

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1913

1 WHEREAS, Heritage Lakes, L.L.C. has submitted an application designated
 2 as Special Permit No. 1913 for authority to develop Heritage Lakes Community Unit Plan
 3 consisting of 134 dwelling units on property generally located at South 98th Street and Pine
 4 Lake Road, and legally described to wit:

5 A portion of the remaining portion of Lot 82 I.T., located in the
 6 Northeast Quarter of Section 23, Township 9 North, Range 7
 7 East of the 6th P.M., Lancaster County, Nebraska and more
 8 particularly described as follows:

9 Commencing at the northeast corner of the remaining portion
 10 of said Lot 82 I.T., said point being the true point of beginning,
 11 said point being 50.00 feet south of the north line of said
 12 Northeast Quarter and 50.00 feet west of the east line of said
 13 Northeast Quarter; thence on an assumed bearing of south 00
 14 degrees 07 minutes 15 seconds east along the east line of
 15 said remaining portion of Lot 82 I.T., a distance of 50.00 feet
 16 to a north corner of said remaining portion of Lot 82 I.T.;
 17 thence north 89 degrees 52 minutes 45 seconds east along a
 18 north line of said remaining portion of Lot 82 I.T., a distance of
 19 17.00 feet to a northeast corner of said remaining portion of
 20 Lot 82 I.T.; thence south 00 degrees 07 minutes 15 seconds
 21 east along a line 33.00 feet west of and parallel with the east
 22 line of said Northeast Quarter, a distance of 1,218.59 feet to a
 23 point; thence south 55 degrees 32 minutes 46 seconds west,
 24 a distance of 187.02 feet to a point; thence south 81 degrees
 25 57 minutes 07 seconds west, a distance of 100.21 feet to a
 26 point; thence south 59 degrees 01 minutes 51 seconds west,
 27 a distance of 474.32 feet to a point of curvature; thence along
 28 a curve in a counter-clockwise direction, having a radius of
 29 500.00 feet, an arc length of 153.58 feet, a delta angle of 17
 30 degrees 35 minutes 57 seconds, a chord bearing of south 50
 31 degrees 13 minutes 52 seconds west and a chord length of
 32 152.98 feet to a point of tangency; thence south 41 degrees 25
 33 minutes 54 seconds west, a distance of 42.78 feet to a point

1 of curvature; thence along a curve in a clockwise direction,
2 having a radius of 500.00 feet, an arc length of 91.81 feet, a
3 delta angle of 10 degrees 31 minutes 13 seconds, a chord
4 bearing of south 46 degrees 41 minutes 31 seconds west and
5 a chord length of 91.68 feet to a point of tangency; thence
6 south 51 degrees 57 minutes 07 seconds west, a distance of
7 196.74 feet to a point of curvature; thence along a curve in a
8 clockwise direction, having a radius of 202.52 feet, an arc
9 length of 73.14 feet, a delta angle of 20 degrees 41 minutes 28
10 seconds, a chord bearing of south 62 degrees 17 minutes 51
11 seconds west and a chord length of 72.74 feet to a point;
12 thence north 07 degrees 09 minutes 57 seconds west, a
13 distance of 532.19 feet to a point; thence north 20 degrees 22
14 minutes 02 seconds west, a distance of 255.67 feet to a point;
15 thence north 60 degrees 46 minutes 13 seconds west, a
16 distance of 269.25 feet to a point of curvature; thence along a
17 curve in a clockwise direction, having a radius of 285.52 feet,
18 an arc length of 34.58 feet, a delta angle of 06 degrees 56
19 minutes 22 seconds, a chord bearing of north 55 degrees 10
20 minutes 13 seconds west, and a chord length of 34.56 feet to
21 a point; thence north 02 degrees 13 minutes 26 seconds west,
22 a distance of 60.00 feet to a point; thence along a curve in a
23 clockwise direction, having a radius of 220.00 feet, an arc
24 length of 74.61 feet, a delta angle of 19 degrees 25 minutes 54
25 seconds, a chord bearing of north 82 degrees 30 minutes 29
26 seconds west and a chord length of 74.26 feet to a point of
27 reverse curvature; thence along a curve in a counter-clockwise
28 direction, having a radius of 430.00 feet, an arc length of 1.08
29 feet, a delta angle of 00 degrees 08 minutes 39 seconds, a
30 chord bearing of north 72 degrees 51 minutes 51 seconds
31 west and a chord length of 1.08 feet to a point; thence north 19
32 degrees 17 minutes 46 seconds west, a distance of 73.13 feet
33 to a point; thence north 00 degrees 54 minutes 48 seconds
34 west, a distance of 878.11 feet to a point on the northerly line
35 of said remaining portion of Lot 82 I.T. and the southerly line
36 of Lot 94 I.T.; thence along a curve in a clockwise direction,
37 having a radius of 935.00 feet, an arc length of 221.55 feet, a
38 delta angle of 13 degrees 34 minutes 35 seconds, a chord
39 bearing of north 83 degrees 05 minutes 37 seconds east along
40 the northerly line of said remaining portion of Lot 82 I.T., and
41 the southerly line of said Lot 94 I.T., and a chord length of
42 221.04 feet to a north corner of said remaining portion of Lot
43 82 I.T., and a southeasterly corner of said Lot 94 I.T., said
44 corner being 60.00 feet south of the north line of said
45 Northeast Quarter; thence north 00 degrees 07 minutes 06

