

Board Member Riekena then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 3 TO THE GRUNDY COUNTY INDUSTRIAL PARK URBAN RENEWAL PLAN" and moved that the same be adopted. Board Member Ross seconded the motion to adopt. The roll was called and the vote was,

AYES: Riekena, Ross, Smith, Schildroth, and Bakker

NAYS: None

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION #39-2010/2011

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 3 TO THE GRUNDY COUNTY INDUSTRIAL PARK URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 39-2000/2001, adopted April 16, 2001, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Grundy County Industrial Park Urban Renewal Plan (the "Plan") for the Grundy County Industrial Park Urban Renewal Plan Area (the "Grundy County Industrial Park Urban

Renewal Area") described therein, which Plan is on file in the office of the Recorder of Grundy County; and

WHEREAS, by Resolution No. 51-2003/2004, adopted May 12, 2004, this Board of Supervisors approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 18-2006/2007, adopted November 13, 2006, this Board of Supervisors approved and adopted an Amendment No. 2 to the Plan;

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

ORIGINAL AREA:

Phase I:

The east 786.0 feet of the North 1108.4 feet of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Twelve (12), Township Eighty-eight (88) North, Range Seventeen (17), West of the 5th P.M., Grundy County, Iowa.

The above is hereafter corrected to and known as Parcel 536-A and more particularly described as follows:

Parcel 536-A as recorded in Book 73E at Page 220 in the Northeast Quarter of the Northeast Quarter of Section 12, Township 88 North, Range 17 West of the 5th P.M., Grundy County, Iowa, and more particularly described as follows: Commencing at the Northeast Corner of said Section; thence South 00° 17' 12" East 1,106.35 feet along the Township Line and Centerline of Iowa Highway 14; thence South 90° 00' 00" West 787.72 feet; thence North 00° 17' 12" West 766.66 feet to the Southeast Corner of Parcel 157-A in said Section; thence North 00° 00' 17" West 339.68 feet to the Northeast Corner of said Parcel 157-A and the North Section Line of said Section and Centerline of County Road (170th Street); thence North 90° 00' 00" East (Record Bearing) 786.05 feet along said Section Line and Centerline to the Point of Beginning, containing 20.0 acres, including 1.951 acres of Iowa Highway 141 and County Road (170th Street) Rights-of-Way, subject to easements of record.

Phase II

The east 786.0 ft. of the North 2216.8 ft. except Parcel 536-A of the Northeast Quarter of Section Twelve (12), Township Eighty-eight (88) North, Range Seventeen (17), West of the 5th P.M., Grundy County, Iowa (said parcel containing 20 acres more or less).

AMENDMENT NO. 1 AREA:

The Northwest Quarter (NW 1/4) of Section 7, the Southwest Quarter (SW 1/4) of Section 6, and the South one-half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 6, all being located in Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M. in Grundy County, excepting Iowa Highway 14 and U.S. Highway 20 thereof; excluding:

West Eighteen Acres of a tract described as: Grundy County Parcel Number 881606-100002, being the South Half (S-1/2) of Northwest Quarter (NW-1/4), except highway, Section Six (6), Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M., Grundy County, Iowa. Said West Eighteen Acres more particularly described as Parcel Number 987-A, as recorded in Book 73G at Page 120.

AMENDMENT #2 AREA:

West Eighteen Acres of a tract described as: Grundy County Parcel Number 881606-100002, being the South Half (S-1/2) of Northwest Quarter (NW-1/4), except highway, Section Six (6), Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M., Grundy County, Iowa. Said West Eighteen Acres more particularly described as Parcel Number 987-A, as recorded in Book 73G at Page 120.

This Urban Renewal Area also includes the right-of-way of adjacent roads to the Urban Renewal Area, as amended.

WHEREAS, a proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan for the area described below has been prepared, which proposed Amendment is on file in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to remove certain real estate from the Grundy County Industrial Park Urban Renewal Area. The property taken out will be used to form a new Grundy County Industrial Park South Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 3 to the Urban Renewal Area removes land, as follows:

The east 786.0 ft. of the North 2216.8 ft. except Parcel 536-A of the Northeast Quarter of Section Twelve (12), Township Eighty-eight (88) North, Range Seventeen (17), West of the 5th P.M., Grundy County, Iowa (said parcel containing 20 acres more or less).

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the proposed Amendment No. 3 to the Grundy County

Industrial Park Urban Renewal Plan to be known hereafter as the "Grundy County Industrial Park Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the County as a whole, prior to the Board of Supervisors approval thereof; and

WHEREAS, adoption of Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan has been approved by the Planning and Zoning Commission for the County as being in conformity with the general plan for development of the County as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on April 4, 2011, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan be sent to all affected taxing entities; and

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

WHEREAS, by resolution this Board also set a public hearing on the adoption of the proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan for this meeting of the Board, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Grundy Register, The Record and the Reinbeck Courier which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF GRUNDY COUNTY, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 3 concerning the area of Grundy County, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Board for this area.

Section 2. This Board further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Grundy County Industrial Park Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Plan, as amended, and Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan conform to the general plan for the development of the County as a whole; and

C. Acquisition by the County is not immediately expected, however, as to any areas of open land to be acquired by the County included within the Grundy County Industrial Park Urban Renewal Area:

1. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

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

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

C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or

relocation of industrial and commercial enterprises in this state and its municipalities.

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

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

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

Section 4. That Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan of Grundy County, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan for Grundy County, State of Iowa"; Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan of Grundy County, State of Iowa, is hereby in all respects approved; and the County Auditor is hereby directed to file a certified copy of Amendment No. 3 with the proceedings of this meeting.

Section 5. That the Original Grundy County Industrial Park Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Amendment. The proposed Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Grundy County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 3, as well as all resolutions previously adopted by this Board of Supervisors related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 2nd day of May, 2011.

Barbara L. Smith
Chairperson, Board of Supervisors

ATTEST:

Mary L. Schmidt
County Auditor



[Attach Amendment No. 3 to this Resolution marked as Exhibit 1]

EXHIBIT #1

Amendment #3

Grundy County Industrial Park Urban Renewal Area

April 2001, Original

May 2004, Amendment #1

November 2006, Amendment #2

May 2011, Amendment #3

Amendment No. 3 to the Grundy County
Industrial Park Urban Renewal Area

The Grundy County Industrial Park Urban Renewal Area Plan, dated April 2001, as amended in May 2004 and November 2006, is being amended to decrease the size of the original area. The property taken out of the original area by this Amendment No. 3 is to be used to form a new Grundy County Industrial Park Urban Renewal Area South. Legal descriptions of the urban renewal area, as amended, are attached as Exhibit A, and illustrated on Exhibit B.

The original Urban Renewal Plan and ordinance were adopted in 2001. The base value of the original district was the valuation in place as of January 1, 2002 (the values prior to the first certification in 2003). The first amendment occurred in 2004. The base value of Amendment #1 Area was the valuation in place as of January 1, 2003, the calendar year preceding the adoption of the amending TIF Ordinance for Amendment #1. The base of the Amendment #1 Area, as amended, will not be impacted by this Amendment #3. The second amendment occurred in 2006. The base value of the Amendment #2 Area was the valuation in place as of January 1, 2005, the calendar year preceding the adoption of the amending TIF ordinance for Amendment #2. The base value of the Amendment #2 Area, as amended, will not be impacted by this Amendment #3.

The current financial data for the County is as follows:

Constitutional debt limit: \$56,100,570

Current general obligation debt: \$16,020,000

The proposed amount of indebtedness to be incurred for area remaining in the Grundy County Industrial Park will vary as projects are proposed. For example, a recent project consisted of financial incentives in the form of economic development grants (tax rebates) to Enseva-Grundy Center, LLC in the amount of approximately \$783,000. Project incentives in the future may range from \$100,000 to \$500,000. The Board will review and approve Projects on a case-by-case basis.

Except as modified by this Amendment No. 3, the provisions of the original Urban Renewal Plan (as previously amended) are hereby ratified, confirmed, and approved, and shall remain in full force and effect as provided therein. The provisions of the original Plan, as amended, also apply to this Amendment No. 3, unless specifically modified.

Exhibit A
Legal Descriptions

Land being removed from the Original Area by Amendment No. 3 is described as follows:

Phase II

The east 786.0 ft. of the North 2216.8 ft. except Parcel 536-A of the Northeast Quarter of Section Twelve (12), Township Eighty-eight (88) North, Range Seventeen (17), West of the 5th P.M., Grundy County, Iowa (said parcel containing 20 acres more or less).

Legal Description of remaining Grundy County Industrial Park Urban Renewal Area, as Amended (after the removal of Amendment No. 3 Area), is described as follows:

ORIGINAL AREA:

Phase I:

The east 786.0 feet of the North 1108.4 feet of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Twelve (12), Township Eighty-eight (88) North, Range Seventeen (17), West of the 5th P.M., Grundy County, Iowa.

