

Public Hearing: December 4, 2000

F A C T S H E E T

TITLE: Request for use of right-of-way for a block structure with roof, for Meadow Gold Dairies at the northeast corner of 7th & “L” Streets.

SPONSOR: Public Works and Utilities

OPPONENTS: Unknown

STAFF RECOMMENDATION: Denial

OTHER DEPARTMENTS AFFECTED:

APPLICANT: Meadow Gold Dairies

REASON FOR LEGISLATION: Construction of a block structure with roof for an existing compactor at the northeast corner of 7th & “L” Streets.

D I S C U S S I O N

The Public Works and Utilities Department has received a request for a use of public right-of-way for the construction of a block structure with roof. The proposed structure would replace the existing fence enclosure for a trash compactor which currently is within the public right-of-way. The applicant also states that a new area drain would be constructed with this proposed action.

The Public Works and Utilities Department recommends denial of this application. The existing situation creates a sight distance problem. The proposal would not improve sight distance, it would also place a structure within 10 feet of the curb line in 7th Street. Also access to the compactor would violate the City’s design standards for driveway location.

POLICY OR PROGRAM CHANGE: No

COST OF TOTAL PROJECT: Unknown

SOURCE OF FUNDS:

CITY: None

NON CITY: Unknown

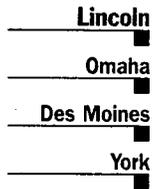
BENEFIT COST:

FACT SHEET PREPARED BY:

Byron Blum, Engineering Services

REVIEWED BY:

Allan Abbott, Director of Public Works



September 28, 2000

Mr. Dennis Bartels
Public Works and Utilities Department
1001 North 6th Street
Lincoln, Nebraska 68508

Dear Mr. Bartels

This letter is in request for a right of way use permit for Meadow Gold Dairies located at 726 "L" Street. Meadow Gold currently has a compactor with a fence enclosure at the corner of 7th & "L" streets. Proposed is a block structure to replace the fence enclosure including a roof and new area drain. Enclosed is a site plan providing the location and size of the new building.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Mierau', written in a cursive style.

Robert Mierau

LICENSE BOND

Bond No. 929169555

KNOW ALL MEN BY THESE PRESENTS:

THAT, WE Meadow Gold Dairy/Lincoln,
as Principal, and American Casualty Company of Reading, PA.,
a Pennsylvania Corporation, with principal office at CNA Plaza Chicago IL 60685, as Surety,
are held and firmly bound unto City of Lincoln NE in the sum of Five Thousand and no/100
Dollars (\$5,000.00), for payment of which sum, well and truly to be made, we bind ourselves,
our personal representatives, successors and assigns, jointly and severally, firmly by these
presents.

SIGNED, SEALED AND DATED this 4th day of October, 2000.

The Condition of this obligation is such that Whereas Principal is desirous of
obtaining a permit from City of Lincoln NE
For right of way
in City of Lincoln NE
commencing on the 4th day of October, 2000.

NOW, THEREFORE, if Principal shall, during the period on the aforesaid date,
faithfully observe and honestly comply with such Ordinances, Rules and Regulations, and
any Amendments thereto, as require the execution of this bond, then this obligation shall
become void and of no effect, otherwise to be and remain in full force and virtue, subject,
however, to the following condition:

*This bond may be canceled and the Surety relieved of all further liability hereunder by the
Surety's giving thirty (30) days written notice thereof to the Principal and Obligee.*

Meadow Gold Dairy/Lincoln

Principal

By: Robert C. Lake

American Casualty Company of Reading, PA.

Surety

By: Katherine D. Morin

Katherine D. Morin, Attorney-in-Fact

ACORD CERTIFICATE OF LIABILITY INSURANCE

DP ID 3Z
SOUF002

DATE (MM/DD/YY)
10/04/00

PRODUCER Lockton Ins Agency of Dallas 717 N. Harwood, Lock Box 27 Dallas TX 75201 Phone: 214-969-6700 Fax: 214-969-6799		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED Southern Foods Group, etal (see attachment) Attn: Paul Penney 3114 South Haskell Dallas TX 75223		INSURERS AFFORDING COVERAGE INSURER A: Continental Casualty Co. INSURER B: Transcontinental Insurance Co. INSURER C: American Casualty Co. INSURER D: U.S. Fire INSURER E: Great American Insurance Co.

