

3574

RESOLUTION NO. PC- 00163

1 A RESOLUTION accepting and approving the plat designated as HIGHLANDS  
2 EAST 3RD ADDITION as an addition to the City of Lincoln, filed in the office of  
3 the Planning Department of the City of Lincoln, Nebraska, upon certain conditions  
4 herein specified and providing for sureties conditioned upon the strict  
5 compliance with such conditions.

6 WHEREAS, Highlands East Limited Partnership, a Nebraska limited  
7 partnership, owner of a tract of land legally described as:

8 A SUBDIVISION COMPOSED OF OUTLOT "E" HIGHLANDS EAST  
9 ADDITION, LOCATED IN SECTION 3, T 10 N, R 6 E OF THE  
10 6TH. P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA,  
11 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

12 COMMENCING FROM THE SOUTHWEST CORNER OF SAID OUTLOT "E",  
13 SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING,  
14 THENCE ON AN ASSUMED BEARING OF NORTH 30 DEGREES 34  
15 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF SAID  
16 OUTLOT "E" A DISTANCE OF 631.34 FEET TO A POINT, THENCE  
17 SOUTH 59 DEGREES 25 MINUTES 07 SECONDS EAST, ALONG THE  
18 WEST LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET  
19 TO A POINT, THENCE NORTH 30 DEGREES 34 MINUTES 53  
20 SECONDS EAST, ALONG THE WEST LINE OF SAID OUTLOT "E" A  
21 DISTANCE OF 19.88 FEET TO A POINT, THENCE NORTH 59  
22 DEGREES 08 MINUTES 11 SECONDS WEST, ALONG THE WEST LINE  
23 OF SAID OUTLOT "E" A DISTANCE OF 119.99 FEET TO A POINT,  
24 THENCE NORTH 34 DEGREES 33 MINUTES 12 SECONDS EAST,  
25 ALONG THE WEST LINE OF SAID OUTLOT "E" A DISTANCE OF  
26 77.23 FEET TO A POINT, THENCE NORTH 41 DEGREES 55  
27 MINUTES 59 SECONDS EAST, ALONG THE NORTHWEST LINE OF  
28 SAID OUTLOT "E" A DISTANCE OF 77.23 FEET TO A POINT,  
29 THENCE NORTH 49 DEGREES 18 MINUTES 47 SECONDS EAST,  
30 ALONG THE NORTHWEST LINE OF SAID OUTLOT "E" A DISTANCE  
31 OF 77.23 FEET TO A POINT, THENCE NORTH 56 DEGREES 38  
32 MINUTES 35 SECONDS EAST, ALONG THE NORTHWEST LINE OF  
33 SAID OUTLOT "E" A DISTANCE OF 76.19 FEET TO A POINT,  
34 THENCE NORTH 62 DEGREES 23 MINUTES 33 SECONDS EAST,  
35 ALONG THE NORTHWEST LINE OF SAID OUTLOT "E" A DISTANCE  
36 OF 67.41 FEET TO A POINT, THENCE NORTH 62 DEGREES 56  
37 MINUTES 28 SECONDS EAST, ALONG THE NORTHWEST LINE OF  
38 SAID OUTLOT "E" A DISTANCE OF 126.00 FEET TO A POINT,  
39 THENCE NORTH 65 DEGREES 24 MINUTES 21 SECONDS EAST,

