

CITY, FROM ANY AND ALL ALLEGED DAMAGES, CLAIMS, ACTIONS, LIABILITIES OR PROCEEDINGS CONCERNING THE PROJECT, WHETHER CONTRACTUAL, STATUTORY, OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, CLAIMS AGAINST THE CITY OR THE CITY’S AGENTS TO ATTACK, SET ASIDE, VOID, OR ANNUL ANY APPROVAL BY THE CITY, OR THE CITY’S AGENTS CONCERNING THE PROJECT (COLLECTIVELY “CLAIM”). THE CITY SHALL PROMPTLY NOTIFY THE APPLICANT OF ANY CLAIM. IF THE CITY FAILS TO NOTIFY THE APPLICANT OF ANY CLAIM, THE APPLICANT SHALL NOT THEREAFTER BE RESPONSIBLE TO DEFEND, INDEMNIFY, OR HOLD HARMLESS THE CITY. NOTHING IN THIS PARAGRAPH SHALL OBLIGATE THE CITY TO DEFEND ANY CLAIM AND THE CITY SHALL NOT BE REQUIRED TO PAY OF PERFORM ANY SETTLEMENT ARISING FROM ANY SUCH CLAIM NOT DEFENDED BY THE CITY, UNLESS THE SETTLEMENT IS APPROVED IN WRITING BY THE CITY.

REIMBURSEMENT

APPLICANT(S) AGREES THAT THE APPLICANT(S) SHALL FULLY REIMBURSE THE CITY FOR COSTS INCURRED IN CONNECTION WITH THE REVIEW PROCESS REGARDLESS OF ANY ACTION TAKEN BY THE CITY WITH RESPECT TO THE APPLICANT(S) PROJECT. APPLICANT(S) ALSO ACKNOWLEDGE AND AGREE THAT THE DEPOSITS (HEREINAFTER “FUNDS”) PAID HERewith MAY NOT BE ADEQUATE TO FULLY REIMBURSE THE CITY FOR COSTS INCURRED IN CONNECTION WITH THE REVIEW PROCESS, AND THAT PERIODICALLY, AS THE NEED ARISES, APPLICANT(S) MAY BE CALLED UPON TO MAKE FURTHER DEPOSIT OF FUNDS. APPLICANT(S) AGREES THAT THERE SHALL ALWAYS REMAIN ON DEPOSIT WITH THE CITY SUFFICIENT FUNDS TO COVER THE ANTICIPATED COSTS TO BE INCURRED WITH THE REVIEW PROCESS THROUGH THE PLAN OR MAP APPROVAL PROCESS. IN THE EVENT, FOR ANY REASON, A CITY REQUEST FOR FURTHER DEPOSIT OF FUNDS FROM APPLICANT(S) IS NOT FULLY SATISFIED, WITHIN THIRTY (30) BUSINESS DAYS THE CITY MAY CEASE PROCESSING OF THIS REVIEW AND THE RELATED PROJECT, AND RECORD THE FAILURE TO MAKE THE REQUESTED DEPOSIT OF FUNDS AS THE APPLICANT(S) REQUEST TO CEASE PROCESSING THE REVIEW. THE FAILURE OF THE CITY TO REQUEST ADDITIONS DEPOSIT(S) OF FUNDS OR TO CEASE PROCESSING OF THE REVIEW DUE TO LACK OF FUNDS SHALL NOT CONSTITUTE A WAIVER OF THE APPLICANT RESPONSIBILITY TO FULLY REIMBURSE THE CITY FOR COSTS INCURRED IN CONNECTION WITH THE REVIEW PROCESS. THE ADVANCE OF FUNDS SHALL NOT BE DEPENDENT UPON THE CITY’S APPROVAL OR DISAPPROVAL OF THE APPLICANT(S) APPLICATION, OR UPON THE RESULT OF ANY ACTION, AND SHALL IN NO WAY INFLUENCE THE PROJECT. NEITHER APPLICANT(S) NOR ANY OTHER PERSON PROVIDING FUNDING FOR THE PROJECT SHALL, AS A RESULT OF SUCH FUNDING, HAVE ANY EXPECTATION AS TO THE RESULTS OF THE REVIEW PROCESS OR THE SELECTION OF AN ALTERNATIVE FAVORABLE TO OR BENEFITING APPLICANT(S).

DEPOSIT REPLENISHMENT POLICY

UPON SUBMITTAL OF A PLAN/MAP REVIEW APPLICATION TO THE COMMUNITY DEVELOPMENT DEPARTMENT, THE CITY OF LINCOLN SHALL COLLECT THE APPROPRIATE DEPOSIT(S) FOR ALL REVIEWS REQUIRED PURSUANT TO THE COMMUNITY DEVELOPMENT DEPARTMENT REVIEW DEPOSIT SCHEDULE.

