

Resolution No. 14-45

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. 4 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, by Resolution No. 13-45 adopted on August 13, 2013, this City Council approved the Amendment No. 3 to Amended and Restated Urban Renewal Plan; and

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

ORIGINAL 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 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. 4 to the Adel Amended and Restated Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Adel Urban Renewal Area ("Area" or "Urban Renewal Area") described below 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 delete land and expand the list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 4 to the Urban Renewal Area removes land, as follows:

AMENDMENT NO. 4 AREA (removed)

11-32-353-009

PT NW SW 2.50 AC W SIDE SE SW & SW SW /EX ADEL EST 5 & S413' & EX PARCEL F & PARCEL I & PARCEL AA/

and

11-32-353-005

SW SW /EX APPROX N906.92' & EX PARCEL F/

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan; and

WHEREAS, by resolution adopted on October 14, 2014, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 4 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. 4 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 Interim City Administrator, or his delegate, 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. 4 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. 4 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. 4 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 Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Plan, as amended, and Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan conform to the general plan for the development of the City as a whole; and

C. Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Adel Urban Renewal Area:

i. Residential use is not expected, however, with reference to any 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.

ii. 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 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. 4 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. 4 to the Adel Amended and Restated Urban Renewal Plan for the City of Adel, State of Iowa"; Amendment No. 4 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. 4 with the proceedings of this meeting.

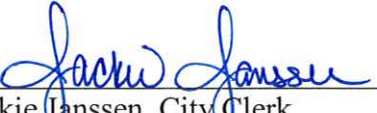
Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Adel Amended and Restated Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 4 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. 4, 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 18th day of November, 2014.



James F. Peters, Mayor

Attest: 

Jackie Janssen, City Clerk

CERTIFICATE

STATE OF IOWA

)


) SS

COUNTY OF DALLAS

)

I, the undersigned City Clerk of the City of Adel, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of public hearing and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 18th day of November, 2014.



City Clerk, City of Adel, State of Iowa

(SEAL)

URBAN RENEWAL
TRANSCRIPT CERTIFICATE

I, the undersigned, being first duly sworn, do hereby depose and certify that I am the duly appointed, qualified and acting City Clerk of the City of Adel, State of Iowa, and that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officials, and that I have carefully compared the transcript hereto attached with the aforesaid corporate records and that the transcript hereto attached is a true and complete copy of all the corporate records in relation to the authorization of the Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan of the City, and that the transcript hereto attached contains a true and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time, in relation to the authorization of Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan, and that the Council consists of a Mayor and five (5) Council Members, and that such offices were duly and lawfully filled by the individuals listed in the attached transcript as of the dates and times referred to therein.

I further certify that the City is and throughout the period of such proceedings has been governed under the Mayor/Council form of municipal government authorized by Chapter 372, City Code of Iowa, under the provisions of its charter as recorded with the Secretary of State.

I further certify that all meetings of the City Council of the City at which action was taken in connection with the Urban Renewal Plan were open to the public at all times in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and was duly given at least twenty-four hours prior to the commencement of the meeting by notification of the communications media having requested such notice and posted on a bulletin board or other prominent place designated for the purpose and easily accessible to the public at the principal office of the Council all pursuant to the provisions and in accordance with the conditions of the local rules of the Council and Chapter 21, Code of Iowa.

I further certify that attached hereto are true and accurate copies of the following:

1. Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan (You do not need to attach the Amendment to this Certificate if you have attached such Amendment and all exhibits to the Authorizing Resolution labeled "Exhibit 1".);
2. Report of Interim City Administrator, or his delegate, to the City Council with respect to the consultation held with affected taxing entities on the Amendment No. 4 to the Adel Amended and Restated Urban Renewal Plan, with attached copies of any and all written recommendations made with respect thereto and the responses of the City to any such recommendations.

WITNESS my hand and the seal of the City hereto attached this 18th day of November, 2014, at Adel, Iowa.

Jackie Janssen
City Clerk, City of Adel, State of Iowa

(SEAL)

STATE OF IOWA

)

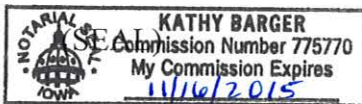
) SS

COUNTY OF DALLAS

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Subscribed and sworn to before me by Jackie Janssen, on this 18th day of November, 2014.

Kathy Barger
Notary Public in and for Dallas County, Iowa



Attach items listed above to this Transcript Certificate and
send certificate and attachments to Ahlers & Cooney.

01057054-1\10113-060

AMENDMENT NO. 4

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 #2 – 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 #4 to Amended & Restated Plan – November 2014

AMENDMENT NO. 4
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 and once in 2013, 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. 4 ("Amendment No. 4" or "Amendment"). No land is being added to the Area by this Amendment. However, two parcels of land are being deleted from the Area in order to align the boundaries of the Urban Renewal Area with the boundaries of the taxing parcels. Specifically, the City is removing two tax parcels in order to avoid them being split half within the Area and half outside the Area.

The "base valuation" of the Original Area and each of the amendment areas, or subareas, will remain unchanged by this Amendment, except that the base value of the Area, as amended, will be minimally impacted (decreased) due to the parcels being removed 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.

DESCRIPTION

The legal description of the area being deleted from the Urban Renewal Area as a result of this Amendment No. 4 is set forth on Exhibit "A". The area being deleted is described as "Amendment No. 4 area." A map showing the deletion of the parcels being removed by this Amendment is attached as Exhibit "B".

