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April 19, 2017

The City Council of the City of Hiawatha, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 101 Emmons Street, Hiawatha, Iowa, at 5:30 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 Amendment No. 12 to the Hiawatha Urban Renewal Plan, the Mayor first asked for the report of the Finance Director, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the Finance Director, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amendment, 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 Amendment No. 12 to the Hiawatha Urban Renewal Plan 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 AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 12 TO THE HIAWATHA URBAN RENEWAL PLAN" and moved:

☐ that the Resolution be adopted.

☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ _____.M. on the _____ day of _____, 2017, 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 AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 12 TO THE HIAWATHA URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 91-68, adopted June 19, 1991, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Hiawatha Urban Renewal Plan (the "Plan") for the Hiawatha Urban Renewal Plan Area (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, by Resolution No. 94-156, adopted August 17, 1994, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 98-87, adopted July 15, 1998, this City Council approved and adopted an Amendment No. 2 to the Plan; and

WHEREAS, by Resolution No. 01-145, adopted December 5, 2001, this City Council approved and adopted an Amendment No. 3 to the Plan; and

WHEREAS, by Resolution No. 02-38, adopted March 20, 2002, this City Council approved and adopted an Amendment No. 4 to the Plan; and

WHEREAS, by Resolution No. 05-182, adopted November 16, 2005, this City Council approved and adopted an Amendment No. 5 to the Plan; and

WHEREAS, by Resolution No. 10-106 adopted May 19, 2010 and corrected by Resolution 10-257, adopted November 3, 2010, this City Council approved and adopted an Amendment No. 6 to the Plan; and

WHEREAS, by Resolution No. 12-206 adopted September 19, 2012, this City Council approved and adopted an Amendment No. 7 to the Plan; and

WHEREAS, by Resolution No. 13-064 adopted March 6, 2013, this City Council approved and adopted an Amendment No. 8 to the Plan; and

WHEREAS, by Resolution No. 14-042 adopted March 19, 2014, this City Council approved and adopted an Amendment No. 9 to the Plan; and

WHEREAS, by Resolution No. 15-020 adopted February 18, 2015, this City Council approved and adopted an Amendment No. 10 to the Plan; and

WHEREAS, by Resolution No. 16-058 adopted April 6, 2016, this City Council approved and adopted an Amendment No. 11 to the Plan; and

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

ORIGINAL AREA

Beginning at the intersection of the southern corporate limits and Thirteenth Avenue; then North on Thirteenth Avenue to Rainbow Boulevard; then West on Rainbow Boulevard to Fourteenth Avenue; then North on Fourteenth Avenue and North 4th Avenue to Cress Parkway; then East on Cress Parkway to North 12th Avenue; then North on North 12th Avenue to Lyndhurst Drive; then East on Lyndhurst Drive to North 10th Avenue; then South on North 10th Avenue to Emmons Street; then East on Emmons Street to Robins Road; then North on Robins Road to the corporate limits; then following the corporate limits along the Northeast, North, Northwest, West, and Southwest boundaries to the point of beginning.

AMENDMENT NO. 1 AREA

Identical portion of the City of Hiawatha, Iowa included in the Original Project Area as Amendment #1 added no real property to the Area.

AMENDMENT NO. 2 AREA

1) The West 369.00 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4), Section Thirty-three (33), Township Eighty-four (84), Range Seven (7), and all that part of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Thirty-three (33), Township Eighty-four (84), Range Seven (7), lying Southeasterly of the Illinois Central Railroad right-of-way

AND

The East Half of Robins Road adjacent to this property and all of that part of East Boyson Road lying North of the East West 1/4 1/4 line that describes the NE1/4 NW1/4 of Section 33-T84N-R7W and NW1/4 NE1/4 of Section 33-T84N-R7W

AND

2) NW1/4 Section 28-84-7, Linn County, Iowa, except the West 1037 feet of South 260 feet thereof, and further excepting that part described as follows: Commencing at the NW corner said E1/2 NW1/4; thence due South 1175 feet along the West line said E1/2 NW1/4 to point of beginning; thence continuing due South along said West line 500 feet; thence due East 853.5 feet to an existing fence; thence North 0 44'40" East 500.04 feet along an existing fence; thence due West 800 feet to point of beginning.

AND

West 1037 feet of the South 260 feet SE1/4 NW1/4 Section 28-84-7, Linn County, Iowa

AND

3) The South Twenty-nine and five-tenths (29.5) acres of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Twenty-nine (29), Township Eighty-four (84) North, Range Seven (7), West of the 5th P.M., Linn County, Iowa

AND

The North Half of Tower Terrace Road that abuts the above legally described property.

AND

The West One-Half of the East One-Half of the following two tracts: The South 5 acres of the North 10 acres of the Southwest Quarter of the Northwest Quarter of Section 29. Township 84 North, Range 7, West of the 5th P.M., and the North One-Half acre of the South 30 acres of the Southwest Quarter of the Northwest Quarter of Section 29, Township 84, North Range 7 West of the 5th P.M., Linn County, Iowa, subject to a 20 foot road easement of record along the South side of the premises herein described, together with an equal right and share in an easement along the South 20 feet of the reserved or East One-Half of the premises herein above described.

AND

4) A part of the SE1/4 NW1/4 and the SW1/4 NE1/4 of Section 31-T84N-R7W of the 5th P.M., Linn County, Iowa, described as follows:

The SE1/4 NW¼ and the SW1/4 NE1/4 of said Section 31

EXCEPT

The south 882 feet of said SE1/4 NW1/4.

and EXCEPT

Beginning at the SE corner of said SW1/4 NE1/4 of Section 31; thence northerly along the East line of said SW1/4 NE1/4, 360 feet; thence westerly parallel to and 360 feet north of the South line of said SW1/4 NE1/4, 500 feet; thence northerly parallel to and 500 feet west of the East line of said SW1/4 NE1/4, 522 feet; thence westerly parallel to and 882 feet north of the South line of said SW1/4 NE1/4, to the west line of said SW1/4 NE1/4; thence southerly along said west line, 882 feet to the SW corner of said SW1/4 NE1/4; thence easterly along the south line of said SW1/4 NE1/4 to the point of beginning containing 19.72 acres more or less.

AND

5) That part of the NW1/4 NE1/4 Section 6-83-7, Linn County, Iowa, described as follows:

Commencing at the North Quarter corner of said Section 6-83-7; thence South a distance of 408.40 feet; thence South 88°11' East a distance of 1021.40 feet to the centerline of the County Road; thence South 0°58' West on said Road centerline a distance of 150.0 feet to the point of beginning; thence continuing South 0°58' West a distance 240.0 feet to the centerline of Blairs Ferry Road; thence North 88°11' West on the centerline of said Blairs Ferry Road a distance of 540.00 feet; thence North 0°58' East a distance of 240.0 feet; thence South 88°11' East a distance of 540.0 feet to the point of beginning.

The Urban Renewal District includes the full right-of-way of all roads forming the boundary.

AMENDMENT NO. 3 AREA

Lots 1, 15, 16 17 and A Tucker's First Addition to Hiawatha, Iowa, including the adjoining streets;

and

Lots 1, 2, 3, 28, 29, 30, 31, 32, 33, 34, 35 and 36 Hartl's First Addition to Hiawatha, Iowa, including the adjoining streets;

and

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and B (Lot B is also known as Plat of Survey No. 181 parcels A and B) Auditor's Plat No. 281 Linn County, Iowa, including the adjoining streets.

AMENDMENT NO. 4 AREA

Reynold's First Addition to the City of Hiawatha, Iowa including the streets within and adjoining;

and

Pirie's First Addition to the City of Hiawatha, Iowa including the streets within and adjoining;

and

Lots 1-4 inclusive and lots 15-18 inclusive Auditor's Plat no. 275 Linn County, Iowa, including the adjoining streets;

and

Lot 1 Chaffee's Second Addition to Hiawatha, Iowa, including the adjoining streets;

and

Lot 1 Chaffee's First Addition to Hiawatha, Iowa, including the adjoining streets;

and

The South Eight (8) rods of the North twenty-four (24) rods of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW1/4) of Section Thirty-three (33), excepting therefrom the East two hundred fifty (250) feet, All in Township Eighty-four (84), North, Range Seven (7), West of the 5th P.M., Linn County, Iowa, including the adjoining streets;

and

South 4 Rods West 200 Feet North 8 Rods South 16 Rods SW¼ NE¼ SW¼ Section 33-84-7, Linn County, Iowa, subject to Public Highway, including the adjoining streets;

and

The South 8 rods of the SW¼ NE¼ SW¼ except the East 250 feet in Section 33 Township 84 North, Range 7 West of the 5th P.M. in Linn County, Iowa, including the adjoining streets;

and

The North eight (8) rods of the South sixteen (16) rods of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) in Section 33-84-7, Linn County, Iowa, except the South four (4) rods of the West two hundred (200) feet thereof, including the adjoining streets;

and

The East two hundred fifty (250) feet of the South eight (8) rods of the North twenty-four (24) rods of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 33-84-7, Linn County, Iowa;

