# City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

**MEMO TO:** Honorable Mayor and City Council Members

**FROM:** Mike Pogge-Weaver, City Manager MPW

**DATE:** September 4, 2019

**SUBJECT:** Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area

- Public hearing on the proposed Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area
- Resolution determining an area of the City to be an economic development and blighted 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 Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area
- Consideration of Ordinance for the division of revenues under Section 403.19, Code of Iowa, for the Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area

At the August 12, 2019 meeting, Council approved a resolution that began the process to adopt the proposed Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area. The memo that accompanied that resolution listed the steps needed to amend the urban renewal plan and are discussed below.

On August 19, 2019, a consultation meeting was held with the affected taxing entities (Carroll Community School District and Carroll County) to review the proposed Sixth Amended and Restated Central Business District Urban Renewal Plan. The minutes are attached.

The notice of public hearing was published on August 23, 2019 in the Carroll Times Herald.

The Proposed Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area and resolution to adopt the plan are attached. The main changes to the urban renewal plan are:

1) Amending the area to include Blocks 29, 30, and 37, Carroll (Original Town) in order to allow redevelopment of the City Apartments property and
2) Identifying the projects to be completed within the urban renewal area (listed as part of Section IV, Project Area Activities).

In addition to adoption of the Urban Renewal Plan, in order to collect tax increment revenue from the amended area, Council will need to adopt the attached ordinance that allows for the levying and collection of tax increment financing property taxes to fund public improvements and grant payments within the Amended and Restated Central Business District Urban Renewal Area. This ordinance will allow the City Clerk to certify to the County Auditor beginning December 1, 2019 the need for the collection of tax increment financing property taxes for the re-payment of expenses for public improvements and grant payments in the area. The December 1, 2019 certification will freeze the taxable base valuation as of January 1, 2018. The first year of TIF collection from the additional area will be Fall 2020 (FY 2020/2021).

**RECOMMENDATION:** After public hearing, Council consideration and approval of the resolution adopting the Sixth Amended and Restated Central Business District Urban Renewal Plan.

# City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

**AUGUST 19, 2019**
**10:00AM**
**CITY MANAGER'S OFFICE**
**CITY OF CARROLL, 510 N CARROLL ST, SUITE 2**
**CONSULTATION SESSION**
**URBAN RENEWAL PLAN FOR THE**
**SIXTH AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS DISTRICT PROJECT AREA**

No representatives from either Carroll County or the Carroll Community School District were present for the consultation.

No written comments were received.

Michel J. Pogge-Weaver, City Manager

September 9, 2019

The City Council of the City of Carroll, State of Iowa, met in _____ session, in the Council Chamber, City Hall, 112 East 5th Street, Carroll, Iowa, at 5:15 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

_____

Absent: _____

Vacant: _____

* * * * * * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area, the Mayor first asked for the report of the City Manager, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amended and Restated Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the City Manager, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amended and Restated Plan, and the City Clerk reported that _____ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area and _____ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED 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 SIXTH AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS DISTRICT PROJECT AREA" and moved:

☐ that the Resolution be adopted.

☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ _____.M. on the _____ day of _____, 2019, at this place.

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

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED 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 SIXTH AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS DISTRICT PROJECT AREA

WHEREAS, this Council previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Original Urban Renewal Plan") for an urban renewal area named the Central Business District Project Area (the "Urban Renewal Area") described therein; and

WHEREAS, the Original Urban Renewal Plan, as adopted in 1967, was amended in 1971, 1985, 1990, and 1991, and amended and restated in 2008, 2012, 2014, 2015, and 2016; and

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

A. Original Project Area (1967) (Blighted Area)

Commencing at the intersection of the centerline of Sixth Street and the easterly right of way line of Court Street; thence South along said easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence West along said southerly right of way line of Fifth Street to the easterly right of way line of Main Street; thence south along the right of way line of Main Street to the southerly right of way line of Fourth Street; thence west along said southerly right of way line of Fourth Street to a point approximately 15 feet northeasterly and parallel to the northeastern-most track of the Chicago & Great Western Railroad; thence northwesterly (approximately 15') parallel to the railroad track to the westerly line of the north-south alley extended between West Street and Carroll Street; thence north along the westerly line of said alley to the centerline of Sixth Street; thence east along said centerline of Sixth Street to the point of beginning.

B. First Amended Project Area (1971) (Blighted Area)

Block 23 located between 5th, Main, 4th, and Court Streets.

C. Second Amended Project Area (1985) (Blighted Area)

Commencing at the southeast corner of the intersection of Fourth Street with Adams Street; thence westerly along the southerly right of way line of Fourth Street to the easterly right of way line of Carroll Street; thence southerly to a point approximately 40 feet north of the northerly track of the Chicago and Northwestern Railroad; thence westerly approximately 40 feet parallel to said northerly track to a point approximately 600 feet west of the westerly right of way line of West Street; thence northerly parallel to and 600 feet west of West Street to the middle of Sixth Street; thence easterly along the middle of Sixth Street to the westerly line of the alley between West Street and Carroll Street; thence south along the westerly line of said alley to a point 15 feet northeast of the former northeast track of the Chicago and Great Western Railroad; thence southeasterly 15 feet parallel to said former track to the point of beginning.

D. Third Amended Project Area (1990) (Blighted Area)

Commencing at the center of the intersection of Fourth Street with the centerline of Adams Street; thence southerly to a point approximately 30 feet north of the westerly main track of the Chicago and Northwestern Railroad; thence westerly, approximately 30 feet parallel to said westerly track, to the intersection with the centerline of Highway 71; thence northerly along the centerline of Highway 71 to its intersection with the centerline of Highway 30; thence southeasterly along the centerline of Highway 30 to the intersection with West Sixth Street extended; thence westerly along the centerline of West Sixth Street to a point 600 feet west of West Street; thence southerly parallel to and 600 feet west of West Street to a point 30 feet north of the northerly track of the Chicago and Northwestern Railroad; thence Southeasterly 30 feet parallel to the northerly track of the Chicago and Northwestern Railroad to the easterly right of way line of Carroll Street; thence north to the Southerly right of way line of Fourth Street; thence easterly along the Southerly right of way line of Fourth Street to the point of beginning.

E. Fourth Amended Project Area (1991) (Blighted Area)

Beginning at the Intersection of U.S. Highway No. 30 and U.S. Highway No. 71 in Carroll, Carroll County, Iowa; thence Northwesterly along the centerline of said U.S. Highway 30 to the South line of the Northeast Quarter of the Northeast Quarter of Section 23, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa; thence East to the Easterly line of the northeast access road extended, running parallel to and east of U.S. Highway 71, thence southerly along the east line of the northeast access road to the centerline of Tenth Street, thence westerly along the centerline of Tenth Street to the centerline of Highway No. 30; thence northwesterly to the point of beginning.

F. Fifth Amended Project Area (2008) (Economic Development Area)

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Court Street; thence southerly along said

easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence easterly along said southerly right of way line of Fifth Street to the easterly right of way line of Grant Road; thence northerly along said easterly right of way line of Grant Road to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Simon Avenue; thence northerly along said easterly right of way line of Simon Avenue to the northerly right of way line of Eighth Street; thence westerly along said northerly right of way line of Eighth Street to the easterly right of way line of Salinger Avenue; thence northerly along said easterly right of way line of Salinger Avenue to the northerly right of way line of Ninth Street; thence westerly along said northerly right of way line of Ninth Street to the easterly right of way line of Boylan Avenue; thence northerly along said easterly right of way line of Boylan Avenue to the northerly right of way line of Tenth Street; thence westerly along the northerly right of way line of Tenth Street to the southeast corner of Lot 7 of Neu Add., Sub of Block 4 and Resubdivision of Lot 5; thence northerly along the westerly lot lines of Neu Add., Sub of Block 4 and Resubdivision of Lot 5 to the northerly right of way line of Fifteenth Street; thence westerly along the northerly right of way line of Fifteenth Street to the easterly line of the northeast access road extended, east of U.S. Highway 71; thence southerly along the easterly line of the northeast access road to the northerly right of way line of Tenth Street; thence westerly along said northerly right of way line of Tenth Street to the centerline of Sixth Street (U.S. Highway 30); thence southeasterly along said centerline of Sixth Street (U.S. Highway 30) to the point of beginning.

G. Sixth Amended Project Area (2014) (Economic Development Area)

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Grant Road; thence southerly along the easterly right of way line of Grant Road to the northerly right-of-way line of the Union Pacific Railroad; thence southeasterly along said northerly right-of-way line of the Union Pacific Railroad to the southwest corner of the East 81 feet of that part of the East Half of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M., lying north of the right-of-way of the Union Pacific Railroad; thence northerly along said westerly property line thereof to the southwest corner of Lot 26 of the Northeast Quarter of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M.; thence easterly along said southerly property line of Lot 26 to the southeast corner of said Lot 26; thence northerly to the southerly right of way line of Highway 30; thence easterly along the said southerly right of way line of Highway 30 to the easterly right of way line of Bella Vista Drive; thence northerly along said easterly right of way line of Bella Vista Drive to a point parallel with the north property line of Lot E of Bella Vista First Addition First Resubdivision to the City of Carroll; thence westerly across Bella Vista Drive, and continuing westerly along the north property line of said Lot E of Bella Vista First Addition First Resubdivision; thence southerly along the west property line of said Lot E of Bella Vista First Addition First Resubdivision; thence westerly along the south property line of Lot F of Bella Vista First Addition First

Subdivision to the City of Carroll to the easterly right of way line of Monterey Drive; thence northerly along said easterly right of way line of Monterey Drive to a point parallel with the northerly right of way line of Eighth Street; thence westerly across Monterey Drive and continuing westerly along said northerly right of way line of Eighth Street, continuing westerly along the north property line of Lot 2, (except Lots A, C, D, E, and F thereof) Southeast Quarter of the Southwest Quarter of Section 19, Township 84 North, Range 34 West of the 5th P.M., Carroll, and continuing westerly along the northerly right of way line of Eighth Street, to the westerly right of way line of Vine Street; thence southerly along said westerly right of way line of Vine Street to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Grant Road; thence southerly along said easterly right of way line of Grant Road to the point of beginning.

H. Seventh Amended Project Area (2016) (Economic Development Area)

Commencing at the intersection of the westerly right of way line of Court Street and the Southerly right of way line of Fifth Street; thence East along said southerly right of way line of Fifth Street to the easterly right of way line of Clark Street; thence South along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the easterly right of way line of Main Street; thence North along said easterly right of way line of Main Street to the northerly right of way line of Fourth Street; thence East along said northerly right of way line of Fourth Street to the westerly right of way line of Court Street; thence North along said westerly right of way line of Court Street to the southerly right of way line of Fifth Street.

WHEREAS, a proposed Sixth Amended and Restated Central Business District Urban Renewal Plan ("Sixth Amended and Restated Plan") for the Urban Renewal Area described above has been prepared, which proposed Sixth Amended and Restated Plan has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add land to the Urban Renewal Area and identify new urban renewal projects to be undertaken in the Urban Renewal Area; and

WHEREAS, this proposed Sixth Amended and Restated Plan adds land to the Urban Renewal Area, as follows:

Eighth Amended Project Area (2019) (Economic Development Area)

Commencing at the intersection of the easterly right of way line of Clark Street and the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the westerly right of way line of Main Street; thence South along said westerly right of way line of Main Street to the southerly right of way line of Second Street; thence East along said southerly right of way line of Second Street to the easterly right of way line of Court Street; thence North along said easterly right of way line of Court Street to the southerly right of

way line of Third Street; thence East along said southerly right of way line of Third Street to the easterly right of way line of Clark Street; thence North along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way and the point of beginning.

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Sixth Amended and Restated Plan; and

WHEREAS, by resolution adopted on August 12, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Sixth Amended and Restated Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Sixth Amended and Restated 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 City Manager, 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 Sixth Amended and Restated 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 Carroll Times Herald, 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 Sixth Amended and Restated 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 CARROLL, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in the Sixth Amended and Restated Plan concerning the area of the City of Carroll, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

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

b) The Sixth Amended and Restated 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 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, however, with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development and blighted area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Sixth Amended and Restated Plan of the City of Carroll, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as " Sixth Amended and Restated Plan for the City of Carroll, State of Iowa"; the Sixth Amended and Restated Plan, including all of the exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Sixth Amended and Restated Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Sixth Amended and Restated Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Sixth Amended and Restated Plan. The proposed Sixth Amended and Restated Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Carroll County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 9th day of September, 2019.

_____
Mayor

ATTEST:

_____
City Clerk

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

# EXHIBIT 1

Prepared by and return to: Laura Schaefer, City of Carroll, 112 E 5th Street, Carroll, IA 51401

SIXTH AMENDED and RESTATED
CENTRAL BUSINESS DISTRICT
URBAN RENEWAL PLAN

CITY OF CARROLL, IOWA

ADOPTED BY
CARROLL CITY COUNCIL
ON

September 9, 2019

Attachments

Exhibit A: Project Area Map(s)

## I. INTRODUCTION

This Sixth Amended and Restated Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") has been prepared to provide for the continued development of the Central Business District Project Area (the "Project Area") of the City of Carroll, Iowa (the "City"), and to stimulate, through public actions, financings and commitments, private investment in the re-development and in rehabilitation in the urban renewal Project Area. In order to achieve this objective, the City will undertake the urban renewal actions specified in this Plan, pursuant to the powers granted to it under Chapter 403 and 15A of the Code of Iowa, 2019, as amended (the "Code").

This Plan is a further amendment and restatement of the original Urban Renewal Plan for the Central Business District, adopted by the City Council in 1967 and amended in 1971, 1985, 1990 and 1991, and amended and restated in 2008, 2012, 2014, 2015, and 2016. This Plan shall serve as a new Urban Renewal Plan for the expanded and combined urban renewal project areas described herein. The primary purposes for this sixth amendment and restatement is to add additional land to the Project Area (the added land referred to as the "Eighth Amended Project Area") and update the list of proposed projects to be undertaken within the Project Area.

## II. DESIGNATION AND DESCRIPTION OF URBAN RENEWAL AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the city of Carroll, County of Carroll, State of Iowa. The Original Project Area was designated as appropriate for the remediation of blight and property subsequently added by amendment was designated as either blighted or appropriate for the promotion of economic development (commercial and industrial) as identified below. The Eighth Amended Project Area contains a blighted property with a delipidated building requiring remediation and the remainder of the property is appropriate for the promotion of economic development (commercial and industrial). As such, the Project Area continues to be appropriate for both the remediation of blight and promotion of economic development (commercial and industrial).

The general boundaries of the Project Area are illustrated on the Project Area Map(s) attached hereto as Exhibit A. The entire urban renewal area is comprised of nine (9) contiguous parcels or areas described as follows:

### A. Original Project Area (1967) (Blighted Area)

Commencing at the intersection of the centerline of Sixth Street and the easterly right of way line of Court Street; thence South along said easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence West along said southerly right of way line of Fifth Street to the easterly right of way line of Main Street; thence south along the right of way line of Main Street to the southerly right of way line of Fourth Street; thence west along said southerly right of way line of Fourth

Street to a point approximately 15 feet northeasterly and parallel to the northeastern-most track of the Chicago & Great Western Railroad; thence northwesterly (approximately 15') parallel to the railroad track to the westerly line of the north-south alley extended between West Street and Carroll Street; thence north along the westerly line of said alley to the centerline of Sixth Street; thence east along said centerline of Sixth Street to the point of beginning.

B. First Amended Project Area (1971) (Blighted Area)

Block 23 located between 5th, Main, 4th, and Court Streets.

C. Second Amended Project Area (1985) (Blighted Area)

Commencing at the southeast corner of the intersection of Fourth Street with Adams Street; thence westerly along the southerly right of way line of Fourth Street to the easterly right of way line of Carroll Street; thence southerly to a point approximately 40 feet north of the northerly track of the Chicago and Northwestern Railroad; thence westerly approximately 40 feet parallel to said northerly track to a point approximately 600 feet west of the westerly right of way line of West Street; thence northerly parallel to and 600 feet west of West Street to the middle of Sixth Street; thence easterly along the middle of Sixth Street to the westerly line of the alley between West Street and Carroll Street; thence south along the westerly line of said alley to a point 15 feet northeast of the former northeast track of the Chicago and Great Western Railroad; thence southeasterly 15 feet parallel to said former track to the point of beginning.

D. Third Amended Project Area (1990) (Blighted Area)

Commencing at the center of the intersection of Fourth Street with the centerline of Adams Street; thence southerly to a point approximately 30 feet north of the westerly main track of the Chicago and Northwestern Railroad; thence westerly, approximately 30 feet parallel to said westerly track, to the intersection with the centerline of Highway 71; thence northerly along the centerline of Highway 71 to its intersection with the centerline of Highway 30; thence southeasterly along the centerline of Highway 30 to the intersection with West Sixth Street extended; thence westerly along the centerline of West Sixth Street to a point 600 feet west of West Street; thence southerly parallel to and 600 feet west of West Street to a point 30 feet north of the northerly track of the Chicago and Northwestern Railroad; thence Southeasterly 30 feet parallel to the northerly track of the Chicago and Northwestern Railroad to the easterly right of way line of Carroll Street; thence north to the Southerly right of way line of Fourth Street; thence easterly along the Southerly right of way line of Fourth Street to the point of beginning.

E. Fourth Amended Project Area (1991) (Blighted Area)

Beginning at the Intersection of U.S. Highway No. 30 and U.S. Highway No. 71 in Carroll, Carroll County, Iowa; thence Northwesterly along the centerline of said U.S. Highway 30 to the South line of the Northeast Quarter of the Northeast Quarter of Section 23, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa; thence East to the Easterly line of the northeast access road extended, running parallel to and east of U.S. Highway 71, thence southerly along the east line of the northeast access road to the centerline of Tenth Street, thence westerly along the centerline of Tenth Street to the centerline of Highway No. 30; thence northwesterly to the point of beginning.

F. Fifth Amended Project Area (2008) (Economic Development Area)

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Court Street; thence southerly along said easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence easterly along said southerly right of way line of Fifth Street to the easterly right of way line of Grant Road; thence northerly along said easterly right of way line of Grant Road to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Simon Avenue; thence northerly along said easterly right of way line of Simon Avenue to the northerly right of way line of Eighth Street; thence westerly along said northerly right of way line of Eighth Street to the easterly right of way line of Salinger Avenue; thence northerly along said easterly right of way line of Salinger Avenue to the northerly right of way line of Ninth Street; thence westerly along said northerly right of way line of Ninth Street to the easterly right of way line of Boylan Avenue; thence northerly along said easterly right of way line of Boylan Avenue to the northerly right of way line of Tenth Street; thence westerly along the northerly right of way line of Tenth Street to the southeast corner of Lot 7 of Neu Add., Sub of Block 4 and Resubdivision of Lot 5; thence northerly along the westerly lot lines of Neu Add., Sub of Block 4 and Resubdivision of Lot 5 to the northerly right of way line of Fifteenth Street; thence westerly along the northerly right of way line of Fifteenth Street to the easterly line of the northeast access road extended, east of U.S. Highway 71; thence southerly along the easterly line of the northeast access road to the northerly right of way line of Tenth Street; thence westerly along said northerly right of way line of Tenth Street to the centerline of Sixth Street (U.S. Highway 30); thence southeasterly along said centerline of Sixth Street (U.S. Highway 30) to the point of beginning.

G. Sixth Amended Project Area (2014) (Economic Development Area)

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Grant Road; thence southerly along the easterly right of way line of Grant Road to the northerly right-of-way line of the Union Pacific Railroad; thence southeasterly along said northerly right-of-way line of the Union Pacific Railroad to the southwest corner of the East 81 feet of that part of the East Half of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M., lying north of the right-of-way of the Union Pacific Railroad; thence northerly along said westerly property line thereof to the southwest corner of Lot 26 of the Northeast Quarter of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M.; thence easterly along said southerly property line of Lot 26 to the southeast corner of said Lot 26; thence northerly to the southerly right of way line of Highway 30; thence easterly along the said southerly right of way line of Highway 30 to the easterly right of way line of Bella Vista Drive; thence northerly along said easterly right of way line of Bella Vista Drive to a point parallel with the north property line of Lot E of Bella Vista First Addition First Resubdivision to the City of Carroll; thence westerly across Bella Vista Drive, and continuing westerly along the north property line of said Lot E of Bella Vista First Addition First Resubdivision; thence southerly along the west property line of said Lot E of Bella Vista First Addition First Resubdivision; thence westerly along the south property line of Lot F of Bella Vista First Addition First Subdivision to the City of Carroll to the easterly right of way line of Monterey Drive; thence northerly along said easterly right of way line of Monterey Drive to a point parallel with the northerly right of way line of Eighth Street; thence westerly across Monterey Drive and continuing westerly along said northerly right of way line of Eighth Street, continuing westerly along the north property line of Lot 2, (except Lots A, C, D, E, and F thereof) Southeast Quarter of the Southwest Quarter of Section 19, Township 84 North, Range 34 West of the 5th P.M., Carroll, and continuing westerly along the northerly right of way line of Eighth Street, to the westerly right of way line of Vine Street; thence southerly along said westerly right of way line of Vine Street to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Grant Road; thence southerly along said easterly right of way line of Grant Road to the point of beginning.

H. Seventh Amended Project Area (2016) (Economic Development Area)

Commencing at the intersection of the westerly right of way line of Court Street and the Southerly right of way line of Fifth Street; thence East along said southerly right of way line of Fifth Street to the easterly right of way line of Clark Street; thence South along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the easterly right of way line of Main Street; thence North along said easterly right of way line of Main Street to the northerly right of way line of Fourth Street; thence East along said northerly right of way line of Fourth Street to the

westerly right of way line of Court Street; thence North along said westerly right of way line of Court Street to the southerly right of way line of Fifth Street.

I. Eighth Amended Project Area (2019) (Economic Development Area)

Commencing at the intersection of the easterly right of way line of Clark Street and the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the westerly right of way line of Main Street; thence South along said westerly right of way line of Main Street to the southerly right of way line of Second Street; thence East along said southerly right of way line of Second Street to the easterly right of way line of Court Street; thence North along said easterly right of way line of Court Street to the southerly right of way line of Third Street; thence East along said southerly right of way line of Third Street to the easterly right of way line of Clark Street; thence North along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way and the point of beginning.

## III. URBAN RENEWAL PLAN OBJECTIVES

The overall goal of the Plan is to formulate and execute a workable program using public and private resources to eliminate blight and obsolescence within the renewal area and to alleviate and prevent conditions of unemployment by assisting and retaining local industries and commercial enterprises to strengthen and revitalize the economy while fostering redevelopment and rehabilitation activities consistent with the sound needs of the Central Business District and the City as a whole.

In accordance with the above overall goal, the primary re-development and rehabilitation objectives of the renewal area are as follows:

1. To preserve and create an environment which will protect the health, safety and general welfare of the City, preserve existing values of properties to remain within and adjacent to the Project Area, and to preserve taxable values of property within the area.

2. To eliminate substandard and obsolescent buildings, blighting influences, and environmental deficiencies which presently detract from the functional unity, aesthetic appearance, and economic welfare of the City, and to establish conditions which will prevent the recurrence of blight and blighting conditions.

3. To strengthen Carroll as the retail trade, business, financial, administrative, governmental, and cultural center of the regional area by attracting new industries and businesses to the City and to encourage the expansion of existing city industries and businesses.

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

5. To strengthen the economic well-being of Carroll and the Central Business District area by increasing retail and commercial activity, taxable values, and job opportunities.

6. To establish a pattern of land-use activities arranged in compact, compatible groupings so as to enhance the efficiency of operation and economic inter-relationships.

7. To provide for the orderly physical and economic growth of the Central Business District area through controlled re-development and rehabilitation.

8. To achieve development which is integrated both functionally and aesthetically with existing development which is to remain.

9. To ensure that the area is adequately served with public infrastructure and utilities, including roadways, storm and sanitary sewers, streetscape improvements, water, power, gas and telephone.

10. To improve the appearance of buildings, rights-of-way and open spaces, and to encourage high standards of design.

11. To provide sites to allow for an orderly expansion and professional up-grading of existing retail, commercial, professional and business uses and for the construction of new major retail or commercial and retail-related uses.

12. To provide sites for offstreet public parking facilities.

13. To encourage land uses compatible with the retail, professional and commercial functions of the Central Business District area, and the removal, prevention and discouragement of uses incompatible with that function.

14. To preserve major existing concentrations of sound retail and business uses through private rehabilitation and code enforcement.

15. To encourage beautification of the Central Business District area through appropriate public and private improvements.

16. The establishment of a circulation system which will enhance vehicular and pedestrian access to all parts of the expanded retail area and facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

## IV. PROJECT AREA ACTIVITIES AND ELIGIBLE PROJECTS

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

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

2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including alley, street and streetscape improvements (including those street and streetscape improvements being undertaken as part of the Corridor of Commerce Streetscape projects), water, sanitary sewer and storm sewer systems, traffic signals, sidewalks, and public utilities or other facilities in connection with urban renewal projects;

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

4 To undertake the construction of improvements at or adjacent to the intersection of U.S. Highway 30 and Grant Road including demolition, grading and site preparation; utility, bridge, roadway and sidewalk construction; right-of-way and other property purchase; safety and traffic control improvements and other work necessary for a complete project;

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

6. To borrow money and provide security therefor;

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

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

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

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

Numerous urban renewal projects were authorized prior to the date of this Sixth Amended and Restated Plan and are continuing. Other anticipated projects are being identified for the first time in this Sixth Amended and Restated Plan. All of the identified projects further the stated purposes and objectives of the Plan and are anticipated to be completed during the life of the Plan. The urban renewal projects currently in process or anticipated consist of the following:

- Streetscape improvements as part of the Corridor of Commerce Master Plan, including but not limited to:
  - 7th Street: West Street to Carroll Street and Main Street to Clark Street
  - US Highway 30: US Highway 71 to West St and Clark Street to Grant Road
- Intersection and approach improvements at Highway 30 and Grant Road
- US Highway 30 Traffic Signal equipment replacement at the following intersections on US Highway 30:
  - Clark Street
  - Court Street
  - Main Street
  - Adams Street
  - Carroll Street
  - West Street
  - Quint Avenue
- Street resurfacing projects including:
  - Walnut Street: 5th Street to US 30
  - East Street: 5th Street to 7th Street
  - Clark Street: UPRR to 7th Street
  - Court Street: 4th Street to 7th Street
  - Main Street: UPRR to 7th Street
  - Adams Street: US 30 to 7th Street
  - Carroll Street: UPRR to 7th Street
  - Crawford Street: US 30 to 7th Street
  - Quint Avenue: US 30 to 8th Street
  - Fourth Street: Carroll Street to Clark Street
  - Fifth Street: Carroll Street to Main Street and Court Street to Grant Road
  - Sixth Street: Quint Avenue (Ext.) to US 30
  - Seventh Street: Simon Avenue to Crawford Street and West Street to Grant Road
- Curb and gutter, paving, sidewalks, and other utility improvements in the 4th Street parking lot, the Westgate Mall parking lot, and the Greatwestern parking lot.
- Tax increment financing rebate agreement for up to 15 years with DMBA Properties & Consulting, Inc. and Biokinemetrics for the re-development of Lots 1-4, Block 25, Carroll (Original Town, Carroll, Iowa).
- Downtown business identification signage improvements.
- Community and wayfinding signage improvements.

- The acquisition, demolition, clearing, disconnection of utilities, grading, and/or other related work for the removal of some or all buildings on properties that contain building(s) that has been declared a dangerous building by the City of Carroll.
- Disposition of properties acquired by the City of Carroll.
- The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed $800,000
- Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning.

## V. SPECIAL FINANCING ACTIVITIES

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

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

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

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

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

3. The making of loans or grants to private businesses under Chapter 15A of the Code, including the grants/rebate payments to be made to DMBA Properties & Consulting, Inc. and Biokinemetrics (described in Section IV) and any debt service payments on any bonds or notes issued to finance such loans or grants; or

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

5. The costs associated with any of the other Project Area Activities described in Section IV of this Plan that are undertaken by the City, including any related legal, engineering or other consultant costs.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 260E, Chapter 384, Chapter 403, Chapter 404, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

## VI. PROPERTY ACQUISITION/DISPOSITION

Notwithstanding prior plan provisions, the City will follow any and all applicable requirements for the acquisition and disposition of property upon terms and conditions in the discretion of the City Council.

Notwithstanding prior plan provisions, the City will enter into development agreements and other agreements with developers upon terms and conditions in the discretion of the City Council.

## VII. CLEARANCE AND DISPOSITION OF PROPERTY

The City may make improvements in preparation for redevelopment or transfer of land to private developers. Improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of the property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal

Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

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

## VIII. LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the City of Carroll's zoning ordinances and other applicable local, state and federal codes and ordinances. This Urban Renewal Plan does not in any way replace or modify the City's current land use planning or zoning regulation process.

The City of Carroll has a general plan for the physical development of the City as a whole outlined in the City's Comprehensive Plan dated February 25, 2013. The goals and objectives of the Urban Renewal Plan, including the urban renewal projects, are in conformity with the City's Comprehensive Plan.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Project Area is set forth in this Plan, as amended. As the Project Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## IX. RELOCATION

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

## X. DEVELOPER REQUIREMENTS

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

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

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of

this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

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

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

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

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

5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sublessees in the premises therein conveyed.

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

## XI. PROJECT AND CITY INDEBTEDNESS

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

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area after the adoption of this Sixth Amended and Restated Urban Renewal Plan will not exceed $10,000,000. Proceeds of such tax increment collections will be used to reimburse the City for the costs of undertaking the Project Area Activities and Projects described in this Plan within the Project Area.

As of June 30, 2019, the City of Carroll's outstanding general obligation indebtedness was $6,675,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent of the value, as shown by the last certified state and county tax list, of all taxable property within the City. Based upon the actual value for 2018 of $859,641,400 (total actual value) on all taxable property within the City of Carroll, the City currently is limited to $36,307,070 of additional general obligation indebtedness.

## XII. STATE AND LOCAL REQUIREMENTS

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

## XIII. REPEALER AND SEVERABILITY

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed. In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, lack of authorization or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

## XIV. PROCEDURE FOR CHANGES IN THE APPROVED URBAN RENEWAL PLAN

If the City of Carroll desires to modify this Plan, it may do so after holding a public hearing on the proposed change in accordance with applicable State and local law.

Any change affecting any property or contractual right can be effectuated only in accordance with applicable State and local law.

## XV. DURATION OF URBAN RENEWAL PLAN

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Carroll, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

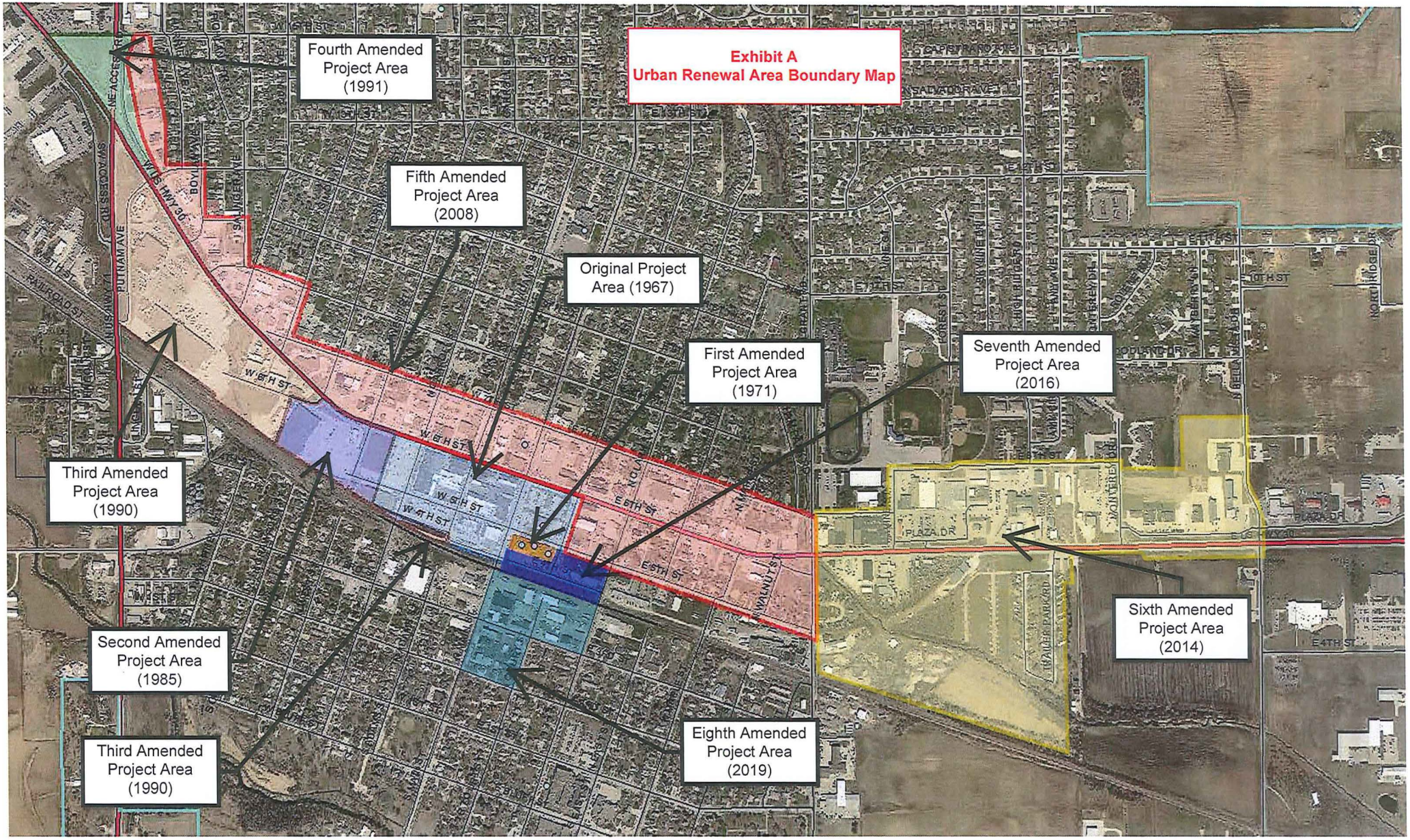
Exhibit A
Urban Renewal Area Boundary Map
Fourth Amended Project Area (1991)
Fifth Amended Project Area (2008)
Original Project Area (1967)
First Amended Project Area (1971)
Seventh Amended Project Area (2016)
Third Amended Project Area (1990)
Second Amended Project Area (1985)
Third Amended Project Area (1990)
Eighth Amended Project Area (2019)
Sixth Amended Project Area (2014)
W 6TH ST
W 4TH ST
E 6TH ST
E 5TH ST
PLAZA DR
PUTNAM AVE
RAILROAD ST
W 5TH ST
E 4TH ST
10TH ST

CERTIFICATE

STATE OF IOWA )
) SS
COUNTY OF CARROLL )

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2019.

_____
City Clerk, City of Carroll, State of Iowa

(SEAL)

01626455-1\10275-072

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9 OF THE CARROLL MUNICIPAL CODE, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED CENTRAL BUSINESS DISTRICT PROJECT AREA, IN THE CITY OF CARROLL, COUNTY OF CARROLL, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CARROLL, COUNTY OF CARROLL, CARROLL COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED CENTRAL BUSINESS DISTRICT PROJECT AREA **(SIXTH AMENDED AND RESTATED URBAN RENEWAL PLAN)**

WHEREAS, the City Council of the City of Carroll, State of Iowa, has heretofore, in Chapter 9 of the Carroll Municipal Code, provided for the division of taxes within the Central Business District Project Area ("Central Business District Project Area" or "Urban Renewal Area"), pursuant to Section 403.19, Code of Iowa; and

WHEREAS, additional territory now has been added to the Central Business District Project Area through the adoption of the Sixth Amended and Restated Urban Renewal Plan (the "Urban Renewal Plan") for the Central Business District Project Area; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Central Business District Project Area, and the continuing needs of redevelopment within the amended Central Business District Project Area are such as to require the continued application of the incremental tax resources of the amended Central Business District Project Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARROLL, STATE OF IOWA, THAT:

Chapter 9 of the Carroll Municipal Code, to the extent applicable to the Central Business District Project Area, including Ordinances Nos. 8502, 9001, 9120, 0817, 1412, and 1701, is hereby amended to read as follows:

Section 1. For purposes of this Chapter, the following terms shall have the following meanings:

a) Original Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 1967, which Original Project Area includes the lots and parcels located within the area legally described as follows:

> Commencing at the intersection of the centerline of Sixth Street and the easterly right of way line of Court Street; thence South along said easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence West along said southerly right of way line of Fifth Street to the easterly right of way line of Main Street; thence south along the right of way line of Main Street to the southerly right of way line of Fourth Street; thence west along said southerly right of way line of Fourth Street to a point approximately 15 feet northeasterly and parallel to the northeastern-most track of the Chicago & Great Western Railroad; thence northwesterly (approximately 15') parallel to the railroad track to the westerly line of the north-south alley extended between West Street and Carroll Street; thence north along the westerly line of said alley to the centerline of Sixth Street; thence east along said centerline of Sixth Street to the point of beginning.

b) First Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 1971, which First Amended Project Area includes the lots and parcels located within the area legally described as follows:

> Block 23 located between 5th, Main, 4th, and Court Streets.

c) Second Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 1985, which Second Amended Project Area includes the lots and parcels located within the area legally described as follows:

> Commencing at the southeast corner of the intersection of Fourth Street with Adams Street; thence westerly along the southerly right of way line of Fourth Street to the easterly right of way line of Carroll Street; thence southerly to a point approximately 40 feet north of the northerly track of the Chicago and Northwestern Railroad; thence westerly approximately 40 feet parallel to said northerly track to a point approximately 600 feet west of the westerly right of way line of West Street; thence northerly parallel to and 600 feet west of West Street to the middle of Sixth Street; thence easterly along the middle of Sixth Street to the westerly line of the alley between West Street and Carroll Street; thence south along the westerly line of said alley to a point 15 feet northeast of the former northeast track of the Chicago and Great Western Railroad; thence southeasterly 15 feet parallel to said former track to the point of beginning.

d) Third Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 1990, which Third Amended Project Area includes the lots and parcels located within the area legally described as follows:

> Commencing at the center of the intersection of Fourth Street with the centerline of Adams Street; thence southerly to a point approximately 30 feet north of the westerly main track of the Chicago and Northwestern Railroad; thence westerly,

approximately 30 feet parallel to said westerly track, to the intersection with the centerline of Highway 71; thence northerly along the centerline of Highway 71 to its intersection with the centerline of Highway 30; thence southeasterly along the centerline of Highway 30 to the intersection with West Sixth Street extended; thence westerly along the centerline of West Sixth Street to a point 600 feet west of West Street; thence southerly parallel to and 600 feet west of West Street to a point 30 feet north of the northerly track of the Chicago and Northwestern Railroad; thence Southeasterly 30 feet parallel to the northerly track of the Chicago and Northwestern Railroad to the easterly right of way line of Carroll Street; thence north to the Southerly right of way line of Fourth Street; thence easterly along the Southerly right of way line of Fourth Street to the point of beginning.

e) Fourth Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 1991, which Fourth Amended Project Area includes the lots and parcels located within the area legally described as follows:

Beginning at the Intersection of U.S. Highway No. 30 and U.S. Highway No. 71 in Carroll, Carroll County, Iowa; thence Northwesterly along the centerline of said U.S. Highway 30 to the South line of the Northeast Quarter of the Northeast Quarter of Section 23, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa; thence East to the Easterly line of the northeast access road extended, running parallel to and east of U.S. Highway 71, thence southerly along the east line of the northeast access road to the centerline of Tenth Street, thence westerly along the centerline of Tenth Street to the centerline of Highway No. 30; thence northwesterly to the point of beginning.

f) Fifth Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District in 2008, which Fifth Amended Project Area includes the lots and parcels located within the area legally described as follows:

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Court Street; thence southerly along said easterly right of way line of Court Street to the southerly right of way line of Fifth Street; thence easterly along said southerly right of way line of Fifth Street to the easterly right of way line of Grant Road; thence northerly along said easterly right of way line of Grant Road to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Simon Avenue; thence northerly along said easterly right of way line of Simon Avenue to the northerly right of way line of Eighth Street; thence westerly along said northerly right of way line of Eighth Street to the easterly right of way line of Salinger Avenue; thence northerly along said easterly right of way line of Salinger Avenue to the northerly right of way line of Ninth Street; thence westerly along said northerly right of way line of Ninth Street to the easterly right of way line of Boylan Avenue; thence northerly along said easterly right of way line of Boylan Avenue to the northerly right of way line of Tenth Street; thence westerly along the northerly right of way line of Tenth Street to the southeast corner of Lot 7 of Neu Add., Sub of Block 4 and Resubdivision of Lot 5;

thence northerly along the westerly lot lines of Neu Add., Sub of Block 4 and Resubdivision of Lot 5 to the northerly right of way line of Fifteenth Street; thence westerly along the northerly right of way line of Fifteenth Street to the easterly line of the northeast access road extended, east of U.S. Highway 71; thence southerly along the easterly line of the northeast access road to the northerly right of way line of Tenth Street; thence westerly along said northerly right of way line of Tenth Street to the centerline of Sixth Street (U.S. Highway 30); thence southeasterly along said centerline of Sixth Street (U.S. Highway 30) to the point of beginning.

