

ORDINANCE NO. 054

AN ORDINANCE AMENDING ORDINANCE NO. 048 (AS APPROVED ON FEBRUARY 28, 2012 AND ON SEPTEMBER 3, 2013), PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED WEBSTER COUNTY REGIONAL URBAN RENEWAL AREA, IN WEBSTER COUNTY, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, WEBSTER COUNTY, PRAIRIE VALLEY COMMUNITY SCHOOL DISTRICT, SOUTHEAST WEBSTER-GRAND COMMUNITY SCHOOL DISTRICT, FORT DODGE 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 COUNTY IN CONNECTION WITH THE AMENDED WEBSTER COUNTY REGIONAL URBAN RENEWAL AREA (**AMENDMENT NO. 4 TO THE WEBSTER COUNTY REGIONAL URBAN RENEWAL PLAN**)

WHEREAS, the Board of Supervisors of Webster County, State of Iowa, has heretofore, in Ordinance No. 048, as adopted on February 28, 2012 and amended on September 3, 2013, provided for the division of taxes within the Webster County Regional Urban Renewal Area ("Area" or "Urban Renewal Area"), pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, additional territory now has been added to the Webster County Regional Urban Renewal Area through the adoption of Amendment No. 4 to the Webster County Regional Urban Renewal Plan; and

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF WEBSTER COUNTY, STATE OF IOWA, THAT:

Ordinance Number 048 and prior related Ordinances, if any, are hereby amended to read as follows:

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

(a) Original Area means that portion of Webster County, State of Iowa, described in the Urban Renewal Plan for the Webster County Regional Urban Renewal Area approved by Resolution on the 29th day of May, 2007, which Original Area includes the lots and parcels located within the area legally described as follows:

ORIGINAL AREA

The West Half (W ½) of Section Twenty (20), Township Eighty-nine (89) North, Range Twenty-nine (29), West of the 5th P.M., Webster County, Iowa;

And,

The North Part (N) of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) North of the Railroad in Section Twenty-nine (29), Township Eighty-nine (89) North, Range Twenty-nine (29), West of the 5th P.M., Webster County, Iowa;

And,

The North Part (N) of the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) North of the Railroad in Section Twenty-nine (29), Township Eighty-nine (89) North, Range Twenty-nine (29), West of the 5th P.M., Webster County, Iowa;

And,

All that part of the South Fractional Half (S frl 1/2) lying North of Right of Way of Illinois Central Gulf Railroad Company of Section Nineteen (19), Township Eighty-nine (89) North, Range Twenty-nine (29), West of the 5th P.M., Webster County, Iowa;

And,

That part of the North Half (N ½) of the Northeast Quarter (NE ¼) of Section Thirty (30), Township Eighty-nine (89) North, Range Twenty-nine (29), lying North of the Illinois Gulf Central Railroad Company Right of Way, all West of the 5th P.M., Webster County, Iowa;

And,

A parcel located in the Northeast Quarter (NE ¼) of Section Nineteen (19), Township Eighty-nine (89) North, Range Twenty-nine (29) West of the 5th P.M., Webster County, Iowa, more particularly described as follows: Commencing at the North Quarter Corner of said Section 19; thence South 88°43'40" East, 319.68 feet

along the north line of said Northeast Quarter to the Northeast Corner of an existing tract as described in County Recorder's Inst. #2003-00692; thence South 00°14'44" East, 86.20 feet along the east line of said existing tract to a point on the south right of way line of Highway #7 (said point also being the point of beginning); thence South 00°14'44" East, 2540.77 feet along said east line to a point on the south line of said Northeast Quarter; thence North 88°37'57" West, 120.05 feet along said south line; thence North 00°14'44" West, 2540.25 feet to a point on said south right of way line; thence South 88°52'48" East, 120.03 feet along said south right of way line to the point of beginning containing 7.00 acres total. NOTE: For the purpose of this survey, the north line of said Northeast Quarter was determined to bear South 88°43'40" East using GPS.

(b) Amendment No. 1 Area means that portion of Webster County, State of Iowa, described in Amendment No. 1 to the Urban Renewal Plan for the Webster County Regional Urban Renewal Area approved by Resolution on the 28th day of February, 2012, which Amendment No. 1 Area includes the lots and parcels located within the area legally described as follows:

AMENDMENT NO. 1 AREA

Block 1 Lots 5,6,7,8, and 9, and adjoining alley, Block 4 lots 5, 6, 7, 8, 9 and Vacated Alley of the Original Town of Tara, Iowa; AND

Iowa Highway 7 from Fairbanks Avenue east approximately 2.5 miles to north-south Union Pacific railroad crossing at the northeast corner of Valero property; AND

Hayes Avenue south from Iowa Highway 7 south and east approximately 1.5 miles to north-south Union Pacific railroad crossing at the southeast corner of Cargill property in Tara; AND

First Street south from Powers Street to Hayes Avenue in Original Towns of Tara, Iowa; AND

Powers Street between First Street and Taylor Street in Original Towns of Tara, Iowa; AND

Taylor Street south from 200th Street to Hayes Avenue; AND

Harvest Avenue from Iowa Highway 7 south approximately 0.5 mile to Cargill property; AND

Fairbanks Avenue from Iowa Highway 7 south approximately 0.75 mile to the east-west Canadian National Railroad crossing; AND

The Northwest Quarter (1/4) of Section 24, Township Eighty-nine (89) North, Range Thirty (30), West of the 5th P.M., AND

The Northeast Quarter (1/4) of Section 24, Township Eighty-nine (89) North, Range Thirty (30), West of the 5th P.M., and

The Southwest (1/4) of Section 24 North of the Railroad, Township Eighty-nine (89) North, Range Thirty (30), West of the 5th P.M., AND

The Southeast (1/4) of Section 24 North of the Railroad, Township Eighty-nine (89) North, Range Thirty (30), West of the 5th P.M., AND

The Northwest Quarter (1/4) of Section 19, Township Eighty-nine (89) North, Range Twenty-Nine (29), West of the 5th P.M., AND

The Northeast Quarter (1/4) of Section 19, Township Eighty-nine (89) North, Range Twenty-Nine (29), West of the 5th P.M., Webster County, Iowa.

The area includes the full right-of-way of all adjacent roads.

(c) Amendment No. 2 Area means that portion of Webster County, State of Iowa, described in Amendment No. 2 to the Urban Renewal Plan for the Webster County Regional Urban Renewal Area approved by Resolution on the 21st day of August, 2012, which Amendment No. 2 Area includes the lots and parcels located within the area legally described as follows:

AMENDMENT NO. 2 AREA

Barnum New Coop

A parcel of land located in the Northeast One Quarter of Section 21, Township 89 North, Range 30 West of the 5th P.M., Webster County, Iowa, more particularly described as follows: Commencing at the East One Quarter corner of said Section 21; thence North along the East line of the NE 1/4 of said Section 21, 268.3 feet to the point of beginning. Said point also being on the Northerly RR ROW line; thence N 81°50'50" W along said ROW 1294.9 feet; thence N 0°22'50" W, 236.67 ft.; thence N 89°00'E, 1283.58 feet to a point on the East line of said NE 1/4; thence South along said line 442.69 feet to the point of beginning. Said parcel contains 10.00 acres, subject to public road easements. The East line of the Northeast One Quarter of said Section 21-89-30 is assumed to bear due South.

Lanyon New Coop

Out Lot Nos. One, Two, Three, Four, Five and Six, in the Original Town of Lanyon, Webster County, Iowa, subject to easements of record, AND a triangular piece of land in the Northeast corner of the Northwest Quarter of the Northwest Quarter of

Section No. Thirty-five, in Township Eighty-six North, Range Twenty-nine West of the Fifty P.M., Webster County, Iowa, bounded as follows on the North by the North line of said Section Thirty-five; on the East by the East line of said Northwest Quarter of the Northwest Quarter; on the South by the North line of the right of way of the Fort Dodge, Des Moines & Southern Railroad, subject to easements of record.

