CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Setting Dates for Consultation and Public Hearing for Consideration of Amendment No. 1 to the South 81st Street Urban Renewal Plan – City Initiated

Date: November 18, 2024

RESOLUTION: Establish Consultation Meeting date and Public Hearing date for the adoption of Amendment No. 1 to the South 81st Street Urban Renewal Plan.

FINANCIAL IMPACT: The City is considering amending a development agreement with Hope Development & Realty, L.L.C. (formally known as Highgate, L.L.C). The proposed project anticipates the city and developer amending the existing development agreement related to a residential and commercial development within the Urban Renewal Area, the construction of Stagecoach Drive from South 85th Street to South 88th Street, and related improvements that support the development of property owned by Hope Development & Realty, LLC. The City expects to make annual grant payments to Hope Development & Realty L.L.C. in the form of rebates of incremental taxes generated by the project, over a period of not to exceed ten (10) years. The total cost of such grants shall not exceed the lesser of $2,750,000 or the developer's actual costs related to the construction of Stagecoach Drive. The original development agreement provided grants to the developer not to exceed $2,500,000. The developer is now requesting an additional $250,000 in economic development incentives to assist with the increased costs of installing public improvements. The revised cost estimates have been reviewed and verified by the City Engineer.

To accommodate the funding for the public improvement projects, staff proposes to expand the existing South 81st Street Urban Renewal Area and use tax increment revenue collected from new development to pay for the issuance of bond debt for the public improvements mentioned above. Additionally, the proposed amendment extends the completion deadline of all public improvements and residential structures by one year, to 2025 and 2026, respectively. A portion of the tax increment generated from the project will be directed to the City's Low to Moderate Income Set-Aside account, which is required by state law.

BACKGROUND: The City Council originally approved the South 81st Street Urban Renewal Plan (URP) in 2023. The proposed amendment includes the following:

- Adds approximately 10-acres to the existing Urban Renewal Area; and,
- Increases the amount of eligible reimbursement of economic development grants by $250,000 from the original $2,500,000 to $2,750,000; and,
- Extends the completion timeframe of the Stagecoach Drive extension from December 31, 2024, to December 31, 2025.

The proposed development agreement and subsequent Urban Renewal Plan amendment were discussed at the Finance and Administration (F&A) subcommittee meeting on September 18, 2024, where the Subcommittee recommended in favor of proceeding with the proposed Urban Renewal Area amendment, and to proceed with negotiating the infrastructure development agreement that will be brought before the full City Council at a later date.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Staff recommends adoption of a resolution setting November 27, 2024, as the taxing entities consultation meeting date and December 16, 2024, as the public hearing date for Amendment No. 1 to the South 81st Street Urban Renewal Plan.

Lead Staff Member: Bryce Johnson, Business Development Coordinator

STAFF REVIEWS

Department Director	Ryan Moffatt, Community and Economic Development Director
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Jessica Grove, Deputy City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

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

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	September 18, 2024		
Recommendation	☒Yes	☐ No	

EXHIBIT I

AMENDMENT NO. 1

to the

SOUTH 81ST STREET URBAN RENEWAL PLAN

for the

SOUTH 81ST STREET URBAN RENEWAL AREA

WEST DES MOINES, IOWA

Original Area - 2023
Amendment No. 1 - 2024

Final Version

Amendment No. 1
to the
South 81st Street Urban Renewal Plan
for the
South 81st Street Urban Renewal Area

City of West Des Moines, Iowa

A. INTRODUCTION

The South 81st Street Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the South 81st Street Urban Renewal Area ("Area" or "Urban Renewal Area") was adopted by Resolution No. 23-03-06-08 on March 6, 2023, to help local officials promote economic development in the City of West Des Moines, Iowa ("City"). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in Iowa Code Section 403.17(12). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the Code of Iowa, as amended.

The Urban Renewal Plan is now being amended by this Amendment No. 1 to the Plan ("Amendment" or "Amendment No. 1") to update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area, to update the LMI housing set aside percentage, and to add land to the Urban Renewal Area. For the convenience of the reader, the City is restating the entirety of the Plan, as amended by this Amendment.

