

PAGED DOC TAX _____
GENERAL FEE \$15.50 Chg.
INDEXED NO. 0968

THE STATE OF NEBRASKA } ss.
MADISON COUNTY

This instrument filed for record
the 23 day of February 20 12
at 8:30 A.M. and recorded in
Book 2012-02 Page 1605-1607
Nancy J. Grosso
Register of Deeds

City of Norfolk, 127 N. 1st Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT
RESOLUTION NO. 2012PC-1

WHEREAS, Bruce Strong filed an application for a Conditional Use Permit for a watchman or caretaker of a facility operating as a permitted use in the existing district on property which is legally described as follows:

Parcel 1: All of that portion of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), lying South of the right of way of the C & NW Railroad in Section Thirty-six (36), Township Twenty-four (24) North, Range One (1), West of the 6th P.M., in Madison County, Nebraska.

Less Lot One (1) and Two (2) Bottorff's Subdivision, in part of the Southwest Quarter of the Northeast Quarter of Section 36, Township 24 North, Range One West of the 6th P.M., in Madison County, Nebraska.

Less land deeded to the State of Nebraska, Department of Roads dated September 21, 1993, recorded at the office of Madison County Register of Deeds November 22, 1993 in M93-11, page 1325, more particularly described as:

A tract of land located in the North Half of Section 36, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:

Referring to the northeast corner of the Northwest Quarter of said section; thence, westerly a distance of 859.80 feet along the north line of said section; thence southerly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 736.32 feet; thence southeasterly on a 1044.93 foot radius curve to the left (initial tangent which forms an angle of 027 degrees, 30 minutes, 59 seconds left, from the last described course) a distance of 890.50 feet; thence southeasterly on a line, which forms an angle of 000 degrees, 00 minutes, 00 seconds from the final tangent of the last described curve, a distance of 737.08 feet to a point on the existing westerly county road right of way; thence southeasterly deflecting 048 degrees, 25 minutes, 51 seconds right, a distance of 99.00 feet along said county road right of way line to a point on the south right of way line of the former Chicago and Northwestern Railroad right of way, said point being the point of beginning; thence continuing southeasterly deflecting 000 degrees, 00 minutes, 00 seconds a distance of 191.51 feet along said county road right of way line; thence southwesterly deflecting 089 degrees, 38 minutes, 00 seconds right, a distance of 22.55 feet; thence northwesterly deflecting 097 degrees, 42 minutes, 28 seconds right, a distance of 192.98 feet, to the point of beginning, containing 0.050 acres,

more or less.

and also:

A tract of land located in the North Half of Section 36, Township 24 North, Range 1 West of the Sixth Principal Meridian, Madison County, Nebraska, described as follows:

Referring to the northeast corner of the Northwest Quarter of said section; thence westerly a distance of 859.80 feet along the north line of said section; thence southerly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 736.32 feet; thence southeasterly on a 1044.93 foot radius curve to the left (initial tangent which forms an angle of 027 degrees, 30 minutes, 59 seconds left, from the last described course) a distance of 890.50 feet; thence southeasterly on a line which forms an angle of 000 degrees, 00 minutes, 00 seconds from the final tangent of the last described curve, a distance of 825.29 to a point on the existing easterly county road right of way, said point being the point of beginning; thence southeasterly deflecting 048 degrees, 25 minutes, 51 seconds right, a distance of 294.06 feet along the said right of way line; thence northwesterly deflecting 155 degrees, 38 minutes, 40 seconds left, a distance of 230.32 feet; thence southeasterly deflecting 107 degrees, 12 minutes, 48 seconds right, a distance of 216.90 feet; thence northeasterly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 10.00 feet thence southeasterly deflecting 090 degrees, 00 minutes, 00 seconds right, a distance of 1370.00 feet; thence northeasterly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 12.98 feet to a point on the southerly existing Highway 24 right of way line; thence northwesterly deflecting 089 degrees, 52 minutes, 04 seconds left, a distance of 1737.90 feet along said right of way line to a point on the said existing easterly county road right of way line; thence southeasterly deflecting 131 degrees, 42 minutes, 05 seconds left, a distance of 36.07 feet along said county road right of way line to the point of beginning, containing 0.995 acres, more or less.

Parcel 2: That part of the South Half of the Northeast Quarter of Section 36, Township 24 North, Range 1 West of the Sixth Principal Meridian, bounded as follows: On the Southeast by the East line of said Northeast Quarter of Section 36; on the Northeast and Southwest by lines parallel with and distance 50 feet Northeasterly and 50 feet Southwesterly, respectively, measured at right angles and radially, from the center line of the main track (now removed) of the Fremont, Elkhorn and Missouri Valley Railroad Company (now the Chicago and North Western Transportation Company), as said main tract center line was originally located and established over and across said Section 36; the Northwest by the center line of a County Road running in a Northwesterly-Southeasterly direction through the Southwest Quarter of the Northeast Quarter of said Section 36, 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 January 18, 2012 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 Norfolk Planning Commission of the City of Norfolk, Nebraska that Bruce Strong is hereby granted a Conditional Use Permit for a watchman or caretaker of a facility operating as a permitted use in the existing district on property subject to the following terms and conditions:

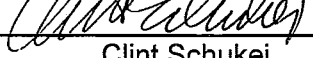
1. The residence shall be occupied by the applicant, the owner, or an employee of the owner;
2. There shall be compliance with any other applicable City, County, State or Federal regulations that may apply;
3. Pursuant to the Norfolk City Code, this Conditional Use Permit shall be a personal privilege and be perpetual;
4. 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.

PASSED AND APPROVED this 7 day of ~~February~~, 2012.


ATTEST:


 Faythe Petersen
 Planning Commission Secretary


 J.J. Snodgrass
 Planning Commission Chair

Approved as to form: 
 Clint Schukei
 City Attorney

The foregoing instrument was acknowledged before me this 7 day of ~~February~~, 2012 by J.J. Snodgrass, Planning Commission Chair of the City of Norfolk.


 Faythe Petersen, Notary Public