Roelyn New Coop

- All of the Unincorporated Town of Roelyn including vacated streets and alleys EXCEPT the following; Outlot A, Block 10 Lots 1-12, Block 8 Lots 7-9, 20, Block 12 Lots 1-9 and (Star Energy) Part of Lots 12, 13,14,15, 16 and 17 all in Block 8 of the Town of Roelyn, Webster County, Iowa, Particularly described as follows: Beginning at the Southwest corner of said Lot 17; thence South 89°44'00" East 16.00 feet along the South line of the said Lot 17; thence North 38°54'00" East 174.18 feet to a point on the Easterly line of the said Lot 12; thence North 31°30'52" West 35.99 feet along the said Easterly line to the Northeast corner of the said Lot 12; thence South 58°29'08" West 125.00 feet along the Northerly line of the said Block 8 to the Northwest corner of the said Lot 17: thence South 00°00'00" West 100.82 feet along the West line of the said Lot 17 to the point of beginning, containing 0.22 acres. Note: The South line of the said Lot 17 was assumed to bear South 89°44'00" East.
- A parcel of land in the NE ¼ of Section 29-88-30, West of the 5th P.M., Webster County, Iowa, more particularly described as follows: Commencing at the Northeast corner of said Section 29; thence N 90°00'00" W 522.7 feet along the North line of said NE ¼ to the Southeasterly right of way line of the Union Pacific Railroad; thence S 57°59'20" W 348.5 feet along said right of way line to point of beginning; thence N 89°39'00" E 91.5 feet to a point 48.0 feet Southeasterly as measured perpendicular to said right of way line; thence S 57°59'20" W 1815.0 feet parallel to said right of way line; thence S 89°39'00" W 91.5 feet to said right of way line; thence N 57°59'20" E 1815.0 feet along said right of way line to point of beginning, containing 2.00 acres.
- A parcel of land located in the NW ¼ of the NW ¼ of Section 28-88-30 West of the 5th P.M., Webster County, Iowa described as follows: Commencing at the Northwest corner of the NW ¼ of said Section 28; thence N 90°00'00" E 351.71 feet along the North line of the said NW ¼ to the point of beginning; thence continuing N 90°00'00" E 969.95 feet along the said North line to the Northeast corner of the NW ¼ of the NW ¼; thence S 00°12'08" E 241.71 feet along the East line of the said NW ¼ of the NW ¼; thence N 90°00'00" W 970.24 feet; thence N 00°08'02" W 241.71 feet to the point of beginning, containing 5.38 acres.
- The tract of land only in the SE ¼ of the SW ¼ and NE ¼ of the SW ¼ of Section 21-88-30 of the following description: Commencing at the SW corner of said Section 21; thence north 207.5 feet; thence North 58°30' East 1077.2 feet along the northerly right-of-way line of Main Street and Railroad Ave, to the point of beginning; thence south 129.0 feet; thence North 55°59' East 544.0 feet; thence

North 37°55' East 83.1 feet; thence North 89°07' East 263.0 feet; thence North 0°53' East 303.0 feet; thence North 48°47' East 178.4 feet to a point on the southerly right-of way line of the RR; thence South 58° 30' West 572.0 feet along said right-of-way line to a point on the east line of the SW ¼ of the SW ¼ of said Section 21; thence South 0°25' East 116.76 feet along said east Quarter-Quarter line; thence South 58°30' West 477.8 feet along the northerly right-of-way line of Railroad Ave to the point of beginning.

- That part of the SW ¼ of the SW ¼ of Section 21-88-30 bounded as follows: On the east by the east line of said Quarter-Quarter Section; on the south by the north line of Town of Roelyn; on the west by the east ROW line of Carter Avenue; and on the north by the south RR ROW line.
- That part of the NE ¼ of the NE ¼ of Section 29-88-30 bounded as follows: On the north by the north line of said Quarter-Quarter Section; on the east by the west line of Town of Roelyn; on the south by a line parallel with and distance of 179.86 feet from the north line of said Quarter-Quarter Section; and on the west by the south line of RR ROW.
- All that part of the SE ¼ of the SE ¼ that lies south and east of the RR ROW and is not in the Town of Roelyn in Section 20-88-30.

AND

The roads being added to the Webster County Regional Urban Renewal Area as a result of Amendment #2 are described as follows:

P-29 (Fairbanks) from Humboldt County Line to Highway 7 for 9.00 miles;

P-29 (Baxter/Dakota) from Highway 7 to D-36 for 7.80 miles;

C-66 (140th) from Pocahontas County Line to Highway 169 for 10.90 miles;

210th Street from P-29 (Dakota) to Fairbanks Avenue for 2.00 miles;

Fairbanks Avenue from 210th Street to RR Xing N. of 200th Street for 1.20 miles;

D-36 from Calhoun County Line to D-26 (230th) for 7.20 miles;

P-33 (Fairbanks) from D-36 to Greene County Line for 16.50 miles;

D-43 (290th/295th) from P-33 (Fairbanks) to Highway 169 for 6.30 miles;

D-60 (350th) from Calhoun County Line to P-33 (Fairbanks) for 5.00 miles;

D-68/390th Street from P-33 (Fairbanks) to P-46 (Lainson) for 6.00 miles;

Carter Avenue from 260th Street to D-36 for 0.11 miles;

260th Street from Carter Avenue to 2nd Street for 0.16 miles;

2nd Street from 260th Street to North Line of Alley in Block 7 for 0.11 miles;

1st Street from 260th Street to Main Street for 0.07 miles;

Main Street from Carter Avenue to 2nd Street for 0.17 miles;

Alley in Block 9 from 1st Street to 2nd Street for 0.07 miles;

Alley in Block 8 from 260th Street to 1st Street for 0.08 miles.

(d) Amendment No. 3 did not add land to the Urban Renewal Area.

(e) Amendment No. 4 Area means that portion of Webster County, State of Iowa, described in Amendment No. 4 to the Urban Renewal Plan for the Webster County Regional Urban Renewal Area approved by Resolution on the 17th day of May, 2016, which Amendment No. 4 Area includes the lots and parcels located within the area described as follows:

TOWER NO.	STREET	DIST. & DIR.	CROSS STREET
8	Indiana Ave	2663'-S	260th Street
11	Hayes Ave	1380'-S	270th Street
12	Indiana Ave	417'-S	270th Street
13	Hayes Ave	2472'-N	280th Street
14	Indiana Ave	2608'-N	280th Street
19	280th Street	606'-W	Indiana Ave
20	280th Street	1342'-E	Indiana Ave
21	280th Street	1402'-W	Johnson Ave
22	Johnson Ave	2208'-S	280th Street
24	Kansas Ave	2097'-N	290th Street
25	290th Street	1405'-W	Kansas Ave
26	Kansas Ave	2608'-S	290th Street
27	300th Street	2193'-W	Kansas Ave
28	300th Street	711'-W	Kansas Ave
29	Kansas Ave	1213'-S	290th Street
39	280th Street	1854'-W	Madison Ave
40	290th Street	2585'-W	Madison Ave
41	Nelson Ave	1080'-S	280th Street
42	Nelson Ave	1818'-N	290th Street
43	Nelson Ave	1654'-S	280th Street
44	Oak Ave	2209'-S	280th Street

TOWER NO.	STREET	DIST. & DIR.	CROSS STREET
45	Oak Ave	2462'-S	280th Street
47	Madison Ave	1337'-S	290th Street
48	300th Street	1890'-W	Madison Ave
49	Madison Ave	1323'-N	300th Street
53	Oak Ave	647'-S	290th Street
57	310th Street	2600'-E	Lainson Ave
58	300th Street	2619'-E	Lainson Ave
59	Madison Ave	1622'-N	310th Street
60	300th Street	658'-E	Madison Ave
61	300th Street	2235'-W	Nelson Ave
62	300th Street	736'-W	Nelson Ave
63	310th Street	1955'-E	Madison Ave
64	Nelson Ave	965'-N	310th Street
65	310th Street	2167'-E	Nelson Ave
66	Oak Ave	1768'-N	310th Street
67	Oak Ave	1663'-N	310th Street
70	320th Street	2168'-W	Kansas Ave
71	310th Street	879'-E	Kansas Ave
72	310th Street	933'-W	Lainson Ave
73	320th Street	2062'-W	Lainson Ave
75	Lainson Ave	577'-S	310th Street
76	Madison Ave	1344'-S	310th Street
77	Madison Ave	1807'-N	320th Street
78	Madison Ave	1669'-S	310th Street
79	310th Street	1340'-W	Nelson Ave
80	310th Street	2167'-E	Nelson Ave
81	Oak Ave	849'-S	310th Street
82	310th Street	2597'-E	Oak Ave
85	330th Street	2076'-W	Johnson Ave
86	320th Street	879'-E	Johnson Ave
89	Kansas Ave	1738'-S	320th Street
90	Kansas Ave	1047'-S	320th Street
91	330th Street	1434'-W	Kansas Ave
92	Lainson Ave	2128'-S	320th Street
93	Madison Ave	1031'-S	320th Street
94	Madison Ave	1679'-N	330th Street
95	Madison Ave	1065'-S	320th Street

