

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: June 22, 2020

Item: Review of Economic Development Digital Enterprise Urban Renewal Plan for Conformity with the General Plan (Comprehensive Plan)

Requested Action: Finding of Conformity with the General Plan

Case Advisor: Katie Hernandez, Business Development Coordinator
Community and Economic Development Department

Applicant's Request: City Staff has initiated the process to create the Economic Development Digital Enterprise Urban Renewal Plan. The purpose of the Plan is to facilitate the anticipation of a city-wide project to expand infrastructure, specifically fiber connectivity. The City intends to continue to construct a city-wide conduit network in City-owned public right-of-way containing multiple fiber chambers to be leased or licensed by third-party providers with the goal of facilitating enhanced fiber connectivity which will in turn attract additional commercial, industrial, and residential development in the City.

Any urban renewal area that is being created or amended to add new land area is required to be sent to the Plan and Zoning Commission for review of the urban renewal plan for conformity with the General Plan.

History: This is a new urban renewal area. A significant portion of this land proposed in the Economic Development Digital Enterprise Urban Renewal Area exists within all other West Des Moines urban renewal areas and tax increment financing districts. There are no tax increment financing districts associated with this urban renewal area anticipated, and it is within State law to have overlapping urban renewal areas in any given territory. Therefore, the Economic Development Digital Enterprise Urban Renewal Area is consistent with State law.

Staff Review and Comment: This request has been reviewed by City staff. Staff is of the opinion that the proposed Urban Renewal Plan generally conforms to the City's adopted General Plan (Comprehensive Plan). Because the Urban Renewal Area includes land within the entire West Des Moines City boundary, all land use categories are included, which is consistent with the planned use within the Urban Renewal Area.

Comprehensive Plan Consistency: The Economic Development Digital Enterprise Urban Renewal Plan as proposed has been reviewed by City staff for consistency with the General Plan. Based upon that review, a finding has been made that the proposed Economic Development Digital Enterprise Urban Renewal Plan generally conforms to the General Plan in that the plan conforms to all of the goals and policies of the General Plan and the land use map of the General Plan.

Staff Recommendation and Conditions of Approval: Based upon the preceding review and a finding of conformity with the goals and policies of the General Plan, staff recommends that the Plan and Zoning Commission adopt a resolution finding that the Economic Development Digital Enterprise Urban Renewal Plan conforms to the adopted General Plan and recommend its approval to the City Council, subject to any applicable State Codes.

Applicant: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265
515-222-3600

Owner: N/A

Applicant's Representative: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265
515-222-3600

Attachments:

- Exhibit I - Proposed Economic Development Digital Enterprise Urban Renewal Plan
- Exhibit A - Legal Description
- Exhibit B - Economic Development Digital Enterprise Urban Renewal Area Map
- Exhibit C - Joint City/County Agreement (Warren County)
- Exhibit D - Joint City/County Agreement (Madison County)
- Exhibit II - Resolution
- Exhibit III - Economic Development Digital Enterprise Urban Renewal Area Map

**ECONOMIC DEVELOPMENT
DIGITAL ENTERPRISE
URBAN RENEWAL PLAN**

for the

**ECONOMIC DEVELOPMENT
DIGITAL ENTERPRISE
URBAN RENEWAL AREA**

CITY OF WEST DES MOINES, IOWA

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**Economic Development Digital Enterprise Urban Renewal Plan
for the
Economic Development Digital Enterprise Urban Renewal Area
City of West Des Moines, Iowa**

A. INTRODUCTION

The Economic Development Digital Enterprise Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Economic Development Digital Enterprise Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote economic development in the City of West Des Moines, Iowa (“City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new and expanded commercial, industrial, and residential development.

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Economic Development Digital Enterprise Urban Renewal Area is described in Exhibit A and illustrated in Exhibit B.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

With the adoption of this Plan, the City will designate this Urban Renewal Area as an area that is appropriate for the promotion of economic development (including commercial, industrial, public improvements related to market-rate residential, and low or moderate income (LMI) residential development).

D. DEVELOPMENT PLAN/ZONING

The City has a general plan for the physical development of the City as a whole, outlined in the 2010 Comprehensive Plan. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the 2010 Comprehensive Plan.

This Urban Renewal Plan does not in any way replace or modify the City’s current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

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E. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites for economic development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To improve the conditions for and increase the availability of opportunities for commercial, industrial, and residential economic development, which, in turn, strengthen and revitalize the economy of the State of Iowa and the City.
3. To plan for and provide sufficient services and amenities that attract new businesses and residents, encourage the expansion of existing commercial and industrial enterprises, and retain employees and residents.
4. To provide for the installation of public works and facilities which contribute to the revitalization of the area and to the sound development of the entire City.
5. To stimulate private investment in commercial, industrial, and residential growth and expansion through public investment and governmental policies which make it economically feasible to do business.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To help develop a sound economic base that will serve as the foundation for future growth and development.
8. To improve recreational, tourism, cultural, and educational opportunities.

