City of Marion
Documents to Record
Date: 5-3-17

Name of person who prepared document: Wesley A. Nelson
Department: Finance/City Clerk
Address: 1225 6th Avenue
Marion, IA
52302

Phone: (319) 743-6351

Name of taxpayer:
City of Marion

Complete mailing address for any document on instrument of conveyance:
PO Box or Street Number: 1225 6th Avenue
City, State: Marion, Iowa
ZIP: 52302

Return address:
PO Box or Street Number: 1225 6th Avenue
City, State: Marion, Iowa
ZIP: 52302

All Grantors' names:
City of Marion

All Grantees' names:
City of Marion

Any address required by statute:
Street: 1225 6th Avenue
City, State: Marion, Iowa
ZIP: 52302

Items for Recordation: Ordinance No. 17-05 and Related Documents
MINUTES OF MEETING PROVIDING FOR FIRST CONSIDERATION OF AN ORDINANCE DESIGNATING REVITALIZATION AREA

DRA (419241-57)

Marion, Iowa

February 23, 2017

A meeting of the City Council of the City of Marion, Iowa, was held at the Marion City Hall, in the City, at 5:30 o'clock, p.m., on February 23, 2017. The Mayor presided and the roll was called, showing members present and absent as follows:

Present: Razour, Etzel, Spinks, Brandt, Nicholson, Draper

Absent: None

Council Member Nicholson introduced an ordinance entitled: “An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area”.

It was moved by Council Member Nicholson and seconded by Council Member Razour that the aforementioned ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: AbouAssaly, Etzel, Razour, Spinks, Brandt, Nicholson, Draper

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

Upon motion and vote, the meeting adjourned.

Mayor

[Signature]
February 22, 2017
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Attest:

[Signature]
City Clerk
ORDINANCE NO. 17-05

An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the “Act”), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the City Council of the City of Marion, Iowa, has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the 2017 Multi-Residential Urban Revitalization Area that:

(a) The 2017 Multi-Residential Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa;

(b) The 2017 Multi-Residential Urban Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single family or multifamily housing.

(c) The economic development of and the promotion of housing and residential development in the 2017 Multi-Residential Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the 2017 Multi-Residential Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act;

WHEREAS, pursuant to the provisions of the Act, the City prepared a Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area and held a public hearing on the Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Marion, in Linn County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, the area formed by contiguous real estate parcels and being described as follows:

Certain real property situated in the City of Marion, Linn County, State of Iowa, more particularly described as follows:
February 22, 2017
Page 8

Downing Farms First Addition to the City of Marion, Linn County, Iowa.

is hereby designated as the 2017 Multi-Residential Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed on initial consideration the 23rd day of February, 2017.

[signature]
Mayor

Attest:

[signature]
City Clerk

Passed on second consideration the 9th day of March, 2017.

[signature]
Mayor

Attest:

[signature]
City Clerk
Passed and approved the 23 day of March, 2017.

Mayor

Attest:

City Clerk

MINUTES OF MEETING PROVIDING FOR SECOND CONSIDERATION OF AN ORDINANCE DESIGNATING REVITALIZATION AREA DRA (419241-57)
Marion, Iowa

March 9, 2017

A meeting of the City Council of the City of Marion, Iowa, was held at the Marion City Hall, in the City, at 5:30 o’clock, p.m., on March 9, 2017. The Mayor presided and the roll was called, showing members present and absent as follows:

Present: Piazza, Etzel, Spinks, Brandt, Nicolson, Draper

Absent: None

Council Member Etzel introduced an ordinance entitled: “An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area”.

It was moved by Council Member Etzel and seconded by Council Member Spinks that the aforementioned ordinance be given its second consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Almossaly, Piazza, Etzel, Spinks, Brandt, Nicolson, Draper

Nays: None
February 22, 2017
Page 10

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its second consideration.

Upon motion and vote, the meeting adjourned.

__________________________
Mayor

Attest:

__________________________
City Clerk
The City Council of the City of Marion, Iowa, met on March 23, 2017, at 5:30 o'clock p.m., at the Marion City Hall, in the City.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: Pazar, Etzel, Spinks, Brandt, Nicholson, Draper

Absent: None

The Mayor announced that, on February 23, 2017, the City Council had given its initial consideration to an ordinance entitled "Ordinance No. 17-05 An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area."

It was moved by Council Member N/A and seconded by Council Member N/A that the statutory rule requiring said ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: N/A

Nays: N/A

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Nicholson and seconded by Council Member Pazar that the ordinance entitled "Ordinance No. 17-05 An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area," now be put upon its final passage and adoption. The Mayor put the question on the final passage and adoption of said ordinance and the roll being called, the following named Council Members voted:
February 22, 2017
Page 12

Ayes: AbuAssaly, Etzel, Parade, Spiniva, Brand, Nicholson, Doper

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been duly adopted.


There being no further business to come before the meeting, it was upon motion adjourned.

