

## **FACTSHEET**

**TITLE: ANNEXATION NO. 05016**, requested by Southwood Lutheran Church and Buckshot Farms, to annex approximately 240 acres, more or less, generally located at 40<sup>th</sup> Street and Rokeby Road, and by Lincoln Federal Savings and Loan, to annex approximately 64 acres between 27<sup>th</sup> and 40<sup>th</sup> Streets, north of Rokeby Road.

**STAFF RECOMMENDATION:** Approval, subject to an Annexation Agreement.

**ASSOCIATED REQUESTS:** Change of Zone No. 06009 (06-29) and Annexation Agreement.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda, 03/01/06  
Administrative Action: 03/01/06

**RECOMMENDATION:** Approval (6-0: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson voting 'yes'; Strand and Larson absent).

### **FINDINGS OF FACT:**

1. This proposed annexation was heard in conjunction with the associated Change of Zone No. 06009.
2. The staff recommendation to approve the annexation is based upon the "*Analysis*" as set forth on p.4-5, concluding that the proposed annexation is voluntary and at the request of the property owners involved. The finding can be made that the request complies with the annexation policy of the Comprehensive Plan, provided the owners enter into annexation agreements with the City of Lincoln which specify the conditions under which annexation will occur to the mutual satisfaction of both the City and the owners.
3. On March 1, 2006, this application appeared on the Planning Commission Consent Agenda and was opened for public hearing. No one came forward to speak.
4. On March 1, 2006, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval, subject to an annexation agreement (Larson and Strand absent).
5. On March 1, 2006, the Planning Commission also voted 6-0 to recommend approval of the associated Change of Zone No. 06009.
6. Since the Planning Commission hearing, Public Works has reconsidered the funding available for sewer improvements in the new 6-year Capital Improvements Program. They now believe that sewer mains east of 40<sup>th</sup> Street can be funded in that period, resolving their chief concern about this annexation.
7. As of the time that this report was prepared, certain details of the annexation agreement were still being discussed. Normally staff would not schedule an annexation item until these details had been resolved and the agreement signed. However, in this case, Southwood Lutheran Church decided to proceed with construction several months ago, aware of the risk but hoping that their property would be annexed and City water and sewer would be extended in a timely manner, so they do not have to make other plans for services. Buckshot Farms, the other landowner east of 40<sup>th</sup> Street, has agreed to advance the sewer main construction to serve the church as well as their own land. Lincoln Federal Savings has agreed to the annexation of a corridor containing the sewer easement across their land so the land east of 40<sup>th</sup> can be annexed.

**FACTSHEET PREPARED BY:** Jean L. Walker

**REVIEWED BY:** \_\_\_\_\_

**REFERENCE NUMBER:** FS\CC\2006\ANNEX.05016+

**DATE:** March 28, 2006

**DATE:** March 28, 2006

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 1, 2006 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**PROJECT #:**        **Annexation #05016**  
Change of Zone #06009

**PROPOSAL:**        An annexation and change of zone from AG to R-3 and R-4.

**LOCATION:**         South 40<sup>th</sup> Street and Rokeby Road

**LAND AREA:**      Approximately 240 acres.

**CONCLUSION:**     This proposed annexation is voluntary and at the request of the property owners involved. The finding can be made that the request complies with the annexation policy of the Comprehensive provided the owners enter into annexation agreements with the City of Lincoln. Those agreements will specify the conditions under which annexation will occur, to the mutual satisfaction of both the City and the owners. The change of zone is in compliance with the Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b> <b><u>Annexation #05016</u></b> Change of Zone #06009	<b><u>Conditional Approval</u></b> Approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:**  
AN#05016 - See attached two-part legal description.

CZ#06009 - See attached legal descriptions.

**EXISTING ZONING:**        AG Agriculture

**SURROUNDING LAND USE AND ZONING:**

North	Agriculture, Residential	AG, R-3
East	Agriculture, Acreages	AG, AGR
South	Agriculture, Acreages	AG
West	Agriculture, Residential	AG, R-3

**EXISTING LAND USE:**    Agriculture

## COMPREHENSIVE PLAN SPECIFICATIONS:

**Page F23** - The Land Use Map of the Comprehensive Plan designates Urban Residential land uses for the areas involved in the annexation and change of zone applications.

**Page F154** - The Annexation Policy of the Comprehensive Plan.

## UTILITIES & SERVICES:

- A. **Sanitary Sewer:** The Upper Southeast Salt Valley Basin trunk sewer from South 20<sup>th</sup> Street to approximately South 40<sup>th</sup> Street and Yankee Hill Road, and the Sub-basin Upper Southeast Salt Valley Basin trunk sewer to South 40<sup>th</sup> Street must be constructed to provide sanitary sewer service to the area to be annexed. Funds are shown in years 2005-06 in the Capital Improvement Program (CIP) for these sewer mains.
- B. **Water:** Funds to construct water distribution mains from South 27<sup>th</sup> Street to South 40<sup>th</sup> Street in Rokeby Road, and from Yankee Hill Road to Rokeby Road in South 40<sup>th</sup> Street are shown in years 2005-06 in the CIP.
- C. **Roads:** South 40<sup>th</sup> Street from Yankee Hill Road to Rokeby Road is a two-lane, asphalt county road. Rokeby Road is a gravel road from South 27<sup>th</sup> Street to South 40<sup>th</sup> Street, but does not exist east of South 40<sup>th</sup> Street. Both are designated as arterial streets. Funds to improve either street to the City's urban paving standard are not included in the six-year CIP.
- D. **Parks and Trails:** The Comprehensive Plan shows the bike trail system crossing Yankee Hill Road at approximately South 37<sup>th</sup> Street following the drainage south through the section bounded by South 27<sup>th</sup> and South 40<sup>th</sup> Streets, and by Yankee Hill and Rokeby Roads. The trail splits midpoint in the section and proceeds both east and west, with grade-separated crossings at the creek crossings near South 40<sup>th</sup> Street just north of Rokeby Road, and at Rokeby Road at approximately South 30<sup>th</sup> Street. Funds to construct these trail segments are not included in the six-year CIP.

The Comprehensive Plan shows a neighborhood park in the area halfway between Yankee Hill and Rokeby Roads on South 40<sup>th</sup> Street.

- E. **Police/Fire Protection:** Police and fire protection is currently provided by the Lancaster County Sheriff and the Southeast Rural Fire Department. After annexation those service will be provided by the Lincoln Police and Fire Departments. The Fire Department notes concern over the lack of Fire Department facilities in the area and their ability to provide the level of service that citizens have grown to expect. The nearest fire stations are located at South 48<sup>th</sup> Street and Claire Avenue and South 27<sup>th</sup> Street and Old Cheney Road.

## **ANALYSIS:**

1. The annexation request includes two tracts of land, one west of South 40<sup>th</sup> Street and another east of South 40<sup>th</sup> Street. The tract west of South 40<sup>th</sup> Street is owned by Lincoln Federal Savings and Loan. The tract to the east is owned by Southwood Lutheran Church, Sundance LLC, and Buckshot Farms.
2. The change of zone request from AG to R-3 and R-4 affects only the tract east of South 40<sup>th</sup> Street, and is consistent with the Urban Residential designation in the Comprehensive Plan. No change of zone is proposed for the tract west of South 40<sup>th</sup> Street at this time and it will remain AG.
3. The intent of these requests is to provide water and sanitary sewer service to the tract east of South 40<sup>th</sup> Street. Applications to develop (preliminary plat, planned unit development, community unit plan, etc.) have not been submitted for any of the land involved. Building permits have been issued to allow construction of the new Southwood Lutheran Church on Lot 40 I.T. (located midway between Yankee Hill and Rokeby Roads, east of South 40<sup>th</sup> Street as shown on the attached annexation exhibit). Before the church will receive a certificate of occupancy, it must either be served by an approved septic system or be connected to the City's sanitary sewer system.
4. The tract east of South 40<sup>th</sup> Street is not contiguous to the city limit and cannot be annexed until it is contiguous to the city limits. To be contiguous, additional land has to be annexed. The land owner of the tract west of South 40<sup>th</sup> Street has voluntarily agreed to annexation to extend the city limits to South 40<sup>th</sup> Street.
5. Annexation policy:
  - A. Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
  - B. Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.
  - C. Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."
6. The owners of all lands involved in the annexation will be required to enter into an annexation agreement with the City of Lincoln. As noted in paragraph B of the Annexation Policy, annexation implies the availability of city services, and if these lands are annexed the owners can reasonably expect to be provided with all city services unless modified by agreement. Funding is shown in the CIP for sewer and water to serve this area, but the facilities have not been constructed. In fact, the design of all the facilities is not yet complete. While the funds to build them are programmed, the annexation agreements will acknowledge that the timing

