DELAWARE COUNTY IOWA
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DEBORAH L PEYTON
DELAWARE CO. RECORDER
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City of Delhi
P.O. Box 235
Delhi IA
52223-0235

Prepared by: William J. Noth
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Smith & Allbee, P.C.,
100 Court Avenue, Suite 600,
Des Moines, IA 50309-2231
(515)243-7611

CERTIFICATION TO COUNTY RECORDER

We hereby certify that attached hereto is a true and correct copy of the Amended and Restated Urban Renewal Plan for the Delhi Economic Development District, and the Resolution adopting same for the Urban Renewal Plan Area, of the City of Delhi, Iowa, the original of which is on file in the records of the undersigned City Clerk.

Dated this 14 day of August, 2000.

Roy Atkinson
Mayor of the City of Delhi, Iowa

Janet L Cords
Clerk of the City of Delhi, Iowa

(CITY SEAL)

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

ACKNOWLEDGMENT

On this 14th day of August, 2000, before me, Linda J. Jay, a Notary Public in and for the State of Iowa, personally appeared Roy Atkinson and Janet L. Cords, 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 Delhi, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in the Resolution adopted by the City Council on the 8 day of August, 2000, and that Roy Atkinson and Janet L. Cords acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it voluntarily executed.

NOTARIAL SEAL IOWA
LINDA J. JAY
MY COMMISSION EXPIRES
2-18-02

Linda J. Jay
Notary Public in and for said County and State

COUNTY RECORDER'S CERTIFICATE

I, DEBORAH L. PEYTON, County Recorder of Delaware County, Iowa, hereby certify that on the 15 day of AUGUST, 2000, there was filed in my office a true and correct copy of the Amended and Restated Urban Renewal Plan for the Delhi Economic Development District of the City of Delhi, Iowa, approved by the City Council on the 8 day of August, 2000, all duly certified upon the form attached above, for recording and the same is recorded in Book 2000 at Page 2456 of the records in my office.

Deborah L. Peyton

County Recorder of Delaware County, Iowa

DEBORAH L. PEYTON

(COUNTY SEAL)

DELAWARE CO. RECORDER IOWA

DCORNELL\242487\1\18306004

AMENDED AND RESTATED
URBAN RENEWAL PLAN

for the

DELHI ECONOMIC DEVELOPMENT DISTRICT
CITY OF DELHI, IOWA

August 8, 2000

INTRODUCTION

This AMENDED AND RESTATED URBAN RENEWAL PLAN for the DELHI ECONOMIC DEVELOPMENT DISTRICT (the "Amended and Restated Urban Renewal Plan") has been prepared to provide for the further development of the DELHI ECONOMIC DEVELOPMENT DISTRICT (the "Project Area") of the City of Delhi, Iowa (the "City") and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve this objective, the City shall undertake the urban renewal actions specified in this Amended and Restated Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 1999, as amended (the "Code").

I. AMENDED AND RESTATED URBAN RENEWAL PLAN OBJECTIVES

On June 24, 1991, by way of Resolution No. 14-91, the City [1] first designated the Project Area as an "economic development area" as defined under Chapter 403 and determined that the Project Area is suitable for industrial and commercial enterprises; and [2] adopted the Urban Renewal Plan for the DELHI ECONOMIC DEVELOPMENT DISTRICT, CITY OF DELHI, IOWA ("1991 Plan").

On May 9, 1995, by way of Resolution No. 5-95, the City adopted AMENDMENT NO. 1 TO THE URBAN RENEWAL PLAN FOR THE DELHI ECONOMIC DEVELOPMENT DISTRICT ("1995 Amendment").

The purpose of this Amended and Restated Urban Renewal Plan is to incorporate all urban renewal plan provisions applicable to the Project Area into a single document. Consistent with this purpose, all provisions of the 1991 Plan and the 1995 Amendment are hereby ratified, confirmed and incorporated herein by reference the same as if fully set out, except to the extent that the terms thereof are inconsistent with the provisions of this Amended and Restated Urban Renewal Plan. All provisions of the 1991 Plan and the 1995 Amendment which are inconsistent with the provisions of this Amended and Restated Urban Renewal Plan are hereby rescinded and shall have no further force or effect from and after the date of the adoption of this Amended and Restated Urban Renewal Plan.