and

The East two hundred fifty (250) feet of the South eight (8) rods of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 33-84-7, Linn County, Iowa;

and

The North 8 Rods of the NW¼, SE¼, SW¼ of Section 33-84-7, Linn County, Iowa, including the adjoining streets;

and

South 16 rods of the North 24 rods of the NW¼ of the SE¼ of the SW¼ and the West ½ of the NE¼ of the SE¼ of the SW¼ and the West 100 feet of SE¼ of NE¼ of the SE¼ of the SW¼ and the SW¼ of the SE¼ of the NE¼ of the SW¼ all in Section 33, Twp 84, North, Range 7 West of the 5th P.M., including the adjoining streets;

and

Auditor's Plat No. 396 to Linn County, Iowa including the streets within and adjoining;

And

Lots 4 through 9 inclusive and vacated A Avenue adjoining Lot 9 Hartl's First Addition to Hiawatha, Iowa, including the adjoining streets.

The Urban Renewal District includes the full right-of-way of all roads forming the boundary.

AMENDMENT NO. 5 AREA

BEGINNING AT THE SOUTHEAST CORNER OF THE SE ¼ OF THE NW ¼ OF SECTION 29-84-7 LINN COUNTY, IOWA; THENCE NORTH ALONG THE EAST LINE OF SAID SE ¼ OF THE NW ¼ AND CONTINUING ALONG THE EAST LINE OF THE NE ¼ NW ¼ SAID SECTION 29 TO THE NORTHEAST CORNER OF THE SOUTH 18 RODS OF SAID NE ¼ NW ¼; THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 18 RODS OF SAID NE ¼ NW ¼ TO THE NORTHWEST CORNER OF SAID SOUTH 18 RODS; THENCE SOUTH ALONG THE WEST LINE OF NE ¼ NW ¼ TO THE NORTH LINE OF THE SOUTH 5 ACRES OF THE S ½ OF THE NW ¼ OF THE NW ¼ OF SECTION 29-84-7 LINN COUNTY, IOWA; THENCE WEST ALONG SAID NORTH LINE OF SOUTH 5 ACRES OF THE S ½ OF THE NW ¼ OF THE NW ¼ OF SECTION 29-84-7 TO THE WEST LINE OF SAID NW ¼ NW ¼ THENCE NORTH ALONG THE WEST LINE OF SAID NW ¼ NW ¼ TO THE NORTHEAST CORNER OF NE ¼ SECTION 30-84-7 LINN COUNTY, IOWA; THENCE WEST ALONG THE NORTH LINE OF SAID NE ¼ TO A POINT LOCATED 421.4 FEET EAST OF THE NORTHWEST CORNER OF SAID NE ¼; THENCE SOUTH ALONG A LINE BEARING S4°20'W (ASSUMING THE NORTH LINE OF THE NE ¼ SECTION 30-84-7 TO BEAR DUE WEST) TO THE CENTERLINE OF LOGGERHEAD ROAD, LINN COUNTY, IOWA; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF LOGGERHEAD ROAD TO THE SOUTH LINE OF THE NW ¼ NE ¼ OF SECTION 30-84-7; THENCE EAST ALONG THE SOUTH LINE OF THE NW ¼ NE ¼ AND THE SOUTH LINE OF THE NE ¼ NE ¼ OF SECTION 30-84-7 TO THE EAST LINE OF THE NE ¼ SECTION 30-84-7; THENCE SOUTH ALONG THE EAST LINE OF THE NE ¼ SECTION 30-84-7 TO THE SOUTH LINE OF THE NORTH ½ ACRE OF THE SOUTH 30 ACRES OF THE SW ¼ NW ¼ SECTION 29-84-7 LINN COUNTY, IOWA; THENCE EAST ALONG SAID SOUTH LINE TO THE EAST LINE OF THE W ½ OF THE NORTH ½ ACRE OF THE SOUTH 30 ACRES OF THE SW ¼ NW ¼ SECTION 29-8.4-7; THENCE NORTH ALONG THE SAID EAST LINE AND THE EAST LINE OF THE W ½ OF THE SOUTH 5 ACRES OF THE NORTH 10 ACRES OF THE SW ¼ NW ¼ SECTION 29-84-7 TO THE NORTH LINE OF THE SOUTH 5 ACRES OF THE NORTH 10 ACRES OF THE SW ¼ NW ¼ SECTION 29-84-7; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF THE E ¼ OF THE SOUTH 5 ACRES OF THE NORTH 10 ACRES OF THE SW ¼ NW ¼ SECTION 29-84-7; THENCE SOUTH ALONG SAID WEST LINE AND THE WEST LINE OF THE E ¼ OF THE N ¼ ACRE OF THE SOUTH 30 ACRES OF THE SW ¼ NW ¼ OF SECTION 29-84-7 TO THE SOUTH LINE OF SAID NORTH ¼ ACRE; THENCE EAST ALONG SAID SOUTH LINE TO THE WEST LINE OF THE SE ¼ NW ¼ SECTION 29-84-7; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE

OF THE SE ¼ NW ¼ SECTION 29-84-7; THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

*Territory extends to center line of all secondary roads adjacent to the above described properties.