WHEN THE COST OF WORK PERFORMED ON ANY GIVEN APPLICATION REACHES 75% OF THE INITIAL DEPOSIT AMOUNT, THE CITY WILL SEND NOTICE TO THE APPLICANT REQUESTING DEPOSIT REPLENISHMENT EQUAL TO AT LEAST 50% OF THE ORIGINAL DEPOSIT AMOUNT.

IF THE COST OF WORK COMPLETED REACHES 85% OF THE ORIGINAL DEPOSIT AMOUNT AND DEPOSIT REPLENISHMENT HAS NOT BEEN RECEIVED, THE CITY SHALL STOP WORK ON THE PROJECT AND NOTIFY THE APPLICANT THAT WORK WILL RESUME WHEN THE DEPOSIT IS RECEIVED.

IF WORK ON THE PROJECT IS NEAR COMPLETION, THE PROJECT MANAGER, WITH DEPARTMENT HEAD APPROVAL, MAY ELECT TO CONTINUE WORK ON THE PROJECT IF HE/SHE FEELS THE REMAINING AMOUNT IS SUFFICIENT TO COMPLETE THE PROJECT.

IF DEPOSIT REPLENISHMENT IS REQUESTED BY THE CITY AND THE APPLICANT FEELS THE REMAINING DEPOSIT AMOUNT IS SUFFICIENT TO COMPLETE THE PROJECT, THE APPLICANT MAY REQUEST CONTINUANCE OF WORK BY SUBMITTING A WRITTEN REQUEST TO THE APPROPRIATE DEPARTMENT MANAGER DETAILING THE EXPECTED COST TO COMPLETE THE PROJECT BASED UPON THE NUMBER OF HOURS REQUIRED. THE DEPARTMENT MANAGER WILL REVIEW THE REQUEST AND PROVIDE A WRITTEN RESPONSE EITHER APPROVING THE REQUEST OR IDENTIFYING THE LEVEL OF DEPOSIT REPLENISHMENT REQUIRED TO CONTINUE WORK (NOT TO EXCEED 50% OF THE ORIGINAL DEPOSIT AMOUNT).

WHEN A PROJECT HAS BEEN COMPLETED AND ALL NECESSARY APPROVALS RECEIVED, ANY REMAINING UNUSED DEPOSIT AMOUNT SHALL BE RETURNED TO THE APPLICANT, OR APPLIED TO SUBSEQUENT PROJECT REVIEWS OR INSPECTION UPON WRITTEN REQUEST FROM THE APPLICANT.

I HAVE READ AND AGREE TO THE ABOVE NOTED INDEMNIFICATION AND REIMBURSEMENT LANGUAGE

SIGNATURES: (MUST BE OBTAINED FOR SUBMITTAL OF PROJECT)

OWNER: _____ DATE: _____

PRINT NAME: _____

APPLICANT: _____ DATE: _____

PRINT NAME: _____

CITY USE ONLY BELOW THIS LINE**AT A MINIMUM, SUBMITTALS SHALL CONTAIN THE FOLLOWING:****SUBDIVISION/COMMERCIAL PLANS SUBMITTAL CHECKLIST**

- PAYMENT OF ENGINEERING PLAN CHECK (**PER MASTER FEE SCHEDULE**)
- STATUS AND RESPONSES TO FINAL CONDITIONS OF APPROVAL & MITIGATION MEASURES
- RELATED OR RELEVANT EASEMENT DOCUMENTS, ENVIRONMENTAL STUDIES, PERMITS, ETC.
- IMPROVEMENT PLANS 100% COMPLETE (**3 SETS**)
- PUBLIC LANDSCAPE / IRRIGATION PLANS (**3 SETS**)
- SITE IMPROVEMENT, INCLUDING LANDSCAPE / IRRIGATION AND LIGHTING, PLANS [COMMERCIAL/INDUSTRIAL] (**3 SETS**)
- DRAINAGE STUDY INCLUDING SHED MAP AND STORM DRAINAGE CALCULATIONS (**2 SETS**)
- WATER QUALITY AND LID CALCULATIONS/REPORT (**2 SET**)
- WATER NETWORK ANALYSIS (**2 SETS**)
- SEWER STUDY WITH CAPACITY, EXISTING IMPROVEMENTS AND ALL OTHER SUPPORTING DOCUMENTS (**2 SETS**)
- SOILS REPORT, PAVEMENT STRUCTURAL CALCULATIONS (**2 SETS**)
- TREE REMOVAL PLAN AND ARBORIST REPORT (**2 SETS**)
- RECENT HYPERLINKED TITLE REPORT (**NO OLDER THAN 90 DAYS**)
- WATER AND SEWER CALCULATIONS BASED ON PROPOSED USES [COMMERCIAL/INDUSTRIAL] (**2 SETS**)
- FIRE FLOW ANALYSIS WITH LOCATION OF BACKFLOW DEVICES [COMMERCIAL/INDUSTRIAL] (**2 SETS**)
- SITE PHOTOMETRIC PLAN
- SWPPP, STORM WATER POLLUTION PREVENTION PLAN, ONLY REQUIRED IF DISTURBED AREA IS GREATER THAN 1 ACRE (**PDF**)
- ENGINEER'S COST ESTIMATES SIGNED AND STAMPED BY A PROFESSIONAL ENGINEER
- UTILITY NOTIFICATION LETTERS (PG&E, SBC, ETC.) (**PDF**)
- DIGITAL COPIES OF ALL SUBMITTED ITEMS