of construction is not date-certain, and as a result the City will not be required to provide services in advance of the CIP.

7. Public Works has concerns regarding the proposed annexation, and has made it clear that a recommendation of approval of these applications by the Planning Commission does not mean Public Works has approved all aspects of the proposed developments. Public Works has strong reservations concerning one of the terms of the proposed agreement which directs wastewater impact fees to reimburse the applicants' front-end costs to extend sanitary sewer mains to serve their properties because it may adversely affect other projects in the CIP. This issue will be discussed further with the applicants in negotiations about the annexation agreement, prior to scheduling these applications for the City Council.

**CONDITIONS:**

**AN#05016**

1. The owners will enter into annexation agreements with the City of Lincoln.

Prepared by:

Brian Will  
441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
February 15, 2006

**APPLICANT:** Southwood Lutheran Church  
5511 South 27<sup>th</sup> Street  
Lincoln, NE 68512  
(402) 423-5511

<b>OWNER:</b>	Southwood Lutheran Church 5511 South 27 <sup>th</sup> Street Lincoln, NE 68512 (402) 423-5511	Buckshot Farms 3730 South 14 <sup>th</sup> Street Lincoln, NE 68502 (402) 435-6000
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**CONTACT:** Kent Seacrest  
1111 Lincoln Mall Ste. 350  
Lincoln, NE 68508

**ANNEXATION NO. 05016  
and  
CHANGE OF ZONE NO. 06009**

**CONSENT AGENDA  
PUBLIC HEARING & ADMINISTRATIVE ACTION  
BEFORE PLANNING COMMISSION:**

March 1, 2006

Members present: Carlson, Carroll, Esseks, Sunderman, Krieser and Taylor; Larson and Strand absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06007; COUNTY CHANGE OF ZONE NO. 06008; CHANGE OF ZONE NO. 06011; USE PERMIT NO. 84B; ANNEXATION NO. 05019; CHANGE OF ZONE NO. 05085, FALLBROOK PLANNED UNIT DEVELOPMENT; ANNEXATION NO. 05016; CHANGE OF ZONE NO. 06009; and SPECIAL PERMIT NO. 06006.**

Ex Parte Communications: None.

**Items No. 1.2a and 1.2b, Change of Zone No. 06011 and Use Permit No. 84B; and Items No. 1.3a and 1.3b, Annexation No. 05019 and Change of Zone No. 05085, Fallbrook Planned Unit Development,** were removed from the Consent Agenda and had separate public hearing.

Taylor moved approval of the remaining Consent Agenda, seconded by Carroll seconded and carried 6-0: Krieser, Carroll, Sunderman, Esseks, Taylor and Carlson voting 'yes'; Strand and Larson absent.

Note: This is final action on Special Permit No. 06006, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days following the action by the Planning Commission.

