

City of Norfolk  
127 N 1st St  
Norfolk

Chg. \$10.50 No. 1363 ✓  
Paged \_\_\_\_\_ Serial \_\_\_\_\_ Indexed \_\_\_\_\_

THE STATE OF NEBRASKA } ss. 0885  
MADISON COUNTY

This instrument filed for record  
the 14 day of March 20 05  
at 8:30 o'clock A.M. and record in  
2005-03  
Page 0885-0886

*Nancy J. Gross*  
Register of Deeds  
Deputy Reg. of Deeds

CONDITIONAL USE PERMIT  
RESOLUTION NO. 2005PC-1

WHEREAS, Gerhold Concrete, Inc. has filed an application for a Conditional Use Permit seeking a permit for a Ready Mix Concrete, Block and Retail Sales on property which is legally described as follows:

A tract of land located in the Northwest ¼ of Section 15, T24N, R1W of the 6<sup>th</sup> P.M., Madison County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of the Southwest ¼ of the Northwest ¼ of Section 15, T24 N, R1W of the 6<sup>th</sup> P.M., Madison County, Nebraska; thence N 90°00'00" E on an assumed bearing on the East-West ¼ Section line, 56.50 feet to a point on the East Right-Of-Way line of "Riverside Boulevard", thence N28°52'30"W on said East Right-of-Way line, 149.00 feet to the point of beginning, said point being the Southwest corner of a tract surveyed by Robert B. Johnson, dated March 8<sup>th</sup>, 1966; thence N28°52'30"W on said East line, 602.60 feet to a point on the Northwesterly line of said surveyed tract; thence N25°30'02"E, 158.34 feet; thence S 63°30'21"E, 6.80 feet; thence N33°14'18"E, 70.60 feet; thence S80°32'24" E, 159.60 feet; thence N 23°42'42" E, 274.20 feet; thence N66°17'18"W, 82.80 feet; thence N00°56'34"W, 288.25 feet to a point on the South line of a tract surveyed by Richard C. Johnson, R.L.S. #429, dated October 31<sup>st</sup>, 1990; thence S81°21'13"E on said surveyed tract, 472.70 feet to the West bank of the North Fork of the Elkhorn River; thence S88°41'57"E, 34.50 feet to the centerline of said river; thence S17°50'57"W, along said centerline, 207.80 feet; thence S13°11'03"E, along said centerline, 181.40 feet; thence S05°11'03" E, along said centerline, 358.40 feet; thence S20°48'07"E, along said centerline, 265.27 feet; thence S76°23'24"W, 34.50 feet to a point on said West bank, said point being on the North bank of the County Ditch; thence S76°23'24"W, on said North bank, 342.12 feet; thence S61°52'35"W, on said North bank, 282.50 feet to the point of beginning, containing, 15.59 acres, more or less.

WHEREAS, the property described above is presently included in Zoning District I-3; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on December 21, 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:

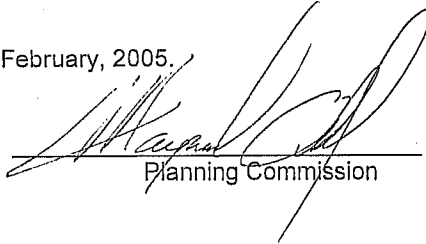
BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that Gerhold Concrete, Inc. is hereby granted a Conditional Use Permit to operate a Ready Mix Concrete, Block and Retail Sales operation on the property described above, and addressed 1900 Riverside Blvd., subject to the following terms and conditions:

- 1) That this permit be for a period of twenty (20) years.
- 2) That the height regulations provided in Section 27-214 of the official City Code may be exceeded.
- 3) 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.

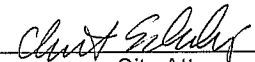
- 4) The Conditional Use Permit granted herein shall be a personal privilege granted to the applicant and shall not be subject to transfer.
- 5) There shall be compliance with any other applicable City, County, State and Federal regulations that may apply.

PASSED AND APPROVED this 23<sup>rd</sup> of February, 2005.

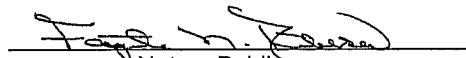
ATTEST:

  
 \_\_\_\_\_  
 Planning Commission

  
 \_\_\_\_\_  
 Planning Commission Secretary

Approved as to form:   
 \_\_\_\_\_  
 City Attorney

The foregoing instrument was acknowledged before me this 23 day of February, 2005 by Maynard Ohl, Planning Commission Co-Chairperson of the City of Norfolk.

  
 \_\_\_\_\_  
 Notary Public

