

## **Resolution No. 13-45**

**A RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A  
BLIGHTED AND ECONOMIC DEVELOPMENT AREA, AND THAT  
THE REHABILITATION, CONSERVATION, REDEVELOPMENT,  
DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS  
NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY  
OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING  
SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS;  
AND ADOPTING AMENDMENT NO. 3 TO THE ADEL AMENDED AND  
RESTATED URBAN RENEWAL PLAN**

WHEREAS, by Resolution No. 61191.2, adopted June 11, 1991, this City Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Adel Urban Renewal Plan (the "Original Plan") for the Adel Urban Renewal Area described therein, which Original Plan and amendments are on file in the office of the Recorder of Dallas County; and

WHEREAS, by Resolution No. 92-6 adopted on April 14, 1992, this City Council approved Amendment No. 1 to the Original Plan; and

WHEREAS, by Resolution No. 97-20 adopted on August 12, 1997, this City Council found and determined that certain additional areas located within the City should be included within the Adel Urban Renewal Area, and approved Amendment No. 2 to the Original Plan; and

WHEREAS, by Resolution No. 03-23 adopted on June 10, 2003, this City Council approved the Amended and Restated Urban Renewal Plan ("Plan"); and

WHEREAS, by Resolution No. 12-26 adopted on June 12, 2012, this City Council approved the Amendment No. 1 to Amended and Restated Urban Renewal Plan; and

WHEREAS, by Resolution No. 12-63 adopted on November 13, 2012, this City Council approved the Amendment No. 2 to Amended and Restated Urban Renewal Plan; and

WHEREAS, this Adel Urban Renewal Area currently includes and consists of:

### Original Project Area

All of the following described real estate located within the City Limits of the City of Adel, Township Seventy-nine North, Range Twenty-seven West, of the 5th P.M., Dallas County, Iowa, to-wit:

The South 3/4 of E 1/4 of Section 31; the SW 1/4 of the SW 1/4 of Section 32; the S 1/2 of the NW 1/4 of Section 32, and the SW 1/4 of the NE 1/4 lying West of Highway 169; all that part of the N 1/2 of the NW 1/4 of Section 32, lying between 10th Street and 14th Street; all that part of the NW 1/4 NE 1/4 lying North of Highway 6, and the E 1/2 of the NW 1/4 lying North of Highway 6, all in Section 31; all that part of the NE 1/4 of the NE 1/4 lying North of Highway 6 and West of 18th Street, all in Section 31; all that part of the S 1/2 of the SE 1/4 lying South of Main Street (if extended) and West of 18th Street in Section 30, and that part of the West 667.98' of the W 1/2 of the SE 1/4 lying North of Main Street (if extended), all in Section 30; the SE 1/4 of the SW 1/4, and the East 660' of the South 338' of the NE 1/4 of the SW 1/4, all in Section 30; all of Blocks 7, 8, 9, 12, 13, 16, 17, 18, 20, 21, 22 and 23 of the Original Town of Adel, and all of Block 30 and the S 1/2 of Block 37 in East Addition to the Town of Adel, and a tract of land lying West of the Raccoon River and adjacent to the South 1/2 of Block 37, East Addition to the Town of Adel; all of Blocks 25, 26, 27, 28, and 29 of the Original Town of Adel and Blocks 38 and 39 of East Addition to the Town of Adel and Blocks 1, 2, 3, 4, 5, and 6 in Green's Addition to the Town of Adel, and all that part of the SE 1/4 of the SE 1/4 of Section 29 and the East 1/2 of Section 32 lying North of Highway 6 and South of Ferry Street (if extended) and West of the Raccoon River; a parcel of ground described as commencing at the intersection of 11th Street and Green Street thence running West along the center line of Green Street to the intersection of 18th Street thence North along the center line of 18th Street to the intersection of Ferry Street, thence East along the center line of Ferry Street to the intersection of 11th Street thence South along the center line of 11th Street to the point of beginning.