TOWER NO.	STREET	DIST. & DIR.	CROSS STREET
96	330th Street	2187'-E	Madison Ave
97	330th Street	1763'-W	Nelson Ave
98	Nelson Ave	2138'-S	320th Street
101	330th Street	1776'-W	Oak Ave
102	330th Street	2202'-E	Indiana Ave
103	330th Street	1576'-W	Johnson Ave
107	Johnson Ave	2261'-S	330th Street
108	Kansas Ave	2132'-S	330th Street
109	Johnson Ave	1029'-N	340th Street
112	Kansas Ave	1814'-N	340th Street
113	330th Street	2602'-E	Kansas Ave
117	Oak Ave	2061'-N	340th Street
118	Oak Ave	1616'-S	330th Street
119	330th Street	1283'-E	Oak Ave
120	330th Street	2026'-E	Oak Ave
126	340th Street	28'-E	Johnson Ave
130	Kansas Ave	607'-N	350th Street
6,7	Hayes Ave	2051'-N	270th Street
104-106	Johnson Ave	1366'-N	340th Street
110-111	Kansas Ave	1365'-N	340th Street
114-116	330th Street	1677'-E	Madison Ave
121-122	Oak Ave	1294'-N	340th Street
124-125	Iowa Ave	1891'-S	340th Street
127, 129	Kansas Ave	1685'-N	350th Street
15-16	280th Street	2625'-E	Indiana Ave
30-31	Kansas Ave	2304'-N	300th Street
50-51	Nelson Ave	1984'-W	290th Street
52, 54	Oak Ave	1957'-N	300th Street
68-69	Kansas Ave	2619'-S	310th Street
83-84	Johnson Ave	1798'-S	320th Street
87-88	Johnson Ave	1870'-N	330th Ave
99-100	Oak Ave	1932'-S	320th Street

AND

The easement and/or leasehold interest belonging to the wind energy conversion property owners. These access roads for which the easement rights are included are shown on the map identified as "Exhibit B."

AND

The area also includes the traveled portion, including shoulders, bridge approaches, and culvert locations, of the following public roads:

ROUTE	FROM	TO	LENGTH (MILES)
220TH ST	HAYES AVE	GEORGE AVE	0.70
225TH ST	JOHNSON AVE	KANSAS AVE	1.00
230TH ST	KANSAS AVE	HWY 169	0.70
230th ST	CALHOUN COUNTY	D36	5.75
235TH ST	HWY 169	RIVERSIDE TRAIL	2.40
235TH ST	NELSON AVE	SWALLOW AVE	3.40
240TH ST	JOHNSON AVE	LAINSON AVE	2.00
245TH ST	SWALLOW AVE	SAMSON AVE	1.00
250TH ST	LAINSON AVE	MINING BLVD	1.75
255TH ST	ROADWAY ST	OAK AVE	1.25
260TH ST	FAIRBANKS AVE	JOHNSON AVE	4.00
260TH ST / DOLLIVER PARK RD	OAK AVE	286TH ST	4.40
265TH ST	MADISON AVE	OAK AVE	2.00
270TH ST	NELSON AVE	OSCEOLA AVE	1.50
274TH ST	OSCEOLA AVE	PARAGON AVE	0.50
280TH ST	FAIRBANKS AVE	PARAGON AVE	9.75
290TH ST / OLD HWY 50	HWY 169	SAMSON AVE	7.10
300TH ST	HAYES AVE	PARAGON AVE	8.00
310TH ST	KANSAS AVE	PARAGON AVE	5.25
320TH ST	GARFIELD AVE	PARAGON AVE	9.00
330TH ST	GARFIELD AVE	SAMSON AVE	12.00
340TH ST	IOWA AVE	KANSAS AVE	1.50
350TH ST	IOWA AVE	KANSAS AVE	1.50
350TH ST	OAK AVE	PARAGON AVE	1.00
D20	D36	HWY 169	4.60
GARFIELD AVE	HWY 175 (360TH ST)	D43 (295TH)	6.50
GARFIELD AVE	D43 (290TH ST)	DEAD END	1.80
GEORGE AVE	230TH ST	220TH ST	1.00
HAWKEYE AVE	290TH ST	280TH ST	1.00
HAYES AVE	300TH ST	290TH ST	1.00
HAYES AVE	DEAD END	260TH ST	2.30
HIGHWAY ST	255TH ST	250TH ST	0.50
INDIANA AVE	280TH ST	260TH ST	2.00
IOWA AVE	350TH ST	340TH ST	1.00
JOHNSON AVE	340TH ST	320TH ST	2.00
JOHNSON AVE	300TH ST	225TH ST	7.50
KANSAS AVE	230TH ST	OLD HWY 169	0.50
KANSAS AVE	350TH ST	280TH ST	7.00
LAINSON AVE	330TH ST	310TH ST	2.00
MADISON AVE	330TH ST	D43 (290TH ST)	4.00

