

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 5, 2006 PLANNING COMMISSION MEETING

**P.A.S.:** Change of Zone #06040

**PROPOSAL:** To change the zoning on approximately 36 blocks within the 40<sup>th</sup> and "A" Street Neighborhood from B-3 Commercial, B-1 Local Business, and R-6, R-5 and R-4 Residential to R-2 Residential.

**LOCATION:** This area is generally located in the north and west portions of an area bounded by Randolph, 33<sup>rd</sup>, 46<sup>th</sup>, and "A" Streets.

**LAND AREA:** 158.46 acres, more or less.

**CONCLUSION:** This neighborhood is in the middle range of densities for other established neighborhoods that have been "downzoned" in recent years. It appears that some additional dwellings could be added to this area that would not disrupt the stability or overload the carrying capacity of the neighborhood. Denial of this change of zone would preserve the potential for additional density within the area, and provide additional housing opportunities, as recommended in the Comprehensive Plan. However, the point at which a particular neighborhood reaches its optimum density and housing mix without discouraging home-ownership is a subjective determination. Approval of this change of zone would preserve the current development pattern, encourage home-ownership, and limit the potential for increasing housing density in an area with a fixed amount of infrastructure. Overall, Planning Staff is satisfied that this neighborhood at this location has reached an appropriate mix of residential uses.

**RECOMMENDATION:**

Approval

## **GENERAL INFORMATION:**

### **LEGAL DESCRIPTION:**

Lots 8 and 9, Block 2, Linwood, located in the SE 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska, and Lots 1-12, Block 1; Lots 1-12 and all of the vacated east/west alley, Block 2; Lots 1-12 and all of the vacated east/west alley, Block 3; Lots 1-4 and 7-12, Block 4; Lot 4-12, Block 5; Lots 1-12 and all of the vacated east/west alley, Block 6; Lots 1-6 and 10-12, Block 7; Lots 1-12 and all of the vacated east/west alley, Block 8; Lots 1-6 and the N1/2 of the vacated east/west alley adjacent thereto, Block 9; Lots 1-6 and the N1/2 of the vacated east/west alley adjacent thereto, Block 10; Lots 1-6, Block 11; Lots 1-6, Block 12, Lots 5-8, Block 13, Martin Heights; Lots 1 and 2, Martin Heights 1<sup>st</sup> Subdivision; Lots 1 and 2, Martin Heights 2<sup>nd</sup> Addition; Lots 1 and 2, Martin Heights 3<sup>rd</sup> Addition; Lots 1-24, Block 1; Lots 1-26, Block 2, Turner's Randolph Addition; Irregular Tracts 132, 158, 175, and 243-245,

all located in the SW 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska, and Lots 1-24, Block 1; Lots 1-24, Block 2, Fair Hill Subdivision; Lots 3-24, Block 1; Lots 1-24, Block 2; Lots 1-24, Block 3; Lots 1-24, Block 4, Fair Hill 2<sup>nd</sup> Addition; Lots 1-24 and all of the vacated north/south alley, Block 1; Lots 1-24, Block 2, Fair Hill 3<sup>rd</sup> Addition; Lots 1 and 2, Fair Hill 4<sup>th</sup> Addition; Lots 1-150, 153-209, and 219-240, Boulevard Heights; Lots 1-10, Block 1; Lots 1-12, Block 2; Lots 1-12, Block 3, Maple Grove; Lots 1-4, Block 1; Lots 1-8, Block 2, Randolph Terrace; Lots 1-3, Block 1; Lots 1-5, Block 2, Randolph Terrace 2<sup>nd</sup> Addition; Lots 1-8, Randolph Terrace 3<sup>rd</sup> Addition; Lots 1-4, Randolph Terrace 4<sup>th</sup> Addition; Lots 1-5, Randolph Terrace 5<sup>th</sup> Addition; Lot 1 W57.97' N100', Lot 1 S131.17', the Remaining Portions of Lots 2 and 3, Lots 4-6, and the Remaining Portions of Lots 7-10, Riley and Whitney's Subdivision (of Lot 19); Lots 1-12, Johnson and Schafer Replat; Lots 1-12, Linden Terrace; Lots 1-6, Block 1, Brownbilt; Lots 1-5, Block 11, Brownbilt 2<sup>nd</sup> Addition; Irregular Tracts 85, 88, 96, 99, 103, 104, 108-111, 114-116, 126, 128, and 130-136, all located in the SE 1/4 of Section 30 T10N R7E, Lancaster County, Nebraska, and Lots 7 and 8, Block 4, Marydell; Lots 1-12, Block 3; Lots 1-6, Block 4, East Lawn Terrace, all located in the NE 1/4 of Section 31 T10N R7E, Lancaster County, Nebraska. (See attached Exhibit "A" for description organized by change)

**EXISTING ZONING:** B-3 Commercial, B-1 Local Business, R-4, R-5, and R-6 Residential

**EXISTING LAND USE:** Single-, Two-, and Multiple-family dwellings

**SURROUNDING LAND USE AND ZONING:**

North:	Single, Two-, and Multiple-family dwellings	R-2 and R-4 Residential
South:	Single, and Two-family dwellings	R-2 Residential
East:	Single, and Two-family dwellings Commercial	R-2 Residential B-1 Local Business
West:	Single, and Two-family dwellings Commercial	R-4 Residential B-3 Commercial

**HISTORY:**

Prior to the 1979 zoning update, this area was zoned B Two-Family Dwelling, C Multiple Dwelling, D Multiple Dwelling, G Local Business, and I Commercial. As a result of the update, the zoning changed to R-4 Residential, R-5 Residential, R-6 Residential, B-1 Local Business, and B-3 Commercial, which substantially reflected the previous zoning.

