

\$ 6150

BLOCK

Dan Jolte
REGISTER OF DEEDS

INST NO 2002

2002 MAR 19 P 12:49

018204

CODE	MUFF/MUFF1
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ENTERED	MUFF
EDITED	X

LANCASTER COUNTY, NE

01R-330

Introduce: 12-10-01

RESOLUTION NO. A- 81281

SPECIAL PERMIT NO. 1733C

1 WHEREAS, Tedd Havlicek and Patricia Koontz have submitted an application
 2 designated as Special Permit No. 1733C for authority to amend the Muff 1st Addition Community
 3 Unit Plan to increase the number of dwelling units from 166 to 168 on property generally located
 4 at S.W. 8th Street and Darren Avenue, and legally described to wit:

5 Lots 74 and 105 of Irregular Tracts, Blocks 1 and 2 in Muff 4th
 6 Addition, Blocks 1 and 2, and Outlots A and B in Muff 3rd Addition,
 7 Blocks 1 and 2, Muff 2nd Addition, Block 1, Muff 1st Addition,
 8 Blocks 1, 2, and 3 and Outlot A in Muff Addition, all located in the
 9 Southwest Quarter of Section 27, Township 10 North, Range 6 East
 10 of the 6th P.M., Lancaster County, Nebraska and more particularly
 11 described as follows:

12 Beginning at the northwest corner of the Southeast Quarter of the
 13 Southwest Quarter of Section 27, Township 10 North, Range 6 East,
 14 thence on an assumed bearing of north 89 degrees 53 minutes 59
 15 seconds east on the north line of Lot 105 of Irregular Tracts for a
 16 distance of 671.99 feet; thence south 00 degrees 05 minutes 50
 17 seconds west on the east line of said Lot 105, for a distance of
 18 594.93 feet; thence south 89 degrees 55 minutes 12 seconds west
 19 for a distance of 2.69 feet; thence south 00 degrees 23 minutes 52
 20 seconds east for a distance of 54.52 feet; thence south 89 degrees
 21 55 minutes 12 seconds west for a distance of 30.25 feet; thence
 22 south 00 degrees 23 minutes 52 seconds east for a distance of
 23 36.25 feet to the southeast corner of Lot 74 of Irregular Tracts;
 24 thence south 00 degrees 15 minutes 23 seconds east on the east
 25 line of Blocks 1 and 3 in Muff Addition for a distance of 315.82 feet;
 26 thence south 00 degrees 30 minutes 22 seconds east and
 27 continuing on the east line of said Block 3 for a distance of 159.72
 28 feet to the southeast corner of Lot 7 in said Block 3; thence south 89
 29 degrees 58 minutes 54 seconds west on the south line of Blocks 2
 30 and 3 in Muff Addition and on the south line of Block 2 in Muff 3rd
 31 Addition and on the south line of Block 2 in Muff 2nd Addition for a
 32 distance of 632.08 feet to a point on the centerline of Trimble Street;
 33 thence south 00 degrees 53 minutes 04 seconds east on the
 34 centerline of Trimble Street for a distance of 140.83 feet; thence
 35 north 90 degrees 00 minutes 00 seconds west on the south line of

Teresa City Clerk

1 Block 1 in Muff 2nd Addition extended, for a distance of 175.74 feet
2 to the southwest corner of Block 1 in Muff 2nd Addition; thence north
3 00 degrees 30 minutes 46 seconds west on the west line of Block 1
4 Muff 2nd Addition and on the west line of Blocks 1 and 2 in Muff 4th
5 Addition for a distance of 1300.86 feet to the northwest corner of
6 Block 1 in Muff 4th Addition; thence north 89 degrees 53 minutes 59
7 seconds east on the north line of Block 1 in Muff 4th Addition for a
8 distance of 175.80 feet to the point of beginning; said property
9 contains 22.628 acres more or less.

10 WHEREAS, the real property adjacent to the area included within the site plan for
11 this revised community unit plan will not be adversely affected; and

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

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

17 That the application of Tedd Havlicek and Patricia Koontz, hereinafter referred to
18 as "Permittee", increase the number of dwelling units from 166 to 168, on the property legally
19 described above, be and the same is hereby granted under the provisions of Section 27.63.320 and
20 Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said
21 community unit plan be in strict compliance with said application, the site plan, and the following
22 additional express terms, conditions, and requirements:

23 1. This permit approves an additional 2 dwelling units within the Muff, Muff 1st
24 Addition, and Muff 2nd Addition Community Unit Plan for a total of 168 dwelling units.

25 2. Before receiving building permits:

26 a. The Permittee must submit a revised and reproducible final plan and
27 five copies to the Planning Department.

28 b. The construction plans must conform to the approved plans.

1 c. The final plat within this community unit plan must be approved by
2 the City.

3 3 Before occupying the dwelling units all development and construction must
4 be completed in conformance with the approved plans.

5 4 All privately owned improvements shall be permanently maintained by the
6 Permittee or an appropriately established homeowners association approved by the City Attorney.

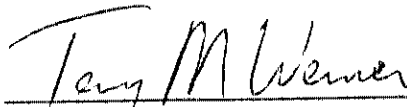
7 5. The site plan approved by this permit shall be the basis for all interpretations
8 of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
9 matters.

10 6. The terms, conditions, and requirements of this resolution shall be binding
11 and obligatory upon the Permittee, their successors, and assigns. The building official shall report
12 violations to the City Council which may revoke the special permit or take such other action as may
13 be necessary to gain compliance.

14 7. The Permittee shall sign and return the City's letter of acceptance to the City
15 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
16 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
17 of the resolution approving the special permit and the letter of acceptance with the Register of
18 Deeds, filing fees therefor to be paid in advance by the Permittee.

19 8. The site plan as approved with this resolution voids and supersedes all
20 previously approved plans for this site, however, all resolutions approving previous permits remain
21 in force unless specifically amended by this resolution.

Introduced by:

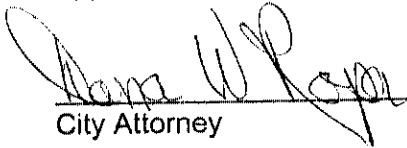


AYES: Camp, Cook, McRoy,

3 Seng, Svoboda, Werner

NAYS: None; ABSENT: Friendt.

Approved as to Form & Legality:




City Attorney

Staff Review Completed:



Administrative Assistant

Approved this 18th day of December
2001:


Mayor

ADOPTED

DEC 17 2001

By City Council

LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

We, **Ted Havlicek and Patricia Koontz**, Permittees under **Special Permit 1733C** granted by **Resolution No. A-81281** adopted by the Lincoln City Council on Dec. 17, 2001 do hereby certify that we have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.

Dated this 4th day of January, 2002.



Ted Havlicek



Patricia Koontz

CERTIFICATE

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

I, Teresa J. Meier-Brock, 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 1733C** approved by **Resolution No. A-81281** adopted by the City Council on **Dec. 17, 2001** 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 19th day of March, 2007.

Teresa J. Meier-Brock
Deputy City Clerk
