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93R-209

Introduce: 7-26-93

RESOLUTION NO. A- 75606

SPECIAL PERMIT NO. 808H

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WHEREAS, POE DEVELOPMENT CO. has submitted an application designated as Special Permit No. 808H for authority to adjust the lot configuration of 26 townhouse units on property generally located at South 28th Street and Coronado Drive, and legally described to wit:

Lots 11-22, BLOCK 1,
Southern Oaks Addition, ~~Southern Oaks First Addition~~ ^{A.M.}
Lot 1-10 Southern Oaks 2nd Addition, Lots 1, 2, 3, 4, 5, and 6,
Block 2, Southern Hills First Addition, Southern Oaks *Lot 1-17, out Lot A*
3rd Addition, in the West One-Half of Section 18, *out Lot B*
Township 9 North, Range 7 East of the 6th P.M.,
Lincoln, Lancaster County, Nebraska, more particularly
described as follows:

Beginning at the Northeast Corner of Lot 1, Southern Oaks 2nd Addition; thence South 10 degrees 30 minutes 04 seconds East, a distance of 43.68 feet; thence South 10 degrees 19 minutes 58 seconds East, a distance of 252.08 feet to the point of curvature of a Curve to the left having a Central Angle of 33 degrees 27 minutes 28 seconds, a Radius of 180.00 feet, an Arc length of 105.11 feet, and a Chord bearing South 27 degrees 03 minutes 29 seconds East, 103.62 feet; thence Southeasterly along and with the Arc of said Curve, a distance of 105.11 feet to the point of tangency thereof; thence South 44 degrees 07 minutes 43 seconds East, a distance of 33.52 feet; thence South 46 degrees 09 minutes 47 seconds West, a distance of 154.84 feet; thence South 32 degrees 39 minutes 11 seconds West, a distance of 87.12 feet; thence south 11 degrees 24 minutes 40 seconds West, a distance of 97.06 feet; thence South 05 degrees 19 minutes 41 seconds East, a distance of 364.64 feet; thence North 89 degrees 27 minutes 11 seconds West, a distance of 212.26 feet; thence South 06 degrees 07 minutes 31 seconds West, a distance of 132.06 feet to the point of curvature of Curve to the left having a Central Angle of 05 degrees 48 minutes 34 seconds, a Radius of 230.00 feet, and Arc length of 23.32 feet

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and Chord bearing North 86 degrees 22 minutes 37 seconds West 23.31 feet; thence Northwesterly along and with the Arc of said curve, a distance of 23.32 feet to the point of tangency thereof; thence North 89 degrees 42 minutes 45 seconds West a distance of 47.34 feet; thence North 89 degrees 33 minutes 43 seconds West, a distance of 469.24 feet; thence North 00 degrees 05 minutes 34 seconds East, a distance of 130.19 feet; thence North, a distance of 318.98 feet, to the point of curvature of curve to the right, having a Central Angle of 27 degrees 44 minutes 22 seconds, a Radius of 120.00 feet, an Arc length of 58.10 feet and a Chord bearing North 13 degrees 53 minutes 20 seconds East, 57.53 feet; thence Northeasterly along and with the Arc of said Curve a distance of 58.10 feet to the point of tangency thereof; thence North 27 degrees 49 minutes 25 seconds East, a distance of 479.89 feet to the point of curvature of a Curve to the right having a Central Angle of 21 degrees 02 minutes 45 seconds, a Radius of 270.00 feet, and Arc length of 99.18 feet, and a Chord bearing North 38 degrees 14 minutes 36 seconds East 98.62 feet; thence Northeasterly along and with the Arc of said Curve a distance of 99.18 feet to the point of tangency thereof; thence North 48 degrees 51 minutes 36 seconds East, a distance of 126.83 feet to the point of curvature of a Curve to the right, having a Central Angle of 30 degrees 50 minutes 26 seconds, a Radius of 120.00 feet, and Arc length of 64.59 feet, and a Chord bearing North 64 degrees 15 minutes 43 seconds East 63.82 feet; thence Northeasterly, along and with Arc of said Curve, a distance of 63.82 feet, to the point of tangency thereof; thence North 79 degrees 41 minutes 06 seconds East, a distance of 291.88 feet to the Point of Beginning and containing in all 15.972 Acres of land.