AMENDMENT NO. 6 AREA

Tom G. Sharpe and Katherina I. Sharpe (Linn County)
Lot Four (4) containing 0.74 acres in Auditor's Plat #448 filed January 21, 1971, in Plat Records Volume 18, page 47; and Lot One (1) Irregular Survey of the West Fractional Half of the Northwest Quarter (W. Frl. ½ NW ¼) of Section 30, Township 84 North, Range 7 West of the 5th P.M., containing 8.67 acres as shown in Book 3, page 126.
And
All that part of the 100 foot former right-of-way of the Chicago, Rock Island and Pacific Railroad Company lying S-ly of a line drawn at right angles to the centerline of said former right-of-way through the most N-ly corner of Lot 4, Auditor's Plat No. 448 and lying N-ly of the N-ly line of the Public Highway, as described in Warranty Deed recorded in Volume 1886 page 365, records of the Linn County, Iowa, Recorder's Office, extended SE-ly across former Railroad right-of-way

Tim L. McCalley and Eunice R. McCalley (Linn County)
Lot 2 and Lot 3, Auditor's Plat No. 448, Linn County, Iowa
And
All that part of the 100 foot former right-of-way of the Chicago, Rock Island and Pacific Railroad Company lying S-ly of the most N-ly line of Lot 2, Auditor's Plat No. 448, Linn County, Iowa extended NE-ly across said former right-of-way and lying N-ly of a line drawn at right angles to the centerline of said former right-of-way through the most N-ly corner of Lot 4, said Auditor's Plat No. 448

Timothy A. Myers and Jean Flickinger (Linn County)
Lot 4, Meadowbrook Estates Addition to Linn County, Iowa and all that part of 100 foot former right-of-way of the Chicago, Rock Island and Pacific Railroad Company lying S-ly of the North line of the NW ¼ Section 30-84-7, Linn County, Iowa and lying N-ly of the most N-ly line of Lot 2, Auditor's Plat No. 448, Linn County, Iowa, extended NE-ly across said former right-of-way.

Edwin L. Arkema and Leona M. Arkema (Linn County)
Lot 2, Meadowbrook Estates Addition to Linn County, Iowa
And
Lot 3, Meadowbrook Estates Addition to Linn County, Iowa, excepting therefrom Plat of Survey #1069, Linn County, Iowa, being a part of Lot 3, Meadowbrook Addition to Linn County, Iowa, as described in Volume 5651 at Page 256 and

recorded May 10, 2004, in the Office of the Linn County, Iowa Recorder, subject to conditions, covenants, easements and restrictions of record.

Rodney G. Powell and Connie S. Powell (Linn County)
Lot 1, Meadowbrook Estates Addition to Linn County, Iowa

J. Patrick Geraghty and Pamela K. Geraghty (Linn County)
Lot 5, Meadowbrook Estates Addition to Linn County, Iowa

Dorothea J. O'Brien Revocable Trust dated February 23, 2002 (Linn County)
Lot 6, Meadowbrook Estates Addition to Linn County, Iowa

Charles D. Veldhuizen and Marsha R. Veldhuizen, Trustees, the Veldhuizen Family Trust dated November 7, 1998 (Linn County)
Lot 7, Meadowbrook Estates Addition to Linn County, Iowa

Richard L. White and Joyce A. White (Linn County)
Lot 8 and Lot 9, Meadowbrook Estates Addition to Linn County, Iowa

Gary R. Grimm and Elsie R. Grimm (Linn County)
That part of Lot 1 Irregular Survey NE ¼ Section 25-84-8 lying NE-ly of the Public Highway except 149 feet and 3 inches off the East side thereof, Linn County, Iowa and further excepting public highway

Gerard A. Herman and Linda L. Herman (Linn County)
Lot 11, Meadowbrook Estates Addition to Linn County, Iowa

Winston D. Zenor and Deann M. Zenor (Linn County)
Lot 10, Meadowbrook Estates Addition to Linn County, Iowa