The primary objectives of this Amended and Restated Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and industrial development;

2. To plan and provide sufficient land for new and expanding commercial and industrial development;

3. To attract new industries and businesses to the City and to encourage the expansion of existing City industries and businesses;

4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;

5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and

6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

II. DESCRIPTION OF PROJECT AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the City. The boundaries of the Project Area remain the same as those illustrated on the Project Area Map(s) associated with the 1991 Plan and the 1995 Amendment.

The Project Area is described as consisting of all that certain parcel or parcels of land located in the City of Delhi, County of Delaware, State of Iowa, more particularly described as follows:

> The Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) and the West One-Half (W ½) of the Southwest Quarter (SW 1/4) of Section 16, Township 88 North, Range 4 West of the Fifth P.M.; and the East One-Half (E ½) of the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) and the South One-Half (S ½) of the Northeast Quarter (NE 1/4) and the Southeast Quarter (SE 1/4) of Section 17, Township 88 North, Range 4 West of the Fifth P.M.; and the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) and the North One-Half (N ½) of the Northeast Quarter (NE 1/4) of Section 20, Township 88 North, Range 4 West of the Fifth P.M.; and the Northwest

Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 21, Township 88 North, Range 4 West of the Fifth P.M.;

All in City of Delhi, Delaware County, Iowa.

III. PROJECT AREA ACTIVITIES

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Amended and Restated Urban Renewal Plan the City may determine:

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

2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;

3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;

4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;

5. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;

6. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;

7. To borrow money and provide security therefor;

8. To establish and enforce controls, standards and restrictions on land use and buildings;

9. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;

10. To use tax increment financing to achieve a more marketable and competitive land offering price, to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or

11. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City.

IV. PROPOSED PROJECT ACTIVITIES

A potential project which has been initially identified by the City for consideration and possible funding through the issuance of a loan agreement (to be repaid through tax increment financing or other lawfully available sources) is the making of an economic development grant to ATI Incorporated, an Iowa corporation, in consideration of its private expansion activities being undertaken within the Project Area. Any such undertakings or agreements by the City would be separately considered by the City Council as provided by law.

A second potential project which has been initially identified by the City for consideration and possible funding (to be repaid through tax increment financing or other lawfully available sources) is the improvement of public recreational facilities within the Project Area.

V. SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Amended and Restated Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Amended and Restated Urban Renewal Plan and the

Code. Accordingly, in furtherance of the objectives of this Amended and Restated Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;

2. The acquisition of land and preparation of same for sale to private developers;

3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants; or

4. Providing the local matching share of CEBA, RISE or other state, federal or local grants and loan programs.

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 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Amended and Restated Urban Renewal Plan.

VI. PROPERTY ACQUISITION

The City does not presently intend to acquire land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;

2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Amended and Restated Urban Renewal Plan; or

3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

VII. CLEARANCE AND DISPOSITION OF PROPERTY

The City may acquire land and make improvements in preparation for redevelopment or transfer of land to private developers. Any such land acquisition and improvements will be accomplished in accordance with the goals and objectives of this Amended and Restated Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land. In connection therewith, the City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of the property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Amended and Restated Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Amended and Restated Urban Renewal Plan.

VIII. LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the City's zoning ordinance and other applicable local, state and federal codes and ordinances.

IX. DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area from the City will be required to observe the land use requirements of this Amended and Restated Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Amended and Restated Urban Renewal Plan are furthered or achieved.

Developers will be selected on the basis of the conformance of their proposals to the Amended and Restated Urban Renewal Plan and a determination of their ability to carry out such proposals. This may be through fixed-price offerings, through negotiation or by other means which, in the determination of the City, will best assure the attainment of the development of the Project Area and the objectives of this Amended and Restated Urban Renewal Plan.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Amended and Restated Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;

2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;

3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Amended and Restated Urban Renewal Plan;

4. Construction of improvements will be initiated and completed within a reasonable time; and

5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor

will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sublessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Amended and Restated Urban Renewal Plan.

