

RESOLUTION NO. A-_____

USE PERMIT NO. 153

1 WHEREAS, Carlos Lake, L.L.C. has submitted an application in
2 accordance with Section 27.28.090 of the Lincoln Municipal Code designated as Use
3 Permit No. 153 for authority to construct two 5,000 square foot office/medical buildings
4 and to waive the requirement that lots have frontage and direct access to a public street
5 or private roadway on property generally located at S. 55th Street and South Street,
6 and legally described to wit:

7 Lots 98 and 99, Woods Brothers Fairview Acres in the Northeast
8 Quarter of Section 32, Township 10 North, Range 7 East of the
9 6th P.M., Lancaster County, Nebraska and more particularly
10 described as follows:

11 Beginning at the southwest corner of said Lot 99; thence on a
12 northerly direction, along the west line of said Lot 99, on an
13 assumed bearing of north 00 degrees 17 minutes 22 seconds
14 east, for a distance of 236.29 feet to the northwest corner of said
15 Lot 99; thence south 89 degrees 57 minutes 19 seconds east, for
16 a distance of 158.79 feet to the northeast corner of said Lot 99;
17 thence south 00 degrees 20 minutes 10 seconds west, for a
18 distance of 236.16 feet to the southeast corner of said Lot 99;
19 thence north 90 degrees 00 minutes 00 seconds west, for a
20 distance of 158.60 feet to the point of beginning; said property
21 contains 0.86 acres, more or less;

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

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

27 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

1 Lincoln, Nebraska:

2 That the application of Carlos Lake, L.L.C., hereinafter referred to as
3 "Permittee", to construct two 5,000 square foot office/medical buildings be and the
4 same is hereby granted under the provisions of Section 27.28.090 of the Lincoln
5 Municipal Code upon condition that construction and operation of said office/medical
6 buildings be in strict compliance with said application, the site plan, and the following
7 additional express terms, conditions, and requirements:

8 1. This permit approves two 5,000 square foot office/medical
9 buildings.

10 2. The requirement of Section 26.23.140(g) of the Lincoln Municipal
11 Code that every lot shall front upon and have access to a public street or private
12 roadway is hereby waived.

13 3. Before receiving building permits:

14 a. The Permittee must submit a revised acceptable final plan
15 and five copies to the Planning Department.

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

17 4. Before occupying this building all development and construction
18 must conform to the approved plans.

19 5. All privately-owned improvements, including landscaping is to be
20 permanently maintained by the Permittee or an appropriately established association
21 approved by the City.

22 6. The site plan approved by this permit shall be the basis for all

1 interpretations of setbacks, yards, locations of buildings, location of parking and
2 circulation elements, and similar matters.

3 7. The terms, conditions, and requirements of this resolution shall be
4 binding and obligatory upon the Permittee, and its successors and assigns. The
5 building official shall report violations to the City Council which may revoke this use
6 permit or take such other action as may be necessary to gain compliance.

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

13 9. The site plan as approved with this resolution voids and
14 supersedes all previously approved site plans, however, all resolutions approving
15 previous permits remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

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| Approved this ___ day of _____, 2003 _____ Mayor |
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