MINUTES PROVIDING FOR FIRST
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE
SEPTEMBER, 2019 COLLINS ROAD
EXTENSION URBAN RENEWAL AREA
ADDITION

419241-94
Marion, Iowa

September 5, 2019

The City Council of the City of Marion, Iowa, met on September 5, 2019, at 5:30
o’clock p.m., at the Marion City Hall in the City.

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

Present: Draper, Atkins, Jensen, Brandt and Gadelha

Absent: AbouAssaly.

Council Member Atkins introduced an ordinance entitled “Ordinance No. 19-23. An
Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September,
2019 Collins Road Extension Urban Renewal Area Addition, Pursuant to Section 403.19
of the Code of Iowa.”

It was moved by Council Member Atkins and seconded by Council Member Jensen that
the ordinance be adopted. The Mayor Pro Tem put the question on the motion and the roll being
called, the following named Council Members voted:

Ayes: Strnad, Draper, Atkins, Jensen, Brandt and Gadelha

Nays: None.

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

Attest:

Racquel Blaken
City Clerk
ORDINANCE NO. 19-23

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal Area Addition, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Marion, Iowa (the "City") previously enacted an ordinance entitled "An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Collins Road Extension Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

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

WHEREAS, the City Council now desires to establish a new "tax increment district" by designating the real property comprising the September, 2019 Collins Road Extension Urban Renewal Area Addition;

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the September, 2019 Collins Road Extension Urban Renewal Area Addition of the City of Marion, Iowa, 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 of Marion to finance projects in such area.

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

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

"County" shall mean Linn County, Iowa.

"Tax Increment District" shall mean the September, 2019 Collins Road Extension Urban Renewal Area Addition of the City of Marion, Iowa, the legal description of which is set out below, approved by the City Council by resolution adopted on September 5, 2019:

Beginning at the centerline intersection of 31st Street and 7th Avenue; thence west following the south boundary line of Plat of Survey number 171 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 counterclockwise 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, westerly, in a counterclockwise 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 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 to the centerline of 20th Street, thence south along the Centerline of 20th Street to the intersection of the Centerline of 3rd Avenue west to the centerline of 15th Street, Thence south along the centerline of 15th Street to the intersection of the centerline of 1st Avenue, thence west along the centerline of 1st Avenue to the Centerline of 11th Street, Thence north along the centerline of 11th Street to the centerline of the intersection of 4th Avenue, thence west along the centerline of 4th Avenue to the centerline of the intersection of 9th Street, Thence north along the centerline of 9th Street to the centerline of the intersection 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 along the West line of Lot 6 Armar Subdivision also known as the West line of the NE ¼ of the SW ¼ of Section 1-T83N-R7W and continuing south to the north line of Section 12-T83- R7W; Thence west to the northwest corner of Section 12-T83-R7W; thence south following the west line of Section 12-T83-R7W to the southwest corner of the NW ¼ of section 12-T83- R7W; Thence east following the north line of the SW ¼ of Section 12-T83-R7W to the Center of said Section; thence south along the NW ¼ of the SW ¼ of section 12-T83-R7W to the northwest corner of Lot 4 of Skyline Addition; Thence east along the north line of Skyline Addition extended along the north line of Auditors Plat number 237 to the east line of the NW ¼ of the SE ¼ of Section 12-T83-R6W; Thence South following the east line of said Section to the center of the SE ¼ of Section 12- T83-R6W; Thence east following the north line the SE ¼ of the SE ¼ of said section to the east right of way line of East Post Road; Thence north following the east line of East Post Road to the north line of the SW ¼ of the NW ¼ of Section 7-T83-R6W, Thence East following the north line of the SW ¼ of section 7-T83-R6W extended to east line of 31st right of way; thence north following the east line of 31st street right of way to the North line of the SE ¼ of the NW ¼ of Section 8-T83-R7W; Thence east to center of the NE ¼ of said section; Thence north to the North line of the NE ¼ of Section 8-T83-R6W;
Thence East following the north line of the NE ¼ of said section extended to the west line of US highway 13; thence north along the west line of U.S. Highway 13 to the southeast corner of the Katz Railroad 1st Addition; thence south and easterly crossing U.S. Highway 13 to the southwest corner of Plat of Survey number 414 Parcel A; thence south and east following the south line of said Plat of Survey and extending long the south line of Plat of Survey number 889 and Plat of Survey number 679 to the east right of way line of Hindman Road; Thence north following the east right of way line of Hindman Road to north right of way line of Business Highway 151; south and west following the north right of way line of Business Highway 151 to the southeast corner of the SE ¼ of Section 33-T84-R6W; Thence north to the Northeast corner of the SE ¼ of the SE ¼ of Section 33-T84-R6W; Thence west following the north line of said section extended to the west line of the SW ¼ of Section 33-T84-R6W; Thence south following the West line of said section to the northeast corner pin of Lot 6 of Carriage Hills Commercial Addition; Thence west to the centerline of 44th Street; Thence south to the north right of way line of Business Highway 151; Thence west following the north line of Business Highway 151 to the intersection of 35th street; Thence west and south along the north right of way line of 7th Avenue to the centerline of the 31st Street; thence south to the point of beginning.

