

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

SPECIAL PERMIT NO. 1733C

1 WHEREAS, Tedd Havlicek and Patricia Koontz have submitted an application  
 2 designated as Special Permit No. 1733C for authority to amend the Muff 1st Addition Community  
 3 Unit Plan to increase the number of dwelling units from 166 to 168 on property generally located  
 4 at S.W. 8th Street and Darren Avenue, and legally described to wit:

5 Lots 74 and 105 of Irregular Tracts, Blocks 1 and 2 in Muff 4th  
 6 Addition, Blocks 1 and 2, and Outlots A and B in Muff 3rd Addition,  
 7 Blocks 1 and 2, Muff 2nd Addition, Block 1, Muff 1st Addition,  
 8 Blocks 1, 2, and 3 and Outlot A in Muff Addition, all located in the  
 9 Southwest Quarter of Section 27, Township 10 North, Range 6 East  
 10 of the 6th P.M., Lancaster County, Nebraska and more particularly  
 11 described as follows:

12 Beginning at the northwest corner of the Southeast Quarter of the  
 13 Southwest Quarter of Section 27, Township 10 North, Range 6 East,  
 14 thence on an assumed bearing of north 89 degrees 53 minutes 59  
 15 seconds east on the north line of Lot 105 of Irregular Tracts for a  
 16 distance of 671.99 feet; thence south 00 degrees 05 minutes 50  
 17 seconds west on the east line of said Lot 105, for a distance of  
 18 594.93 feet; thence south 89 degrees 55 minutes 12 seconds west  
 19 for a distance of 2.69 feet; thence south 00 degrees 23 minutes 52  
 20 seconds east for a distance of 54.52 feet; thence south 89 degrees  
 21 55 minutes 12 seconds west for a distance of 30.25 feet; thence  
 22 south 00 degrees 23 minutes 52 seconds east for a distance of  
 23 36.25 feet to the southeast corner of Lot 74 of Irregular Tracts;  
 24 thence south 00 degrees 15 minutes 23 seconds east on the east  
 25 line of Blocks 1 and 3 in Muff Addition for a distance of 315.82 feet;  
 26 thence south 00 degrees 30 minutes 22 seconds east and  
 27 continuing on the east line of said Block 3 for a distance of 159.72  
 28 feet to the southeast corner of Lot 7 in said Block 3; thence south 89  
 29 degrees 58 minutes 54 seconds west on the south line of Blocks 2  
 30 and 3 in Muff Addition and on the south line of Block 2 in Muff 3rd  
 31 Addition and on the south line of Block 2 in Muff 2nd Addition for a  
 32 distance of 632.08 feet to a point on the centerline of Trimble Street;  
 33 thence south 00 degrees 53 minutes 04 seconds east on the  
 34 centerline of Trimble Street for a distance of 140.83 feet; thence  
 35 north 90 degrees 00 minutes 00 seconds west on the south line of

1 Block 1 in Muff 2nd Addition extended, for a distance of 175.74 feet  
2 to the southwest corner of Block 1 in Muff 2nd Addition; thence north  
3 00 degrees 30 minutes 46 seconds west on the west line of Block 1  
4 Muff 2nd Addition and on the west line of Blocks 1 and 2 in Muff 4th  
5 Addition for a distance of 1300.86 feet to the northwest corner of  
6 Block 1 in Muff 4th Addition; thence north 89 degrees 53 minutes 59  
7 seconds east on the north line of Block 1 in Muff 4th Addition for a  
8 distance of 175.80 feet to the point of beginning; said property  
9 contains 22.628 acres more or less.

10 WHEREAS, the real property adjacent to the area included within the site plan for  
11 this revised community unit plan will not be adversely affected; and

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

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
16 Nebraska:

17 That the application of Tedd Havlicek and Patricia Koontz, hereinafter referred to  
18 as "Permittee", increase the number of dwelling units from 166 to 168, on the property legally  
19 described above, be and the same is hereby granted under the provisions of Section 27.63.320 and  
20 Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said  
21 community unit plan be in strict compliance with said application, the site plan, and the following  
22 additional express terms, conditions, and requirements:

- 23 1. This permit approves an additional 2 dwelling units within the Muff, Muff 1st  
24 Addition, and Muff 2nd Addition Community Unit Plan for a total of 168 dwelling units.
- 25 2. Before receiving building permits:
  - 26 a. The Permittee must submit a revised and reproducible final plan and  
27 five copies to the Planning Department.
  - 28 b. The construction plans must conform to the approved plans.

1 c. The final plat within this community unit plan must be approved by  
2 the City.

3 3 Before occupying the dwelling units all development and construction must  
4 be completed in conformance with the approved plans.

5 4 All privately owned improvements shall be permanently maintained by the  
6 Permittee or an appropriately established homeowners association approved by the City Attorney.

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

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

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

19 8. The site plan as approved with this resolution voids and supersedes all  
20 previously approved plans for this site, however, all resolutions approving previous permits remain  
21 in force unless specifically amended by this resolution.

Introduced by:

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Approved as to Form & Legality:

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

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

<p>Approved this ___ day of _____, 2001:</p> <p>_____</p> <p>_____</p> <p style="text-align: center;"><b>Mayor</b></p>
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