Roland L. Hiemstra and Patty L. Hiemstra (Linn County)
All that part of the West Twenty-three and One-half (23 ½) Acres of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Thirty (30) lying Northerly and Easterly of the Public Highway extending through the said Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section Thirty (30); and
All that part of Lot Three (3), Irregular survey of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty (30) lying Northerly and Easterly of the Public Highway extending through said Lot Three (3); all in Township Eighty-four (84) North, Range Seven (7), West of the 5th P.M., Linn County, Iowa, excepting therefrom that portion conveyed to Linn County, Iowa, by Warranty Deed recorded in Vol. 1877, page 668.
And
That part of the NW ¼ NE ¼ lying SW-ly of the public highway
And

West 13 ½ Acres SW ¼ NE ¼ and East 16 ½ Acres SE ¼ NW ¼ all in Section 30-84-7, Linn County, Iowa except public highway

Iowa 7th Day Adventist Association (Linn County)

Commencing at the Northwest corner of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section 30, Township 84 North, Range 7 West of the 5th P.M., thence South along the West line of said Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section 30, Township 84 North, Range 7, 823.5 feet; thence South 85°41' E 33.1 feet to the East line of County Road and point of beginning; thence S 85°41' East 326.5 feet; thence South 4°20' West 377.6 feet to the Northeasterly line of County Road; thence North 52°19' West 375.9 feet along the Northeasterly line of County Road; thence North 52°19' West 375.9 feet along the Northeasterly line of County Road; thence North 171.1 feet along the East line of County Road to point of beginning, and containing two (2) acres all in the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section 30, Township 84 North, Range 7 West of the 5th P.M. The West line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section 30, Township 84 North, Range 7 West of the 5th P.M. is assumed to run North and South

And

Commencing at a point in the North line of the NW ¼ of NE ¼ of Section 30, Township 84 North, Range 7 West of the 5th P.M., which point is 33 feet East of the Northwest corner of said NW ¼ NE ¼ of Section 30, Twp. 84 North, Range 7 West of the 5th P.M.; thence South 825.8 feet; thence South 85 degrees 41 minutes East, 326.5 feet; thence North 4 degrees 20 minutes East 849.6 feet to point in the North line of said NW ¼ NE ¼ of Section 30, Twp. 84 North, Range 7 West of the 5th P.M.; thence North 89 degrees 35 minutes West, 388.4 feet along the North line of said NW ¼ NE ¼ of Section 30, Twp. 84 North, Range 7 West of the 5th P.M. to the point of beginning.

Iowa Electric Light and Power Company – 70% interest, Central Iowa Power Cooperative – 20% interest and Corn Belt Power Cooperative – 10% interest (Linn County)

The North 100 feet of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 18, Township 84 North, Range 7 West of the 5th P.M., excepting therefrom the public highway; and the West 150 feet of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section 18, excepting therefrom the public highway; and the North 50 feet of the West 150 feet of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section 19, Township 84 North, Range 7 West of the 5th P.M. excepting therefrom the public highway.

Jane Ellen Fink Revocable Trust dated May 22, 1997 (To be annexed)

The SW Fractional ¼ of the SW ¼, except the right of way of the C. R. I. & P. Ry. Co.; in Section 19, Township 84, Range &, Linn County, Iowa

Subject to public highway and subject to covenants, conditions, restrictions and easements of record.

Hawkeye Land Company %Rick Stickle (To be annexed)
100-foot wide strip of abandoned railroad right of way in the SW Fractional ¼ of the SW ¼, in Section 19, Township 84 North, Range 7 West, Linn County, Iowa

Patrick Kilburg and Diane L. Kilburg (To be annexed)
The North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Eighty-four (84) North, Range Seven (7) West of the 5th P.M., excepting Rolling Prairie Estates First Addition to Linn County, Iowa

Jane Ellen Fink Revocable Trust dated May 22, 1997 (City of Hiawatha)
The SW ¼ of the SE ¼; and
The SE ¼ of the SW ¼, excepting therefrom V & J First Addition to Linn County, Iowa;
All in Section 19, Township 84, Range 7, Linn County, Iowa

Rodney C Saari and Vicki L. Saari (City of Hiawatha)
Lot #1, V and J First Addition to Linn County, Iowa

Francis J. Pruss Estate (City of Hiawatha)
Tract One:

NW ¼ SE ¼ and that part of the NE ¼ SE ¼ lying Westerly of Interstate 380, all in Section 19-84-7, Linn County, Iowa

Tract Two:

SW ¼ NE ¼ except road Section 19-84-7, Linn County, Iowa

Dell Ridge, LLC, Forrest Kramer, Manager (City of Hiawatha)
NW ¼ NE ¼ Section 19-84-7, Linn County, Iowa except North 50 feet West 150 feet thereof; and SW ¼ SE ¼ Section 18-84-7, Linn County, Iowa excepting therefrom North 100 feet of said SW ¼ SE ¼ excepting therefrom West 150 feet and further excepting therefrom West 150 feet said SW ¼ SE ¼ excepting from all the above the public highways, together with servient easements and estates and subject to covenants, easements and restrictions of record.

