CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Amendment No. 4 Jordan Creek Urban Renewal Area - City Initiated **DATE: February 21, 2017**

RESOLUTION: Approval of the Resolution amending the plan
ODINANCE: Approval of the Ordinance amending the TIF Ordinance

FINANCIAL IMPACT: There are no fiscal impacts associated with this amendment.

BACKGROUND: Staff has initiated the process to amend the Jordan Creek Urban Renewal Plan. The Jordan Creek Urban Renewal Plan was originally adopted in 2000, and amended in 2002, 2003, and 2012. It is now being amended by this Amendment No. 4 to remove land area in order to create the Coachlight Drive Urban Renewal Area. The current area does have a frozen base value as debt was certified for this Urban Renewal Area.

OUTSTANDING ISSUES: There are no outstanding issues regarding this proposed amendment.

RECOMMENDATION: Staff recommends the approval of the resolution amending the urban renewal plan, and approval of the ordinance amending the current TIF Ordinance.

Lead Staff Member: Clyde E. Evans, AICP

STAFF REVIEWS

Department Director	Clyde E. Evans, Community and Economic Development Department CEE
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	DM Register	
Date(s) Published	2/10/17	
Letter sent to surrounding property owners	NA	

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	1/11/17		
Recommendation	Yes x	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Resolution
Exhibit II - Ordinance
Exhibit III - Jordan Creek Urban Renewal Plan Amendment #4

EXHIBIT I

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN 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 JORDAN CREEK URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 00-05-30-05, adopted May 30, 2000, this 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 Jordan Creek Urban Renewal Plan (the "Plan") for the Jordan Creek Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Dallas County; and

WHEREAS, by Resolution No. 02-10-14-11, adopted October 14, 2002, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 03-11-10-04, adopted November 10, 2003, this City Council approved and adopted an Amendment No. 2 to the Plan; and

WHEREAS, by Resolution No. 12-11-12-07, adopted November 12, 2012, this City Council approved and adopted an Amendment No. 3 to the Plan; and

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

ORIGINAL AREA

A TRACT OF LAND IN SECTIONS 11, 12, 13 AND 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SAID SECTION 13, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF

SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 11, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, TO THE CENTER LINE OF 74TH STREET;

THENCE NORTH, ALONG THE CENTER LINE OF 74TH STREET, TO THE CENTER LINE OF CODY DRIVE;

THENCE EASTERLY, ALONG THE CENTER LINE OF CODY DRIVE, TO THE CENTER LINE OF 68TH STREET;

THENCE SOUTHERLY, ALONG THE CENTER LINE OF 68TH STREET, TO THE CENTER LINE OF E.P. TRUE PARKWAY;

THENCE EASTERLY, ALONG THE CENTER LINE OF E.P. TRUE PARKWAY, TO THE EAST LINE OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 12, TO THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 13, TO THE POINT OF BEGINNING.

EXCEPT A TRACT OF LAND DESCRIBED AS THE WEST 40 ACRES OF THE WEST FRACTIONAL HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE NORTH 4 ACRES THEREOF, CONTAINING APPROXIMATELY 34.93 ACRES, MORE OR LESS.

AMENDMENT NO. 1 AREA

Does not add or remove land.

AMENDMENT NO. 2 AREA

A TRACT OF LAND IN SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 40 ACRES OF THE WEST FRACTIONAL HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE NORTH 4 ACRES THEREOF, CONTAINING APPROXIMATELY 34.93 ACRES, MORE OR LESS.

Said Amendment No. 2 also removes the lots and parcels located within the area legally described as follows:

A TRACT OF LAND IN SECTIONS 13 AND 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY, TO THE NORTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY, TO THE NORTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13;

THENCE SOUTH, ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, TO THE POINT OF BEGINNING.

AMENDMENT NO. 3 AREA
Does not add or remove land.

WHEREAS, a proposed Amendment No. 4 to the Jordan Creek Urban Renewal Plan ("Amendment No. 4" or "Amendment") for the Jordan Creek Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to remove land and to add and/or confirm the list of proposed projects to be undertaken within the Area; and

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

A TRACT OF LAND IN SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA , IS INCLUDED IN THE COACHLIGHT URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT A, VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY , IOWA, WITH SAID POINT OF BEGINNING BEING LOCATED ON THE EAST LINE OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 14, TO THE SOUTH RIGHT OF WAY LINE EXTENDED OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE EXTENDED AND THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET, A DISTANCE OF 250 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE INTERSECTION OF THE WEST LINE EXTENDED OF STREET LOT P, HERITAGE BEND PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE EXTENDED OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT P;

THENCE NORTH, ALONG THE WEST LINE OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE NORTHWEST CORNER OF SAID LOT P, SAID POINT BEING LOCATED ON THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH LINE EXTENDED OF BRIDGEWOOD SOUTH, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE SOUTH LINE EXTENDED OF SAID BRIDGEWOOD SOUTH, TO THE SOUTHWEST CORNER OF SAID BRIDGEWOOD SOUTH;

THENCE EAST, ALONG THE SOUTH LINE OF SAID BRIDGEWOOD SOUTH SUBDIVISION, TO THE SOUTHWESTERLY LINE OF GARDENS AT BRIDGEWOOD PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID GARDENS AT BRIDGEWOOD PLAT 2, TO THE SOUTHWESTERLY LINE OF VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID VILLAS AT BRIDGEWOOD PLAT 1, TO THE SOUTHEAST CORNER OF LOT A, OF SAID VILLAS AT BRIDGEWOOD PLAT 1, SAID POINT BEING THE POINT OF BEGINNING;

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

WHEREAS, by resolution adopted on January 23, 2017, 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 Jordan Creek 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 Jordan Creek 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 Director of Community and Economic Development, 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 Jordan Creek 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 Des Moines Register, 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 Jordan Creek 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 WEST DES MOINES, 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 West Des Moines, 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 Jordan Creek 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 Jordan Creek 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 Jordan Creek 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 Jordan Creek Urban Renewal Area, as amended, continues to be an 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 Jordan Creek Urban Renewal Plan of the City of West Des Moines, 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 Jordan Creek Urban Renewal Plan for the City of West Des Moines, State of Iowa"; Amendment No. 4 to the Jordan Creek Urban Renewal Plan of the City of West Des Moines, 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, Amendment No. 4 to the Jordan Creek Urban Renewal Plan 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 Jordan Creek 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 21st day of February, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

Label the Amendment as Exhibit 1 (with all exhibits) and attach it to this Resolution.

EXHIBIT I

JORDAN CREEK URBAN RENEWAL PLAN

AMENDMENT #4

CITY OF WEST DES MOINES, IOWA

Original Area Adopted – 2000
Amendment #1 – 2002
Amendment #2 – 2003
Amendment #3 – 2012
Amendment #4 – 2017

Final Version

AMENDMENT #4
to
JORDAN CREEK URBAN RENEWAL PLAN
CITY OF WEST DES MOINES, IOWA

The Jordan Creek Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Jordan Creek Urban Renewal Area ("Urban Renewal Area" or "Area"), adopted in 2000, and amended in 2002, 2003, and 2012, is being further amended by this Amendment No. 4 ("Amendment No. 4" or "Amendment") to remove certain undeveloped or underutilized real estate from the Area which real estate will then be included in a new Coachlight Drive Urban Renewal Area.

The Original Area and each amendment area are referred to as subareas in this Amendment. The subareas make up the Urban Renewal Area. The "base valuation" of the Area will be reduced by this Amendment because a portion of the Area is being removed. However, nothing in this Amendment should otherwise affect already established frozen base values for any portion of the Area not being removed by this Amendment.

Except as modified by this Amendment, the provisions of the original Jordan Creek 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. Any subsections in the original Plan, as previously amended, not mentioned in this Amendment shall continue to apply to the Plan, as amended.

DESCRIPTION OF THE URBAN RENEWAL AREA

The legal description of the property being removed from the Jordan Creek Urban Renewal Area by this Amendment No. 4 is attached hereto as Exhibit "A." A depiction of the property being removed by this Amendment No. 4 is attached as Exhibit "B." A map of the entire Jordan Creek Urban Renewal Area, as amended, is attached hereto as Exhibit "C."

AREA DESIGNATION

The Area continues to be an economic development area that is appropriate for the promotion of new commercial and industrial development.

FINANCIAL DATA

1.	July 1, 2016, constitutional debt limit:	$212,760,921
2.	Current outstanding general obligation debt:	$132,715,000

DEVELOPMENT PLAN

West Des Moines has a general plan for the physical development of the City as a whole outlined in the West Des Moines Comprehensive Plan, adopted on September 20, 2010. This Urban Renewal Plan, as amended by Amendment No. 4, is in conformity with the 2010 Comprehensive Plan. This Urban Renewal Plan, as amended, does not change or in any way replace the City's current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, if any, is set forth in the Plan, as amended.

EFFECTIVE PERIOD

This Amendment No. 4 to the Jordan Creek Urban Renewal Plan 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 Jordan Creek Urban Renewal Plan, as amended, shall remain in effect until terminated by the City Council.

This Amendment does not change the expiration date for the division of revenue in the Original Area or any subarea (Amendment Area) of the Jordan Creek Urban Renewal Area. The division of revenues in the Area, as amended, shall continue for the maximum period 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 or Amendment not determined to be invalid or unconstitutional.

EXHIBIT "A"

"Amendment No. 4 Area" – Property to be REMOVED from Urban Renewal Area

A TRACT OF LAND IN SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA , IS INCLUDED IN THE COACHLIGHT URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT A, VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY , IOWA, WITH SAID POINT OF BEGINNING BEING LOCATED ON THE EAST LINE OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 14, TO THE SOUTH RIGHT OF WAY LINE EXTENDED OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE EXTENDED AND THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET, A DISTANCE OF 250 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE INTERSECTION OF THE WEST LINE EXTENDED OF STREET LOT P, HERITAGE BEND PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE EXTENDED OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT P;

THENCE NORTH, ALONG THE WEST LINE OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE NORTHWEST CORNER OF SAID LOT P, SAID POINT BEING LOCATED ON THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH LINE EXTENDED OF BRIDGEWOOD SOUTH, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE SOUTH LINE EXTENDED OF SAID BRIDGEWOOD SOUTH, TO THE SOUTHWEST CORNER OF SAID BRIDGEWOOD SOUTH;

THENCE EAST, ALONG THE SOUTH LINE OF SAID BRIDGEWOOD SOUTH SUBDIVISION, TO THE SOUTHWESTERLY LINE OF GARDENS AT BRIDGEWOOD PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID GARDENS AT BRIDGEWOOD PLAT 2, TO THE SOUTHWESTERLY LINE OF VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID VILLAS AT BRIDGEWOOD PLAT 1, TO THE SOUTHEAST CORNER OF LOT A, OF SAID VILLAS AT BRIDGEWOOD PLAT 1, SAID POINT BEING THE POINT OF BEGINNING;

EXHIBIT "B"
Depiction of Area being REMOVED by Amendment No. 4

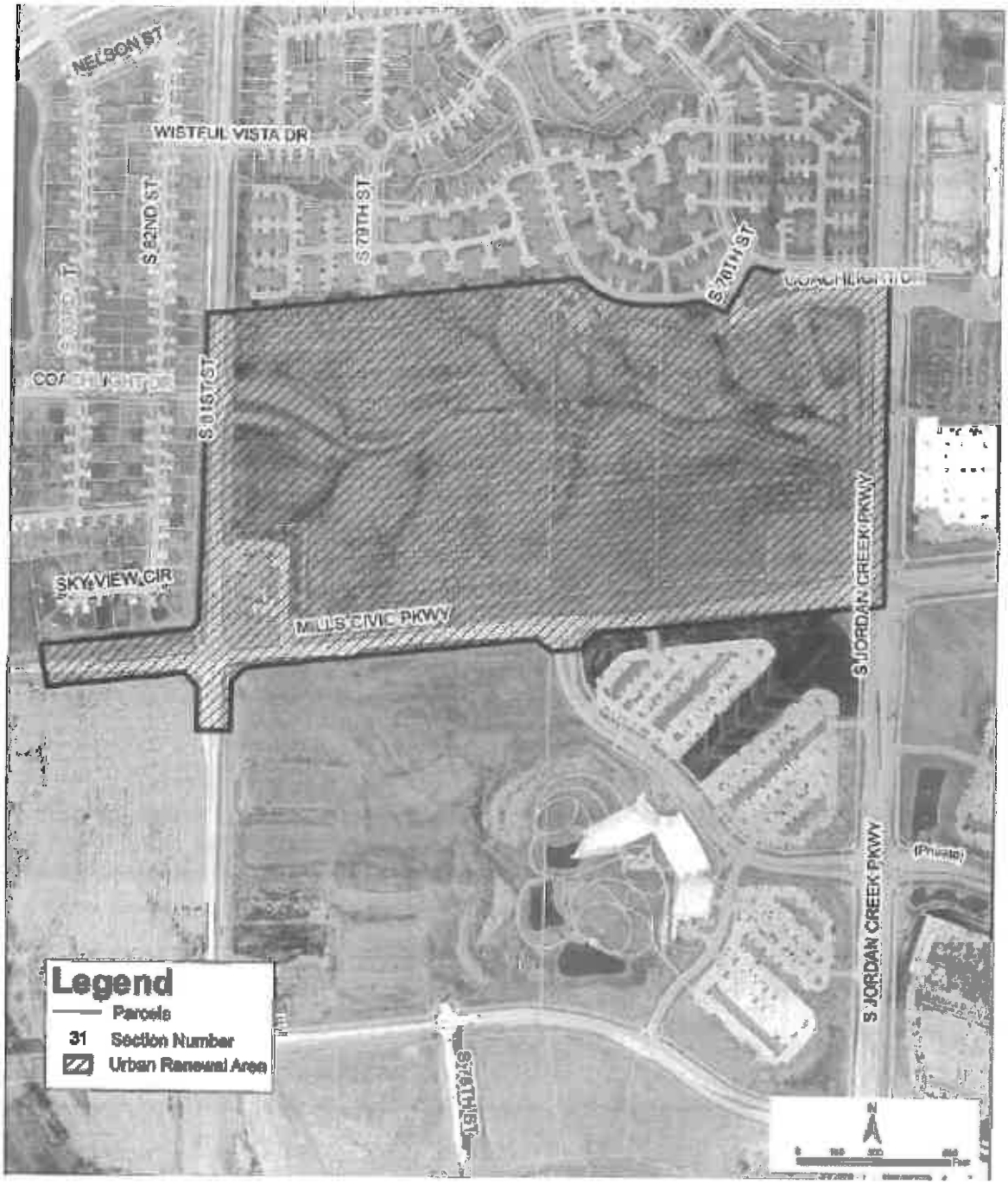

EXHIBIT "C"

Depiction of property being removed from Jordan Creek Urban Renewal Area by Amendment No. 4; which property will be included in new Coachlight Drive Urban Renewal Area

Coachlight Drive Urban Renewal Area, located inside existing Jordan Creek Urban Renewal District.

01310479-1\11333-306

Final Version

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DALLAS)

I, the undersigned City Clerk of the City of West Des Moines, 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 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 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 23rd day of January, 2017.

Ryan T. Jacobs
City Clerk, City of West Des Moines, Iowa

(SEAL)

01311731-1\11333-306

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DALLAS)

I, the undersigned City Clerk of the City of West Des Moines, 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 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 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 _____ day of _____, 2017.

_____
City Clerk, City of West Des Moines, State of Iowa

(SEAL)

01318390-1\11333-306

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NOS. 1414 and 1559, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED JORDAN CREEK URBAN RENEWAL AREA, IN THE CITY OF WEST DES MOINES, COUNTY OF DALLAS, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF WEST DES MOINES, COUNTY OF DALLAS, WAUKEE 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 AMENDED JORDAN CREEK URBAN RENEWAL AREA (**PROPERTY BEING <u>REMOVED</u> BY AMENDMENT NO. 4 TO THE JORDAN CREEK URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of West Des Moines, State of Iowa, has heretofore, in Ordinance No. 1414 and 1559, provided for the division of taxes within the Jordan Creek Urban Renewal Area ("Area" or "Urban Renewal Area"), pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, territory now has been removed from the Jordan Creek Urban Renewal Area through the adoption of Amendment No. 4 to the Jordan Creek Urban Renewal Plan; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Jordan Creek Urban Renewal Area, and the continuing needs of redevelopment within the amended Jordan Creek Urban Renewal Area are such as to require the continued application of the incremental tax resources of the amended Jordan Creek Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, STATE OF IOWA, THAT:

Ordinance Number(s) 1414 and 1559 are hereby amended to read as follows:

Section 1. For purposes of this Ordinance, the following terms shall have the following meanings:

a) <u>Original Area</u> shall mean that portion of the City of West Des Moines, State of Iowa, described in the Urban Renewal Plan for the Jordan Creek Urban Renewal Area

approved by Resolution No. 00-05-30-05 on the 30th day of May, 2000, which Original Area includes the lots and parcels located within the area legally described as follows:

A TRACT OF LAND IN SECTIONS 11, 12, 13 AND 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SAID SECTION 13, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 11, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, TO THE CENTER LINE OF 74TH STREET;

THENCE NORTH, ALONG THE CENTER LINE OF 74TH STREET, TO THE CENTER LINE OF CODY DRIVE;

THENCE EASTERLY, ALONG THE CENTER LINE OF CODY DRIVE, TO THE CENTER LINE OF 68TH STREET;

THENCE SOUTHERLY, ALONG THE CENTER LINE OF 68TH STREET, TO THE CENTER LINE OF E.P. TRUE PARKWAY;

THENCE EASTERLY, ALONG THE CENTER LINE OF E.P. TRUE PARKWAY, TO THE EAST LINE OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 12, TO THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 13, TO THE POINT OF BEGINNING.

EXCEPT A TRACT OF LAND DESCRIBED AS THE WEST 40 ACRES OF THE WEST FRACTIONAL HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE NORTH 4 ACRES THEREOF, CONTAINING APPROXIMATELY 34.93 ACRES, MORE OR LESS.

b) Amendment No.1 did not add or remove land.

c) Amendment No. 2 Area shall mean that portion of the City of West Des Moines, State of Iowa, described in Amendment No. 2 to the Urban Renewal Plan for the Jordan Creek Urban Renewal Area approved by Resolution No. 03-11-10-04 on the 10th day of November, 2003, which Amendment No. 2 Area added the lots and parcels located within the area legally described as follows:

A TRACT OF LAND IN SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 40 ACRES OF THE WEST FRACTIONAL HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE NORTH 4 ACRES THEREOF, CONTAINING APPROXIMATELY 34.93 ACRES, MORE OR LESS.

Said Amendment No. 2 also removed the lots and parcels located within the area legally described as follows:

A TRACT OF LAND IN SECTIONS 13 AND 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTH, ALONG WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY, TO THE NORTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST, OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, WHICH IS ALSO ASSUMED TO BE THE CENTER LINE OF MILLS CIVIC PARKWAY, TO THE NORTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13;

THENCE SOUTH, ALONG THE EAST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 13, TO THE POINT OF BEGINNING.

d) Amendment No. 3 did not add or remove land.

e) Amendment No. 4 Area shall mean that portion of the City of West Des Moines, State of Iowa, described in Amendment No. 4 to the Urban Renewal Plan for the Jordan Creek Urban Renewal Area approved by Resolution No. _____ on the 21st day of February, 2017, which Amendment No. 4 Area removes the lots and parcels located within the area legally described as follows:

A TRACT OF LAND IN SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA , IS INCLUDED IN THE COACHLIGHT URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT A, VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY , IOWA, WITH SAID POINT OF BEGINNING BEING LOCATED ON THE EAST LINE OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 14, TO THE SOUTH RIGHT OF WAY LINE EXTENDED OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE EXTENDED AND THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET, A DISTANCE OF 250 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE INTERSECTION OF THE WEST LINE EXTENDED OF STREET LOT P, HERITAGE BEND PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE EXTENDED OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT P;

