The City Council of the City of Marion, Iowa, met on April 20, 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: Draper, Etzel, Brandt, Nicholson, Pazour, Spinks

Absent: Assar

Council Member Pazour introduced an ordinance entitled “Ordinance No. 11-09. An Ordinance providing for the division of taxes levied on taxable property in the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City of Marion, Iowa, pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Pazour and seconded by Council Member Nicholson 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: Draper, Etzel, Brandt, Nicholson, Pazour, Spinks

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.
There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk
MINUTES PROVIDING FOR PASSAGE OF AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING DISTRICT FOR THE APRIL, 2017 ADDITION TO THE CENTRAL CORRIDOR URBAN RENEWAL AREA

419241-63
Marion, Iowa
May 4, 2017

The City Council of the City of Marion, Iowa, met on May 4, 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: Draper, Etzel, Spinks, Brandt, Pazour

Absent: Nicholson

The Mayor announced that, on April 20, 2017, the City Council had given its initial consideration to an ordinance entitled “Ordinance No. 17-09 An Ordinance providing for the division of taxes levied on taxable property in the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City of Marion, Iowa, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Draper and seconded by Council Member Etzel 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: AlouAssaly, Draper, Etzel, Spinks, Brandt, Spinks

Nays: Nicholson

Whereupon, the Mayor declared the motion duly carried.
It was moved by Council Member Draper and seconded by Council Member Etzel that the ordinance entitled “Ordinance No. 17-09, An Ordinance providing for the division of taxes levied on taxable property in the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City of Marion, Iowa, pursuant to Section 403.19 of the Code of Iowa,” 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:

Ayes: AltmuAssal, Draper, Etzel, Spinks, Brandt, Spinks
Nays: Nicholson

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been duly adopted.
ORDINANCE NO. 17-091

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the April, 2017 Addition to the Central Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Marion, Iowa (the “City”) enacted an ordinance entitled “An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The Central Corridor Urban Renewal Area, Pursuant To Section 403.19 of the Code of Iowa”; and

WHEREAS, pursuant to that ordinance, the Central Corridor Urban Renewal Area in the City of Marion was designated a “tax increment district”; and

WHEREAS, the City Council now desires to decrease the size of the “tax increment district” by deleting certain property;

WHEREAS, furthermore, the City Council also desires to increase the size of the “tax increment district” by adding additional property;

BE IT ENACTED by the City Council of the City of Marion, Iowa:

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment district for the Central Corridor Urban Renewal Area and to subsequently provide for the division of taxes levied on the taxable property in the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City, 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 City to finance projects in the such Area.

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

“City” shall mean the City of Marion, Iowa.

“County” shall mean Linn County, Iowa.

“Deleted Property” shall mean the following described real property in the City of Marion, Linn County, Iowa:

Beginning at the centerline intersection of 31st Street and 7th Avenue, thence west following the centerline of 7th Avenue to a point directly south of the southwest corner of Plat of Survey Number 171, thence north to the southwest corner of Plat of
Survey Number 171, thence north to the northwest corner of Plat of Survey Number 171 which is also the south right-of-way line of 8th Avenue, thence west following the south right-of-way line of 8th Avenue until reaching the northeast corner of Parcel A, Plat of Survey Number 860, thence south to the southeast corner of Parcel A, Plat of Survey Number 860, thence south following the west boundary line for Parcel B, Plat of Survey Number 860 in a counter clockwise direction until intersecting with the north right-of-way line of 7th Avenue, thence south to the south right of way line of 7th Avenue, thence east to the northwest corner of Parcel A, Plat of Survey Number 2071, thence south to the southeast corner of Parcel B, Plat of Survey Number 2071, thence west to the southwest corner of Parcel B, Plat of Survey Number 2071, thence south to the southeast corner of Parcel A, Plat of Survey Number 2042, thence westerly, in a counter clockwise direction, around the north and west boundary lines of Parcel A, Plat of Survey Number 1406 until intersecting with the centerline of 6th Avenue, thence west following the centerline of 6th Avenue until the intersection with the centerline of 21st Street, thence south following the centerline of 21st Street until intersecting with the centerline of 5th Avenue, thence west following the centerline of 5th Avenue until the intersection with the centerline of 20th Street, thence south following the centerline of 20th Street to the centerline of 4th Avenue, Thence east following the centerline of 4th Avenue to the centerline of 31st Street, thence south following the centerline of 31st Street to the centerline of 3rd Avenue, thence east following the centerline of 3rd Avenue to the centerline of 35th Street, thence north following the centerline of 35th Street to the centerline of 7th Avenue, thence west following the centerline of 7th Avenue to the point of beginning.

"Tax Increment District" shall mean the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City, the legal description of which is set out below, approved by resolution of the City Council on April 20, 2017:

Northeast Area:

Beginning at the centerline intersection of 31st Street and Sunburst Avenue, thence east following the centerline of Sunburst Avenue until the intersection with centerline of 35th Street, Thence South following the centerline of 35th Street to the centerline of 10 Avenue, thence west along the centerline of 10th Avenue to the centerline of 31st Street, thence north following the centerline of 31st Street to the point of beginning.

