

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1733B

1 WHEREAS, Park Ridge Apartments, L.L.C., has submitted an application
 2 designated as Special Permit No. 1733B for authority to amend the Muff and Muff 1st Addition
 3 Community Unit Plan to increase the number of dwelling units from 83 to 166, and to reduce the
 4 required lot area on two-family lots within the Muff 2nd Addition Preliminary Plat from 5,000 to
 5 4,500 square feet per family, on property generally located at SW 8th and West "C" Streets, and
 6 legally described to wit:

7 Lots 105 and 74 of Irregular Tracts, Blocks 1 and 2 in Muff 4th
 8 Addition, Blocks 1 and 2, and Outlots A and B in Muff 3rd Addition,
 9 Blocks 1 and 2, Muff 2nd Addition, Block 1, Muff 1st Addition,
 10 Blocks 1, 2, and 3 and Outlot A in Muff Addition, all located in the
 11 Southwest Quarter of Section 27, Township 10 North, Range 6 East
 12 of the 6th P.M., Lancaster County, Nebraska and more particularly
 13 described as follows:

14 Beginning at the northwest corner of the Southeast Quarter of the
 15 Southwest Quarter of Section 27, Township 10 North, Range 6 East,
 16 thence on an assumed bearing of north 89 degrees 53 minutes 59
 17 seconds east on the north line of Lot 105 of Irregular Tracts for a
 18 distance of 671.99 feet; thence south 00 degrees 05 minutes 50
 19 seconds west on the east line of said Lot 105, for a distance of
 20 594.93 feet; thence south 89 degrees 55 minutes 12 seconds west
 21 for a distance of 2.69 feet; thence south 00 degrees 23 minutes 52
 22 seconds east for a distance of 54.52 feet; thence south 89 degrees
 23 55 minutes 12 seconds west for a distance of 30.25 feet; thence
 24 south 00 degrees 23 minutes 52 seconds east for a distance of
 25 36.25 feet to the southeast corner of Lot 74 of Irregular Tracts;
 26 thence south 00 degrees 15 minutes 23 seconds east on the east
 27 line of Blocks 1 and 3 in Muff Addition for a distance of 315.82 feet;
 28 thence south 00 degrees 30 minutes 22 seconds east and
 29 continuing on the east line of said Block 3 for a distance of 159.72
 30 feet to the southeast corner of Lot 7 in said Block 3; thence south 89
 31 degrees 58 minutes 54 seconds west on the south line of Blocks 2
 32 and 3 in Muff Addition and on the south line of Block 2 in Muff 3rd
 33 Addition and on the south line of Block 2 in Muff 2nd Addition for a

1 distance of 632.08 feet to a point on the centerline of Trimble Street;
2 thence south 00 degrees 53 minutes 04 seconds east on the
3 centerline of Trimble Street for a distance of 140.83 feet; thence
4 north 90 degrees 00 minutes 00 seconds west on the south line of
5 Block 1 in Muff 2nd Addition extended for a distance of 175.74 feet
6 to the southwest corner of Block 1 in Muff 2nd Addition; thence north
7 00 degrees 30 minutes 46 seconds west on the west line of Block 1
8 Muff 2nd Addition and on the west line of Blocks 1 and 2 in Muff 4th
9 Addition for a distance of 1300.86 feet to the northwest corner of
10 Block 1 in Muff 4th Addition; thence north 89 degrees 53 minutes 59
11 seconds east on the north line of Block 1 in Muff 4th Addition for a
12 distance of 175.80 feet to the point of beginning. Said property
13 contains 22.628 acres more or less.

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

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

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
20 Nebraska:

21 That the application of Park Ridge Apartments, L.L.C., hereinafter referred to as
22 "Permittee", increase the number of dwelling units from 83 to 166 and to reduce the required lot
23 are on the two-family lots, on the property legally described above, be and the same is hereby
24 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal
25 Code upon condition that construction and operation of said community unit plan be in strict
26 compliance with said application, the site plan, and the following additional express terms,
27 conditions, and requirements:

- 28 1. This permit approves an additional 83 dwelling units within the Muff and Muff
29 1st Addition Community Unit Plan for a total of 166 dwelling units, and a reduction in the required

1 lot area on two-family lots within the Muff 2nd Addition Preliminary Plat from 5,000 square feet per
2 family to 4,500 square feet per family.

3 2. Before receiving building permits:

4 a. The Permittee must submit a revised and reproducible final plan and
5 five copies to the Planning Department.

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

7 c. The final plat within this community unit plan must be approved by
8 the City.

9 3 Before occupying the dwelling units all development and construction must
10 be completed in conformance with the approved plans.

11 4 All privately owned improvements shall be permanently maintained by the
12 Permittee or an appropriately established homeowners association approved by the City Attorney.

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

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

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

1 8. The site plan as approved with this resolution voids and supersedes all
2 previously approved plans for this site, however, all resolutions approving previous permits remain
3 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