B. DESCRIPTION OF URBAN RENEWAL AREA

The legal description of the property included in the original Plan may be referred to herein as the "Original Subarea" and is described in Exhibit A. The legal description of the property being added to the Urban Renewal Area by this Amendment is attached hereto as Exhibit "B" and may be referred to as the "Amendment No. 1 Subarea". The Subareas make up the Urban Renewal Area, as amended. A map of the South 81st Street Urban Renewal Area, as amended by this Amendment No. 1, is attached hereto as Exhibit "C".

C. AREA DESIGNATION

The Urban Renewal Area, as amended by this Amendment, continues to be an economic development area that is appropriate for housing and residential development for low and moderate income families and the provision of public improvements related to housing and residential development.

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified prior to

December 1, 2023, the taxable valuation as of January 1, 2022, will be considered the frozen "base valuation" for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2023, then the frozen "base value" will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19. It may be that more than one ordinance will be adopted on separate subareas within the Area. If so, the frozen base values may vary among the subareas.

E. DEVELOPMENT PLAN

The Urban Renewal Plan, as amended, and this Amendment, are in conformity with the Connect 2 Create WDM, adopted October 17, 2022, which is the City of West Des Moines' ("City") general plan for the development of the City as a whole.

The Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

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

F. RESIDENTIAL DEVELOPMENT

The City's objective for the Urban Renewal Area is to promote new housing and residential development. The City realizes that the availability of housing is an important component of attracting new business and industry, responding to new development, and retaining existing businesses.

In anticipation of expected economic development, the City has taken the position of supporting the creation of new housing opportunities, including increasing the availability of diverse housing options. Providing incentives to developers may ease the cost of extending necessary infrastructure and other factors that can make residential development more risky and less profitable.

When a City utilizes tax increment financing to support residential development, a percentage of the incremental revenues (or other revenues) generated by the project (not to exceed the project costs which are limited to reimbursement of "public improvement" costs as defined by Iowa law) must be used to provide assistance to low and moderate income ("LMI") families. LMI families are those whose incomes do not exceed 80% of the median county income in the county in which the project occurs.

Unless a reduction is approved by the Iowa Economic Development Authority, the percentage of incremental revenues used to provide LMI assistance related to projects in this Urban Renewal

Area must be at least equal to the percentage of LMI families living in Dallas County. At the time the Plan is amended by Amendment No. 1, that percentage is 28.20%.

The requirement to provide assistance for LMI housing may be met by one, or a combination, of the following options:

1. Providing that at least 28.20% of the units constructed in the Urban Renewal Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;

2. Setting aside an amount equal to 28.20% of the project costs for LMI housing activities anywhere in the City; and

3. Ensuring that 28.20% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for LMI family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and may include, but is not limited to:

1. Construction of LMI affordable housing.

2. Owner/renter-occupied housing rehabilitation for LMI residents and/or families.

3. Grants, credits, or other direct assistance for LMI residents and/or families.

4. Homeownership assistance for LMI residents and/or families.

5. Tenant-based rental assistance for LMI residents and/or families.

6. Down payment assistance for LMI residents and/or families.

7. Mortgage interest buy-down assistance for LMI residents and/or families.

8. Under appropriate circumstances, the construction of public improvements that benefit LMI residents and/or families.

G. PLAN OBJECTIVES

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

1. To increase the availability of new housing opportunities, which may in turn make existing housing stock available to new or current residents of the City and stimulate commercial development.

2. To stimulate, through public action and commitment, private investment in new housing and residential development.

3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.

4. To help finance the cost of constructing street, water, sanitary sewer, storm water drainage, public utilities, street lighting, and other public improvements in support of new housing development.

5. To provide a more marketable and attractive investment climate.

6. To improve the housing conditions and housing opportunities, particularly for LMI income families and/or individuals.

7. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

H. TYPES OF RENEWAL ACTIVITIES

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

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.

2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curbs and gutters, water infrastructure, sanitary sewer infrastructure, public utilities, or other facilities in connection with urban renewal projects.

3. To finance programs that will directly benefit housing conditions and promote the availability of housing in the community.

4. To make loans, forgivable loans, grants, tax rebate payments, or other types of economic development grants or incentives to private developers or local

development organizations to incentivize the development of housing within the Area, on such terms as may be determined by the City Council.