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ALONG THE NORTHWEST LINE OF SAID OUTLOT "E" A DISTANCE OF 74.32 FEET TO A POINT, THENCE NORTH 74 DEGREES 51 MINUTES 53 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID OUTLOT "E" A DISTANCE OF 79.86 FEET TO A POINT, THENCE NORTH 85 DEGREES 02 MINUTES 46 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 79.86 FEET TO A POINT, THENCE SOUTH 84 DEGREES 46 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 79.86 FEET TO A POINT, THENCE SOUTH 74 DEGREES 35 MINUTES 28 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 79.86 FEET TO A POINT, THENCE SOUTH 20 DEGREES 29 MINUTES 58 SECONDS WEST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 05 DEGREES 04 MINUTES 55 SECONDS, AN ARC DISTANCE OF 29.27 FEET, A RADIUS OF 330.00 FEET, AND A CHORD OF SOUTH 66 DEGREES 57 MINUTES 34 SECONDS EAST, A DISTANCE OF 29.26 FEET TO A POINT, THENCE NORTH 26 DEGREES 03 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 90.00 FEET TO A POINT, THENCE NORTH 29 DEGREES 43 MINUTES 54 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 84.13 FEET TO A POINT, THENCE NORTH 46 DEGREES 16 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 95.12 FEET TO A POINT, THENCE NORTH 64 DEGREES 30 MINUTES 38 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 95.12 FEET TO A POINT, THENCE NORTH 82 DEGREES 45 MINUTES 16 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 95.12 FEET TO A POINT, THENCE SOUTH 79 DEGREES 45 MINUTES 19 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 87.32 FEET TO A POINT, THENCE SOUTH 71 DEGREES 23 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 135.38 FEET TO A POINT, THENCE SOUTH 67 DEGREES 48 MINUTES 48 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 75.66 FEET TO A POINT, THENCE SOUTH 62 DEGREES 06 MINUTES 51 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 74.43 FEET TO A POINT, THENCE SOUTH 30 DEGREES 43 MINUTES 47 SECONDS WEST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 02 DEGREES 31 MINUTES 32 SECONDS, AN ARC DISTANCE OF 27.77 FEET, A RADIUS OF 630.00 FEET, AND A CHORD OF SOUTH 58 DEGREES 00 MINUTES 27 SECONDS EAST, A DISTANCE OF 27.77 FEET TO A POINT, THENCE NORTH 33 DEGREES 15 MINUTES 19 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE

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OF 120.00 FEET TO A POINT, THENCE SOUTH 54 DEGREES 07 MINUTES 10 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 68.70 FEET TO A POINT, THENCE SOUTH 48 DEGREES 52 MINUTES 09 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 68.70 FEET TO A POINT, THENCE SOUTH 43 DEGREES 37 MINUTES 08 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 68.70 FEET TO A POINT, THENCE NORTH 41 DEGREES 43 MINUTES 51 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 72.02 FEET TO A POINT, THENCE NORTH 5 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 93.33 FEET TO A POINT, THENCE SOUTH 88 DEGREES 21 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A POINT, THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 04 DEGREES 24 MINUTES 30 SECONDS, AN ARC DISTANCE OF 20.00 FEET, A RADIUS OF 260.00 FEET, AND A CHORD OF NORTH 3 DEGREES 50 MINUTES 23 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT, THENCE NORTH 83 DEGREES 57 MINUTES 21 SECONDS WEST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A POINT, THENCE NORTH 13 DEGREES 05 MINUTES 53 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 93.33 FEET TO A POINT, THENCE NORTH 27 DEGREES 12 MINUTES 23 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 93.33 FEET TO A POINT, THENCE NORTH 41 DEGREES 18 MINUTES 53 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 93.33 FEET TO A POINT, THENCE NORTH 55 DEGREES 25 MINUTES 23 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 93.33 FEET TO A POINT, THENCE NORTH 69 DEGREES 13 MINUTES 36 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 91.01 FEET TO A POINT, THENCE NORTH 77 DEGREES 40 MINUTES 39 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 80.49 FEET TO A POINT, THENCE NORTH 85 DEGREES 28 MINUTES 41 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 83.17 FEET TO A POINT, THENCE SOUTH 86 DEGREES 34 MINUTES 25 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT "E" A DISTANCE OF 83.17 FEET TO A POINT, THENCE SOUTH 78 DEGREES 37 MINUTES 31 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID OUTLOT "E" A DISTANCE OF 83.17 FEET TO A POINT, THENCE SOUTH 70 DEGREES 40 MINUTES 37 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID OUTLOT "E" A DISTANCE OF 83.17 FEET TO A POINT, THENCE SOUTH 62 DEGREES 43 MINUTES 43 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID OUTLOT "E" A DISTANCE OF 83.17 FEET TO A POINT, THENCE SOUTH 31 DEGREES 14

