CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Dates of Consultation and Public Hearing - Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan- City Initiated

DATE: January 24, 2022

RESOLUTION: Set Dates of a Consultation and Public Hearing on a Proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan

FINANCIAL IMPACT: The cost of the project identified within this urban renewal area was originally estimated not to exceed $50,000,000. Staff has identified increases in construction costs due to supply chain demands. With the amendment to the Plan, the not to exceed amount would be increased to a not to exceed amount of $60,000,000. It is still expected that partnering arrangements and lease agreements with private broadband carriers will finance approximately half of the project and that number could increase as additional providers utilize the network. The balance to be paid by the City using General Obligation Urban Renewal Bonds along with federal grant funding. The bonds will likely be issued in multiple series as phases of the project are constructed and the resulting debt will be repaid from the Debt Service Fund within the constraints of the City's current $1.91/$1,000 levy rate. The City **does not** expect to capture additional revenue through Tax Increment Financing nor does it anticipate a need to increase the current debt service levy rate. Additional opportunities for utilizing federal and state grant dollars exists, as well as lease opportunity from other carriers.

BACKGROUND: On July 6, 2020, City Council passed a resolution adopting the urban renewal area. The area was established 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.

The City **does not** intend to use Tax Increment Financing as a tool to finance this project. Therefore, there was no TIF ordinance established within this urban renewal area.

Land area within the proposed Economic Development Digital Enterprise Urban Renewal Area overlaps with existing urban renewal areas throughout the City, which is allowable by Iowa State Code 403.

As required by law, the City will facilitate a consultation meeting with taxing entities regarding this proposed amendment to the urban renewal plan.

OUTSTANDING ISSUES: There are no outstanding issues regarding this proposed amendment to the urban renewal plan.

RECOMMENDATION: Staff recommends the City Council approve a resolution setting February 2, 2022, as the date for the consultation meeting for Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan, and setting February 21, 2022, as the public hearing date for Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan.

Lead Staff Member: Rachel Wacker, Community and Economic Development

STAFF REVIEWS

Department Director	Clyde Evans, Community & Economic Development Director
Appropriations/Finance	Tim Stiles, Finance Director TS
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

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

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance And Administration		
Date Reviewed	January 19, 2022		
Recommendation	X Yes	☐ No	☐ Split

ATTACHMENTS: Exhibit A

Resolution
-Includes copy of Proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan as Exhibit I

RESOLUTION NO. _____

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN IN THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 20-07-06-20, adopted July 6, 2020, 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 Economic Development Digital Enterprise Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Economic Development Digital Enterprise Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the offices of the Recorders of Dallas, Madison, Polk, and Warren Counties; and

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

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 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 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 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 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 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 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 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.

And;

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 to the Plan. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Plan ("Amendment No. 1" 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 be undertaken within 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. 1 adds no new land to the Urban Renewal Area; 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. 1 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. 1 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:

Section 1. That the consultation on the proposed Amendment No. 1 required by Section 403.5(2), Code of Iowa, as amended, shall be held on February 2, 2022, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 10:30 A.M., and the Business Development Coordinator, or her 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.

Section 2. 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. 1, 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. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE 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 February 2, 2022, in the Board Room, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan for the Economic Development Digital Enterprise Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at https://tinyurl.com/4r436c3t .

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 her 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. 1 to the Economic Development Digital Enterprise 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 _____, 2022.

_____

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

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Amendment No. 1 before the City Council at its meeting which commences at 5:30 P.M. on February 21, 2022, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

Section 4. 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. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE 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 February 21, 2022 in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, to consider adoption of a proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa.

The Urban Renewal Area contains the land legally 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 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 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 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 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 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 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 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.

And;

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 to the Plan. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

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 economic development in the Urban Renewal Area, including commercial, industrial, public improvements related to market-rate residential, and low or moderate income (LMI) residential development 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 amends the description of public infrastructure to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 1 would update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area. The proposed Amendment adds no new 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 _____, 2022.

_____

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

(End of Notice)

Section 5. That the proposed Amendment No. 1, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 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 24th day of January, 2022.

_____

Russ Trimble, Mayor

ATTEST:

_____

Ryan T. Jacobson, City Clerk

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

AMENDMENT NO. 1

to the

ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN

for the

ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL AREA

WEST DES MOINES, IOWA

Original Area - 2020
Amendment No. 1 - 2022

Amendment No. 1
to the
Economic Development Digital Enterprise Urban Renewal Plan
for the
Economic Development Digital Enterprise Urban Renewal Area
City of West Des Moines, Iowa

INTRODUCTION AND HISTORY

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"), adopted in July 2020, is being amended by this Amendment No. 1 ("Amendment" or "Amendment No. 1") to update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area.

No land is being added to or removed from the Urban Renewal Area by this Amendment.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsection of the Plan not mentioned in this Amendment shall continue to apply to the Plan. The Amendment makes no changes to the description of the Area or its designation.

DEVELOPMENT PLAN

The Urban Renewal Plan 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's") 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 in the Plan, as amended.

UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

With the adoption of this Amendment No. 1, the City is updating the description of the following urban renewal project which was originally approved in the Urban Renewal Plan.

A. The City intends to continue to construct a city-wide conduit network in right-of-way containing multiple conduit chambers or ducts to be licensed by third-party providers with the goal of facilitating enhanced internet 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 $60,000,000. The City may seek other sources

of funding for the conduit network project, including entering into license agreement(s) with one or more private parties who will contribute to the construction costs in exchange for a license for a portion of the conduit chambers or ducts for a specified period of time.

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 Eligible Urban Renewal Projects (Amendment No. 1) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a 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. Subject to the foregoing, it is estimated that the City's costs for the Eligible Urban Renewal Projects (Amendment No. 1) as described above will be approximately as stated in the next column:	$60,000,000 This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

EFFECTIVE PERIOD

This Amendment No. 1 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.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the previous Plan in conflict with this Amendment are hereby repealed.

If any part of this Amendment or the Plan 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.

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