

RESOLUTION NO. A-_____

PRE-EXISTING USE PERMIT NO. 3AA

1 WHEREAS, Westfield Shoppingtown (formerly known as Gateway) has
 2 submitted an application in accordance with Section 27.37.070 of the Lincoln Municipal
 3 Code designated as Pre-Existing Use Permit No. 3AA for authority to amend the signs
 4 plan at Westfield Shoppingtown - Gateway, on property generally located at 6100 "O"
 5 Street, and legally described to wit:

6 A portion of Lot 233, Lots 213, 214, 232, and 257 Irregular
 7 Tracts and Lot 2, Gateway Terrace, all located in the South
 8 Half of Section 21, Township 10 North, Range 7 East of the
 9 6th P.M., Lincoln, Lancaster County, Nebraska, further
 10 described in the attached legal descriptions;

11 WHEREAS, the real property adjacent to the area included within the site
 12 plan for this amended sign plan will not be adversely affected; and

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

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

18 That the application of Westfield Shoppingtown, hereinafter referred to as
 19 "Permittee", to amend the sign plan on the property legally described above be and the
 20 same is hereby granted under the provisions of Section 27.37.070 of the Lincoln
 21 Municipal Code upon condition that construction of said sign plan be in strict
 22 compliance with the application, the site plan, and the following additional express

1 terms, conditions, and requirements:

2 1. This permit approves a revised sign plan for Pre-Existing Use
3 Permit 3, Westfield Shoppingtown - Gateway.

4 2. All terms and conditions of Pre-Existing Use Permit 3 shall apply
5 unless specifically approved by this amendment.

6 3. Before receiving building permits:

7 a. The construction plans must conform to the approved plans.

8 b. The Permittee must submit an acceptable, revised and
9 reproducible final plan, including five copies.

10 3. All development and construction must be completed in
11 conformance to the approved plans.

12 4. All privately-owned improvements, including landscaping, must be
13 permanently maintained by the Permittee.

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

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

21 7. The Permittee shall sign and return the City's letter of acceptance
22 to the City Clerk within 30 days following approval of this use permit, provided, however,
23 said 30-day period may be extended up to six months by administrative amendment.

1 The City Clerk shall file a copy of the resolution approving this use permit and the letter
2 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
3 the Permittee.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor