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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

**Type of Document:** RESOLUTION ADOPTING AMENDMENT NO. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN (INCLUDING AMENDMENT NO. 1 LABELED AS EXHIBIT 1 AND ATTACHED TO THE RESOLUTION)

✓ **Return Document to:** Ryan T. Jacobson  
City of West Des Moines  
4200 Mills Civic Pkwy, Ste. 2E  
West Des Moines, IA 50265

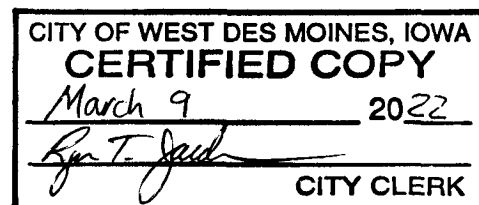
**Preparer Information:** Nathan J. Overberg  
Ahlers & Cooney, P.C.  
100 Court Ave., Ste. #600  
Des Moines, IA 50309  
(515) 243-7611

**Taxpayer Information:** N/A

**GRANTORS:** N/A

**GRANTEES:** N/A

**LEGAL DESCRIPTION:** See Resolution, pages 1-8.  
01991892-1\11333-400



## ITEMS TO INCLUDE ON AGENDA

### CITY OF WEST DES MOINES, IOWA

February 21, 2022

5:30 P.M.

#### Economic Development Digital Enterprise Urban Renewal Plan

- Public hearing on the proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan
- 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 urban renewal projects; and adopting the Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan

#### IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be 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 body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21,  
CODE OF IOWA, AND THE LOCAL RULES OF THE CITY.

February 21, 2022

The City Council of the City of West Des Moines, State of Iowa, met in regular session, in the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa, at 5:30 P.M., on the above date. There were present Mayor Trimble, in the chair, and the following named Council Members:

Hudson, McKinney, Hardman, Trevillyan, Loots

Absent: none

Vacant: none

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This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan, the Mayor first asked for the report of the Business Development Coordinator, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that 0 written recommendations were received from affected taxing entities. The report of the Business Development Coordinator, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Amendment, and the City Clerk reported that 0 written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan and 0 were made. The public hearing was then closed.

{Attach summary of comments here,  
or include summary of comments in meeting minutes}

Council Member Hudson 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 URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN" and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at this place.

Council Member Loots seconded the motion. The roll was called, and the vote was:

AYES: Hudson, Loots, Hardman, Trevillyan

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NAYS: none

ABSTAIN: McKinney

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 22-02-21-26

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 URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE ECONOMIC DEVELOPMENT DIGITAL ENTERPRISE URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 20-07-06-20, adopted July 6, 2020, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Economic Development Digital Enterprise Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Economic Development Digital Enterprise Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the offices of the Recorders of Dallas, Madison, Polk, and Warren Counties; and

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

The City of West Des Moines corporate limits, situated in portions of Polk County, Dallas County, Warren County, and Madison County, all in the State of Iowa, more specifically described as follows:

Beginning at the Northwest corner of Section 6, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., in said Polk County; thence East along the North lines of said Section 6, Section 5, Section 4, and a portion of Section 3, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the East right-of-way line of the Norfolk and Southern Railroad; thence Southeast along said East right-of-way line projected to the South right-of-way line of Buffalo Road to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in book 11728 on page 658 in the Polk County Recorder's Office; thence Southeast along the East line of said Parcel "A" to the West line of 73<sup>rd</sup> Street; thence Southerly along said West line to the Northeast corner of Lot 3 of Executive Plaza Plat 1, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Lot 3 to the Southeast corner thereof, said point also being on the West line of Rancho Grande, an official plat in and forming a part of the City of Windsor Heights; thence continuing South along said West line of Rancho Grande to the North line of Colby's Office Park, an official plat in and forming a part of the City of West Des Moines; thence Easterly along said North line to the Northeast corner of Lot 13 in said Colby's Office Park; thence East to the West right-of-way line of 73<sup>rd</sup> Street; thence Northerly along said West right-of-way line to the North line of the Southeast 1/4 of Section 3, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence East along said North line to the East 1/4 Corner of said Section 3;