Including all public streets and alleys included in or contiguous to all of the above described real estate.

#### Amendment No. 2 to Original Project Area

All of the following described real estate located within the City limits of the City of Adel, Section Thirty-two, Township Seventy-nine North, Range Twenty-seven West, of the 5th P.M., Dallas County, Iowa.

Beginning at the Northwest corner of Block 8 of Greene's Addition, an official plat now included in and forming a part of the City of Adel, Dallas County, Iowa, said point also being the intersection of the east right-of-way line of 10th Street and the south right-of-way line of Greene Street; thence running East,

along the south right-of-way line of Greene Street, approximately 2,000 ft. to a point on the West bank of the North Raccoon River; thence Southeasterly, along the westerly bank of the North Raccoon River, approximately 1,450 ft. to a point on the east line of the NE 1/4 of the NE 1/4 of said Section 32-79-27; thence South, along the East line of the NE 1/4 of the NE 1/4 of said Section 32-79-27, approximately 240 ft. to the Southeast corner of said NE 1/4 of the NE 1/4 of Section 32-79-27; thence West, along the South line of the NE 1/4 of the NE 1/4 of said Section 32-79-27, approximately 370 ft. to a point on the westerly right-of-way line of the old Adel-Van Meter Road; thence Southeasterly, along the westerly right-of-way line of the old Adel-Van Meter Road, approximately 265 ft. to a point 200 ft. south of the North line of SE 1/4 of the NE 1/4 of said Section 32-79-27; thence West, along a line parallel with and 200 ft. south of the north lines of the SE 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4 of said Section 32-79-27, approximately 2,240 ft. to a point on the west right-of-way line of 8th Street (U.S. Hwy #169); thence Northwesterly, along the Westerly right-of-way line of 8th Street (U.S. Hwy #169), approximately 206 ft. to a point on the North line of the SW 1/4 of the NE 1/4 of said Section 32-79-27; thence West, along the North line of the SW 1/4 of the NE 1/4 of said Section 32-79-27 and along the South lines of Youngman's Addition and Birt's Addition, being official plats now included in and forming a part of the City of Adel, Dallas County, Iowa, approximately 617 ft. to a point on the East right-of-way line of 10th Street; thence North, along the East right-of-way line of 10th Street, approximately 1,112 ft., to the point of beginning.

WHEREAS, a proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan for the area described above has been prepared, which proposed Amendment is on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add to and confirm the list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 3 to the Urban Renewal Area adds no new land; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan known as the "Adel Amended and Restated Urban Renewal Plan"; and

WHEREAS, by resolution adopted on July 9, 2013, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan and the division of revenue described therein,

and that notice of the consultation and a copy of the proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Administrator filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Dallas County News, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ADEL, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 3 concerning the area of the City of Adel, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Adel Amended and Restated Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Urban Renewal Plan, as amended if applicable, conforms to the general plan for the development of the City as a whole; and

C. Acquisition by the City is expected and as to those areas of open land to be acquired by the City included within the Adel Amended and Restated Urban Renewal Area:

1. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

2. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Adel Amended and Restated Urban Renewal Area, as amended, continues to be a blighted and economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan of the City of Adel, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan for the City of Adel, State of Iowa"; Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan of the City of Adel, State of Iowa, is

hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 3 with the proceedings of this meeting.

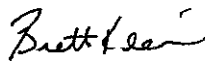
Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Adel Amended and Restated Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Amendment. The proposed Amendment No. 3 to the Adel Amended and Restated Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Dallas County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 3, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

Passed and approved this 13th day of August, 2013.



