

8:30

03145 ✓

NO 03145 ✓ Pages 2
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THE STATE OF NEBRASKA } ss
 MADISON COUNTY }
 This instrument filed for record
 the 11 day of July 20 22
 at 8:30 A.M. and recorded in
 Book 2022 Page 03145
Diana S Rykodym Register of Deeds

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

CONDITIONAL USE PERMIT
 RESOLUTION NO. 2022PC-6

WHEREAS, Jasperson Racing, a sole proprietorship, hereinafter referred to as "APPLICANT", have filed an application for a Conditional Use Permit seeking a permit for a watchman or caretaker of a facility on property addressed as 1406 Channel Road which is legally described as follows:

A tract of land lying wholly in the NE1/4 of the SW1/4 and the SE1/4 of the NW1/4 of Section 36, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska and more particularly described as follows:

Beginning at the C 1/4 Corner of said Section 36; thence proceeding north, along the North/South 1/4 Section line in said Section 36, on an assumed bearing of N00°01'15"W, 1137.84 ft.; thence S90°00'00"W, 222.26 ft.; thence S01°46'59"W, 30.00 ft.; thence S90°00'00"W, 63.63 ft.; thence S53°36'38"W, 785.50 ft. to a point on the northerly bank of the North Fork of the Elkhorn River where a witness pipe was set; thence continuing S53°36'38"W, 73 ft., more or less to the centerline of the North Fork of the Elkhorn River; thence southeasterly along said centerline to a point on the East/West 1/4 Section line in said Section 36; thence N89°25'36"E, along said quarter section line, 85 ft., more or less, to a point on the northerly bank of the North Fork of the Elkhorn River, said point being 405.98 ft. West of the C 1/4 corner of said Section 36; thence S32°01'34"E, along said northerly bank, 453.19 ft.; thence S25°44'56"E, along said northerly bank, 379.15 ft. to a point on the North/South 1/4 Section Line in said Section 36; thence N00°04'21"E, along said North/South 1/4 Section Line 729.78 ft. to the point of beginning; and

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

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on June 7, 2022 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 Jasperson Racing, a sole proprietorship, 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 owner or an employee of the APPLICANT;
2. APPLICANT shall maintain the storage of motor vehicles, trailers and any other outdoor storage in an orderly and well-groomed manner;
3. There shall be no inoperable vehicles, as defined in Sec. 27-2, stored on the site;
4. Pursuant to the Norfolk City Code, the Conditional Use Permit shall be a personal privilege granted to the APPLICANT and shall not be subject to transfer;
5. 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;
6. 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;
7. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 22nd day of June, 2022.

ATTEST:

Dirk
 Dirk Waite
 Planning Commission Vice-Chair

Elizabeth Lienemann
 Elizabeth Lienemann
 Planning Commission Secretary

Approved as to form: *D. Myers-Noelle*
 Danielle Myers-Noelle
 City Attorney

The foregoing instrument was acknowledged before me this 22nd day of June, 2022 by Dirk Waite, Planning Commission Vice-Chair and Elizabeth Lienemann, Planning Commission Secretary of the City of Norfolk.

Valerie K. Grimes
 Notary Public Signature

Valerie K. Grimes
 Notary Public Printed