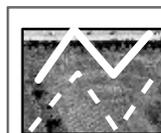


# Annexation #05016 S. 40th & Rokeby Rd.

## Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

Four Square Miles  
 Sec. 29 T9N R7E  
 Sec. 30 T9N R7E  
 Sec. 31 T9N R7E  
 Sec. 32 T9N R7E

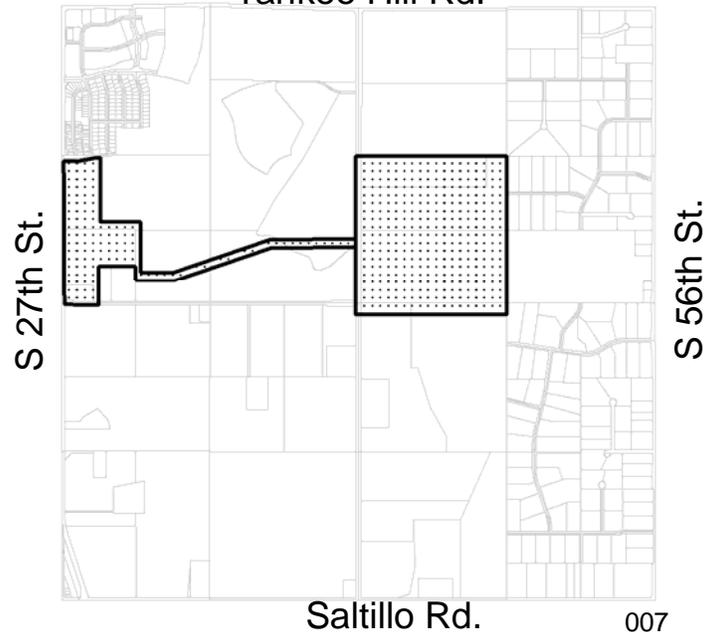


Zoning Jurisdiction Lines

City Limit Jurisdiction

2005 aerial

Yankee Hill Rd.





2005 aerial

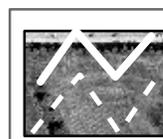
Yankee Hill Rd.

# Annexation #05016 S. 40th & Rokeby Rd.

## Zoning:

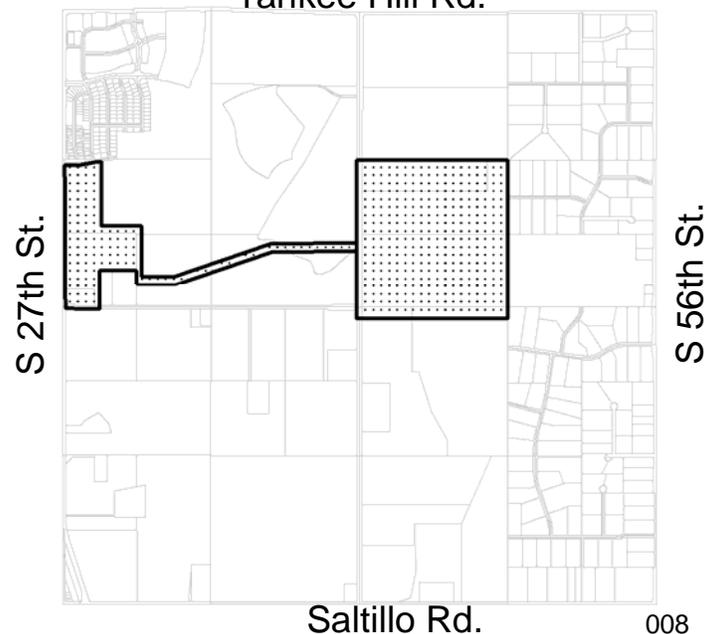
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
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- H-3 Highway Commercial District
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- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

Four Square Miles  
 Sec. 29 T9N R7E  
 Sec. 30 T9N R7E  
 Sec. 31 T9N R7E  
 Sec. 32 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



**LEGAL DESCRIPTION  
ANNEXATION**

A TRACT OF LAND COMPOSED OF LOTS 32 I.T., 39 I.T., 40 I.T., AND A PORTION OF SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 29, A PORTION OF LOTS 43 I.T., 52 I.T., AND A PORTION OF SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, A PORTION OF LOT 46 I.T., AND A PORTION OF SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, AND A PORTION OF ROKEBY ROAD RIGHT-OF-WAY, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, AND A PORTION OF SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, AND A PORTION OF ROKEBY ROAD RIGHT-OF-WAY, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, ALL LOCATED IN TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6<sup>TH</sup> P.M., LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, THENCE WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 30 ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 57 MINUTES 20 SECONDS WEST, A DISTANCE OF 60.00 FEET TO **THE TRUE POINT OF BEGINNING**, THENCE NORTH 00 DEGREES 02 MINUTES 07 SECONDS WEST ALONG A LINE 60.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF ROKEBY ROAD RIGHT-OF-WAY, THENCE NORTH 89 DEGREES 57 MINUTES 20 SECONDS EAST ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, THENCE NORTH 00 DEGREES 02 MINUTES 07 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTH 40<sup>TH</sup> STREET RIGHT-OF-WAY, SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,584.91 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, THENCE NORTH 89 DEGREES 58 MINUTES 56 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, AND THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 29, A DISTANCE OF 2,685.84 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 04 MINUTES 10 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,639.22 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF

SECTION 32, A DISTANCE OF 200.00 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 24 SECONDS WEST ALONG A LINE 200.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, AND ITS EXTENSION, A DISTANCE OF 2,691.47 FEET TO A POINT LOCATED 60.00 FEET WEST OF THE WEST LINE OF SAID NORTHWEST QUARTER, THENCE NORTH 00 DEGREES 03 MINUTES 03 SECONDS EAST ALONG A LINE 60.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 31, A DISTANCE OF 199.87 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 7,615,011.47 SQUARE FEET OR 174.82 ACRES, MORE OR LESS.

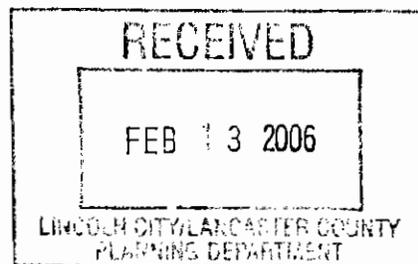
February 3, 2006

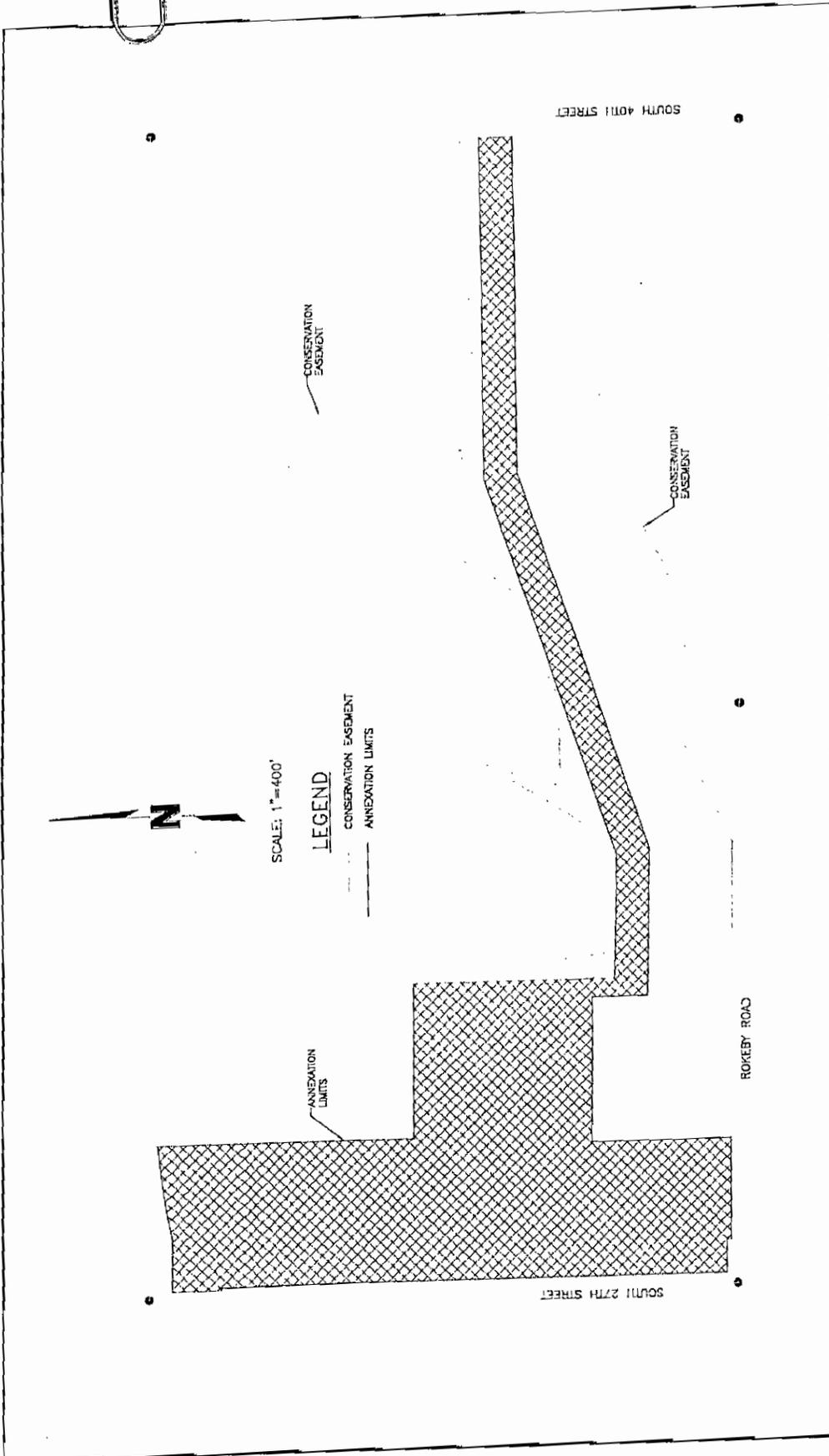
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LEGAL DESCRIPTION  
ADJEXATION