1 seconds west along the westerly line of said remaining portion
2 of Lot 82 I.T., and an easterly line of said Lot 94 I.T., a
3 distance of 15.00 feet to the northwest corner of said
4 remaining portion of Lot 82 I.T.; thence north 89 degrees 52
5 minutes 54 seconds east along the north line of said remaining
6 portion of Lot 82 I.T., said line being 50.00 feet south of and
7 parallel with the north line of said Northeast Quarter, a
8 distance of 1,386.86 feet to the true point of beginning; said
9 tract contains a calculated area of 2,369,137.30 square feet or
10 54.39 acres, more or less;

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

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

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
17 Lincoln, Nebraska:

18 That the application of Heritage Lakes, L.L.C., hereinafter referred to as
19 "Permittee", to develop Heritage Lakes Community Unit Plan consisting of 134 dwelling
20 units, on the property legally described above, be and the same is hereby granted under
21 the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon
22 condition that construction and operation of said community unit plan be in strict
23 compliance with said application, the site plan, and the following additional express terms,
24 conditions, and requirements:

- 25 1. This permit approves 134 dwelling units.
- 26 2. This permit further approves a waiver of required yards for the single
27 family attached dwellings so that structures may be built to the lot lines and a waiver of the
28 required minimum 6000 square feet lot area for Outlot "E".

- 1 3. Before receiving building permits:
- 2 a. The Permittee must submit a revised and reproducible final
- 3 plan including five copies.
- 4 b. The construction plans must conform to the approved plans.
- 5 c. Final plats within the area of this community unit plan must be
- 6 approved by the City.
- 7 4. Before occupying the dwelling units all development and construction
- 8 must be completed in conformance with the approved plans.
- 9 5. All privately-owned improvements must be permanently maintained
- 10 by the owner or an appropriately established homeowners association approved by the City
- 11 Attorney.
- 12 6. The site plan approved by this permit shall be the basis for all
- 13 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
- 14 elements, and similar matters.
- 15 7. The terms, conditions, and requirements of this resolution shall be
- 16 binding and obligatory upon the Permittee, its successors, and assigns. The building
- 17 official shall report violations to the City Council which may revoke the special permit or
- 18 take such other action as may be necessary to gain compliance.
- 19 8. The Permittee shall sign and return the City's letter of acceptance to
- 20 the City Clerk within 30 days following approval of the special permit, provided, however,
- 21 said 30-day period may be extended up to six months by administrative amendment. The
- 22 City Clerk shall file a copy of the resolution approving the special permit and the letter of

- 1 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
- 2 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

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| Approved this ____ day of _____, 2002: _____ Mayor |
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