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1 MINUTES 44 SECONDS WEST, ALONG THE NORTHEAST LINE OF  
2 SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A POINT,  
3 THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A  
4 DELTA ANGLE OF 03 DEGREES 55 MINUTES 18 SECONDS, AN ARC  
5 DISTANCE OF 32.85 FEET, A RADIUS OF 480.00 FEET, AND A  
6 CHORD OF SOUTH 56 DEGREES 47 MINUTES 37 SECONDS EAST, A  
7 DISTANCE OF 32.85 FEET TO A POINT, THENCE NORTH 35  
8 DEGREES 10 MINUTES 02 SECONDS EAST, ALONG THE NORTHEAST  
9 LINE OF SAID OUTLOT "E" A DISTANCE OF 120.00 FEET TO A  
10 POINT, THENCE SOUTH 50 DEGREES 39 MINUTES 05 SECONDS  
11 EAST, ALONG THE NORTHEAST LINE OF SAID OUTLOT "E" A  
12 DISTANCE OF 87.50 FEET TO A POINT, THENCE SOUTH 44  
13 DEGREES 17 MINUTES 42 SECONDS EAST, ALONG THE NORTHEAST  
14 LINE OF SAID OUTLOT "E" A DISTANCE OF 87.78 FEET TO A  
15 POINT, THENCE SOUTH 32 DEGREES 18 MINUTES 42 SECONDS  
16 EAST, ALONG THE NORTHEAST LINE OF SAID OUTLOT "E" A  
17 DISTANCE OF 505.18 FEET TO A POINT, THENCE SOUTH 22  
18 DEGREES 39 MINUTES 09 SECONDS EAST, ALONG THE NORTHEAST  
19 LINE OF SAID OUTLOT "E" A DISTANCE OF 96.10 FEET TO A  
20 POINT, THENCE SOUTH 6 DEGREES 57 MINUTES 49 SECONDS  
21 EAST, ALONG THE EAST LINE OF SAID OUTLOT "E" A DISTANCE  
22 OF 162.42 FEET TO A POINT, THENCE SOUTH 28 DEGREES 30  
23 MINUTES 41 SECONDS WEST, ALONG THE EAST LINE OF SAID  
24 OUTLOT "E" A DISTANCE OF 194.63 FEET TO A POINT, THENCE  
25 SOUTH 55 DEGREES 31 MINUTES 07 SECONDS WEST, ALONG THE  
26 EAST LINE OF SAID OUTLOT "E" A DISTANCE OF 365.39 FEET  
27 TO A POINT, THENCE SOUTH 74 DEGREES 41 MINUTES 50  
28 SECONDS WEST, ALONG THE EAST LINE OF SAID OUTLOT "E" A  
29 DISTANCE OF 187.04 FEET TO A POINT, THENCE SOUTH 23  
30 DEGREES 35 MINUTES 17 SECONDS WEST, ALONG THE EAST LINE  
31 OF SAID OUTLOT "E" A DISTANCE OF 93.14 FEET TO A POINT  
32 ON THE NORTHEAST LINE OF LOT 1 BLOCK 4 HIGHLANDS EAST  
33 2ND ADDITION, THENCE NORTH 56 DEGREES 26 MINUTES 38  
34 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID LOT 1 A  
35 DISTANCE OF 125.32 FEET TO THE NORTH CORNER OF SAID LOT  
36 1, THENCE ALONG THE EAST R.O.W. LINE OF WEST BEDFORD  
37 STREET AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION  
38 HAVING A DELTA ANGLE OF 14 DEGREES 53 MINUTES 18  
39 SECONDS, AN ARC DISTANCE OF 59.77 FEET, A RADIUS OF  
40 230.00 FEET, AND A CHORD OF NORTH 26 DEGREES 06 MINUTES  
41 43 SECONDS EAST, A DISTANCE OF 59.60 FEET TO A POINT,  
42 THENCE NORTH 71 DEGREES 19 MINUTES 56 SECONDS WEST,  
43 ALONG THE NORTH R.O.W. LINE OF SAID WEST BEDFORD STREET  
44 A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF SAID  
45 WEST BEDFORD STREET R.O.W., THENCE ALONG THE WEST R.O.W.  
46 LINE OF SAID WEST BEDFORD STREET AROUND A CURVE IN A  
47 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06 DEGREES  
48 44 MINUTES 40 SECONDS, AN ARC DISTANCE OF 20.01 FEET, A  
49 RADIUS OF 170.00 FEET, AND A CHORD OF SOUTH 22 DEGREES

