

87R-221

32155

Introduce: 8-31-87

21

RESOLUTION NO. A- 74588  
SPECIAL PERMIT NO. 808C

01 WHEREAS, Mike Poe and Security Investment Co. has  
02 submitted an application designated as Special Permit No. 808C  
03 for authority to construct a Community Unit Plan on property  
04 located east of 28th Street between Briar Rosa Drive and Coronado  
05 Drive, and legally described to wit:

06 Outlot 'C', Sevenoaks 1st Addition and Lots 1 through  
07 6, Block 2, Southern Hills 1st Addition.

08 WHEREAS, the real property adjacent to the area includ-  
09 ed within the plot plan for this Community Unit Plan will not be  
10 adversely affected; and

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

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

17 That the application of Mike Poe and Security Invest-  
18 ment Co., hereinafter referred to as "Permittee", to construct a  
19 Community Unit Plan be and the same is hereby granted under the  
20 provisions of Chapter 27.65 of the Lincoln Municipal Code upon  
21 condition that construction and operation of said Community Unit  
22 Plan be in strict compliance with said application, the plot  
23 plan, and the following additional express terms, conditions, and  
24 requirements:

Amended 9/14/87

25 1. This permit approves <sup>107</sup> ~~110~~ dwelling units, including  
26 54 elderly retirement dwelling units.

27 2. Before receiving building permits the permittee  
28 shall submit and receive approval of the following:

29 a. A coordinated development and occupancy  
30 schedule approved by the Planning Director.

31 b. A landscape screen plan approved by the  
32 Planning Director.

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c. A permanent reproducible final site plan as approved by the City Council.

d. Ornamental street lights for streets, private roadways and pedestrian way easements approved by Lincoln Electric System.

3. Before receiving building permits, the construction plans shall comply with the approved plans.

4. Before occupying the dwelling units, all development and construction shall comply with the approved plans.

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

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

7. 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:

U. Theodore Hempel

Approved as to Form & Legality:

Staff Review Completed:

William F. Hunter  
City Attorney

[Signature]  
Administrative Assistant

**ADOPTED**

AYES: Gutgsell, Hampton, Hempel, Minnick, Seng, Wilson  
NAYS: None  
ABSENT: Danley.

**APPROVED**

SEP 14 1987

SEP 17, 1987

By City Council

Bill Harris  
MAYOR

3455

September 14, 1987 Council Proceedings:

HAMPTON Moved to make a condition of approval to Mike Poe and Security Investment Co. to file a petition for a paving district.

Seconded by Gutgsell and carried by the following vote: AYES: Gutgsell, Hampton, Hempel, Minnick, Seng, Wilson; NAYS: None; ABSENT: Danley.

HAMPTON Moved to accept the substitute plot plan and amend Line 25 to delete "110" and insert "107".

Seconded by Gutgsell and carried by the following vote: AYES: Gutgsell, Hampton, Hempel, Minnick, Seng, Wilson; NAYS: None; ABSENT: Danley.

32155

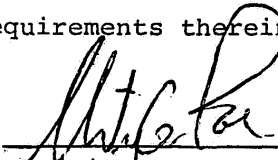
APPENDIX "A"

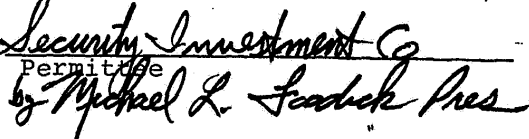
City Council  
City of Lincoln  
Lincoln, Nebraska

Re: Letter of Acceptance  
Special Permit No. 808C

TO THE CITY COUNCIL:

We, Mike Poe and Security Investment Co., herein called Permittee under Special Permit No. 808C, granted by Resolution No. A-71588 adopted by the City Council of the City of Lincoln, Nebraska, on September 14, 1987, 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.

  
\_\_\_\_\_  
Permittee

  
\_\_\_\_\_  
Permittee  
by Michael L. Seadek Pres

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. 808C approved by Resolution No. A-71588, application of Mike Poe and Security Investment Co, as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held \_\_\_\_\_ 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 25th day of September, 19 87.

*Joan E. Ross*  
Deputy City Clerk



*EMH*

*38-71  
38-255*

LANCASTER COUNTY, NEBR.

*Dan J. Jiles*

REGISTER OF CLERKS

1987 SEP 25 PM 3:55

ENTERED IN  
MUNICIPAL CLERK  
FILED FOR RECORD

*\$26.00*

*city clerk*

*Poe pd*

INST. NO. 87 32155

INDEXED  
MICRO-FILED  
GENERAL