**HISTORY OF OTHER RESIDENTIAL DOWNZONING:**

Apr 2005 Change of Zone #05021 from B-3 Commercial and R-4, R-5, and R-6 Residential to R-5, R-4, and R-2 Residential was approved for an area within the University Place Neighborhood. Density was 10.7 units/acre.

- Apr 2005 Change of Zone #05014 from R-4, R-5, R-6, and R-7 Residential to R-2 Residential was approved for an area within the Near South Neighborhood. Density was 7.6 units/acre.
- May 2004 Change of Zone #04026 from R-4 to R-2 was approved for an area within the Irvingdale/Country Club Neighborhood. Density was 4.9 units/acre.
- Jan 2004 Change of Zone #3424 from R-4, R-5, and R-6 Residential to R-2 Residential was approved for an area within the Everett Neighborhood. Density was 4.1 units/acre.
- Sept 2003 Change of Zone #3416 from R-4 Residential to R-2 Residential was approved for an area within the Witherbee Neighborhood. The Planning Department suggested the issue of downzoning areas within established neighborhoods should be further studied. Density was 3.8 units/acre.
- Aug 2003 Change of Zone #3412 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. Density was 5.2 units/acre.
- Apr 2003 Change of Zone #3397 from R-4 Residential to R-2 residential was approved within the existing Franklin Heights Neighborhood Landmark District.
- Oct 2002 Change of Zone #3378 from R-5 and R-6 Residential to R-2 Residential was approved within the existing Mount Emerald Neighborhood Landmark District. The Planning Department referred to new language in the recently adopted Comprehensive Plan on preserving the character of the existing neighborhoods.
- Feb 2002 Change of Zone #3354 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood.
- Jun 1995 Change of Zone #2890 from R-4 Residential to R-2 Residential was approved for a small area of the Near South Neighborhood located at 27<sup>th</sup> and Washington Streets.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Comprehensive Plan shows the requested area primarily as Urban Residential, with Commercial designations generally where commercial uses are currently located. (F 25)

**COMP PLAN SPECIFICATIONS IN SUPPORT OF THIS CHANGE OF ZONE:**

Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods. (F 17)

The **Overall Guiding Principles** for future residential planning include:

One of Lincoln's most valuable community assets is the supply of good, safe, and decent single family homes that are available at very affordable costs when compared to many other communities across the country. Preservation of these homes for use by future generations will protect residential neighborhoods and allow for many households to attain the dream of home ownership. (F 65)

The **Guiding Principles for Existing Neighborhoods** include:

Preserve, protect, and promote city and county historic resources. Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements. (F 68)

Preserve the mix of housing types in older neighborhoods. (F 68)

Promote the continued use of single-family dwellings and all types of buildings, to preserve the character of neighborhoods and to preserve portions of our past. (F 68)

**Strategies for New & Existing Residential Areas**

Single family homes, in particular, add opportunities for owner-occupants in older neighborhoods and should be preserved. The rich stock of existing, smaller homes found throughout established areas, provide an essential opportunity for many first-time home buyers. (F 72)

**COMP PLAN SPECIFICATIONS NOT IN SUPPORT OF THIS CHANGE OF ZONE:**

The **Guiding Principles for the Urban Environment: Overall Form** include:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F 17)

Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

**Strategies for New Residential Areas**

Structure incentives to encourage more efficient residential and commercial development to make greater utilization of the community's infrastructure. (F 72)

**COMP PLAN SPECIFICATIONS NEUTRAL TO THIS CHANGE OF ZONE:**

One **Quality of Life Asset** from the **Guiding Principles from the Comprehensive Plan Vision** states:

The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. (F 15)

The **Guiding Principles for the Urban Environment: Residential Neighborhoods** include:

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F 18)

Develop and promote building codes and regulations with incentives for the rehabilitation of existing buildings in order to make it easier to restore and reuse older buildings. Encourage reconversion of single family structures to less intensive (single family use) and/or more productive uses. (F 73)

**ANALYSIS:**

1. This is a request by the 40<sup>th</sup> and "A" Street Neighborhood Association to change the zoning on approximately 36 blocks from B-3 Commercial, B-1 Local Business, and R-6, R-5 and R-4 Residential to R-2 Residential.
2. This request is made "to protect the residential characteristics of [the] neighborhood." Applicant states that the number of conversions from single-to two-family homes has reached a point where the additional density has begun to create negative consequences for the neighborhood residents.
3. The majority of this request seeks to change the zoning from one residential designation to another. There are also a couple instances where the zoning change is from a commercial district to a residential district. In these cases, the current use of the property is residential, and the Applicant has requested the change in order that the zoning fits the existing use.
4. A review process for change of zone proposals is not defined within the Zoning Ordinance. However, Neb. Rev. Stat. §15-902 provides a list of considerations that has traditionally been utilized for such reviews.
  - a. **Safety from fire, flood and other dangers.**  
No apparent impact.
  - b. **Promotion of the public health, safety, and general welfare.**  
This proposal appears to coincide with some policies and guidelines enumerated in the Comprehensive Plan, while other policies and guidelines are neutral or not supported by this proposal.
  - c. **Consideration of the character of the various parts of the area, and their particular suitability for particular uses, and types of development.**  
The housing within this proposed change of zone is predominantly a mixture of single- and two-family dwellings, with several properties used for multiple-family dwellings or churches. There are 610 single-family, 114 two-family (228 units) and 6 multiple-family (148 units) dwellings.

