

RESOLUTION NO. A-_____

1 WHEREAS, Resolution No. A-81669, adopted by the City Council on August 26,
2 2002, accepted and approved Jarock, Inc.'s preliminary plat of Fairway Park subject to the
3 terms and conditions set forth in Exhibit A attached to and made a part of said resolution; and

4 WHEREAS, Condition 3.2 of Exhibit A provided that no final plat shall be
5 scheduled on the Planning Commission agenda until after the appropriate portions of Special
6 Permit Nos. 74 and 74A are rescinded according to the Phasing Plan; and

7 WHEREAS, Jarock, Inc. desires to final plat Fairway Park and continue to operate
8 the existing mobile home court on said property pursuant to Special Permit Nos. 74 and 74A;
9 and

10 WHEREAS, the City is willing to allow final plats of Fairway Park to be
11 scheduled on the Planning Commission agenda without such portions of Special Permit Nos.
12 74 and 74A first being rescinded, provided that Jarock, Inc. enters into an agreement that binds
13 Jarock, Inc., its successors and assigns from converting the use of any lot within any final plat
14 of Fairway Park until such time as the appropriate portions of Special Permit Nos. 74 and 74A
15 are rescinded.

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
17 Lincoln, Nebraska that Exhibit A attached to Resolution No. A-81669 be and the same is
18 hereby amended as follows:

- 19 1. Condition 3.2 is hereby deleted.
- 20 2. Condition 3.3 is hereby amended by adding new sections 3.3.9 and 3.3.10
- 21 to read as follows:

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3.3.9 To not convert the use of any lot which is final platted from its existing use under Special Permit Nos. 74 and 74A until such time as said lot and other appropriate portions of Special Permit Nos. 74 and 74A are rescinded.

3.3.10 To not sell any final platted lot unless such sale is subject to the buyer agreeing to maintain the existing use of the lot under Special Permit Nos. 74 and 74A until such time as said lot and other appropriate portions of Special Permit Nos. 74 and 74A are rescinded.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor