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Norfolk, NE
68701

STATE OF NEBRASKA ss This instrument filed for record this
MADISON COUNTY 9 day of January / 2006 at
8:30 o'clock A.M., and recorded in 2006-01 page 0370-0371
Nancy J. Huse
Register of Deeds Deputy

CONDITIONAL USE PERMIT
RESOLUTION NO. 2005PC-14

WHEREAS, North Fork Holdings, LLC has filed an application for a Conditional Use Permit seeking a permit to operate a fast food drive in restaurant on property which is legally described as follows:

Lot 1-R, Commonwealth Park Fifth Addition, a replat of Lot 1, Commonwealth Park Third Addition to the City of Norfolk, Madison County, Nebraska

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

WHEREAS, the Norfolk Planning Commission initially conducted a public hearing for this request on February 21, 2001 and approved Conditional Use Permit 2001 PC-2 on March 6th, 2001.

WHEREAS, North Fork Holdings, LLC sought modification of condition number 2 granting the permit to the applicant rather than running with the land; and

WHEREAS, the Planning Commission held a public hearing on December 20, 2005 on the requested modification and are desirous of altering the 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 North Fork Holdings, LLC is hereby granted a Conditional Use Permit to operate a fast food drive in restaurant on the property described above, and addressed 1910 Market Lane, subject to the following terms and conditions:

- 1) There shall be compliance with all applicable City, County, State or Federal regulations that may apply;
- 2) Pursuant to the Norfolk City Code, this Conditional Use Permit shall run with the land and be perpetual;
- 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.

FILE COPY

- 4) This resolution supercedes Resolution 2001PC-2 and Resolution 2001PC-2 is rescinded.

PASSED AND APPROVED this 20th of December, 2005.

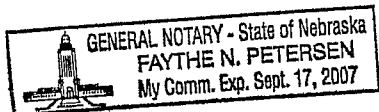
ATTEST:

Sue Fuchtman
 Planning Commission

Faythe Petersen
 Planning Commission Secretary

Approved as to form: Cliff Culver
 City Attorney

The foregoing instrument was acknowledged before me this 20 day of December, 2005 by Sue Fuchtman, Planning Commission Chairperson of the City of Norfolk.



Faythe Petersen
 Faythe Petersen Notary Public