A PORTION OF LOTS 41, 43 & 46 IRREGULAR TRACTS AND A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND ALL OF LOTS 1 & 2, KING'S ADDITION ALL LOCATED IN THE SOUTH HALF OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND ADJACENT ROKEBY ROAD RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 27TH STREET AND THE NORTH RIGHT-OF-WAY LINE OF ROKEBY ROAD; THENCE ON SAID EAST RIGHT-OF-WAY LINE FOR THE NEXT 6 COURSES, N00°00'34"W, 259.77 FEET; THENCE N00°00'50"W, 1,012.13 FEET; THENCE N00°00'11"W, 330.05 FEET; THENCE N00°36'26"W, 673.89 FEET; THENCE S89°59'17"W, 10.00 FEET; THENCE N00°00'43"W, 212.49 FEET TO THE NORTHWEST CORNER OF SAID LOT 46 IRREGULAR TRACT, ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WHISPERING WIND BOULEVARD; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE FOR THE NEXT 3 COURSES, S89°57'32"E, 237.27 FEET; THENCE N80°07'47"E, 303.80 FEET; THENCE N81°58'32"E, 127.14 FEET; THENCE S00°02'02"W, 1,147.73 FEET; THENCE S89°57'58"E, 709.00 FEET; THENCE S00°02'02"W, 904.32 FEET; THENCE S89°04'03"E, 563.37 FEET; THENCE N71°01'56"E, 1,822.97 FEET; THENCE N89°08'16"E, 1,546.95 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH 40TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE, S00°02'08"E, 150.02 FEET; THENCE S89°08'16"W, 1,520.88 FEET; THENCE S71°01'56"W, 1,825.39 FEET; THENCE N89°04'03"W, 671.70 FEET TO THE EAST LINE OF LOT 18 IRREGULAR TRACT; THENCE ON SAID EAST LINE, N00°13'28"E, 249.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 18 IRREGULAR TRACT; THENCE ON THE NORTH LINE OF SAID LOT 18 IRREGULAR TRACT, N89°49'06"W, 439.93 FEET TO THE NORTHWEST CORNER OF SAID LOT 18 IRREGULAR TRACT, ALSO BEING THE NORTHEAST CORNER OF LOT 19 IRREGULAR TRACT; THENCE ON THE NORTH LINE OF SAID LOT 19 IRREGULAR TRACT, N89°46'02"W, 220.04 FEET TO THE NORTHWEST CORNER OF SAID LOT 19 IRREGULAR TRACT; THENCE ON THE WEST LINE OF SAID LOT 19 IRREGULAR TRACT, S00°03'38"E, 628.26 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ROKEBY ROAD; THENCE ON SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT 4 COURSES, N89°46'17"W, 96.00 FEET; THENCE N89°48'23"W, 363.95 FEET; THENCE N00°08'37"W, 17.24 FEET; THENCE N89°48'24"W, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2,792,834.99 SQUARE FEET (64.11 ACRES) MORE OR LESS





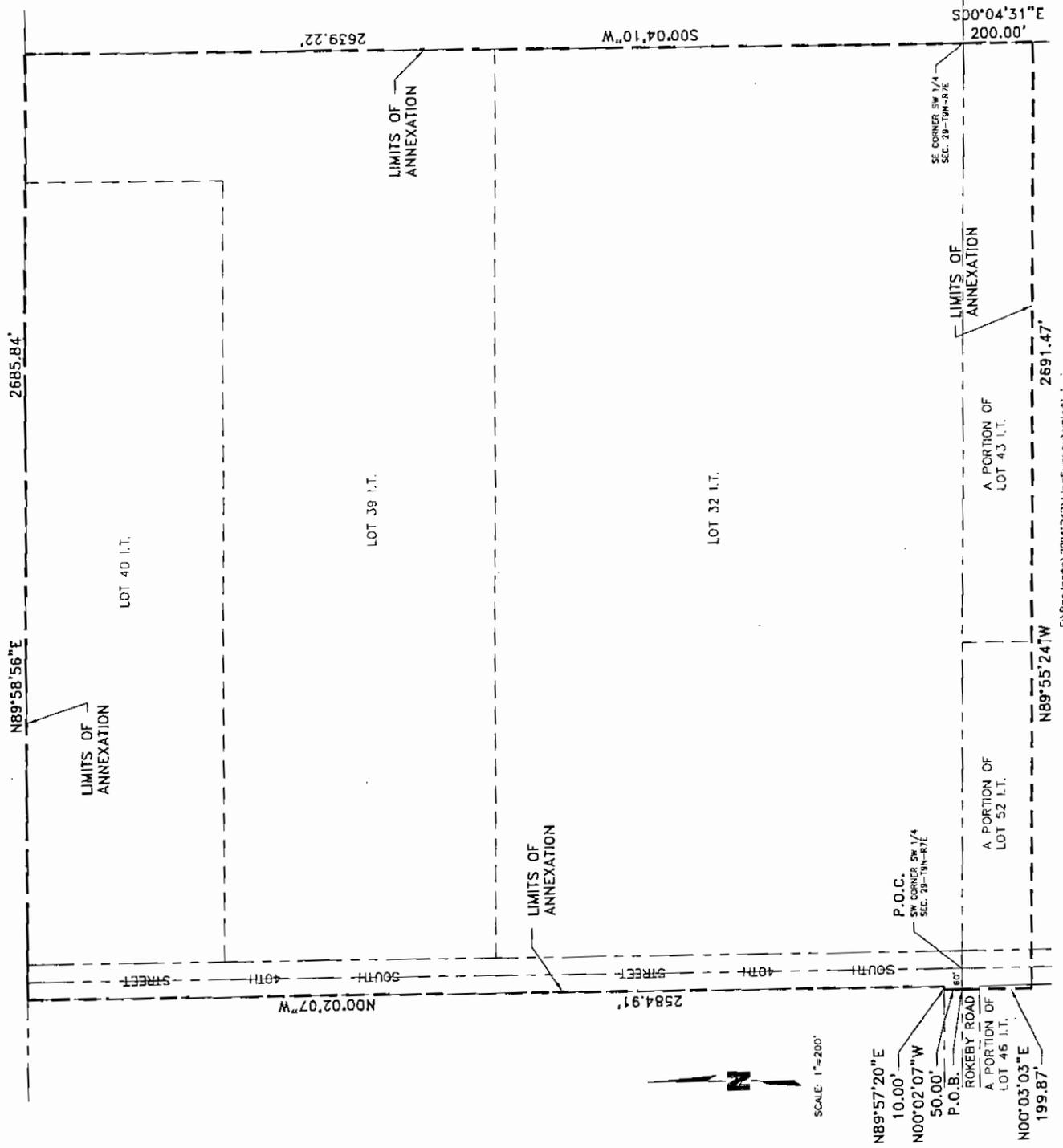
Drawn by: NLP  
 Date: 09/26/12 10:56:49  
 Date: 12/21/05