The two-family dwellings are dispersed throughout the proposed boundaries, but are particularly focused in the area defined by 37<sup>th</sup>, 40<sup>th</sup>, Randolph, and "F" Streets. Outside of this area, every other block has more single-family than two-family dwellings, with several blocks having only single-family uses.

**d. Conservation of property values.**

It is difficult to determine the effect a change of zoning will have on property values. On one hand, property values could diminish if houses could no longer be converted into duplexes due to the increased lot area requirements, or redeveloped for apartments. On the other hand, this may have the effect of encouraging home ownership, which could stabilize or increase property values. Higher density residential zoning can create uncertainties that tend to drive owner-occupants from a neighborhood and promote conversion of single-family houses and lots to multiple-family use, however, large-scale downzonings face opposition from existing multiple-family property owners, who face the prospect of nonconformance and even clouded titles as a result.

**e. Encouraging the most appropriate use of land throughout the area zoned, in accordance with a comprehensive plan.**

The Comprehensive Plan encourages efficient use of existing infrastructure and diversity of housing choices. At the same time, the Plan identifies Lincoln's commitment to its neighborhoods, as well as an encouragement to preserve existing single-family homes for single-family uses. These concurrent goals often pose as competing arguments in neighborhood downzone requests.

5. There are several differences between the R-2, R-4, R-5, and R-6 district regulations. The table at the end of this report shows the requirements for residential uses in each district.
6. The uses allowed in these districts are quite similar. The permitted uses in the R-2 and R-4 districts do not include multiple-family or townhouse dwellings, as found in the R-5 and R-6 districts. The R-2 district conditional uses require a greater separation between group homes, and allow a less densely occupied domestic shelter than the other districts. Special permitted uses vary by district.
7. All new construction of principal buildings in residential districts within the 1950 city limits are required to meet the City of Lincoln Neighborhood Design Standards. These standards are designed to recognize that certain areas of Lincoln "retain much of the traditional physical character of their original lower density development," even though they may have experienced recent higher density development. These standards apply to this neighborhood.
8. LMC §27.61.040 outlines the nonconforming use regulations. In general, a nonconforming use may be continued, but not expanded or enlarged. If the use is damaged beyond 60% of its value, or if the use is discontinued for two years or more, any rebuilding or new use of the property must conform to the zoning regulations. There are 7 properties that are now nonconforming. However, these are all residential

- uses in the B-1 district, which will no longer be nonconforming if this change is approved.
9. LMC §27.03.460 defines nonstandard lots as those that fail to meet the minimum lot requirements for the district, such as lot area, lot width, density, setbacks, height, unobstructed open space, or parking.
  10. LMC §27.61.090 provides that nonstandard uses, whether existent prior to the ordinance or due to changes in the zoning, may be enlarged, extended, or reconstructed as required by law for safety, or "if such changes comply with the minimum requirements as to front yard, side yard, rear yard, height, and unobstructed open space..."
  11. The R-2 district regulations provide that "multiple family dwellings existing in this district on the effective date of this title shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61 [nonconforming and nonstandard uses]." This rule allows multiple-family dwellings built prior to May 8, 1979 to be reconstructed, altered, and restored after damage by treating such uses as nonstandard rather than nonconforming.
  12. Therefore, any use that becomes nonstandard may be rebuilt by right, even though the lot is too small, if it will meet the setback requirements of the R-2 district. This may result in a slightly different building footprint, but there is no need under the current zoning ordinance for a variance or special permit if these requirements are met.
  13. There are a couple of special permits available for nonstandard uses as well. One permit allows a nonstandard single- or two-family structure to extend into a required yard up to the extent to which a portion of it already does. Another special permit allows nonstandard, and even nonconforming, uses to be rebuilt to the setbacks existing at the time the use was destroyed. Neither of these special permits can be used to allow a standard use to occupy a required yard setback.
  14. There are 22 uses that are currently nonstandard, compared to 230 uses that would be nonstandard if this change is approved.
  15. This area as a whole appears to be fully built. There appears to be no more than 4 vacant lots available, nor are there any large lots that could be accumulated and combined to produce an area large enough for multiple-family development. Therefore, the primary opportunity for additional two- or multiple-family residences appears to be converting existing single-family dwellings.

16. The Planning Department suggests this neighborhood has reached an appropriate mix of single-, two-, and multiple-family residences. The combined density within those blocks under consideration is 6.2 units per acre, which compares to densities of 3.8 to 10.7 units per acre in the neighborhoods where R-2 downzoning was approved under the current Comp Plan.
  
17. At the time of this report, Applicant had submitted 22 signatures on petitions in support of this request. The Planning Department had not received any additional communications.