thence East along the North line of the Southwest 1/4 of Section 2, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the extended Eastern line of Lot 44 of Janet's Woods, an official plat in and forming a part of the City of West Des Moines; thence Southeasterly along said Eastern line to the North line of Lot 22 of said Janet's Woods; thence East along said North line to the Northwest corner thereof; thence Southeasterly along the East line of said Lot 22, to the Southwest corner of Lot 14 of said Janet's Woods; thence East along the North line of said Lot 22 to the Northwest corner of Lot 25 of said Janet's Woods; thence South along the East line of said Lot 22 to the Southeast corner thereof; thence East along the South line of Lot 23 of said Janet's Woods extended to the North and South Center Section line of said Section 2; thence South along the North and South Center of section lines running through the remaining portion of said Section 2 and Sections 11, 14, 23, and 26, all in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., to the North 1/4 corner of Section 35, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence East along the North line of said Section 35 to the Northeast corner of the West 1/2 of the Northeast 1/4 thereof; thence South along the East line of the West 1/2 of the Northeast 1/4 to the Southeast corner thereof; thence East along the North line of the East 1/2 of the Southeast 1/4 of said Section 35 to the extended SE Double Eagle Drive East right-of-way line; thence South along said East right-of-way line to the Southeast corner thereof; thence West to the East line of the West 1/2 of the Southeast 1/4 of said Section 35; thence South along said East line to the South line of Polk County; thence West along said South line to the Northeast corner of Section 4, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence South along the East line of said Section 4 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 4; thence West along the North line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence South along the West line of said Southeast 1/4 of the Southeast 1/4 to the South line of said Section 4; thence West along said South line to the North 1/4 corner of Section 9, of said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 9 to the Center of said Section 9; thence West along the South line of said Northwest 1/4 to the East 1/4 corner of said Section 8, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 8 to the Southeast corner of Parcel "R" as recorded in a Plat of Survey in Instrument Number 2018-09452 in the Warren County Recorder's Office; thence West along the South line of said Parcel "R" to the Southwest corner thereof and the East line of Parcel "P" as recorded in a Plat of Survey in Fee Book 2016-9567 in the Warren County Recorder's Office; thence North along said East line to the North line of the Southeast 1/4 of said Section 8; thence West along said North line to the Center of said Section 8; thence West along the South line of the Northwest 1/4 of said Section 8 to the Western right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said Western right-of-way line to the East line of the Northwest 1/4 of said Section 8; thence North along said East line to the South 1/4 corner of Section 5, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence West along the South line of said Section 5 to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section

5; thence North along the West lines of the Southeast 1/4 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 of said Section 5 to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of said Northeast 1/4 of the Southwest 1/4 to the Northwest corner of the North 500 feet of the East 290.4 feet of said Northeast 1/4 of the Southwest 1/4; thence South along the West line of said North 500 feet of the East 290.4 feet to the Southwest corner thereof; thence East along the South line of said North 500 feet of the East 290.4 feet to the East line of said Northeast 1/4 of the Southwest 1/4; thence North along said East line to the Center of said Section 5; thence East along the North line of the Southeast 1/4 of said Section 5 to the East 1/4 corner of said Section 5; thence South along the East line of the Southeast 1/4 of said Section 5 to the North right-of-way line of the former Chicago and North Western Transportation Company; thence Northeasterly along said North right-of-way line to the East line of the Southwest 1/4 of Section 4, in said Township 77 North, Range 25 West of the 5<sup>th</sup> P.M.; thence North along said East line to the Center of said Section 4; thence East along the North line of the Southeast 1/4 of said Section 4 to the Southwest corner of Parcel "B" as recorded in a Plat of Survey recorded in Irregular Plat Book 12 on page 77-25 in the Warren County Recorder's Office; thence along the Southeastern line of said parcel and the North right-of-way line of the former Chicago and North Western Transportation Company to the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 4; thence North along said West line to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence West along the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 4 to the Southwest corner thereof; thence North along the West line of said Northwest 1/4 of the Northeast 1/4 to the South line of Polk County; thence West along said South line to the Southeast corner of Parcel "B" of Lot 1 of Big Valley, an official plat in Polk County, Iowa, as recorded in a Plat of Survey in book 9074 on page 51 in the Polk County Recorder's Office; thence North along the East line of said Parcel "B" to the Northeast corner thereof; thence Westerly along the North line of said Parcel "B" extended to the West line of the Southwest 1/4 of Section 32, in said Township 78 North, Range 25 West of the 5<sup>th</sup> P.M.; thence South along said West line to the South line of Polk County; thence West along said South line to the East right-of-way line of Interstate Highway 35; thence South along said East right-of-way line to a point 50 feet North of the South line of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence West along a line 50 feet North of and parallel to the South line of said Northwest 1/4 of the Northeast 1/4 and the South line of the North 1/2 of the Northwest 1/4 of said Section 7 to the West line of said Section 7; thence North along said West line to the Southeast corner of Section 1, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence West along the South line of said Section 1 to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 1; thence North along the West line of said Southeast 1/4 of the Southeast 1/4 to the Northwest corner thereof; thence East along the North line of said Southeast 1/4 of the Southeast 1/4 to the West line of Section 6, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., in Warren County; thence North along the West line of said Section 6 to the North right-of-way line of Adams Street (Warren



County); thence East along said North right-of-way line to the West line of Parcel "A" as recorded in a Plat of Survey in book 2002 on page 6843 in the Warren County Recorder's Office; thence North along said West line to the North line of said Section 6; thence East along said North line to the Western right-of-way line of Interstate Highway 35; thence Northeasterly along said Western right-of-way line to the centerline of Maffitt Lake Road; thence West along said centerline to the extended West line of Maffitt Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said extended West line and the West line of said Maffitt Ridge to the Northwest corner thereof; thence East along the North line of said Maffitt Ridge to the Northeast corner thereof and the West line of Parcel "C" as recorded in a Plat of Survey in book 9108 on page 894 in the Polk County Recorder's Office; thence South along said West line to the Southwest corner of said Parcel "C"; thence East along the South line of said Parcel "C" to the Western right-of-way line of Interstate Highway 35; thence Northerly along said Western right-of-way line to the thread of the Raccoon River; thence Westerly along said thread to the East line of Section 25, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence South along said East line to the East 1/4 corner of said Section 25; thence West along the South line of the Northeast 1/4 of said Section 25 to the center of the Raccoon River; thence Westerly along said river center to the South line of the Northwest 1/4 of said Section 25; thence West along said South line to the East 1/4 corner of Section 26, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the South line of the Northeast 1/4 of said Section 26 to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said section 26; thence South along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 26, to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 26; thence West along the North line of Southwest 1/4 of the Southeast 1/4 of said Section 26 to the thread of the Raccoon River; thence Southwesterly along the said thread to the North line of the Northeast 1/4 of Section 35, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northeast 1/4 of said Section 35 to the North 1/4 corner of said Section 35; thence South along the East line of the Northwest 1/4 of said Section 35 to the North line of River Oaks, an official plat now in a forming a part of Dallas County; thence Westerly along the Northern line of said River Oaks to the Northeast corner of River Oaks Plat 2, an official plat in and forming a part of Dallas County; thence Westerly along the North line of said River Oaks Plat 2 and the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 35 to the East line of Section 34, in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of said Section 34 to the Southeast corner thereof; thence West along the South line of said Section 34 to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 3, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., in Madison County; thence South along the East line of the West 1/2 of the Northeast 1/4 of said Section 3 to the Southeast corner thereof; thence West along the South lines of the Northeast 1/4 and the Northwest 1/4 of said Section 3 to the West 1/4 corner of said Section 3; thence North along the West line of said Section 3 to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 3; thence East along the North line of said Southwest 1/4 of the

Northwest 1/4 to the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 3; thence North along the West line of said Northeast 1/4 of the Northwest 1/4 to the South line of Section 34, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County; thence West along said South line to the Southwest corner of said Section 34; thence West along the South line of Section 33, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Southeast corner of Lot 44, Deer Hunter's Run, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 44 to the Southeast corner of Lot "B" of said Deer Hunter's Run; thence North along the East line of said Lot "B" to the South line of Lot 3 of Deer Hunter's Run Plat 2, an official plat in and forming a part of Dallas County; thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3 and the Southwest corner of Outlot "Y" of said Deer Hunter's Run Plat 2; thence Easterly, Northerly, and Westerly along the Eastern line of said Outlot "Y" to the East line of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence South along said East line to the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 33; thence West along the South line of said Northeast 1/4 of the Southwest 1/4 to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 33; thence South along the East line of said Southwest 1/4 of the Southwest 1/4 to the South line of said Section 33; thence West along the South lines of said Section 33 and Section 32, in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the Northwest corner of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 5, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M. in Madison County; thence South along the West line of said East 1/2 of the Northwest 1/4 of the Northeast 1/4 to the Northeast corner of Parcel "A" as recorded in a Plat of Survey in Book 3 on Page 165 in the Madison County Recorder's Office; thence West along the North line of said Parcel "A" to the East line of the Northwest 1/4 of said Section 5; thence South along said East line and the and the East line of the Southwest 1/4 of said Section 5 to the centerline of 105<sup>th</sup> Street (Madison County); thence West along the centerline of said 105<sup>th</sup> Street to the centerline of Timberbrook Avenue (Utica Trail in Dallas County); thence North along the centerline of said Timberbrook Avenue (Utica Trail in Dallas County) to the South line of Section 32 in said Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence continuing Northerly along the centerline of Utica Trail (Timberbrook Avenue in Madison County) to the West line of said Section 32; thence North along said West line to the West line of Parcel "B" as recorded in a Plat of Survey in Book 834 on page 13 in the Dallas County Recorder's Office; thence Northwesterly, Northerly, and Easterly along the Western and Northern lines of said Parcel "B" to the West line of the East 1/2 of the Northwest 1/4 of said Section 32; thence South along said West line to the Northwest corner of Parcel "A" as recorded in a Plat of Survey in book 787 on page 118 in the Dallas County Recorder's Office; thence Easterly along the Northern line of Said Parcel "A" to the Northeast corner of said Parcel "A", said corner also being the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 32; thence East along the North line of said Southwest 1/4 of the Northeast 1/4 to the Western High Water Mark of the Raccoon River; thence Northerly along said Western High Water Mark to the North line of said Section 32; thence East along

said North line to the Southwest corner of Section 28, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along the West lines of said Section 28 and Section 21, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the Northwest corner of said Section 21; thence East along the North line of said Section 21 to the Southwest corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North to the West 1/4 corner of said Section 15; thence East along the North line of the Southwest 1/4 of said Section 15 to the Northeast corner of Tiburon, an official plat in and forming a part of the City of West Des Moines; thence South along the East line of said Tiburon to the North line of Majestic Oaks Plat 1, an official plat in and forming a part of the City of West Des Moines; thence East along said North line to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 15; thence North along said West line to the Northwest corner of said Northeast 1/4 of the Southwest 1/4; thence East along the North line of the South 1/2 of said Section 15 to the extended West line of Lot 3 of Cedar Ridge, an official plat in and forming a part of the City of West Des Moines; thence North along said West line extended to the Northwest corner of said Lot 3; thence East along the North line of said Lot 3 to the Southwest corner of Lot 26 of said Cedar Ridge; thence Northerly along the Western lines of Lots 26, 27, and 28 of said Cedar Ridge to the Northwest corner of said Lot 28; thence West along the South line of Lot 29 of said Cedar Ridge to the Southwest corner thereof; thence North along the West line of said Lot 29 to the Northwest corner thereof; thence East along the North line of said Cedar Ridge to the Southeast corner of Lot 1 of Hickory Knolls Place Replat, an official plat in and forming a part of Dallas County; thence North along the East line of said Lot 1 to the Northeast corner thereof; thence West along the North lines of Lot 1 and Lot 2 of said Hickory Knolls Place Replat to the Northwest corner of said Lot 2; thence Southwesterly along the Western line of said Lot 2 to the Southwest corner thereof; thence West along the South line of Lot 3 of said Hickory Knolls Place Replat to the Northeast corner of Tract A of Lot 4 as shown in a Plat of Survey in book 2013 on page 14666 in the Dallas County Recorder's Office; thence South along the East line of said Tract A; thence West along the South line of said Tract A to the West line of Lot 4 of said Hickory Knolls Place Replat; thence North along the west lines of said Lot 4 and said Lot 3 to the Northwest corner of said Lot 3, said point also being the North 1/4 corner of Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence West along the North line of the Northwest 1/4 of said Section 15 to the Northwest corner thereof; thence South along the West line of the Northwest 1/4 of said Section 15 and the East line of Rebel Ridge Estates, an official plat in and forming a part of the City of West Des Moines, to the Southeast corner of said Rebel Ridge Estates; thence West along the South line of said Rebel Ridge Estates to the Southwest corner of said Rebel Ridge Estates and the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence South along the East line of the Northwest 1/4 of said Section 16 to the Southeast corner of Westport Plat 1, an official plat in and forming a part of the City of West Des Moines; thence West along the South line of said Westport Plat 1 to a point on the West line of the Southeast 1/4 of the Northwest 1/4 of said Section 16; thence South along said West line to the Southwest corner of said Southeast 1/4 of the Northwest