5. To borrow money and to provide security therefor.

6. To acquire or dispose of property.

7. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.

8. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.

9. To undertake the demolition and clearance of existing development.

10. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

11. To use tax increment financing for a number of objectives, including, but not limited to, achieving a more marketable and competitive land offering price and providing for necessary physical improvements and infrastructure.

12. To use tax increment to provide LMI housing assistance.

13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

I. PREVIOULSY APPROVED URBAN RENEWAL PROJECTS

The following urban renewal projects were authorized in the original Plan and are not being altered by this Amendment:

1. Public Improvements: The City anticipates completing or causing the completion of the following public improvements within the Urban Renewal Area to support residential development within the Area. In particular, the following improvements would provide the necessary infrastructure to accommodate increased traffic and utility demands from new residential development.

Project Description	Estimated Project Timeframe	Estimated Cost to be Paid with Tax Increment
Stagecoach Drive from South 78th Street to South 81st Street – Construction of 3-lane urban street including center left-turn lanes, multi-use trail, storm sewer, conduit, and street lights.	2022-2025	$5,000,000
Stagecoach Drive - South 81st Street to South 88th Street. Construction of 3-lane urban street including center left-turn lane, multi-use trail, storm sewer, conduit, and streetlights.	2022-2025	$10,000,000
Stagecoach Drive - South 81st Street to South 88th Street. Widening from 3-lane urban street to 5-lane urban street.	2035	$3,500,000
Traffic signal at intersection of South 81st Street and Stagecoach Drive	2040	$350,000
Traffic signal at intersection of South 85th Street and Stagecoach Drive	2040	$350,000
South Jordan Creek Parkway- Stagecoach to Booneville Road. Construction of additional 3-lane of paving, storm sewer, conduit, and streetlights.	2025-2028	$6,000,000
Stagecoach Drive - South 81st Street to South Jordan Creek Parkway. Widening from 3-lane urban street to 5-lane urban street.	2030-2035	$3,500,000
Traffic signal at intersection of South Jordan Creek Parkway and Jordan Ridge/Strathmore Apartments	2025-2030	$350,000
Traffic signal at intersection of South Jordan Creek Parkway and New Booneville Road/Eldorado Point	2025-2030	$350,000
Traffic signal at intersection of South Jordan Creek Parkway and Existing Booneville Road	2025-2030	$350,000
Traffic signal at intersection of Jordan Ridge and Stagecoach Drive	2025-2030	$350,000
Sanitary Sewer Upsizing – Parallel Sewer along South Jordan Creek Parkway. Construction of a parallel sanitary sewer along South Jordan Creek Parkway for increased capacity.	2025-2030	$500,000
	Total	**$30,600,000**

2. **Parks and Recreation Public Improvements:** The City anticipates completing the following public improvements within the Urban Renewal Area to support residential development within the Area. In particular, the following improvements would increase the availability of recreational amenities within the Area in correlation with the increased residential population expected in the Area from new housing and residential development. Development of parks and greenspaces improve quality of life of the area, enhance property values, and attract and retain a

knowledge workforce. Multi-use trails also enhance the multi-modal transportation network and pedestrian connectivity which helps alleviate traffic congestion on street network.

Project Description	**Estimated Project Timeframe**	**Estimated Cost to be Paid with Tax Increment**
Booneville Road - South 88th Street to Jordan Creek Parkway. Construction of approximately .80 miles of paved multi-use trail and related activities including utilities, grading, paving, curb ramps, site restoration and associated trail amenities.	2022-2026	$960,000
South 81st Street - Approximately 850 linear feet south of Cascade Avenue to Booneville Road. Construction of approximately .50 miles of paved multi-use trail and related activities including utilities, grading, paving, curb ramps, site restoration and associated trail amenities.	2022-2026	$600,000
	Total:	**$1,560,000**

3. <u>Development Agreements</u>:

A. *Development Agreement with High Point Group, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with High Point Group, LLC (or a related entity) related to residential development within the Urban Renewal Area and the construction of Stagecoach Drive from South 81st Street to South 85th Street, and related improvements, in support of the residential development. At least ten (10) Housing Units and the Stagecoach Drive Improvements are expected to be substantially completed by October 1, 2025. The City expects to make annual grants to High Point Group, LLC in the form of rebates of incremental taxes generated by the project, over period of not to exceed ten (10) years. The cost of such grants shall not exceed the lesser of $2,400,000 or the developer's actual costs related to construction of the Stagecoach Drive Improvements, and will be subject to the terms and conditions of a detailed development agreement.

J. UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECT

With the adoption of this Amendment, the City is updating the description of the following previously authorized project:

1. *Development Agreement with Hope Development & Realty, L.L.C. (or a related entity):* As authorized in the original Plan, the City previously entered into a development agreement with Highgate, L.L.C. related to residential development within the Urban Renewal Area and the construction of Stagecoach Drive from South 85th Street to South 88th, and related improvements, in support of the residential development. Hope Development & Realty, L.L.C. has since acquired Highgate, L.L.C. The City and Hope Development & Realty, L.L.C. are now contemplating entering into a new development

agreement with updated terms to replace the prior agreement between the City and Highgate, L.L.C. At least twenty (20) Housing Units and the Stagecoach Drive Improvements are now expected to be substantially completed by December 31, 2026. The City expects to make annual grants to Hope Development & Realty, L.L.C. in the form of rebates of incremental taxes generated by the project, over period of not to exceed ten (10) years. The construction costs of the Stagecoach Drive Improvements were originally expected not to exceed $2,500,000, but cost estimates have increased to at least $2,750,000. Accordingly with the adoption of this Amendment No. 1, the City is authorizing an additional $275,000 for this project. As amended, the amount of the grants provided to developer shall not exceed the lesser of $2,750,000 or the developer's actual costs related to construction of the Stagecoach Drive Improvements, subject to the terms and conditions of a detailed development agreement.

K. ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 1)

Although certain project activities may occur over a period of years, in addition to projects previously authorized in the Plan, as previously amended, the eligible urban renewal projects under this Amendment No. 1 include:

1. **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.

2. **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**	**$10,000**

L. FINANCIAL DATA

1.	Current constitutional debt limit:	$651,186,062
2.	Current outstanding general obligation debt:	$330,451,643
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the urban renewal projects described herein has not yet been determined. 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	Total for Previously Approved Projects: $34,560,000 Total for Updated Project: $2,750,000

	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 urban renewal projects as described above will be approximately as follows:	Total for New Projects: $10,010,000 This total does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

M. 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, *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.

N. PROPERTY ACQUISITION/DISPOSITION

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

O. RELOCATION

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

P. PROPERTY WITHIN URBAN REVITALIZATION AREA

The Urban Renewal Area may at some future date be located within an urban revitalization area. No tax abatement incentives in connection with the urban revitalization area will be allowed for development that occurs in the Urban Renewal Area unless specifically authorized by the City Council.

Q. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as "agricultural land" by Iowa Code Section 403.17(3), the City requested consent from the owners of the agricultural land proposed to be included in the Urban Renewal Area to the City's inclusion of their real property meeting the definition of as "agricultural land" in the Urban Renewal Area. Copies of the agreements are attached hereto, as Exhibit "D." The original signed agreements are on file at the City Clerk's office. (*Note, the Urban Renewal Area was originally going to be known as the South Jordan Creek Parkway Urban Renewal Area, which is the name referenced in some of the consent documents*).

R. STATE AND LOCAL REQUIREMENTS

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

S. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be further amended from time to time for a variety of reasons, including but not limited to, a change in the area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects,

or to amend property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

T. EFFECTIVE PERIOD

This Amendment No. 1 will become effective upon its adoption 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.

With respect to property included within the Urban Renewal Area, as amended, which is also included in an ordinance which designates that property as a tax increment district (TIF district) and is designated based on an economic development finding, to provide or to assist in the provision of public improvements related to housing and residential development, 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*, is limited to ten (10) years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the Urban Renewal Area. It may be that more than one ordinance will be adopted on separate subareas within the Area. If so, the expiration date for the division of revenue may vary among the subareas.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

U. 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, as 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 ORIGINAL SUBAREA

BEGINNING AT THE SOUTHWEST CORNER OF LOT A IN WELLS FARGO PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT A TO THE SOUTHEAST CORNER THEREOF, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH JORDAN CREEK PARKWAY;

THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH JORDAN CREEK PARKWAY TO THE SOUTHWEST CORNER OF PARCEL 'GG' AS SHOWN ON THE PLAT OF SURVEY THEREOF RECORDED IN BOOK 2016 ON PAGE 5436 IN THE DALLAS COUNTY RECORDER'S OFFICE AND TO THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD;

THENCE WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG SAID EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23 TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 23;

THENCE WEST, ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF THE EAST 163.62 FEET OF THE NORTHWEST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 23;

THENCE SOUTH, ALONG THE WEST LINE OF SAID EAST 163.62 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23 TO THE INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD;

THENCE WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF SOUTH 88TH STREET;

THENCE NORTHWEST, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE EAST LINE OF PARCEL 5 OF PARCEL 'A' AS SHOWN ON THE WARRANTY DEED RECORDED IN BOOK 2016 ON PAGE 8822 IN THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTH, ALONG SAID EAST LINE TO THE SOUTH CORNER THEREOF;

THENCE NORTHWEST, ALONG THE WESTERLY LINE OF SAID PARCEL 5 TO THE NORTHWEST CORNER THEREOF;

THENCE EAST, ALONG THE NORTH LINE OF SAID PARCEL 5 TO SAID EAST RIGHT-

OF-WAY LINE OF SOUTH 88TH STREET;

THENCE NORTH, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 7 IN SUNSET RIDGE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 7 TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH, ALONG THE EAST LINE OF SAID LOT 7 AND THE EAST LINE OF LOT 8 IN SAID SUNSET RIDGE TO THE NORTH LINE OF SAID SECTION 23;

THENCE EAST, ALONG SAID NORTH LINE OF SECTION 23 TO THE NORTHWEST CORNER OF PARCEL 21-77 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 24416 IN THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL 21-77 TO THE NORTH RIGHT-OF-WAY LINE OF STAGECOACH DRIVE;

THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF STAGECOACH DRIVE TO THE WEST LINE OF LOT A IN WELLS FARGO PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