	R-2	R-4	R-5	R-6
<b>Lot area</b> , single family	6,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	4,000 sq. ft.
Lot area, two family	5,000 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family
Lot area, townhouse	N/A	N/A	2,500 sq. ft. / family	2,500 sq. ft. / family
Lot area, multiple-family	N/A	N/A	1,500 sq. ft. / unit	1,100 sq. ft. / unit
<b>Avg. lot width</b> , single family	50 feet	50 feet	50 feet	50 feet
Avg. lot width, two family	40 feet / family	25 feet / family	25 feet / family	25 feet / family
Avg. lot width, townhouse	N/A	N/A	20 feet / family	20 feet / family
Avg. lot width, multiple-family	N/A	N/A	50 feet	50 feet
<b>Front yard</b> , single-family	25 feet	25 feet	25 feet	20 feet
Front yard, two family	25 feet	25 feet	25 feet	20 feet
Front yard, townhouse	N/A	N/A	20 feet	20 feet
Front yard, multiple-family	N/A	N/A	20 feet	20 feet
<b>Side yard</b> , single family	5 feet	5 feet	5 feet	5 feet
Side yard, two family	10 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, townhouse	N/A	N/A	10 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, multiple-family	N/A	N/A	7 feet, 10 if over 20 feet in height	7 feet, 10 if over 20 feet in height
<b>Rear yard</b>	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth

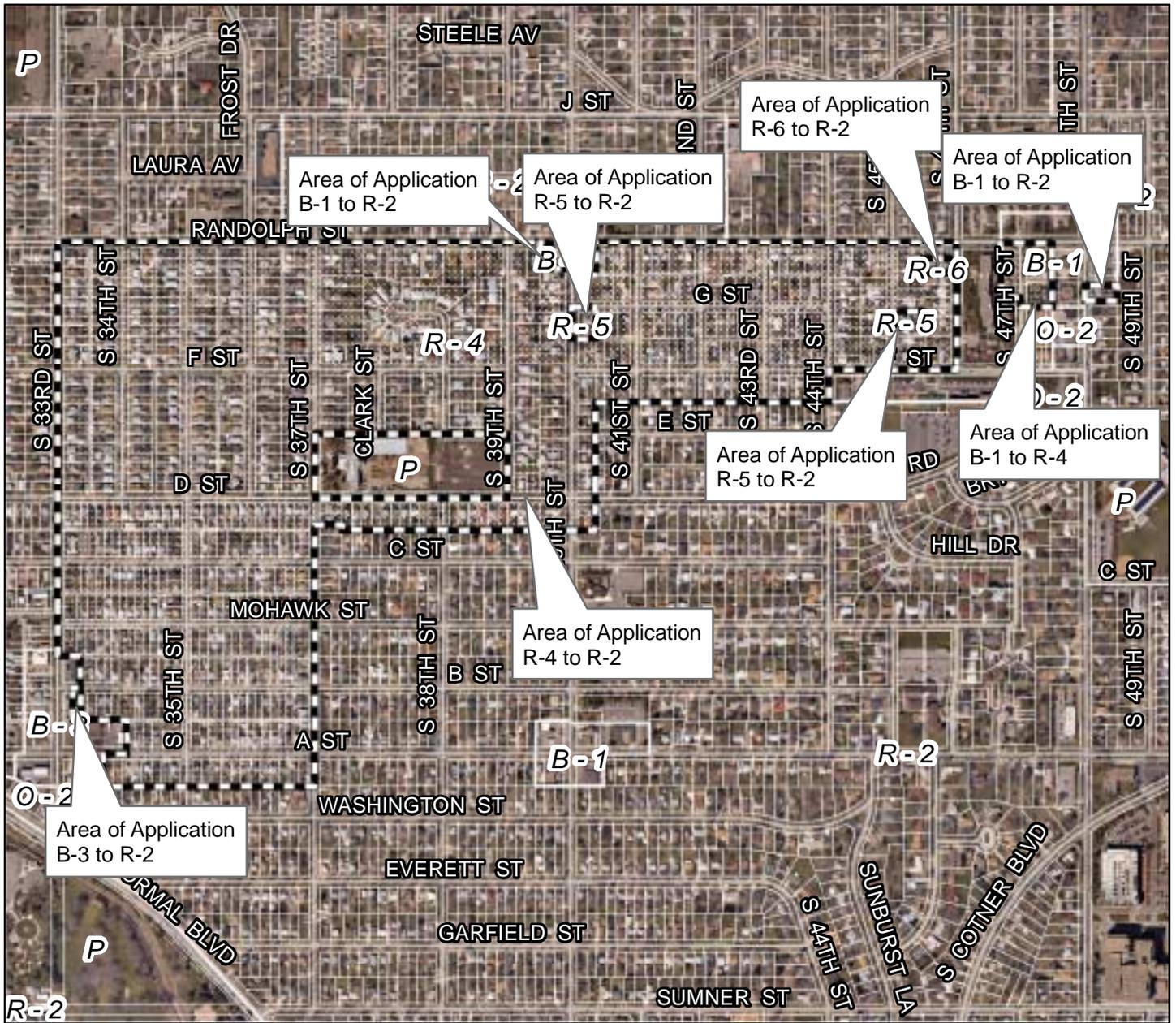
Prepared by:

Greg Czaplewski, 441-7620, gczaplewski@lincoln.ne.gov

**Date:** June 22, 2006

**Applicant  
and  
Contact:** 40<sup>th</sup> & "A" Street Neighborhood Association  
Tracy Line  
1001 South 37<sup>th</sup> Street  
Lincoln, NE 68510  
402.310.7069

