CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Dates of Consultation Meeting and the Public Hearing for Amendment No. 6 to the Alluvion Urban Renewal Plan - City Initiated **DATE:** November 1, 2021

RESOLUTION: Establish Consultation Meeting date and Public Hearing date for Amendment No. 6 to the Alluvion Urban Renewal Plan - City Initiated

FINANCIAL IMPACT: The City will be entering into a development agreement to reimburse Microsoft Corporation in the form of an additional economic development grant of $1,705,000. In addition, the City will be expending funds for the construction of infrastructure to support the project, construction of SE County Line Road between SE Soteria Avenue and SE Orilla Road and SE Adams Street from Veterans Parkway to SE Orilla Road. The entire cost of the infrastructure improvements should not exceed $11,500,000.

BACKGROUND: The City Council approved the Alluvion Urban Renewal Plan in 2014, Amendment No. 1 was approved in 2015, Amendment No. 2 was in 2016, Amendment No. 3 was in 2018, Amendment No. 4 was in 2019 and Amendment No 5 was in August of this year.

Staff has identified the need to amend the Alluvion Urban Renewal Plan to identify three projects within the Area. Staff has been working with Microsoft on the Ginger East data center project. According to state law, Urban Renewal Plans must be amended to identify all projects potentially utilizing TIF and/or to add land area.

This plan must be amended to allow for projects being funded with TIF, which include public infrastructure projects. The Plan must also be amended to include an additional 14.37 acres of land area. 9.48 acres is located along the west side of SE Orillia Road. 4.89 acres is just south of County Line Road and is within the 2-mile extraterritorial boundary for the City of Norwalk. On October 7, 2021, the City of Norwalk adopted a resolution allowing the land to be included within the Alluvion Urban Renewal Plan. A copy of the resolution can be found as Exhibit D in the attached Amendment No. 6 of Alluvion Urban Renewal Plan (Exhibit I).

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

RECOMMENDATION: Staff recommends that the City Council approve a resolution setting November 10, 2021, as the consultation meeting date and December 6, 2021, as the public hearing date for Amendment No. 6 to the Alluvion Urban Renewal Plan.

Lead Staff Member: J. Bradley Munford, Business Development Coordinator JBM

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	February 17, 2021		
Recommendation	☒ Yes	☐ No	

ATTACHMENTS:

Exhibit I	Proposed Alluvion Urban Renewal Plan Amendment No. 6
Exhibit II	Resolution

EXHIBIT I

AMENDMENT NO. 6
TO THE

ALLUVION
URBAN RENEWAL PLAN

for the

ALLUVION
URBAN RENEWAL AREA

CITY OF WEST DES MOINES, IOWA

Original Plan – 2014
Amendment No. 1 – 2015
Amendment No. 2 – 2016
Amendment No. 3 – 2018
Amendment No. 4 – 2019
Amendment No. 5 – 2021
Amendment No. 6 – 2021

Amendment No. 6
to the
Alluvion Urban Renewal Plan
City of West Des Moines, Iowa

INTRODUCTION

The Alluvion Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Alluvion Urban Renewal Area ("Area" or "Urban Renewal Area"), adopted in 2014 and subsequently amended five times, is being further amended by this Amendment No. 6 to the Plan ("Amendment No. 6" or "Amendment") to update the description of a previously approved urban renewal project, to add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area, and to add land to the Urban Renewal Area.

Except as modified by this Amendment No. 6, the provisions of the 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 No. 6 shall control. Any subsections not mentioned in this Amendment No. 6 shall continue to apply to the Plan, as previously amended.

DESCRIPTION OF AREA

The land included in the Urban Renewal Area by the original Plan, and the land added by subsequent amendments are referred to as the different subareas or subdistricts of the Urban Renewal Area. The land being added to the Urban Renewal Area by this Amendment may be referred to as the "Amendment No. 6 Subarea." The legal description of the land being added to the Area by this Amendment is attached hereto as Exhibit A and a map showing the Amendment No. 6 Subarea is attached as Exhibit B. A map of the entire Urban Renewal Area, as previously amended, and identifying the Amendment No. 6 Subarea, is attached as Exhibit C.

BASE VALUE

The base value for the purposes of Tax Increment Financing ("TIF") of the property in the Amendment No. 6 Subarea shall be the assessed value as of January 1 of the calendar year preceding the year in which the property is added to the applicable TIF ordinance. It may be that the multiple TIF ordinances are adopted for the properties within the Amendment No. 6 Subarea, such that base values may vary among the properties in the Amendment No. 6 Subarea. Nothing in this Amendment otherwise affects other already established frozen base values for any other Subarea.

AREA DESIGNATION

The Area, as amended, continues to be designated as an economic development area for the promotion of commercial and industrial development.

DEVELOPMENT PLAN/ZONING

The Urban Renewal Plan, as amended, and this Amendment are in conformity with the West Des Moines Comprehensive Plan, adopted September 20, 2010, which is the City of West Des Moines' ("City") general plan for the development of the City as a whole.

This Plan does not in any way replace or modify the City's current land use planning or zoning regulation process. Any need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth herein.

Any urban renewal projects related to the need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in this Plan, as amended, and this Amendment. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

Numerous projects were previously approved for the Urban Renewal Area and are continuing. With the adoption of this Amendment No. 6, the City is updating the description of the following urban renewal project which was originally approved in Amendment No. 5 the Plan.

A. *Microsoft Corporation (or related entities)*: The City plans to enter into a development agreement with Microsoft related to Microsoft constructing a data center building totaling approximately 250,000 square feet and related site improvements in the Area ("Microsoft Project"). Microsoft would agree to a minimum assessment agreement setting a minimum assessed value of the Microsoft Project and the creation of at least 39 Full Time Equivalent Jobs. Subject to the terms and conditions of the future development agreement, the City expects to construct public improvements, including road improvements, water distribution, and sanitary sewer improvements, in support of the Microsoft Project (all described under "Public Improvements" in Amendment No. 5 to the Plan). In addition, the City expects to provide an economic development grant of not to exceed $1,705,000 to incent private investment in the Microsoft Project, subject to certain conditions set forth in the detailed development agreement. Project amounts and terms and conditions may vary upon completion of a development agreement.

ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 6)

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Amendment No. 6 include:

1. Public Improvements

Project Description	Estimated Project Timeframe	Estimated Cost to be Paid with Tax Increment	Rationale for Project
SE County Line Road – Veterans Parkway to SE Soteria Avenue. Reconstruction & realignment of SE County Line Road from rural 2-lane roadway to 4-lane urban undivided roadway (2 northern lanes initially), construction of new culdesac on west end of SE County Line Court, reconstruction of portions of SE Soteria Avenue to accommodate removal of SE Maffitt Lake Road intersection, modifications to Great Western Trail to accommodate pedestrian underpass, storm sewer, watermain, multi-use trail, sidewalk, and streetlights.	2021-2023	$7,500,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.
SE County Line Road – Veterans Parkway to SE Orilla Road. Construction of 3-lane urban roadway, storm sewer, watermain, fiber conduit, multi-use trail, sidewalk, and streetlights.	2022-2023	$2,500,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.
SE Adams Street – Veterans Parkway to SE Orilla Road. Reconstruction of SE Adams Street from rural 2-lane roadway to 2-lane urban roadway from SE Orilla Road to the site of a new West Des Moines Water Works water tower and abandonment of SE Adams Street from the water tower site to Veterans Parkway. City's portion of the project is anticipated to include installation of storm sewer, conduit and streetlights. The project is also anticipated to include installation of watermain and sidewalks, but those components are anticipated to be installed by third parties.	2022-2023	$1,500,000	Support economic development and provide the necessary infrastructure to accommodate traffic and utility demands.

	Total:	**$11,500,000**	

2. Development Agreements

The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed $10,000,000.

3. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to Exceed $50,000

FINANCIAL DATA

1.	July 1, 2021 constitutional debt limit:	$468,115,757
2.	Current outstanding general obligation debt:	$255,871,703
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Update to Previously Approved Urban Renewal Projects and Eligible Urban Renewal Projects (Amendment No. 6) has not yet been determined. This document is for planning purposes. The estimated project costs in this Amendment No. 6 are estimates only and will be incurred and spent over a number of years. In no event will the City's constitution 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. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Update to Previously Approved Urban Renewal Projects and Eligible Urban Renewal Projects (Amendment No. 6) as described above will be approximately as indicated in the adjacent column:	Update to Previously Approved Urban Renewal Projects: $1,705,000 Eligible Urban Renewal Projects (Amendment No. 6): $21,550,000 (These amounts do not include costs related to financing which may be incurred over the life of the Area.)

CONSENT OF THE CITY OF NORWALK

Some of the property in the Amendment No. 6 Subarea includes land that is outside of, but within two miles of the City's boundaries, and is located within the City of Norwalk, State of Iowa. Section 403.17(4) of the Code of Iowa provides that no property may be included in a city's urban renewal area that lies in a neighboring city "unless a resolution has been adopted by the governing body of the [neighboring] city declaring a need to be included in the area." The City of Norwalk has passed such a resolution. A copy of the Resolution is attached as Exhibit "D". The original, signed Resolution is on file with the West Des Moines City Clerk's office.

URBAN RENEWAL FINANCING

The City intends to 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, as amended. These include:

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

B. General Obligation Bonds.
Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, 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, as amended, and for other urban renewal projects or incentives for development consistent with this Plan, as amended. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area, as amended.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in the Plan, as amended. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

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 the Plan.

EFFECTIVE PERIOD

This Amendment No. 6 will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. Notwithstanding anything to the contrary in the Plan, any prior amendment, resolution, or document, the Plan, as amended, shall remain in effect until terminated by the City Council.

The use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the Iowa Code. Nothing in this Amendment shall alter the duration of the division of revenue as previously explained in the Plan, as previously amended.

REPEALER AND SEVERABILITY CLAUSE

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

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

EXHIBIT A

LEGAL DESCRIPTION OF AMENDMENT NO. 6 SUBAREA TO BE ADDED TO THE URBAN RENEWAL AREA

THAT PART OF SECTIONS 2 AND 3, TOWNSHIP 77 NORTH, RANGE 25 WEST, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE NORTHEAST CORNER OF SAID SECTION 3 AND NORTHWEST CORNER OF SAID SECTION 2;

THENCE NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2, FOR A DISTANCE OF 337.65 FEET;

THENCE SOUTH 00°06'26" EAST, 33.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 270.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE SOUTH 01°13'17" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 129.70 FEET;

THENCE SOUTH 88°46'43" WEST, 117.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE NORTH 01°13'17" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 115.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2879.90 FEET;

THENCE NORTH 70°06'29" WEST, 54.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE NORTH 89°50'37" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1182.18 FEET TO ITS INTERSECTION WITH A LINE RUNNING PARALLEL WITH AND 250 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE NORTH 40°43'02" EAST ALONG SAID PARALLEL LINE FOR A DISTANCE OF 43.44 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE SOUTH 89°50'37" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, FOR A DISTANCE OF 1494.62 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED LAND CONSISTS OF APPROXIMATELY 212,880 SQUARE FEET BEING APPROXIMATELY 4.89 ACRES.

AND

LOT EIGHT (8) BRUBAKER ESTATE, AN OFFICIAL PLAT, POLK COUNTY, IOWA EXCEPT: COMMENCING AT THE SW CORNER OF SAID SECTION 34 WITH THE SOUTH LINE OF SAID SECTION HAVING AN ASSUMED TRUE BEARING OF N 90°00' E, WITH ALL SUBSEQUENT BEARINGS REFERENCED THEREFROM; THENCE N 0°23' W, A DISTANCE OF 33 FEET; THENCE N 90°00' E, A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING; THENCE N 0°23' W, A DISTANCE OF 488.6 FEET; THENCE N 90°00' E, A DISTANCE OF 1,104 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, GREAT WESTERN RAILROAD; THENCE SOUTHWESTERLY ALONG THE SAID RAILROAD NORTHWESTERLY RIGHT-OF-WAY LINE FORMED BY A SPIRAL CURVE, CONCAVE SOUTHEASTERLY, A DISTANCE OF 233.8 FEET TO THE POINT OF CURVE (PC); THENCE S 40°35' W, A DISTANCE OF 409.5 FEET; THENCE N 90°00' W, A DISTANCE OF 680.5 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 10.0 ACRES MORE OR LESS,

AND EXCEPT

PARCEL 007-17-F OF SAID LOT 8 AS SHOWN IN THE WARRANTY DEED CONVEYED TO THE CITY OF WEST DES MOINES IN BOOK 16653 ON PAGE 73 IN THE POLK COUNTY RECORDER'S OFFICE.

EXHIBIT B

MAP OF THE AMENDMENT NO. 6 SUBAREA

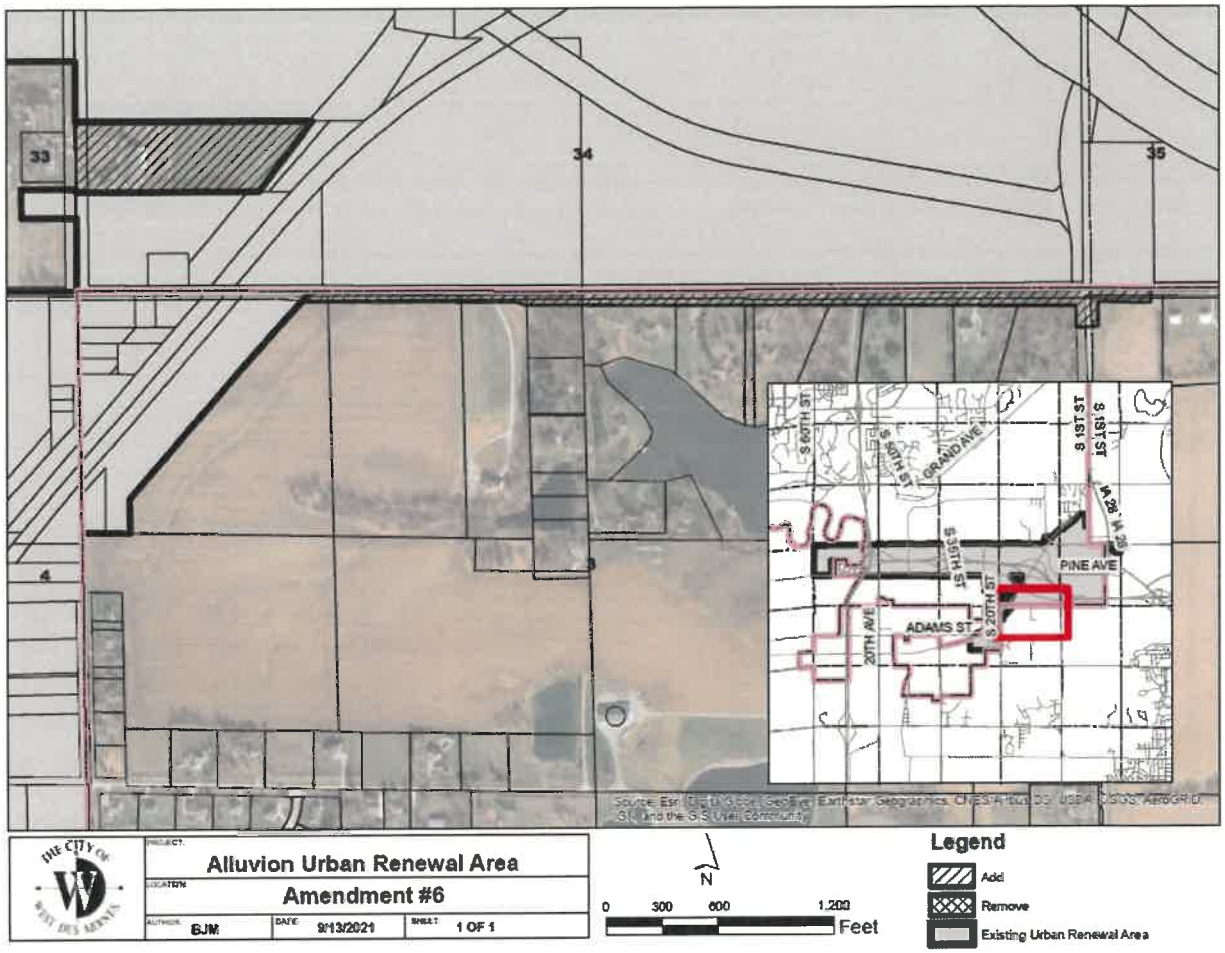

EXHIBIT C

MAP OF ALLUVION URBAN RENEWAL AREA, AS AMENDED, AND IDENTIFYING THE AMENDMENT NO. 6 SUBAREA

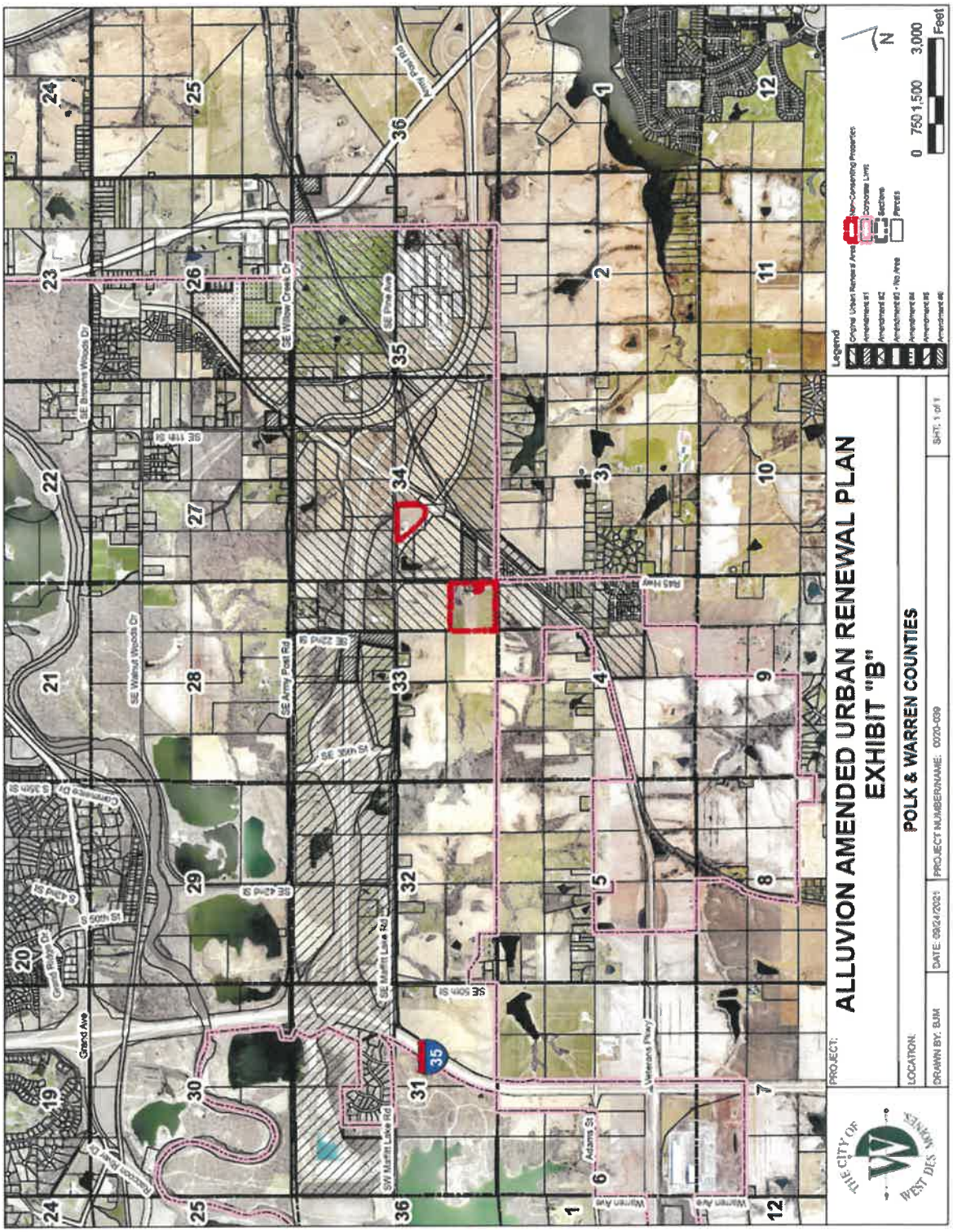

EXHIBIT D

RESOLUTION NO. 21199

Resolution consenting to the inclusion of non-taxable, right of way property located in the City of Norwalk, in the City of West Des Moines' Alluvion Urban Renewal Area

WHEREAS, the City of West Des Moines, Iowa, ("West Des Moines") is proposing to adopt an Amendment No. 6 ("Amendment") to the Alluvion Urban Renewal Plan ("Plan") for the Alluvion Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), in order to undertake activities authorized by the Urban Renewal Law, some of those activities to take place on non-taxable, right of way property located in the City of Norwalk, Iowa ("Norwalk Property"); and

WHEREAS, the City of West Des Moines does not anticipate adopting a TIF Ordinance covering the Norwalk Property that is being added to the Urban Renewal Area under the Amendment; and

WHEREAS, Section 403.17(4) of the Code of Iowa provides that no property may be included in a city's urban renewal area that lies in a neighboring city "unless a resolution has been adopted by the governing body of the [neighboring] city declaring a need to be included in the area.";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norwalk, Iowa, as follows:

Section 1. The City of Norwalk declares a need to have the Norwalk Property included in the City of West Des Moines' Alluvion Urban Renewal Area as depicted in the proposed Amendment, a copy of which has been provided to the City of Norwalk.

Section 2. The City of Norwalk further authorizes the governing body of the City of West Des Moines to pass any resolution necessary to designate the Norwalk Property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

Section 3. This resolution is contingent on the City of West Des Moines not adopting an ordinance pursuant to Iowa Code Section 403.19 implementing tax increment financing on the Norwalk Property absent express written permission of the City of Norwalk.

Passed and approved October 7, 2021.

Tom Phillips, Mayor

ATTEST: Lindsey Offenburger, City Clerk

ROLL CALL VOTE:	Aye	Nay	Abstain	Absent
Baker	☑	☐	☐	☐
Kuhl	☑	☐	☐	☐
Lester	☑	☐	☐	☐
Livingston	☑	☐	☐	☐
Riva	☑	☐	☐	☐

EXHIBIT II

RESOLUTION NO. _____

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 6 TO THE ALLUVION URBAN RENEWAL PLAN IN THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 14-05-19-14, adopted May 19, 2014, 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 Alluvion Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Alluvion Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Polk County Recorder and the Warren County Recorder; and

WHEREAS, the Plan has subsequently been amended, lastly by an Amendment No. 5 to the Plan adopted on August 2, 2021; and

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

ORIGINAL AREA

THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, LYING SOUTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD AS IT IS PRESENTLY ESTABLISHED;
AND,
THE SOUTH ONE-HALF OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, LYING SOUTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD AS IT IS PRESENTLY ESTABLISHED;
AND,
THE EAST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, LYING SOUTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD AS IT IS PRESENTLY ESTABLISHED;
AND,
THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA;
AND,
SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA;
AND,
THE WEST ONE-HALF OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA;
AND,

THE WEST ONE-HALF OF THE EAST ONE-HALF OF SAID SECTION 35;
AND,
THE EAST ONE-HALF OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, WARREN COUNTY, IOWA;
AND,
THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
AND,
AN IRREGULAR SHAPED PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER OF SAID SECTION 4;
AND,
AN IRREGULAR SHAPED PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, WARREN COUNTY, IOWA ALSO KNOWN AS TAX PARCEL ID No. 93025040263 FORMALLY ALL OR IN PART OF THE CHICAGO & NORTHWESTERN TRANSPORTATION CO. RIGHT-OF-WAY.

ALL OF WHICH IS DESCRIBED AS:

BEGINNING AT SOUTHWEST CORNER OF THE EAST ONE-HALF OF THE SOUTHEAST QUARTER (E.1/2-SE.1/4) OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA; THENCE NORTH ALONG THE WEST LINE OF THE E.1/2-SE.1/4 OF SAID SECTION 28 TO THE INTERSECTION OF THE WEST LINE OF THE E.1/2-SE.1/4 OF SAID SECTION 28 AND THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE EASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ARMY POST ROAD THROUGH THE SOUTH ONE-HALF OF SECTIONS 28 AND 27, AND THE SOUTHWEST QUARTER OF SECTION 26, ALL IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW.1/4) OF SAID SECTION 26; THENCE SOUTH ALONG THE EAST LINE OF THE SW.1/4 OF SAID SECTION 26 TO THE NORTHWEST CORNER OF THE WEST ONE-HALF OF THE NORTHEAST QUARTER (W.1/2-NE.1/4) OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA; THENCE EAST ALONG THE NORTH LINE OF THE W.1/2-NE.1/4 TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE NORTHEAST QUARTER (W.1/2-NE.1/4) OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH ALONG

THE EAST LINE OF THE W.1/2-NE.1/4 OF SAID SECTION 35 AND ALONG THE EAST LINE OF THE WEST ONE-HALF OF THE SOUTHEAST QUARTER (W.1/2-SE.1/4) OF SAID SECTION 35 TO THE SOUTHEAST CORNER OF THE W.1/2-SE.1/4 OF SAID SECTION 35; THENCE WEST ALONG THE SOUTH LINE OF SECTIONS 35, AND 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA TO THE NORTHEAST CORNER OF THE NORTHEAST FRACTIONAL QUARTER (NE.FRAC.1/4) OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, WARREN COUNTY, IOWA; THENCE SOUTH ALONG THE EAST LINE OF THE NE.FRAC.1/4 OF SAID SECTION 4 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE.1/4) OF SAID SECTION 4; THENCE SOUTH ALONG THE EAST LINE OF THE SE.1/4 OF SAID SECTION 4 AND ALONG THE EAST LINE OF FOX VALLEY PLAT 1, AN OFFICIAL PLAT, WEST DES MOINES, WARREN COUNTY, IOWA TO THE SOUTHEAST CORNER OF SAID FOX VALLEY PLAT 1; THENCE WEST ALONG THE SOUTH LINE OF SAID FOX VALLEY PLAT 1 AND ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER (N.1/2-SE.1/4) OF SAID SECTION 4 TO THE SOUTHWEST CORNER OF THE N.1/2-SE.1/4 OF SAID SECTION 4; THENCE NORTH ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE.1/4) OF SAID SECTION 4 TO THE NORTHWEST CORNER OF THE SE.1/4 OF SAID SECTION 4; THENCE EAST ALONG THE NORTH LINE OF THE SE.1/4 OF SAID SECTION 4 TO THE SOUTHWEST CORNER OF AN IRREGULAR SHAPED PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW.1/4-NE.1/4) OF SAID SECTION 4, ALSO KNOWN AS TAX PARCEL ID No. 93025040263 FORMERLY ALL OR IN PART A PORTION OF THE CHICAGO & NORTHWESTERN TRANSPORTATION CO. RIGHT-OF-WAY AS IT WAS PREVIOUSLY ESTABLISHED; THENCE NORTHEASTERLY ALONG SAID TAX PARCEL No. 93025040263 TO THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHEAST FRACTIONAL QUARTER (E.1/2-NE.FRAC.1/4) OF SAID SECTION 4; THENCE NORTH ALONG THE WEST LINE OF THE E.1/2-NE.FRAC.1/4 OF SAID SECTION 4 TO THE SOUTHWEST CORNER OF EAST ONE-HALF OF SOUTHEAST QUARTER (E.1/2-SE.1/4) OF SAID SECTION 33; THENCE NORTH ALONG THE WEST LINE OF THE E.1/2-SE.1/4 OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER (E.1/2-NE.1/4) OF SAID SECTION 33; THENCE NORTH ALONG THE WEST LINE OF THE E.1/2-NE.1/4 OF SAID SECTION 33 TO THE POINT OF BEGINNING;

EXCEPT,

A PORTION OF LOTS 3 AND 5, BRUBAKER ESTATE, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE S 00°12'58" E ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF

MAFFITT LAKE COURT, AS IT IS PRESENTLY ESTABLISHED (FORMERLY KNOWN AS S.W. 72ND AVENUE), AND TO THE POINT OF BEGINNING; THENCE CONTINUING S 00°12'58" E ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 592.08 FEET; THENCE S 32°34'31" W A DISTANCE OF 166.81 TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE N 89°54'37" W ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 193.33 FEET; THENCE NORTHWESTERLY ALONG A 1886.50 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY WHOSE CHORD HAS A BEARING OF N 48°10'18" W AND A CHORD LENGTH OF 444.51 FEET, A DISTANCE OF 445.55 FEET; THENCE N 40°01'54" W, A DISTANCE OF 73.68 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3, SAID POINT BEING 440.54 FEET SOUTH OF THE N.W. CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE EAST LINE OF SAID LOT 5; THENCE CONTINUING N 40°01'54" W, A DISTANCE OF 394.62 FEET; THENCE N 03°09'43" E, A DISTANCE OF 78.90 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID MAFFITT LAKE COURT, SAID POINT BEING 60.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 5; THENCE S 89°54'30" E ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MAFFITT LAKE COURT, PARALLEL WITH AND 60.00 FEET SOUTH OF THE NORTH LINE OF SAID LOTS 5 AND 3, A DISTANCE OF 909.00 FEET TO THE POINT OF BEGINNING;

AND EXCEPT,

AN IRREGULAR SHAPED PORTION OF LOT 8, BRUBAKER ESTATE DESCRIBED AS;

LOT 8 (8) BRUBAKER ESTATE, AN OFFICIAL PLAT, POLK COUNTY, IOWA EXCEPT: COMMENCING AT THE SW CORNER OF SAID SECTION 34 WITH THE SOUTH LINE OF SAID SECTION HAVING AN ASSUMED TRUE BEARING OF N 90°00' E, WITH ALL SUBSEQUENT BEARINGS REFERENCED THEREFROM; THENCE N 0°23' W, A DISTANCE OF 33 FEET; THENCE N 90°00' E, A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING; THENCE N 0°23' W, A DISTANCE OF 488.6 FEET; THENCE N 90°00' E, A DISTANCE OF 1,104 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, GREAT WESTERN RAILROAD; THENCE SOUTHWESTERLY ALONG THE SAID RAILROAD NORTHWESTERLY RIGHT-OF-WAY LINE FORMED BY A SPIRAL CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 233.8 FEET TO THE POINT OF CURVE (PC); THENCE S 40°35' W, A DISTANCE OF 409.5 FEET; THENCE N 90°00' W, A DISTANCE OF 680.5 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 10.0 ACRES MORE OR LESS;

AND EXCEPT,

THE SOUTH 36.50 ACRES OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, POLK COUNTY, IOWA, EXCEPT THE NORTH 150 FEET OF THE SOUTH 532.2 FEET OF THE EAST 290 FEET THEREOF;

AMENDMENT NO. 1 AREA

PART 1

A TRACT OF LAND IN SECTIONS 28 AND 33 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN AMENDMENT NO. 1 OF THE ALLUVION URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, TO THE SOUTH RIGHT-OF-WAY LINE OF MAFFITT LAKE ROAD;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MAFFITT LAKE ROAD, A DISTANCE OF 465.89 FEET;

THENCE NORTH, A DISTANCE OF 33 FEET, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 10^{0}36'53" EAST (ASSUMED BEARING), A DISTANCE OF 957.67 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF RELOCATED HIGHWAY 5;

THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID RELOCATED HIGHWAY 5, TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33, TO THE NORTH RIGHT-OF-WAY LINE OF RELOCATED HIGHWAY 5;

THENCE EAST, ALONG NORTH RIGHT-OF-WAY LINE OF RELOCATED HIGHWAY 5, TO THE WEST RIGHT-OF-WAY LINE OF SOUTH 22ND STREET;

THENCE NORTH, ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH 22ND STREET, TO THE SOUTH RIGHT-OF-WAY LINE OF ARMY POST ROAD;

THENCE CONTINUING NORTH, NORMAL TO THE CENTERLINE OF SAID ARMY POST ROAD, TO THE NORTH RIGHT-OF-WAY LINE OF SAID ARMY POST ROAD;

THENCE EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF ARMY POST ROAD, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, TOWNSHIP 78 NORTH, RANGE 25 NORTH OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33, TO THE POINT OF BEGINNING.

PART 2

A TRACT OF LAND IN SECTIONS 26 AND 27 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN AMENDMENT No. 1 TO THE ALLUVION URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF ARMY POST ROAD AND THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27; TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ARMY POST ROAD, TO THE WEST RIGHT-OF-WAY LINE OF FORMER SOUTH 11TH STREET;

THENCE NORTH, ALONG THE WEST RIGHT-OF-WAY LINE OF FORMER SOUTH 11TH STREET, TO A POINT LOCATED 685 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 27;

THENCE EAST, TO A POINT 685 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 27 LOCATED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27;

THENCE SOUTH 89^{0}33'31" EAST (ASSUMED BEARING), A DISTANCE OF 445.00 FEET;

THENCE SOUTH 00^{0}00'00" EAST (ASSUMED BEARING), A DISTANCE OF 360.00 FEET;

THENCE NORTH 89^{0}33'31" WEST (ASSUMED BEARING), A DISTANCE OF 400.00 FEET, TO THE EAST RIGHT-OF-WAY LINE OF FORMER SOUTH 11TH STREET;

THENCE SOUTH, ALONG THE EAST RIGHT-OF-WAY LINE AND THE EAST RIGHT-OF-WAY LINE EXTENDED OF FORMER SOUTH 11TH STREET, TO THE NORTH RIGHT-OF WAY LINE OF ARMY POST ROAD, SAID LINE IS ALSO THE NORTH LINE OF THE ORIGINAL ALLUVION URBAN RENEWAL PLAN;

THENCE WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF ARMY POST ROAD (NORTH LINE OF ORIGINAL ALLUVION URBAN RENEWAL PLAN), TO THE POINT OF BEGINNING.

PART 3

A TRACT OF LAND IN SECTIONS 35 AND 36 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA, IS INCLUDED IN AMENDMENT NO. 1 TO THE ALLUVION URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 78 NORTH RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 35, TO THE NORTHEAST CORNER OF SAID SECTION 35;

THENCE SOUTH 00^{0}13'15" EAST (ASSUMED BEARING), ALONG THE WEST LINE OF SECTION 36, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA, A DISTANCE OF 254.16 FEET;

THENCE NORTH 73^{0}58'30" EAST (ASSUMED BEARING), A DISTANCE OF 526.10 FEET;

THENCE SOUTH $89^{0}58$"00" EAST (ASSUMED BEARING), A DISTANCE OF 50.00 FEET;

THENCE SOUTH $00^{0}02$'00" WEST (ASSUMED BEARING), A DISTANCE OF 37.64 FEET;

THENCE SOUTH $73^{0}58$'30" WEST (ASSUMED BEARING), A DISTANCE OF 577.89 FEET, TO THE EAST LINE OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH $00^{0}13$'15" EAST (ASSUMED BEARING), A DISTANCE OF 398.04 FEET ALONG THE EAST LINE OF SAID SECTION 35;

THENCE SOUTH $89^{0}46$'45" WEST (ASSUMED BEARING), A DISTANCE OF 450.00 FEET;

THENCE NORTH $00^{0}13$'15" WEST (ASSUMED BEARING), A DISTANCE OF 423.04 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE SOUTHWESTERLY, ALONG THE SOUTH LINE OF SAID GREAT WESTERN TRAIL, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, TO THE POINT OF BEGINNING

AMENDMENT NO. 2 AREA

FOUR TRACTS OF LAND IN SECTIONS 3 AND 4 IN TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF NORWALK AND WARREN COUNTY, IOWA, AND SECTIONS 26, 27 AND 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, POLK COUNTY, IOWA ARE INCLUDED IN AMENDMENT NO. 2 OF THE ALLUVION URBAN RENEWAL PLAN AND ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

BEGINNING AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF NORWALK, WARREN COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 3, TO THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 3 AND A LINE 250 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE SOUTHWESTERLY, ALONG A LINE 250 FEET SOUTHEASTERLY OF AND PARALLEL TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL, TO A POINT 250 FEET EAST OF THE WEST LINE OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 250 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 3, TO THE POINT OF BEGINNING.

TRACT 2

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 617.05 FEET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH $01^{0}40'20''$ EAST, A DISTANCE OF 195.00 FEET;

THENCE SOUTH $88^{0}19'40''$ EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH $88^{0}19'40''$ EAST, A DISTANCE OF 170.00 FEET;

THENCE NORTHEASTERLY, TO THE NORTHWEST CORNER OF PARCEL "B" AS DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 1999, PAGE 3597 AND DEPICTED ON A PLAT OF SURVEY RECORDED IN IRREGULAR PLAT BOOK 12, PAGE 2 OF 77-25 IN THE OFFICE OF THE WARREN COUNTY RECORDER;

THENCE NORTH $62^0$17'33" EAST (ASSUMED BEARING), ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL "B", A DISTANCE OF 291.2 FEET;

THENCE NORTH $04^0$12'35" EAST (ASSUMED BEARING), ALONG THE WESTERLY BOUNDARY OF SAID PARCEL "B", A DISTANCE OF 97.08 FEET;

THENCE SOUTH $89^0$58'00" EAST (ASSUMED BEARING), ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL "B", A DISTANCE OF 230.57 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 122.74 FEET, TO A POINT OF NON-TANGENCY;

THENCE SOUTHWESTERLY, ALONG A 2,814.83 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING OF SOUTH $51^0$01'01" WEST (PLATTED ASSUMED BEARING), A DISTANCE OF 225.85 FEET (PLATTED), SAID LINE BEING THE NORTH LINE OF THE GREAT WESTERN TRAIL;

THENCE NORTH $36^0$41'04" WEST (PLATTED), A DISTANCE OF 50.00 FEET TO A POINT OF NON-TANGENCY ON A CURVE;

THENCE SOUTHWESTERLY, ALONG A 2,764.83 RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING OF SOUTH $56^0$55'33" WEST (ASSUMED BEARING), A DISTANCE OF 353.69 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL "B", SAID LINE BEING THE NORTH LINE OF THE GREAT WESTERN TRAIL;

THENCE SOUTHWESTERLY, ALONG A 2,764.83 RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING OF SOUTH $60^0$51'42" WEST (ASSUMED BEARING), A DISTANCE OF 26.17 FEET, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, TO THE POINT OF BEGINNING.

