

RESOLUTION NO. A- 68917

SPECIAL PERMIT NO. 977A

01 WHEREAS, Larry C. Price has submitted an application
02 designated as Special Permit No. 977A for authority to construct
03 additional housing for the elderly on property located at 6635
04 Fairfax Street, and legally described to wit:

05 Lots 1 through 3 and 6 through 12, and vacated
06 north-south alley and east-west alleys, Block 56,
07 except the following: the west 32.58 feet and the
08 east 7 feet of the north 65 feet of the west 39.58
09 feet of Lot 3, the north 40 feet of Lot 6, and the
10 north 140 feet of the vacated north-south alley;
11 proposed vacated 67th Street and the proposed
12 vacated east-west alley in Block 55, and Lots 7
13 through 12, Block 55, all in Bethany Heights Addi-
14 tion, Lincoln, Lancaster County, Nebraska.

15 WHEREAS, the real property adjacent to the area included
16 within the plot plan for this housing for the elderly will not be
17 adversely affected; and

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

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

24 That the application of Larry C. Price, hereinafter
25 referred to as "Permittee," to construct additional housing for the
26 elderly on property at 6635 Fairfax Street, be and the same is
27 hereby granted under the provisions of Section 27.63.210 of the
28 Lincoln Municipal Code upon condition that construction and operation
29 of said housing for the elderly be in strict compliance with said
30 application, the plot plan, and the following additional express
31 terms, conditions, and requirements:

32 1. The special permit area shall be limited to a total
33 of 91 dwelling units.

34 2. The City Council shall approve the vacation of 67th
35 Street and the east-west alley in Block 55, before the construction of
36 the parking lot in Block 55 begins.

Amended 8/1/83

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3. Before receiving building permits:
 - a. The construction plans shall comply with the approved plot plans and all applicable ordinances and design standards of the City.
 - b. The permittee shall submit a revised landscape screen and street tree plan to provide screening for the parking lots and the building and street trees for Cotner, Fairfax, 68th, and Holdrege Streets abutting this Special Permit area, and receive approval from the Planning Director.
4. Development and construction shall strictly comply with the approved plans.
5. Before occupying the structures authorized by this Special Permit, all development and construction shall strictly comply with the approved plot plan.
6. All privately owned improvements, including landscaping and recreational facilities, shall be maintained on a permanent and continuous basis. However, the permittee may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The document creating said property owners' association will have no force and effect until it has been approved by the City Attorney and filed of record with the Register of Deeds.
7. The permittee shall annually certify that all occupied dwelling units are occupied by at least one individual 55 years of age or older.
8. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the permittee, his 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.
9. The permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 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.

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Introduced by:

Margaret Chastanet

Approved as to Form and Legality:

William H. Anderson
City Attorney

Staff Review Completed:

Clell Eby
Administrative Assistant

ADOPTED

AUG 1 1983

By City Council

APPROVED

RECEIVED

AUG 2 1983

MAYOR'S OFFICE

Aug. 2 1983 11:30 AM

John [Signature]
MAYOR

APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance
Special Permit No. 977A

TO THE CITY COUNCIL:

I, Larry C. Price, Applicant under Special Permit No. 977A, granted by Resolution No. A-68917, adopted by the City Council on August 1, 1983, 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.

Larry C. Price
Applicant

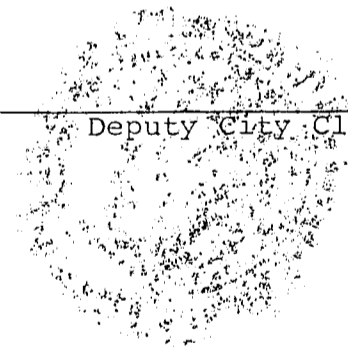
C E R T I F I C A T E

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

I, Joan E. Ross, Deputy City Clerk of the City of Lincoln, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. A-68917, Special Permit No. 977A, application of Larry C. Price, as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held August 1, 1983, 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 4th day of August, 1983.

Deputy City Clerk



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Miss

LANCASTER COUNTY CLERK
D. J. Galt
REGISTER OF DEEDS
1983 AUG -4 PM 3:08
FILED
SS

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