



Document 2022 3712

Book 2022 Page 3712 Type 06 024 Pages 11
Date 12/21/2022 Time 2:37:29PM
Rec Amt \$57.00

INDX
ANNO
SCAN

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Prepared by and return to:

Andrew Barden
City of Winterset
124 W. Court Avenue
Winterset IA 50273
515 462 1422

CERTIFICATION

The undersigned, the duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of Clerk of the City of Winterset, Iowa.

Ordinance No. #650 An Ordinance providing for the Division of Taxes Levied on Taxable property in Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa.

Relating to documents:

- 1) Resolution 2021-04 A Resolution Approving Development Agreement with Corkrean Development, Passed and approved January 4th, 2021
- 2) Development Agreement between the City of Winterset and Corkrean Development for Arbor Park Plat 4, Passed and approve January 4th, 2021, Recorded in Book 2021, Page 540, on February 10th, 2021

The undersigned further certifies the Resolution described above were duly passed by the Council and approved by the Mayor on the dates shown thereon.

Andrew Barden
City Administrator
City of Winterset, Iowa



SEAL

MINUTES PROVIDING FOR PASSAGE
OF AN ORDINANCE ESTABLISHING
AN URBAN RENEWAL TAX
INCREMENT FINANCING DISTRICT
FOR THE ARBOR PARK URBAN
RENEWAL AREA (PLAT 4)

420433-New

Winterset, Iowa

December 19, 2022

The City Council of the City of Winterset, Iowa, met on December 19, 2022, at 7 p.m. at the Winterset City Hall, in the City.

The Mayor presided and the roll being called, the following members of the Council were present and absent:

Present: Christopher Fairholm, MaryAnn Orr, Trevor Bindel, Joanna Gustafson, Michael Cook

Absent: None

Council Member Bindel introduced an ordinance entitled "Ordinance No. 650. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Bindel and seconded by Council Member Gustafson that the ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Christopher Fairholm, MaryAnn Orr, Trevor Bindel, Joanna Gustafson, Michael Cook

Nays: None.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Orr and seconded by Council Member Cook that the statutory rule requiring an ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Christopher Fairholm, MaryAnn Orr, Trevor Bindel, Joanna Gustafson, Michael Cook

Nays: None.

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Orr and seconded by Council Member Cook that the ordinance entitled "Ordinance No. 650. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa," now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

Ayes: Christopher Fairholm, MaryAnn Orr, Trevor Bindel, Joanna Gustafson, Michael Cook

Nays: None.

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. #650

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the members of the City Council of the City of Winterset, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Arbor Park Urban Renewal Area (Plat 4), each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Winterset, Iowa.

“County” shall mean Madison County, Iowa.

“Urban Renewal Area” shall mean the real property situated in the Arbor Park Urban Renewal Area (Plat 4), more particularly described as follows, such property having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on December 21, 2020:

A PART OF LOT 14, C & C ALLEN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF WINTERSET, MADISON COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ARBOR PARK PLAT 3, AN OFFICIAL PLAT IN SAID CITY OF WINTERSET; THENCE SOUTH 0°43'49" EAST ALONG THE WESTERLY LINE OF SAID ARBOR PARK PLAT 3, A DISTANCE OF 245.76 FEET TO THE NORTHEAST CORNER OF LOT 10, ARBOR PARK PLAT NO. 1, AN OFFICIAL PLAT IN SAID CITY OF WINTERSET; THENCE NORTH 89°20'50" WEST ALONG THE NORTHERLY LINE OF SAID ARBOR PARK PLAT NO. 1, A DISTANCE OF 320.60 FEET; THENCE SOUTH 0°09'55" WEST CONTINUING ALONG SAID NORTHERLY LINE, 130.00 FEET; THENCE NORTH 89°21'07" WEST CONTINUING ALONG SAID NORTHERLY LINE, 66.00 FEET; THENCE NORTH 0°09'55" EAST CONTINUING ALONG SAID NORTHERLY LINE, 80.00 FEET; THENCE NORTH 89°21'07" WEST CONTINUING ALONG SAID NORTHERLY LINE, 130.00 FEET TO THE NORTHWEST CORNER OF LOT 14, SAID ARBOR PARK PLAT NO. 1, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID LOT 14, C & C ALLEN'S ADDITION; THENCE NORTH 0°12'21" EAST ALONG SAID WESTERLY LINE, 400.00 FEET; THENCE SOUTH 89°21'07" EAST, 129.72 FEET; THENCE NORTH 0°09'55" EAST, 29.33 FEET; THENCE SOUTH 89°50'05" EAST, 66.00 FEET; THENCE SOUTH 89°47'27" EAST, 419.32 FEET TO THE WESTERLY LINE OF PARCEL 'G' OF LOT 14, C & C ALLEN'S ADDITION AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2, PAGE 389; THENCE SOUTH 0°14'14" WEST ALONG

SAID WESTERLY LINE, 120.49 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 'G', SAID POINT ALSO BEING ON THE NORTHERLY LINE OF SAID ARBOR PARK PLAT 3; THENCE SOUTH 81°14'42" WEST ALONG SAID NORTHERLY LINE, 103.67 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.05 ACRES (219,944 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support levy program of a school district imposed pursuant to Section 257.19 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in

the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

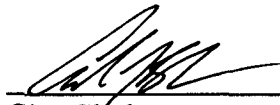
Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Winterset, Iowa, on December 19, 2022.


Mayor


Attest:



City Clerk

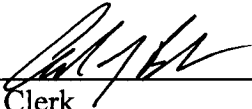
•••••

There being no further business to come before the meeting, it was upon motion adjourned.



Mayor

Attest:



City Clerk

STATE OF IOWA
COUNTY OF MADISON SS:
CITY OF WINTERSET

I, the undersigned, City Clerk of the City of Winterset, Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the City Council of the City relating to the adoption of an ordinance entitled "Ordinance No. #650. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 20th day of December, 2022.



City Clerk

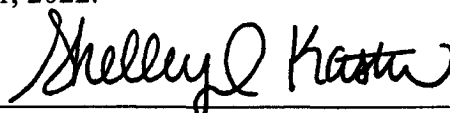
STATE OF IOWA

SS:

MADISON COUNTY

I, the undersigned, County Auditor of Madison County, in the State of Iowa, do hereby certify that on the 20th day of Decemeber, 2022, a copy of an ordinance of the City was filed in my office, shown to have been adopted by the City Council and approved by the Mayor thereof on December 19, 2022, entitled: "Ordinance No. #650. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this 20th day of December, 2022.




County Auditor

STATE OF IOWA
MADISON COUNTY
CITY OF WINTERSET

SS:

I, the undersigned, City Clerk of the City of Winterset, Iowa, do hereby certify that I caused to be published "Ordinance No. #650. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Arbor Park Urban Renewal Area (Plat 4), Pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the City.

WITNESS MY HAND this 21st day of December, 2022.



City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)

