52nd Street be located to provide at least a
26 30-foot distance between the paved portion of the tennis courts and
27 the east property line of this community unit plan. The tennis
28 courts shall not be equipped with area lighting for play after dark;
29 however, this shall not be construed to prevent low intensity area
30 lighting.

31 9. That the Permittee be allowed to phase development
32 based on the approval of the final plats, and each individual phase
33 shall be governed individually by the conditions of this resolution.

34 10. That no development or construction whatsoever for this
35 proposed community unit plan shall proceed until the same has
36 been approved by the Superintendent of Building Inspections for the

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01 City of Lincoln, and that no dwelling units within this community
02 unit plan shall be occupied or used until said Superintendent of
03 Building Inspections has found that the Permittee has complied with
04 all the terms, conditions and requirements of the City Council set
05 forth herein.

06 11. That Resolution No. 60993 approving Special Permit
07 No. 697, Resolution No. A-62328 approving Special Permit No. 633A,
08 and Resolution No. A-59794 approving Special Permit No. 633 are
09 hereby rescinded and shall be null and void and of no force and
10 effect upon the approval of this Special Permit No. 755.

11 12. That within 30 days from the date of this resolution,
12 Permittee shall properly execute the Letter of Acceptance and file
13 the same with the City Clerk evidencing its unqualified acceptance
14 of all the terms, conditions, and requirements herein set forth,
15 otherwise Special Permit No. 755 herein granted shall be null
16 and void and of no force and effect.

17 13. That all terms, conditions and requirements of the special
18 permit granted herein shall be binding and obligatory on the Permittee,
19 its successors and assigns. Within 40 days from the effective date
20 of this resolution, City shall cause a certified copy of said
21 resolution together with a certified copy of the executed Letter of
22 Acceptance to be filed in the Office of the Register of Deeds for
23 Lancaster County, Nebraska. The cost of said filing shall be paid
24 by Permittee.

Introduced by:

[Signature]

Approved as to Form and Legality:

All present - All ayes

[Signature]
City Attorney

ADOPTED

Staff Review Completed:

APPROVED MAY 20 1976

[Signature]
Administrative Director

JUN 1 - 1976 By City Council

[Signature]
MAYOR

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APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance
Special Permit No.

TO THE CITY COUNCIL:

I, Buckingham Development Co. Applicant
under Special Permit No. 755, granted by Resolution No.
A- 6-276-81, adopted by the City Council on May 24 1976
19 76, 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 require-
ments therein.

Buckingham Development Co.
Applicant
Robert S. ...

C E R T I F I C A T E

STATE OF NEBRASKA)
COUNTY OF LANCASTER)
CITY OF LINCOLN)

I, M. E. Spaedt, City Clerk of the City of Lincoln,
Nebraska, do hereby certify that the above and foregoing is a true
and correct copy of Res. No. A-627868 and Letter
of acceptance

as the original appears of record in my said 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 2nd
day of February, A.D., 19 77.

M. E. Spaedt

City Clerk

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MICRO-FILED 34= 77-81-85-87-91-
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129-133-137-141

7=588
Misc. F.F.

LANCASTER COUNTY NEBR.
Kenneth L. Ferguson
REGISTER OF DEEDS

1977 FEB -2 AM 10:24

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 77- 2470

#23⁰⁰

*Handy Hall
111 Pioneer Plaza
Lincoln*