F. TYPES OF RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.

3. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to fiber conduit or other facilities in connection with urban renewal projects.
4. To make loans, forgivable loans, grants, tax rebate payments, or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
5. To borrow money and to provide security therefor.
6. To acquire and dispose of property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
7. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
8. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City.

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.

G. ELIGIBLE URBAN RENEWAL PROJECT

The City intends to continue to construct a city-wide conduit network in City-owned public right-of-way containing multiple fiber chambers to be leased or licensed by third-party providers with the goal of facilitating enhanced fiber connectivity which will in turn attract additional commercial, industrial, and residential development in the City. Although the City may use authority under Iowa Code chapter 403 to finance the urban renewal project, the City will not use tax-increment financing under this Plan. The cost of the project is estimated at not to exceed \$50,000,000. The City may seek other sources of funding for the conduit network project, including entering into development agreement(s) with one or more private parties who will contribute to the construction costs in exchange for a lease or license for a portion of the conduit chambers for a specified period of time.

H. FINANCIAL DATA

1.	July 1, 2019 constitutional debt limit:	\$414,397,845
2.	Current outstanding general obligation debt:	\$226,340,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a	\$50,000,000 This total does not include financing costs

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	<p>number of years. In no event will the City’s constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. THE CITY DOES NOT INTEND TO USE TAX INCREMENT REVENUES FROM WITHIN THE URBAN RENEWAL AREA TO FINANCE ANY INDEBTEDNESS. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:</p>	<p>related to debt issuance, which will be incurred over the life of the Area.</p>
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I. URBAN RENEWAL FINANCING

The City may utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions.

The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. 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 or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City.

The City may also determine to issue general obligation bonds, loan agreements, or such other obligations to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects.

Insofar as much of the property located within the Urban Renewal Area is also located within previously established urban renewal areas of the City in which previously established TIF Districts exist, the City will not seek the use of Tax Increment Financing (TIF) with respect to the urban renewal projects identified in this Plan. Accordingly, no Tax Increment authority is currently sought under this Plan.

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.

J. PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

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K. RELOCATION

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

L. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

M. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

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

N. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

O. SEVERABILITY CLAUSE

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. COUNTY CONSENT

Some of the property included in the Urban Renewal Area includes land outside but within two miles of the City boundary, and is located within unincorporated Warren and Madison Counties. In accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city only if the city obtains the consent of the county within which such property is located. A Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City and Warren County. A copy of the Joint Agreement is attached as Exhibit "C". Likewise, a Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City and Madison County. A copy of the Joint Agreement is attached as Exhibit "D". The original agreements are on file with the City Clerk's office.

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EXHIBIT A

LEGAL DESCRIPTION OF AREA

The Economic Development Digital Enterprise Urban Renewal Area is described as follows:

The City of West Des Moines corporate limits, situated in portions of Polk County, Dallas County, Warren County, and Madison County, all in the State of Iowa, more specifically described as follows:

Beginning at the Northwest corner of Section 6, Township 78 North, Range 25 West of the 5th P.M., in said Polk County; thence East along the North lines of said Section 6, Section 5, Section 4, and a portion of Section 3, all in said Township 78 North, Range 25 West of the 5th P.M., to the East right-of-way line of the Norfolk and Southern Railroad; thence Southeast along said East right-of-way line projected to the South right-of-way line of Buffalo Road to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in book 11728 on page 658 in the Polk County Recorder's Office; thence Southeast along the East line of said Parcel "A" to the West line of 73rd Street; thence Southerly along said West line to the Northeast corner of Lot 3 of Executive Plaza Plat 1, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Lot 3 to the Southeast corner thereof, said point also being on the West line of Rancho Grande, an official plat in and forming a part of the City of Windsor Heights; thence continuing South along said West line of Rancho Grande to the North line of Colby's Office Park, an official plat in and forming a part of the City of West Des Moines; thence Easterly along said North line to the Northeast corner of Lot 13 in said Colby's Office Park; thence East to the West right-of-way line of 73rd Street; thence Northerly along said West right-of-way line to the North line of the Southeast 1/4 of Section 3, in said Township 78 North, Range 25 West of the 5th P.M.; thence East along said North line to the East 1/4 Corner of said Section 3; thence East along the North line of the Southwest 1/4 of Section 2, in said Township 78 North, Range 25 West of the 5th P.M., to the extended Eastern line of Lot 44 of Janet's Woods, an official plat in and forming a part of the City of West Des Moines; thence Southeasterly along said Eastern line to the North line of Lot 22 of said Janet's Woods; thence East along said North line to the Northwest corner thereof; thence Southeasterly along the East line of said Lot 22, to the Southwest corner of Lot 14 of said Janet's Woods; thence East along the North line of said Lot 22 to the Northwest corner of Lot 25 of said Janet's Woods; thence South along the East line of said Lot 22 to the Southeast corner thereof; thence East along the South line of Lot 23 of said Janet's Woods extended to the North and South Center Section line of said Section 2; thence South along the North and South Center of section lines running through the remaining portion of said Section 2 and Sections 11, 14, 23, and 26, all in said Township 78 North, Range 25 West of the 5th P.M., to the North 1/4 corner of Section 35, Township 78 North, Range 25 West of the 5th P.M.; thence East along the North line of said Section 35 to the Northeast corner of the West

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1/2 of the Northeast 1/4 thereof; thence South along the East line of the West 1/2 of the Northeast 1/4 to the Southeast corner thereof; thence East along the North line of the East 1/2 of the Southeast 1/4 of said Section 35 to the extended SE Double Eagle Drive East right-of-way line; thence South along said East right-of-way line to the Southeast corner thereof; thence West to the East line of the West 1/2 of the Southeast 1/4 of said Section 35; thence South along said East line to the South line of Polk County; thence West along said South line to the Northeast corner of Section 4, Township 77 North, Range 25 West of the 5th P.M., in Warren County; thence South along the East line of said Section 4 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 4; thence West along the North line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence South along the West line of said Southeast 1/4 of the Southeast 1/4 to the South line of said Section 4; thence West along said South line to the North 1/4 corner of Section 9, of said Township 77 North, Range 25 West of the 5th P.M.; thence South along the East line of the Northwest 1/4 of said Section 9 to the Center of said Section 9; thence West along the South line of said Northwest 1/4 to the East 1/4 corner of said Section 8, in said Township 77 North, Range 25 West of the 5th P.M.; thence South along the East line of said Section 8 to the Southeast corner of Parcel "R" as recorded in a Plat of Survey in Instrument Number 2018-09452 in the Warren County Recorder's Office; thence West along the South line of said Parcel "R" to the Southwest corner thereof and the East line of Parcel "P" as recorded in a Plat of Survey in Fee Book 2016-9567 in the Warren County Recorder's Office; thence North along said East line to the North line of the Southeast 1/4 of said Section 8; thence West along said North line to the Center of said Section 8; thence West along the South line of the Northwest 1/4 of said Section 8 to the Western right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said Western right-of-way line to the East line of the Northwest 1/4 of said Section 8; thence North along said East line to the South 1/4 corner of Section 5, in said Township 77 North, Range 25 West of the 5th P.M.; thence West along the South line of said Section 5 to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 5; thence North along the West lines of the Southeast 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 of said Section 5 to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of said Northeast 1/4 of the Southwest 1/4 to the Northwest corner of the North 500 feet of the East 290.4 feet of said Northeast 1/4 of the Southwest 1/4; thence South along the West line of said North 500 feet of the East 290.4 feet to the Southwest corner thereof; thence East along the South line of said North 500 feet of the East 290.4 feet to the East line of said Northeast 1/4 of the Southwest 1/4; thence North along said East line to the Center of said Section 5; thence East along the North line of the Southeast 1/4 of said Section 5 to the East 1/4 corner of said Section 5; thence South along the East line of the Southeast 1/4 of said Section 5 to the North right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said North right-of-way line to the East line of the Southwest 1/4 of Section 4, in said Township 77 North, Range 25 West of the 5th P.M.; thence North along said

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East line to the Center of said Section 4; thence East along the North line of the Southeast 1/4 of said Section 4 to the Southwest corner of Parcel "B" as recorded in a Plat of Survey recorded in Irregular Plat Book 12 on page 77-25 in the Warren County Recorder's Office; thence along the Southeastern line of said parcel and the North right-of-way line of the former Chicago and North Western Transportation Company to the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4; thence North along said West line to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence West along the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the Southwest corner thereof; thence North along the West line of said Northwest 1/4 of the Northeast 1/4 to the South line of Polk County; thence West along said South line to the Southeast corner of Parcel "B" of Lot 1 of Big Valley, an official plat in Polk County, Iowa, as recorded in a Plat of Survey in book 9074 on page 51 in the Polk County Recorder's Office; thence North along the East line of said Parcel "B" to the Northeast corner thereof; thence Westerly along the North line of said Parcel "B" extended to the West line of the Southwest 1/4 of Section 32, in said Township 78 North, Range 25 West of the 5th P.M.; thence South along said West line to the South line of Polk County; thence West along said South line to the East right-of-way line of Interstate Highway 35; thence South along said East right-of-way line to a point 50 feet North of the South line of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 77 North, Range 25 West of the 5th P.M., in Warren County; thence West along a line 50 feet North of and parallel to the South line of said Northwest 1/4 of the Northeast 1/4 and the South line of the North 1/2 of the Northwest 1/4 of said Section 7 to the West line of said Section 7; thence North along said West line to the Southeast corner of Section 1, Township 77 North, Range 26 West of the 5th P.M., in Madison County; thence West along the South line of said Section 1 to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 1; thence North along the West line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence East along the North line of said Southeast 1/4 of the Southeast 1/4 to the West line of Section 6, Township 77 North, Range 25 West of the 5th P.M., in Warren County; thence North along the West line of said Section 6 to the North right-of-way line of Adams Street (Warren County); thence East along said North right-of-way line to the West line of Parcel "A" as recorded in a Plat of Survey in book 2002 on page 6843 in the Warren County Recorder's Office; thence North along said West line to the North line of said Section 6; thence East along said North line to the Western right-of-way line of Interstate Highway 35; thence Northeasterly along said Western right-of-way line to the centerline of Maffitt Lake Road; thence West along said centerline to the extended West line of Maffitt Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said extended West line and the West line of said Maffitt Ridge to the Northwest corner thereof; thence East along the North line of said Maffitt Ridge to the Northeast corner thereof and the West line of Parcel "C" as recorded in a Plat of Survey in book 9108 on page 894 in the Polk County Recorder's Office; thence South along said West line to the Southwest corner of said Parcel "C"; thence East along the South line of said Parcel "C" to the

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Western right-of-way line of Interstate Highway 35; thence Northerly along said Western right-of-way line to the thread of the Raccoon River; thence Westerly along said thread to the East line of Section 25, Township 78 North, Range 26 West of the 5th P.M., in Dallas County; thence South along said East line to the East 1/4 corner of said Section 25; thence West along the South line of the Northeast 1/4 of said Section 25 to the center of the Raccoon River; thence Westerly along said river center to the South line of the Northwest 1/4 of said Section 25; thence West along said South line to the East 1/4 corner of Section 26, in Township 78 North, Range 26 West of the 5th P.M.; thence West along the South line of the Northeast 1/4 of said Section 26 to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said section 26; thence South along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 26, to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 26; thence West along the North line of Southwest 1/4 of the Southeast 1/4 of said Section 26 to the thread of the Raccoon River; thence Southwesterly along the said thread to the North line of the Northeast 1/4 of Section 35, in Township 78 North, Range 26 West of the 5th P.M.; thence West along the North line of the Northeast 1/4 of said Section 35 to the North 1/4 corner of said Section 35; thence South along the East line of the Northwest 1/4 of said Section 35 to the North line of River Oaks, an official plat now in a forming a part of Dallas County; thence Westerly along the Northern line of said River Oaks to the Northeast corner of River Oaks Plat 2, an official plat in and forming a part of Dallas County; thence Westerly along the North line of said River Oaks Plat 2 and the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 35 to the East line of Section 34, in Township 78 North, Range 26 West of the 5th P.M.; thence South along the East line of said Section 34 to the Southeast corner thereof; thence West along the South line of said Section 34 to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 3, Township 77 North, Range 26 West of the 5th P.M., in Madison County; thence South along the East line of the West 1/2 of the Northeast 1/4 of said Section 3 to the Southeast corner thereof; thence West along the South lines of the Northeast 1/4 and the Northwest 1/4 of said Section 3 to the West 1/4 corner of said Section 3; thence North along the West line of said Section 3 to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 3; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 3; thence North along the West line of said Northeast 1/4 of the Northwest 1/4 to the South line of Section 34, Township 78 North, Range 26 West of the 5th P.M., in Dallas County; thence West along said South line to the Southwest corner of said Section 34; thence West along the South line of Section 33, in said Township 78 North, Range 26 West of the 5th P.M., to the Southeast corner of Lot 44, Deer Hunter's Run, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 44 to the Southeast corner of Lot "B" of said Deer Hunter's Run; thence North along the East line of said Lot "B" to the South line of Lot 3 of Deer Hunter's Run Plat 2, an official plat in and forming a part of Dallas County; thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3 and the Southwest corner of Outlot "Y" of said Deer Hunter's

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Run Plat 2; thence Easterly, Northerly, and Westerly along the Eastern line of said Outlot "Y" to the East line of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence South along said East line to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence West along the South line of said Northeast 1/4 of the Southwest 1/4 to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 33; thence South along the East line of said Southwest 1/4 of the Southwest 1/4 to the South line of said Section 33; thence West along the South lines of said Section 33 and Section 32, in said Township 78 North, Range 26 West of the 5th P.M. to the Northwest corner of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 5, Township 77 North, Range 26 West of the 5th P.M. in Madison County; thence South along the West line of said East 1/2 of the Northwest 1/4 of the Northeast 1/4 to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in Book 3 on Page 165 in the Madison County Recorder's Office; thence West along the North line of said Parcel "A" to the East line of the Northwest 1/4 of said Section 5; thence South along said East line and the and the East line of the Southwest 1/4 of said Section 5 to the centerline of 105th Street (Madison County); thence West along the centerline of said 105th Street to the centerline of Timberbrook Avenue (Utica Trail in Dallas County); thence North along the centerline of said Timberbrook Avenue (Utica Trail in Dallas County) to the South line of Section 32 in said Township 78 North, Range 26 West of the 5th P.M.; thence continuing Northerly along the centerline of Utica Trail (Timberbrook Avenue in Madison County) to the West line of said Section 32; thence North along said West line to the West line of Parcel "B" as recorded in a Plat of Survey in Book 834 on page 13 in the Dallas County Recorder's Office; thence Northwesterly, Northerly, and Easterly along the Western and Northern lines of said Parcel "B" to the West line of the East 1/2 of the Northwest 1/4 of said Section 32; thence South along said West line to the Northwest corner of Parcel "A" as recorded in a Plat of Survey in book 787 on page 118 in the Dallas County Recorder's Office; thence Easterly along the Northern line of Said Parcel "A" to the Northeast corner of said Parcel "A", said corner also being the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 32; thence East along the North line of said Southwest 1/4 of the Northeast 1/4 to the Western High Water Mark of the Raccoon River; thence Northerly along said Western High Water Mark to the North line of said Section 32; thence East along said North line to the Southwest corner of Section 28, Township 78 North, Range 26 West of the 5th P.M.; thence North along the West lines of said Section 28 and Section 21, Township 78 North, Range 26 West of the 5th P.M., to the Northwest corner of said Section 21; thence East along the North line of said Section 21 to the Southwest corner of Section 15, Township 78 North, Range 26 West of the 5th P.M.; thence North to the West 1/4 corner of said Section 15; thence East along the North line of the Southwest 1/4 of said Section 15 to the Northeast corner of Tiburon, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Tiburon to the North line of Majestic Oaks Plat 1, an official plat in and forming a part of the City of West Des Moines; thence East along said North line to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 15; thence

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North along said West line to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of the South 1/2 of said Section 15 to the extended West line of Lot 3 of Cedar Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said West line extended to the Northwest corner of said Lot 3; thence East along the North line of said Lot 3 to the Southwest corner of Lot 26 of said Cedar Ridge; thence Northerly along the Western lines of Lots 26, 27, and 28 of said Cedar Ridge to the Northwest corner of said Lot 28; thence West along the South line of Lot 29 of said Cedar Ridge to the Southwest corner thereof; thence North along the West line of said Lot 29 to the Northwest corner thereof; thence East along the North line of said Cedar Ridge to the Southeast corner of Lot 1 of Hickory Knolls Place Replat, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 1 to the Northeast corner thereof; thence West along the North lines of Lot 1 and Lot 2 of said Hickory Knolls Place Replat to the Northwest corner of said Lot 2; thence Southwesterly along the Western line of said Lot 2 to the Southwest corner thereof; thence West along the South line of Lot 3 of said Hickory Knolls Place Replat to the Northeast corner of Tract A of Lot 4 as shown in a Plat of Survey in book 2013 on page 14666 in the Dallas County Recorder's Office; thence South along the East line of said Tract A; thence West along the South line of said Tract A to the West line of Lot 4 of said Hickory Knolls Place Replat; thence North along the west lines of said Lot 4 and said Lot 3 to the Northwest corner of said Lot 3, said point also being the North 1/4 corner of Section 15, Township 78 North, Range 26 West of the 5th P.M.; thence West along the North line of the Northwest 1/4 of said Section 15 to the Northwest corner thereof; thence South along the West line of the Northwest 1/4 of said Section 15 and the East line of Rebel Ridge Estates, an official plat in and forming a part of the City of West Des Moines, to the Southeast corner of said Rebel Ridge Estates; thence West along the South line of said Rebel Ridge Estates to the Southwest corner of said Rebel Ridge Estates and the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 78 North, Range 26 West of the 5th P.M.; thence South along the East line of the Northwest 1/4 of said Section 16 to the Southeast corner of Westport Plat 1, an official plat in and forming a part of the City of West Des Moines; thence West along the South line of said Westport Plat 1 to a point on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence South along said West line to the Southwest corner of said Southeast 1/4 of the Northwest 1/4; thence West along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 16 to the West 1/4 corner of said Section 16; thence North along the West line of said Southwest 1/4 of the Northwest 1/4 to the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Northeast Corner of said Southwest 1/4 of the Northwest 1/4; thence North along the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 16 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4; thence North along the West line of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 78 North, Range 26 West of the 5th P.M. to the centerline of Interstate Highway 80; thence Northeasterly along said centerline

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to the West line of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 78 North, Range 26 West of the 5th P.M.; thence North along said West line to the North 1/4 corner of said Section 10; thence West along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 10 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4 and the centerline of 98th Street; thence North along said centerline to the North line of Section 3, Township 78 North, Range 26 West of the 5th P.M.; thence East along the North lines of Sections 3, 2, and 1, all in Township 78 North, Range 26 West of the 5th P.M., to the point of beginning,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded in book 2018 on page 2117, book 2018 on page 2119, book 2018 on page 4057, book 2019 on page 744, book 2019 on page 4020, book 2019 on page 4021, book 2020 on page 124, Exhibits 011-01-F and 2-F in book 2020 on page 126, and that portion of the Southwest 60th Street right-of-way described in a Warranty Deed in book 2019 on page 833, all in Madison County, Iowa,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2018-00780, Instrument Number 2018-01820, Instrument Number 2018-01629, and Exhibits 008-06-F and 008-07-F in Instrument Number 2018-03537, all in Warren County, Iowa,

And;

A parcel of land conveyed to the City of West Des Moines in a Warranty Deed recorded as Instrument Number 2018-00073 in the Warren County Recorder's office,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2017-11016, Instrument Number 2017-11042 (except Parcel AD as recorded in a Plat of Survey as Instrument Number 2018-09117 in the Warren County Recorder's Office), Instrument Number 2018-00730, Instrument Number 2018-02701, all in the City of Norwalk, Warren County, Iowa,

And;

All that portion of the South Grand Prairie Parkway right-of-way and the Stagecoach Drive right-of-way in Section 16, Township 78 North, Range 26 West of the 5th P.M., all in Dallas County, Iowa, as recorded in a Condemnation

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document recorded in book 2019 on page 12816 in the Dallas County Recorder's Office,

And;

All that portion of the South Grand Prairie Parkway right-of-way and Mills Civic Parkway right-of-way as described in acquisition documents recorded in book 2015 on page 5361, book 2015 page 5363, book 2015 on page 6390, and book 2015 on page 15922, all in Dallas County, Iowa.

And;

All that portion of the Mills Civic Parkway / 335th Street right-of-way from the Center of Section 16, Township 78 North, Range 26 West of the 5th P.M., in Dallas County, Iowa, to the East 1/4 of said Section 16, and all that portion of the Wendover Road right-of-way in said Section 16 from the Center of said Section 16, running North to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16.

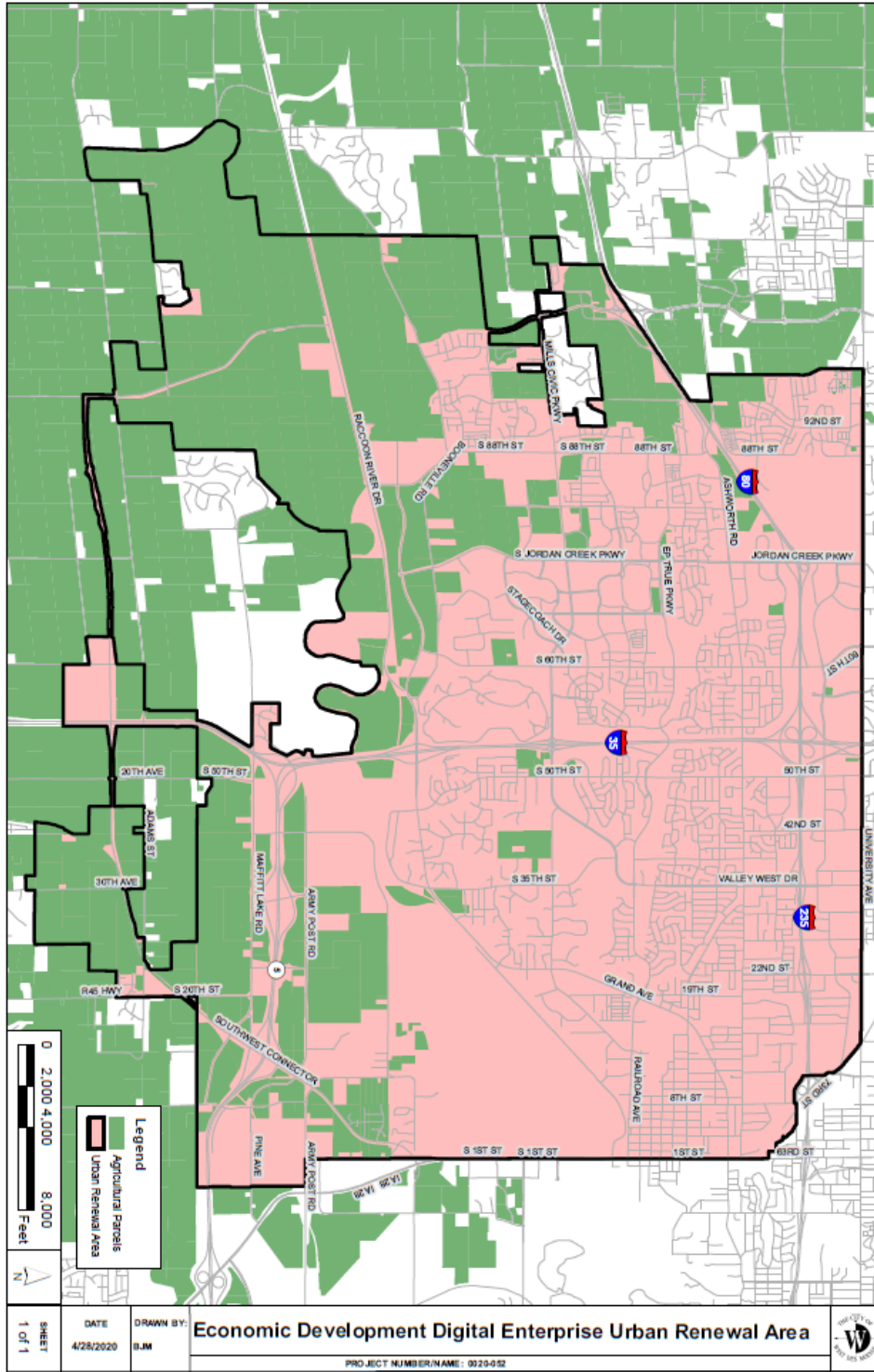
And;

All that portion of the Mills Civic Parkway / 335th Street right-of-way in Section 15, Township 78 North, Range 26 West of the 5th, P.M., in Dallas County, Iowa, not previously described herein.