X. PROJECT AND CITY INDEBTEDNESS

At this time, the extent of public improvements and other urban renewal activities to be undertaken within the Project Area is only generally known. A variety of unidentified private improvements, as well as public infrastructure improvements, may be constructed within the Project Area during the duration of this Amended and Restated Urban Renewal Plan. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake a variety of project-related activities in the future including, but not limited to, the issuance of general obligation bonds or loan agreements, tax increment bonds, grants or forgivable loans.

At the present time, it is anticipated that future City bond indebtedness for project-related activities within the Project Area will not exceed $175,000. Proceeds of such bonds are currently expected to be used primarily to fund economic development grants to private developers constructing improvements in the Project Area. Such bonds or other indebtedness, which would be repaid or reimbursed in whole or in part from tax increment revenues generated within the Project Area, are not expected to exceed ten (10) years of duration. Total tax increment collections are not expected to exceed $200,000 during said period.

As of June 30, 1999, the City's outstanding general obligation indebtedness was $ 69,343 . Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent of the value, as shown by the last certified state and county tax list, of all taxable property within the City. Based upon the most current total actual value of all taxable property within the City ($ 17,018,880), the City currently is limited to $ 781,601 of additional general obligation indebtedness.

XI. STATE AND LOCAL REQUIREMENTS

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

XII. SEVERABILITY

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

XIII. AMENDMENT OF AMENDED AND RESTATED URBAN RENEWAL PLAN

This Amended and Restated Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

XIV. EFFECTIVE DATE

This Amended and Restated Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Delhi, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, 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) by the City for activities carried out under this Amended and Restated Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

GGRETA\235159\1\18305.004

ORIGINAL

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Delhi, Iowa.

Date of Meeting: August 8, 2000

Time of Meeting: 7:30 o'clock P.M.

Place of Meeting: Council Chambers, City Hall, Delhi, Iowa

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

- Public Hearing on proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District of the City of Delhi, Iowa.

- Resolution determining an area of the City to be an economic development area, 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 the City; designating such area as appropriate for an Urban Renewal Project; and adopting the Amended and Restated Urban Renewal Plan for the Delhi Economic Development District.

Such additional matters as are set forth on the additional 10 (number) page(s) attached hereto.

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.

Janet L Cords

City Clerk, Delhi, Iowa

August 8, 2000

The City Council of Delhi, Iowa, met in regular session, in the Council Chambers, City Hall, Delhi, Iowa, at 7:30 o'clock P.M. on the above date. There were present Mayor Atkinson, in the Chair, and the following named Council Members:

Anderson Gearhart, Charles Flint,

Craig Davis, Sheila Freiburger

Absent: Scott Salow

****

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District, the Mayor first delivered his report with respect to the consultation held with the affected taxing entities to discuss the proposed Urban Renewal Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that no written recommendations were received from affected taxing entities. The report of the Mayor with respect to the consultation was placed on file for consideration by the Council.

The Council also was informed that the proposed Amended and Restated Urban Renewal Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of said Commission previously placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amended and Restated Urban Renewal Plan, and the City Clerk reported that no written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District and none were made. The public hearing was then closed.

[Attach summary of objections here]

Council Member Flint then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, 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 THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE DELHI ECONOMIC DEVELOPMENT DISTRICT" and moved that the same be adopted. Council Member Freiburger seconded the motion to adopt. The roll was called and the vote was,

AYES: Gearhart, Flint, Davis

Freiburger

NAYS: none

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 17-2000

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, 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 THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE DELHI ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, by Resolution No. 14-91 adopted June 24, 1991, 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

Urban Renewal Plan for the Delhi Economic Development District (the "Delhi Urban Renewal Area") of the City of Delhi, Iowa; and

WHEREAS, by Resolution No. 5-95 adopted May 9, 1995, this Council approved and adopted Amendment No. 1 to the foregoing Urban Renewal Plan; and