g) Sixth Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 2014, which Sixth Amended Project Area includes the lots and parcels located within the area legally described as follows:

Commencing at the intersection of the centerline of Sixth Street (U.S. Highway 30) and the easterly right of way line of Grant Road; thence southerly along the easterly right of way line of Grant Road to the northerly right-of-way line of the Union Pacific Railroad; thence southeasterly along said northerly right-of-way line of the Union Pacific Railroad to the southwest corner of the East 81 feet of that part of the East Half of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M., lying north of the right-of-way of the Union Pacific Railroad; thence northerly along said westerly property line thereof to the southwest corner of Lot 26 of the Northeast Quarter of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the 5th P.M.; thence easterly along said southerly property line of Lot 26 to the southeast corner of said Lot 26; thence northerly to the southerly right of way line of Highway 30; thence easterly along the said southerly right of way line of Highway 30 to the easterly right of way line of Bella Vista Drive; thence northerly along said easterly right of way line of Bella Vista Drive to a point parallel with the north property line of Lot E of Bella Vista First Addition First Resubdivision to the City of Carroll; thence westerly across Bella Vista Drive, and continuing westerly along the north property line of said Lot E of Bella Vista First Addition First Resubdivision; thence southerly along the west property line of said Lot E of Bella Vista First Addition First Resubdivision; thence westerly along the south property line of Lot F of Bella Vista First Addition First Subdivision to the City of Carroll to the easterly right of way line of Monterey Drive; thence northerly along said easterly right of way line of Monterey Drive to a point parallel with the northerly right of way line of Eighth Street; thence westerly across Monterey Drive and continuing westerly along said northerly right of way line of Eighth Street, continuing westerly along the north property line of Lot 2, (except Lots A, C, D, E, and F thereof) Southeast Quarter of the Southwest Quarter of Section 19, Township 84 North, Range 34 West of the 5th P.M., Carroll, and continuing westerly along the northerly right of way line of Eighth Street, to the westerly right of way line of Vine Street; thence southerly along said westerly right of way line of Vine Street to the northerly right of way line of Seventh Street; thence westerly along said northerly right of way line of Seventh Street to the easterly right of way line of Grant Road; thence southerly along said easterly right of way line of Grant Road to the point of beginning.

h) Seventh Amended Project Area means that portion of the City of Carroll, State of Iowa, included in the Central Business District Project Area in 2016, which Seventh Amended Project Area includes the lots and parcels located within the area legally described as follows:

> Commencing at the intersection of the westerly right of way line of Court Street and the Southerly right of way line of Fifth Street; thence East along said southerly right of way line of Fifth Street to the easterly right of way line of Clark Street; thence South along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the easterly right of way line of Main Street; thence North along said easterly right of way line of Main Street to the northerly right of way line of Fourth Street; thence East along said northerly right of way line of Fourth Street to the westerly right of way line of Court Street; thence North along said westerly right of way line of Court Street to the southerly right of way line of Fifth Street.

i) Eighth Amended Project Area means that portion of the City of Carroll, State of Iowa, include in the Central Business District Project Area by the Sixth Amended and Restated Urban Renewal Plan for the Central Business District Project Area approved by Resolution No. 19-67 on the 9th day of September, 2019, which Eighth Amended Project Area includes the lots and parcels located within the area legally described as follows:

> Commencing at the intersection of the easterly right of way line of Clark Street and the northern boundary of the railroad right of way; thence West along the northern boundary of the railroad right of way to the westerly right of way line of Main Street; thence South along said westerly right of way line of Main Street to the southerly right of way line of Second Street; thence East along said southerly right of way line of Second Street to the easterly right of way line of Court Street; thence North along said easterly right of way line of Court Street to the southerly right of way line of Third Street; thence East along said southerly right of way line of Third Street to the easterly right of way line of Clark Street; thence North along said easterly right of way line of Clark Street to the northern boundary of the railroad right of way and the point of beginning.

j) Amended Area shall mean that portion of the City of Carroll, State of Iowa, described in Section 1, subsection (a)-(i).

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, City of Carroll, County of Carroll, Carroll Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3. As to the Original Project Area, that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Original Area upon the total sum of the assessed value of the taxable property in the Original Project Area as shown on the assessment roll as of January 1, 1966, being the assessment roll last equalized prior to the adoption of the original Urban Renewal Plan for the

Central Business District Project Area, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to the First Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1970, being the assessment roll last equalized prior to the adoption of the First Amendment to the Urban Renewal Plan for the Central Business District Project Area.

As to the Second Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1983, being the assessment roll last equalized prior to the adoption of the Second Amendment to the Urban Renewal Plan for the Central Business District Project Area.

As to the Third Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1989, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 9001.

As to the Fourth Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1990, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 9120.

As to the Fifth Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2007, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 0817.

As to the Sixth Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2013, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1412.

As to the Seventh Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2016, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1701.

As to the Eight Amended Project Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2018, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of this Ordinance.

Section 4. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously

established by the City of Carroll, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12, Code of Iowa, incurred by the City of Carroll, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, as amended, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa,(but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Area exceeds the total assessed value of the taxable property in the areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Carroll, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Amended Area under the provisions of Section 403.19, Code of Iowa, as authorized in Chapter 9 of the Carroll Municipal Code, and to fully implement the provisions of Section 403.19, Code of Iowa, with respect to the division of taxes from property within the Eight Amended Project Area as described above. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Area to the maximum period of time allowed by Section 403.19, Code of Iowa. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Amended Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2019.

_____
Mayor

ATTEST:

_____
City Clerk

Read First Time: _____, 2019

Read Second Time: _____, 2019

Read Third Time: _____, 2019

PASSED AND APPROVED: _____, 2019.

I, _____, City Clerk of the City of Carroll, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2019, signed by the Mayor on _____, 2019, and published in the Carroll Times Herald on _____, 2019.

_____
City Clerk, City of Carroll, State of Iowa

(SEAL)

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