1/4; thence West along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 16 to the West 1/4 corner of said Section 16; thence North along the West line of said Southwest 1/4 of the Northwest 1/4 to the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence East along the North line of said Southwest 1/4 of the Northwest 1/4 to the Northeast Corner of said Southwest 1/4 of the Northwest 1/4; thence North along the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 16 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4; thence North along the West line of the Southeast 1/4 of the Southwest 1/4 of Section 9, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M. to the centerline of Interstate Highway 80; thence Northeasterly along said centerline to the West line of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence North along said West line to the North 1/4 corner of said Section 10; thence West along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 10 to the Northwest corner of said Northeast 1/4 of the Northwest 1/4 and the centerline of 98<sup>th</sup> Street; thence North along said centerline to the North line of Section 3, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M.; thence East along the North lines of Sections 3, 2, and 1, all in Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., to the point of beginning,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded in book 2018 on page 2117, book 2018 on page 2119, book 2018 on page 4057, book 2019 on page 744, book 2019 on page 4020, book 2019 on page 4021, book 2020 on page 124, Exhibits 011-01-F and 2-F in book 2020 on page 126, and that portion of the Southwest 60<sup>th</sup> Street right-of-way described in a Warranty Deed in book 2019 on page 833, all in Madison County, Iowa,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2018-00780, Instrument Number 2018-01820, Instrument Number 2018-01629, and Exhibits 008-06-F and 008-07-F in Instrument Number 2018-03537, all in Warren County, Iowa,

And;

A parcel of land conveyed to the City of West Des Moines in a Warranty Deed recorded as Instrument Number 2018-00073 in the Warren County Recorder's office,

And;

All that portion of the Veterans Parkway right-of-way as described in acquisition documents recorded as Instrument Number 2017-11016, Instrument Number 2017-

11042 (except Parcel AD as recorded in a Plat of Survey as Instrument Number 2018-09117 in the Warren County Recorder's Office), Instrument Number 2018-00730, Instrument Number 2018-02701, all in the City of Norwalk, Warren County, Iowa,

And;

All that portion of the South Grand Prairie Parkway right-of-way and the Stagecoach Drive right-of-way in Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., all in Dallas County, Iowa, as recorded in a Condemnation document recorded in book 2019 on page 12816 in the Dallas County Recorder's Office,

And;

All that portion of the South Grand Prairie Parkway right-of-way and Mills Civic Parkway right-of-way as described in acquisition documents recorded in book 2015 on page 5361, book 2015 page 5363, book 2015 on page 6390, and book 2015 on page 15922, all in Dallas County, Iowa.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way from the Center of Section 16, Township 78 North, Range 26 West of the 5<sup>th</sup> P.M., in Dallas County, Iowa, to the East 1/4 of said Section 16, and all that portion of the Wendover Road right-of-way in said Section 16 from the Center of said Section 16, running North to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16.

