

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

1           WHEREAS, Katie Cloran dba Gratitude Café & Bakery has submitted an  
 2 application for a permit to use the public right-of-way on the east side of the building at  
 3 1551 North Cotner Boulevard for construction of an ADA accessible ramp into the building  
 4 to meet ADA requirements; and

5           WHEREAS, said applicant has submitted a letter of application and a site plan  
 6 which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and made  
 7 a part of this resolution by reference, to use the public right-of-way as above described; and

8           WHEREAS, said applicant has complied with all of the provisions of Chapter  
 9 14.54 of the Lincoln Municipal Code pertaining to such use.

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

12           That the application aforesaid of Katie Cloran dba Gratitude Café & Bakery  
 13 to use the public right-of-way on the east side of the building at 1551 North Cotner  
 14 Boulevard for the purpose of constructing an ADA accessible ramp into the building, be  
 15 granted as a privilege only by virtue of and subject to strict compliance with the site plan,  
 16 the letter of application, and the following terms and conditions:

- 17           1.     That the permission herein granted is granted as a privilege only, and
- 18 is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code
- 19 including those provisions relating to the posting of a continuing bond in the amount of
- 20 \$5,000, the filing of a certificate of insurance with a minimum combined single limit of

1 \$500,000.00 aggregate for any one occurrence, and the payment of the annual fee for the  
2 use of the surface of the public right-of-way.

3 2. That said use shall be in full accordance with the aforesaid application,  
4 the site plan filed therewith, and with all applicable City ordinances and regulations.

5 3. The applicant, its heirs, successors or assigns shall save and keep the  
6 City free and harmless from any and all loss or damages or claims for damages arising  
7 from or out of the use of the public way requested herein.

8 4. All work done under the authority of this resolution shall be subject to  
9 the inspection and approval of the Director of Public Works of the City of Lincoln. Prior to  
10 the start of any construction activities, the applicant shall or shall cause her contractor to  
11 contact Diggers Hotline of Nebraska for all utilities locations. In addition, prior to the start  
12 of any construction activities, the applicant shall or shall cause her contractor to request  
13 and receive all required permits for construction of the ADA accessible ramp.

14 5. The use of the public way herein granted and the terms and conditions  
15 of this resolution shall be binding and obligatory upon the above-named applicant, its  
16 successors and assigns.

17 6. Within thirty (30) days from the adoption of this resolution, and before  
18 commencing any construction under the provisions hereof, the above-named applicant  
19 shall file an unqualified written acceptance of all the terms and conditions of this resolution  
20 with the City Clerk. Failure to do so will be considered a rejection hereof and all privileges  
21 and authorities hereunder granted shall thereupon automatically terminate.

Introduced by:  

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Approved as to Form and Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2012:

\_\_\_\_\_  
Mayor