Excepting therefrom those parcels designated as agricultural parcels by the Dallas, Madison, Polk, and Warren County Assessors Offices as shown on each respective County's Geographic Information System maps as of April 28, 2020, and as depicted in Exhibit B. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

EXHIBIT B

ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL AREA MAP



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EXHIBIT C

JOINT CITY/COUNTY AGREEMENT

WHEREAS, the City of West Des Moines, State of Iowa, (the “City”) has proposed to establish the Economic Development Digital Enterprise Urban Renewal Area within two miles of the City for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City, has reviewed the Economic Development Digital Enterprise Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City; and

WHEREAS, Iowa Code Section 403.17(4) requires a “joint agreement” between the City and the County before the City can proceed with said projects.

NOW THEREFORE, WARREN COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Warren County, State of Iowa, hereby agrees and authorizes the City to proceed with the Economic Development Digital Enterprise Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City and in such locations as is identified in the Economic Development Digital Enterprise Urban Renewal Plan.
2. This “joint agreement” is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Economic Development Digital Enterprise Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Warren County, State of Iowa, and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this _____ day of _____, 2020.

WARREN COUNTY, STATE OF IOWA

Chairperson, Board of Supervisors

ATTEST:

Secretary

STATE OF IOWA)
) SS
COUNTY OF WARREN)

On this _____ day of _____, 2020, before me a Notary Public in and for the State of Iowa, personally appeared _____ and _____ to me personally known, who being duly sworn, did say that they are the Chairperson and Secretary, respectively, of Warren County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Secretary acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.

Notary Public in and for Warren County, Iowa

Final

CITY OF WEST DES MOINES, IOWA,
an Iowa municipal corporation

Steven K. Gaer
Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2020, before me a Notary Public in and for said County, personally appeared Steven K. Gaer and Ryan T. Jacobson, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of West Des Moines, Iowa, a municipal corporation, created and existing under the laws of the State of Iowa and that said record was signed on behalf of said municipal corporation by authority and resolution of its City Council as contained in Roll Call No. _____ passed on the _____ day of _____, 2020, and said Mayor and City Clerk acknowledged said record to be the free act and deed of said municipal corporation by it voluntarily executed.

Notary, State of Iowa

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EXHIBIT D

JOINT CITY/COUNTY AGREEMENT

WHEREAS, the City of West Des Moines, State of Iowa, (the “City”) has proposed to establish the Economic Development Digital Enterprise Urban Renewal Area within two miles of the City for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City has reviewed the Economic Development Digital Enterprise Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City; and

WHEREAS, Iowa Code Section 403.17(4) requires a “joint agreement” between the City and the County before the City can proceed with said projects.

NOW THEREFORE, MADISON COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Madison County, State of Iowa, hereby agrees and authorizes the City to proceed with the Economic Development Digital Enterprise Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City and in such locations as is identified in the Economic Development Digital Enterprise Urban Renewal Plan.
2. This “joint agreement” is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Economic Development Digital Enterprise Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Madison County, State of Iowa, and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this _____ day of _____, 2020.

MADISON COUNTY, STATE OF IOWA

Chairperson, Board of Supervisors

ATTEST:

Secretary

STATE OF IOWA)
) SS
COUNTY OF MADISON)

On this _____ day of _____, 2020, before me a Notary Public in and for the State of Iowa, personally appeared _____ and _____ to me personally known, who being duly sworn, did say that they are the Chairperson and Secretary, respectively, of Madison County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Secretary acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.

Notary Public in and for Madison County, Iowa

Final

CITY OF WEST DES MOINES, IOWA,
an Iowa municipal corporation

Steven K. Gaer
Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2020, before me a Notary Public in and for said County, personally appeared Steven K. Gaer and Ryan T. Jacobson, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of West Des Moines, Iowa, a municipal corporation, created and existing under the laws of the State of Iowa and that said record was signed on behalf of said municipal corporation by authority and resolution of its City Council as contained in Roll Call No. _____ passed on the _____ day of _____, 2020, and said Mayor and City Clerk acknowledged said record to be the free act and deed of said municipal corporation by it voluntarily executed.

Notary, State of Iowa

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RESOLUTION NO. PZC 20-041

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, FINDING THE PROPOSED ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN CONFORMS TO THE GENERAL PLAN FOR DEVELOPMENT AND RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN.

WHEREAS, pursuant to the applicable State statutory provisions, the applicant, The City of West Des Moines, has requested approval for the Economic Development Digital Enterprise Urban Renewal Plan for that property with a boundary generally following the City of West Des Moines' corporate boundary and including the right-of-way following S. Grand Prairie Parkway and Veterans Parkway in unincorporated Madison and Warren Counties, as well as a small portion within the City of Norwalk boundary, for the purpose of creating the Economic Development Digital Enterprise Urban Renewal Area; and

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference; and

WHEREAS, on June 22, 2020, this Commission held a duly-noticed public meeting to consider the application for the Economic Development Digital Enterprise Urban Renewal Plan.

