

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 2001

1 WHEREAS, FB Northstar, L.L.C. has submitted an application designated
 2 as Special Permit No. 2001 for authority to sell alcoholic beverages for consumption off the
 3 premises generally located east of the intersection of North 33rd Street and North 33rd
 4 Circle, legally described as:

5 A portion of Lot 2, Block 1, Landmark Corporate Center
 6 Addition, located in the Northeast Quarter of Section 6,
 7 Township 10 North, Range 7 East of the 6th P.M., City of
 8 Lincoln, Lancaster County, Nebraska and more particularly
 9 described as follows:

10 Commencing at the northwest corner of said Lot 2; thence on
 11 an assumed bearing of south 24 degrees 59 minutes 27
 12 seconds east along a west line of said Lot 2, said line being
 13 the east right-of-way line of North 33rd Circle, a distance of
 14 33.00 feet to a west corner of said Lot 2, said point being the
 15 true point of beginning; thence north 65 degrees 00 minutes 33
 16 seconds east along a line 33.00 feet south of and parallel with
 17 a northwest line of said Lot 2, a distance of 200.91 feet to a
 18 point; thence south 30 degrees 53 minutes 49 seconds east
 19 along a line 20.00 feet southwest of and parallel with a
 20 northeast line of said Lot 2, a distance of 134.43 feet to a
 21 point; thence south 42 degrees 44 minutes 47 seconds west,
 22 a distance of 244.73 feet to a point of intersection with a
 23 southwest line of said Lot 2; thence along a curve in a
 24 clockwise direction, having a radius of 950.00 feet, arc length
 25 of 190.07 feet delta angle of 11 degrees 27 minutes 48
 26 seconds, a chord bearing of north 35 degrees 34 minutes 51
 27 seconds west along a southwest line of said Lot 2, said line
 28 being the east right-of-way line of North 33rd Street, and a
 29 chord length of 189.75 feet to a west corner of said Lot 2;
 30 thence north 18 degrees 10 minutes 59 seconds east along a
 31 west line of said Lot 2, said line being the east line of said
 32 right-of-way, a distance of 54.74 feet to a west corner of said
 33 Lot 2; thence north 65 degrees 00 minutes 33 seconds east

1 along a northwest line of said Lot 2, said line being a southeast
2 right-of-way line of North 33rd Circle, a distance of 9.16 feet to
3 the point of beginning, said tract contains a calculated area of
4 44,358.05 square feet or 1.0183 acres, more or less;

5 WHEREAS, the real property adjacent to the area included within the site
6 plan for this permit to sell alcoholic beverages for consumption off the premises will not be
7 adversely affected; and

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

11 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
12 Lincoln, Nebraska:

13 That the application of FB Northstar, L.L.C., hereinafter referred to as
14 "Permittee", to sell alcoholic beverages for consumption off the premises on property
15 legally described above be and the same is hereby granted under the provisions of Section
16 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed
17 premises be in strict compliance with said application, the site plan, and the following
18 additional express terms, conditions, and requirements:

- 19 1. This permit approves the sale of alcoholic beverages for consumption
20 off the premises from the convenience store as shown on the site plan.
- 21 2. Before receiving building permits:
 - 22 a. The Permittee must submit a revised and reproducible final
23 plan with five copies.
 - 24 b. The construction plans must conform to the approved plans.

1 3. The site plan accompanying this permit shall be the basis for all
2 interpretations of setbacks, yards, location of parking and circulation elements, and similar
3 matters.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003: _____ Mayor