[Signature]
Mayor

Attest:

[Signature]
City Clerk
STATE OF IOWA
COUNTY OF LINN
CITY OF MARION

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Marion, Iowa, and that the above and foregoing is a true, correct and complete copy of the minutes of the meeting of the City Council, held as therein shown insofar as such minutes pertain to the adoption of the proposed plan for the 2017 Multi-Residential Urban Revitalization Area and the passage of an Ordinance designating the 2017 Multi-Residential Urban Revitalization Area, including a true, correct and complete copy of the ordinance referred to in said minutes.

I certify further that I filed a copy of the plan and the resolution approving the plan with the Linn County Assessor.

WITNESS MY HAND this 27th day of April, 2017.

[Signature]
City Clerk
STATE OF IOWA  
COUNTY OF LINN  
CITY OF MARION  

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Marion, Iowa, and do hereby certify that “Ordinance No. 17-05, An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area”, of which the printed slip attached to the publisher’s original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND this 13 day of April, 2017.

__________________________  
Wesley A. Nelson  
City Clerk  

(Attach hereto publisher’s affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher’s affidavit.)
ORDINANCE NO. 17-05

An Ordinance Designating an Area of Marion, Iowa, as the 2017 Multi-Residential Urban Revitalization Area.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act"), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the City Council of the City of Marion, Iowa, has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the 2017 Multi-Residential Urban Revitalization Area that:

(a) The 2017 Multi-Residential Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa;

(b) The 2017 Multi-Residential Urban Revitalization Area is an area which is appropriate as public improvements related to housing and residential development, or construction of housing and residential development, including single family or multifamily housing;

(c) The economic development of and the promotion of housing and residential development in the 2017 Multi-Residential Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the 2017 Multi-Residential Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act;

WHEREAS, pursuant to the provisions of the Act, the City prepared a Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area and held a public hearing on the Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Proposed Plan for the 2017 Multi-Residential Urban Revitalization Area; NOW, THEREFORE, Be it Ordained by the City Council of the City of Marion, in Linn County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, the area formed by contiguous real estate parcels and being described as follows:

Certain real property situated in the City of Marion, Linn County, State of Iowa, more particularly described as follows:

Downing Farms First Addition to the City of Marion, Linn County, Iowa, is hereby designated as the 2017 Multi-Residential Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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 4. This ordinance shall be in effect after its first passage, approval and publication, as provided by law.

Passed on initial consideration February 23, 2017.

[Signature]
Nicole AbouAssaly, Mayor

Passed on final consideration March 9, 2017.

[Signature]
Nicole AbouAssaly, Mayor

Published in the Marion Times on April 13, 2017.

STATE OF IOWA )
COUNTY OF LINN ) ss.

I, Jake Krob, being duly sworn, on my oath to do say, that I am publisher of the Marion Times, a Newspaper issued weekly at Marion, in said County of Linn; that the Notice of which the attached printed copy taken from the printed files of said Newspaper is a copy, was inserted and published in said Newspaper in the issue of

APR 13 2017

and the reasonable fee for publishing said Notice is $4.00.

[Signature]
Jake Krob, Publisher

Subscribed by the above named Jake Krob in my presence, and by him sworn before me, at Mount Vernon, Linn County, Iowa.

[Signature]
Notary Public in and for Linn County, Iowa

[Notary Seal]
RICHARD ESKELES
Commission Number 736016
My Commission Exp.

[Notary Seal]
J. N. V. CERTIFICATE
RICHARD ESKELES
Commission Number 736016
My Commission Exp.

[Notary Seal]
J. N. V. CERTIFICATE
RICHARD ESKELES
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Commission Number 736016
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[Notary Seal]
J. N. V. CERTIFICATE
RICHARD ESKELES
Commission Number 736016
My Commission Exp.
URBAN REVITALIZATION PLAN

CITY OF MARION, IOWA
2017 MULTI-RESIDENTIAL URBAN REVITALIZATION AREA
INTRODUCTION

The Urban Revitalization Act, Chapter 404 of the Code of Iowa, is intended to encourage development, redevelopment and revitalization within designated areas of a city by authorizing property tax development incentives to the private sector. Qualified real estate within a designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years, with the goal of providing communities with a long-term increase or stabilization in the local tax base by encouraging new construction which might not otherwise occur.

Section 404.1 of the Code of Iowa provides that a City Council may designate an area of the City as a revitalization area, if that area meets the following definitions:

“An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety, or welfare.”

“An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use;

“An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.”

“An area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.”

“An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development including single or multifamily housing”; and

Section 404.2 of the Code of Iowa requires that a city prepare a plan to govern activities within the proposed revitalization area, and the balance of this document is intended to set out the elements of a plan that are mandated by state law.
A. DESCRIPTION OF THE AREA AND MAP

The revitalization area shall be known as the 2017 Multi-Residential Urban Revitalization Area (the "Revitalization Area"), and the legal description of real property to be included within the Revitalization Area is as follows:

Certain real property situated in the City of Marion, County of Linn, State of Iowa more particularly described as follows:

Downing Farms First Addition to the City of Marion, Linn County, Iowa.

A map showing the real property to be included within the Revitalization Area is attached as Exhibit A.

B. DESIGNATION CRITERIA

1. The Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.

2. The Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including multifamily housing.

3. The economic development and promotion of housing and residential development in the Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.

