

RESOLUTION NO. A-_____

USE PERMIT NO. 145

1 WHEREAS, Pine Lake Development, L.L.C. has submitted an application
 2 in accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
 3 Permit No. 145 for authority to construct approximately 192,900 square feet of office
 4 and commercial space, with a waiver of the minimum yard requirements, on property
 5 generally located northwest of the intersection of South 84th Street and Highway 2, and
 6 legally described to wit:

7 A tract of land located in the Northeast Quarter of Section
 8 22, Township 9 North, Range 7 East of the 6th P.M.,
 9 Lincoln, Lancaster County, Nebraska and more fully
 10 described as follows:

11 Referring to the northeast corner of said Northeast Quarter;
 12 thence north 90 degrees 00 minutes 00 seconds west (an
 13 assumed bearing) on the north line of said Northeast
 14 Quarter, a distance of 50.00 feet; thence south 00 degrees
 15 49 minutes 15 seconds east, a distance of 33.00 feet to a
 16 point on the west right-of-way line of South 84th Street;
 17 thence continuing south 00 degrees 49 minutes 15 seconds
 18 east on said line, a distance of 357.24 feet to the point of
 19 beginning; thence continuing south 00 degrees 49 minutes
 20 15 seconds east on said line, a distance of 419.58 feet;
 21 thence south 89 degrees 10 minutes 45 seconds west, a
 22 distance of 290.40 feet; thence south 00 degrees 49
 23 minutes 15 seconds east, a distance of 150.00 feet; thence
 24 north 89 degrees 10 minutes 45 seconds east, a distance of
 25 290.40 feet to a point on said west right-of-way line; thence
 26 south 00 degrees 49 minutes 15 seconds east on said line,
 27 a distance of 143.94 feet; thence south 07 degrees 41
 28 minutes 34 seconds west on said line, a distance of 141.50
 29 feet; thence south 04 degrees 54 minutes 04 seconds east
 30 on said line, a distance of 71.70 feet; thence south 06
 31 degrees 39 minutes 36 seconds west on said line, a
 32 distance of 92.43 feet; thence south 18 degrees 00 minutes

1 22 seconds west on said line, a distance of 177.89 feet;
2 thence south 71 degrees 59 minutes 18 seconds west, a
3 distance of 41.95 feet; thence north 49 degrees 58 minutes
4 12 seconds west on the northerly right-of-way line of
5 Highway 2, a distance of 371.21 feet; thence north 63
6 degrees 29 minutes 11 seconds west on said line, a
7 distance of 323.87 feet; thence north 47 degrees 28 minutes
8 49 seconds west on said line, a distance of 403.11 feet;
9 thence north 67 degrees 17 minutes 09 seconds west on
10 said line, a distance of 205.00 feet; thence north 49 degrees
11 22 minutes 04 seconds west on said line, a distance of
12 602.52 feet; thence north 56 degrees 53 minutes 20
13 seconds west on said line, a distance of 500.38 feet; thence
14 north 53 degrees 50 minutes 27 seconds east on the
15 southerly right-of-way line of Pine Lake Road, a distance of
16 168.93 feet; thence north 82 degrees 00 minutes 32
17 seconds east on said line, a distance of 402.47 feet; thence
18 north 90 degrees 00 minutes 00 seconds east on said line, a
19 distance of 550.68 feet; thence south 00 degrees 14
20 minutes 46 seconds east, a distance of 142.56 feet; thence
21 north 89 degrees 19 minutes 18 seconds east, a distance of
22 216.03 feet; thence south 87 degrees 53 minutes 55
23 seconds east, a distance of 66.08 feet; thence north 89
24 degrees 19 minutes 18 seconds east, a distance of 198.44
25 feet; thence south 00 degrees 49 minutes 15 seconds east,
26 a distance of 214.03 feet; thence south 89 degrees 37
27 minutes 25 seconds east, a distance of 475.07 feet to the
28 point of beginning and containing a calculated area of
29 34.542 acres more or less;

30 WHEREAS, the real property adjacent to the area included within the site
31 plan for this office and commercial development will not be adversely affected; and

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

35 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
36 Lincoln, Nebraska:

37 That the application of Pine Lake Development, L.L.C., hereinafter

1 referred to as "Permittee", to construct approximately 192,900 square feet of office and
2 commercial space on the property legally described above be and the same is hereby
3 granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon
4 condition that construction and operation of said office and commercial space be in
5 strict compliance with said application, the site plan, and the following additional
6 express terms, conditions, and requirements:

7 1. This permit approves 192,900 square feet of office/commercial
8 floor area with a waiver of the side yard setback.

9 2. Before receiving building permits:

10 a. The landscaping must be provided in accordance with the
11 City of Lincoln Design Standards.

12 b. The construction plans must conform to the approved plans.

13 3. Before occupying the buildings, all development and construction
14 must be completed in conformance with the approved plans.

15 4. All privately-owned improvements must be permanently maintained
16 by the owner or an appropriately established property owners association approved by
17 the City Attorney.

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

21 6. The terms, conditions, and requirements of this resolution shall be
22 binding and obligatory upon the Permittee, its successors and assigns. The building
23 official shall report violations to the City Council which may revoke this use permit or

1 take such other action as may be necessary to gain compliance.

2 7. The Permittee shall sign and return the City's letter of acceptance
3 to the City Clerk within 30 days following approval of this use permit, provided, however,
4 said 30-day period may be extended up to six months by administrative amendment.
5 The City Clerk shall file a copy of the resolution approving this use permit and the letter
6 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
7 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor