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ANNO
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

Type of Document: RESOLUTION ADOPTING OSMIUM URBAN RENEWAL PLAN (INCLUDING THE PLAN LABELED AS EXHIBIT 1 AND ATTACHED TO THE RESOLUTION)

Return Document to: Ryan Jacobson
City of West Des Moines
4200 Mills Civic Pkwy, Ste. ~~300~~ ZB
West Des Moines, IA 50265

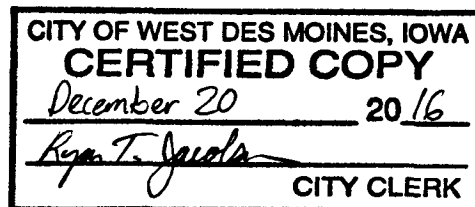
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Ahlers & Cooney, P.C.
100 Court Ave., Ste. #600
Des Moines, IA 50309
(515) 243-7611

Taxpayer Information: N/A

GRANTORS: N/A

GRANTEES: N/A

LEGAL DESCRIPTION: See Resolution, pages 1-21.
01297741-1\11333-280



(These agenda item(s) should be incorporated with the other items in your regular agenda and posted/published as required.)

AGENDA ITEM(S)

Governmental Body: The City Council of the City of West Des Moines, State of Iowa.
Date of Meeting: November 14, 2016.
Time of Meeting: 5:30 P.M.
Place of Meeting: Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, 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 the meeting is as follows:

Osmium Urban Renewal Plan

- Public hearing on the proposed Osmium 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 Osmium Urban Renewal Plan

Such additional matters as are set forth on the additional 4 page(s) attached hereto.
(number)

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



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

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: November 14, 2016

time: 5:30 P.M.

MAYOR STEVEN K. GAER
COUNCILMEMBER AT LARGE..... RICK MESSERSCHMIDT
COUNCILMEMBER AT LARGE JIM SANDAGER
COUNCILMEMBER 1ST WARD KEVIN L. TREVILLYAN
COUNCILMEMBER 2ND WARD JOHN MICKELSON
COUNCILMEMBER 3RD WARD RUSS TRIMBLE

CITY MANAGER..... TOM HADDEN
CITY ATTORNEY..... RICHARD SCIESZINSKI
CITY CLERK..... RYAN JACOBSON

1. **Call to Order/Pledge of Allegiance/Roll Call/Approval of Agenda**
2. **Citizen Forum** (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)
3. **Mayor/Council/Manager Report/Other Entities Update**
4. **Consent Agenda**
 - a. Motion - Approval of Minutes of October 31, 2016 and November 3, 2016 Meetings
 - b. Motion - Approval of Bill Lists
 - c. Motion - Approval of Liquor Licenses:
 1. Bonefish Grill, LLC, d/b/a Bonefish Grill, 650 South Prairie View Drive, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 2. Kiss My Grits, LLC, d/b/a Cabaret, 560 South Prairie View Drive - Class LC Liquor License with Sunday Sales and Outdoor Services - New
 3. Kum & Go, LC, d/b/a Kum & Go #1097, 220 50th Street - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - New
 4. Lemon Grass, LLC, d/b/a Lemon Grass, 1221 8th Street - Class BW Permit with Sunday Sales - Renewal
 5. LVP SHS Des Moines Holding Corp. d/b/a Springhill Suites Hotel, 1236 Jordan Creek Parkway - Class BC Permit with Sunday Sales - Renewal
 - d. Motion - Approval of Order for Violation of Alcohol Laws
 - e. Motion - Approval to Purchase - Fire Department "Attack" Fire Apparatus
 - f. Motion - Approval to Sell Surplus City Equipment
 - g. Motion - Approval of Contracts - Art on the Campus
 - h. Motion - Approval of Contract Agreement Renewal - Park Security Services
 - i. Motion - Approval of Amendment No. 1 to Professional Services Agreement - 2014 Street Rehabilitation Sidewalk Ramp Program

Council Agenda

November 14, 2016

- j. Resolution - Order Preparation of Plans and Specifications - Holiday Park Baseball Field Improvements - Phases 4B and 5
- k. Resolution - Order Construction:
 - 1. 9th Street Storm Sewer Rehabilitation
 - 2. South 60th Street Improvements, Phase 2
 - 3. Grand Avenue Siphon Replacement Project
- l. Resolution - Accept Work:
 - 1. Intersection Improvements - Intersection of 92nd Street and University Avenue and Intersection of Jordan Creek Parkway and Westtown Parkway
 - 2. Veterans Parkway, Phase 4 - SE Pine Avenue Trail
- m. Resolution - Approval of Professional Services Agreement:
 - 1. Public Safety Station 21 HVAC Improvements - Commissioning
 - 2. Right-of-Way Acquisition Services
- n. Resolution - Establish Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property - Project Osmium Public Infrastructure
- o. Resolution - Approval of IEDA Economic Development Assistance Contract - ePATHUSA, Inc.
- p. Resolution - Approval and Acceptance of Condemnation Award - Grand Avenue Siphon Replacement Project
- q. Resolution - Approval of Offer to Purchase and Agreement - Madison County Property for Future Park
- r. Proclamation - Approval of Proclamations:
 - 1. World Pancreatic Cancer Day, November 17, 2016
 - 2. Small Business Saturday, November 26, 2016

5. Old Business

- a. Browns Woods Estates, west side of Veterans Parkway and south of SE Browns Woods Drive - Rezone from Residential Estate and Residential Medium Density to Single Family Residential - Venture Homes, LLC
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption (RE-1A and RM-8 to R-1)
 - 2. Ordinance - Approval of Second, Third Readings and Final Adoption (RE-1A and RM-8 to RS-30)
- b. Amendment to City Code - Title 9 (Zoning), Chapter 14 (Accessory Structures) - Regulate Materials Used on Fuel Pump Island Canopies - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- c. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (Special Restricted No Parking Areas) - 34th Street Place, Brookview Drive to Meadow Lane - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

6. Public Hearings (5:35 p.m.)

- a. 1st Street Redevelopment PUD, 1st Street and Grand Avenue - Revise Planned Unit Development (PUD) Sketch Plan to Accommodate Building Relocation and Associated Site Design - First Street LP
 - 1. Ordinance - Approval of First Reading

- b. Whisper Ridge Plat 3, south of Bridgewood Boulevard along South 91st Street - Vacate 30 foot Buffer Park Easement along the South Lot Lines of Lots 15-18 - Hidden Creek, LLC
 - 1. Resolution - Approval of Vacation Request

- c. Amendment #2 to Alluvion Urban Renewal Area - City Initiated
 - 1. Resolution - Approval of Urban Renewal Plan Amendment
 - 2. Ordinance - Approval of First Reading (Willow Creek Plat 1, Lot 4 Parcel)
 - 3. Ordinance - Approval of First Reading (Tract 3 of Amendment No. 2 Parcel)

- d. Osmium Urban Renewal Area - City Initiated
 - 1. Resolution - Approval of Urban Renewal Plan

- e. Project Osmium - Agreement for Private Development - Microsoft Corp.
 - 1. Resolution - Approval of Agreement

7. New Business

- a. GeAnna Grove, west of Sedona Drive at GeAnna Drive - Subdivide Property into 20 Lots for Townhome Development and One Outlot - Jerry's Homes
 - 1. Resolution - Approval and Release of Final Plat and Acceptance of Public Improvements

- b. Country Club Office Plaza West Plat 8, 1080 Jordan Creek Parkway - Replat Lot 1 Country Club Office Plaza West Plat 3 and Outlot B, Country Club Office Plaza - Dallas County Partners
 - 1. Resolution - Approval of Preliminary Plat

8. Receive, File and/or Refer

9. Other Matters

CITY COUNCIL WORKSHOP

(immediately follows Council meeting)

1. DART Forward 2035 Presentation
2. Other Matters

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

November 14, 2016

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 Gaer, in the chair, and the following named Council Members:

Messerschmidt, Mickelson, Trimble, Trevillyan, Sandager

Absent: none

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Osmium Urban Renewal Plan, the Mayor first asked for the report of the Director of Community and Economic Development, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. 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 Director of Community and Economic Development, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed 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 the Commission. The report or minutes were 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 Plan, and the City Clerk reported that 0 written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Osmium Urban Renewal Plan and 0 were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member Sandager 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 THE OSMIUM URBAN RENEWAL PLAN" and moved that the same be adopted. Council Member Messerschmidt seconded the motion to adopt. The roll was called and the vote was,

AYES: Sandager, Messerschmidt, Mickelson, Trevillyan, Trimble

NAYS: none

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

RESOLUTION NO. 16-11-14-14

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 OSMIUM URBAN RENEWAL PLAN

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Osmium Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Osmium Urban Renewal Area described below has been prepared, which proposed Plan has been on file in the office of the City Clerk and which is incorporated herein by reference; and

WHEREAS, this proposed Osmium Urban Renewal Area includes and consists of:

A TRACT OF LAND IN DALLAS, MADISON, POLK AND WARREN COUNTIES, IOWA IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DALLAS COUNTY

A TRACT OF LAND IN SECTIONS 23, 26, 27, 28, 33 AND 34 IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND DALLAS COUNTY, IOWA, IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY, TO THE WEST LINE OF

SECTION 26, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 61.81 FEET;

THENCE SOUTH $83^{\circ}53'23''$ WEST (ASSUMED BEARING), A DISTANCE OF 493.70 FEET;

THENCE NORTH $00^{\circ}42'13''$ EAST (ASSUMED BEARING), A DISTANCE OF 1,593.01 FEET,

THENCE NORTH $89^{\circ}59'09''$ EAST (ASSUMED BEARING, A DISTANCE OF 1,763.44 FEET;

THENCE SOUTH $86^{\circ}12'46''$ EAST (ASSUMED BEARING), A DISTANCE OF 112.82 FEET;

THENCE NORTH $88^{\circ}58'59''$ EAST (ASSUMED BEARING), A DISTANCE OF 2.03 FEET;

THENCE SOUTH $00^{\circ}02'55''$ EAST (ASSUMED BEARING), A DISTANCE OF 1,255.46 FEET, TO THE NORTH RIGHT OF WAY LINE OF THE INTERSTATE RAILROAD;

THENCE SOUTH $00^{\circ}02'55''$ EAST (ASSUMED BEARING), TO THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE, TO THE EAST LINE OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 28, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE SOUTH $83^{\circ}41'06''$ WEST (ASSUMED BEARING), ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 637.97 FEET;

THENCE SOUTH $00^{\circ}05'24''$ EAST (ASSUMED BEARING), A DISTANCE OF 974.65 FEET, TO A POINT OF CURVATURE;

THENCE SOUTHEASTERLY, ALONG A 2,350.00 RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 307.59 FEET;

THENCE SOUTH 07°35'22" EAST (ASSUMED BEARING), A DISTANCE OF 215.67 FEET;

THENCE NORTH 82°24'38" EAST (ASSUMED BEARING), A DISTANCE OF 35.00 FEET;

THENCE SOUTH 10°44'59" EAST (ASSUMED BEARING), A DISTANCE OF 816.24 FEET;

THENCE SOUTH 83°52'57" EAST (ASSUMED BEARING), A DISTANCE OF 211.01 FEET;

THENCE SOUTH 62°01'19" EAST (ASSUMED BEARING), A DISTANCE OF 453.81 FEET;

THENCE SOUTH 61°10'39" WEST (ASSUMED BEARING), A DISTANCE OF 637.41 FEET;

THENCE SOUTH 09°28'41" WEST (ASSUMED BEARING), A DISTANCE OF 157.96 FEET;

THENCE SOUTH 19°58'52" EAST (ASSUMED BEARING), A DISTANCE OF 191.49 FEET;

THENCE SOUTH 38°52'19" EAST (ASSUMED BEARING), A DISTANCE OF 157.01 FEET;

THENCE SOUTH 02°57'50" EAST (ASSUMED BEARING), A DISTANCE OF 118.81 FEET;

THENCE SOUTH 80°57'51" EAST (ASSUMED BEARING), A DISTANCE OF 205.82 FEET;

THENCE SOUTH 59°53'57" EAST (ASSUMED BEARING), A DISTANCE OF 202.91 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 740.00 FEET;

THENCE SOUTH 20°06'49" EAST (ASSUMED BEARING), A DISTANCE OF 219.54 FEET;

THENCE SOUTH 74°57'26" EAST (ASSUMED BEARING), A DISTANCE OF 71.59 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 60.00 FEET;

THENCE SOUTH 26°13'11" EAST (ASSUMED BEARING), A DISTANCE OF 49.24 FEET;

THENCE SOUTH 67°42'28" EAST (ASSUMED BEARING), A DISTANCE OF 99.62 FEET;

THENCE SOUTH 60°36'58" EAST (ASSUMED BEARING), A DISTANCE OF 105.32 FEET;

THENCE SOUTH 49°47'31" EAST (ASSUMED BEARING), A DISTANCE OF 127.77 FEET;

THENCE SOUTH 17°37'05" EAST (ASSUMED BEARING), A DISTANCE OF 178.50 FEET;

THENCE SOUTH 33°50'14" WEST (ASSUMED BEARING), A DISTANCE OF 16.07 FEET;

THENCE SOUTH 22°29'24" EAST (ASSUMED BEARING), A DISTANCE OF 267.14 FEET;

THENCE SOUTH 17°24'32" EAST (ASSUMED BEARING), A DISTANCE OF 83.06 FEET;

THENCE SOUTH 14°27'34" EAST (ASSUMED BEARING), A DISTANCE OF 19.61 FEET;

THENCE NORTH 83°46'32" EAST (ASSUMED BEARING), A DISTANCE OF 104.30 FEET;

THENCE SOUTH 19°13'23" EAST (ASSUMED BEARING), A DISTANCE OF 986.91 FEET;

THENCE SOUTH 70°46'37" WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE SOUTH 19°13'23" EAST (ASSUMED BEARING), TO A POINT LOCATED 75 FEET NORTH OF THE SOUTH LINE OF SECTION 34; TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, TO THE EAST LINE OF THE

SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, TO THE SOUTH LINE OF SAID SECTION 34;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 34, TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 75.34 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 685.52;

THENCE NORTH $19^{\circ}13'23''$ WEST (ASSUMED BEARING), A DISTANCE OF 1,531.39 FEET;

THENCE SOUTH $70^{\circ}46'37''$ WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE NORTH $19^{\circ}13'23''$ WEST (ASSUMED BEARING), A DISTANCE OF 1,036.61 FEET;

THENCE NORTHWESTERLY, ALONG A 875.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, WITH A CHORD BEARING OF NORTH $21^{\circ}00'39''$ WEST (ASSUMED BEARING), A DISTANCE OF 54.60 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH $83^{\circ}46'32''$ EAST (ASSUMED BEARING), A DISTANCE OF 103.31 FEET;

THENCE NORTH $16^{\circ}55'44''$ WEST (ASSUMED BEARING), A DISTANCE OF 142.73 FEET;

THENCE NORTH $43^{\circ}37'42''$ WEST (ASSUMED BEARING), A DISTANCE OF 290.02 FEET;

THENCE NORTH $64^{\circ}18'42''$ WEST (ASSUMED BEARING), A DISTANCE OF 115.51 FEET;

THENCE NORTH $38^{\circ}34'18''$ EAST (ASSUMED BEARING), A DISTANCE OF 60.52 FEET;

THENCE NORTH 50⁰10'56" WEST (ASSUMED BEARING), A DISTANCE OF 477.28 FEET;

THENCE NORTH 71⁰59'01" WEST (ASSUMED BEARING), A DISTANCE OF 80.78 FEET;

THENCE NORTH 28⁰55'54" WEST (ASSUMED BEARING), A DISTANCE OF 96.57 FEET;

THENCE NORTH 54⁰34'51" WEST (ASSUMED BEARING), A DISTANCE OF 586.73 FEET;

THENCE NORTH 41⁰54'05" WEST (ASSUMED BEARING), A DISTANCE OF 452.06 FEET;

THENCE NORTH 83⁰51'35" WEST (ASSUMED BEARING), A DISTANCE OF 40.93 FEET, TO A POINT OF NON-TANGENCY ON A CURVE;

THENCE NORTHWESTERLY, ALONG A 1,240.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, WITH A CHORD BEARING OF NORTH 21⁰49'51" WEST (ASSUMED BEARING), A DISTANCE OF 616.42 FEET;

THENCE NORTH 07⁰35'22" WEST (ASSUMED BEARING), A DISTANCE OF 38.17 FEET;

THENCE SOUTH 62⁰34'47" WEST (ASSUMED BEARING), A DISTANCE OF 327.71 FEET;

THENCE NORTH 36⁰04'17" WEST (ASSUMED BEARING), A DISTANCE OF 15.71 FEET;

THENCE NORTH 26⁰00'56" WEST (ASSUMED BEARING), A DISTANCE OF 424.67 FEET;

THENCE NORTH 48⁰05'06" EAST (ASSUMED BEARING), A DISTANCE OF 460.13 FEET;

THENCE NORTH 07⁰35'22" WEST (ASSUMED BEARING), A DISTANCE OF 70.00 FEET;

THENCE NORTH 82⁰24'38" EAST (ASSUMED BEARING), A DISTANCE OF 85.00 FEET;

THENCE NORTH 07⁰35'22" WEST (ASSUMED BEARING), A DISTANCE OF 1,104.40 FEET;

THENCE NORTH 00°05'24" WEST (ASSUMED BEARING), TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE POINT OF BEGINNING;

MADISON COUNTY

A TRACT OF LAND IN SECTIONS 1, 2, 3 AND 12 IN TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND MADISON COUNTY, IOWA, IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 700 FEET;

THENCE NORTH, ALONG A LINE 700 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 175 FEET;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF

SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO A POINT 350 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE WEST, ALONG A LINE 350 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 325 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 225 FEET;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 75 FEET;

THENCE NORTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO A POINT 275 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2,

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 325 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 700 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 200 FEET;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE NORTH, ALONG A LINE 550 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE

NORTHWEST QUARTER OF SAID SECTION 3, TO A POINT 175 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 175 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 3, TO A POINT 200 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 200 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO A POINT 250 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE

SOUTHEAST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO A POINT 75 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 750 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 550 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 400 FEET;

THENCE EAST, ALONG A LINE 150 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO A POINT 175 FEET

WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL
TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 1, TO THE SOUTH LINE OF
THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID
SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL
TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO
THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST
QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE
SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID
SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO
THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, A
DISTANCE OF 150 FEET;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO
THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SAID SECTION 1, TO A POINT 175 FEET EAST OF THE
WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL
TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET
NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO
THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SAID SECTION 1, TO A POINT 75 FEET WEST OF THE
EAST LINE OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO
THE EAST LINE OF SAID SECTION 1, TO A POINT 75 FEET SOUTH OF

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 12, TO THE POINT OF BEGINNING.

POLK COUNTY

A TRACT OF LAND IN SECTIONS 31 AND 32 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND POLK COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 100 FEET;

THENCE NORTH, ALONG A LINE 100 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 31, A DISTANCE OF 320 FEET;

THENCE EAST, TO THE WEST LINE OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EAST, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 100 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 32, TO THE SOUTH LINE OF SAID SECTION 32;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 32, TO THE POINT OF BEGINNING.

WARREN COUNTY

A TRACT OF LAND IN SECTIONS 4, 5, 6, 7 AND 8 IN TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND WARREN COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER SAID SECTION 4, TO THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 800 FEET;

THENCE NORTHWESTERLY, TO A POINT LOCATED 850 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8 AND 200 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 8;

THENCE WEST, ALONG A LINE 200 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 8, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SAID SECTION 8, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 5, TO THE SOUTHWEST CORNER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 200 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 5, TO THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 5, TO A POINT 225 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE WEST, ALONG A LINE 225 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 300 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 75 FEET;

THENCE WEST, ALONG A LINE 375 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, TO THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20th AVENUE WARREN COUNTY);

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20th AVENUE WARREN COUNTY), TO THE SOUTH RIGHT OF WAY LINE OF SE ADAMS STREET (ADAMS STREET WARREN COUNTY);

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF ADAMS STREET (WARREN COUNTY), TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE NORTH, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET EAST OF THE WEST LINE OF SAID SECTION 6;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 6, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 35;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF INTERSTATE 35, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE WEST LINE OF SAID SECTION 7;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 7, TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 6, TO A POINT 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, TO A POINT 175 FEET WEST OF THE EAST LINE OF SAID SECTION 6;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 6, TO THE NORTH LINE OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 6, TO THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 175 FEET;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 100 FEET;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 300 FEET;

THENCE EAST, ALONG A LINE 400 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET WEST OF THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 5, TO A POINT 500 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 4, TO A POINT 250 FEET NORTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL;

THENCE NORTHEASTERLY, ALONG A LINE 250 FEET NORTHWESTERLY OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL, TO THE WEST LINE OF PARCEL "C" AS DEPICTED ON A PLAT OF SURVEY DATED JANUARY 14, 2004 RECORDED IN PLAT BOOK 2004, PAGE 20 OF 77-25 IN THE OFFICE OF THE WARREN COUNTY RECORDER;

THENCE NORTH, ALONG THE WEST LINE OF SAID PARCEL "C", TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE POINT OF BEGINNING.

WHEREAS, the proposed Osmium Urban Renewal Area includes land classified as agricultural land and consequently written permission of the current owners has been obtained; and

WHEREAS, some of the property to be included in the Area is outside but within two miles of the City boundary, and consent from the City of Cumming, Warren County, and Madison County, where the property is located, has been obtained; and

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Osmium Urban Renewal Plan to be known hereafter as the "Osmium Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Osmium Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, creation of the Osmium Urban Renewal Area and adoption of the Osmium Urban Renewal Plan therefore 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, by resolution adopted on October 17, 2016, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Osmium Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Osmium 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 Director of Community and Economic Development, or his 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 Osmium Urban Renewal Plan 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 Osmium 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 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 the proposed "Osmium Urban Renewal Plan" for the area of the City of West Des Moines, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Osmium Urban Renewal Area"), be and the same are hereby adopted and approved 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 Osmium Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Urban Renewal Plan conforms 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 Osmium Urban Renewal Area:

i. Residential use is not expected, however, with reference to any 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 Osmium 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 Osmium Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Osmium Urban Renewal Plan for the Osmium Urban Renewal Area"; the Osmium Urban Renewal Plan for such area is hereby in all respects approved; any Consents from owners of Agricultural Land or Joint Agreements from other municipalities attached to the Plan as exhibits are hereby approved and shall be executed by the Mayor or the presiding officer; and the City Clerk is hereby directed to file a certified copy of the Osmium Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Osmium Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. Said Osmium Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorders for Dallas, Madison, Polk, And Warren Counties, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 14th day of November, 2016.



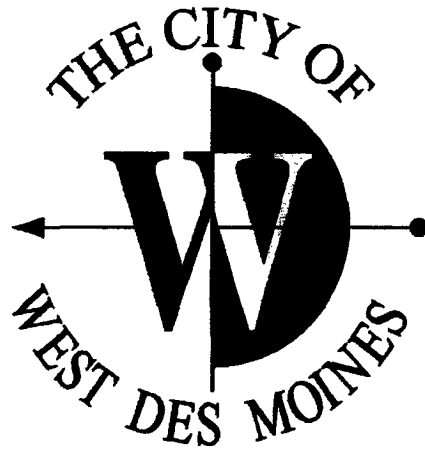
Mayor

ATTEST:



City Clerk

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



**OSMIUM
URBAN RENEWAL PLAN**

**FOR THE
OSMIUM URBAN RENEWAL AREA**

NOVEMBER 2016

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I. INTRODUCTION

This Osmium Urban Renewal Plan (the "Plan") has been prepared to provide for the development and redevelopment of the Osmium Urban Renewal Area (the "Urban Renewal Area" or "Area" or "Plan Area"). The City is using its power and authority under the Plan to stimulate economic development. It is anticipated and intended that the public investment made as a result of this Plan will not only result in redevelopment of the Area, but also that such development and investment will serve as a catalyst for additional development in the surrounding area. Investment by the private sector as a result of this public action will expand the City's tax base and improve and maintain the quality of life in the community, and thereby achieve these public purposes and goals.

The proposed Urban Renewal Plan activities will serve as an economic catalyst for development within the Plan Area. The additional commercial and industrial development will provide local employment opportunities. The projects listed in the Plan provide for economic use of land, resulting in private investment that may not otherwise occur and thereby significantly increasing the taxable value of the property. It will also create a higher level of investment in the surrounding commercial and industrial properties both in the total amount of development and in the value of existing or future individual commercial and industrial structures, thus substantially increasing the tax base beyond that which would otherwise be probable for the Area.

The main impetus for the Plan is the pending decision of Microsoft Corporation to expand its presence in West Des Moines with a another data center site ("Microsoft Project"), which would be located within this Area. Microsoft's current facilities are in the Mills Parkway Urban Renewal Area, Subdistrict #7, and the Alluvion Urban Renewal Area. Those facilities have generated increased taxable value and jobs within the City. Microsoft develops, manufactures, licenses and supports a range of services, devices, and software products which include operating systems for servers, personal computers; server applications for distributed computing environments; information worker productivity applications; business solution applications; high-performance computing applications; and software development tools. In the web search portal business, Microsoft provides access to the Internet and operates web sites that provide access to a wide variety of online services that include Azure (Cloud services), Office365, Xbox Live, Telecommunications, and many other businesses. As of 2016, Microsoft Corporation was #25 on the Fortune 500 list; employed over 118,000 people; and was estimated to be worth over \$200 billion. The total investment by Microsoft for the newest data center within this community is expected to be at least \$980,000,000. This total includes extensive equipment and other costs that are not subject to property tax. Microsoft has verbally agreed to at least a \$307 million minimum assessment agreement for the facilities constructed related to the newest data center, meaning that the minimum valuation for property tax purposes shall be at least \$307 million when the facilities are all completed, which will have a significant impact on the tax base. In addition, the infrastructure required for the Microsoft Project (roads, water, sewer, fiber, and related activities), will open up surrounding property for future development because these facilities are in an undeveloped part of the City.

The City intends to apply for Iowa Department of Transportation RISE grant(s) to support some of the Urban Renewal projects. Microsoft has been approved for financial assistance under the Iowa Economic Development Authority's High Quality Jobs Program. The City intends to provide any required local match obligation through the provision of incentives pursuant to a development agreement.

II. AUTHORITY TO ADOPT AND IMPLEMENT PLAN-AREA DESIGNATION

Authority and powers to undertake this Plan are granted to the City of West Des Moines by Chapters 15, 15A and 403 of the 2015 Code of Iowa.

The City Council finds the Area to be suitable for designation as an economic development area, including but not limited to the following: to encourage the location and expansion of certain commercial and industrial enterprises to more conveniently provide needed employment services and facilities to the residents of the City, to alleviate and prevent conditions of unemployment by assisting and retaining local industries and commercial and industrial enterprises and to strengthen and revitalize the economy of the State and the City.

III. AREA DESCRIPTION

The property or Area included in this Plan is legally described in Exhibit "A" and depicted on the Urban Renewal Area maps in Exhibits "B" and "C". Exhibits "A," "B," and "C" are incorporated into and made a part of this Plan.

IV. PLAN OBJECTIVES

The objectives of the Plan are to rectify the inadequacies in the infrastructure system as identified elsewhere in the Plan and promote economic development and optimal growth of the tax base.

It is contemplated that urban renewal activities will include construction of new public and private infrastructure, including roads, water, and sewer; reconstruction and improvement of existing infrastructure; installation of fiber; and relocation of power lines. In addition, economic development grants may also be used to promote economic development and optimal growth of the tax base.

Generally, renewal activities are designed to provide opportunities, incentives, and sites for new and expanded commercial and industrial development. More specific objectives for development within the Urban Renewal Area are as follows:

1. To stimulate through public action and commitment, private investment in new development.
2. To provide a more marketable and attractive investment climate.
3. To achieve a diversified, well-balanced economy, improving the standard of living, creating job opportunities, and strengthening the tax base.

4. To help develop a sound economic base that will serve as the foundation for future growth and development.
5. To support and provide for currently planned and potential future development in an undeveloped area of City.

The City does not currently contemplate acquisition of any land to be developed for residential use or economic development (except for the installation of public improvements), but rather anticipates that such development will be an undertaking of the private sector.

V. DESCRIPTION OF TYPES OF URBAN RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapters 403, 15 and 15A, Code of Iowa including, but not limited to, tax increment financing. Some of the renewal activities anticipated include the following:

1. Improvement, installation, construction, relocation, and reconstruction of public infrastructure, including but not limited to roads and streets, utilities (water storage, wells, distribution lines); sanitary sewer; storm sewer; electric (installation, distribution, relocation); fiber optics, public facilities, bike/pedestrian trails, traffic signals and signage, turn lanes and activities related or associated with the foregoing.
2. To provide for the construction of site improvements including, but not limited to grading and site preparation activities, access roads, fencing, utility connections, and related activities.
3. To provide for relocation benefits as required by law.
4. To make loans, grants, rebates, or other incentives to private persons or businesses for economic development purposes on such terms as may be determined by the City Council.
5. To borrow money and to provide security therefore.
6. To make or have made surveys and plans necessary for the implementation of the urban renewal program or specific urban renewal projects.
7. To use tax increment financing for a variety of purposes.
8. Insure or provide for the insurance of any real or personal property or operations of the City against any risks or hazards, including payment of premiums on any such insurance.

9. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for development, and to dispose of said property.
10. Enter into any contracts necessary to effectuate the purposes of this Plan.
11. The use of any or all other powers granted by Chapters 15, 15A or 403, Code of Iowa to develop and provide for improved economic conditions for the City of West Des Moines and State of Iowa.

VI. LAND USE PLAN AND CONSISTENCY WITH COMPREHENSIVE PLAN

The Area is currently planned for the following land uses: Light Industrial, Office, Open Space, Single Family Residential, Medium Density Residential, High Density Residential, Business Park, Warehouse Retail, Neighborhood Commercial, Highway Commercial, Community Commercial, and Support Office.

The City Council finds that the Plan is in conformity with the existing West Des Moines Comprehensive Plan adopted on September 20, 2010. The West Des Moines Comprehensive Plan is the City's general plan for the development of the City as a whole. In addition, the proposed urban renewal projects as described in this Plan conform with the West Des Moines Comprehensive Plan. This Urban Renewal Plan does not change or in any way replace the City's current land use planning or zoning regulation process.

Any urban renewal projects related to the need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

VII. URBAN RENEWAL FINANCING

The City of West Des Moines intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of West Des Moines has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing (T.I.F.) mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects, etc. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the T.I.F. district.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incenting development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of West Des Moines. It is the City's intent to abate the debt service on these bonds with incremental taxes from this Area.

C. Tax Abatement

Under Section 403.6 subsection 18 of the Iowa Code, the City has the authority to abate taxation of value added to real estate within the Area during the process of construction for development or redevelopment for up to two years, as an incentive for redevelopment of the property.

D. Special Assessments

Under Division IV of Chapter 384 of the Iowa Code, the City has the authority to assess the partial or total cost of various public improvements to benefitted properties within the Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan related to commercial or industrial development and other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects.

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

VIII. IMPLEMENTATION

Implementation of the activities in this Plan is at the City Council's discretion.

IX. PROPERTY ACQUISITION/DISPOSITION/RELOCATION

Any property acquisition/disposition necessary to accomplish the objectives of this Plan will be carried out, without limitation, in accordance with any required statutory procedures.

The City will comply with any required applicable State or Federal laws governing the relocation of persons displaced from the Area as a result of urban renewal projects

undertaken pursuant to this Plan, although no such relocation is expected to be required at this time.

X. PROPOSED URBAN RENEWAL PROJECTS

It is anticipated that the newest data center ("Microsoft Project" or "Project") will consist of a regional datacenter and associated support infrastructure to house servers and computer equipment to operate large-scale web portal services as part of Microsoft's on-line services businesses. There will be an expected investment of at least \$980,000,000. The Project is expected to add at least 132 new data center positions.

At this time, the urban renewal projects ("Proposed Projects" or "Proposed Urban Renewal Projects") to be undertaken within the Area are generally shown in the following section and may include other such improvements deemed appropriate and necessary by the City for furtherance of the urban renewal project.

A. Public Improvements

Some of the costs for the Public Improvements may be covered by a RISE grant(s), pursuant to which the State will provide partial funding, potentially resulting in a decreased amount of tax increment needed for the project. Any local match requirement for a RISE grant for road improvements under the Plan is expected to be funded/reimbursed from tax increment.

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
<p>Veterans Parkway – West of SE Adams Street to SW Grand Prairie Parkway Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016 - 2020</p>	<p>\$35,000,000- \$45,000,000.</p>	<p>The improvements to Veterans Parkway will provide direct paved access to Microsoft Project, and will also provide access to any additional development that may take place between SE Adams Street and SW Grand Prairie Parkway.</p>
<p>S/SW Grand Prairie Parkway – Veterans Parkway to Raccoon River Drive Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016- 2020</p>	<p>\$20,000,000- \$25,000,000</p>	<p>The improvements to S/SW Grand Prairie Parkway will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between Veterans Parkway and Raccoon River Drive.</p>

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
<p>SW 60th Street* (WDM)– North of G14 to SW Adams Street</p> <p>Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016-2020</p>	<p>\$5,000,000-\$7,000,000</p>	<p>The improvements to SW 60th Street will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between G14 and SW Adams Street.</p>
<p>SE 50th Street* (WDM) – Veterans Parkway to north of Polk County Line</p> <p>Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016-2020</p>	<p>\$2,000,000-\$5,000,000</p>	<p>The improvements to SE 50th Street allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between Veterans Parkway and Polk County Line.</p>

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
SE and SW Adams Street – SE 50 th Street* to SW 60 th Street* Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.	2016-2020	\$2,000,000 - \$5,000,000	The improvements to SE and SW Adams Street will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between SE 50 th Street and SW 60 th Street.
Water System Improvements- West of SE and SW Adams Street to Grand Avenue. Extend and construct water lines to connect existing water supply distribution system to new areas of development.	2016-2020	\$17,000,000 - \$21,000,000	The extension of water lines would allow for commercial and industrial development in the Area.
Sanitary Sewer Improvements - Middle Creek Sewer to west of I-35 Extend and construct sewer lines to connect existing sanitary sewer system to new areas of development; may also entail other effluent “treatment” options.	2016-2020	\$3,000,000 - \$4,000,000	The extension of sewer lines would allow for commercial and industrial development in the Area.
Financing of debt/debt issuance costs.	2016-2037	\$7,000,000- \$10,000,000	Required costs of borrowing money for urban renewal projects.
Subtotal**		\$91,000,000– \$122,000,000	

*Note: The Plan reflects anticipated street names for proposed streets to be located in the Area as depicted in Exhibit C.

**Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

B. Tax Rebate or Other Development Agreements

The City plans to enter into a development agreement with Microsoft related to the Microsoft Project whereby Microsoft would agree to a minimum assessment agreement setting a minimum assessed value of the Microsoft Project and the creation of at least 132 jobs. Subject to the terms and conditions of the future development agreement, the City expects to construct road improvements, which will total up to \$87,000,000 million, water distribution of up to \$21 million, and sanitary sewer improvements of up to \$4 million, (all described above under “Public Improvements”). In addition, the City expects to provide economic development grants of up to \$14,600,000 to incent private investment in the Microsoft Project. Project amounts and terms and conditions may vary upon completion of a development agreement.

C. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated Cost
Fees and costs	Undetermined	\$100,000

XI. CITY INDEBTEDNESS AND FINANCIAL DATA

1.	July 1, 2016 constitutional debt limit:	\$212,760,921
2.	Outstanding general obligation debt:	\$132,715,000
3.	A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. At no time will the City exceed its constitutional debt limit. The Projects authorized in this Plan are only proposed projects at this time. The City Council will consider each Project proposal on a case-by-case basis to determine if it is consistent with the Plan and in the public’s best interest to participate in the Project. These Projects will commence and be concluded over a number of years. The City expects to issue bond indebtedness for the engineering and administration, construction of the Proposed Urban Renewal Projects, economic development grants, and possible land acquisitions related to the Proposed Projects. It is further expected that such indebtedness, including interest and costs on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area over the statutorily available period. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above could be up to this amount:	\$105,700,000- \$136,700,000

XII. PUBLIC BUILDING ANALYSIS

When a project involves the use of taxes resulting from a division of revenue under Iowa Code section 403.19 for a public building, chapter 403 requires that the City provide an analysis of alternate development options and funding sources and why those options are less feasible than using tax increment revenues to help fund the project. The City has not identified a public building as an Urban Renewal Project in this Plan.

XIII. AGREEMENTS TO INCLUDE AGRICULTURAL LAND

Because some of the property being included in the Osmium Urban Renewal Area may be defined as “agricultural land” under Iowa Code Section 403.17(3), the City and each owner of property that may qualify as agricultural land have entered into an agreement in which the property owner agrees to allow the City to include real property defined as “Agricultural Land” in the Urban Renewal Area. A copy of the agreements executed by the property owners are attached as Exhibit D. The original agreements (with exhibits) executed by the property owner and the City will be retained on file at the West Des Moines City Clerk’s office.

XIV. CITY OF CUMMING CONSENT

Some of the property included in the Osmium Urban Renewal Area includes land outside but within two miles of the West Des Moines boundary, and is located within the City of Cumming. In accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city and within the boundaries of another city, but only if the other city adopts a resolution declaring the need for a portion of its property to be included in the urban renewal area. The City of Cumming has adopted a resolution declaring a need for its land to be included in the Area. A copy of the resolution will be retained on file with the West Des Moines City Clerk’s office. The City of Cumming also executed a Joint Agreement with the city of West Des Moines which gives the City of West Des Moines permission to include property within the City of Cumming in the Urban Renewal Area. A copy of the Joint Agreement is attached as Exhibit “G.” The original agreement is on file with the West Des Moines City Clerk’s office.

XV. CONSENT OF WARREN COUNTY AND MADISON COUNTY

Some of the property included in the Osmium Urban Renewal Area includes land outside but within two miles of the West Des Moines boundary, and is located within unincorporated Warren and Madison Counties. In accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city only if the city obtains the consent of the county within which such property is located. A Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City of West Des Moines and Warren County. A copy of the Joint Agreement is attached as Exhibit “E”. Likewise, a Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City of West Des Moines and Madison County. A copy of the Joint

Agreement is attached as Exhibit "F". The original agreements are on file with the West Des Moines City Clerk's office.

XVI. STATE AND LOCAL REQUIREMENTS

The City will comply with all provisions necessary to conform with State and local laws in implementing this Plan and its supporting documents.

XVII. AMENDMENTS

This Plan may be amended or revoked at any time by resolution of the West Des Moines City Council in accordance with the provisions of Chapter 403, Code of Iowa, 2015, and in any manner deemed appropriate to accomplish the objectives of the Plan.

XVIII. APPLICABILITY AND EFFECTIVE PERIOD

This Plan will become effective upon its adoption by the City Council and will remain in effect until terminated by the City Council.

With respect to any property covered by this Plan which is included in an ordinance which designates that property as a tax increment area, the use of incremental property tax revenues, or the "division of revenue" as those words are used in Chapter 403 of the Code of Iowa, currently is limited to twenty (20) years from the calendar year following the calendar year in which the City (following adoption of a TIF ordinance) first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property. The division of revenues shall continue pursuant to the terms of each TIF ordinance for the maximum period allowed by law. 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 Iowa Code) by the City for activities carried out under this Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law. The City will most likely use several TIF ordinances within the Plan, based on when development occurs, and each TIF ordinance will have its own base value date and expiration or sunset date.

XIX. SEVERABILITY

If any section, provision, or part of this Plan is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Plan as a whole or any action, provision, or part hereof not adjudged to be invalid or unconstitutional.

EXHIBIT A

**LEGAL DESCRIPTION
OSMIUM URBAN RENEWAL AREA
WEST DES MOINES, IOWA**

A TRACT OF LAND IN DALLAS, MADISON, POLK AND WARREN COUNTIES, IOWA IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DALLAS COUNTY

A TRACT OF LAND IN SECTIONS 23, 26, 27, 28, 33 AND 34 IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND DALLAS COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY, TO THE WEST LINE OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 61.81 FEET;

THENCE SOUTH 83°53'23" WEST (ASSUMED BEARING), A DISTANCE OF 493.70 FEET;

THENCE NORTH 00°42'13" EAST (ASSUMED BEARING), A DISTANCE OF 1,593.01 FEET,

THENCE NORTH 89°59'09" EAST (ASSUMED BEARING, A DISTANCE OF 1,763.44 FEET;

THENCE SOUTH 86°12'46" EAST (ASSUMED BEARING), A DISTANCE OF 112.82 FEET;

THENCE NORTH 88°58'59" EAST (ASSUMED BEARING), A DISTANCE OF 2.03 FEET;

THENCE SOUTH 00°02'55" EAST (ASSUMED BEARING), A DISTANCE OF 1,255.46 FEET, TO THE NORTH RIGHT OF WAY LINE OF THE INTERSTATE RAILROAD;

THENCE SOUTH 00°02'55" EAST (ASSUMED BEARING), TO THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE, TO THE EAST LINE OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 28, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE SOUTH 83°41'06" WEST (ASSUMED BEARING), ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 637.97 FEET;

THENCE SOUTH 00°05'24" EAST (ASSUMED BEARING), A DISTANCE OF 974.65 FEET, TO A POINT OF CURVATURE;

THENCE SOUTHEASTERLY, ALONG A 2,350.00 RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 307.59 FEET;

THENCE SOUTH 07°35'22" EAST (ASSUMED BEARING), A DISTANCE OF 215.67 FEET;

THENCE NORTH 82°24'38" EAST (ASSUMED BEARING), A DISTANCE OF 35.00 FEET;

THENCE SOUTH 10°44'59" EAST (ASSUMED BEARING), A DISTANCE OF 816.24 FEET;

THENCE SOUTH 83°52'57" EAST (ASSUMED BEARING), A DISTANCE OF 211.01 FEET;

THENCE SOUTH 62°01'19" EAST (ASSUMED BEARING), A DISTANCE OF 453.81 FEET;

THENCE SOUTH 61°10'39" WEST (ASSUMED BEARING), A DISTANCE OF 637.41 FEET;

THENCE SOUTH 09°28'41" WEST (ASSUMED BEARING), A DISTANCE OF 157.96 FEET;

THENCE SOUTH 19°58'52" EAST (ASSUMED BEARING), A DISTANCE OF 191.49 FEET;

THENCE SOUTH 38°52'19" EAST (ASSUMED BEARING), A DISTANCE OF 157.01 FEET;

THENCE SOUTH 02°57'50" EAST (ASSUMED BEARING), A DISTANCE OF 118.81 FEET;

THENCE SOUTH 80°57'51" EAST (ASSUMED BEARING), A DISTANCE OF 205.82 FEET;

THENCE SOUTH 59°53'57" EAST (ASSUMED BEARING), A DISTANCE OF 202.91 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 740.00 FEET;

THENCE SOUTH 20°06'49" EAST (ASSUMED BEARING), A DISTANCE OF 219.54 FEET;

THENCE SOUTH 74°57'26" EAST (ASSUMED BEARING), A DISTANCE OF 71.59 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 60.00 FEET;

THENCE SOUTH 26°13'11" EAST (ASSUMED BEARING), A DISTANCE OF 49.24 FEET;

THENCE SOUTH 67°42'28" EAST (ASSUMED BEARING), A DISTANCE OF 99.62 FEET;

THENCE SOUTH 60°36'58" EAST (ASSUMED BEARING), A DISTANCE OF 105.32 FEET;

THENCE SOUTH 49°47'31" EAST (ASSUMED BEARING), A DISTANCE OF 127.77 FEET;

THENCE SOUTH 17°37'05" EAST (ASSUMED BEARING), A DISTANCE OF 178.50 FEET;

THENCE SOUTH 33°50'14" WEST (ASSUMED BEARING), A DISTANCE OF 16.07 FEET;

THENCE SOUTH 22°29'24" EAST (ASSUMED BEARING), A DISTANCE OF 267.14 FEET;

THENCE SOUTH 17°24'32" EAST (ASSUMED BEARING), A DISTANCE OF 83.06 FEET;

THENCE SOUTH 14°27'34" EAST (ASSUMED BEARING), A DISTANCE OF 19.61 FEET;

THENCE NORTH 83°46'32" EAST (ASSUMED BEARING), A DISTANCE OF 104.30 FEET;

THENCE SOUTH 19°13'23" EAST (ASSUMED BEARING), A DISTANCE OF 986.91 FEET;

THENCE SOUTH 70°46'37" WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE SOUTH 19°13'23" EAST (ASSUMED BEARING), TO A POINT LOCATED 75 FEET NORTH OF THE SOUTH LINE OF SECTION 34; TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, TO THE SOUTH LINE OF SAID SECTION 34;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 34, TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 75.34 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 685.52;

THENCE NORTH 19°13'23" WEST (ASSUMED BEARING), A DISTANCE OF 1,531.39 FEET;

THENCE SOUTH 70°46'37" WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE NORTH 19°13'23" WEST (ASSUMED BEARING), A DISTANCE OF 1,036.61 FEET;

THENCE NORTHWESTERLY, ALONG A 875.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, WITH A CHORD BEARING OF NORTH 21°00'39" WEST (ASSUMED BEARING), A DISTANCE OF 54.60 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 83°46'32" EAST (ASSUMED BEARING), A DISTANCE OF 103.31 FEET;

THENCE NORTH 16°55'44" WEST (ASSUMED BEARING), A DISTANCE OF 142.73 FEET;

THENCE NORTH 43°37'42" WEST (ASSUMED BEARING), A DISTANCE OF 290.02 FEET;

THENCE NORTH 64°18'42" WEST (ASSUMED BEARING), A DISTANCE OF 115.51 FEET;

THENCE NORTH 38°34'18" EAST (ASSUMED BEARING), A DISTANCE OF 60.52 FEET;
THENCE NORTH 50°10'56" WEST (ASSUMED BEARING), A DISTANCE OF 477.28 FEET;
THENCE NORTH 71°59'01" WEST (ASSUMED BEARING), A DISTANCE OF 80.78 FEET;
THENCE NORTH 28°55'54" WEST (ASSUMED BEARING), A DISTANCE OF 96.57 FEET;
THENCE NORTH 54°34'51" WEST (ASSUMED BEARING), A DISTANCE OF 586.73 FEET;
THENCE NORTH 41°54'05" WEST (ASSUMED BEARING), A DISTANCE OF 452.06 FEET;
THENCE NORTH 83°51'35" WEST (ASSUMED BEARING), A DISTANCE OF 40.93 FEET, TO A POINT OF NON-TANGENCY ON A CURVE;
THENCE NORTHWESTERLY, ALONG A 1,240.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, WITH A CHORD BEARING OF NORTH 21°49'51" WEST (ASSUMED BEARING), A DISTANCE OF 616.42 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 38.17 FEET;
THENCE SOUTH 62°34'47" WEST (ASSUMED BEARING), A DISTANCE OF 327.71 FEET;
THENCE NORTH 36°04'17" WEST (ASSUMED BEARING), A DISTANCE OF 15.71 FEET;
THENCE NORTH 26°00'56" WEST (ASSUMED BEARING), A DISTANCE OF 424.67 FEET;
THENCE NORTH 48°05'06" EAST (ASSUMED BEARING), A DISTANCE OF 460.13 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 70.00 FEET;
THENCE NORTH 82°24'38" EAST (ASSUMED BEARING), A DISTANCE OF 85.00 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 1,104.40 FEET;
THENCE NORTH 00°05'24" WEST (ASSUMED BEARING), TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;
THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE POINT OF BEGINNING;

MADISON COUNTY

A TRACT OF LAND IN SECTIONS 1, 2, 3 AND 12 IN TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND MADISON COUNTY, IOWA, IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 700 FEET;

THENCE NORTH, ALONG A LINE 700 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 175 FEET;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO A POINT 350 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE WEST, ALONG A LINE 350 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 325 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 225 FEET;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 75 FEET;

THENCE NORTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO A POINT 275 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2,

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 325 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 700 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 200 FEET;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE NORTH, ALONG A LINE 550 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO A POINT 175 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 175 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 3, TO A POINT 200 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 200 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO A POINT 250 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO A POINT 75 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 750 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 550 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 400 FEET;

THENCE EAST, ALONG A LINE 150 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 175 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 150 FEET;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 175 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET WEST OF THE EAST LINE OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 1, TO A POINT 75 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 12, TO THE POINT OF BEGINNING.

POLK COUNTY

A TRACT OF LAND IN SECTIONS 31 AND 32 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND POLK COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 100 FEET;

THENCE NORTH, ALONG A LINE 100 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 31, A DISTANCE OF 320 FEET;

THENCE EAST, TO THE WEST LINE OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EAST, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 100 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 32, TO THE SOUTH LINE OF SAID SECTION 32;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 32, TO THE POINT OF BEGINNING.

WARREN COUNTY

A TRACT OF LAND IN SECTIONS 4, 5, 6, 7 AND 8 IN TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND WARREN COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER SAID SECTION 4, TO THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 800 FEET;

THENCE NORTHWESTERLY, TO A POINT LOCATED 850 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8 AND 200 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 8;

THENCE WEST, ALONG A LINE 200 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 8, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SAID SECTION 8, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 5, TO THE SOUTHWEST CORNER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 200 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 5, TO THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 5, TO A POINT 225 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE WEST, ALONG A LINE 225 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 300 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 75 FEET;

THENCE WEST, ALONG A LINE 375 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, TO THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20th AVENUE WARREN COUNTY);

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20th AVENUE WARREN COUNTY), TO THE SOUTH RIGHT OF WAY LINE OF SE ADAMS STREET (ADAMS STREET WARREN COUNTY);

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF ADAMS STREET (WARREN COUNTY), TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE NORTH, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET EAST OF THE WEST LINE OF SAID SECTION 6;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 6, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 35;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF INTERSTATE 35, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE WEST LINE OF SAID SECTION 7;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 7, TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 6, TO A POINT 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, TO A POINT 175 FEET WEST OF THE EAST LINE OF SAID SECTION 6;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 6, TO THE NORTH LINE OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 6, TO THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 175 FEET;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 100 FEET;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 300 FEET;

THENCE EAST, ALONG A LINE 400 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET WEST OF THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 5, TO A POINT 500 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 4, TO A POINT 250 FEET NORTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL;

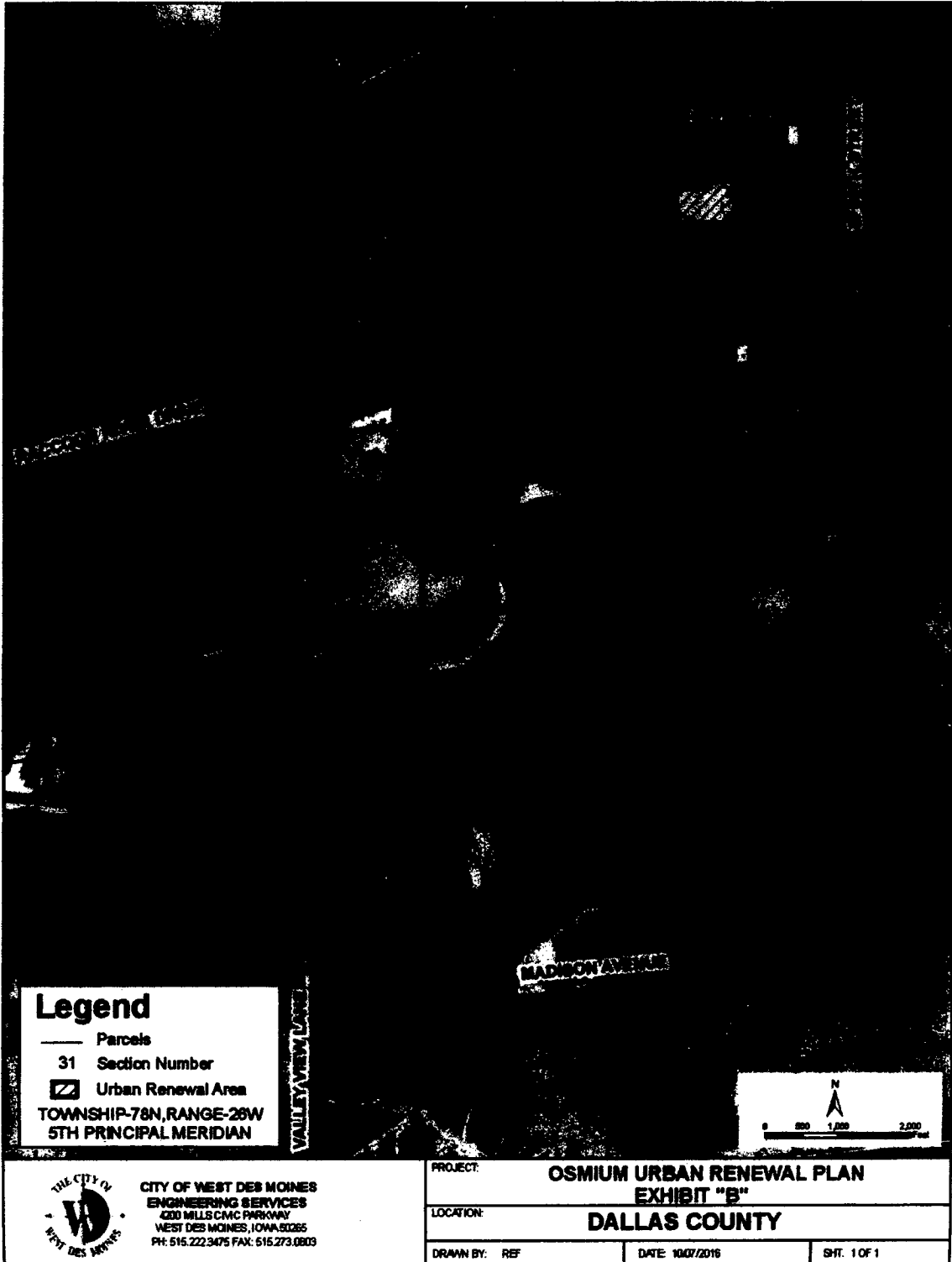
THENCE NORTHEASTERLY, ALONG A LINE 250 FEET NORTHWESTERLY OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL, TO THE WEST LINE OF PARCEL "C" AS DEPICTED ON A PLAT OF SURVEY DATED JANUARY 14, 2004 RECORDED IN PLAT BOOK 2004, PAGE 20 OF 77-25 IN THE OFFICE OF THE WARREN COUNTY RECORDER;

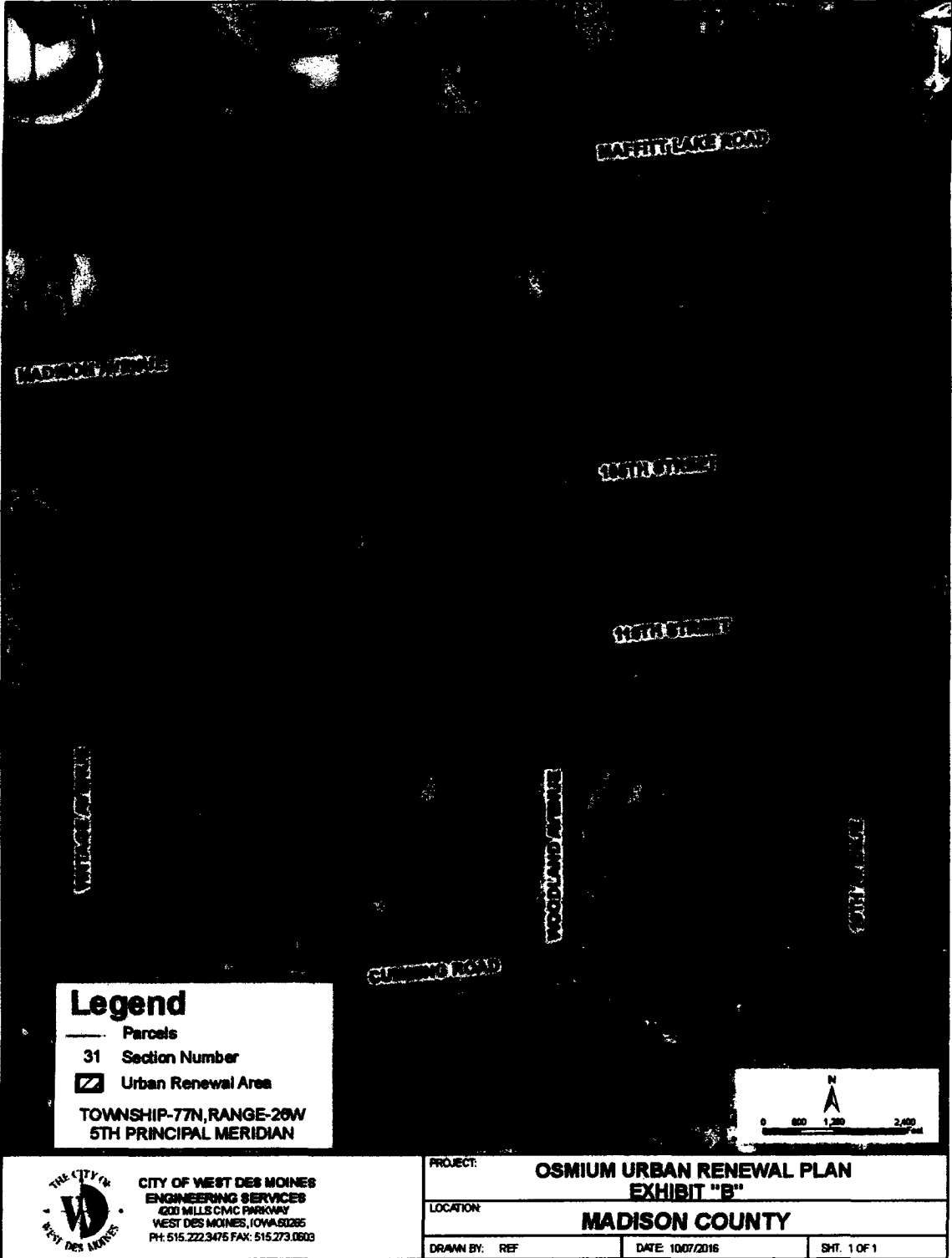
THENCE NORTH, ALONG THE WEST LINE OF SAID PARCEL "C", TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE POINT OF BEGINNING.

EXHIBIT B


**BOUNDARY MAP
OSMIUM URBAN RENEWAL AREA
(Individual Maps By County)**

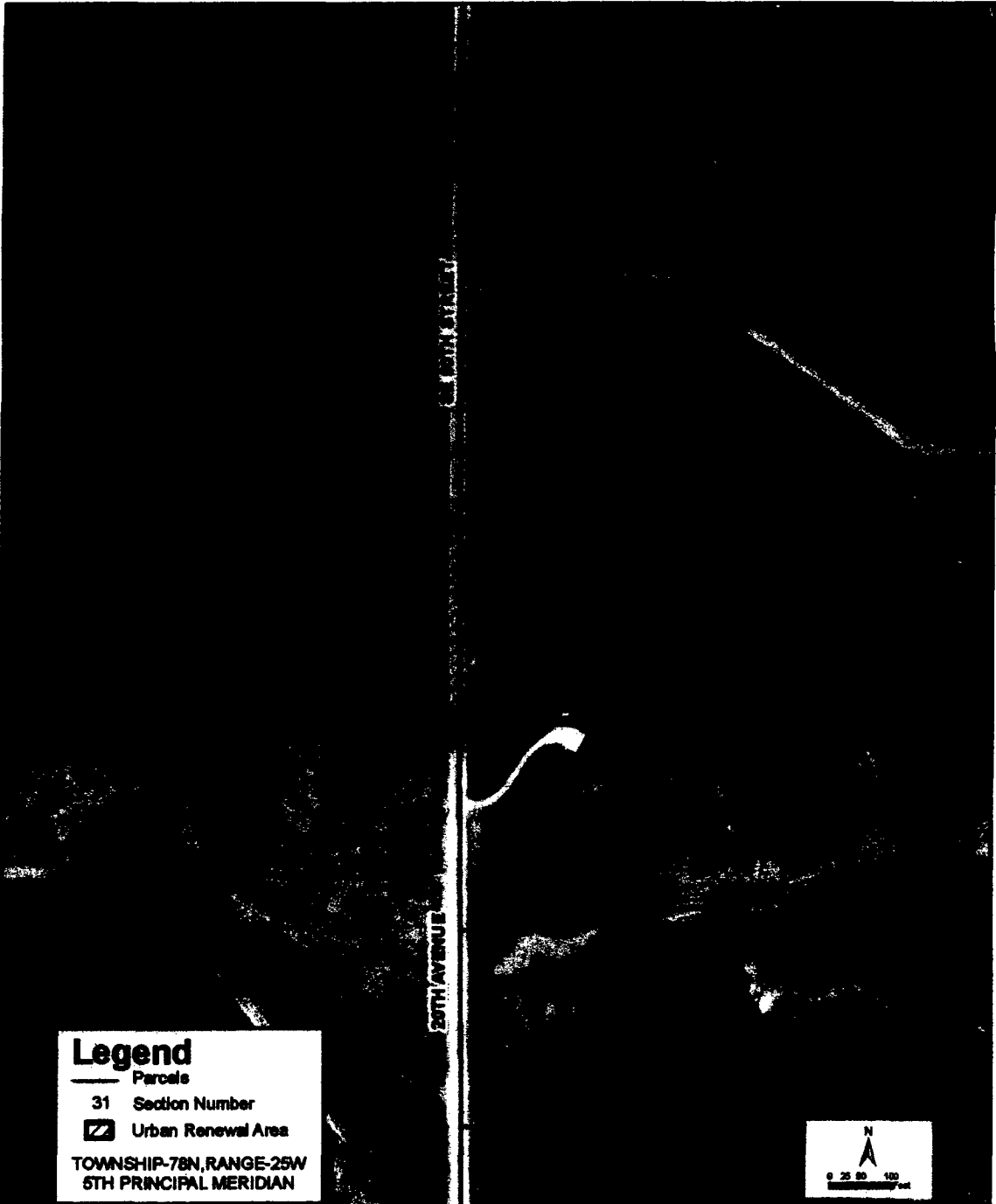




Legend
 — Parcels
 31 Section Number
 [Hatched Box] Urban Renewal Area
 TOWNSHIP-77N, RANGE-20W
 5TH PRINCIPAL MERIDIAN

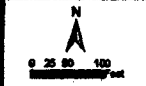


 CITY OF WEST DES MOINES ENGINEERING SERVICES 4200 MILLS CIRC PARKWAY WEST DES MOINES, IOWA 50265 PH: 515.222.3475 FAX: 515.273.0909	PROJECT: OSMIUM URBAN RENEWAL PLAN EXHIBIT "B"	
	LOCATION: MADISON COUNTY	
DRAWN BY: REF	DATE: 10/07/2016	SHT. 1 OF 1



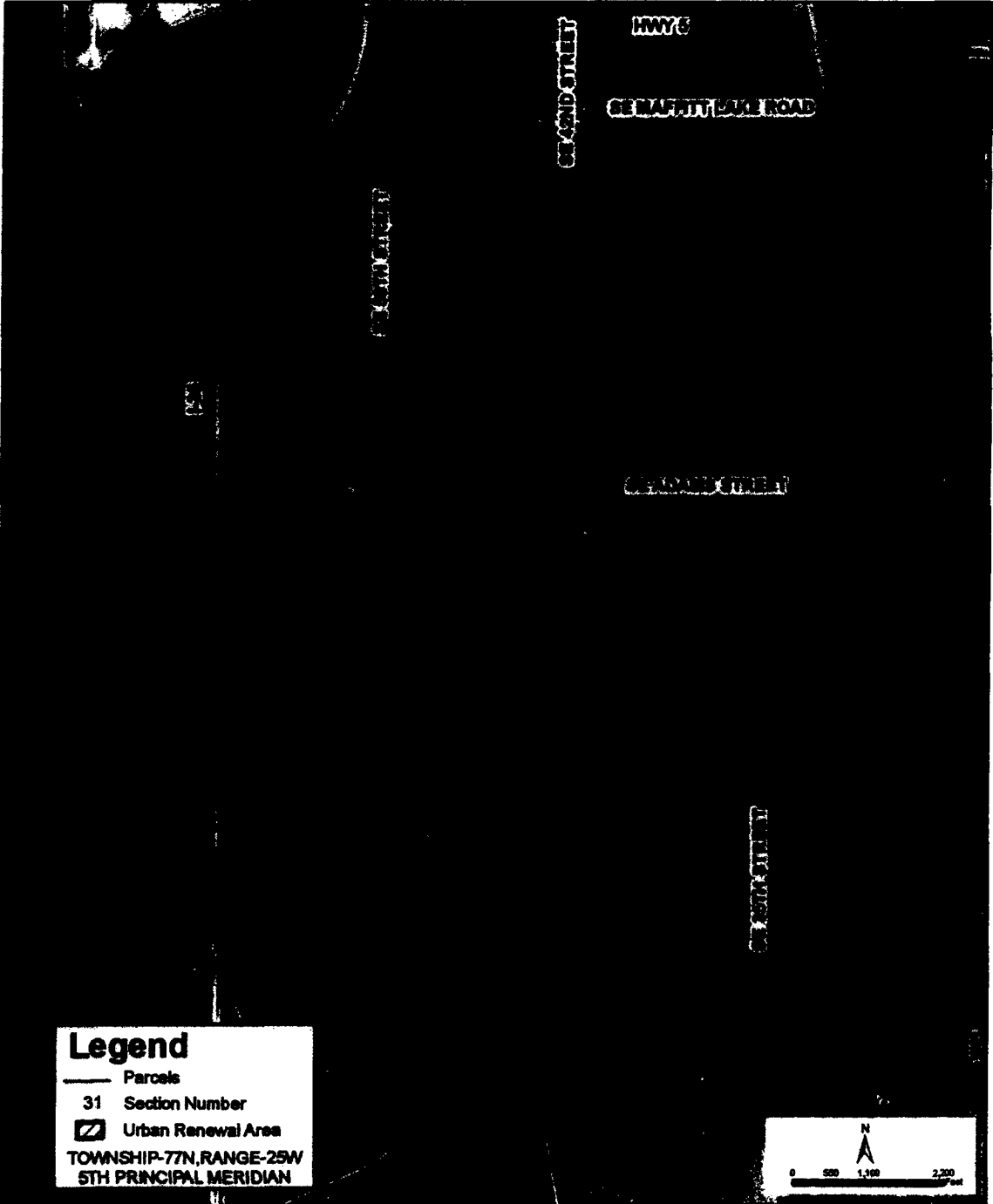
Legend

- Parcels
 - 31 Section Number
 - ▣ Urban Renewal Area
- TOWNSHIP-78N, RANGE-25W
5TH PRINCIPAL MERIDIAN




CITY OF WEST DES MOINES
ENGINEERING SERVICES
 4200 MILLS CIVIC PARKWAY
 WEST DES MOINES, IOWA 50265
 PH: 515.222.3620 FAX: 515.273.0602

PROJECT:	OSMIUM URBAN RENEWAL PLAN		
	EXHIBIT "B"		
LOCATION:	POLK COUNTY		
DRAWN BY:	REF	DATE:	10/07/2018
		BHT:	1 OF 1



Legend
 — Parcels
 31 Section Number
 ☐ Urban Renewal Area
 TOWNSHIP-77N, RANGE-25W
 5TH PRINCIPAL MERIDIAN



 <p>CITY OF WEST DES MOINES ENGINEERING SERVICES 4200 MILLS CIVIC PARKWAY WEST DES MOINES, IOWA 52285 PH: 515.222.2475 FAX: 515.273.0803</p>	PROJECT: OSMIUM URBAN RENEWAL PLAN EXHIBIT "B"		
	LOCATION: WARREN COUNTY		
	DRAWN BY: REF	DATE: 10/07/2015	SHT. 1 OF 1

**EXHIBIT C
LOCATION MAP
OSMIUM URBAN RENEWAL AREA
(IN ITS ENTIRETY)**

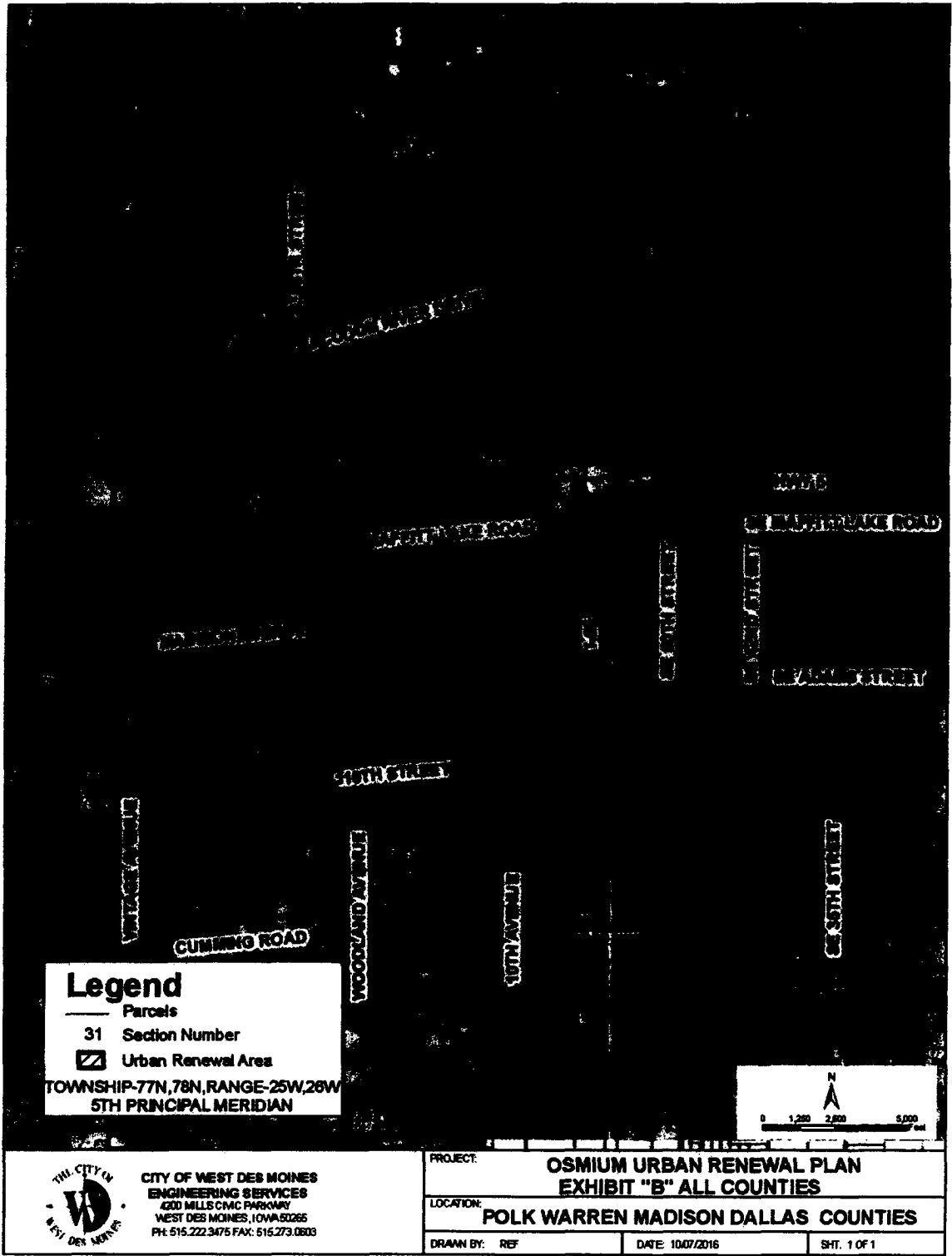


EXHIBIT D

AGREEMENTS TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA

AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 9th day of August, 2016.

Agricultural Land Owner's Name:

Charles L. and Ruth Colby Investment Trust

Signature: [Handwritten Signature]

Date: 8-9-16

Witness: [Handwritten Signature]

Signature: [Handwritten Signature]

Date: 8-9-16

Witness: [Handwritten Signature]

Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000060615	91-93025050880	91-93025050860	91-15000070420
91-15000060490	91-15000060611	91-15000060640	91-15000070440
91-15000060660	91-93025050840	91-93025050820	(M) 61-011011228000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 10 day of September 2016.

Agricultural Land Owner's Name:

Davis Estates, Ltd.

Signature: Linda Griffith, Pres.

Signature: _____

Date: 9-10-16

Date: _____

Witness: [Signature]

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025080220 91-93025080240

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

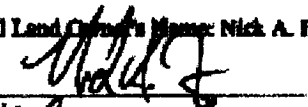
WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.
3. Owner enters into this Agreement with the understanding that the newly constructed roadway known as "Vesuvan's Parkway" will be aligned as depicted in Exhibit "B" attached hereto.

DATED this 14th day of September, 2016.

Agricultural Land Owner's Name: Nick A. Fasano

Signature: 

Date: 9/14/16

Witness: 

Approved by the West Des Moines City Council on the ___ day of _____, 2016

Mayor

Attest: City Clerk

Parcel(s): (M) 63-011010228003000

EXHIBIT "B"



**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of October, 2016.

Agricultural Land Owner's Name:

Dollie M. Fischer & Gary R. Fischer, Co-Trustees of
the Ernest R. Fischer, Jr. Trust

Signature: *Dollie M. Fischer*
Dollie M. Fischer, Co-Trustee

Date: 10/14/16

Witness: *Shawn A. TWP*

Signature: *Gary R. Fischer*
Gary R. Fischer, Co-Trustee

Date: 10-14-16

Witness: *Shawn A. TWP*

Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000050660 91-15000050640

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 11th day of October, 2016.

Agricultural Land Owner's Name:

Flan Farms, LLC

Signature: *Angela Flan, member*

Date: October 11, 2016

Witness: *[Signature]*

Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (P) 77-32000401178000 (M) 61-011010282000000 61-011010166010000 61-010010164000000
61-011010168000000 61-010010162000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this _____ day of _____, 2016.

Agricultural Land Owner's Name:

General Manufacturing Corporation

Signature: Misty Ditter VP

Signature: _____

Date: Sept 10 2016

Date: _____

Witness: Robert Doughty

Witness: _____

Approved by the West Des Moines City Council on the _____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000060260 91-15000060220 (M) 61-011010384000000 61-011010386000000
61-011010388000000 61-011010266010000 61-011010382000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 31 day of August, 2016.

Agricultural Land Owner's Name:

Hallett Construction Company

Signature: _____

Signature: _____

Date: 8/31/16

Date: _____

Witness: Brett Whitely

Witness: _____

Approved by the West Des Moines City Council on the _____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (D) 25-1626100003 25-1626100005 25-1626300006 25-1627200006
 25-1626300001

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 17th day of August, 2016.

Agricultural Land Owner's Name:

Veronica A. Haluska

Signature:

Date: 8-17-16

Witness:

Jordan T Breitbach
JORDAN T BREITBACH

Agricultural Land Owner's Name:

John O. Tank

Signature:

Date: April 22/16

Witness:

Denise D. Donald

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-010010188000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 6th day of September, 2016.

Agricultural Land Owner's Name:

K. Allen Hankins and Phyllis Hankins, Trustees of
the Allen and Phyllis Hankins Trust U/TA dated
January 5, 1998

Signature: <u>K. Allen Hankins, Trustee</u>	Signature: <u>Phyllis Hankins, Trustee</u>
<small>K. Allen Hankins, Trustee</small>	<small>Phyllis Hankins, Trustee</small>
Date: <u>9/6/16</u>	Date: <u>9/6/2016</u>
Witness: <u>Duane Hankins</u>	Witness: <u>Duane Hankins</u>

Approved by the West Des Moines City Council on the _____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025040660

91-93025040647

91-93025040627

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSHTUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Oshtum Urban Renewal Plan ("Plan") for the Oshtum Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Oshtum Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(5) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 10th day of October, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (138 Route)

Kristin Joan Higgins

Signature: K. Higgins

Date: 10-10-16

Witness: Debra Gilman

Kelly Higgins Turner

Signature: _____

Date: _____

Witness: _____

Michael Andrew Higgins

Signature: _____

Date: _____

Witness: _____

Barbara J. Higgins

Signature: _____

Date: _____

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 28 day of Sep., 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kristin Jean Higgins

Signature: _____

Date: _____

Witness: _____

Kelly Higgins Turner

Signature: 

Date: 9/28/16

Witness:  9/28/16

Michael Andrew Higgins

Signature: _____

Date: _____

Witness: _____

Barbara J. Higgins

Signature: _____

Date: _____

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Bibbit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 9 day of 28th, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kristin Jean Higgins

Signature: _____

Date: _____

Witness: _____

Kelly Higgins Turner

Signature: _____

Date: _____

Witness: _____

Michael Andrew Higgins

Signature: [Handwritten Signature]

Date: 9/28/2016

Witness: [Handwritten Signature]

Barbara J. Higgins

Signature: _____

Date: _____

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

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WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this _____ day of _____, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kristin Jean Higgins

Signature: _____

Date: _____

Witness: _____

Kelly Higgins Turner

Signature: _____

Date: _____

Witness: _____

Michael Andrew Higgins

Signature: _____

Date: _____

Witness: _____

Barbara J. Higgins

Signature: *Barbara J. Higgins*

Date: *Oct 7-2016*

Witness: *[Signature]*

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

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WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 29th day of August, 2016.

Agricultural Land Owner's Name:

K Properties, LLC

Signature: 

Signature: _____

Date: 01/29/16

Date: _____

Witness: 

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-011010284000000
61-011010268000000

61-011010262010000
61-011010286000000

61-011010264000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

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NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 26 day of September, 2016.

Agricultural Land Owner's Name:

Charlotte A. Kendall

Signature: Charlotte A. Kendall

Date: 9-20-16

Witness: Susan D. Conway

Susan Ilene Conway

Signature: Susan D. Conway

Date: 9-20-16

Witness: Charlotte A. Kendall

Gregory Paul Webb

Signature: Gregory Paul Webb

Date: 9-20-16

Witness: [Signature]

Sharon Marie Schness

Signature: Sharon M. Schness

Date: 9-22-2016

Witness: Wm. J. Schness

Charles E. Webb

Signature: Charles E. Webb

Date: 9-20-16

Witness: Charlotte A. Kendall

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000040622 91-15000040643

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

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2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of September, 2016.

Agricultural Land Owner's Name:

William C. Knapp, L.C.

Signature: David A. Hengst, Manager

Signature: _____

Date: 9/14/2016

Date: _____

Witness: Stuart Ruddy

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000050447 91-15000050460

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

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2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 11th day of August, 2016.

Agricultural Land Owner's Name:

LeMar A. Koetha

Signature: 

Date: 8/11/16

Witness: Daniel Pearson

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025050680 91-93025050621 61-010010180022000 61-010010180010000
(M) 61-010010180040000 61-010010180030000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

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2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 24th day of AUGUST, 2016.

Agricultural Land Owner's Name:

Martin Marietta Materials Real Estate Investments, Inc.

Signature: *William J. ...*

Signature: _____

Date: 8/24/16

Date: _____

Witness: *William J. ...*

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (D) 25-1627300003 25-1627200005 25-1628400004 25-1628400002

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

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WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of September, 2016.

RACCOON RIVER LAND CO., L.L.C.
an Iowa limited liability company

By: William C. Knapp, L.C.
an Iowa limited liability company
Managing Member

By: 
Gerard D. Neugent, Manager

By: **RACCOON RIVER INVESTORS, LLC**
Managing Member

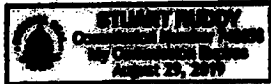
By: JSC TRUST
Member

By: 
Paul D. Hayes, Trustee

ACKNOWLEDGEMENTS

State of Iowa)
) as:
County of Polk)

This record was acknowledged before me on September 14, 2016 by Gerard D. Neugent, Manager of William C. Knapp, L.C., Member of Raccoon River Land Co., L.L.C.



Stuart Huddy
Notary Public

(Stamp or Seal)

State of Iowa)
) as:
County of Polk)

This record was acknowledged before me on September 15, 2016 by Paul D. Hayea, Trustee of JSC Trust, Member in Raccoon River Investors, LLC, Member of Raccoon River Land Co., L.L.C.



Stuart Huddy
Notary Public

(Stamp or Seal)

Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (D) 25-1634100004 25-1633200004 25-1634300001 25-1634100003
25-1634100001 25-1634300004 25-1633200002 25-1634300002
(W) 61-78501034800000 61-78501034200000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 5th day of October, 2016.

Agricultural Land Owner's Name:

RACCOON RIVER LAND CO., L.L.C.
an Iowa limited liability company

By: **William C. Knapp, L.C.**
an Iowa limited liability company
Managing Member

By: 
Gerard D. Neugant, Manager

By: **RACCOON RIVER INVESTORS, LLC**
Managing Member

By: **JSC TRUST**
Member

By: 
Paul D. Hayes, Trustee

STATE OF IOWA)
)SS
COUNTY OF POLK)

This record was acknowledged before me on October 3, 2016 by Gerard D. Neugent, Manager of William C. Knapp, L.C. Member of Raccoon River Land Co., L.L.C.



My Commission Expires:

Kelly Dolman
Notary Public in and for the State of Iowa

STATE OF IOWA)
)SS
COUNTY OF POLK)

This record was acknowledged before me on October 5, 2016 by Paul D. Hayea, Trustee of JSC Trust, Member in Raccoon River Land Co., L.L.C., Member of Raccoon River Land Co., L.L.C.



My Commission Expires:

Kelly Dolman
Notary Public in and for the State of Iowa

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-021010362000000 61-021010368000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 7 day of SEPT, 2016.

Agricultural Land Owner's Name:

Temple Holdings, LP

Signature: [Signature]

Signature: _____

Date: 9/7/16

Date: _____

Witness: [Signature] 09/07/16

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-1500050442

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 6 day of OCTOBER, 2016.

Agricultural Land Owner's Name:

Joseph G. Van Ginkel, III Revocable Trust

Signature: 

Date: 10/6/2016

Witness: 

Approved by the West Des Moines City Council on the _____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-011011224000000 61-011011222004000 61-011011222003000

EXHIBIT E
JOINT CITY/COUNTY AGREEMENT
(WARREN COUNTY)

JOINT CITY/COUNTY AGREEMENT

WHEREAS, the City of West Des Moines, State of Iowa, (the "City") has proposed to establish the Omnium Urban Renewal Area within two miles of the City of West Des Moines, State of Iowa, for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City of West Des Moines, State of Iowa, has reviewed the Omnium Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City of West Des Moines, State of Iowa; and

WHEREAS, Iowa Code Section 403.17(4) requires a "joint agreement" between the City and the County before the City can proceed with said projects.

NOW THEREFORE, WARREN COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Warren County, State of Iowa, hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with the Omnium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City of West Des Moines and in such locations as is identified in the Omnium Urban Renewal Plan.
2. This "joint agreement" is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Omnium Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Warren County, State of Iowa, and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this 29th day of September, 2016.

WARREN COUNTY, STATE OF IOWA

Doug B. Paul
Chairperson, Board of Supervisors

ATTEST:

Traci Vanderlinden
Secretary

STATE OF IOWA)
) SS
COUNTY OF WARREN)


On this 29th day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Doug Skull and Traci Vanderlinden to me personally known, who being duly sworn, did say that they are the Chairperson and Secretary, respectively, of Warren County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Secretary acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.



Megan F. Andrew
Notary Public in and for Warren County, Iowa

PASSED AND APPROVED this 3rd day of October, 2016.

CITY OF WEST DES MOINES, STATE OF IOWA



Mayor

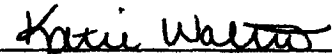
ATTEST:



City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 3rd day of October, 2016, before me a Notary Public in and for said County, personally appeared Steven Gaer and Ryan Jackson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, State of Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.



Notary Public in and for Polk County, Iowa

01279277-1111333-280



EXHIBIT F
JOINT CITY/COUNTY AGREEMENT
(MADISON COUNTY)

WHEREAS, the City of West Des Moines, State of Iowa, (the "City") has proposed to establish the Omnium Urban Renewal Area within two miles of the City of West Des Moines, State of Iowa, for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City of West Des Moines, State of Iowa, has reviewed the Omnium Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City of West Des Moines, State of Iowa; and


WHEREAS, Iowa Code Section 403.17(4) requires a "joint agreement" between the City and the County before the City can proceed with said projects.

NOW THEREFORE, MADISON COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Madison County, State of Iowa, hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with the Omnium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City of West Des Moines and in such location as is identified in the Omnium Urban Renewal Plan.
2. This "joint agreement" is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Omnium Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Madison County, State of Iowa, and the City of West Des Moines, State of Iowa.


PASSED AND APPROVED this 20th day of September, 2016.

MADISON COUNTY, STATE OF IOWA



Chairperson, Board of Supervisors

ATTEST:



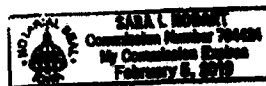
Heidi L. Burhans, Madison County Auditor

STATE OF IOWA)
) SS
COUNTY OF MADISON)

On this 20th day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Phillip Clifton and Heidi L. Burhans to me personally known, who being duly sworn, did say that they are the Chairperson and Auditor, respectively, of Madison County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Auditor acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.



Notary Public in and for Madison County, Iowa



PASSED AND APPROVED this 3rd day of October, 2016.

CITY OF WEST DES MOINES, STATE OF IOWA

[Signature]
Mayer

ATTEST:

[Signature]
City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 3rd day of October, 2016, before me a Notary Public in and for said County, personally appeared Steven Gaer and Ryan Jacobson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, State of Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

[Signature]
Notary Public in and for Polk County, Iowa

01279276-1111333-280



**EXHIBIT G
JOINT AGREEMENT
(CITY OF CUMMING)**

JOINT AGREEMENT

WHEREAS, the City of West Des Moines, Iowa, ("West Des Moines") is proposing to adopt the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa (the Urban Renewal Chapter), in order to undertake activities authorized by that Chapter; and

WHEREAS, the Plan is expected to authorize, among other things, construction of infrastructure (including a sewer line) as urban renewal projects, and a portion of said infrastructure is expected to be constructed by the City of West Des Moines within the City of Cumming, Iowa; and

WHEREAS, it is expected that the infrastructure will benefit Microsoft Corporation's construction of a regional data center within the Osmium Urban Renewal Area; and

WHEREAS, this infrastructure is also expected to provide benefits to the residents and businesses of the City of Cumming, the City of West Des Moines, and surrounding municipalities; and

WHEREAS, it is expected that the cost of constructing the infrastructure within the City of Cumming will be funded in part from incremental tax revenue generated by the Microsoft Corporation regional data center located within the Osmium Urban Renewal Area, which revenues are expected to be collected by the County and provided to West Des Moines under the Urban Renewal Chapter; and

WHEREAS, in order to allow incremental tax revenues to be used to fund the construction of the infrastructure within the City of Cumming, property where the Microsoft Corporation regional data center will be located as well as property where the infrastructure will be constructed must be included in the Osmium Urban Renewal Area by the Plan; and

WHEREAS, the Plan proposes that property within the corporate boundaries of the City of Cumming be included in the land to be included in the Osmium Urban Renewal Area by the Plan (see attached map); and

WHEREAS, the City of West Des Moines will not adopt a TIF Ordinance covering the property located within the City of Cumming; and

WHEREAS, Section 403.17(4) of the Code of Iowa provides that no property may be included in a City's urban renewal area that lies in a neighboring city "unless a resolution has been adopted by the governing body of the [neighboring] City declaring a need to be included in the area"; and

WHEREAS, in addition to the City of Cumming adopting the aforementioned resolution ("Resolution"), the City of Cumming and the City of West Des Moines have decided to further document the arrangement through this Joint Agreement.

NOW THEREFORE, THE CITY OF CUMMING, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The City Council of the City of Cumming, State of Iowa hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with adopting the Osmium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects and the exercise of urban renewal powers within the Osmium Urban Renewal Area, including that portion of the Area within the boundaries of the City of Cumming. This Agreement is contingent on the City of West Des Moines not adopting an ordinance pursuant to Iowa Code Section 403.19 implementing tax increment financing on property within the corporate boundaries of the City of Cumming, absent express written permission from the City of Cumming in the form of an amendment to this Agreement.

2. This Joint Agreement and the aforementioned Resolution are intended to meet the requirements of Iowa Code Chapter 403.17(4) with respect to the Osmium Urban Renewal Area established by City of West Des Moines, State of Iowa.

3. This Joint Agreement has been duly authorized by the governing bodies of the City of Cumming, State of Iowa and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this 29th day of September, 2016.

CITY OF CUMMING, STATE OF IOWA

Tom Becker
Tom Becker, Mayor

ATTEST:

Rachelle Swisher
Rachelle Swisher, City Clerk

STATE OF IOWA)
) SS
COUNTY OF WARREN)

On this 29 day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Tom Becker and Rachelle Swisher to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Cumming, State of Iowa, a Municipal Corporation, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Ann D. Husar
Notary Public in and for Warren County, Iowa



PASSED AND APPROVED this 3rd day of October, 2016.

CITY OF WEST DES MOINES, STATE OF IOWA

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 3rd day of October, 2016, before me a Notary Public in and for said County, personally appeared Steven Gaer and Ryan Jackson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, State of Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

[Signature]
Notary Public in and for Polk County, Iowa

01284590-1\11333-280



01238295-1\11333-280

CERTIFICATE

STATE OF IOWA)
) SS
COUNTIES 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 corporate 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 public hearing 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 the 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 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 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 and the seal of the Council hereto affixed this 14th day of November, 2016.



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

(SEAL)