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Jasper County, Iowa
Nancy Parrott County Recorder
File **2006-00006157**

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RETURN RECORDED DOCUMENT TO:

JASPER COUNTY AUDITOR'S OFFICE
CONNIE RARIDON/CAROL KIELLY

TITLE OF DOCUMENT:

Ordinance No 22-D

An ordinance amending Ordinance Nos. VI-II, VI-V, VI-V-A and VI-V-B, providing that general property taxes levied and collected each year on all property located within the Amended Jasper County Urban Renewal Area of the County of Jasper, State of Iowa, by and for the benefit of the State of Iowa, County of Jasper, Newton 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 said county in connection with Amendment No. 3 to the urban renewal plan for the Amended Jasper County Urban Renewal Area

GRANTOR: SEE PAGE

GRANTEE: SEE PAGE

no fee
C. Auditor

ORDINANCE NO. 22-D

AN ORDINANCE AMENDING ORDINANCE NOS. VI-II, VI-V, VI-V-A AND VI-V-B, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED JASPER COUNTY URBAN RENEWAL AREA OF THE COUNTY OF JASPER, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, COUNTY OF JASPER, NEWTON 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 SAID COUNTY IN CONNECTION WITH AMENDMENT NO. 3 TO THE URBAN RENEWAL PLAN FOR THE AMENDED JASPER COUNTY URBAN RENEWAL AREA

WHEREAS, the Board of Supervisors (the "Board") of Jasper County (the "County"), State of Iowa has heretofore, in Ordinance Nos. VI-II and VI-V, as amended by Ordinance Nos. VI-V-A and VI-V-B, provided for the division of taxes within an area now known as the Amended Jasper County Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, additional territory has been added to the Amended Jasper County Urban Renewal Area by the approval of Amendment No. 3 to the Urban Renewal Plan for the Amended Jasper County Urban Renewal Area; 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 Jasper County Urban Renewal Area, and the continuing needs of redevelopment within the Amended Jasper County Urban Renewal Area are such as to require the continued application of the incremental tax resources of the Amended Jasper County 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 JASPER COUNTY, IOWA, THAT:

Ordinance Nos. VI-II, and VI-V, as amended by Ordinance Nos. VI-V-A and VI-V-B, are hereby amended to read as follows:

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

(a) Original Jasper County Urban Renewal Area shall mean the Jasper County Industrial Park Urban Renewal Area described in the Jasper County Industrial Park Urban Renewal Plan approved by Resolution No. 94-71 on December 6, 1994, which area is now known as the Amended Jasper County Urban Renewal Area pursuant to Amendment No. 2 to the Urban Renewal Plan for such area approved by Resolution No. 04-28 on April 21, 2004, and which is legally described as follows:

A tract of land in Sections 13, 23, 24 and 26, Township 80 North, Range 19 West of the 5th P.M., Jasper County, Iowa, more particularly described as follows:

Beginning at the intersection of the north right-of-way line of County Road F-27, also known as North 39th Avenue East and the easterly right-of-way line of the Iowa Interstate Railroad; thence southwest along said easterly railroad right-of-way line to the east line of Section 23, Township 80 North, Range 19 West; thence south along the east line of said Section 23 to the south right-of-way line of North 19th Avenue East; thence west along said south right-of-way line of North 19th Avenue East to the east right-of-way line of East 19th Street North; thence south along said east right-of-way line of East 19th Street North to the south right-of-way line of North 15th Avenue East; thence west along said south right-of-way line of North 15th Avenue East to a point 445 feet east of the west line of the Northeast Quarter of the Northwest Quarter of Section 26, Township 80 North, Range 19 West; thence north on a line 445 feet east of the west line of the Northeast Quarter of the Northwest Quarter of said Section 26 to the north right-of-way line of North 19th Avenue East; thence east along said north right-of-way line of North 19th Avenue East to the west right-of-way line of East 19th Street North; thence north along said west right-of-way line of East 19th Street North to the north right-of-way line of County Road F-27, also known as North 39th Avenue East; thence east along said north right-of-way line of County Road F-27 to the point of beginning.

(b) Amendment No. 3 Area shall mean the areas added as a result of Amendment No. 3 to the Urban Renewal Plan, being legally described as follows:

SW 1/4 of the NW 1/4, Section 24, T80N, R19W, exc. North and West of railroad right-of-way.

NW 1/4 of the SW 1/4, Section 24, T80N, R19W

(c) Amended Jasper County Urban Renewal Area shall mean the areas located within the Original Jasper County Urban Renewal Area and the Amendment No. 3 Area.

(d) Urban Renewal Plan shall mean Amendment No. 3 to the Urban Renewal Plan for the Amended Jasper County Urban Renewal Area, approved by Resolution No. 06-87 of the Board of Supervisors on September 12, 2006.

Section 2: The taxes levied on the taxable property in the Amended Jasper County Urban Renewal Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Jasper, Newton 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 Jasper County Urban Renewal 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 Jasper County Urban Renewal Area upon the total sum of the assessed value of the taxable property in the Original Jasper County Urban Renewal Area as shown on the assessment roll as of January 1, 1993, being the first day of the calendar year preceding the effective date of Ordinance No. VI-II enacted in respect of the Original Jasper County Urban Renewal Area, 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. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to the Amendment No. 3 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, 2005, 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.