“Urban Renewal Area” shall mean the entirety of the Collins Road Extension Urban Renewal Area as amended from time to time.

Section 3. 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 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

First consideration passed by the City Council of the City of Marion, Iowa, on September 5, 2019.

Attest:

Raeul Baened
City Clerk

Second and final consideration passed by the City Council of the City of Marion, Iowa on September 19, 2019.

Attest:

Raeul Baened
City Clerk
MINUTES PROVIDING FOR FINAL CONSIDERATION AND ADOPTION OF AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING DISTRICT FOR THE SEPTEMBER, 2019 COLLINS ROAD EXTENSION URBAN RENEWAL AREA ADDITION

419241-94
(Final Consideration and Adoption)
Marion, Iowa
September 19, 2019

The City Council of the City of Marion, Iowa, met on the 19th day of September, 2019, 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, Atkins, Jensen, Stmad, Brandt and Gadelha

Absent: None.

The Mayor announced that, on September 5, 2019, the Council had given its initial consideration and had adopted an ordinance entitled “Ordinance No. 19-23. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal Area Addition, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Stmad and seconded by Council Member Brandt 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: Draper, Jensen, Stmad and Brandt

Nays: AbouAssaly, Atkins and Gadelha.

Whereupon, the Mayor declared the motion duly carried.
It was moved by Council Member Brandt and seconded by Council Member Gadelha that
the ordinance entitled “Ordinance No. 19-23. An Ordinance Providing for the Division of Taxes
Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal
Area Addition, 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:  AbouAssaly, Draper, Atkins, Jensen, Strnad, Brandt and Gadelha
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.

Attest:

Rachel Romani
City Clerk

Nicolas AbouAssaly
Mayor
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 11th day of October, 2019, the City Clerk of the City of Marion, Iowa, filed in my office a copy of an ordinance of such City shown to have been adopted by the Council and approved by the Mayor thereof on the 19th day of September, 2019, entitled: “Ordinance No. 19-23. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal Area Addition, 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 22nd day of October, 2019.

[Signature]
County Auditor

Deputy Auditor
STATE OF IOWA  
COUNTY OF LINN  
CITY OF MARION  

I, the undersigned, City Clerk of the City of Marion, State of Iowa, do hereby certify that I caused to be published “Ordinance No. 19-23. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal Area Addition, 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 10 day of October, 2019.