ROUGH GRADING PLANS SUBMITTAL CHECKLIST

- PAYMENT OF ENGINEERING PLAN CHECK (**PER MASTER FEE SCHEDULE**)
- STATUS AND RESPONSES TO FINAL CONDITIONS OF APPROVAL & MITIGATION MEASURES
- RELATED OR RELEVANT EASEMENT DOCUMENTS, ENVIRONMENTAL STUDIES, PERMITS, ETC.
- 100% COMPLETED PLANS (**4 SETS**)
- TREE REMOVAL PLAN AND ARBORIST REPORT (**2 SETS**)
- SOILS REPORT (**2 SETS**)
- ENGINEER'S COST ESTIMATES SIGNED AND STAMPED BY A PROFESSIONAL ENGINEER
- SWPPP, STORM WATER POLLUTION PREVENTION PLAN, ONLY REQUIRED IF DISTURBED AREA IS GREATER THAN 1 ACRE (**PDF**)
- DIGITAL COPIES OF ALL THE ABOVE ITEMS

PARCEL OR FINAL MAP SUBMITTAL CHECKLIST

- PAYMENT OF PARCEL OR FINAL MAP CHECK (**PER MASTER FEE SCHEDULE**)
- APPROVED TENTATIVE MAP AND RESPONSES TO FINAL CONDITIONS OF APPROVAL (**2 SETS**)
- 100% COMPLETED MAPS (**5 SETS**)
- BOUNDARY AND PARCEL CLOSURE CALCULATIONS (**2 SETS**)
- RECENT HYPERLINKED TITLE REPORT (**NO OLDER THAN 90 DAYS**)
- COPIES OF ALL RECORDED MAPS AND DOCUMENTS IDENTIFIED IN THE TITLE REPORT
- COPIES OF REFERENCE MAPS AND DEEDS OF SURROUNDING PROPERTIES
- COPIES OF VESTING DEEDS
- DIGITAL COPIES OF ALL THE ABOVE ITEMS

LOT LINE ADJUSTMENT/PARCEL MERGER SUBMITTAL CHECKLIST

- PAYMENT OF LLA OR PARCEL MERGER CHECK (**PER MASTER FEE SCHEDULE**)
- ORIGINAL PLUS ONE COPY OF AFFIDAVIT SIGNED BY ALL AFFECTED PROPERTY OWNERS ATTESTING TO THEIR APPROVAL OF THE LOT LINE ADJUSTMENT
- LEGAL DESCRIPTIONS OF PROPOSED NEW BOUNDARIES AND EXHIBIT PLATS OF EXISTING AND PROPOSED NEW BOUNDARY (**2 SETS**)
- PERFECTING TITLE DEEDS FOR EACH PROPOSED PARCEL
- TRANSFER DEEDS WITH DESCRIPTIONS
- BOUNDARY AND PARCEL CLOSURE CALCULATIONS (**2 SETS**)
- RECENT HYPERLINKED TITLE REPORT (**NO OLDER THAN 90 DAYS**)
- COPIES OF ALL RECORDED MAPS AND DOCUMENTS IDENTIFIED IN THE TITLE REPORT
- COPIES OF VESTING DEEDS
- DIGITAL COPIES OF ALL THE ABOVE ITEMS

CUSTOM LOT GRADING SUBMITTAL CHECKLIST (ELECTRONIC SUBMITTAL ONLY)

- PAYMENT OF ENGINEERING PLAN CHECK (**PER MASTER FEE SCHEDULE**)
- HOA APPROVED/STAMPED ARCHITECTURAL REVIEW SET OR LETTER
- IMPROVEMENT PLAN, GRADING AND EROSION/SEDIMENT CONTROL
- TREE REMOVAL PLAN, REQUIRED IF OAK TREES ARE PRESENT
- ARBORIST REPORT AND ARBORIST ASSESSMENT, REQUIRED IF OAK TREE ARE PRESENT
- DRAINAGE COMPUTATIONS
- SOILS REPORT
- ENGINEER'S COST ESTIMATE OR CONTRACTOR'S QUOTE
- SWPPP, ONLY REQUIRED IF DISTURBED AREA IS GREATER THAN 1 ACRE

APPLICATION DEPOSIT SCHEDULE

See City of Lincoln's Fee Schedule

<https://www.lincolncity.gov/en/business-and-development/master-fee-schedule.aspx>

Note: Initial deposit amounts listed above are based on a portion of actual costs incurred for recent similar project types. The initial deposit amounts do not represent final or total costs. The City of Lincoln operates on a "cost recovery" model, and final costs will be reflective of actual effort/expenses incurred by City Staff and Consultants in reviewing and processing the applications.