

10:00

02790

No	02790 / 1	#Pages	2
Doc Tax \$			
Fee \$	16. ⁰⁰	P&M \$	3.00
Fees Pd \$			
Gen Fee \$	13.00		
Ck#			
Refund			
Due \$	16. ⁰⁰		

THE STATE OF NEBRASKA } ss.
MADISON COUNTY

This instrument filed for record
 the 23 day of June 2017
 at 10:00 A .M. and recorded in
 Book 2017 Page 02790
Nancy J. Gross
 Register of Deeds

By the City of Norfolk, 309 N. 5th Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT
RESOLUTION NO. 2017PC-3

WHEREAS, USCOC Nebraska/Kansas, LLC, a Delaware Limited Liability Company, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a communication tower on property addressed as 1231 West Omaha Avenue and legally described as follows:

Out Lot A, Oban's Cyhawk Addition to the City of Norfolk, Madison County, Nebraska; and

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

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on May 16, 2017 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 USCOC Nebraska/Kansas, LLC is hereby granted a Conditional Use Permit for a Communication Tower subject to the following terms and conditions:

1. A six (6) foot chain-link security fence with 3-strand barbwire outriggers, surrounding the compound shall be maintained;
2. As of the date of this conditional use permit, no structural changes and no increase in height of the tower, including antennas and other attachments, are permitted without a request for amendment to this conditional use permit;
3. When use is discontinued, the tower shall be removed and the property restored to its original conditions within ninety (90) days;
4. Collocation on this tower shall be encouraged;

- 5. Approval from the Federal Aviation Administration shall be maintained;
- 6. The Conditional Use Permit shall be perpetual;
- 7. Failure to observe and maintain the conditions and restrictions of the Conditional Use Permit shall be considered a violation of The Code of the City of Norfolk, Nebraska subject to penalty as provided herein and may be grounds for review including alteration or termination of the permit;
- 8. All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed and 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;
- 9. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 6th day of June, 2017.

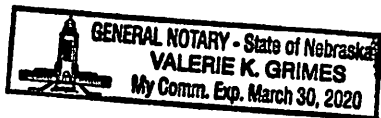
ATTEST:

Brian Lundy
 Planning Commission Chair
 Brian Lundy

Brianna Duerst
 Planning Commission Secretary
 Brianna Duerst

Approved as to form: Chris Galley
 City Attorney

The foregoing instrument was acknowledged before me this 6th day of June, 2017 by Brian Lundy, Planning Commission Chair and Brianna Duerst, Planning Commission Secretary of the City of Norfolk.



Valerie K. Grimes
 Notary Public Signature

Valerie K. Grimes
 Notary Public Printed