Notwithstanding the foregoing, the County hereby elects, pursuant to and in accordance with Section 427B.19A(5) of the Code of Iowa, that the amount of the assessed values of the taxable property so determined for the areas included in the Amended Jasper County Urban Renewal Area described in Section 1 hereof shall be reduced each year by an amount equal to that portion of the amount of such assessed value which was phased out for the fiscal year by operation of Section 427B.17(3) of the Code of Iowa.

Section 4: That portion of the taxes each year in excess of the base period taxes for the Amended Jasper County Urban Renewal Area, determined for each sub-area 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 Jasper County to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether

Max Worthington
Max Worthington/Chairperson

ATTEST:

Marlene Pa. Deputy
Dennis K. Parrott/Jasper County Auditor

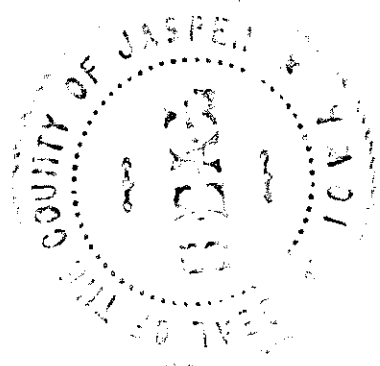
Read first time: 9/12/06

Read second time: WAIVED

Read third time: WAIVED

PASSED AND APPROVED: Sept 12, 2006

PUBLISHED: 9/15/06



ORDINANCE CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF JASPER)

I certify that Ordinance Number 22-D, of which a true copy is attached, was duly adopted by the Board of Supervisors of Jasper County, signed by the Chairperson and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of said Ordinance were as follows:

1. First consideration - Date: September 12, 2006
Vote: In favor Ward, Carpenter, Worthington, Opposed - None
Absent or Abstain - None
2. Second consideration - Date: n/a
3. Third Consideration - Date: n/a
4. Publication Date: September 15, 2006 (Affidavit of Publication Attached)

The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

On the date of September 12, 2006, the Jasper County Board of Supervisors adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by a three-fourths majority of the full Board of Supervisors, voting all in favor, none opposed and none absent, vacant or abstaining and was duly recorded.

I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21 of the Code of Iowa and rules of the Board then governing.

I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no County vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said County hereto affixed this 18th day of September, 2006.

Marlena Ray Dept.
Marlena Ray Deputy County Auditor
Jasper County, Iowa



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 Jasper County, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Jasper County Urban Renewal Area pursuant to Amendment No. 3 to the Urban Renewal Plan, as amended, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, but only to the extent authorized in Section 403.19(2), and taxes for payment of bonds and interest of each taxing district shall be collected against all taxable property within the Amended Jasper County Urban Renewal 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 Jasper County Urban Renewal Area exceeds the total assessed value of the taxable property in said 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 Jasper County Urban Renewal 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 Jasper County referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Jasper County Urban Renewal 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 (i) continue the division of taxes from property within the Original Jasper County Urban Renewal Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance Nos. VI-II, VI-V, VI-V-A and VI-V-B, (ii) fully implement the provisions of the foregoing Ordinances and Section 403.19 to the Amendment No. 3 Area, and (iii) fully implement the provisions of Section 427B.19A(5) of the Code of Iowa with respect to the division of taxes from the property located in the said Amended Jasper County Urban Renewal Area. 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 Sections 403.19 and 427B.19A(5) of the Code of Iowa with reference to the Amended Jasper County Urban Renewal 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 12th day of September, 2006.

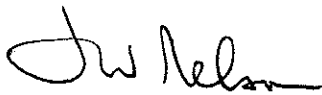
AFFIDAVIT OF PUBLICATION

State of Iowa, Jasper County, ss:
I, Jim Nelson, Publisher of The Newton Daily News, a daily newspaper of general circulation, printed and published at Newton, Jasper County, Public Notice Ordinance 22-D appeared 1 TIME (S) upon the following date(s) to wit:

September 15, 2006

Publication fees \$ 10.45

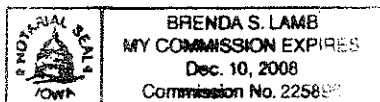
Signed



Subscribed and sworn to before me this

19th day of September 2006

Notary Public



PUBLIC NOTICE ORDINANCE 22-D

Ordinance 22-D amending Ordinance Nos. VI-II, VI-V, VI-V-A and VI-V-B, providing that general property taxes levied and collected each year on all property located within the Amended Jasper County Urban Renewal Area of the County of Jasper, State of Iowa, by and for the benefit of the State of Iowa, County of Jasper, Newton 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 said county in connection with Amendment No. 3 to the urban renewal plan for the Amended Jasper County Urban Renewal Area. Complete ordinance on file in the Office of the Jasper County Auditor located in Room 202 of the Jasper County Courthouse, Newton, Iowa.

September 15