James F. Peters, Mayor

Attest:   
Brett Klein, Administrator / Interim City Clerk

**AMENDMENT NO. 3**

**TO THE**

**AMENDED AND RESTATED URBAN  
RENEWAL PLAN**

**FOR THE**

**ADEL URBAN RENEWAL AREA**

**CITY OF ADEL, IOWA**

**Original Area Adopted – 1991**  
**Amendment #1 – 1992**  
**Amendment No. 3 – 1997**  
**Amended & Restated Plan Adopted – 2003**  
**Amendment #1 to Amended & Restated Plan – May, 2012**  
**Amendment #2 to Amended & Restated Plan – November 2012**  
**Amendment #3 to Amended & Restated Plan – August 2013**

**AMENDMENT NO. 3**  
**to**  
**AMENDED AND RESTATED URBAN RENEWAL PLAN**  
**CITY OF ADEL, IOWA**

The Amended and Restated Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Adel Urban Renewal Area ("Area" or "Urban Renewal Area"), adopted in 2003, and amended twice in 2012, is being further amended to add to and confirm the list of proposed projects to be undertaken within the Urban Renewal Area by this Amendment No. 3 ("Amendment No. 3" or "Amendment"). No land is being added to the Area by this Amendment.

The "base valuation" of the Original Area and each of the amendment areas, or subareas, will remain unchanged by this Amendment.

Except as modified by this Amendment, the provisions of the original Amended and Restated Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

**AREA DESIGNATION**

The Area has previously been designated as a combination area for both the promotion of economic development and blight remediation. The Area continues as a combination area.

**AREA OBJECTIVES**

In addition to the objectives listed in the Plan, as previously amended, the following are added:

1. To acquire, redevelop, transfer or convey property using urban renewal powers, including eminent domain powers.

**TYPES OF RENEWAL ACTIVITIES**

In addition to the objectives listed in the Plan, as previously amended, the following are added:

1. To provide matching funding for state and federal grants.

**PROPOSED URBAN RENEWAL PROJECTS (Amendment No. 3)**

Although certain project activities may occur over a period of years, in addition to the projects previously proposed in the Amended and Restated Urban Renewal Plan, as previously amended, the Proposed Urban Renewal Projects under this Amendment include:



1. **Public Improvements:**

	<b>Date</b>	<b>Estimated cost</b>	<b>Rationale</b>
No additional Projects			
<b>Total</b>		Not to exceed \$650,000 [No change from Amendment No. 2]	

2. **Development Agreements, Grants and other Urban Renewal Projects:**

**A. Façade Improvement Grants.** The City plans to make grants that will assist businesses with the cost of enhancing the façades of their businesses. Specifically, these grants will be awarded to either new businesses that will create jobs or those businesses making improvements that will add to the tax base and enhance the surrounding business environment. It is estimated that the City will make Façade Improvement Grants of approximately \$10,000 annually, but not more than \$100,000. [No change from Amendment No. 2]

**B. Community Development Block Grant Match.** The City has been awarded a Community Development Block Grant for façade improvements to downtown areas that need revitalization due to blighted conditions. The total grant is approximately \$500,000 in federal Community Development Block Grant funds with a building owner match of 25%. “Façade” may include such items as awnings, windows, doors, new storefront, energy efficiency improvements, restoration of the historical attributes, decorative ornamentation, parapet, roofline entablature, masonry work, and foundation and related items. The estimated cost for the City’s match is up to \$325,000.

**C. Historic Preservation Grants.** The City plans to make grants that will provide incentives for building owners in the historic courthouse square district to enhance and preserve the historical attributes of the buildings in that area. The entire courthouse square area is included in the National Historic Registry. These grants improve the attractiveness of the area and therefore promote economic development. It is estimated that the City will make Historic Preservation Grants of approximately \$15,000 annually but not more than \$150,000. [No change from Amendment No. 2]

**D. Start up Economic Development Grants.** The City plans to make grants for general start-up costs (interior, exterior, equipment, etc.) for new businesses, up to \$15,000 per new business, but not more than \$150,000. [No change from Amendment No. 2]