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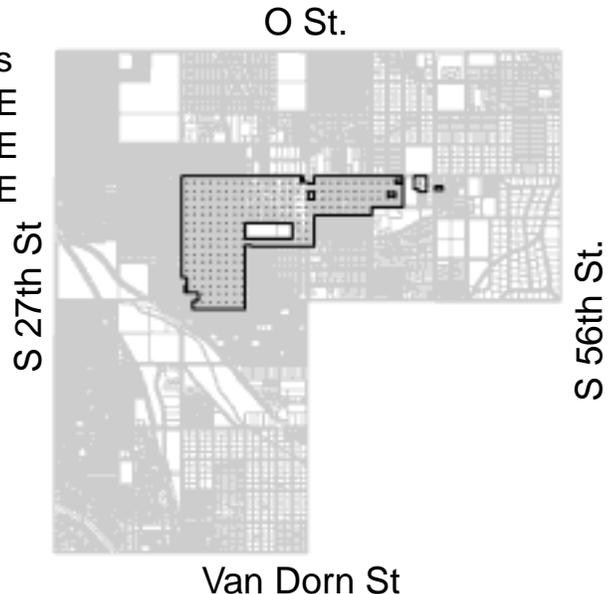
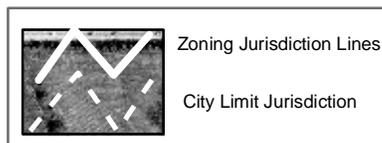
# Change of Zone #06040 40th & A Neighborhood Downzone

2005 aerial

## Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

Three Square Miles  
 Sec. 29 T10N R07E  
 Sec. 30 T10N R07E  
 Sec. 31 T10N R07E



1001 S. 37<sup>th</sup> Street  
Lincoln, NE 68510

May 31, 2006

Greg Czaplewski  
City of Lincoln—Lancaster County Planning Department  
555 S. 10<sup>th</sup> Street, Suite 213  
Lincoln, NE 68508

RE: 40<sup>th</sup> & A Neighborhood Association Down Zoning Purpose Statement

Dear Greg:

The 40<sup>th</sup> & A Neighborhood Association is requesting a change of zone for the portion of our neighborhood bordered by A to Randolph, from 33<sup>rd</sup> to 37<sup>th</sup>; D to Randolph, from 37<sup>th</sup> to 40<sup>th</sup>; F to Randolph from 40<sup>th</sup> to 48<sup>th</sup> Streets. (See enclosed map.)

The majority of the properties in this section are currently zoned R-4. Two parcels are zoned R-5 and one R-6. The section outlined above also contains Randolph Elementary School, which is zoned Public, as well as a handful of businesses located on the outskirts that vary between B-3 and B-1. We do not wish to change the zone of the school; however, a couple of the properties currently in a business designated zone we would like changed to residential to more accurately reflect their current use.

The main purpose behind our change of zone application is to protect the residential characteristics of our neighborhood. Traditionally, our neighborhood has been comprised primarily of single-family houses that are owned by the people who live in them. Because of the larger square footage on some of the older dwellings, several homes within this section of our neighborhood have been transformed into duplexes recently. Our residents have noticed the increased population density and the problems it creates such as more on-street parking as well as the shift from a neighborhood made up of homeowners to one made up of renters.

Our neighborhood understands this change in zone would not eliminate multiple family dwelling units. In fact, South 38<sup>th</sup> Street Court and South 39<sup>th</sup> Street from Randolph to D largely consist of duplexes. While this area is by and large rental, the average tenant turnover is low and the properties are well maintained.

To our knowledge, there are not any associated applications or projects related to our application.

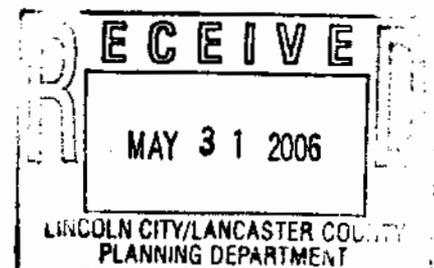
Included in our application packet, please find our application and fee, a map from the City of Lincoln Urban Development Department outlining the proposed zoning change area as well as a hard copy and an electronic file of property owner names, addresses and legal descriptions of the parcels affected. In addition, I have included copies of correspondence to our neighbors concerning this proposed change, plus signatures and emails from a few of our residents indicating support of the change in zone. We would like to be slated for the Planning Commission meeting scheduled July 5, 2006.

