

16R-101

Introduce: 5-16-16

Miscellaneous 16002

RESOLUTION NO. A- 89740

WHEREAS, Ironwood Properties, LLC, pursuant to Lincoln Municipal Code § 27.72.170(b)(1) has requested authorization to locate a light pole within an area on the Property (defined below) designated as a building line district in order to light parking stalls associated with use of the Property. The Property is located at 4822 Pioneers Boulevard and legally described as:

The remaining portion of Lot 9 and all of Lots 10-12, Block 45, College View, Lincoln, Lancaster County, Nebraska;

WHEREAS, the City Council finds that the location of the light pole otherwise meets the requirements of all applicable ordinances, codes, and design standards.

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

In consideration of the findings made above, the request of Ironwood Properties, LLC, hereinafter "Permittee", to locate the light pole within an area on the Property designated as a building line district as shown on the site plan is hereby approved pursuant to § 27.72.170(b)(1) of the Lincoln Municipal Code under the following conditions:

1. The light pole shall be removed at the Permittee's sole cost and expense within thirty (30) days following written notice from the City that said area within the building line district is needed for public use as determined by the City in its sole discretion.

Return to:
Teresa @ City Clerk

- 1 2. The Permittee shall sign and return the attached letter of
2 acceptance agreeing to the terms and conditions of this approval with the City Clerk.
- 3 3. No building permit for installation of the light pole will be issued until
4 this resolution and the Letter of Acceptance have been filed of record with the Register
5 of Deeds.
- 6 4. The terms, conditions, and requirements of this resolution shall run
7 with the land and be binding on the Permittee, its successors, and assigns.
- 8 5. The City Clerk shall file a copy of this resolution approving the
9 location of the light pole in the building line district and the letter of acceptance with the
10 Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

Approved as to Form & Legality:

AST *Rich Peo*
City Attorney

Cyndi Lamm
AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm,
Raybould; NAYS: None.

ADOPTED
MAY 23 2016
BY CITY COUNCIL

Approved this 27th day of May, 2016:
[Signature]
Mayor

LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: **MISC 16002**

(Application to locate light pole in the Building Line District on property located at 4822 Pioneers Boulevard)

TO THE CITY CLERK:

The undersigned, Ironwood Properties, LLC, a Nebraska limited liability company, hereinafter "Permittee" is the owner of the property located at 4822 Pioneers Boulevard, legally described as the remaining portion of Lot 9 and all of Lots 10-12, Block 45, College View, Lincoln, Lancaster County, Nebraska ("Property").

The Permittee acknowledges that the City Council for the City of Lincoln, Nebraska adopted Resolution No. A- 89740 on 5/23, 2016, authorizing the Permittee to install a light pole within an area designated as a building line district on the Property upon certain terms and conditions, including but not limited to the requirement that Permittee agree to remove the light pole at Permittee's own cost and expense within thirty (30) days following written notice from the City that said area is necessary for public use as determined by the City of Lincoln in its sole discretion.

The Permittee hereby files this Letter of Acceptance and certifies to the City of Lincoln that Permittee is fully aware of and understands all the conditions and terms contained in said Resolution and that Permittee hereby agrees to comply with the same.

The Permittee further agrees that this agreement shall run with the Property and be binding upon the Permittee, its successors, and assigns.

The Permittee represents and warrants to the City that the person whose signature appears below has authority to bind Ironwood Properties, LLC, as Permittee, to the terms and conditions of the Resolution and this Letter of Acceptance, including Permittee's financial obligation to remove the light pole.

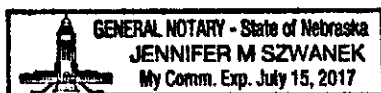
Executed by the Permittee this 15th day of June, 2016.

Ironwood Properties, LLC,
a Nebraska limited liability company, Permittee

By: [Signature]
Title: OWNER

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 15th day of June, 2016, by Joseph A Steinbach, the OWNER of Ironwood Properties, LLC, a Nebraska limited liability company.



Jennifer M Szwanek
Notary Public

CERTIFICATE

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

I, Teresa J. Meier, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of Resolution A-89740 approving Miscellaneous 16002 - Application of Ironwood Properties to install a light pole in a Building Line District per Section 27.72.170, for parking lot lighting, on property generally located at 4822 Pioneers Boulevard, as it 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 June, 2016.

Teresa J. Meier
City Clerk