COVERAGES
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	GL1096029922	08/10/00	08/31/01	EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Any one fire) \$1,000,000 MED EXP (Any one person) \$5,000
	<input checked="" type="checkbox"/> Vendors Endt. <input checked="" type="checkbox"/> \$25,000 DEDUCT GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	GL1096029919	08/10/00	08/31/01	PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$25,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> 100,000 BI/PD DED	BUA1096029936 BUA1096029953 INSURED IS SELF-EMPLOYED OR PHYSICAL DAMAGE FOR ALL OWNED & LEASED AUTOS	08/10/00	08/31/01	COMBINED SINGLE LIMIT (EA accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
D	<input checked="" type="checkbox"/> EXCESS LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10,000	5530786128 (\$5M)	08/31/00	08/31/01	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$ \$ \$
C B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WC1096029869	08/10/00	08/10/01	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-GR
		WC1096029872	08/10/00	08/10/01	EL EACH ACCIDENT \$500,000 EL DISEASE - EA EMPLOYEE \$500,000 EL DISEASE - POLICY LIMIT \$500,000
E	<input type="checkbox"/> OTHER <input checked="" type="checkbox"/> EXCESS LIABILITY (EXCESS \$5M UMB)	TUE2534951 (\$45M)	08/31/00	08/31/01	EA. OCC. 45,000,000 AGGREGATE 45,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 CITY OF LINCOLN IS LISTED AS ADDITIONAL INSURED ON THE GENERAL LIABILITY POLICY AS THEIR INTERESTS MAY APPEAR.

CERTIFICATE HOLDER CITY OF LINCOLN ATTN: CITY CLERK 555 S. 10TH ST. LINCOLN NE 68508	Y ADDITIONAL INSURED: INSURER LETTER: CITLI04	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
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POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That CONTINENTAL CASUALTY COMPANY, an Illinois corporation, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, a Connecticut corporation, AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, a Pennsylvania corporation (herein collectively called "the CCC Surety Companies"), are duly organized and existing corporations having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signature and seals herein affixed hereby make, constitute and appoint

John T. Lockton, III, James C. Pateidl, Michael D. Whipps, Melissa D. Evans, Patrick T. Pribyl, Kevin D. Kalish, Janet L. Rehkop, Diane Angers, Kathy M. Loftus, Katherine D. Morin, Debra J. Scarborough, Shelby L. Reck, Sharolyn L. Norman, David M. Lockton, Kevin B. Alexander, Individually

of Kansas City, Missouri
their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature
- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their corporations and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Laws and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the corporations.

In Witness Whereof, the CCC Surety Companies have caused these presents to be signed by their Group Vice President and their corporate seals to be hereto affixed on this 30th day of November, 1999.



CONTINENTAL CASUALTY COMPANY
NATIONAL FIRE INSURANCE COMPANY OF HARTFORD
AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

Marvin J. Cashion

Marvin J. Cashion

Group Vice President

State of Illinois, County of Cook, ss:

On this 30th day of November, 1999, before me personally came Marvin J. Cashion, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Chicago, State of Illinois; that he is a Group Vice President of CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA described in and which executed the above instrument; that he knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



My Commission Expires September 17, 2001

Diane Faulkner

Diane Faulkner

Notary Public

CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of each corporation printed on the reverse hereof are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seals of the said corporations this OCT 04 2000 day of _____.



CONTINENTAL CASUALTY COMPANY
NATIONAL FIRE INSURANCE COMPANY OF HARTFORD
AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

Mary A. Ribikawskis

Mary A. Ribikawskis

Assistant Secretary