

18465

RESOLUTION NO. PC- 00097

SPECIAL PERMIT NO. 1437A

1 WHEREAS, General Excavating, has submitted an application
2 designated as Special Permit No. 1437A for authority to extend the termination
3 date of Special Permit 1437 which authorized the extraction of 60,000 cubic
4 yards of soil on property located Southwest of North 27th Street and I-80, and
5 legally described to wit:

6 Lot 19 I.T., Section 36, Township 11 North, Range 6 East
7 of the 6th P.M., Lincoln, Lancaster County, Nebraska; and

8
9 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
10 held a public hearing on said application; and

11 WHEREAS, the community as a whole, the surrounding neighborhood, and
12 the real property adjacent to the area included within the plot plan for this
13 will not be adversely affected by granting such a permit; and

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

18 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
19 Planning Commission of Lincoln, Nebraska:

20 That the application of General Excavating, hereinafter referred to
21 as "Permittee", to extend the termination date of Special Permit No. 1437 be
22 and the same is hereby granted under the provisions of Section 27.63.160 of
23 the Lincoln Municipal Code upon condition that continued excavation of said
24 soil shall be in strict compliance with said application, the plot plan, and

2

1 the following additional express terms, conditions, and requirements:

2 1. This permit approves an extension of Special Permit No. 1437
3 for an additional 120 days from the date of approval for the extraction of
4 soil to the new topography as shown on the site plan. All other conditions of
5 Special Permit No. 1437 shall remain in effect.

6 2. This permit shall remain in effect for 120-days from the date
7 of this resolution's approval and all required work shall be completed within
8 the 120-day extension.

9 3. Excavation and final topography shall comply with the approved
10 plans.

11 4. The terms, conditions, and requirements of this resolution
12 shall be binding and obligatory upon the Permittee and the Permittee's succes-
13 sors and assigns. The building official shall report violations to the City
14 Council which may revoke the special permit or take such other action as may
15 be necessary to gain compliance.

16 5. The Permittee shall sign and return the City's letter of
17 acceptance to the City Clerk within 30 days following approval of the special
18 permit; provided, however, said 30-day period may be extended up to six months
19 by administrative amendment. The City Clerk shall file a copy of the resolu-
20 tion approving the special permit and the letter of acceptance with the
21 Register of Deeds, filing fees therefor to be paid in advance by the Permit-
22 tee.

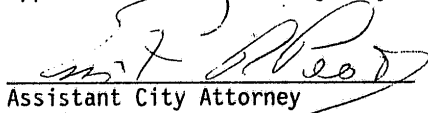
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1 The foregoing Resolution was approved by the Lincoln City-Lancaster
2 County Planning Commission on this 14 day of April, 1993.

ATTEST:


Chair

Approved as to Form & Legality:


Assistant City Attorney

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LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

RE: Special Permit No. 1437A

TO THE CITY COUNCIL:

I, Scott Fitzgerald, Vice President or authorized representative of General Excavating, herein called "Permittee" under Special Permit No. 1437A, granted by Resolution No. PC- 00097, adopted by the Lincoln City/Lancaster County Planning Commission on April 14, 19 93, 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.

Vice — Scott Fitzgerald
President/Authorized Representative

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C E R T I F I C A T E

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

I, Joan E. Ross, 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 NO. 1437A/RESOLUTION NO. PC-00097

as passed and approved by the Lincoln City-Lancaster County
Planning Commission on the 14th day of April, 1993,
as the original appears of record in my office, and is now in
my charge remaining as Deputy City Clerk.

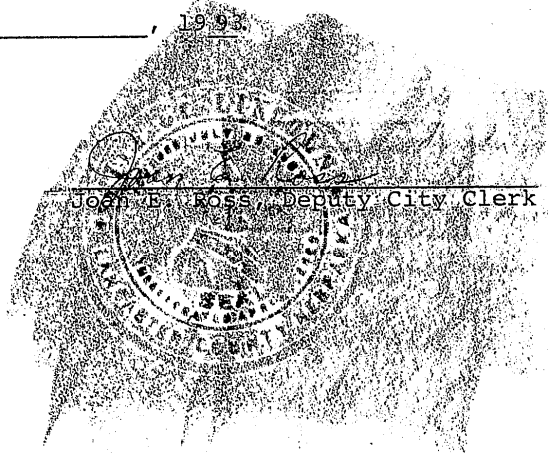
IN WITNESS WHEREOF, I have hereunto set my hand
officially and affixed the seal of the City of Lincoln, Nebraska,
this 28th day of April, 1993.

\$25.50

#9680

LANCASTER COUNTY, NEB
Dan Nette
REGISTER OF DEEDS

MAY 10 1 55 PM '93



BLOCK
CODE

CHECKED
KA
ENTERED

EDITS

INST. NO 93 18465

Return to City Clerk