TRACT 3

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 27, TO THE NORTH RIGHT OF WAY LINE OF SE ARMY POST ROAD, SAID POINT BEING THE POINT OF BEGINNING;

THENCE WEST, ALONG THE NORTH RIGHT OF WAY LINE AND RIGHT OF WAY LINE EXTENDED OF SE ARMY POST ROAD, TO THE EAST RIGHT OF WAY LINE OF FORMER SOUTH 11TH STREET, SAID POINT BEING ON THE EAST LINE OF AMENDMENT NUMBER 1 OF THE ALLUVION URBAN RENEWAL PLAN;

THENCE NORTH, ALONG THE EAST RIGHT OF WAY LINE EXTENDED AND THE EAST RIGHT OF WAY LINE OF FORMER SOUTH 11TH STREET, SAID LINE BEING ON THE EAST LINE OF AMENDMENT NUMBER 1 OF THE ALLUVION URBAN RENEWAL PLAN, TO A POINT 325 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 27, SAID POINT BEING ON THE EAST LINE OF AMENDMENT NUMBER 1 OF THE ALLUVION URBAN RENEWAL PLAN;

THENCE NORTH 89^{0}33'31" EAST (ASSUMED BEARING), SAID LINE BEING ON THE SOUTH LINE OF AMENDMENT NUMBER 1 OF THE ALLUVION URBAN RENEWAL PLAN, A DISTANCE OF 400 FEET;

THENCE NORTH 00^{0}00'00" WEST, SAID LINE BEING ON THE EAST LINE OF AMENDMENT NUMBER 1 OF THE ALLUVION URBAN RENEWAL PLAN, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SE VETERANS PARKWAY;

THENCE NORTHEASTERLY, ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF SE VETERANS PARKWAY, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 26, TO THE NORTHWEST CORNER OF PLEASANT RIDGE HEIGHTS, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID PLEASANT RIDGE HEIGHTS, TO THE NORTHEAST CORNER OF LOT 6 OF SAID PLEASANT RIDGE HEIGHTS;

THENCE SOUTH, ALONG THE EAST LINE OF LOT 6 OF SAID PLEASANT RIDGE HEIGHTS, TO THE NORTH RIGHT OF WAY LINE OF SE ARMY POST ROAD;

THENCE WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SE ARMY POST ROAD, TO THE POINT OF BEGINNING.

TRACT 4

COMMENCING AT THE NORTHWEST CORNER OF LOT 8, BRUBAKER ESTATE, AN OFFICIAL SUBDIVISION NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 1,247.86 FEET, TO THE POINT OF BEGINNING;

THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 8, TO THE NORTHEAST CORNER OF SAID LOT 8;

THENCE SOUTHWESTERLY, ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 533.41 FEET;

THENCE NORTH $89^0$50'46" WEST (ASSUMED BEARING), A DISTANCE OF 163.45 FEET;

THENCE NORTHEASTERLY ALONG A 2,867.50 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY WITH A CHORD BEARING NORTH $36^0$34'30" EAST (ASSUMED BEARING) AND A CHORD DISTANCE OF 458.91 FEET, A DISTANCE OF 423.63 FEET, TO A POINT OF TANGENCY;

THENCE NORTH $32^0$40'20" EAST (ASSUMED BEARING), A DISTANCE OF 35.76 FEET, TO THE POINT OF BEGINNING.

AMENDMENT NO. 3

Did not add or remove land.

AMENDMENT NO. 4 AREA

All that part of Lots "A", "B", 1, 2, 3, 4 and 5 of Pleasant Ridge Heights, an Official Plat, AND the Southwest Quarter (SW1/4) of Section 26, Township 78 North, Range 25 West of the 5th P.M., all now included in and forming a part of the City of West Des Moines, Polk County, Iowa, more particularly described as follows: Beginning at the intersection of the North Right of Way of SE Willow Creek Drive, formerly SE Army Post Road and the East line of the SW1/4 of said Section 26; Thence West along said North Right of Way of SE Willow Creek Drive and the South lines of Lots 4, 1 and 5 of said Pleasant Ridge Heights, to the Southwest Corner of said Lot 5 and Southeast corner of Lot 6 Pleasant Ridge Heights;

Thence North along the East line of said Lot 6 and the West lines of Lots 5 and 1 of said Pleasant Ridge Heights, to the Northwest corner of said Lot 1 and the Northeast corner of said Lot 6;
Thence West along the north line of Lots 6 and 7 of Pleasant Ridge Heights and the projection west thereof, to the West Right of Way line of Veterans Parkway;
Thence Northeast along the West Right of Way line of Veterans Parkway to the intersection of the North line of the SW1/4 of Section 26, Township 78 North, Range 25 West of the 5th P.M., now included in the City of West Des Moines, Polk County, Iowa;
Thence East, along the North line of said SW1/4 of Section 26, Township 78 North, Range 25 West of the 5th P.M., now included in and forming a part of the City of West Des Moines, Polk County, Iowa, to the Intersection of the Northerly projection of the West line of Quinn's Acres, an Official Plat, now included in and forming a part of the City of West Des Moines, Polk County, Iowa and the North line of the SW1/4 of said Section 26;
Thence South along the Northerly projection of the West line of said Quinn's Acres, a distance of 409.75 feet;
Thence East, 409.75 feet South of and parallel to the North line of the SW1/4 of said Section 26, to the West Right of Way line of SE 1st Street;
Thence South, along the West Right of Way line of SE 1st Street a distance of 60 feet;
Thence West 469.75 feet South of and parallel to the North line of the SW1/4 of said Section 26, to the Northerly projection of the West line of Quinn's Acres;
Thence South, along the Northerly projection of the West line of Quinn's Acres, to the Northwest corner of Lot 1 of said Quinn's Acres;
Thence continuing South, along the West line of Quinn's Acres to the Southwest corner of Lot 3 of said Quinn's Acres;
Thence East, along the South line of said Lots 3 and A of said Quinn's Acres to the Southeast corner of said Quinn's Acres, being a point on the East line of the SW1/4 of Section 26, Township 78 North, Range 25 West of the 5th P.M., now included in and forming a part of the City of West Des Moines, Polk County, Iowa;
Thence South, along the East line of the SW1/4 of said Section 26, to the Point of Beginning

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 6 to the Plan ("Amendment No. 6" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to update the description of a previously approved urban renewal project, to add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area, and to add land to the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 6 adds the following land to the Urban Renewal Area:

THAT PART OF SECTIONS 2 AND 3, TOWNSHIP 77 NORTH, RANGE 25 WEST, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE NORTHEAST CORNER OF SAID SECTION 3 AND NORTHWEST CORNER OF SAID SECTION 2;

THENCE NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2, FOR A DISTANCE OF 337.65 FEET;

THENCE SOUTH 00°06'26" EAST, 33.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 270.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE SOUTH 01°13'17" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 129.70 FEET;

THENCE SOUTH 88°46'43" WEST, 117.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE NORTH 01°13'17" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 115.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2879.90 FEET;

THENCE NORTH 70°06'29" WEST, 54.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE NORTH 89°50'37" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1182.18 FEET TO ITS INTERSECTION WITH A LINE RUNNING PARALLEL WITH AND 250 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE NORTH 40°43'02" EAST ALONG SAID PARALLEL LINE FOR A DISTANCE OF 43.44 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE SOUTH 89°50'37" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, FOR A DISTANCE OF 1494.62 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED LAND CONSISTS OF APPROXIMATELY 212,880 SQUARE FEET BEING APPROXIMATELY 4.89 ACRES.