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02 MINUTES 24 SECONDS WEST, A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF LOT 7 BLOCK 3 HIGHLANDS EAST 2ND ADDITION, THENCE NORTH 69 DEGREES 33 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 7 THROUGH 5 BLOCK 3 HIGHLANDS EAST 2ND ADDITION A DISTANCE OF 251.94 FEET TO THE NORTH CORNER OF SAID LOT 5, THENCE SOUTH 61 DEGREES 36 MINUTES 42 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 5 THROUGH 1 BLOCK 3 HIGHLANDS EAST 2ND ADDITION A DISTANCE OF 385.67 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, THENCE NORTH 24 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE OF NW 3RD STREET R.O.W. A DISTANCE OF 20.00 FEET TO A POINT, THENCE SOUTH 65 DEGREES 34 MINUTES 53 SECONDS WEST, ALONG THE NORTH LINE OF SAID NW 3RD STREET R.O.W. A DISTANCE OF 60.00 FEET TO A POINT, THENCE SOUTH 24 DEGREES 25 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID NW 3RD STREET R.O.W. A DISTANCE OF 43.43 FEET TO THE NORTHEAST CORNER OF LOT 2 BLOCK 2 HIGHLANDS EAST 2ND ADDITION, THENCE SOUTH 65 DEGREES 34 MINUTES 53 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 2 AND 1 BLOCK 2 HIGHLANDS EAST 2ND ADDITION, A DISTANCE OF 220.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, THENCE NORTH 24 DEGREES 25 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE OF SAID NW 4TH STREET R.O.W. A DISTANCE OF 19.68 FEET TO A POINT, THENCE SOUTH 65 DEGREES 34 MINUTES 53 SECONDS WEST, ALONG THE NORTH LINE OF SAID NW 4TH STREET R.O.W. A DISTANCE OF 60.00 FEET TO A POINT, THENCE SOUTH 24 DEGREES 25 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID NW 4TH STREET R.O.W. A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF LOT 4 BLOCK 1 HIGHLANDS EAST 2ND ADDITION, THENCE SOUTH 65 DEGREES 34 MINUTES 53 SECONDS WEST, ALONG THE NORTH LINE OF LOT 4 AND 3 BLOCK 1, A DISTANCE OF 93.67 FEET TO A POINT, THENCE SOUTH 68 DEGREES 37 MINUTES 35 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 3 THROUGH 1 HIGHLANDS EAST 2ND ADDITION A DISTANCE OF 165.58 FEET TO THE NW CORNER OF SAID LOT 1, THENCE SOUTH 64 DEGREES 33 MINUTES 07 SECONDS WEST ALONG THE NORTH LINE OF LOT 4 BLOCK 3 HIGHLAND NORTH 3RD ADDITION, A DISTANCE OF 22.59 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF SAID BLOCK 3, NORTH 21 DEGREES 21 MINUTES 17 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 100.04 FEET TO THE NORTHEAST CORNER OF SAID LOT 3, THENCE SOUTH 67 DEGREES 41 MINUTES 19 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 18.27 FEET TO A POINT, THENCE NORTH 21 DEGREES 23 MINUTES 21 SECONDS WEST, ALONG THE EAST LINE OF GOURLEY STREET R.O.W. AND LOT 10 BLOCK 1 HIGHLAND NORTH 3RD ADDITION A DISTANCE OF 164.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, THENCE SOUTH 71 DEGREES 10 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID

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1 LOT 10 A DISTANCE OF 90.19 FEET TO THE NORTHWEST CORNER  
2 OF SAID LOT 10, THENCE NORTH 61 DEGREES 42 MINUTES 53  
3 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 7 A  
4 DISTANCE OF 89.37 FEET TO A POINT, THENCE NORTH 65  
5 DEGREES 14 MINUTES 50 SECONDS WEST, ALONG THE NORTH LINE  
6 OF LOTS 7 THROUGH 1 BLOCK 1 HIGHLAND NORTH 3RD ADDITION  
7 AND THE EAST LINE OF WEST SALLY STREET R.O.W. A DISTANCE  
8 OF 464.87 FEET TO THE NORTHWEST CORNER OF SAID WEST  
9 SALLY STREET R.O.W., THENCE SOUTH 31 DEGREES 10 MINUTES  
10 35 SECONDS WEST, ALONG THE WEST LINE OF SAID WEST SALLY  
11 STREET R.O.W. A DISTANCE OF 354.51 FEET TO THE INTERSEC-  
12 TION OF THE WEST R.O.W. LINE OF WEST SALLY STREET AND  
13 THE NORTH R.O.W. LINE OF WEST KATLEMAN DRIVE, THENCE  
14 NORTH 58 DEGREES 55 MINUTES 40 SECONDS WEST, ALONG THE  
15 NORTH LINE OF WEST KATLEMAN DRIVE A DISTANCE OF 276.52  
16 FEET TO A POINT OF CURVATURE, THENCE AROUND A CURVE IN  
17 A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 26  
18 DEGREES 04 MINUTES 48 SECONDS, AN ARC DISTANCE OF 252.12  
19 FEET, A RADIUS OF 553.90 FEET, AND A CHORD OF NORTH 71  
20 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 249.95  
21 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A  
22 CALCULATED AREA OF 71.94 ACRES MORE OR LESS.