[Signature]
City Clerk

(Attach hereto publisher’s affidavit of publication with clipping of ordinance as published.)
ORDINANCE NO. 19-23

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Parcel Survey platting the County of Linn, Iowa, the City of Marion, Iowa, the City of Linn, Iowa, the City of Collins, Iowa, and the City of Southwest Linn, Iowa, within the area described in the plat of said parcel survey known as "Collins Road Extension Urban Renewal Area Addition," Pursuant to Section 403.19 of the Code of Iowa;

WHEREAS, the City Council of the City of Marion, Iowa (the "City") previously enacted an ordinance entitled "An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Collins Road Extension Urban Renewal Area Addition," Pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Collins Road Extension Urban Renewal Area in the City was designated as "Tax Increment Districts," and

WHEREAS, the City Council now desires to establish a new "Tax Increment District" by designating the real property comprising the September, 2019 Collins Road Extension Urban Renewal Area Addition;

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the September, 2019 Collins Road Extension Urban Renewal Area Addition of the City of Marion, Iowa, 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 bonds, moneys advanced for or indebtedness, including bonds proposed to be issued by the City of Marion to finance projects in such area.

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

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

"County" shall mean Linn County, Iowa.

"Tax Increment District" shall mean the September, 2019 Collins Road Extension Urban Renewal Area Addition of the City of Marion, Iowa, the legal description of which is set out below, approved by the City Council by resolution adopted on September 5, 2019.

Beginning at the centerline intersection of 31st Street and 7th Avenue, thence west along the south boundary line of Plat Survey number 171, thence north to the southeast corner of Plat Survey Number 171 which is also the south right-of-way line of 8th Avenue, thence west to the south right-of-way line of 8th Avenue until reaching the northeast corner of Parcel A, Plat Survey Number 360, thence south to the southeast corner of Parcel A, Plat of Survey Number 360; thence south along the right-of-way line of 7th Avenue, thence east to the northwest corner of Parcel A Plat of Survey Number 207; thence east along the north right-of-way line of 8th Avenue, thence south to the southeast corner of Parcel B, Plat of Survey Number 207, thence west to the southeast corner of Parcel A, Plat of Survey Number 207, thence south along the north right-of-way line of 7th Avenue, thence west to the southeast corner of Parcel B, Plat of Survey Number 207, thence south along the north right-of-way line of 8th Avenue, thence north to the point of beginning.

"Urban Renewal Area" shall mean the entirety of the Collins Road Extension Urban Renewal Area as amended from time to time.

Section 3. Provision 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, 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 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 tax fund referred to in paragraph (b) below, shall be allocated to and when collected paid into the fund for the respective taxing districts 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 first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the tax fund referred to in paragraph (b) below, 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 shall collected and paid into a special fund of the City to pay the principal of and interest on bonds, moneys advanced for or indebtedness, whether funded, refunded, assigned or otherwise, including bonds issued under the authority of Section 403.19(i) of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area or to provide assistance for low and moderate-income family housing as provided in Section 403.20, except that all valid and verified physical plant and equipment levy of a school district comprised pursuant to Section 298.2, of the Code of Iowa, taxed for the instructional support program levy of a school district comprised pursuant to Section 298.2, 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 abatement by the provisions of this ordinance. Unless and until the property is revalued, the 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 bonds, advances, indebtedness, and bonds, interest, and interest thereon, have been paid, all moneys 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 by or for said taxing districts on all other property taxes.

(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 irretrievably pledged by the City for the payment of the principal and interest on the bonds, the proceeds of which are hereby authorized by the City's government or otherwise, including bonds issued under the authority of Section 403.19(i) 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.

Dated this the 8th day of January, 2019.

Notary Public in and for Linn County, Iowa

RICHARD ESKELENS
Commission Number 789016
My Commission Exp.

The undersigned, Margaret Stevens, being duly sworn, do say, the Marion Times is a Newspaper issued weekly at Marion, in said County of Linn and 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 October 10, 2019

and the reasonable fee for publishing said Notice is

$144.63

Subscribed by the above named Margaret Stevens in my presence, and by her sworn before me, at Mount Vernon, Linn County, Iowa.
STATE OF IOWA
COUNTY OF LINN     SS:
CITY OF MARION

I, the undersigned, City Clerk of the City of Marion, State of Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of such City relating to the adoption of an ordinance entitled "Ordinance No. 19-23. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2019 Collins Road Extension Urban Renewal Area Addition, Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 3 day of October, 2019.

[Signature]
City Clerk