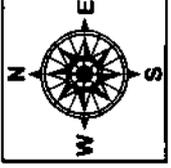
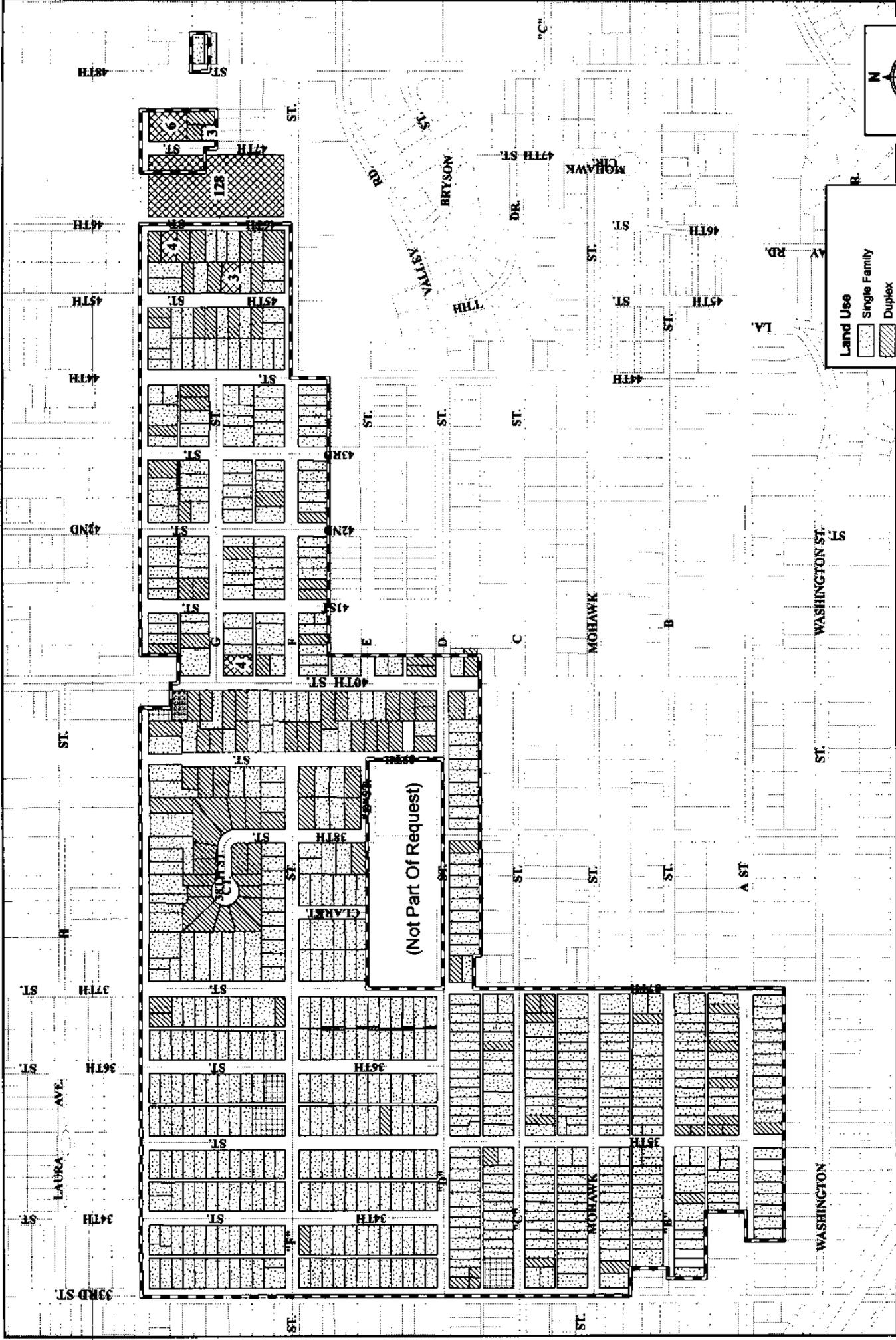
If any additional information is needed, or to notify our neighborhood as to the progress of our application, please feel free to contact me at 310-7069. Thank you for all of your assistance during this process.

Best Regards,



Tracy J. Lines, M.P.A.  
President  
40<sup>th</sup> & A Neighborhood Association



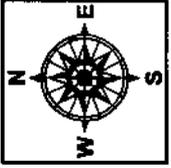
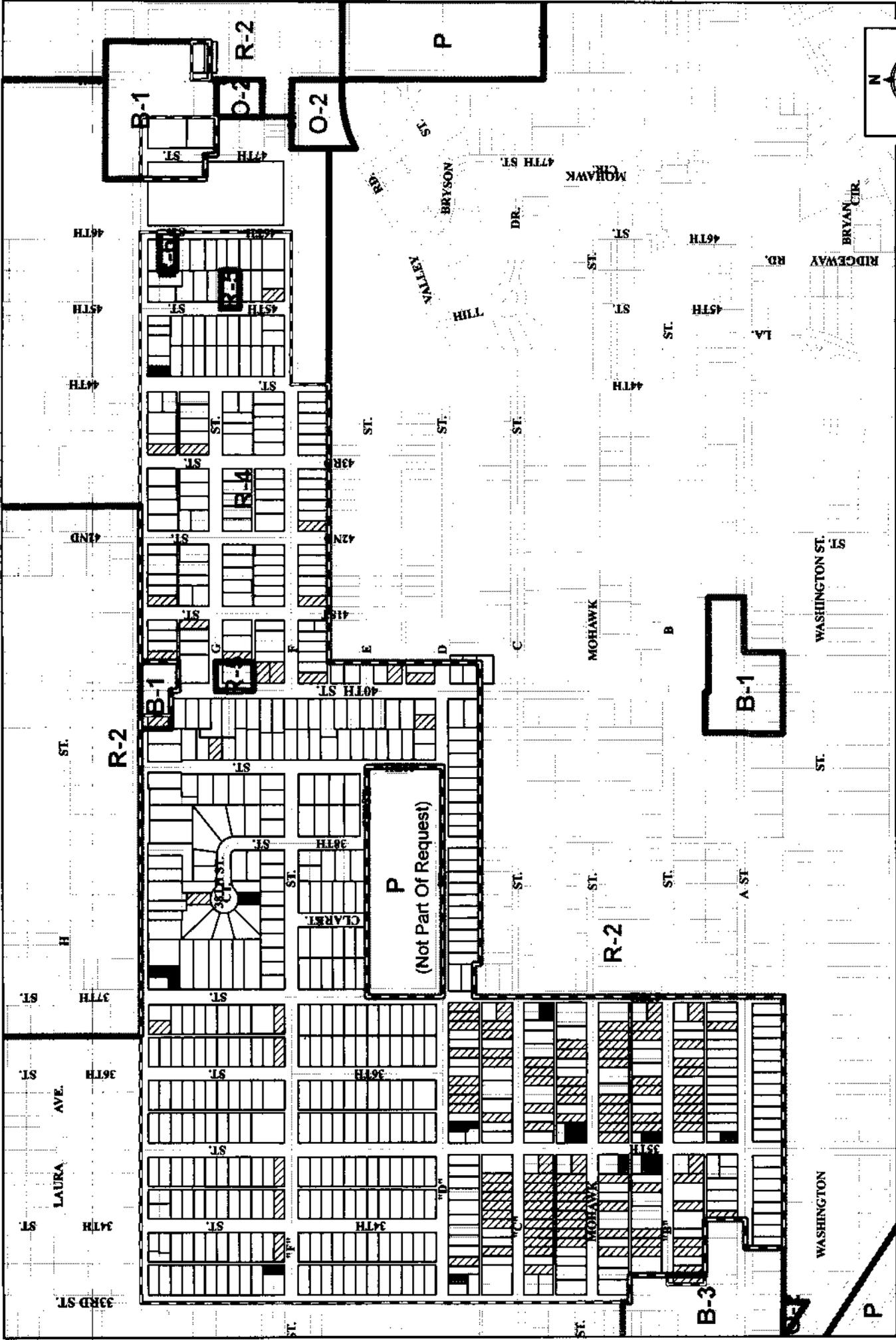