Western Area:
Beginning at the center of the intersection of 8th Avenue and 6th Street, thence south following the centerline of 6th Street to the centerline of 6th Avenue, thence east following the centerline of 6th Avenue to the centerline of 9th Street, thence south following the centerline of 9th Street to the centerline of 5th Avenue, thence west following the centerline of 5th Avenue until the intersection with the centerline of 1st Street, thence north following the centerline of 1st Street until the intersection with the centerline of 6th Avenue, thence west following the centerline of 6th Avenue until the intersection of the centerline of Marion Boulevard, thence southwesterly following the centerline of Marion Boulevard until reaching a point perpendicular to the north corner of Lot 5, Armar Subdivision, thence south to the north corner of Lot 5, Armar Subdivision, thence southeasterly and east following the north boundary line of Lots 5 and 6 of Armar Subdivision to the northeast corner of Lot 6 Armar Subdivision, thence south to the southeast corner of Lot 6, Armar Subdivision, thence south to the northeast corner of the Armar Square 1st Addition, thence west following the northern boundary line of Armar Square 1st Addition and Second City Square Condo Addition to the southwest corner of Plat of Survey No. 363, thence northerly following the western edge of Plat of Survey No. 363 and Armar Subdivision to the south right-of-way line of Marion Boulevard, thence southwesterly following the south right-of-way line of Marion Boulevard to a line directly north of the Tama Street center line extended north, thence south connecting to and following the centerline of Tama Street to a point directly east of the southeast corner of Oak Grove First Addition, thence west to the southwest corner of Oak Grove First Addition, thence northwesterly to the western most point of Oak Grove Second Addition, thence northeasterly to eastern most point of Sweet’s Fourth Addition, thence northwesterly to the north right-of-way line of Marion Boulevard, thence northeasterly following the right-of-way line of Marion Boulevard to the corner of Lindale Crossing First Addition, thence northwesterly and north following the east boundary line of Lindale Crossing First Addition and Auditor’s Plat No. 68 to the centerline of Twixt Town Road, thence west following the centerline of Twixt Town Road to a point directly south of the southwest corner of El-Mar Heights Fourth Addition, thence north to the southwest corner of El-Mar Heights Fourth Addition, thence west, north, and west following the Marion/Cedar Rapids City boundary to the centerline of Lindale Drive NE, thence northeasterly following the centerline of Lindale Drive NE to a point directly east of the northeast corner of Natalia Maria First Addition, thence west to the southeast corner of North Pointe Park Addition, thence north, west, and north following the east boundary line of North Pointe Park addition to the northeast.
corner of North Pointe Park Addition, thence west to the northwest corner of Northland 1st Addition, thence north to the centerline of Blairs Ferry Road NE, thence southeasterly following the centerline of Blairs Ferry Road NE to the northwest corner of Proctor’s First Addition, thence north to the northwest corner of Plat of Survey No. 1405, thence east following the north boundary line of Plat of Survey No. 1405 to the centerline of Lindale Drive that lies directly east of the northeast corner of Plat of Survey No. 1405, thence north and east following the centerline of Lindale Drive, West 8th Avenue, and 8th Avenue to the point of beginning.

“Urban Renewal Area” shall mean the entirety of the Central Corridor Urban Renewal Area, as amended from time-to-time.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Urban Renewal Area. No further division of property tax revenues as provided under Section 403.19 of the Code of Iowa shall be done with respect to the Deleted Property, unless and until such property is re-included in a tax increment district by action of the City Council.

Section 4. Provisions for Division of Taxes Levied on Taxable Property in the Tax Increment District. After the effective date of this ordinance, the taxes levied on the taxable property in the Tax Increment District each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Tax Increment District 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 Tax Increment District, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City 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 Tax Increment District 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 Tax Increment District 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 City 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 City 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 Tax Increment District 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 Tax Increment District 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 Tax Increment District 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 City 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 City 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 5. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. 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 7. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Council of the City of Marion, Iowa, on May 4, 2017.

[Signature]
Mayor

Attest:

[Wesley A. Nelson]
City Clerk

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

[Signature]
Mayor

Attest:

[Wesley A. Nelson]
City Clerk
ATTESTATION CERTIFICATE

STATE OF IOWA
COUNTY OF LINN
CITY OF MARION

I, the undersigned, City Clerk of the City of Marion, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of the City relating to the adoption of an ordinance entitled “Ordinance No. 17-09. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the April, 2017 Addition to the Central Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.”

WITNESS MY HAND this 5 day of may, 2017.

[Signature]
City Clerk
COUNTY FILING CERTIFICATE

STATE OF IOWA

COUNTY OF LINN

I, the undersigned, County Auditor of Linn County, in the State of Iowa, do hereby certify that on the 18th day of May, 2017, the City Clerk of the City of Marion, Iowa, filed in my office a copy of an ordinance of the City shown to have been adopted by the City Council and approved by the Mayor thereof on May 8, 2017, entitled: “Ordinance No. 17-09. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the April, 2017 Addition to the Central Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa”, and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this 18th day of May, 2017.

