

City of Norfolk
31 N 1st St
Norfolk, NE 68701

Chg \$5.50 No. 3587 / Paged? General? Indexed?

0496

STATE OF NEBRASKA This instrument for record this
MADISON COUNTY ss 3 day of June, 2004 at
8:30 o'clock A.M., and recorded in 2004-06 page 0496
Janda Sue Atwood
Register of Deeds Deputy

CONDITIONAL USE PERMIT
RESOLUTION NO. PC2004-4

WHEREAS, ALLTEL Communications of Nebraska, Inc., has filed an application for a Conditional Use Permit seeking a permit for a wireless telecommunications facility on property which is legally described as follows:

Lot Two (2) of the Elkhorn River Plaza Subdivision to the City of Norfolk, Nebraska located in the Southeast Quarter (SE1/4) of Section Twenty-six (26), Township Twenty-four (24) North, Range One (1) West of the 6th P.M., Madison County, Nebraska

WHEREAS, the property described above is presently included in Zoning District I-1; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on May 4, 2004 receiving input and data from the applicant and the general public concerning the Conditional Use Permit;

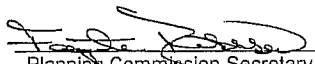
NOW THEREFORE, in consideration of the foregoing recitals, the Planning Commission of the City of Norfolk, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that ALLTEL Communications of Nebraska, Inc. is hereby granted a Conditional Use Permit for a wireless telecommunications facility at 915 E. Omaha Avenue above subject to the following terms and conditions:

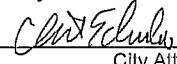
- (1) There shall be a 7' high chain-link fence with 3-strand barbwire outriggers surrounding the compound;
- (2) This permit shall become null and void upon termination of the lease agreement between ALLTEL Communications of Nebraska, Inc. and Edward F. Schrant, Lou Jean L. Schrant and Michael J. Schrant and the tower removed and property restored to its original condition within ninety (90) days;
- (3) The applicants shall receive final approval from the Federal Aviation Administration;
- (4) The applicants shall encourage co-location of use on this tower;
- (5) All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed;
- (6) All procedures and standards outlined in Division 3 Airport Overlay District of the Norfolk City Code pertaining to Airport Overlay Districts shall be observed;
- (7) The Conditional Use Permit granted herein shall be subject to the provisions of the Norfolk City Code that provide for an appeal to be taken within 15 days of the decision of the Planning Commission; and pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer;
- (8) There shall be compliance with any other applicable City, County or State regulations that may apply.

PASSED AND APPROVED this 18th day of May 2004

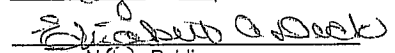
ATTEST:


Planning Commission Secretary


Planning Commission Chairman

Approved as to form: 
City Attorney

Subscribed and sworn to before me this 18 Day of May, 2004


Notary Public

