

\$35.50

Dan Jalta
REGISTER OF DEEDS

2002 JUL 29 P 12: 15

LANCASTER COUNTY, NE

INST NO 2002

049193

BOOK

PAGE

CHECKED

ENTERED

EDITED

34 Teresa

02R-140

Introduce: 6-24-02

RESOLUTION NO. A- 81591

SPECIAL PERMIT NO. 1930

1 WHEREAS, Thompson Creek L.L.C. as submitted an application designated
2 as Special Permit No. 1930 for authority to develop Thompson Creek Community Unit Plan
3 for approximately 352 dwelling units and waivers of the required lot area for single family
4 dwellings, lot width requirements, to allow multiple family dwellings with a height of 40 feet,
5 and to waive the front, side and rear setbacks, on property located east of South 56th
6 Street and Union Hill Road, and legally described to wit:

7 A portion of Lot 35 Irregular Tract in the South Half of the
8 Northwest Quarter of Section 21, Township 9 North, Range 7
9 East of the 6th P.M., Lancaster County, Nebraska, and more
10 fully described by metes and bounds as follows:

11 Referring to the southwest corner of said South Half of the
12 Northwest Quarter; thence north 89 degrees 58 minutes 01
13 second east (an assumed bearing) on the south line of said
14 South Half, a distance of 50.00 feet to a point on the east right-
15 of-way line of South 56th Street and the point of beginning;
16 thence north 00 degrees 00 minutes 00 seconds west on said
17 line, a distance of 517.32 feet; thence south 90 degrees 00
18 minutes 00 seconds east, a distance of 160.42 feet; thence
19 south 00 degrees 00 minutes 00 seconds west, a distance of
20 17.50 feet; thence south 89 degrees 59 minutes 59 seconds
21 east, a distance of 62.43 feet to the point of curvature of a
22 curve to the right, having a central angle of 19 degrees 47
23 minutes 51 seconds, a radius of 323.00 feet, an arc length of
24 111.61 feet, a chord length of 111.05 feet and a chord bearing
25 south 80 degrees 06 minutes 04 seconds east; thence on said
26 curve, a distance of 111.61 feet to the point of tangency;
27 thence north 25 degrees 05 minutes 42 seconds east, a
28 distance of 307.59 feet; thence north 15 degrees 12 minutes
29 17 seconds east, a distance of 145.62 feet to the point of
30 curvature of a curve to the left, having a central angle of 15
31 degrees 13 minutes 43 seconds, a radius of 564.00 feet, an

AMENDED 7/8/02

Return to Teresa, City Clerk

1 arc length of 149.91 feet, a chord length of 149.46 feet and a
2 chord bearing south 82 degrees 24 minutes 35 seconds east;
3 thence on said curve, a distance of 149.91 feet; thence north
4 89 degrees 58 minutes 34 seconds east, a distance of 146.83
5 feet; thence south 87 degrees 58 minutes 33 seconds east, a
6 distance of 27.12 feet; thence north 00 degrees 01 minutes 26
7 seconds west, a distance of 259.97 feet; thence south 89
8 degrees 58 minutes 29 seconds west, a distance of 314.67
9 feet to the point of curvature of a curve to the right, having a
10 central angle of 171 degrees 23 minutes 32 seconds, a radius
11 of 60.00 feet, an arc length of 179.48 feet, a chord length of
12 119.66 feet and a chord bearing north 04 degrees 21 minutes
13 07 seconds west; thence on said curve, a distance of 179.48
14 feet to the point of tangency; thence north 00 degrees 00
15 minutes 00 seconds east, a distance of 60.69 feet, to a point
16 on the north line of said South Half; thence north 89 degrees
17 58 minutes 34 seconds east, a distance of 2085.03 feet;
18 thence south 00 degrees 12 minutes 05 seconds west, on the
19 east line of said South Half, a distance of 1318.39 feet; thence
20 south 89 degrees 58 minutes 01 seconds west, on the south
21 line of said South Half, a distance of 2579.51 feet to the point
22 of beginning and containing a calculated area of 67.650 acres
23 more or less;

24 WHEREAS, the real property adjacent to the area included within the site
25 plan for this will not be adversely affected; and

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

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

31 That the application of Thompson Creek L.L.C., hereinafter referred to as
32 "Permittee", to develop Thompson Creek Community Unit Plan, on the property legally
33 described above, be and the same is hereby granted under the provisions of Section
34 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that

1 construction and operation of said community unit plan be in strict compliance with said
2 application, the site plan, and the following additional express terms, conditions, and
3 requirements:

4 1. This permit approves 352 dwelling units.
5 2. The required lot area for single family dwellings is hereby waived.
6 3. The required lot width is hereby waived.
7 4. The required height of multiple family dwellings is hereby waived to
8 allow a height of 40 feet.

9 5. The required front, side, and rear yard setbacks are hereby modified
10 to allow the specific setbacks to be approved by administrative amendment.

11 6. Before receiving building permits:

12 ~~a. --- The Permittee must revise the site plan to show a connection ---~~
13 ~~of Union Hill Road from Greycliff Drive to Garrison Drive.~~

14 b. The Permittee must submit a revised final plan along with five
15 copies to the Planning Department.

16 c. The construction plans must conform to the approved plans.

17 d. Final plats within the area of Thompson Creek Community Unit
18 Plan must be approved by the City.

19 7. Before occupying the dwelling units all development and construction
20 must be completed in conformance with the approved plans.

21 8. All privately-owned improvements must be permanently maintained
22 by the Permittee or an appropriately established homeowners association approved by the
23 City Attorney.

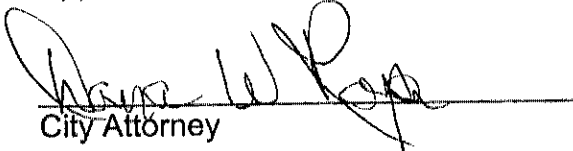
1 9. The site plan approved by this permit shall be the basis for all
2 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
3 elements, and similar matters.

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

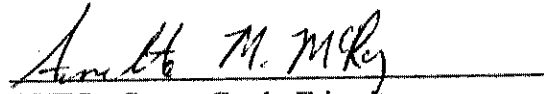
8 11. The Permittee shall sign and return the City's letter of acceptance to
9 the City Clerk within 30 days following approval of the special permit, provided, however,
10 said 30-day period may be extended up to six months by administrative amendment. The
11 City Clerk shall file a copy of the resolution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

See further Council Proceedings
on next page.

Approved as to Form & Legality:

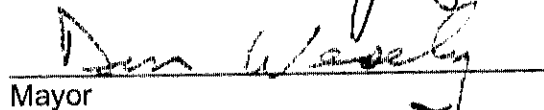

City Attorney

Introduced by:



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

Approved this 15 day of July, 2002:


Mayor

ADOPTED

JUL 8 2002

By City Council

Bill No. 02R-140

07/01/02 Council Proceedings:

CAMP Moved to delay action on Bill No. 02R-140 for one week to 7/8/02.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook,
Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

07/08/02 Council Proceedings:

WERNER Moved to amend Bill No. 02R-140 in the following manner:
On Page 3, delete lines 12 and 13.
Seconded by Seng & carried by the following vote: AYES: Camp, Friendt,
McRoy, Seng, Svoboda, Werner; NAYS: Cook.

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, Robert D. Hampton the undersigned representative(s) of **Thompson Creek L.L.C.**, Permittee in **Special Permit 1930** granted by **Resolution No. A-81591** adopted by the City Council of the City of Lincoln, Nebraska, on **July 8, 2002** 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 23 day of July, 2002.

Robert D. Hampton
Thompson Creek L.L.C.

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 **Special Permit 1930** approved by **Resolution No. A-81591** adopted by the City Council on **July 8, 2002** 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 27th day of July, 2002.