Joel O. Miller by Stacey Fox
County Auditor by Deputy
PUBLICATION CERTIFICATE

STATE OF IOWA
COUNTY OF LINN
CITY OF MARION

I, the undersigned, City Clerk of the City of Marion, do hereby certify that I caused to be published "Ordinance No. \[\text{Ordinance No.}\] An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the April, 2017 Addition to the Central Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa", of which the printed slip attached to the publisher’s original affidavit hereto attached is a true and complete copy, 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 25th day of May, 2017.

[Wesley A. Nelson]
City Clerk

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

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)
PUBLISHER'S CERTIFICATE

STATE OF IOWA
County of Linn ss.

I, Jake Krob, being duly sworn, on my oath 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

MAY 25 2017

and the reasonable fee for publishing said Notice is $246.42.

[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

ORDINANCE NO. 17-69
An Ordinance Providing for the Division of Taxes, Levied on Taxable Property in the April, 2017 Addition to the Central Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Marion, Iowa (the "City") enacted an ordinance entitled "An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The Central Corridor Urban Renewal Area, Pursuant To Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, the Central Corridor Urban Renewal Area in the City of Marion was designated a "tax increment district"; and

WHEREAS, the City Council now desires to decrease the size of the "tax increment district" by deleting certain property;

WHEREAS, furthermore, the City Council also desires to increase the size of the "tax increment district" by adding additional property;

BE IT ENACTED by the City Council of the City of Marion, Iowa:

Section 1. Purpose. The purpose of...
of this ordinance is to delete certain property from the tax increment district for the Central Corridor Urban Renewal Area and, subsequently provide for the division of taxes levied on the taxable property in the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City, 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 or otherwise called a special fund to pay the principal of and interest on bonds, mortgaged or advanced to or indebtedness, including bonds proposed to be issued by the City to finance projects in the annexed area.

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

"City" shall mean the City of Marion, Iowa.

"County" shall mean Linn County, Iowa.

"Deleted Property" shall mean the following described real property in the City of Marion, Linn County, Iowa:

Beginning at the centerline intersection of 31st Street and 7th Avenue, thence west following the centerline of 7th Avenue to a point directly south of the southwest corner of Plat of Survey Number 171, thence north to the southwest corner of Plat of Survey Number 171, thence west to the northwest corner of Plat of Survey Number 171 which is at the south right-of-way line of 7th Avenue, thence west following the south right-of-way line of 8th Avenue until reaching the northeast corner of Parcel A, Plat of Survey Number 860, thence south following the southeast corner of Parcel A, Plat of Survey Number 860, thence south following the west boundary line for Parcel B, Plat of Survey Number 863 in a counter clockwise direction until intersecting with the north right-of-way line of 7th Avenue, thence south to the south right of way line of 7th Avenue, thence south to the northeast corner of Parcel B, Plat of Survey Number 863, thence west to the southeast corner of Parcel B, Plat of Survey Number 863, thence south to the southeast corner of Parcel A, Plat of Survey Number 2042, thence west, in a counter clockwise direction, around the northeast and west boundary lines of Parcel A, Plat of Survey Number 1406 until intersecting with the centerline of 6th Avenue, thence west following the centerline of 6th Avenue until the intersection with the centerline of 5th Avenue, thence west following the centerline of 5th Avenue until the intersection with the centerline of 4th Street, thence south following the centerline of 4th Street until the intersection with the corner of 3rd Avenue, thence south following the centerline of 3rd Avenue until the intersection with the centerline of 2nd Avenue, thence south following the centerline of 2nd Avenue until the centerline of 1st Avenue, thence south following the centerline of 1st Avenue until the centerline of Sunburst Avenue, thence south following the centerline of Sunburst Avenue until the intersection with the centerline of 2nd Street, thence west following the centerline of 2nd Street to the centerline of 1st Street, thence east following the centerline of 1st Street to the centerline of 3rd Street, thence east following the centerline of 3rd Street to the centerline of 5th Street, thence north following the centerline of 5th Street to the centerline of 10th Avenue, thence east following the centerline of 10th Avenue to the centerline of 31st Street, thence north following the centerline of 31st Street, thence south following the centerline of 31st Street to the point of beginning.

"Tax Increment District" shall mean the April, 2017 Addition to the Central Corridor Urban Renewal Area of the City, the legal description of which is set out below, approved by resolution of the City Council on April 20, 2017:

Northeast Area: Beginning at the centerline intersection of 31st Street and Sunburst Avenue, thence west following the centerline of Sunburst Avenue until the intersection with 35th Street, thence south following the centerline of 35th Street to the centerline of 10th Avenue, thence east following the centerline of 10th Avenue to the centerline of 31st Street, thence north following the centerline of 31st Street, thence south following the centerline of 31st Street to the point of beginning.

Western Area: Beginning at the center of the intersection of 8th Avenue and 6th Street,