RESOLUTION NO. R-745-91

RESOLUTION ADOPTING THE AMENDMENT NO. 2
TO MANCHESTER URBAN RENEWAL PLAN HEREFOR

WHEREAS, by Resolution adopted December 19, 1988, as amended by Resolution adopted March 20, 1989, 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 Manchester Urban Renewal Plan of the City of Manchester, Iowa (the "Plan") for the Manchester Urban Renewal Area (the "Area") described therein, which Plan is on file in the office of the Recorder of Delaware County, Iowa;

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WHEREAS, the Area includes and consists of the area of the City described in Exhibit "A" attached hereto and incorporated herein by reference; and

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

WHEREAS, the City staff has caused there to be prepared a form of Amendment No. 2 to the Plan, a copy of which is attached hereto and marked Exhibit "B", the purpose of which is to set forth and include within the Plan planning criteria for the private acquisition, construction, construction, development and redevelopment of projects for manufacturing facilities within the Area; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment No. 2 to the Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, adoption of the Amendment No. 2, attached hereto as Exhibit "B", was approved by the Planning and Zoning Commission for the City on September 11, , 1991, as being in conformity with the general plan for development of the City as a whole, as amended, as evidenced by its written report attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, a public hearing on the adoption of the proposed Amendment No. 2 to the Plan, was set for the Council meeting of September 16, 1991 at 7:30 o'clock P.M. in the Council Chambers, City Hall, Manchester, Iowa, and due and proper notice of said public hearing was given, as provided by law, by publication in the Manchester Press on September 10, 1991, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Amendment No. 2 to the Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

1. That the findings and conclusions set forth or contained in the proposed "Amendment No. 2 to Manchester Urban Renewal Plan" for the area of the City of Manchester, Iowa legally described and depicted on Exhibit A hereto and incorporated herein by reference (which area shall hereinafter be known as the "Manchester Urban Renewal Plan Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

2. This Council further finds:

   a. A feasible method exists for the location of families who will be displaced from the Manchester Urban Renewal Plan Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

FILE No. 125-781	FILED FOR RECORD THE 24 DAY OF	STATE OF IOWA, DELAWARE COUNTY
RECORDING FEE $ 40.00	September, 19 91 AT 3:29	Jane A. Lloyd, Recorder
TRANSFER FEE $	O'CLOCK P. M. BOOK 2 PAGE 218	By Misc., Deputy

b. The Plan and the Amendment No. 2 thereto, conform to the general plan of the City as a whole; and

c. As to those areas of open land to be acquired by the City included within the Manchester Urban Renewal Plan Area:

(1) With reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums and other areas, including other portions of the Urban Renewal Area; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, and constitute a menace to the public health, safety, morals or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

(2) With reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

3. That the Manchester Urban Renewal Plan Area is a blighted area within the meaning of Iowa Code Section 403.17(9), that such Area is appropriate for commercial and industrial enterprises and is eligible for an Urban Renewal Project and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such Area is necessary in the interest of the public health, safety or welfare of the residents of this City.

4. That the Amendment No. 2 to the Plan, attached hereto as Exhibit B and incorporated herein by reference, be and the same is hereby approved and adopted as the "Amendment No. 2 to Manchester Urban Renewal Plan" for the Manchester Urban Renewal Plan Area; the Amendment No. 2 to the Plan for such area is hereby in all respects approved; and the Clerk is hereby directed to file a certified copy of said Amendment No. 2 to the Plan with the proceedings of this meeting.

5. That the Plan, as so amended, for the Manchester Urban Renewal Plan Area shall be in full force and effect from the date of this resolution until the first day of January, 2013, both dates inclusive, and said Amendment No. 2 to Manchester Urban Renewal Plan, shall be forthwith certified by the Clerk, along with a copy of this Resolution, to the Recorder for Delaware County, Iowa, to be filed and recorded in the manner provided by law.

6. That all other provisions of the Plan not affected or otherwise revised by the terms of the Amendment No. 2 thereto, as well as Resolutions previously adopted by this City Council relating to the Plan and the Area be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 16th day of September, 199_.

CITY OF MANCHESTER

By Milt L. Kramer
Mayor Milt L. Kramer

ATTEST:

By Karen K. Cole
City Clerk Karen K. Cole

EXHIBIT "A"

DESCRIPTION OF CURRENT MANCHESTER
URBAN RENEWAL AREA FOR THE
CITY OF MANCHESTER, IOWA

SECTION 29, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

That part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) lying South of the South right of way line of West Butler Street and East of the Maquoketa River.

Also,

That part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) lying South of the South right of way line of West Butler Street and West of the West right of way line of North Franklin Street.

SECTION 31, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the Northeast Quarter (NE 1/4) lying East and South of Iowa Highway No. 13 except the North 629.92 feet of the East 396.0 feet thereof.

Also,

The East One-Half (E 1/2) of the Southeast Quarter (SE 1/4) except the South 50.0 feet thereof.

SECTION 32, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the South One-Half (S 1/2) of the Northwest Quarter (NW 1/4) lying West of the East right of way line of South Second Street.

Also,

That part of the South One-Half (S 1/2) of Section 32 lying West of the Westerly right of way line of South Third Street except that part thereof described as follows: Beginning at the Southwest corner of said Section 32, thence East to the Southeast corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 32, thence North to the Northeast corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 32, thence West 603.5 feet, thence South 00°21'06" West approximately 300 feet to the North right of way line of Enterprise Avenue, thence East approximately 528 feet to the Westerly right of way line of Old Highway 13, thence South and West along said right of way line to the West line of said Section 32, thence South 50.0 feet to the point of beginning.

Also,

That part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) lying North of the North right of way line of the Chicago Central Pacific Railroad and West of the West right of way line of South Madison Street.

Also,

That part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) lying North of the South right of way line of East Delaware Street and East of the West right of way line of South Madison Street and West of the West right of way line of South Tama Street.

Also,

That part of the North One-Half (N 1/2) of the Northwest Quarter (NW 1/4) lying West of the West right of way line of South Ninth Street and South of the South right of way line of Jasper Street; and also that part of the North One-Half (N 1/2) of the Northwest Quarter (NW 1/4) lying West of the East right of way line of South Fifth Street and South of the South right of way line of Jasper Street.

Also,

The East 1,175 feet of the North One-Half (N 1/2) of the Northwest Quarter (NW 1/4) except that part thereof lying East of the East right of way line of South Second Street and South of the Chicago Central Pacific Railroad right of way.

Also,

SECTION 31, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

The North 629.92 feet of the East 396.0 feet of the Northeast Quarter (NE 1/4).

Also,

All of the right of way of Iowa Highway No. 13 (West Main Street) lying East of Iowa Highway No. 13 in the Northeast Quarter (NE 1/4) except the East 396.0 feet thereof.

SECTION 30, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the South One-Half (S 1/2) of Section 30 lying within the corporate limits.

SECTION 32, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

The North 629.92 feet lying west of the west right of way line of South Ninth Street in the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4).

Also,

That part of the Northeast Quarter (NE 1/4) lying North of the North right of way line of the Chicago Central Pacific Railroad, South of the North line of East Delaware Street and East of the West line of South Madison Street.

Also,

That part of the Northeast Quarter (NE 1/4) lying North of the North line of East Delaware Street and East of the West line of South Tama Street.

SECTION 33, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the North One-Half (N 1/2) of Section 33 lying North of the North right of way line of the Chicago Central Pacific Railroad, except the North 33.0 feet of the East 840.0 feet thereof.

SECTION 34, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 34 within the corporate limits lying North of the North right of way line of the Chicago Central Pacific Railroad and South of the South right of way line of County Road D-22.

SECTION 28, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the South One-Half (S 1/2) of the South One-Half (S 1/2) thereof lying East of the East right of way line of Stiles Street, West of the corporate limits and South of the South right of way line of East Butler Street Extended Easterly to the corporate limits.

SECTION 29, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

That part of the Southeast Quarter (SE 1/4) lying South of the South right of way line of East Fayette Street, West of the West right of way line of North Wayne Street, and East of the East right of way line of North Franklin Street.

Also,

That part of the Southeast Quarter (SE 1/4) lying North of the South right of way line of East Fayette Street, South of the South right of way line of East Butler Street, West of the West right of way line of North Tama Street, and East of the East right of way line of North Franklin Street.

Also,

That part of the Southeast Quarter (SE 1/4) lying North of the South right of way line of East Butler Street, South of the South right of way line of East Howard Street, West of the West right of way line of North Madison Street, and East of the East right of way line of North Franklin Street.

EXHIBIT "B"

AMENDMENT NO. 2 TO URBAN RENEWAL PLAN
MANCHESTER URBAN RENEWAL AREA
CITY OF MANCHESTER, IOWA

The Amendment No. 2 to Manchester Urban Renewal Plan for the Manchester Urban Renewal Area of the City of Manchester, Iowa, dated December 19, 1988, as amended on March 20, 1989, is hereby amended to add the following section:

G. PROJECT PROPOSALS

1) PROPERTY ACQUISITION:

a) * * *

b) * * *

c) * * *

d) * * *

e) * * *

f) * * *

g) Project and site criteria for additions to, improvement, equipment and expansion of manufacturing facility projects.

In addition to the other provisions of this Plan, the following project and site criteria shall apply to any property to be developed or redeveloped as a manufacturing project:

- The property shall be acquired and/or redeveloped as an addition, equipment, improvement or expansion for a manufacturing facility.

- The project must be in compliance with the requirements of the M-1 & M-2 Zoning District, City of Manchester's Zoning Ordinance No. 283-84.

- If the developer is an existing entity, a minimum of the number of equivalent full time jobs provided prior to commencement of a project must be retained and additional consideration

will be given to the creation of full and part-time jobs added as a result of the project. If the project involves a new entity, new full and part time jobs must be added as a result of the project.

- The developer must agree to enter into a minimum assessment agreement with the City for a period of not to exceed ten years, establishing the minimum assessed value of the improved property for tax purposes.

- Upon completion of the project, and subject to the terms of a development agreement acceptable to the City, the City is willing to make available to developers, for purposes of assisting manufacturing facilities, funds in such amount and under such terms as determined by the City Council.

City of Manchester

208 East Main St.
Manchester, Iowa 52057
319-927-3636
Fax: 319-927-2958

EXHIBIT B

REPORT TO THE COUNCIL

AMENDMENT NO. 2 TO THE URBAN RENEWAL PLAN

The Manchester Planning and Zoning Commission had it's Regular Meeting on September 11, 1991 for the purpose to review Amendment No. 2 to the Urban Renewal Plan.

It was moved by Simmons and seconded by Blakesley to recommend to the City Council approval of Amendment No. 2 to the Manchester Urban Renewal Plan.

ON CALL OF ROLL: AYES: Simmons, Blakesley, Bishop, Lyness, Appleby, Jones, Parmley
NAYS: None

Helen M. Knutson

Helen M. Knutson, Secretary
Manchester Planning & Zoning Commission

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DELAWARE)

I, the undersigned City Clerk of Manchester, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 18th day of September, 1991.

CITY OF MANCHESTER IOWA. SEAL

Karen K. Cole
City Clerk, Manchester, Iowa
KAREN K. COLE

On this 16th day of September, 1991, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution R-745-91 passed by the City Council, under Roll Call No. ____ of the City Council on the 16th day of September, 1991, that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

NOTARIAL SEAL LINDA K. TUTTON DELAWARE COUNTY, IOWA

Linda K. Tutton
Notary Public; my commission expires 8-29-93
LINDA K. TUTTON