

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1952

1 WHEREAS, Robert Beck, Kit Dimon, Diane Oldfather, Zane and Ethel
 2 Fairchild, Alan and Jacqueline Embury, Vincent and Janice Goracke, and Herbert and
 3 Barbara Griess, have submitted an application designated as Special Permit No. 1952 for
 4 authority to develop Hawkswood Estates 1st Addition Community Unit Plan for 28 dwelling
 5 units and a church on property located at South 70th Street and Old Cheney Road, and
 6 legally described to wit:

7 The remaining portion of Lot 70 I.T., the remaining portion of
 8 Lot 55 I.T., the remaining portion of Lot 71 I.T., Lot 54 I.T., Lot
 9 52 I.T., Lot 57 I.T., and the remaining portion of Lot 139 I.T., all
 10 located in the Northeast Quarter of Section 16, Township 9
 11 North, Range 7 East of the 6th P.M., Lancaster County,
 12 Nebraska, and more particularly described as follows:

13 Commencing at a northeast corner of the remaining portion of
 14 Lot 70 I.T., said point being 65.18 feet south of the north line
 15 of said Northeast Quarter and 88.93 feet west of the east line
 16 of said Northeast Quarter, said point being the true point of
 17 beginning; thence on an assumed bearing of south 44 degrees
 18 52 minutes 14 seconds east along a northeast line of said
 19 remaining portion of Lot 70 I.T., a distance of 50.04 feet to a
 20 northeast corner of said remaining portion of Lot 70 I.T.;
 21 thence south 00 degrees 24 minutes 44 seconds west along
 22 the east line of said remaining portion of Lot 70 I.T., a distance
 23 of 354.54 feet to an east corner of said remaining portion of
 24 Lot 70 I.T.; thence south 00 degrees 34 minutes 24 seconds
 25 east along the east line of said remaining portion of Lot 70 I.T.,
 26 a distance of 195.89 feet to an east corner of said remaining
 27 portion of Lot 70 I.T.; thence south 00 degrees 24 minutes 44
 28 seconds west along the east line of said remaining portion of
 29 Lot 70 I.T., said line being 50.00 feet west of and parallel with
 30 the east line of said Northeast Quarter, a distance of 304.46
 31 feet to an east corner of said remaining portion of Lot 70 I.T.;

1 thence south 45 degrees 24 minutes 42 seconds west along
2 a southeast line of said remaining portion of Lot 70 I.T., a
3 distance of 9.28 feet to an east corner of said remaining
4 portion of Lot 70 I.T.; thence north 89 degrees 35 minutes 16
5 seconds west along a south line of the remaining portion of Lot
6 70 I.T., a distance of 43.44 feet to an east corner of said
7 remaining portion of Lot 70 I.T.; thence south 00 degrees 24
8 minutes 44 seconds west along an east line of said remaining
9 portion of Lot 70 I.T., a distance of 72.00 feet to an east corner
10 of said remaining portion of Lot 70 I.T.; thence south 89
11 degrees 35 minutes 16 seconds east along a north line of said
12 remaining portion of Lot 70 I.T., a distance of 43.44 feet to an
13 east corner of said remaining portion of Lot 70 I.T.; thence
14 south 44 degrees 35 minutes 05 seconds east along a
15 northeast line of said remaining portion of Lot 70 I.T., a
16 distance of 9.28 feet to an east corner of said remaining
17 portion of Lot 70 I.T.; thence south 00 degrees 24 minutes 44
18 seconds west along the east line of said remaining portion of
19 Lot 70 I.T., the east line of the remaining portion of Lot 55 I.T.,
20 and the east line of the remaining portion of Lot 71 I.T., said
21 line being 50.00 feet west of and parallel with the east line of
22 said Northeast Quarter, a distance of 485.13 feet to the
23 southeast corner of said remaining portion of Lot 55 I.T.,
24 thence north 89 degrees 50 minutes 46 seconds west along
25 the south line of said remaining portion of Lot 55 I.T., and the
26 south line of the remaining portion of Lot 71 I.T., a distance of
27 1,011.90 feet to the southwest corner of said remaining portion
28 of Lot 71 I.T., thence north 00 degrees 11 minutes 25 seconds
29 east along the west line of said remaining portion of Lot 71 I.T.,
30 a distance of 250.75 feet to a west corner of said remaining
31 portion of Lot 71 I.T., thence north 89 degrees 51 minutes 49
32 seconds west along a south line of said remaining portion of
33 Lot 71 I.T., and the south line of Lots 54 I.T., and 52 I.T., a
34 distance of 249.88 feet to the southwest corner of said Lot 52
35 I.T., thence north 00 degrees 14 minutes 27 seconds east
36 along the west line of said Lot 52 I.T., a distance of 467.58 feet
37 to the southeast corner of the remaining portion of Lot 139 I.T.,
38 thence south 89 degrees 50 minutes 24 seconds west along
39 the south line of said remaining portion of Lot 139 I.T., a
40 distance of 400.13 feet to a southwest corner of said remaining
41 portion of Lot 139 I.T., thence north 00 degrees 13 minutes 24
42 seconds east along the west line of said remaining portion of
43 Lot 139 I.T., a distance of 754.58 feet to the northwest corner
44 of said remaining portion of Lot 139 I.T., thence north 89
45 degrees 48 minutes 25 seconds east along the north line of
46 said remaining portion of Lot 139 I.T., said line being 45.00
47 feet south of and parallel with the north line of said Northeast