WHEREAS, the City Council continues to believe that the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has caused there to be prepared a proposed Amended and Restated Urban Renewal Plan (the "Plan") for the Delhi Economic Development District for the area described therein, which proposed Plan is attached hereto as Exhibit A; and

WHEREAS, the areas covered by the proposed Plan continue to include and consist of all that certain parcel or parcels of land located in the City of Delhi, County of Delaware, State of Iowa, more particularly described as follows:

> The Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) and the West One-Half (W ½) of the Southwest Quarter (SW 1/4) of Section 16, Township 88 North, Range 4 West of the Fifth P.M.; and the East One-Half (E ½) of the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) and the South One-Half (S ½) of the Northeast Quarter (NE 1/4) and the Southeast Quarter (SE 1/4) of Section 17, Township 88 North, Range 4 West of the Fifth P.M.; and the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) and the North One-Half (N ½) of the Northeast Quarter (NE 1/4) of Section 20, Township 88 North, Range 4 West of the Fifth P.M.; and the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 21, Township 88 North, Range 4 West of the Fifth P.M.;

All in City of Delhi, Delaware County, Iowa.

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District 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 of such urban renewal plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District; and

WHEREAS, adoption of the proposed Amended and Restated Urban Renewal Plan has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District 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, as amended; and

WHEREAS, by resolution adopted on July 11, 2000, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amended and Restated Urban Renewal Plan and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Amended and Restated Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Mayor filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amended and Restated Urban Renewal Plan for the Delhi Economic Development District 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 urban renewal plan and shall outline the general scope of the urban

renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

WHEREAS, by said resolution this Council also set a public hearing on the adoption of the Amended and Restated Urban Renewal Plan for this meeting of the Council, and due and proper notice of said public hearing was given, as provided by law, by timely publication in the *Delaware County Leader*, which notice set forth the time and place for this hearing and the nature and purpose thereof, with a copy of said notice having also been mailed to each affected taxing entity; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Amended and Restated Urban Renewal 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 DELHI, IOWA:

Section 1. That the findings and conclusions set forth or contained in the Amended and Restated Urban Renewal Plan concerning the area of the City of Delhi, Iowa described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area and are hereby incorporated herein by this reference.

Section 2. This Council further finds:

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

b. The Amended and Restated Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

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

(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 Delhi 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, the City Council hereby determines that 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.

Section 3. That the Delhi Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area 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.

Section 4. That the Amended and Restated Urban Renewal Plan for the Delhi Urban Renewal Area of the City of Delhi, Iowa be and the same is hereby approved and adopted as "the Amended and Restated Urban Renewal Plan for the Delhi Economic Development District of the City of Delhi, Iowa"; the Amended and Restated Urban Renewal Plan for the Delhi Economic Development District of the City of Delhi, Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of said Amended and Restated Urban Renewal Plan with the proceedings of this meeting.

Section 5. That the Amended and Restated Urban Renewal Plan for the Delhi Urban Renewal Area shall be in full force and effect from the date of this Resolution until the later of the date of termination set forth in the Amended and Restated Urban Renewal Plan, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said proposed Amended and Restated Urban Renewal Plan shall be forthwith certified by the City 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.

PASSED AND APPROVED this 8 day of August, 2000.

Mayor

ATTEST:

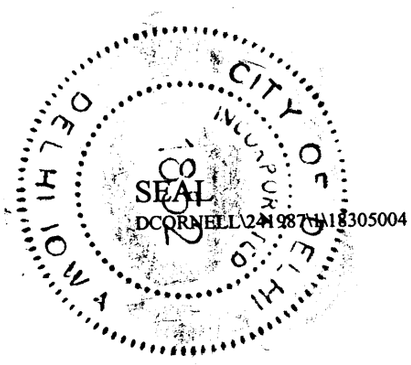
City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DELAWARE)

I, the undersigned City Clerk of Delhi, 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 8 day of August, 2000.



Janet L Cooke
City Clerk, Delhi, Iowa