THENCE NORTH, ALONG THE WEST LINE OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE NORTHWEST CORNER OF SAID LOT P, SAID POINT BEING LOCATED ON THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH LINE EXTENDED OF BRIDGEWOOD SOUTH, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE SOUTH LINE EXTENDED OF SAID BRIDGEWOOD SOUTH, TO THE SOUTHWEST CORNER OF SAID BRIDGEWOOD SOUTH;

THENCE EAST, ALONG THE SOUTH LINE OF SAID BRIDGEWOOD SOUTH SUBDIVISION, TO THE SOUTHWESTERLY LINE OF GARDENS AT BRIDGEWOOD PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID GARDENS AT BRIDGEWOOD PLAT 2, TO THE SOUTHWESTERLY LINE OF VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID VILLAS AT BRIDGEWOOD PLAT 1, TO THE SOUTHEAST CORNER OF LOT A, OF SAID VILLAS AT BRIDGEWOOD PLAT 1, SAID POINT BEING THE POINT OF BEGINNING;

f) Amended Area shall mean that portion of the City of West Des Moines, State of Iowa, included within the Original Area and the Amendment No. 2 Area, except the portion removed by Amendment No. 2 and Amendment No. 4, which Amended Area includes the lots and parcels located within the area legally described in subparagraphs (a)-(e).

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Dallas, Iowa, Waukee 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 3. As to the Original Area (less the property removed by Amendment No. 2 and Amendment No. 4), 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 taxing property in the Original Area (less the property removed by Amendment No. 2 and Amendment No. 4 Area) upon the total sum of the assessed value of the taxable property in the Original Area (less the property removed by Amendment No. 2 and Amendment No. 4) as shown on the assessment role as of January 1, 1999, being January 1 of the calendar year preceding the first calendar year in which the municipality certified to the county auditor the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described in Ordinance No. 1414, 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. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to Amendment No. 2 Area (less any property removed by Amendment No. 4), base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2002, being the assessment roll applicable to property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1559.

Section 4. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of West Des Moines, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of West Des Moines, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Area pursuant to the Urban Renewal Plan, as amended, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the subareas of the Amended Area exceeds the total assessed value of the taxable property in the subareas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended 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 6. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of West Des Moines, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. 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 continue the division of taxes from property within the Amended Area under the provisions of Section 403.19 of the Code of Iowa. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Amended Area to the maximum period of time allowed by Section 403.19 of the Code of Iowa. 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 of the Code of Iowa with reference to the Amended Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Section 9. This Ordinance shall be codified in Title I, Chapter 10, Article B of the City Code for West Des Moines, Iowa.

PASSED AND APPROVED this _____ day of _____, 2017.

_____
Steven Gaer, Mayor

ATTEST:

_____
Ryan Jacobson, City Clerk

Read First Time: _____, 2017

Read Second Time: _____, 2017

Read Third Time: _____, 2017

PASSED AND APPROVED: _____, 2017.

I, _____, City Clerk of the City of West Des Moines, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2017, signed by the Mayor on _____, 2017, and published in the Des Moines Register on _____, 2017.

_____
City Clerk, City of West Des Moines, State of Iowa

(SEAL)

01318544-1\11333-306

JORDAN CREEK URBAN RENEWAL PLAN

AMENDMENT #4

CITY OF WEST DES MOINES, IOWA

Original Area Adopted – 2000
Amendment #1 – 2002
Amendment #2 – 2003
Amendment #3 – 2012
Amendment #4 – 2017

Final Version

AMENDMENT #4
to
JORDAN CREEK URBAN RENEWAL PLAN
CITY OF WEST DES MOINES, IOWA

The Jordan Creek Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Jordan Creek Urban Renewal Area ("Urban Renewal Area" or "Area"), adopted in 2000, and amended in 2002, 2003, and 2012, is being further amended by this Amendment No. 4 ("Amendment No. 4" or "Amendment") to remove certain undeveloped or underutilized real estate from the Area which real estate will then be included in a new Coachlight Drive Urban Renewal Area.

The Original Area and each amendment area are referred to as subareas in this Amendment. The subareas make up the Urban Renewal Area. The "base valuation" of the Area will be reduced by this Amendment because a portion of the Area is being removed. However, nothing in this Amendment should otherwise affect already established frozen base values for any portion of the Area not being removed by this Amendment.