Mooney-Engle Land Company, LLC (City of Hiawatha)
N 50 acres E ½ NW ¼ Section 19-84-7, Linn County, Iowa subject to public highway and easements of record.

Mooney-Engle Land Company, LLC (Linn County)

That part of the E ½ NW ¼ Section 19-84-7, Linn County, Iowa lying South of the N 50 Acres thereof and lining North of Sharon's First Addition to Linn County, Iowa and Sharon's Third Addition to Linn County, Iowa

Loggerhead Road (City of Hiawatha)
That part of Loggerhead Road lying contiguous and adjacent to in the N 50 acres of the E ½ of the NW ¼, the NW ¼ of the NE ¼, except the North 50 feet of the West 150 feet thereof, the SE ¼ of the NW ¼, the NE ¼ of the SW ¼, the SW ¼ of the NE ¼, the NW ¼ of the SE ¼, the SE ¼ of the SW ¼ and the SW ¼ SE ¼ all in Section 19-84-7, Linn County, Iowa

Loggerhead Road (Linn County)
That part of Loggerhead Road lying contiguous and adjacent to the SW ¼ of the SW ¼ and the SW ¼ of the SE ¼, Section 18-84-7, and lying contiguous and adjacent to the NE ¼ of the NW ¼ and the NW ¼ of the NE ¼, Section 19-84-7 all in Linn County, Iowa

Todd Hills Road (City of Hiawatha)
That part of Todd Hills Road lying contiguous and adjacent to the NE ¼ of the NW ¼, Section 19-84-7, Linn County, Iowa

Todd Hills Road (Linn County)
That part of Todd Hills Road lying contiguous and adjacent to the SW ¼ of the SW ¼, Section 18-84-7, Linn County, Iowa,

Hay Lane (City of Hiawatha)
That part of Hay Lane lying contiguous and adjacent to the NW ¼ of the NE ¼ and the SW ¼ of the NE ¼, Section 19-84-7, Linn County, Iowa

Interstate 380 (City of Hiawatha)
That part of Interstate 380 lying contiguous and adjacent to the S ½ of the SE ¼ in Section 18-84-7, excepting the North 100 feet thereof, Linn County, Iowa; the NE ¼ of Section 19-84-7 and the N ½ of the SE ¼ of Section 19-84-7, Linn County, Iowa

Tower Terrace Road (Linn County)
That part of Tower Terrace Road lying in the unincorporated area of Linn County, north of the centerline lying contiguous and adjacent to the SW ¼ of the NE ¼ and the SE ¼ of the NW ¼ all in Section 30-84-7, Linn County, Iowa

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County north of the centerline lying contiguous and adjacent to Lot Three (3), Irregular Survey of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) lying Northerly and Easterly of the Public Highway extending through said Lot Three

(3) in Section Thirty (30), Township Eighty-four (84) North, Range Seven (7) West of the 5th, Linn County, Iowa.

And

That part of Tower Terrance Road lying in the unincorporated area of Linn County lying contiguous and adjacent Lot Four (4) containing 0.74 acres in Auditor's Plat #448 filed January 21, 1971, in Plat Records Volume 18, page 47; and Lot One (1) Irregular Survey of the West Fractional Half of the Northwest Quarter (W. Frl. ½ NW ¼) of Section 30, Township 84 North, Range 7 West of the 5th P.M., containing 8.67 acres as shown in Book 3, page 126.

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Lot 7, Irregular Survey of the SW ¼ NW ¼, Section 30-84-7, Linn County, Iowa and a 100-foot wide strip of land as same is presently laid out and located in the east half of the Southwest Quarter of the

Northwest Quarter of Section 30, Township 84 North, Range 7 West, Linn County, said strip commences at the East/West centerline of said Section and runs northerly 1040 feet.

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Lot 3 and Lot 4, Auditor's Plat No. 448, Linn County, Iowa and all that part of the 100 foot former right-of-way of the Chicago, Rock Island and Pacific Railroad Company lying S-ly of the most N-ly line of Lot 2, Auditor's Plat No. 448, Linn County, Iowa extended NE-ly across said former right-of-way and lying N-ly of a line drawn at right angles to the centerline of said former right-of-way through the most N-ly corner of Lot 4, said Auditor's Plat No. 448.