23 has filed said plat in the office of the Planning Department of the City of  
24 Lincoln, Nebraska, with a request for approval and acceptance thereof; and

25 WHEREAS, it is for the convenience of the inhabitants of said City  
26 and for the public that said plat be approved and accepted as filed.

27 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster County  
28 Planning Commission:

29 1. That the plat of HIGHLANDS EAST 3RD ADDITION as an addition to  
30 the City of Lincoln, Nebraska, filed in the office of the Planning Department of  
31 said City by Highlands East Limited Partnership as owner is hereby accepted and  
32 approved, and said owner is given the right to plat said HIGHLANDS EAST 3RD  
33 ADDITION as an addition to said City in accordance therewith. Such acceptance  
34 and approval are conditioned upon the following:

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1           First: That said owner shall at its own cost and expense pay for all  
2 labor, material, engineering, and inspection costs in connection with the  
3 construction of street improvements, including the grading, paving, and  
4 installation of curb and gutter, curb inlets, and storm drain laterals for all  
5 streets as shown on the approved final plat. The construction shall be completed  
6 within two years following Planning Commission approval of this final plat.

7           Second: That said owner shall at its own cost and expense pay for  
8 all labor, material, engineering, and inspection costs in connection with the  
9 construction of sidewalks as shown on the final plat. The construction shall be  
10 completed within four years following Planning Commission approval of this final  
11 plat.

12           Third: That said owner shall at its own cost and expense pay for all  
13 labor, material, engineering, and inspection costs in connection with the  
14 construction of a public water distribution system as shown on the approved  
15 preliminary plat. The construction shall be completed within two years following  
16 Planning Commission approval of this final plat.

17           Fourth: That said owner shall at its own cost and expense pay for  
18 all labor, material, engineering, and inspection costs in connection with the  
19 construction of a public wastewater collection system as shown on the approved  
20 preliminary plat. The construction shall be completed within two years following  
21 Planning Commission approval of this final plat.

22           Fifth: That said owner shall at its own cost and expense pay for all  
23 labor, material, engineering, and inspection costs in connection with the  
24 construction of the storm sewer collection system as shown on the preliminary

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1 plat. The construction shall be completed within two years following Planning  
2 Commission approval of this final plat.

3 Sixth: That said owner shall at its own cost and expense pay for all  
4 labor, material, engineering, and inspection costs in connection with the  
5 installation of an ornamental street lighting system as required by the  
6 preliminary plat for all streets shown on this final plat. The construction  
7 shall be completed within two years following Planning Commission approval of  
8 this final plat.

9 Seventh: That said owner shall at its own cost and expense pay for  
10 all labor, material, and related costs in connection with the installation of  
11 street trees as shown on the approved landscape plan. The planting shall be  
12 completed within four years following Planning Commission approval of this final  
13 plat.

14 Eighth: That said owner shall at its own cost and expense pay for  
15 all labor, material, and related costs in connection with the installation of  
16 street name signs as approved by the Department of Transportation. This  
17 installation shall be completed within two years following Planning Commission  
18 approval of this final plat.

19 2. That prior to adoption of this resolution, said owner shall enter  
20 into a written agreement with the City which shall provide as follows:

21 The owner, its successors and assigns agree:

22 a. To submit to the Director of Public Works for review and  
23 approval, a plan showing proposed measures to control sedimentation and erosion,  
24 and the proposed method to temporarily stabilize all graded land.



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1                   b. To protect the remaining trees on the site during  
2 construction and development.

3                   c. To pay all improvement costs.

4                   d. To submit to the lot buyers and home builders a copy of  
5 the soil analysis.

6                   e. To continuously and regularly maintain the landscape  
7 screen.

8                   f. To complete the private improvements as defined in the  
9 Land Disposition agreement between the City and the subdivider and shown on the  
10 preliminary plat.

