

**LETTER OF ACCEPTANCE**

City of Lincoln  
Lincoln, Nebraska

RE: **Special Permit No. 17030** - To foster preservation of the former Saint Elizabeth Hospital Nurses Home (Trabert Hall) by permitting its utilization for offices or dwelling units, or for some mix thereof, under the provisions of Section 27.63.400 of the City of Lincoln Zoning Ordinance.  
(2202 South 11<sup>th</sup> Street)

TO THE CITY CLERK:

The undersigned, "Permittee" under **Special Permit No. 17030**, granted by **Resolution No. PC-01571**, adopted by the Lincoln City-Lancaster County Planning Commission on August 30, 2017, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said Resolution and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

DATED the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Lancaster County Board of Commissioners,  
Permittee

By: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

The foregoing Instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of Lancaster County Board of Commissioners, as permittee.

\_\_\_\_\_  
Notary Public

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RESOLUTION NO. PC- 01571

SPECIAL PERMIT NO. 17030

1           WHEREAS, Lancaster County <sup>1977</sup>~~Board of Commissioners~~ has submitted an application  
2 designated as Special Permit No. 17030 to allow Trabert Hall and its site, if designated as a  
3 landmark, to be used for up to 57,735 square feet of office space, or for up to 60 dwelling units,  
4 or for a combination thereof approved by the Planning Director, on property generally located at  
5 2202 South 11<sup>th</sup> Street, and legally described as:

6                       Lot 3, Saint Francis 1<sup>st</sup> Addition, located in the Southeast Quarter  
7 of Section 35, Township 10 North, Range 6 East of the 6<sup>th</sup> P.M.,  
8 Lincoln, Lancaster County, Nebraska;

9           WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a public  
10 hearing on said application; and

11           WHEREAS, the community as a whole, the surrounding neighborhood, and the real  
12 property adjacent to the area included within the site plan for this special permit will not be  
13 adversely affected by granting such a permit; and

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

18           NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning  
19 Commission of Lincoln, Nebraska:

1           That the application of Lancaster County ~~Board of Commissioners~~<sup>AM</sup>, hereinafter referred  
2 to as "Permittee", to allow Trabert Hall and its site, if designated as a landmark, to be used for  
3 up to 57,735 square feet of office space, or for up to 60 dwelling units, or for a combination  
4 thereof approved by the Planning Director, on the property described above, be and the same is  
5 hereby granted under the provisions of Section 27.63.400 of the Lincoln Municipal Code upon  
6 condition that construction of said space be in substantial compliance with said application, the  
7 site plan, and the following additional express terms, conditions, and requirements:

8           1.       This approval permits historic preservation use of Trabert Hall and its site for up  
9 to 57,735 square feet of office space, or for up to 60 dwelling units, or for a combination thereof  
10 approved by the Planning Director.

11           2.       The City Council approves designation of Trabert Hall, formerly Saint Elizabeth  
12 Hospital Nurses Home, as a Landmark.

13           3.       Before receiving building permits the Permittee shall cause to be prepared and  
14 submitted to the Planning Department 3 copies of a revised final plot plan, showing all setbacks  
15 and yards, buildings, parking and circulation elements, and similar matters.

16           4.       Any signs for the property must receive a Certificate of Appropriateness from the  
17 Historic Preservation Commission prior to receiving a City of Lincoln sign permit.

18           5.       Before receiving building permits the Permittee shall provide verification that the  
19 letter of acceptance, as required by the approval of the special permit, has been recorded with  
20 the Register of Deeds.

21           6.       Before occupying the building, all development and construction shall  
22 substantially comply with the approved plans.

23           7.       The physical location of all setbacks and yards, buildings, parking and circulation  
24 elements, and similar matters be in substantial compliance with the location of said items as  
25 shown on the approved site plan.

1           8.       The terms, conditions, and requirements of this resolution shall run with the land  
2 and be binding upon the Permittee, its successors, and assigns.

3           9.       The Permittee shall sign and return the letter of acceptance to the City Clerk.  
4 This step should be completed within 60 days following the approval of the special permit. The  
5 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
6 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the  
7 Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

8           The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning  
9 Commission on this 30 day of August, 2017.

ATTEST:

  
\_\_\_\_\_  
Chair

Approved as to Form & Legality:

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