ROUTE	FROM	TO	LENGTH (MILES)
MADISON AVE	280TH ST	250TH ST	3.00
MINING BLVD	250TH ST	RIVERSIDE TRAIL	1.30
NELSON AVE	330TH ST	255TH ST	7.50
NELSON AVE	255TH ST	P6D (235TH ST)	2.30
OAK AVE	350TH ST	280TH ST	7.00
OAK AVE	265TH ST	255TH ST	1.00
OLD HWY 169	HWY 169	THEATRE ROAD	1.40
OSCEOLA AVE	280TH ST	260TH ST	2.00
PARAGON AVE	360TH ST	274TH ST	8.75
QUAIL AVE	290TH ST	286TH ST	0.50
RACINE AVE	360TH ST	330TH ST	3.00
RIVERSIDE TRAIL	P59	235TH ST	1.60
SAMSON AVE	330TH ST	250TH ST	9.00
SWALLOW AVE	245TH ST	235TH ST	1.00
THEATRE ROAD	225TH ST	HWY 169	0.70
TOTAL			182.20

AND

Parcel "A" in the Northeast Quarter of the Southwest Quarter of Fractional Section 3, Township 88 North, Range 29 West of the Fifth Principle Meridian, Webster County, Iowa.

Commencing at the West Quarter Corner of Fractional Section 3, Township 88 North, Range 29 West of the Fifth Principle Meridian, Webster County, Iowa; thence South 90°00'00" East 2114.94 feet along the north line of the Southwest Quarter of said Section 3 to the Point of Beginning; thence South 00°00'39" East 764.98 feet along the east line of a Plat of Survey recorded as Book 65, Page 376 in the Webster County Recorder's Office; thence South 90°00'00" East 587.19 feet to the east line of the Southwest Quarter of said Section 3; thence North 00°15'49" West 764.99 feet to the north line of the Southwest Quarter of said Section 3; thence North 90°00'00" West 583.81 feet along the north line of the Southwest Quarter of said Section 3 to the Point of Beginning containing 10.28 acres, more or less, and is subject to other easements and restrictions of record. For the purpose of this description, the north line of the Southwest Quarter of said Fractional Section 3 is assumed to bear South 90°00'00" East.

(f) Amended Area means that portion of Webster County, State of Iowa, included within the Original Area, Amendment No. 1 Area, Amendment No. 2 Area, and Amendment No. 4 Area, which Amended Area includes the lots and parcels located within the area described in (a) - (e) above.

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, County of Webster, Iowa, Prairie Valley Community School District, Southeast Webster-Grand Community School District, Fort

Dodge 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 Area and Amendment No. 1 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 and the Amendment No. 1 Area upon the total sum of the assessed value of the taxable property in the Original Area and the Amendment No. 1 Area as shown on the assessment roll as of January 1, 2012, being the first day of the calendar year preceding first calendar year in which Webster County first certified to the Auditor of Webster County the amount of loans, advances, indebtedness or bonds payable from the division of property tax revenue described herein, 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 Original Area and Amendment No. 1 Area.

As to Amendment No. 2 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, 2012, being the assessment roll applicable to property in such area as of January 1 of the calendar year preceding the effective date of Ordinance 048 (as approved on September 3, 2013).

As to Amendment No. 4 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 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 Webster County, 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 of the Code of Iowa, incurred by Webster County, 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 Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 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 subareas of the Amended Area exceeds the total assessed value of the taxable property in the subareas 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 Webster County, 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 Original Area, Amendment No. 1 Area, and Amendment No. 2 Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance No. 048 and prior related Ordinances, if any, and to fully implement the provisions of Section 403.19 of the Code of Iowa with respect to the division of taxes from property within the Amendment No. 4 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 Amended Area to the maximum period of time allowed by Section 403.19 of the 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 of the 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 29th day of October, 2019.

S/Mark Campbell
Chairperson, Board of Supervisors

ATTEST:

S/Doreen Pliner
County Auditor

Read First Time: October 22, 201

Read Second Time: Waived October 22, 2019

Read Third Time: October 29, 2019