Land Use	Symbol
Single Family	[Diagonal hatching, top-left to bottom-right]
Duplex	[Diagonal hatching, top-right to bottom-left]
Multiple Family (w/units)	[Cross-hatching]
Industrial (LES)	[Stippled pattern]
Public / Semi-Public	[Dotted pattern]
Vacated ROW	[Horizontal hatching]
Vacant	[White/empty box]

# EXISTING LAND USE

Proposed Change of Zone at 40th and 'A' Streets

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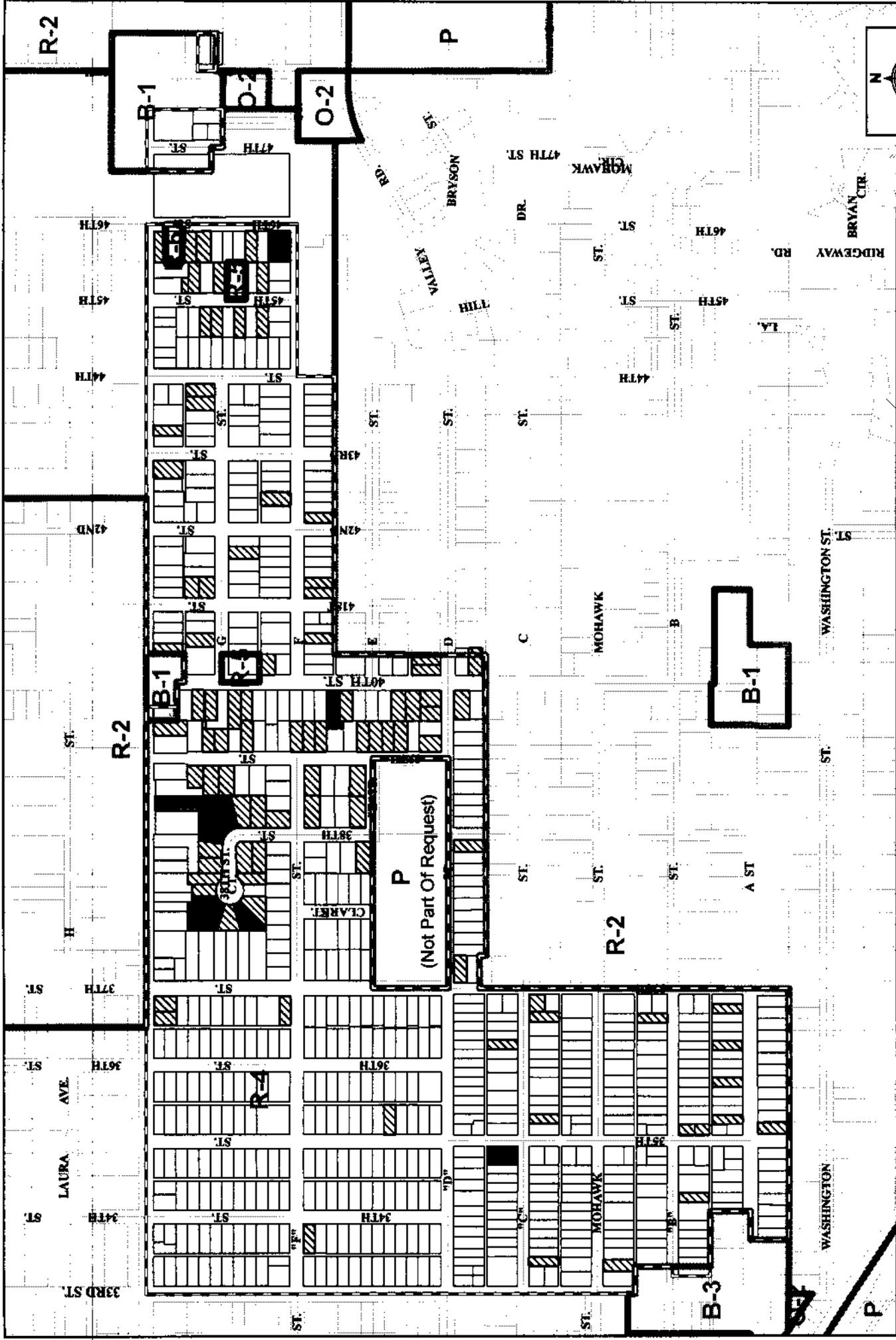