Except as modified by this Amendment, the provisions of the original Jordan Creek 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. Any subsections in the original Plan, as previously amended, not mentioned in this Amendment shall continue to apply to the Plan, as amended.

DESCRIPTION OF THE URBAN RENEWAL AREA

The legal description of the property being removed from the Jordan Creek Urban Renewal Area by this Amendment No. 4 is attached hereto as Exhibit "A." A depiction of the property being removed by this Amendment No. 4 is attached as Exhibit "B." A map of the entire Jordan Creek Urban Renewal Area, as amended, is attached hereto as Exhibit "C."

AREA DESIGNATION

The Area continues to be an economic development area that is appropriate for the promotion of new commercial and industrial development.

FINANCIAL DATA

1.	July 1, 2016, constitutional debt limit:	$212,760,921
2.	Current outstanding general obligation debt:	$132,715,000

DEVELOPMENT PLAN

West Des Moines has a general plan for the physical development of the City as a whole outlined in the West Des Moines Comprehensive Plan, adopted on September 20, 2010. This Urban Renewal Plan, as amended by Amendment No. 4, is in conformity with the 2010 Comprehensive Plan. This Urban Renewal Plan, as amended, does not change or in any way replace the City's current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, if any, is set forth in the Plan, as amended.

EFFECTIVE PERIOD

This Amendment No. 4 to the Jordan Creek Urban Renewal Plan 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 Jordan Creek Urban Renewal Plan, as amended, shall remain in effect until terminated by the City Council.

This Amendment does not change the expiration date for the division of revenue in the Original Area or any subarea (Amendment Area) of the Jordan Creek Urban Renewal Area. The division of revenues in the Area, as amended, shall continue for the maximum period 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 or Amendment not determined to be invalid or unconstitutional.

EXHIBIT "A"

"Amendment No. 4 Area" – Property to be REMOVED from Urban Renewal Area

A TRACT OF LAND IN SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA , IS INCLUDED IN THE COACHLIGHT URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT A, VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY , IOWA, WITH SAID POINT OF BEGINNING BEING LOCATED ON THE EAST LINE OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 14, TO THE SOUTH RIGHT OF WAY LINE EXTENDED OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE EXTENDED AND THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 81ST STREET, A DISTANCE OF 250 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE INTERSECTION OF THE WEST LINE EXTENDED OF STREET LOT P, HERITAGE BEND PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE EXTENDED OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE SOUTHWEST CORNER OF SAID STREET LOT P;

THENCE NORTH, ALONG THE WEST LINE OF STREET LOT P OF SAID HERITAGE BEND PLAT 1, TO THE NORTHWEST CORNER OF SAID LOT P, SAID POINT BEING LOCATED ON THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF MILLS CIVIC PARKWAY, TO THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET;

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 81ST STREET, TO THE SOUTH LINE EXTENDED OF BRIDGEWOOD SOUTH, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE SOUTH LINE EXTENDED OF SAID BRIDGEWOOD SOUTH, TO THE SOUTHWEST CORNER OF SAID BRIDGEWOOD SOUTH;

THENCE EAST, ALONG THE SOUTH LINE OF SAID BRIDGEWOOD SOUTH SUBDIVISION, TO THE SOUTHWESTERLY LINE OF GARDENS AT BRIDGEWOOD PLAT 2, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID GARDENS AT BRIDGEWOOD PLAT 2, TO THE SOUTHWESTERLY LINE OF VILLAS AT BRIDGEWOOD PLAT 1, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID VILLAS AT BRIDGEWOOD PLAT 1, TO THE SOUTHEAST CORNER OF LOT A, OF SAID VILLAS AT BRIDGEWOOD PLAT 1, SAID POINT BEING THE POINT OF BEGINNING;

