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Submitted Electronically by:
 First American Title Insurance Company - NCS Omaha

THE STATE OF NEBRASKA }
 MADISON COUNTY } ss

This instrument filed for record
 the 31 day of October 2022
 at 09:35 AM and recorded in
 Book 2022 Page 04603

Diane S. Nykodym
 Register of Deeds

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

CONDITIONAL USE PERMIT
 RESOLUTION NO. 2022PC-10

WHEREAS, CIE Norfolk GNS, LLC, a Delaware Limited Liability Company, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for an ethanol plant on property addressed as 3002 North Victory Road, which is legally described as follows:

A TRACT OF LAND LYING WHOLLY IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA. SAID TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE WEST 1/4 CORNER OF SAID SECTION 12; THENCE PROCEEDING SOUTH, ALONG THE WEST LINE OF SAID SECTION 12, ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 23 MINUTES 17 SECONDS EAST, 960.00 FT.; THENCE SOUTH 89 DEGREES 59 MINUTES 50 SECONDS EAST, 40.00 FT. TO A POINT ON THE EAST RIGHT-OF-WAY OF VICTORY ROAD WHICH IS THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 59 MINUTES 50 SECONDS EAST, 1531.24 FT. TO THE P.C. OF A CURVE HAVING A RADIUS OF 723.48 FT.; THENCE ALONG SAID CURVE (CHORD BEARING=NORTH 44 DEGREES 48 MINUTES 53 SECONDS EAST, CHORD DISTANCE=1027.26 FT.), 1142.26 FT. TO THE P.T. OF SAID CURVE; THENCE NORTH 00 DEGREES 21 MINUTES 53 SECONDS WEST, 231.52 FT. TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 89 DEGREES 59 MINUTES 40 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12, 2260.49 FT.; TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID VICTORY ROAD; THENCE SOUTH 00 DEGREES 23 MINUTES 17 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY OF SAID VICTORY ROAD 960.00 FT. TO THE POINT OF BEGINNING, LESS THAT PART PREVIOUSLY DEEDED FOR RAILROAD RIGHT-OF-WAY.

AND

A TRACT OF LAND LYING WHOLLY IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA. SAID TRACT OF LAND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE C 1/4 CORNER OF SAID SECTION 12; THENCE PROCEEDING WEST, ALONG THE NORTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 12, ON AN ASSUMED BEARING OF SOUTH 89°59'40" WEST, 341.14 FEET; THENCE SOUTH 00°21'53" EAST, 231.52 FEET TO THE P.C. OF A CURVE HAVING A RADIUS OF 723.48 FEET; THENCE ALONG SAID CURVE (CHORD BEARING=SOUTH 44°48'53" WEST, CHORD DISTANCE=1027.26 FEET) 1142.26 FEET TO THE P.T. OF SAID CURVE; THENCE SOUTH 89°59'50" EAST, 1075.96 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12; THENCE NORTH 00°43'53" WEST, ALONG SAID EAST LINE, 960.41 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PART CONVEYED UNTO MADISON COUNTY, NEBRASKA BY SPECIAL WARRANTY DEED RECORDED IN BOOK 2013-02 PAGES 1823-1824 ON FEBRUARY 26, 2013 DESCRIBED AS:

A TRACT OF LAND LOCATED IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, MADISON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST; THENCE EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 ON AN ASSUMED BEARING OF NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, A DISTANCE OF 580.90 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY OF THE FORMER C&NW RAILROAD (NOW OWNED BY NUCOR STEEL); THENCE SOUTH 46 DEGREES 05 MINUTES 05 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 51.69 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 35.00 FEET; THENCE SOUTH 01 DEGREES 17 MINUTES 32 SECONDS EAST, A DISTANCE OF 55.00 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 405.00 FEET; THENCE NORTH 80 DEGREES 56 MINUTES 34 SECONDS EAST, A DISTANCE OF 407.07 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 130.00 FEET THENCE SOUTH 01 DEGREES 17 MINUTES 32 SECONDS EAST A DISTANCE OF 15.00 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 645.00 FEET; THENCE NORTH 01 DEGREES 17 MINUTES 32 SECONDS WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 480.65 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 02 DEGREES 00 MINUTES 43 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4, THENCE SOUTH 88 DEGREES 42 MINUTES 28 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2060.58 FEET TO THE POINT OF BEGINNING CONTAINING 2.60 ACRES, MORE OR LESS, BEING THE LAND FOR WHICH NEW RIGHT-OF-WAY IS HEREBY ACQUIRED.

AND

EXCEPT THAT PART CONVEYED UNTO MADISON COUNTY, NEBRASKA BY SPECIAL WARRANTY DEED RECORDED IN BOOK 2013-02 PAGES 1825-1826 ON FEBRUARY 26, 2013 DESCRIBED AS:

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, MADISON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST; THENCE PROCEEDING EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 ON AN ASSUMED BEARING OF NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 358.23 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE FORMER C&NW RAILROAD (NOW OWNED BY NUCOR STEEL); THENCE SOUTH 46 DEGREES 05 MINUTES 05 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 125.52 FEET; THENCE SOUTH 88 DEGREES 42 MINUTES 28 SECONDS WEST, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 265.30 FEET TO A POINT ON A LINE WHICH IS 75.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 01 DEGREES 40 MINUTES 22 SECONDS WEST, ALONG A LINE 75.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.61 ACRES, MORE OR LESS, BEING THE LAND FOR WHICH NEW RIGHT-OF-WAY IS HEREBY ACQUIRED.

AND

EXCEPT THAT PART CONVEYED UNTO NUCOR CORPORATION, A DELAWARE CORPORATION RECORDED IN BOOK 2015 PAGE 03937 ON SEPTEMBER 8, 2015 DESCRIBED AS:

LOT 1 OF NUCOR'S VICTORY ROAD ADDITION LYING WHOLLY IN THE NW1/2 OF THE SW1/4 OF SECTION 12, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA; and

WHEREAS, the property described above is presently included in Zoning District I-2, Heavy Industrial District; and

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on September 20, 2022 receiving input and data from the APPLICANT and the general public concerning the Conditional Use Permit;

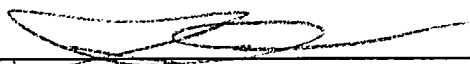
NOW THEREFORE, in consideration of the foregoing recitals, the Planning Commission of the City of Norfolk, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that CIE Norfolk GNS, LLC, a Delaware Limited Liability Company, is hereby granted a Conditional Use Permit for an ethanol plant on property subject to the following terms and conditions:


1. All required parking areas shall be hard-surface;
2. A 100' hard-surfaced ingress/egress shall be established prior to construction of the plant;
3. Pursuant to the Norfolk City Code, the Conditional Use Permit shall run with the land;
4. 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;
5. 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;
6. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 4th day of October, 2022.

ATTEST:



 Jacob Thone
 Planning Commission Acting Chair pro tem

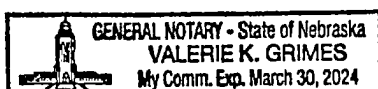


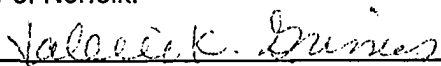
 Elizabeth Lienemann
 Planning Commission Secretary

Approved as to form: 

 Danielle Myers-Noelle
 City Attorney

The foregoing instrument was acknowledged before me this 4th day of October, 2022 by Jacob Thone, Planning Commission Acting Chair pro tem and Elizabeth Lienemann, Planning Commission Secretary of the City of Norfolk.





 Notary Public Signature
 Valerie K. Grimes

 Notary Public Printed