

ORDINANCE NO. 30

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the October, 2020 Addition to the Ida County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the Board of Supervisors of Ida County, Iowa (the "County") previously enacted an ordinance entitled "An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The Ida County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Ida County Urban Renewal Area in the County was designated a "tax increment district"; and

WHEREAS, the Board of Supervisors now desires to increase the size of the "tax increment district" by adding additional property;

BE IT ENACTED by the Board of Supervisors of Ida County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the October, 2020 Addition to the Ida County Urban Renewal Area of the County, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the County to finance projects in such Area.

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

"County" shall mean Ida County, Iowa.

"2020 Urban Renewal Area Addition" shall mean the October, 2020 Addition to the Ida County Urban Renewal Area of Ida County, Iowa, the legal description of which is set out below, approved by the Board of Supervisors by resolution adopted on October 27, 2020:

Certain real property situated in Ida County, State of Iowa, more particularly described as follows:

That part South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Three (3), Township Eighty-seven (87) North, Range Forty (40), West of the 5<sup>th</sup> P.M., Ida County, Iowa, laying East of the Public Highway described as follows:

Commencing at the Southwest Corner of said South Half of the Southwest Quarter; thence South 88 degrees 23 minutes 31 seconds East, assumed bearing along the south line thereof, a distance of 1392.94 feet to the northeasterly right of way line of Indian Avenue, also being the point of beginning of the tract to be described; thence continue South 88 degrees 23 minutes 31 seconds East, along said south line, a distance of 725.42 feet; thence North 02 degrees 30 minutes 59

seconds East, a distance of 732.95 feet; thence North 87 degrees 29 minutes 01 seconds West, a distance of 953.17 feet; thence South 02 degrees 30 minutes 59 seconds West, a distance of 517.78 feet to the said northeasterly right of way line; thence South 43 degrees 23 minutes 56 seconds East, along the northeasterly line, a distance of 252.66 feet; thence southeasterly, along said northeasterly line and along a tangential curve concave to the southwest, having a radius of 550.00 feet, a delta angle of 7 degrees 10 minutes 32 seconds for a distance of 68.88 feet to the point of beginning.

And also

Parcel A

A part of the Northeast Quarter of the Northwest Quarter of Section 10, Township 87 North, Range 40 West of the 5<sup>th</sup> P.M., Ida County, Iowa, describes as follows: Beginning at the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence South 89 Degrees 17' 21" East along the North Line of said Northeast Quarter of the Northwest Quarter, 408.22 Feet; Thence South 0 Degrees 42'39" West, 869.80 Feet to a point on the centerline of Indian Avenue; Thence North 17 Degrees 38'31" West along said centerline, 381.73 Feet; thence Northwesterly along said centerline and along a curve concave southwesterly, whose radius is 1432.50 Feet whose Arc Length is 581.03 Feet, and whose chord bears North 29 Degrees 14'00" West, 577.05 Feet to a point on the West line of said Northeast Quarter of the Northwest Quarter; Thence North 0 Degrees 47'36" East along said West Line, 7.46 Feet to the Point of Beginning and containing 3.34 Acres more or less, including 1.02 Acres more or less of public road right of way.

Property subject to any and all easements of record.

AND

Certain real property bearing the following Ida County Property Tax Parcel Identification Numbers:

08-03-378098	08-10-201001	09-14-426099	09-14-176099
09-13-226099	09-13-151099	09-12-301099	09-11-326099
09-11-226099	09-02-376099	04-36-301099	04-36-451099
05-31-301099	09-01-176099	08-06-276099	09-01-376099
09-01-451099	08-06-426099	08-07-126099	08-08-376099
08-08-426099	08-08-201099	08-08-126099	08-05-277099
08-05-151099	05-32-476099	05-32-151099	05-33-201099
05-29-101099	05-28-276099	05-28-126099	05-27-326099
05-27-201099	05-27-426099	05-26-251099	05-23-376099
05-23-376099	05-23-226099	05-23-126099	05-14-126099

05-11-401099	05-11-251099	05-10-151099	05-02-401099
05-01-251099	06-06-351099	06-06-451099	06-06-176099
06-05-126099	06-05-176099	06-07-301099	06-07-401099
06-08-376099	06-17-301099	06-17-401099	06-16-326099
06-16-151099	06-15-376099	06-10-326099	06-11-251099
06-11-151099	06-11-176099	06-12-376099	06-03-351099
06-03-276099	06-03-151099	06-02-226099	06-02-276099
06-22-351099	06-22-476099	06-23-326099	06-27-426099
06-26-176099	06-25-251099	06-26-451099	06-36-226099
04-26-276099	04-26-126099	04-24-476099	04-25-301099
05-30-376099	05-30-476099	05-09-126099	05-03-351099

“Urban Renewal Area” shall mean the entirety of the Ida County Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the 2020 Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the 2020 Urban Renewal Area Addition each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the 2020 Urban Renewal Area Addition is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the 2020 Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the 2020 Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the 2020 Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be

collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the 2020 Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the 2020 Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

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

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

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

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

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

First consideration passed by the Board of Supervisors of Ida County, Iowa, on October 27, 2020.



Chairperson

Attest:



County Auditor