

Recorded _____
General _____
Numerical _____
Photostat _____
Proofed _____
Scanned _____

WASHINGTON COUNTY NEBRASKA
Filed for record on February 14, 2018 at 08:05 AM
Instrument No. 2018-00437

(4 Pages)
by Carolyn M. Stodola, Deputy
Karen A. Madsen, Register of Deeds

Prepared by and after Recording Return to:
Brenda Wheeler, City of Blair, 218 S. 16th Street, Blair, NE 68008 (402) 426-6694

DATE OF INSTRUMENT: February 9, 2018

AGREEMENT

This agreement is entered into on the 9th day of February, 2018, by and between RT Masonry, LLC, hereinafter referred to as "RT Masonry" and the City of Blair, Nebraska, hereinafter referred to as "CITY".

LEGAL DESCRIPTION: Part of Lot 5, All of Lot 6, Part of Lot 7, less .0029 Acre, Block 27, Blair City, Washington County, Nebraska

ADDRESS: 1759 State Street, Blair, Washington County, Nebraska, 68008.

WHEREAS, the CITY has granted RT Masonry a Conditional Use Permit with recommendations on May 14, 2013, and

WHEREAS, RT MASONRY has been presented with and acknowledges receipt of the Conditional Use Permit with recommendations dated May 14, 2013. Attached and Incorporated by Reference is "Exhibit A" the application for Conditional Use Permit and recommendations; and

WHEREAS, this Agreement shall be filed with the Washington County Register of Deeds Office and be made part of the permanent record relating to this property; and

WHEREAS, RT MASONRY has applied for a permit from the CITY to construct a building housing an office and/or shop and create screening on the north side of the property to fulfill the recommendations of the Conditional Use Permit. The CITY desires an agreement that screen will be in place by May 1, 2018, and all recommendations will be implemented and completed by **February 1, 2019** by RT MASONRY.

WHEREAS, RT MASONRY further understands that failure to fulfill this agreement will cause the CITY to revoke the Conditional Use Permit and require all material and property to be removed from the lot.

Now therefore it is agreed by all parties that: All provisions required by the Conditional Use Permit dated May 14, 2013, will be implemented as follows:

Screening to be completed by May 1, 2018 and building by February 1, 2019.

This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assignees.

CITY OF BLAIR, NEBRASKA

By: 
JAMES B. REALPH, MAYOR

ATTEST:

2018 - 00437

ATTEST:

Brenda R Wheeler
BRENDA R. WHEELER, CITY CLERK

STATE OF NEBRASKA)
):ss:
WASHINGTON COUNTY)

The above and foregoing Agreement was acknowledged before me, a Notary Public, by JAMES E. REALPH, MAYOR, City of Blair, Nebraska, on behalf of the City, this 9th day of February, 2018 and he acknowledged the execution of the foregoing Agreement to be his voluntary act and deed for the purposes therein set forth.



Katherine O Loudner
Notary Public

FOR THE PROPERTY OWNER:

Curt Thomas
Curt Thomas, RT Masonry

STATE OF NEBRASKA)
):ss:
WASHINGTON COUNTY)

The above and foregoing Agreement was acknowledged before me, a Notary Public, by Curt Thomas this 9th day of February, 2018 and he acknowledged the execution of the foregoing Agreement to be his voluntary act and deed for the purposes therein set forth.



Brenda R Wheeler
Notary Public

Filing Date 11-5-12 Receipt Number 33222

APPLICATION FOR CONDITIONAL USE PERMIT

1. R.T. Masenny L.L.C. PO Box 576 Blair NE 68008 402-510-0087
Applicant's Name Mailing Address Telephone
 2. Ron Sorenson / Curt Thomas Same Same
Agent's Name Mailing Address Telephone
 3. Same Same Same
Owner's Name Mailing Address Telephone
 4. 1759 State St. Blair NE 68008
Address and Legal Description of Location - Subject Property
 5. Describe the requested Conditional Use
Build office/shop outdoor storage of Masenny Building Materials
Setback, plants, fences, trailers & trucks
 6. Length of request: 30 years
(All permits approved are for one (1) year unless otherwise noted)
- [Signature] 11-5-12 [Signature] 11-5-12
Signature of Owner(s) Date Signature of Owner(s) Date

DO NOT WRITE BELOW THIS LINE

PLANNING COMMISSION RECOMMENDATION:

DATE OF NOTICE: April 25, 2013
DATE OF PUBLIC HEARING: May 7, 2013
VOTE: 7 TO 0 TO approve for (30) years with the attached Recommendations.

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: May 14, 2013
VOTE: 7 TO 0 TO approve for (30) years with the attached Recommendations from the Planning Commission

NOTE: THIS CONDITIONAL USE PERMIT IS SUBJECT TO VETO BY THE MAYOR UNTIL THE NEXT REGULAR MEETING OF THE BLAIR CITY COUNCIL.

2018-00437

Planning Commission recommendations:

RT Masonry, LLC – Ron Sorensen

- 1) Zero front yard setback
- 2) Screening required on north side of yard
- 3) Waive full requirement for off street parking and allow applicant to park on the paved right away along State Street.