

ORDINANCE NO. 347

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON **CERTAIN PROPERTY** LOCATED WITHIN THE SOUTHBRIDGE URBAN RENEWAL AREA, IN THE CITY OF ADEL, COUNTY OF DALLAS, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF ADEL, COUNTY OF DALLAS, ADEL-DESOTO-MINBURN COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE SOUTHBRIDGE URBAN RENEWAL AREA (**CRAMER & ASSOCIATES PROPERTY**)

WHEREAS, the City Council of the City of Adel, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 18-110 passed and approved on the 11<sup>th</sup> day of December, 2018, adopted the Southbridge Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Southbridge Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows ("**Cramer & Associates Property**"):

Lots 37-44 and Lots 49-55 and Street Lot D, Southbridge Plat 3, An Official Plat in the City of Adel, Dallas County, Iowa

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Adel, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Adel, State of Iowa, desires to provide for the division of revenue from taxation on the **Cramer & Associates Property** of the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended. [Note: the **Cramer & Associates Property** is the only portion of the Urban Renewal Area that will be included in this TIF Ordinance. If other parcels in the Area develop (increase in value) in the future, the City may adopt a separate TIF ordinance(s) on other parcels/areas within the Urban Renewal Area. Therefore, the various TIF ordinances in this Urban Renewal Area will have different frozen bases and different expiration dates.]

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

Section 1. That the taxes levied on the taxable property in the **Cramer & Associates Property** of the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Adel, County of Dallas, Adel-DeSoto-Minburn Community

School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the **Cramer & Associates Property** of the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Adel, State of Iowa, certifies to the County of Dallas County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Adel, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Adel, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the **Cramer & Associates Property** of the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the **Cramer & Associates Property** of the Urban Renewal Area exceeds the total assessed value of the taxable property in the **Cramer & Associates Property** of Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the **Cramer & Associates Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Adel, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the **Cramer & Associates Property** of the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the **Cramer & Associates Property** of

the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the **Cramer & Associates Property** of the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 10<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
Mayor 

ATTEST:

Angela Leopard  
City Clerk

Read First Time: December 10<sup>th</sup>, 2019

Read Second Time: waived 12/10, 2019

Read Third Time: waived 12/10, 2019

PASSED AND APPROVED: December 10<sup>th</sup>, 2019.

I, Angela Leopard, City Clerk of the City of Adel, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 347 passed and approved by the City Council of the City at a meeting held December 10<sup>th</sup>, 2019, signed by the Mayor on December 10<sup>th</sup>, 2019, and published in the Dallas County News on December 19<sup>th</sup>, 2019.

Angela Leopard  
City Clerk, City of Adel, State of Iowa

(SEAL)

01645251-1A10113-085

ORDINANCE CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF DALLAS )

1. I certify that Ordinance Number 347, of which a true copy is attached, was duly adopted by the City Council of the City of Adel, State of Iowa, signed by the Mayor and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of the Ordinance were as follows:

a. First consideration - Date: December 10<sup>th</sup>, 2019  
Vote: In favor unanimous, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.

b. Second consideration - Date: waived December 10<sup>th</sup>, 2019  
Vote: In favor unanimous, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.

c. Final Consideration - Date: waived December 10<sup>th</sup>, 2019  
Vote: In favor unanimous, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.

d. Publication Date: December 19<sup>th</sup>, 2019.

2. The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

3. On the date of December 10<sup>th</sup>, 2019, the City Council adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by three-fourths of the full City Council, voting 5 in favor, 0 opposed and 0 absent, vacant or abstaining and was duly recorded.

4. I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21 of the Code of Iowa and rules of the Council then governing.

5. 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 City hereto affixed this 10<sup>th</sup> day of December, 2019.

Angela Shepard  
City Clerk, City of Adel, State of Iowa

(SEAL)

**(Attach Affidavit of Publication to this Certificate  
and send Certificate and Affidavit to Ahlers & Cooney, P.C.)**

01647574-1\10113-085

ORIGINAL

CITY CLERK'S CERTIFICATION TO COUNTY AUDITOR

I hereby certify that attached hereto is a true and correct copy of the Tax Increment Ordinance approved by the City Council of the City of Adel, State of Iowa, designated as Ordinance Number 347, entitled:

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON **CERTAIN PROPERTY** LOCATED WITHIN THE SOUTHBRIDGE URBAN RENEWAL AREA, IN THE CITY OF ADEL, COUNTY OF DALLAS, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF ADEL, COUNTY OF DALLAS, ADEL-DESOTO-MINBURN COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE SOUTHBRIDGE URBAN RENEWAL AREA (**CRAMER & ASSOCIATES PROPERTY**)

approved by the City Council on the 10<sup>th</sup> day of December, 2019, and duly published on the 19<sup>th</sup> day of December, 2019, the original of which is on file in the records of the undersigned.

Dated this 19<sup>th</sup> day of December, 2019.

Angela Shepard  
Clerk of the City of Adel

(CITY SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, Julia Helm, County Auditor of Dallas County, Iowa, hereby certify that on the 19<sup>th</sup> day of December, 2019 there was filed in my office a copy of the Tax Increment Ordinance of the City of Adel, State of Iowa, Ordinance Number 347, approved by the City Council on the 10<sup>th</sup> day of December, 2019 all duly certified upon the form attached above.

Julia L Helm  
County Auditor of Dallas County, Iowa