11                   g. To maintain the outlots and private improvements on a  
12 permanent and continuous basis as stated in the Land Disposition agreement  
13 between the City and the subdivider. However, the owner may be relieved and  
14 discharged of this maintenance obligation upon creating in writing a permanent  
15 and continuous association of property owners who would be responsible for said  
16 permanent and continuous maintenance. The owner shall not be relieved of such  
17 maintenance obligation until the document or documents creating said property  
18 owners association have been reviewed and approved by the City Attorney and filed  
19 of record with the Register of Deeds.

20                   h. To comply with the provisions of the Land Subdivision  
21 Ordinance regarding land preparation.

22                   3. That said owner shall, prior to adoption of this resolution,  
23 execute and deliver to the City of Lincoln:

24                   a. A bond or an approved escrow or security agreement in the  
25 sum of \$136,500.00 conditioned upon the strict compliance by said owner with the

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1 conditions contained in paragraph designated "First" of Paragraph 1 of this  
2 resolution.

3 b. A bond or an approved escrow or security agreement in the  
4 sum of \$26,000.00 conditioned upon the strict compliance by said owner with the  
5 conditions contained in paragraph designated "Second" of Paragraph 1 of this  
6 resolution.

7 c. A bond or an approved escrow or security agreement in the  
8 sum of \$42,000.00 conditioned upon the strict compliance by said owner with the  
9 conditions contained in paragraph designated "Third" of Paragraph 1 of this  
10 resolution.

11 d. A bond or an approved escrow or security agreement in the  
12 sum of \$56,700.00 conditioned upon the strict compliance by said owner with the  
13 conditions contained in paragraph designated "Fourth" of Paragraph 1 of this  
14 resolution.

15 e. A bond or an approved escrow or security agreement in the  
16 sum of \$38,000.00 conditioned upon the strict compliance by said owner with the  
17 conditions contained in paragraph designated "Fifth" of Paragraph 1 of this  
18 resolution.

19 f. A bond or an approved escrow or security agreement in the  
20 sum of \$9,000.00 conditioned upon the strict compliance by said owner with the  
21 conditions contained in paragraph designated "Sixth" of Paragraph 1 of this  
22 resolution.

23 g. A bond or an approved escrow or security agreement in the  
24 sum of \$5,703.48 conditioned upon the strict compliance by said owner with the

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1 conditions contained in paragraph designated "Seventh" of Paragraph 1 of this  
2 resolution.

3 h. A bond or an approved escrow or security agreement in the  
4 sum of \$230.00 conditioned upon the strict compliance by said owner with the  
5 conditions contained in paragraph designated "Eighth" of Paragraph 1 of this  
6 resolution.

7 The bonds required above shall be subject to approval by the City  
8 Attorney. In the event that said owner or its surety shall fail to satisfy the  
1 conditions herein set forth within the time specified in this resolution, the  
2 City may cause the required work to be performed and recover the cost thereof  
3 from said owner and its surety.

4 4. Immediately upon the adoption of this resolution, the City Clerk  
5 shall cause the final plat and a certified copy of this resolution together with  
6 the written agreement required herein to be filed in the office of the Register  
7 of Deeds of Lancaster County, Nebraska. Filing fees shall be paid by said owner.

8 The foregoing Resolution was approved by the Lincoln City - Lancaster  
9 County Planning Commission on this 6th day of July, 1994.

10 Dated this 6th day of July, 1994.

ATTEST:

Ann Sabornie Bleed  
Chairman

Approved as to Form & Legality:

Art Peo  
Asst City Attorney

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## A G R E E M E N T

THIS AGREEMENT is made and entered into by and between HIGHLANDS EAST LIMITED PARTNERSHIP, a Nebraska limited partnership, hereinafter called "Subdivider", whether one or more, and the CITY OF LINCOLN, NEBRASKA, a municipal corporation, hereinafter called "City."

WHEREAS, Subdivider has made application to City for permission to subdivide and for approval of the subdivision plat of HIGHLANDS EAST 3RD ADDITION; and

WHEREAS, the resolution approving said plat contains certain provisions requiring an agreement between Subdivider and City relating to said plat and the development thereof.