EXHIBIT "B"
Depiction of Area being REMOVED by Amendment No. 4

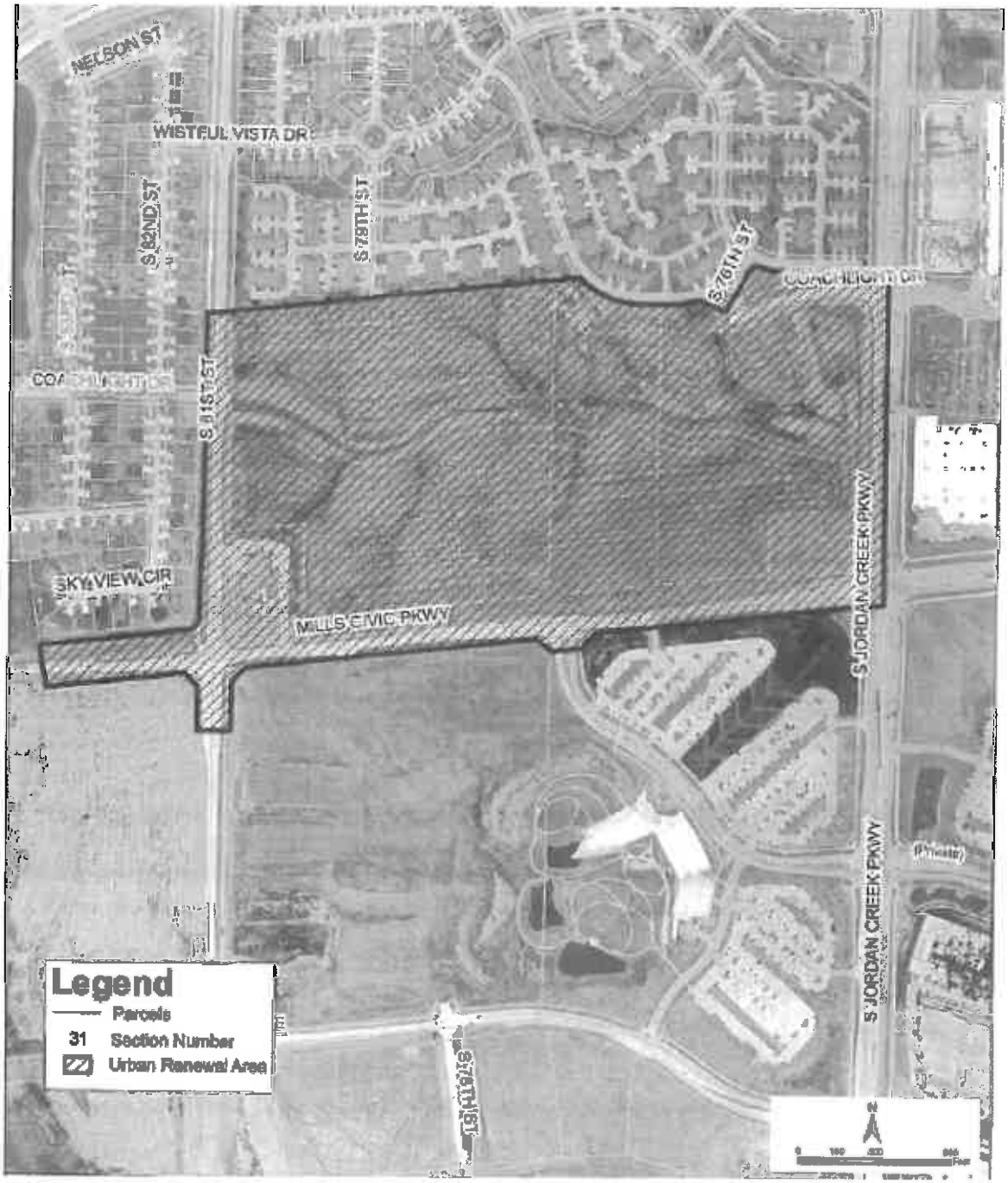

EXHIBIT "C"

Depiction of property being removed from Jordan Creek Urban Renewal Area by Amendment No. 4; which property will be included in new Coachlight Drive Urban Renewal Area

Coachlight Drive Urban Renewal Area, located inside existing Jordan Creek Urban Renewal District.

01310479-1\11333-306

Final Version

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DALLAS)

I, the undersigned City Clerk of the City of West Des Moines, 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 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 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 23rd day of January, 2017.

Ryan T. Jordan
City Clerk, City of West Des Moines, Iowa

(SEAL)

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