AND

LOT EIGHT (8) BRUBAKER ESTATE, AN OFFICIAL PLAT, POLK COUNTY, IOWA EXCEPT: COMMENCING AT THE SW CORNER OF SAID SECTION 34 WITH THE SOUTH LINE OF SAID SECTION HAVING AN ASSUMED TRUE BEARING OF N 90°00' E, WITH ALL SUBSEQUENT BEARINGS REFERENCED THEREFROM; THENCE N 0°23' W, A DISTANCE OF 33 FEET; THENCE N 90°00' E, A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING; THENCE N 0°23' W, A DISTANCE OF 488.6 FEET; THENCE N 90°00' E, A DISTANCE OF 1,104 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, GREAT WESTERN RAILROAD; THENCE SOUTHWESTERLY ALONG THE SAID RAILROAD NORTHWESTERLY RIGHT-OF-WAY LINE FORMED BY A SPIRAL CURVE, CONCAVE SOUTHEASTERLY, A DISTANCE OF 233.8 FEET TO THE POINT OF CURVE (PC); THENCE S 40°35' W, A DISTANCE OF 409.5 FEET; THENCE N 90°00' W, A DISTANCE OF 680.5 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 10.0 ACRES MORE OR LESS,

AND EXCEPT

PARCEL 007-17-F OF SAID LOT 8 AS SHOWN IN THE WARRANTY DEED CONVEYED TO THE CITY OF WEST DES MOINES IN BOOK 16653 ON PAGE 73 IN THE POLK COUNTY RECORDER'S OFFICE.

WHEREAS, this Area contains property that is within two miles, but outside the corporate limits, of the City and is located within the corporate limits of the City of Norwalk, Iowa; accordingly, the City has obtained the City of Norwalk's consent in the form of a Resolution from the City of Norwalk allowing the City to operate within the proposed portion of the Area outside the corporate limits of the City and within the corporate limits of the City of Norwalk; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 6 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for

modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 6 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

That the consultation on the proposed Amendment No. 6 required by Section 403.5(2), Code of Iowa, as amended, shall be held on the November 10, 2021, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 10:30 A.M., and the Business Development Coordinator, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Amendment No. 6, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF WEST DES MOINES, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 6 TO THE ALLUVION URBAN RENEWAL PLAN FOR THE CITY OF WEST DES MOINES, STATE OF IOWA

The City of West Des Moines, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:30 A.M. on November 10, 2021, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 6 to the Alluvion Urban Renewal Plan for the Alluvion Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at https://tinyurl.com/63xxta42.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Business Development Coordinator, or his delegate, as the designated representative of the City of West Des Moines, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 6 to the Alluvion Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this _____ day of _____, 2021.

_____

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

(End of Notice)

That a public hearing shall be held on the proposed Amendment No. 6 before the City Council at its meeting which commences at 5:30 P.M. on December 6, 2021, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

That the City Clerk is authorized and directed to publish notice of this public hearing in the Des Moines Register, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT NO. 6 TO THE ALLUVION URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN THE CITY OF WEST DES MOINES, STATE OF IOWA

The City Council of the City of West Des Moines, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 P.M. on December 6, 2021 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Amendment No. 6 to the Alluvion Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa.

The Amendment adds land to the Alluvion Urban Renewal Area as follows:

THAT PART OF SECTIONS 2 AND 3, TOWNSHIP 77 NORTH, RANGE 25 WEST, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 3;

THENCE ON AN ASSUMED BEARING OF NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE NORTHEAST CORNER OF SAID SECTION 3 AND NORTHWEST CORNER OF SAID SECTION 2;

THENCE NORTH 89°53'34" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2, FOR A DISTANCE OF 337.65 FEET;

THENCE SOUTH 00°06'26" EAST, 33.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 270.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE SOUTH 01°13'17" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 129.70 FEET;

THENCE SOUTH 88°46'43" WEST, 117.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 50TH AVENUE;

THENCE NORTH 01°13'17" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 115.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE SOUTH 89°53'34" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 2879.90 FEET;

THENCE NORTH 70°06'29" WEST, 54.23 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHEAST COUNTY LINE ROAD;

THENCE NORTH 89°50'37" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1182.18 FEET TO ITS INTERSECTION WITH A LINE RUNNING PARALLEL WITH AND 250 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE NORTH 40°43'02" EAST ALONG SAID PARALLEL LINE FOR A DISTANCE OF 43.44 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3;

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THE ABOVE-DESCRIBED LAND CONSISTS OF APPROXIMATELY 212,880 SQUARE FEET BEING APPROXIMATELY 4.89 ACRES.

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LOT EIGHT (8) BRUBAKER ESTATE, AN OFFICIAL PLAT, POLK COUNTY, IOWA EXCEPT: COMMENCING AT THE SW CORNER OF SAID SECTION 34 WITH THE SOUTH LINE OF SAID SECTION HAVING AN ASSUMED TRUE BEARING OF N 90°00' E, WITH ALL SUBSEQUENT BEARINGS REFERENCED THEREFROM; THENCE N 0°23' W, A DISTANCE OF 33 FEET; THENCE N 90°00' E, A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING; THENCE N 0°23' W, A DISTANCE OF 488.6 FEET; THENCE N 90°00' E, A DISTANCE OF 1,104 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, GREAT WESTERN RAILROAD; THENCE SOUTHWESTERLY ALONG THE SAID RAILROAD NORTHWESTERLY RIGHT-OF-WAY LINE FORMED BY A SPIRAL CURVE, CONCAVE SOUTHEASTERLY, A DISTANCE OF 233.8 FEET TO THE POINT OF CURVE (PC); THENCE S 40°35' W, A DISTANCE OF 409.5 FEET; THENCE N 90°00' W, A DISTANCE OF 680.5 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 10.0 ACRES MORE OR LESS,

AND EXCEPT

PARCEL 007-17-F OF SAID LOT 8 AS SHOWN IN THE WARRANTY DEED CONVEYED TO THE CITY OF WEST DES MOINES IN BOOK 16653 ON PAGE 73 IN THE POLK COUNTY RECORDER'S OFFICE.

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of West Des Moines, Iowa.

The City of West Des Moines, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City

also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 6 would update the description of a previously approved urban renewal project, add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area, and add land to the Urban Renewal Area.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of West Des Moines, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this _____ day of _____, 2021.

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

(End of Notice)

That the proposed Amendment No. 6, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 6 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 1st day of November, 2021.

_____

Steven K. Gaer, Mayor

ATTEST:

_____

Ryan T. Jacobson, City Clerk

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