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Lot 1, Lot 9 and Lot 11, Meadowbrook Estates Addition to Linn County, Iowa

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Lot 8, Tower Acres Third Addition to Linn County, Iowa

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Lot 1, Tower Acres Addition to Linn County, Iowa

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County north of the centerline lying contiguous and adjacent to Lot 8, Meadowbrook Estates Addition to Linn County, Iowa

And

That part of Tower Terrace Road lying in the unincorporated area of Linn County north of the centerline lying contiguous and adjacent to that part of Lot 1 Irregular

Survey NE ¼ Section 25-84-8 lying NE-ly of the Public Highway except 149 feet and 3 inches off the East side thereof, Linn County, Iowa and further excepting public highway

And
That part of Tower Terrace Road lying in the unincorporated area of Linn County lying contiguous and adjacent to Tower Drive in the NW ¼ of the NW ¼, Section 30-84-7, Linn County, Iowa

Hunt Road (Linn County)
That part of Hunt Road lying contiguous and adjacent to the SW ¼ of the NW ¼, the SE ¼ of the NW ¼, the NW ¼ of the SW ¼ and the NE ¼ of the SW ¼ all in Section 19-84-7

Tower Drive (Linn County)
That part of Tower Drive lying within Meadowbrook Estates Addition to Linn County, Iowa

Springbrook Drive (Linn County)
That part of Springbrook Drive lying within Meadowbrook Estates Addition to Linn County, Iowa

AMENDMENT NO. 7 AREA
Added no new land.

AMENDMENT NO. 8 AREA
Added no new land.

AMENDMENT NO. 9 AREA
Added no new land.

AMENDMENT NO. 10 AREA

The West 40 rods of the SW ¼ NE 1/4 Section 18-84-7, Linn County, Iowa, except the South 24 rods thereof and further excepting the public highways
And
The South 24 rods of the West 40 rods of the SW ¼ NE 1/4 Section 18-84-7, Linn County, Iowa, subject to public highway
And
Beginning at a point S88"39'E 662.2 ft. from the center of said Sec. 18, said point being on the South line of said NE 1/4; thence N0"17'W 1266.1 ft.; thence N78"37 ½'E 284.2 ft.; thence S88"30 ½'E 75.2 ft.; thence S13" 24 ½'E 966.0 ft.; thence S1"23'E 394.3 ft. to a point on the said South line; thence N88"39'W 581.2 ft. along the South line, to the point of beginning; Containing 14.97 acres more or less.
Note: The South line of the NE 1/4 of said Sec. 18 is assumed to bear S88"39'E.

AND

Lot 1, Bowers Second Addition to Linn County, Iowa
And
That part of the Southwest Quarter of the Southeast Quarter in Section 7-84-7, Linn County, Iowa lying West of Interstate 380
And
That part of the Northwest Quarter of the Southeast Quarter in Section 7-84-7, Linn County, Iowa lying West of Interstate 380

AND

That part of Cora Mae Lane lying contiguous and adjacent to Lot 1, Bowers First Addition to Linn County, Iowa and contiguous and adjacent to Lot 1, Bowers Second Addition to Linn County, Iowa also lying in the Northwest Quarter of the Northeast Quarter in Section 18-84-7, Linn County, Iowa

AND

The West Half of Interstate 380 lying adjacent and contiguous to Brittany Estates First Addition to Linn County, Iowa and the North 100 feet of the Southwest

Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter in Section 18-84-7, the Southwest Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter in Section 7-84-7, Linn County, Iowa

Except
That part of the West Half of Interstate 380 lying adjacent and contiguous to Lot 3, Bowers Second Addition to Linn County, Iowa, also located in the Northwest Quarter of the Northeast Quarter in Section 18-84-7, Linn County, Iowa

AND

That part of County Home Road lying adjacent and contiguous to the Southwest Quarter of the Northeast Quarter in Section 18-84-7, and adjacent and contiguous to Lot 1, Bowers Second Addition to Linn County, Iowa and Lot 1, Bowers First Addition to Linn County, Iowa, also located in the Northwest Quarter of the Northeast Quarter of Section 18-84-7, Linn County, Iowa

AND

The East Half of Loggerhead Road lying adjacent and contiguous to the Southwest Quarter of the Northeast Quarter in Section 18-84-7, Linn County, Iowa

The territory extends to the center line of all secondary roads adjacent to the above described properties.

AMENDMENT NO. 11
Added no new land.

