

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1839

1 WHEREAS, Holdrege Investors, L.L.C. and the University Park Congregation
 2 of Jehovah’s Witnesses have submitted an application designated as Special Permit No.
 3 1839 for authority to develop Morning Glory Estates Community Unit Plan consisting of 269
 4 dwelling units on property located at the northeast corner of North 84th and Holdrege
 5 Streets, and legally described to wit:

6 A portion of the remaining portion of Lots 93 I.T. and 94 I.T., all
 7 located in the Southwest Quarter of Section 14, Township 10
 8 North, Range 7 East of the 6th P.M., Lancaster County,
 9 Nebraska, and more particularly described as follows:

10 Commencing at the northwest corner of the remaining portion
 11 of Lot 93 I.T., said point being 90.00 feet east of the west line
 12 of said Southwest Quarter; thence on an assumed bearing of
 13 north 89 degrees 58 minutes 15 seconds east along the north
 14 line of said remaining portion of Lot 93 I.T., a distance of
 15 438.42 feet to the true point of beginning; thence continuing
 16 north 89 degrees 58 minutes 15 seconds east along the north
 17 line of said remaining portion of Lot 93 I.T., a distance of
 18 796.96 feet to the northeast corner of said remaining portion of
 19 Lot 93 I.T.; thence south 00 degrees 02 minutes 52 seconds
 20 west along the east line of said remaining portion of Lots 93
 21 I.T. and 94 I.T., a distance of 1896.50 feet to the southeast
 22 corner of said remaining portion of Lot 94 I.T.; thence north 89
 23 degrees 35 minutes 51 seconds west along the south line of
 24 said remaining portion of Lot 94 I.T., a distance of 624.27 feet
 25 to a point; thence north 00 degrees 00 minutes 00 seconds
 26 west, a distance of 43.74 feet to a point of curvature; thence
 27 along a curve in a counter clockwise direction having a radius
 28 of 600.00 feet, arc length of 134.46 feet, delta angle of 12
 29 degrees 50 minutes 25 seconds, a chord bearing of north 06
 30 degrees 25 minutes 12 seconds west, and a chord length of
 31 134.18 feet to a point of reverse curvature; thence along a
 32 curve in a clockwise direction having a radius of 800.00 feet,

1 arc length of 177.56 feet, delta angle of 12 degrees 43 minutes
2 00 seconds, a chord bearing of north 06 degrees 28 minutes
3 55 seconds west, and a chord length of 177.19 feet to a point
4 of tangency; thence north 00 degrees 07 minutes 25 seconds
5 west, a distance of 545.29 feet to a point of curvature; thence
6 along a curve in a clockwise direction having a radius of
7 303.00 feet, arc length of 105.69 feet, delta angle of 19
8 degrees 59 minutes 09 seconds, a chord bearing of north 09
9 degrees 52 minutes 10 seconds east, and a chord length of
10 105.16 feet to a point of tangency; thence north 19 degrees 51
11 minutes 44 seconds east, a distance of 90.57 feet to a point;
12 thence north 65 degrees 18 minutes 41 seconds west, a
13 distance of 201.91 feet to a point of curvature; thence along a
14 curve in a counter clockwise direction having a radius of
15 400.00 feet, arc length of 25.80 feet, delta angle of 03 degrees
16 41 minutes 45 seconds, a chord bearing of north 67 degrees
17 09 minutes 34 seconds west, and a chord length of 25.80 feet
18 to a point; thence north 20 degrees 59 minutes 34 seconds
19 east, a distance of 67.09 feet to a point; thence north 00
20 degrees 02 minutes 52 seconds west, a distance of 647.50
21 feet to the true point of beginning, said tract contains a
22 calculated area of 30.83 acres, or 1,342,924.78 square feet
23 more or less;

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

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

29 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
30 Lincoln, Nebraska:

31 That the application of Holdrege Investors, L.L.C. and the University Park
32 Congregation of Jehovah’s Witnesses, hereinafter referred to as "Permittee", to develop
33 Morning Glory Estates Community Unit Plan consisting of 269 dwelling units, on the
34 property legally described above, be and the same is hereby granted under the provisions

1 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
2 construction and operation of said community unit plan be in strict compliance with said
3 application, the site plan, and the following additional express terms, conditions, and
4 requirements:

5 1. This permit approves a community unit plan consisting of 269 dwelling
6 units.

7 2. Before receiving building permits:

8 a. The Permittee must submit an acceptable, revised and
9 reproducible final plan including five copies to the Planning
10 Department.

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

12 c. Final plats within the area of this community unit plan must be
13 approved by the City.

14 3. Before occupying the dwelling units, all development and construction
15 must be completed in conformance with the approves plans.

16 4. All privately-owned improvements must be permanently maintained
17 by the Owner or an appropriately established homeowners association approved by the
18 City Attorney.

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

22 6. The terms, conditions, and requirements of this resolution shall be
23 binding and obligatory upon the Permittee, their successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

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| Approved this ___ day of _____, 2001: _____ Mayor |
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