

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

USE PERMIT NO. 138

1           WHEREAS, Krein Real Estate has submitted an application in  
 2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use  
 3 Permit No. 138 for authority to construct six 5,000 sq. ft., one-story, office/medical  
 4 buildings and associated parking, and legally described to wit:

5           A portion of Lot 43 I.T., located in the Northeast Quarter of  
 6 Section 17, Township 9 North, Range 7 East of the 6th P.M.,  
 7 Lancaster County, Nebraska, more particularly described by  
 8 metes and bounds as follows:

9           Commencing at the East One Quarter of Section 17,  
 10 Township 9 North, Range 7 East of the 6th P.M., Lancaster  
 11 County, Nebraska; thence north 00 degrees 00 minutes 00  
 12 seconds west (an assumed bearing) on the east line of the  
 13 Northeast Quarter of said Section 17, a distance of 285.00  
 14 feet; thence south 89 degrees 53 minutes 46 seconds west,  
 15 a distance of 33.00 feet to the point of beginning; thence  
 16 south 89 degrees 58 minutes 09 seconds west, a distance of  
 17 530.21 feet; thence north 00 degrees 00 minutes 33  
 18 seconds east, for a distance of 130.00 feet; thence north 89  
 19 degrees 58 minutes 09 seconds east, for a distance of  
 20 130.00 feet; thence north 00 degrees 00 minutes 33  
 21 seconds east, for a distance of 105.00 feet; thence south 89  
 22 degrees 58 minutes 09 seconds west, for a distance of  
 23 130.00 feet; thence north 00 degrees 00 minutes 33  
 24 seconds east, for a distance of 1072.33 feet; thence north  
 25 89 degrees 53 minutes 46 seconds east, for a distance of  
 26 288.53 feet; thence south 00 degrees 04 minutes 02  
 27 seconds west, for a distance of 548.15 feet; thence south 16  
 28 degrees 53 minutes 42 seconds west, for a distance of  
 29 142.43 feet; thence south 00 degrees 04 minutes 02  
 30 seconds west, for a distance of 134.22 feet; thence south 49  
 31 degrees 59 minutes 19 seconds east, for a distance of  
 32 348.16 feet; thence south 00 degrees 00 minutes 00  
 33 seconds east, for a distance of 150.00 feet; thence north 90  
 34 degrees 00 minutes 00 seconds east, for a distance of 17.00

1 feet; thence south 00 degrees 00 minutes 00 seconds east,  
2 for a distance of 115.06 feet to the point of beginning and  
3 containing a calculated area of 436,878.29 square feet or  
4 10.029 acres, more or less;

5 WHEREAS, the real property adjacent to the area included within the site  
6 plan for these office/medical buildings will not be adversely affected; and

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

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

12 That the application of Krein Real Estate, hereinafter referred to as  
13 "Permittee", to construct six 5,000 sq. ft., one-story, office/medical buildings and  
14 associated parking on the property legally described above be and the same is hereby  
15 granted under the provisions of Section 27.28.090 of the Lincoln Municipal Code upon  
16 condition that construction and operation of said be in strict compliance with said  
17 application, the site plan, and the following additional express terms, conditions, and  
18 requirements:

- 19 1. This permit approves:
  - 20 a. 30,000 total square feet of floor area in six buildings.
  - 21 b. A waiver to the private roadway design standards to allow  
22 21' pavement width.
  - 23 c. A waiver of the sidewalk requirements to allow sidewalks on  
24 only one side of the private roadways.

25 2. The site plan as approved with this resolution voids and  
26 supercedes all previously approved site plans.

- 1           3.     Before receiving building permits:
  - 2           a.     The Permittee must submit a revised and reproducible final
  - 3           plan and five copies to the Planning Department.
  - 4           b.     The construction plans must conform to the approved plans.
  - 5           c.     The City must approve final plats within this Use Permit 138.
- 6           4.     Before occupying the buildings, all development and construction
- 7     must be completed in conformance with the approved plans.
- 8           5.     All privately owned improvements must be permanently maintained
- 9     by the Permittee or an appropriately established owners association approved by the
- 10    City Attorney.
- 11          6.     The site plan approved by this permit shall be the basis for all
- 12    interpretations of setbacks, yards, locations of buildings, location of parking and
- 13    circulation elements, and similar matters.
- 14          7.     The terms, conditions, and requirements of this resolution shall be
- 15    binding and obligatory upon the Permittee, its successors and assigns. The building
- 16    official shall report violations to the City Council which may revoke this use permit or
- 17    take such other action as may be necessary to gain compliance.
- 18          8.     The Permittee shall sign and return the City's letter of acceptance
- 19    to the City Clerk within 30 days following approval of this use permit, provided, however,
- 20    said 30-day period may be extended up to six months by administrative amendment.
- 21    The City Clerk shall file a copy of the resolution approving this use permit and the letter
- 22    of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
- 23    the Permittee.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Staff Review Completed:

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Administrative Assistant

Approved this \_\_\_ day of \_\_\_\_\_, 2001:

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Mayor