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:

To foster community and economic growth by providing a desirable standard of living and creating and maintaining job opportunities within the City.

TYPES OF RENEWAL ACTIVITIES

In addition to the types of renewal activities listed in the Plan, as previously amended, the following are added:

To provide for grants or other funding to public or private entities for urban renewal projects which promote long-term growth and create and maintain employment within the City.

PROPOSED URBAN RENEWAL PROJECTS (Amendment No. 4)

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. Development Agreements, Grants and other Urban Renewal Projects:

A. *Dallas County Administration Building – Adel-Dallas County Public Corporation.* The City may fund a portion of costs incurred by the Adel-Dallas County Public Corporation related to the acquisition and preparation of real estate intended for construction of an administrative building for Dallas County, including site development. Due to population growth and the increased demand for county services, the City acknowledges that the construction of an administrative building to house county services is in the best interest of Dallas County. Furthermore, the City believes that it is beneficial to the City of Adel to participate in the acquisition and preparation of such an administrative building because the City's participation, pursuant to the terms of a 28E Agreement between the parties, will ensure that the administrative building is located within the core of the City. Locating the administrative building in the core of the City limits promotes the City's goal of creating and maintaining employment within the City. Depending on the ultimate location chosen for the administration building, the City also hopes that this Project will be an effective method to remedy blight and promote redevelopment. Estimated cost: \$500,000, plus an amount for legal, clerical and administrative responsibility associated with the 28E Agreement and this Project of between \$25,000 and \$100,000.

B. *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. 3].

2. 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. 3].

DEBT

1.	July 1, 2014 constitutional debt limit:	\$10,816,680
2.	Outstanding general obligation debt:	\$9,890,000
3.	A specific amount of debt to be incurred for the Proposed Urban Renewal Projects (Amendment No. 4) has not yet been determined. This Amendment is only a planning document. The Projects authorized 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 (Amendment No. 4) as described above will be approximately as follows:	\$1,125,000 – 1,200,000

DEVELOPMENT PLAN/ZONING

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 goals and objectives of this Urban Renewal Plan, including the projects proposed in this Amendment, are in conformity with the Comprehensive Plan.

No zoning changes for existing or future land uses are contemplated at this time. The Urban Renewal Plan, as amended, does not in any way replace the City’s current land use planning or zoning regulation process.

PUBLIC BUILDING ANALYSIS

A project proposed in this Amendment involves the acquisition and preparation of real estate intended for construction of an administrative building by Dallas County, including site development. This project involves contributing to the cost of a public building to be owned by Dallas County, which contribution may be financed in part by incremental tax revenues. The use of tax increment for public buildings under Iowa law requires an analysis of alternative development options and funding for the project and reasons why such options would be less feasible than the use of incremental tax revenues.

One funding option for the above listed project involves issuing general obligation bonds that would be paid by the City’s debt service levy (i.e. without using incremental tax revenues). Another funding option the City may explore is the availability of grant programs to help with financing. The City has committed in a 28E Agreement, contingent upon approval of an urban renewal plan amendment authorizing this project, to a \$500,000 contribution towards the project. The City may issue general obligation bonds to fund its \$500,000 contribution. However, if so, it may abate its debt service levy with tax increment revenues. In contrast, issuing bonds paid only with the City’s debt service levy places the entire financial burden of the City’s contribution to this Project on resident taxpayers of the City, yet the project benefits individuals and groups of individuals who are not resident taxpayers of the City.

The City has strong interests in retaining the administration building located within the core of the City of Adel. The administration building is one of the City’s largest employers, and this Project will ensure that those jobs remain within City limits. Retaining employment within the City leads to an attractive, vibrant, and developing community. A vibrant community attracts potential employees and their families to the City, which in turn, benefits County residents and the School District. Therefore, the use of tax increment to fund the City’s portion of this project is equitable because the County’s new administration building will benefit all County residents. The City, although not required to contribute to the construction of a county administration building, is doing so to retain employment within the core area of the City. Because the retention of employment within the City will benefit not only the City, but also the County and the School, the City’s contribution should not be the burden of only resident City taxpayers.

In addition, due to population growth and the increased demand for County services, the construction of an administrative building for County services is in the best interest of the

citizens of Dallas County. Dallas County has seen exponential growth in its recent history and lacks the appropriate facilities to handle this growth. The County's new administration building will have the capacity to serve existing and future residents throughout the County for decades to come.

In conclusion, for all of the aforementioned reasons, the tax increment revenue funding alternative option is the most fair and equitable mechanism for funding the City's portion of the administrative building Project described above. Alternative options for funding of the Urban Renewal Project 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 Division III of Chapter 384 and Chapter 403 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 urban renewal projects that promote commercial or industrial development or blight remediation. 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 Areas. 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.

RELOCATION

The need for relocation of residents or businesses by the City is not anticipated. However, the City will provide any required applicable relocation costs.

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. 4 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.

EXHIBIT “A”

Legal description of property being deleted by this Amendment No. 4:

DALLAS COUNTY PARCEL NUMBERS: 11-32-353-005 & 11-32-353-009

Assessor's brief legal description:

11-32-353-009

PT NW SW 2.50 AC W SIDE SE SW & SW SW /EX ADEL EST 5 & S413' & EX
PARCEL F & PARCEL I & PARCEL AA/

and

11-32-353-005

SW SW /EX APPROX N906.92' & EX PARCEL F/

EXHIBIT "B"