THENCE SOUTHWESTERLY ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

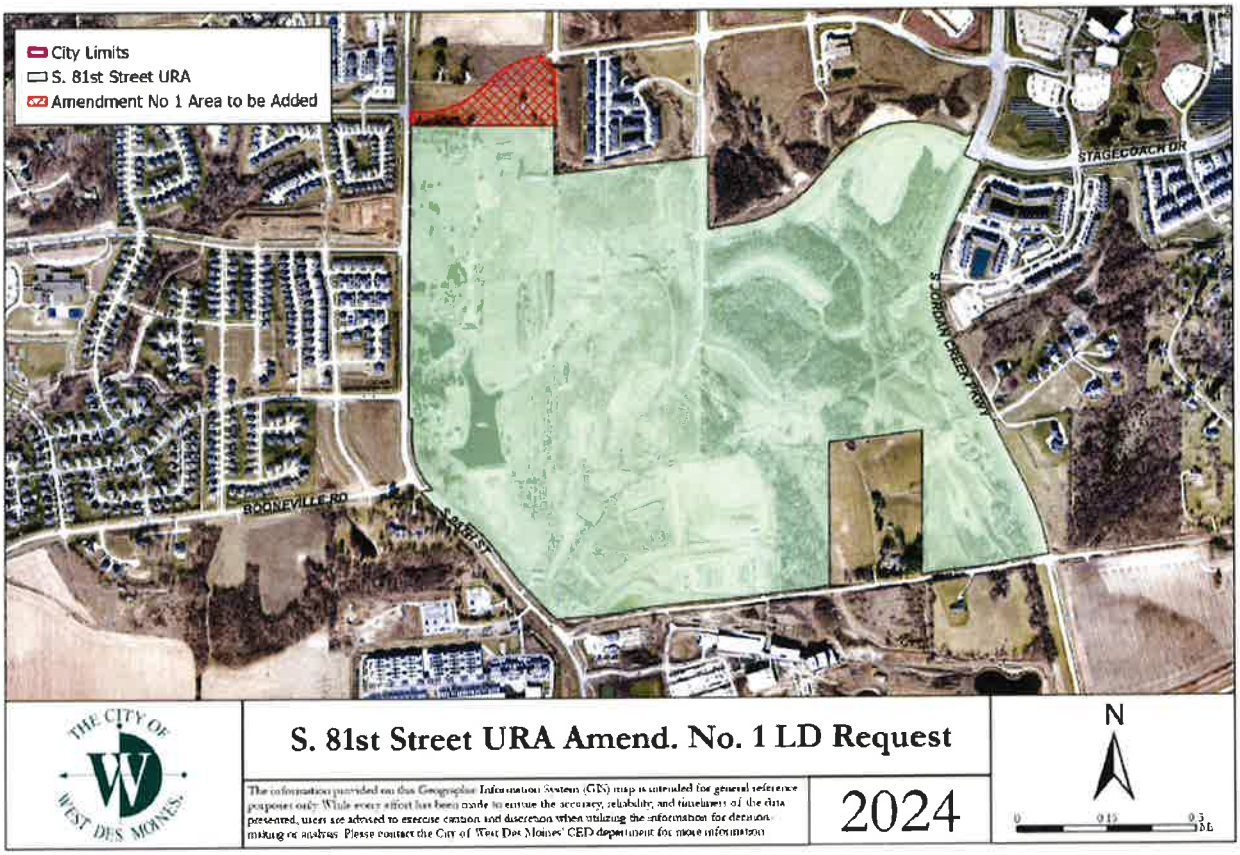
EXHIBIT B
LEGAL DESCRIPTION OF AMENDMENT NO. 1 SUBAREA

LOT 6, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT PARCEL 21-5 BEING A PART OF SAID LOT 6, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS COUNTY RECORDER'S OFFICE.

AND

PARCEL 21-4 BEING A PART OF LOT 5, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS COUNTY RECORDER'S OFFICE.

EXHIBIT C
MAP OF THE SOUTH 81ST STREET URBAN RENEWAL AREA, AS AMENDED BY AMENDMENT NO. 1



Final Version

EXHIBIT D
AGRICULTURAL LAND AGREEMENTS
(7 pages)

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623400001 and 1623300006; and

WHEREAS, the Property is owned by DB Booneville, LLC (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 7 day of October, 2021

DB Booneville, LLC

By: _____

Title: Managing Member

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623100015; and

WHEREAS, the Property is owned by James C. Miller (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

2. The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 27 day of Sept., 2021.

James C. Miller

By: _____

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623300011; and

WHEREAS, the Property is owned by James C. and Deborah L. Miller (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

2. The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 27 day of Sept., 2021.

James C. and Deborah L. Miller

By: James C. Miller

By: Deborah L. Miller

Final Version

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623100013; and

WHEREAS, the Property is owned by James C. and Deborah Miller (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

2. The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 27 day of Sept., 2021

James C. and Deborah Miller

By: James C. Miller

By: Deborah Miller

Final Version

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623100008; and

WHEREAS, the Property is owned by Coyote Ridge, LC (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 27 day of Sept., 2021.

Coyote Ridge, LC

By: _____

Title: Member

Final Version

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH JORDAN CREEK PARKWAY URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South Jordan Creek Parkway (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623100009; and

WHEREAS, the Property is owned by Coyote Ridge, LC (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

The Undersigned hereby agrees that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 27 day of Sept, 2021.

Coyote Ridge, LC

By: _____

Title: Member

Final Version

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE SOUTH 81st STREET URBAN RENEWAL AREA

WHEREAS, the City Council of the City of West Des Moines, Iowa (the "City") has proposed to adopt an Urban Renewal Plan for the South 81st Street (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the "Property") to the Urban Renewal Area and known as Dallas County Assessor Parcel: 1623200009 and 1623200010; and

WHEREAS, the Property is owned by Jordan Ridge, LLC (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.

The Undersigned hereby agrees that the City may include all the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 8th day of February, 2022.

