

40544

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93R-235

Introduce: 8-16-93

RESOLUTION NO. A- 75637

SPECIAL PERMIT NO. 1464

1 WHEREAS, Daugherty Construction, Inc., has submitted an application
2 designated as Special Permit No. 1464 for authority to develop a community unit
3 plan consisting of 71 single family lots, 22 (11 2-unit) townhome lots and one
4 multiple lot with 96 apartment units (4 24-plex units) generally located between
5 Southwest 9th and South Folsom, West South Street and West Rose Street, and
6 legally described to wit:

7 Lots 64, 82, 173, 226, 227 and 228 of Irregular Tracts
8 in Section 34, Township 10 North, Range 6 East of the
9 6th P.M., Lincoln, Lancaster County, Nebraska, and
10 including the abutting West South Street right-of-way.
11

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

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

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

20 That the application of Daugherty Construction, Inc., hereinafter
21 referred to as "Permittee", to develop a community unit plan consisting of 71
22 single family lots, 22 (11 2-unit) townhome lots and one multiple lot with 96
23 apartment units (4 24-plex units) be and the same is hereby granted under the

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provisions of Section 27.63.320 of the Lincoln Municipal Code upon condition that construction 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. This permit authorizes the construction and development of 189 dwelling units, consisting of 96 apartment units (in 4 24-plex units), 22 2-unit townhomes and 71 single family residences.

2. Before receiving building permits:

- a. The Permittee shall submit a permanent reproducible final site plan as approved by City Council.
- b. The construction plans shall comply with the approved plans.
- c. Final plats shall be approved by the City.
- d. The City Council shall approve Preliminary Plat No. 93009.
- e. A landscape plan shall be approved by the Planning Director.
- f. Ornamental street lights for private roadways and pedestrian way easements shall be approved by L.E.S..
- g. The required easements as shown on the site plan shall be recorded with the Register of Deeds.
- h. All building permits shall meet flood plain regulations.

3. Before occupying this community unit plan, all development and construction shall comply with the approved plans.

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4. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its 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.

6. 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.

Introduced by:

Curat J. H. H.

Approved as to Form & Legality:

for [Signature]
City Attorney

AYES: Donaldson, Haar, Johnson,
Seng, Shoecraft, Young; NAYS:
None; ABSENT: Wilson.

Staff Review Completed:

[Signature]
Administrative Assistant

APPROVED ADOPTED

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AUG 26 1993

AUG 23 1993

[Signature]
MAYOR

By City Council

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LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

TO THE CITY COUNCIL:

I, Rick Daugherty, President or authorized
representative of Daugherty Construction, herein called
"Permittee" under Special Prmit No. 1464, granted by
Resolution No. A-75637 adopted by the Lincoln City Council
on August 23, 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.

Rick Daugherty
President/Authorized Representative
(Individual able to legally bind
Permittee to conditions of SP 1464)

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C E R T I F I C A T E

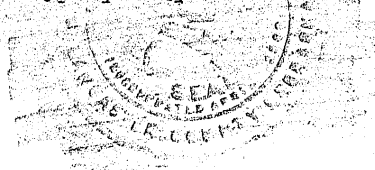
STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:
CITY OF LINCOLN)

I, Joan E. Ross, Deputy City Clerk of the City of
Lincoln, Nebraska, do hereby certify that the above and
foregoing is a true and correct copy of _____
SPECIAL PERMIT NO. 1464/RESOLUTION NO A-75637

as passed and approved by the City Council of the City of
Lincoln, Nebraska, at its meeting held AUGUST 23, 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 9th day of AUGUST, 19 93.

Joan E. Ross
Deputy City Clerk



RECORDED
INDEXED
CHECKED
SERIALIZED
FILED
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LANCASTER COUNTY, NEB
Dan Naltz
REGISTER OF DEEDS

SEP 10 8 31 AM '93
INST. NO 93 40544

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Return to City Clerk