NOW, THEREFORE, IN CONSIDERATION of City granting permission to plat and approval of the plat of HIGHLANDS EAST 3RD ADDITION, it is agreed by and between Subdivider and City as follows:

1. The Subdivider agrees to submit to the Director of Public Works for review and approval, a plan showing proposed measures to control sedimentation and erosion, and the proposed method to temporarily stabilize all graded land.
2. The Subdivider agrees to protect the remaining trees on the site during construction and development.
3. The Subdivider agrees to pay all improvement costs.
4. The Subdivider agrees to submit to the lot buyers and home builders a copy of the soil analysis.

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5. The Subdivider agrees to continuously and regularly maintain the landscape screen.

6. The Subdivider agrees to complete the private improvements as defined in the Land Disposition agreement between the City and the subdivider and shown on the preliminary plat.

7. The Subdivider agrees to maintain the outlots and private improvements on a permanent and continuous basis as stated in the Land Disposition agreement between the City and the Subdivider. However, the Subdivider 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 Subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

8. The Subdivider agrees to comply with the provisions of the Land Subdivision Ordinance regarding land preparation.

9. That the agreements contained herein shall be binding and obligatory upon the heirs, successors and assigns of Subdivider.

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Dated this 13th day of July, 1994.  
Ridge Development Company, a Nebraska Corporation,  
General Partner of  
HIGHLANDS EAST LIMITED PARTNERSHIP,  
a Nebraska limited partnership,

ATTEST:

Barbara J. Fisher  
~~Secretary~~

Thomas E. White President of Development  
Thomas E. White, General Partner  
Ridge Development Company, a Nebraska Corporation,  
General Partner of  
HIGHLANDS EAST LIMITED PARTNERSHIP,  
a Nebraska limited partnership,

ATTEST:

Barbara J. Fisher  
~~Secretary~~

John C. Brager President of Construction  
John C. Brager, General Partner  
Highlands Development Corporation, a Nebraska Corporation,  
General Partner of  
HIGHLANDS EAST LIMITED PARTNERSHIP,  
a Nebraska limited partnership,

ATTEST:

Gerald L. Schleich  
Secretary

Gerald L. Schleich President  
Gerald L. Schleich, General Partner

ATTEST:

CITY OF LINCOLN, NEBRASKA,  
a municipal corporation

Paul A. Matz  
City Clerk

Paul A. Matz  
Mayor

STATE OF NEBRASKA        )  
  ) ss.  
COUNTY OF LANCASTER    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, a general partner of Highlands East Limited Partnership, a Nebraska limited partnership, on behalf of the partnership.

\_\_\_\_\_  
Notary Public

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STATE OF NEBRASKA )  
 )  
COUNTY OF LANCASTER ) ss.

The foregoing instrument was acknowledged before me this 14th day of July, 1994, by Thomas E. White, President of Development of Ridge Development Company, a Nebraska Corporation, General Partner of Highlands East Limited Partnership, a Nebraska Limited Partnership, on behalf of the Corporation and Partnership.



Barbara J. Fisher  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF LANCASTER ) ss.

The foregoing instrument was acknowledged before me this 13th day of July, 1994, by John C. Brager, President of Construction of Ridge Development Company, a Nebraska Corporation, General Partner of Highlands East Limited Partnership, a Nebraska Limited Partnership, on behalf of the Corporation and Partnership.



Barbara J. Fisher  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF LANCASTER ) ss.

The foregoing instrument was acknowledged before me this 13th day of July, 1994, by Gerald L. Schleich, President of Highlands Development Corporation, a Nebraska Corporation, General Partner of Highlands East Limited Partnership, a Nebraska Limited Partnership, on behalf of the Corporation and Partnership.



Barbara J. Fisher  
Notary Public

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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 RESOLUTION  
NO. PC-00163 APPROVING THE PLAT OF HIGHLANDS EAST 3RD  
ADDITION AND THE AGREEMENT FOR SAME

as passed and approved by the Lincoln City-Lancaster County  
Planning Commission on the 6TH day of JULY, 1994  
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 29th day of JULY, 1994.

*Joan E. Ross*  
Joan E. Ross, Deputy City Clerk

BLOCK  
NO  
CODE  
HLEA  
CHECKED  
[Signature]  
ENTERED  
[Signature]  
EDITED

LANCASTER COUNTY, NEB  
*Dan Nette*  
REGISTER OF DEEDS

*84485cl* AUG 4 11 51 AM '94  
M. NO. 94- 35399

*#8050*

*Return to  
City Clerk*