And;

All that portion of the Mills Civic Parkway / 335<sup>th</sup> Street right-of-way in Section 15, Township 78 North, Range 26 West of the 5<sup>th</sup>, P.M., in Dallas County, Iowa, not previously described herein.

And;

**Excepting therefrom** those parcels designated as agricultural parcels by the Dallas, Madison, Polk, and Warren County Assessors Offices as shown on each respective County's Geographic Information System maps as of April 28, 2020, and as depicted in Exhibit B to the Plan. In the event of any conflict, Exhibit B shall be controlling as to the agricultural parcels excepted from the Urban Renewal Area.

WHEREAS, a proposed Amendment No. 1 to the Plan ("Amendment No. 1" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed

Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area; and

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

WHEREAS, this proposed Amendment No. 1 adds no new land to the Urban Renewal Area; and

WHEREAS, by resolution adopted on January 24, 2022, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 1 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 1 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 Business Development Coordinator, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 1 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Des Moines Register, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1, 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 the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 concerning the area of the City of West Des Moines, State of 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.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 1 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is expected and 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 acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and 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.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, 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 Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan of the City of West Des Moines, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the Economic Development Digital Enterprise Urban Renewal Plan for the City of West Des Moines, State of Iowa"; Amendment No. 1, including all of the exhibits attached thereto, is

hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 1 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 1 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the County Recorders for Dallas, Madison, Polk, and Warren Counties, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 21<sup>st</sup> day of February, 2022.

  
\_\_\_\_\_  
Russ Trimble, Mayor

ATTEST:

  
\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

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



**AMENDMENT NO. 1**

**to the**

**ECONOMIC DEVELOPMENT DIGITAL  
ENTERPRISE URBAN RENEWAL PLAN**

**for the**

**ECONOMIC DEVELOPMENT DIGITAL  
ENTERPRISE URBAN RENEWAL AREA**

**WEST DES MOINES, IOWA**

**Original Area - 2020  
Amendment No. 1 - 2022**

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

**INTRODUCTION AND HISTORY**

The Economic Development Digital Enterprise Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Economic Development Digital Enterprise Urban Renewal Area (“Area” or “Urban Renewal Area”), adopted in July 2020, is being amended by this Amendment No. 1 (“Amendment” or “Amendment No. 1”) to update the description of a previously approved urban renewal project to be undertaken within the Urban Renewal Area.

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

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

**DEVELOPMENT PLAN**

The Urban Renewal Plan and this Amendment are in conformity with the West Des Moines Comprehensive Plan, adopted September 20, 2010, which is the City of West Des Moines’ (“City’s”) general plan for the development of the City as a whole.

This Plan does not in any way replace or modify the City’s current land use planning or zoning regulation process. Any need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in the Plan, as amended.

**UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS**

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

- A. The City intends to continue to construct a city-wide conduit network in right-of-way containing multiple conduit chambers to be licensed by third-party providers with the goal of facilitating enhanced internet connectivity which will in turn attract additional commercial, industrial, and residential development in the City. Although the City may use authority under Iowa Code chapter 403 to finance the urban renewal project, the City will not use tax-increment financing under this Plan. The cost of the project is estimated at not to exceed \$60,000,000. The City may seek other sources of funding for the conduit

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

**FINANCIAL DATA**

1.	July 1, 2021 constitutional debt limit:	\$468,115,757
2.	Current outstanding general obligation debt:	\$255,871,703
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 1 has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. Subject to the foregoing, it is estimated that the City's costs for the Eligible Urban Renewal Projects (Amendment No. 1) as described above will be approximately as stated in the next column:	\$60,000,000  This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

**EFFECTIVE PERIOD**

This Amendment No. 1 will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. Notwithstanding anything to the contrary in the Plan, any prior amendment, resolution, or document, the Plan, as amended, shall remain in effect until terminated by the City Council.

**REPEALER AND SEVERABILITY CLAUSE**

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

If any part of this Amendment or the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Amendment or the Plan as a whole, or any part of the Amendment or the Plan not determined to be invalid or unconstitutional.

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CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POLK )

I, the undersigned City Clerk of the City of West Des Moines, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 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 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 the 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 hereto affixed this 21st day of February, 2022.

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