**WILDERNESS HILLS 1ST ADDITION  
 ANNEXATION EXHIBIT**  
 LANCASTER COUNTY, NEBRASKA

**EDC**  
 Engineering & Design Consultants

Civil Design • Land Planning  
 Site Development • Surveying  
 2200 Pacific Ave, Suite 102, Lincoln, NE 68527  
 402-338-4014 • Fax 402-338-4028  
 3178 S. 149th St, Suite 104 Omaha, NE 68114  
 402-914-6644 • Fax 402-914-8868

# ANNEXATION EXHIBIT



# SEACREST & KALKOWSKI, P.C.

A LIMITED LIABILITY ORGANIZATION

1111 LINCOLN MALL, SUITE 350  
LINCOLN, NEBRASKA 68508-3910

TELEPHONE (402) 435-6000  
FACSIMILE (402) 435-6100

KENT SEACREST  
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI  
E-MAIL: danay@sk-law.com

January 30, 2006

Marvin Krout  
Planning Department  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: South 40<sup>th</sup> Street and Rokeby Road Area

Dear Marvin:

Our office represents Southwood Lutheran Church, Sundance, L.L.C. and Buckshot Farms (collectively "Landowners"). The enclosed Annexation Exhibit shows the Landowner's Property. City Staff (Ray Hill and Rick Peo) and the Landowners are working with the neighbor to the west; Lincoln Federal Bancorp, Inc. ("LFB"), in regards to the annexation of a portion of the LFB properties. It is our understanding that LFB has requested annexation of a portion of their property that would enable the Landowners' properties to be contiguous with the City municipal boundary upon annexation of the LFB properties.

The Landowners hereby request the following:

1. Annexation of the property shown on the map and legally described in Exhibit "A", ("Property").
2. Rezone the Property from AG Agricultural to R-3 and R-4, Residential as shown on the map and legally described in Exhibit "B" and Exhibit "C", respectively.

Enclosed, please find the following:

- A. Annexation Legal Description and Annexation Map, Exhibit "A";
- B. Change of Zone Application and Exhibit for the R-3 and R-4 rezoning, Exhibit "B" and Exhibit "C";
- C. Change of Zone Application Fee - \$370.00 for the R-3 and R-4 rezoning;

JAN 30 2006

014

Southwood Lutheran Church officials have met with City Staff to review the proposed annexation and change of zone. A proposed annexation agreement has been provided to the City Administration as part of the annexation negotiation process.

Please contact us if you have any questions or require additional information.

Very truly yours,



KENT SEACREST

For the Firm

Enclosures

cc: Southwood Lutheran Church  
Sundance, L.L.C.  
Buckshot Farms  
Michael Rierden

**Review Comments for  
Application #: AN05016  
SOUTHWOOD LUTHERAN CHURCH**

*Comments as of: Wednesday, February 15, 2006*

Status of Review: Active

Reviewed By 911

ANY

Comments:

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Status of Review: Active

Reviewed By Alltel

ANY

Comments:

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Status of Review: Active

Reviewed By County Engineer

JIM LANGTRY

Comments:

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Status of Review: Active

02/06/2006 2:51:46 PM

Reviewed By Fire Department

ANY

Comments: We have no issues with this annexation. My main concern is if we have a water supply and fire hydrants in the area for our use. Another issue is that we do not have fire facilities in the area that allows to provide the type of emergency service that our citizens of the city have grown to expect.

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Status of Review: Active

02/13/2006 2:58:04 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION

TO: Brian Will DATE: February 13, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Southwood Lutheran  
EH Administration Church  
CZ #06009 AN #05016

The Lincoln-Lancaster County Health Department has reviewed the proposed change of zone and annexation and does not object to the approval of these applications.

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