

RESOLUTION NO. A-\_\_\_\_\_

SPECIAL PERMIT NO. 1956

1           WHEREAS, Winona Ketelhut, Patricia Slaughter, and Connie Heier have  
 2 submitted an application designated as Special Permit No. 1956 for authority to develop  
 3 Pheasant Pointe Community Unit Plan consisting of nine single family acreage dwelling  
 4 units on property located at South 148th Street and Yankee Hill Road, and legally  
 5 described to wit:

6           Lot 13 I.T., located in the Southeast Quarter of Section 21,  
 7 Township 9 North, Range 8 East of the 6th P.M., Lancaster  
 8 County, Nebraska; more particularly described as follows:

9           Beginning at the southwest corner of the Southeast Quarter of  
 10 said Section 21, said point being also the southwest corner of  
 11 said Lot 13; thence in an easterly direction on the south line of  
 12 the Southeast Quarter of said Section 21 and on an assumed  
 13 bearing of north 89 degrees 12 minutes 54 seconds east, for  
 14 a distance of 2596.10 feet to the southeast corner of said Lot  
 15 13, said point being 50.00 feet west of the southeast corner of  
 16 the Southeast Quarter of said Section 21; thence north 00  
 17 degrees 57 minutes 30 seconds west on a line 50.00 feet west  
 18 of and parallel to the east line of the Southeast Quarter of said  
 19 Section 21 and on the easterly line of said Lot 13, for a  
 20 distance of 652.85 feet to the southeast corner of Lot 3 of  
 21 Irregular Tracts; thence south 89 degrees 02 minutes 34  
 22 seconds west on the south line of said Lot 3, for a distance of  
 23 419.00 feet to the southwest corner of said Lot 3; thence north  
 24 00 degrees 57 minutes 29 seconds west on the west line of  
 25 said Lot 3, for a distance of 491.00 feet; thence south 89  
 26 degrees 01 minutes 48 seconds west, for a distance of 25.99  
 27 feet; thence north 00 degrees 57 minutes 34 seconds west on  
 28 the west line of said Lot 3, for a distance of 212.00 feet to the  
 29 northwest corner of said Lot 3; thence north 89 degrees 02  
 30 minutes 31 seconds east on the north line of said Lot 3, for a  
 31 distance of 445.00 feet to the northeast corner of said Lot 3,  
 32 said point being also 50.00 feet west of the east line of the

1 Southeast Quarter of said Section 21; thence north 00 degrees  
2 57 minutes 29 seconds west on the east line of said Lot 13,  
3 said line being 50.00 feet west of and parallel to the east line  
4 of the Southeast Quarter of said Section 21, for a distance of  
5 1293.22 feet to the northeast corner of said Lot 13, said point  
6 being 50.00 feet west of the northeast corner of the Southeast  
7 Quarter of said Section 21; thence south 89 degrees 13  
8 minutes 26 seconds west on the north line of said Lot 13, said  
9 line being also the north line of the Southeast Quarter of said  
10 Section 21, for a distance of 2585.99 feet to the northwest  
11 corner of the Southeast Quarter of said Section 21 and the  
12 northwest corner of said Lot 13; thence south 00 degrees 44  
13 minutes 22 seconds east on the west line of the Southeast  
14 Quarter of said Section 21 and on the west line of said Lot 13,  
15 for a distance of 2649.46 feet to the point of beginning; said  
16 property contains 150.69 acres, more or less;

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

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

22 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
23 Lincoln, Nebraska:

24 That the application of Winona Ketelhut, Patricia Slaughter, and Connie  
25 Heier, hereinafter referred to as "Permittee", to develop Pheasant Pointe Community Unit  
26 Plan consisting of nine single family acreage dwelling units, on the property legally  
27 described above, be and the same is hereby granted under the provisions of Section  
28 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
29 construction and operation of said community unit plan be in strict compliance with said  
30 application, the site plan, and the following additional express terms, conditions, and  
31 requirements:

- 1                   1.     This permit approves nine single family lots.
- 2                   2.     Before receiving building permits:
  - 3                   a.     The Permittee must submit a revised and acceptable site plan.
  - 4                   b.     The Permittee must submit six prints and a permanent  
5                   reproducible final site plan as approved by the City Council.
  - 6                   c.     The construction plans must conform to the approved plans.
  - 7                   d.     Final plats within this community unit plan must be approved  
8                   by the City and the County Board.
  - 9                   e.     The required easements as shown on the site plan must be  
10                   recorded with the Register of Deeds.
  - 11                   f.     The City Council and the County Board must approved the  
12                   following associated requests:
    - 13                   i.     Pheasant Pointe Preliminary Plat #01022.
    - 14                   ii.    County Special Permit #191.
    - 15                   iii.   A waiver to the sidewalk, street lights, landscape  
16                   screen, and street tree requirements since the area will  
17                   consist of larger lots, of a rural nature and the  
18                   subdivision will not be annexed.
    - 19                   iv.    A waiver of the requirements of the land subdivision  
20                   ordinance to permit a block length in excess of 1320'  
21                   along the north and east perimeter of this subdivision  
22                   and a waiver of cul-de-sac length in excess of 1,000  
23                   feet.
  - 24                   g.     The County engineer must approve an agreement for street  
25                   maintenance.
- 26                   3.     Before occupying this community unit plan all development and  
27                   construction must conform to the approved plans.
- 28                   4.     Before occupying this community unit plan, City/County Health  
29                   Department must approve the water and waste water systems.

1           5. All privately-owned improvements must be permanently maintained  
2 by the owner or an appropriately established homeowners association approved by the City  
3 Attorney.

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

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

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

Introduced by:  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Staff Review Completed:  
  
\_\_\_\_\_  
Administrative Assistant

Approved this ___ day of _____, 2002:  _____ Mayor
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