**E. *Property Acquisition/Development/Blight Remediation.***

- a. *Public Pocket Park.* Certain property to be acquired by the City near the downtown square may be converted into a public “pocket” park, certain amenities may be added and portions of the park may be leased for partial use by an adjacent commercial development, which will promote downtown economic development. Estimated cost: \$25,000-\$30,000.
- b. *Acquisition of buildings for redevelopment or rehabilitation for startup businesses.* The City may acquire buildings or property to be improved for possible use as a small business start-up or incubator building or for some other development purpose. The City may determine to build or rehabilitate such buildings and lease them for a number of years to businesses with the goal of transferring ownership at some point. Estimated cost: \$200,000.
- c. *Construction of improvements associated with the Raccoon River Valley Bike Trail trailhead.* The City may acquire properties adjacent to the Raccoon River Valley Bike Trail on 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> Streets for the purpose of constructing trailhead buildings, including restroom facilities, a classroom, and community center for the purpose of promoting tourism. Estimated cost: \$750,000.
- d. *Hotel.* The City may provide incentives in the form of grants of incremental tax rebates or other types of incentives to promote the construction of a hotel, possibly within walking distance of the downtown. Estimated cost: \$250,000.
- e. *Highway 6 Redevelopment - Retail.* The City may provide incentives for the redevelopment of an area to allow the expansion of commercial development. Such redevelopment may involve incentives to provide expanded space for new commercial development. Estimated cost: \$100,000.
- f. *Sports field complex.* The City may construct a sports field complex near the aquatic center, including the construction of ball fields and sports courts and corresponding facilities including restrooms, concession stands and maintenance buildings. Availability of recreational facilities for employees, citizens, and families contributes to a more productive community and attracts businesses and trained employees in search of a high quality of life. Estimated cost: \$250,000.

g. *Health care facility.* The City may provide incentives in the form of grants of incremental tax rebates or other types of incentives to promote the construction of a health care facility. The ready availability of good health care contributes to a productive community and attracts businesses and employees in search for a high quality of life. Estimated cost: \$400,000.

**F. Other Development Agreements:** The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City’s sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates and other incentives. The total costs of Development Agreements will not exceed \$300,000. [No change from Amendment No. 2]

**3. Planning, surveying, engineering fees and costs, professional fees, and economic development membership dues to support urban renewal projects**

Project	Date	Estimated cost
Fees and costs for planning, surveying, engineering, legal, and other professional services that will be used to assist the City in its efforts to promote urban renewal activities, including membership fees in the Greater Dallas County Development Alliance and/or similar economic development organizations that market the City’s commercial and industrial land and building availability with in the Area. The City intends to retain a consultant for strategic planning services, including but not limited to, marketing the Urban Renewal Area to advance economic development purposes.	Undetermined	Estimated at \$30,000 annually but not more than \$300,000 total. [No change from Amendment No. 2]

**DEBT**

1.	July 1, 2013 constitutional debt limit:	\$10,780,534
2.	Outstanding general obligation debt:	\$10,095,000
3.	A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. This Amendment is only a planning document. The Projects authorized	

	<p>in this Amendment are only proposed projects at this time. The City Council will consider each Project proposal on a case-by-case basis to determine if it is consistent with the Plan and in the public's best interest to participate in the Project. These Projects will commence and be concluded over a number of years. It is further expected that such indebtedness, including interest on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area. At no time will the City exceed its constitutional debt limit. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above will be approximately as follows:</p>	<p>\$3,977,000 to \$3,982,000 [includes Amendment No. 3 Projects]</p>
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**DEVELOPMENT PLAN**

Adel has a general plan for the physical development of the City, as a whole, designated as the “Adel Comprehensive Plan” adopted February 1, 2009. The projects proposed in this Amendment are consistent with the Comprehensive Plan.

**PUBLIC BUILDING ANALYSIS**

There are certain projects proposed in Amendment No. 3 to the Amended and Restated Urban Renewal Plan of the City of Adel, which may be financed in part by incremental tax revenues and involve public buildings. The projects include:

1. A pocket park in the downtown Adel Courthouse Square District and any associated improvements;
2. The acquisition of buildings for redevelopment or rehabilitation to serve as economic development incubator buildings for start-up businesses. The goal of these will be to lease with an ultimate sale of the building to the start-up and use the proceeds to assist another start-up;
3. Acquisition of buildings for the construction of a trailhead building on the Raccoon River Valley Bike trail that would have restroom facilities, parking and potentially a classroom and community center; and
4. Acquisition of land for the construction of a sports field complex, and construction of concession buildings, restroom facilities and maintenance buildings servicing the sports field complex.