Jordan Ridge, LLC

By: _____

Title: Managing Member

02408007\11333-444

Final Version

RESOLUTION NO. _____

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE SOUTH 81ST STREET URBAN RENEWAL PLAN IN THE CITY OF WEST DES MOINES, STATE OF IOWA

WHEREAS, by Resolution No. 23-03-06-08, adopted March 6, 2023, 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 South 81st Street Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the South 81st Street Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Dallas County; and

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

BEGINNING AT THE SOUTHWEST CORNER OF LOT A IN WELLS FARGO PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT A TO THE SOUTHEAST CORNER THEREOF, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH JORDAN CREEK PARKWAY;

THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH JORDAN CREEK PARKWAY TO THE SOUTHWEST CORNER OF PARCEL 'GG' AS SHOWN ON THE PLAT OF SURVEY THEREOF RECORDED IN BOOK 2016 ON PAGE 5436 IN THE DALLAS COUNTY RECORDER'S OFFICE AND TO THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD;

THENCE WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG SAID EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23 TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 23;

THENCE WEST, ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF THE EAST 163.62 FEET OF THE NORTHWEST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 23;

THENCE SOUTH, ALONG THE WEST LINE OF SAID EAST 163.62 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23 TO THE

INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD;

THENCE WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF SOUTH 88TH STREET;

THENCE NORTHWEST, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE EAST LINE OF PARCEL 5 OF PARCEL 'A' AS SHOWN ON THE WARRANTY DEED RECORDED IN BOOK 2016 ON PAGE 8822 IN THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTH, ALONG SAID EAST LINE TO THE SOUTH CORNER THEREOF;

THENCE NORTHWEST, ALONG THE WESTERLY LINE OF SAID PARCEL 5 TO THE NORTHWEST CORNER THEREOF;

THENCE EAST, ALONG THE NORTH LINE OF SAID PARCEL 5 TO SAID EAST RIGHT-OF-WAY LINE OF SOUTH 88TH STREET;

THENCE NORTH, ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 7 IN SUNSET RIDGE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG THE NORTH LINE OF SAID LOT 7 TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH, ALONG THE EAST LINE OF SAID LOT 7 AND THE EAST LINE OF LOT 8 IN SAID SUNSET RIDGE TO THE NORTH LINE OF SAID SECTION 23;

THENCE EAST, ALONG SAID NORTH LINE OF SECTION 23 TO THE NORTHWEST CORNER OF PARCEL 21-77 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 24416 IN THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL 21-77 TO THE NORTH RIGHT-OF-WAY LINE OF STAGECOACH DRIVE;

THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF STAGECOACH DRIVE TO THE WEST LINE OF LOT A IN WELLS FARGO PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

THENCE SOUTHWESTERLY ALONG SAID WEST LINE TO THE POINT OF

BEGINNING.

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, to update the LMI housing set aside percentage, 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. 1 adds the following land to the Urban Renewal Area:

> LOT 6, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT PARCEL 21-5 BEING A PART OF SAID LOT 6, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS COUNTY RECORDER'S OFFICE.
>
> AND
>
> PARCEL 21-4 BEING A PART OF LOT 5, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS COUNTY RECORDER'S OFFICE.

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 November 27, 2024, in the Boardroom, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 11:00 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.

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 SOUTH 81ST STREET 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 11:00 A.M. on November 27, 2024, in the Boardroom, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa concerning a proposed Amendment No. 1 to the South 81st Street Urban Renewal Plan for the South 81st Street Urban Renewal Area, a copy of which is attached hereto. The consultation meeting will also be accessible virtually, at https://tinyurl.com/ye24pefd.

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. 1 to the South 81st Street 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 _____, 2024.

_____

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 December 16, 2024, 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 SOUTH 81ST STREET 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 16, 2024 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 South 81st Street Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of West Des Moines, State of Iowa.

The Amendment proposes to add certain land to the Urban Renewal Area, legally described as follows:

LOT 6, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT PARCEL 21-5 BEING A PART OF SAID LOT 6, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS COUNTY RECORDER'S OFFICE.

AND

PARCEL 21-4 BEING A PART OF LOT 5, SUNSET RIDGE, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 21595 IN THE DALLAS 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 stimulate, through public involvement and commitment, private investment in housing and residential development for low and moderate income families and the provision of public improvements related to housing and residential development 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. 1 would update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area, update the LMI housing set aside percentage, 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 _____, 2024.

_____

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 18th day of November, 2024.

_____

Russ Trimble, Mayor

ATTEST:

_____

Ryan T. Jacobson, City Clerk

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