**Parcel Size**

- Less Than 5,000 Sq. Ft.
- 5,000 to Less Than 6,000 Sq. Ft.
- 6,000 Sq. Ft. or More

# OWNERSHIP PARCEL SIZE

Proposed Change of Zone at 40th and 'A' Streets



# DUPLEX PARCEL SIZE

Proposed Change of Zone at 40th and 'A' Streets

Duplex Parcel Size

-  5,000 to Less Than 10,000 Sq. Ft.
-  10,000 Sq. Ft. or More

## EXHIBIT A

### **Change of Zone #06040 40<sup>th</sup> and A Neighborhood Association Downzone**

**E-1 to R-2**

**Riley and Whitney's Subdivision (of Lot 19)** Lot 1 W57.97' N100', located in the SE 1/4 of Section 30 T10N R7E, Lancaster County, Nebraska, and  
**Linwood** Lots 8 and 9, Block 2, located in the SE 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska.

**E-1 to R-4**

**Irregular Tracts** 158, 175, and 243, located in the SW 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska.

**E-3 to R-2**

**Boulevard Heights** Lot 209, located in the SE 1/4 of Section 30 T10N R7E, Lancaster County, Nebraska.

**R-5 to R-2**

**Martin Heights** Lots 5 and 6, Block 5, and  
**Turner's Randolph Addition** Lot 17, and Lot 18 S30', Block 1, all located in the SW 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska.

**R-6 to R-2**

**Turner's Randolph Addition** Lot 2, and Lot 3 N25', Block 1, located in the SW 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska.

**R-4 to R-2**

**Fair Hill Subdivision** Lots 1-24, Block 1; Lots 1-24, Block 2, and  
**Fair Hill 2<sup>nd</sup> Addition** Lots 3-24, Block 1; Lots 1-24, Block 2; Lots 1-24, Block 3; Lots 1-24, Block 4, and  
**Fair Hill 3<sup>rd</sup> Addition** Lots 1-24 and all of the vacated north/south alley, Block 1; Lots 1-24, Block 2, and  
**Fair Hill 4<sup>th</sup>** Lots 1 and 2, and  
**Boulevard Heights** Lots 1-150, 153-208, and 219-240, and  
**Maple Grove** Lots 1-10, Block 1; Lots 1-12, Block 2; Lots 1-12, Block 3, and  
**Randolph Terrace** Lots 1-4, Block 1; Lots 1-8, Block 2, and  
**Randolph Terrace 2<sup>nd</sup> Addition** Lots 1-3, Block 1; Lots 1-5, Block 2, and  
**Randolph Terrace 3<sup>rd</sup> Addition** Lots 1-8, and  
**Randolph Terrace 4<sup>th</sup> Addition** Lots 1-4, and  
**Randolph Terrace 5<sup>th</sup> Addition** Lots 1-5, and  
**Riley and Whitney's Subdivision (of Lot 19)** Lot 1 S131.17', the Remaining Portions of Lots 2 and 3, Lots 4-6, and the Remaining Portions of Lots 7-10, and  
**Johnson and Schafer Replat** Lots 1-12, and  
**Linden Terrace** Lots 1-12, and  
**Brownbilt** Lots 1-6, Block 1, and  
**Brownbilt 2<sup>nd</sup> Addition** Lots 1-5, Block 11, and  
**Irregular Tracts** 85, 88, 96, 99, 103, 104, 108-111, 114-116, 126, 128, and 130-136, all located in the SE 1/4 of Section 30 T10N R7E, Lancaster County, Nebraska, and

**Marydell** Lots 7 and 8, Block 4, and  
**East Lawn Terrace** Lots 1-12, Block 3; Lots 1-6, Block 4, all located in the NE 1/4 of Section 31 T10N R7E, Lancaster County, Nebraska, and

**Martin Heights** Lots 1-12, Block 1; Lots 1-12 and all of the vacated east/west alley, Block 2; Lots 1-12 and all of the vacated east/west alley, Block 3; Lots 1-4 and 7-12, Block 4; Lot 4, and Lots 7-12, Block 5; Lots 1-12 and all of the vacated east/west alley, Block 6; Lots 1-6 and 10-12, Block 7; Lots 1-12 and all of the vacated east/west alley, Block 8; Lots 1-6 and the N1/2 of the vacated east/west alley adjacent thereto, Block 9; Lots 1-6 and the N1/2 of the vacated east/west alley adjacent thereto, Block 10; Lots 1-6, Block 11; Lots 1-6, Block 12, Lots 5-8, Block 13, and

**Martin Heights 1<sup>st</sup> Subdivision** Lots 1 and 2, and

**Martin Heights 2<sup>nd</sup> Addition** Lots 1 and 2, and

**Martin Heights 3<sup>rd</sup> Addition** Lots 1 and 2, and

**Turner's Randolph Addition** Lot 1, Lot 3 S25', Lots 4-16, Lot 18 N20', Lots 19-24, Block 1; Lots 1-26, Block 2, and

**Irregular Tracts** 132, 244, and 245, all located in the SW 1/4 of Section 29 T10N R7E, Lancaster County, Nebraska.