One funding option consideration for the above listed projects involves going through a process that would result in the issuance of general obligation bonds to fund each project.

However, this type of funding is assumed entirely by the resident taxpayers of the City, yet all of the listed projects benefit individuals and groups of individuals who are not resident taxpayers of the City.

Another funding option consideration includes the use of fees, which are supplemented with other available City funds and grant and loan programs. This option is not sufficient to fund the project.

Because the proposed Urban Renewal Projects in this Amendment involve public buildings that will benefit County residents and school patrons, the use of tax increment is the most appropriate funding mechanism. Based on the benefit to the School District and County residents, it is fair that those taxing entities share in the cost of the projects. In this sense, it is less feasible to use alternate funding sources than tax increment financing.

The use of tax increment funds as an appropriate funding mechanism for the Urban Renewal Projects is even further evident when considering the projects on a long-term basis.

1. Public Pocket Park and any improvements within it – provides an outdoor area and green space located adjacent to the County Courthouse, which provides school patrons, County employees and the many users of County services with a park setting in a location used regularly by other County residents and School District patrons outside the City of Adel as well as Adel residents.
2. The acquisition of buildings for redevelopment or rehabilitation for startup business (incubator buildings) – Currently the valuations of the targeted buildings are declining, and in some cases the taxes due are delinquent. In addition, some of the targeted buildings have been declared as blighted buildings in accord with a recent slum and blight inventory of the area. The situation has led to declining tax values and reduced property tax revenues for the City, Dallas County and the Adel School District. Redevelopment of the targeted properties will help to rebuild the tax base and should result in a corresponding positive effect of stimulating investment to and redevelopment of the surrounding properties.
3. Construction improvements associated with the Raccoon River Valley Trail, trailhead building – The Adel segment of the Raccoon River Valley trail is one of the most used sections of the trail based on reports received from Dallas County. The trail is a destination of County residents and School patrons. The construction of the proposed improvements will benefit the City, School District and County by providing a much needed recreational destination space and a possible community learning classroom and center.
4. Sport field complex and buildings servicing the athletic fields including restrooms, concession stands and maintenance / supply buildings – The City's park and recreation program is in need of additional facilities. The School District and County users of the City programs are not charged any additional fees and nearly 100% of the City recreation program users are School District patrons, with nearly 50% residing outside of

the City corporate limits. Nearly the same number are rural County residents being provided a professionally run recreation department with access to the City of Adel programming. Use of tax increment is most equitable so the benefit of the City, School and County is not the burden of only the resident City tax payers. In addition, availability of recreational facilities contributes to a more productive community and attracts businesses and trained employees in search of a high quality of life.

In conclusion, for all of the aforementioned reasons, the tax increment revenue funding alternative option is the most fair and equitable mechanism for funding of the Urban Renewal Projects described above. Alternative options for funding of the Urban Renewal Projects are less feasible than the use of incremental tax revenues.

### **URBAN RENEWAL FINANCING**

The City of Adel intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Adel has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds

Under Sections 384.23 to 384.36 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Adel. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with the commercial or industrial development. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for

the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

### **PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property. The City may elect to use eminent domain powers.

### **URBAN RENEWAL PLAN AMENDMENTS**

The Amended and Restated Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable state law.

### **EFFECTIVE PERIOD**

This Urban Renewal Plan Amendment No. 3 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council. Per prior amendments, no sunset exists for this mixed economic development and blighted Area. The use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code, but the intent is to collect such revenues for the maximum extent allowed by law.

### **REPEALER**

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

### **SEVERABILITY CLAUSE**

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.