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The finding, of conformity, in the staff report, dated June 22, 2020, or as amended orally at the Plan and Zoning Commission hearing of June 22, 2020, is adopted.

SECTION 2. In accordance with applicable State statutory provisions, the proposed Economic Development Digital Enterprise Urban Renewal Plan is found to be in conformity with the General Plan for development of the City and recommended to the City Council for approval.

PASSED AND ADOPTED on June 22, 2020.

ATTEST:

Erica Andersen, Chairperson
Plan and Zoning Commission

Recording Secretary

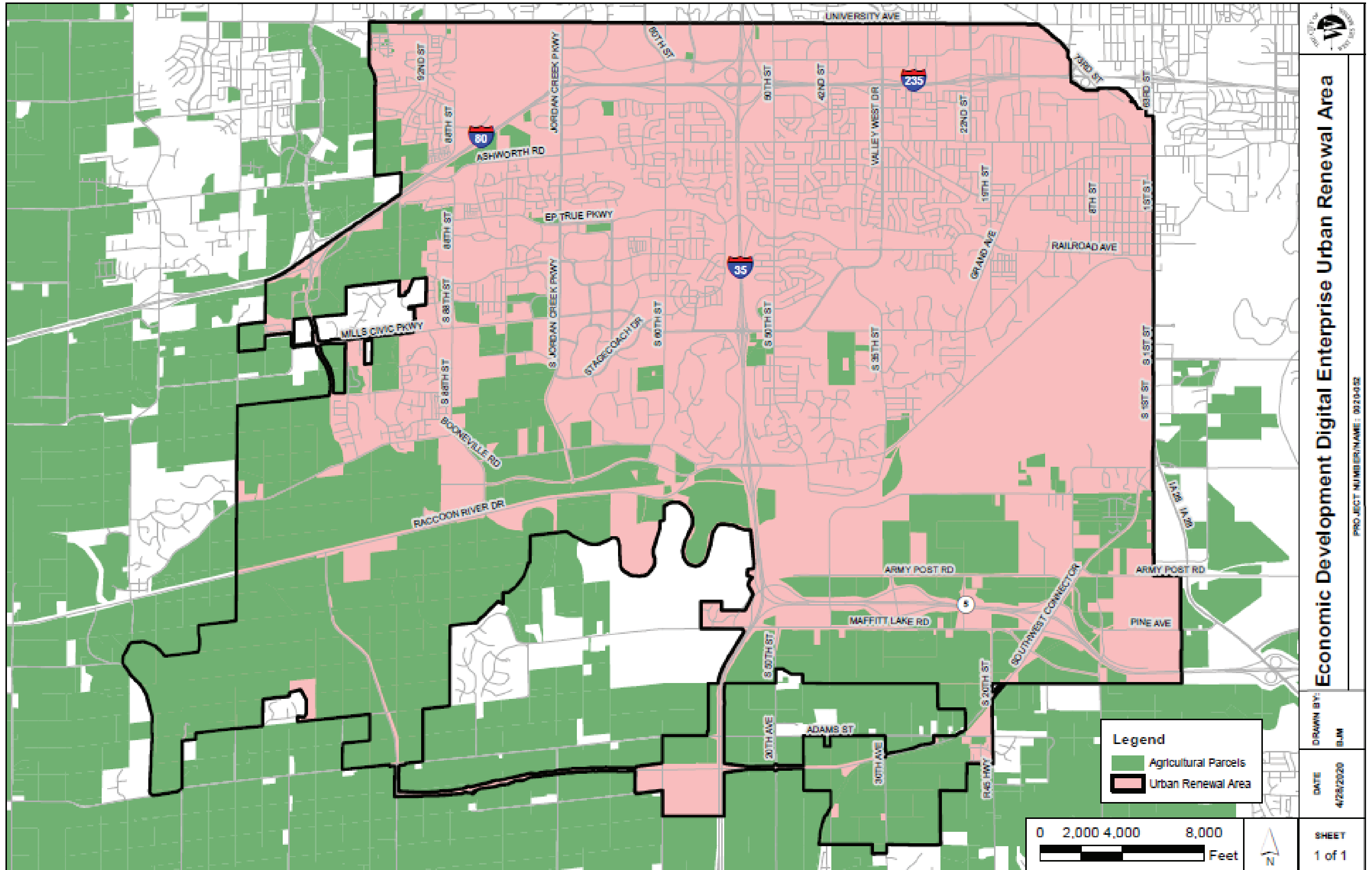
I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on June 22, 2020, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL AREA MAP



Economic Development Digital Enterprise Urban Renewal Area

PROJECT NUMBER/NAME : 0020-03E

DRAWN BY: BLJM

DATE: 4/28/2020

SHEET: 1 of 1