WHEREAS, a proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan ("Amendment No. 12" or "Amendment") for the Hiawatha Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add and/or confirm the list of proposed projects to be undertaken within the Area; and

WHEREAS, this proposed Amendment No. 12 to the Urban Renewal Area adds no new land; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan; and

WHEREAS, by resolution adopted on March 15, 2017, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed

Amendment No. 12 to the Hiawatha Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Finance Director, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Cedar Rapids Gazette, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 12 concerning the area of the City of Hiawatha, 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 Hiawatha Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 12 to the Hiawatha Urban Renewal Plan conform to the general plan for the development of the City as a whole; and

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

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with

decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

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

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

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

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

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

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

Section 4. That Amendment No. 12 to the Hiawatha Urban Renewal Plan of the City of Hiawatha, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 12 to the Hiawatha Urban Renewal Plan for the City of Hiawatha, State of Iowa"; Amendment No. 12 to the Hiawatha Urban Renewal Plan of the City of Hiawatha, State of Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 12 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 12 to the Hiawatha Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 12 to the Hiawatha Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Linn County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 12, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 19th day of April, 2017.

_____

Mayor

ATTEST:

_____

City Clerk

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

ATTACH THE AMENDMENT
LABELED AS EXHIBIT 1 HERE

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Hiawatha, 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 _____, 2017.

_____
City Clerk, City of Hiawatha, State of Iowa

(SEAL)

01336691-1\10575-147

URBAN RENEWAL
TRANSCRIPT CERTIFICATE

I, the undersigned, being first duly sworn, do hereby depose and certify that I am the duly appointed, qualified and acting City Clerk of the City of Hiawatha, State of Iowa, and that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its Council and officials, and that I have carefully compared the transcript hereto attached with the aforesaid corporate records and that the transcript hereto attached is a true and complete copy of all the corporate records in relation to the authorization of the Amendment No. 12 to the Hiawatha Urban Renewal Plan of the City, and that the transcript hereto attached contains a true and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time, in relation to the authorization of Amendment No. 12 to the Hiawatha Urban Renewal Plan, and that the Council consists of a Mayor and six (6) Council Members, and that such offices were duly and lawfully filled by the individuals listed in the attached transcript as of the dates and times referred to therein.

I further certify that the City is and throughout the period of such proceedings has been governed under the Mayor/Council form of municipal government authorized by Chapter 372, City Code of Iowa, under the provisions of its charter as recorded with the Secretary of State.

I further certify that all meetings of the City Council of the City at which action was taken in connection with the Urban Renewal Plan were open to the public at all times in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and was duly given at least twenty-four hours prior to the commencement of the meeting by notification of the communications media having requested such notice and posted on a bulletin board or other prominent place designated for the purpose and easily accessible to the public at the principal office of the Council all pursuant to the provisions and in accordance with the conditions of the local rules of the Council and Chapter 21, Code of Iowa.

I further certify that attached hereto are true and accurate copies of the following:

1. Amendment No. 12 to the Hiawatha Urban Renewal Plan (You do not need to attach the Amendment to this Certificate if you have attached such Amendment and all exhibits to the Authorizing Resolution labeled "Exhibit 1".);

2. Report of Finance Director, or her delegate, to the City Council with respect to the consultation held with affected taxing entities on the Amendment No. 12 to the Hiawatha Urban Renewal Plan, with attached copies of any and all written recommendations made with respect thereto and the responses of the City to any such recommendations.

WITNESS my hand and the seal of the City hereto attached this _____ day of _____, 2017, at Hiawatha, Iowa.

_____
City Clerk, City of Hiawatha, State of Iowa

(SEAL)

STATE OF IOWA)
) SS
COUNTY OF LINN)

Subscribed and sworn to before me by _____, on this _____ day of _____, 2017.

_____
Notary Public in and for Linn County, Iowa

(SEAL)

Attach items listed above to this Transcript Certificate and send certificate and attachments to Ahlers & Cooney.

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Type of Document:	**RESOLUTION ADOPTING AMENDMENT NO. 12 TO THE HIAWATHA URBAN RENEWAL PLAN (INCLUDING AMENDMENT NO. 12 LABELED AS EXHIBIT 1 AND ATTACHED TO THE RESOLUTION)**
Return Document to:	**Cindy Kudrna** **City of Hiawatha** **101 Emmons Street** **Hiawatha, IA 52233**
Preparer Information:	**Jason L. Comisky** **Ahlers & Cooney, P.C.** **100 Court Ave., Ste. #600** **Des Moines, IA 50309** **(515) 243-7611**
Taxpayer Information:	**N/A**
GRANTORS:	N/A
GRANTEES:	N/A
LEGAL DESCRIPTION:	See Resolution, page 2-16.

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