1 Quarter, a distance of 399.69 feet to the northeast corner of
2 said remaining portion of Lot 139 I.T., thence north 00 degrees
3 11 minutes 24 seconds east along the west line of Lot 57 I.T.,
4 a distance of 45.00 feet to the northwest corner of said Lot 57
5 I.T., thence north 89 degrees 48 minutes 25 seconds east
6 along the north line of said Lot 57 I.T., and the north line of Lot
7 54 I.T., said line being the north line of said Northeast Quarter,
8 a distance of 515.26 feet to the northeast corner of said Lot 54
9 I.T., thence south 00 degrees 24 minutes 44 seconds west
10 along the east line of said Lot 54 I.T., a distance of 49.89 feet
11 to the northwest corner of the remaining portion of Lot 70 I.T.,
12 thence south 89 degrees 16 minutes 13 seconds east along
13 the north line of said remaining portion of Lot 70 I.T., a
14 distance of 216.01 feet to a north corner of said remaining
15 portion of Lot 70 I.T., thence north 89 degrees 48 minutes 25
16 seconds east along the north line of said remaining portion of
17 Lot 70 I.T., a distance of 179.32 feet to a north corner of said
18 remaining portion of Lot 70 I.T., thence south 84 degrees 27
19 minutes 14 seconds east along a north line of said remaining
20 portion of Lot 70 I.T., a distance of 118.11 feet to a north
21 corner of said remaining portion of Lot 70 I.T., thence north 89
22 degrees 48 minutes 25 seconds east along a north line of said
23 remaining portion of Lot 70 I.T., a distance of 200.13 feet to
24 the point of beginning, said tract contains a calculated area of
25 2,114,307.75 square feet or 48.54 acres, more or less.

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

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

31 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
32 Lincoln, Nebraska:

33 That the application of Robert Beck, Kit Dimon, Diane Oldfather, Zane and
34 Ethel Fairchild, Alan and Jacqueline Embury, Vincent and Janice Goracke, and Herbert
35 and Barbara Griess, hereinafter referred to as "Permittee", to construct Hawkswood
36 Estates 1st Addition Community Unit Plan consisting of 28 dwelling units and a church, on

1 the property legally described above, be and the same is hereby granted under the
2 provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon
3 condition that construction and operation of said community unit plan be in strict
4 compliance with said application, the site plan, and the following additional express terms,
5 conditions, and requirements:

6 1. This permit approves 28 dwelling units and a church.

7 2. The requirement of Section 26.23.080 of the Lincoln Municipal Code
8 requiring permanent dead end streets to have a 60-foot minimum radius turnaround is
9 waived for Stevens Ridge Road.

10 3. Before receiving building permits:

11 a. The Permittee must submit a revised, acceptable, and
12 reproducible final plan including five copies.

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

14 c. Final plats within this community unit plan must be approved
15 by the City.

16 4. Before occupying the dwelling units and the church, all development
17 and construction must be completed in conformance with the approved plans.

18 5. All privately owned improvements must be permanently maintained
19 by the owner or an appropriately established homeowners association approved by the City
20 Attorney.

21 6. The site plan approved by this permit shall be the basis for all
22 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
23 elements, and similar matters.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2002:

Mayor