C. OBJECTIVES

This plan is prepared in conformance with Section 404.2 of the Code of Iowa for the purpose of providing incentives and outlining procedures to enhance the potential for multifamily senior housing with skilled and assisted living care in the Revitalization Area. Planning goals include revitalizing the area through the promotion of new construction of multifamily senior housing with skilled and assisted living care, stabilizing and increasing the tax base and providing overall aesthetic improvement.

D. PRESENT ZONING AND PROPOSED LAND USE

The property within the Revitalization Area is zoned Planned Development Residential (PD-R) and specifically designated for multifamily senior housing with skilled and assisted living care. The construction of new multifamily senior housing with skilled and assisted living care is proposed in the Revitalization Area.

DORSEY & WHITNEY LLP, ATTORNEYS, DES MOINES, IOWA
E. PROPOSALS FOR EXPANDING CITY SERVICES

The City proposes that, as it becomes financially feasible, the provision of municipal services to the Revitalization Area will be expanded and improved to meet the demands of new multifamily senior housing.

F. ELIGIBLE IMPROVEMENTS AND EXEMPTIONS

Multiresidential Improvements. The construction of new multiresidential facilities if such multiresidential property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes.

Exemption: All qualified real estate assessed as multiresidential property is eligible to receive an exemption from taxation for a period of ten years as follows:

For the first year, an exemption from taxation on 80% of the actual value added.
For the second year, an exemption from taxation on 80% of the actual value added.
For the third year, an exemption from taxation on 80% of the actual value added.
For the fourth year, an exemption from taxation on 70% of the actual value added.
For the fifth year, an exemption from taxation on 70% of the actual value added.
For the sixth year, an exemption from taxation on 70% of the actual value added.
For the seventh year, an exemption from taxation on 60% of the actual value added.
For the eighth year, an exemption from taxation on 60% of the actual value added.
For the ninth year, an exemption from taxation on 50% of the actual value added.
For the tenth year, an exemption from taxation on 40% of the actual value added.

Actual Value Added

Actual value added by improvements, as used in this plan, means the actual value added as of the first year for which the exemption was received. In order to be eligible for tax abatement, the increase in actual value of the property must be at least 10%. All improvements, in order to be considered eligible, must be completed in conformance with all applicable regulations of the City of Marion, and must be completed during the time the Revitalization Area is designated by ordinance as a revitalization area.

G. TIME FRAME

Eligibility for tax abatement under this plan will exist after the date of the adoption of the ordinance designating the Revitalization Area, until, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted would cease to be of benefit to the City, in which case the City Council...
may repeal the ordinance, pursuant to Section 404.7 of the Code of Iowa. In the event the ordinance is repealed, all exemptions granted prior to such repeal shall continue until their expiration.

H. APPLICATION PROCEDURES

An application shall be filed for each new exemption claimed. The property owner must apply to the City for an exemption by February 1st of the assessment year for which the exemption is first claimed. The application shall contain, but not be limited to, the following information: The nature of the improvement, its cost, and the estimated or actual date of completion of the improvement.

I. APPROVAL OF APPLICATIONS

The City Council shall approve all applications submitted for completed projects if:

1. The project, as determined by the City Council, is in conformance with this plan;
2. The project is located within the Revitalization Area; and,
3. The improvements were made during the time the Revitalization Area was designated by ordinance as a revitalization area.

All approved applications shall be forwarded to the County Assessor for review, pursuant to Section 404.5 of the Code of Iowa. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the improvements and notify the applicant of the determination, which may be appealed to the local board of review pursuant to Section 441.37 of the Code of Iowa. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

J. OTHER SOURCES OF REVITALIZATION FUNDS

The City anticipates no federal or state grants or loans for improvements in the Revitalization Area at this time other than those of conventional lending institutions at normal market rates.

However, it is not the intention of the City to prohibit the use of other appropriate federal or state revitalization or incentive programs within the area.

K. RELOCATION PROVISIONS

The City does not anticipate the displacement or relocation of any persons, families, or businesses as a result of the improvements to be made in the Revitalization Area.
L. OWNERS OF PROPERTY AND ASSESSED VALUATION

The names and addresses of the owners of the property located within the Revitalization Area and the assessed valuation of such property is set forth on Exhibit B attached hereto.
EXHIBIT A

MAP OF PROPERTY IN REVITALIZATION AREA

Lot 1, Downing Farms 1st Addition

Lot 2, Downing Farms 1st Addition
EXHIBIT B

NAME AND ADDRESSES OF THE OWNERS OF PROPERTY LOCATED WITHIN THE REVITALIZATION AREA AND ASSESSED VALUATION OF SUCH PROPERTY

Lot 1 Downing Farms First Addition

Owner: CCRC of Cedar Rapids, LLC  Assessed Valuation: Estimated $24,198.00*

Lot 2 Downing Farms First Addition

Owner: CCRC of Cedar Rapids, LLC  Assessed Valuation: Estimated $11,564.55*

*Assessed Valuations have not been updated since a recent property subdivision. Values have been estimated using 2015 assessed valuation for land. No structures exist on the property.