

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 572E

1 WHEREAS, Thomasbrook Properties has submitted an application
 2 designated as Special Permit No. 572E for authority to amend Thomasbrook Apartments
 3 Community Unit Plan to decrease the land area of the community unit plan by removing
 4 the land for the day care facility and Community Playhouse expansion on property located
 5 at 60th and Normal Blvd., and legally described to wit:

6 Lots 2 and 3, Block 2, and Lot 1 and a portion of Lot 2, Block
 7 1, of Thomasbrook Addition, located in Section 33, Township
 8 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster
 9 County, Nebraska and more particularly described as follows:

10 Commencing at the southwest corner of the Southwest
 11 Quarter of said Section 33 and extending thence south 89
 12 degrees 55 minutes 00 seconds east, 48.00 feet; thence north
 13 00 degrees 10 minutes 00 seconds east, 53.00 feet to the
 14 point of beginning; thence continuing north 00 degrees 10
 15 minutes 00 seconds east on the east line of South 56th Street,
 16 461.12 feet; thence south 89 degrees 53 minutes 20 seconds
 17 east, 320.00 feet; thence north 00 degrees 10 minutes 00
 18 seconds east, 150.00 feet; thence south 89 degrees 53
 19 minutes 20 seconds east, 953.93 feet; thence north 00
 20 degrees 14 minutes 10 seconds west, 602.47 feet to the south
 21 line of Normal Boulevard; thence south 89 degrees 52 minutes
 22 35 seconds east, on said south line, 301.76 feet; thence south
 23 00 degrees 07 minutes 00 seconds west, 334.31 feet to the
 24 point of curvature of a circular curve to the right having a
 25 central angle of 41 degrees 58 minutes and a radius of 622.93
 26 feet; thence on the arc of said circular curve, 456.27 feet to the
 27 point of tangency; thence south 42 degrees 05 minutes 00
 28 seconds west, 238.00 feet to the point of curvature of a circular
 29 curve to the left having a central angle of 42 degrees 00
 30 minutes and a radius of 170.66 feet; thence on the arc of said
 31 circular curve 125.10 feet to the point of tangency; thence
 32 south 00 degrees 05 minutes 00 seconds west, 191.00 feet to

1 the north line of Van Dorn Street; thence north 89 degrees 55
2 minutes 00 seconds west, on said north line, 1190.00 feet;
3 thence north 44 degrees 50 minutes 00 seconds west, 28.28
4 feet to the point of beginning, containing 21.85 acres, more or
5 less;

6 and

7 Commencing at the southwest corner of the Southwest
8 Quarter of said Section 33, and extending thence south 89
9 degrees 55 minutes 00 seconds east, 1318.00 feet; thence
10 north 00 degrees 05 minutes 00 seconds east, 33.00 feet to
11 the point of beginning; thence north 00 degrees 05 minutes 00
12 seconds east, 191.00 feet to the point of curvature of a circular
13 curve to the right having a central angle of 42 degrees 00
14 minutes and a radius of 110.66 feet; thence on the arc of said
15 circular curve, 81.12 feet to the point of tangency; thence north
16 42 degrees 05 minutes 00 seconds east, 238.00 feet to the
17 point of curvature of a circular curve to the left having a central
18 angle of 41 degrees 58 minutes and a radius of 682.93 feet;
19 thence on the arc of said circular curve, 500.22 feet to the
20 point of tangency; thence north 00 degrees 07 minutes 00
21 seconds east, 172.43 feet; thence south 89 degrees 43
22 minutes 40 seconds east, 299.87 feet; thence south 00
23 degrees 00 minutes 00 seconds east, 1069.98 feet to the north
24 line of Van Dorn Street; thence north 89 degrees 55 minutes
25 00 seconds west, on said north line, 664.67 feet to the point of
26 beginning, containing 11.20 acres, more or less;

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

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

33 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
34 Lincoln, Nebraska:

1 That the application of Thomasbrook Properties, hereinafter referred to as
2 "Permittee", to amend Thomasbrook Apartments Community Unit Plan to decrease the
3 land area of the community unit plan by removing the land for the day care facility and
4 Community Playhouse lot expansion, on the property legally described above, be and the
5 same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of
6 the Lincoln Municipal Code upon condition that construction and operation of said
7 community unit plan be in strict compliance with said application, the site plan, and the
8 following additional express terms, conditions, and requirements:

9 1. This permit approves the reduction of the land area of Thomasbrook
10 Community Unit Plan.

11 2. All development and construction must be in conformance with the
12 approved plans.

13 3. All privately-owned improvements must be permanently maintained
14 by the Permittee.

15 4. The site plan approved by this permit shall be the basis for all
16 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
17 elements, and similar matters.

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

22 6. The Permittee shall sign and return the City's letter of acceptance to
23 the City Clerk within 30 days following approval of the special permit, provided, however,

1 said 30-day period may be extended up to six months by administrative amendment. The
2 City Clerk shall file a copy of the resolution approving the special permit and the letter of
3 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
4 Permittee.

5 7. The site plan as approved with this resolution voids and supersedes
6 all previously approved site plans, however, all resolutions approving previous permits
7 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001: _____ Mayor
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