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WHEREAS, the real property adjacent to the area included within the plot plan for this adjustment to the lot configuration of 26 townhouse units will not be adversely affected; and

WHEREAS, said plot plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27

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1 of the Lincoln Municipal Code to promote the public health, safety, morals,
2 and general welfare.

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
4 Lincoln, Nebraska:

5 That the application of POE DEVELOPMENT CO., hereinafter referred
6 to as "Permittee", to adjust the lot configuration of 26 townhouse units be
7 and the same is hereby granted under the provisions of Section 27.63.320 of
8 the Lincoln Municipal Code upon condition that construction and operation of
9 said adjusted lot configuration of 26 townhouse units be in strict compliance
10 with said application, the plot plan, and the following additional express
11 terms, conditions, and requirements:

12 1. This permit approves the development of 26 townhouse
13 dwelling units and a private roadway as shown on the approved plan on Outlot
14 "B" Southern Oaks 3rd Addition and Lot 6, Block 2 Southern Hills First
15 Addition.

16 2. Before receiving building permits:

17 (a) The permittee shall make the payment required by
18 Special Permit No. 808G, Resolution A-75093, to the
19 City Parks and Recreation Department.

20 (b) The permittee shall submit and receive approval of the
21 following:

22 (1) A coordinated development and occupancy schedule
23 approved by the Director of Planning.

- 1 (2) A permanent reproducible final site plan as
2 approved by the City Council.
- 3 (3) Ornamental street lights for private roadways
4 and pedestrian way easements approved by LES.
- 5 (c) The pedestrian walkways shall be completed.
- 6 (d) The construction plans shall comply with the approved
7 plans.
- 8 (e) The final plat of Southern Oaks 4th Addition shall be
9 approved by the City.

10 3. Before occupying this Community Unit Plan all development
11 and construction shall comply with the approved plans.

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

15 5. The terms, conditions, and requirements of this resolution
16 shall be binding and obligatory upon the Permittee, its successors, and
17 assigns. The building official shall report violations to the City Council
18 which may revoke the special permit or take such other action as may be
19 necessary to gain compliance.

20 6. The Permittee shall sign and return the City's letter of
21 acceptance to the City Clerk within 30 days following approval of the special
22 permit, provided, however, said 30-day period may be extended up to six months
23 by administrative amendment. The City Clerk shall file a copy of the resolu-
24 tion approving the special permit and the letter of acceptance with the

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1 Register of Deeds, filing fees therefor to be paid in advance by the Permit-
2 tee.

Introduced by:

Coleen J. Seng

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

Approved as to Form & Legality:

William F. Austin
City Attorney

Staff Review Completed:

Mary A. Johnson
Administrative Assistant

08-02-93 Council Proceedings:

SENG Moved to Delay Bill 93R-209 for One Week.
Seconded by Wilson and carried by the following
vote: AYES: Donaldson, Haar, Seng, Shoecraft,
Wilson, Young; NAYS: None; ABSENT: Johnson.

APPROVED

AUG 12 1993

[Signature]

ADOPTED

AUG 9 1993

By City Council

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LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

TO THE CITY COUNCIL:

I, Michael G. Poe, President or authorized representative of Poe Development Co, herein called "Permittee" under Special Permit No. 808H, granted by Resolution No. A-75606 adopted by the Lincoln City Council on August 9, 1993, 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.

Michael G. Poe, President
President/Authorized Representative
(Individual able to legally bind
Permittee to conditions of SP)

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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)

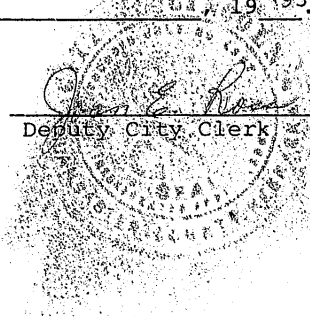
I, Joan E. Ross, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of _____

RESOLUTION NO. A-75606/SPECIAL PERMIT NO. 808H

as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held August 9, 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 19th day of August 19 1993.

Joan E. Ross
Deputy City Clerk



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LANCASTER COUNTY, NEB
Dan Nette
REGISTER OF DEEDS

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INST. NO 93 37534

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Return to City Clerk