The above is hereafter corrected to and known as Parcel 536-A and more particularly described as follows:

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AMENDMENT NO. 1 AREA:

The Northwest Quarter (NW 1/4) of Section 7, the Southwest Quarter (SW 1/4) of Section 6, and the South one-half (S 1/2) of the Northwest Quarter (NW 1/4) of Section 6, all being located in Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M. in Grundy County, excepting Iowa Highway 14 and U.S. Highway 20 thereof; excluding:

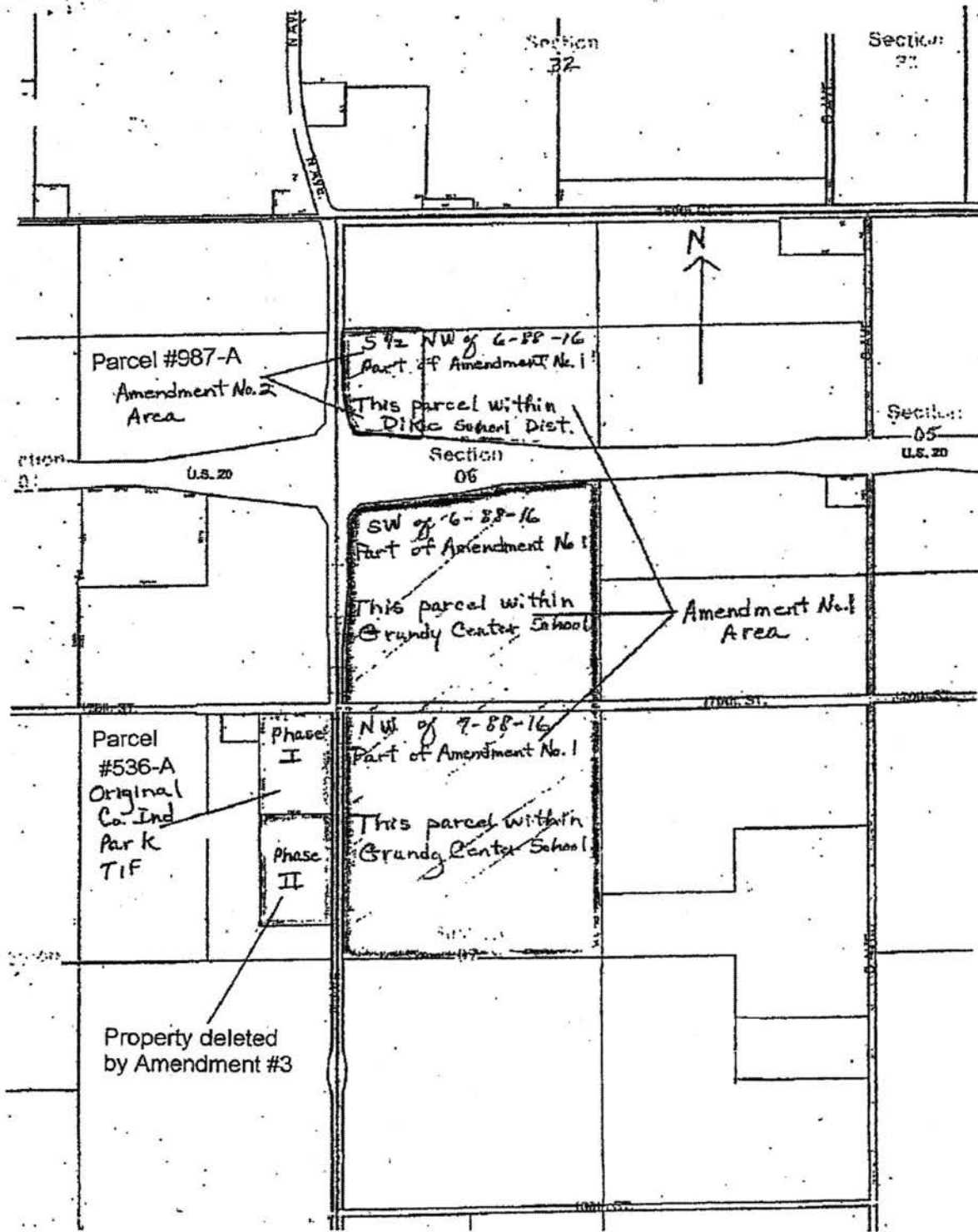
West Eighteen Acres of a tract described as: Grundy County Parcel Number 881606-100002, being the South Half (S-1/2) of Northwest Quarter (NW-1/4), except highway, Section Six (6), Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M., Grundy County, Iowa. Said West Eighteen Acres more particularly described as Parcel Number 987-A, as recorded in Book 73G at Page 120.

AMENDMENT #2 AREA:

West Eighteen Acres of a tract described as: Grundy County Parcel Number 881606-100002, being the South Half (S-1/2) of Northwest Quarter (NW-1/4), except highway, Section Six (6), Township Eighty-eight (88), Range Sixteen (16), West of the 5th P.M., Grundy County, Iowa. Said West Eighteen Acres more particularly described as Parcel Number 987-A, as recorded in Book 73G at Page 120.

This area also includes the right-of-way of adjacent roads.

Exhibit B
 Map of Urban Renewal Area, showing
 Original, Amendment #1 Area and Amendment #2 Area



683455.1 15809.027

ORIGINAL

COUNTY RECORDER'S CERTIFICATE

I, Charles E. Kruse, County Recorder of Grundy County, State of Iowa, hereby certify on the 4th day of May, 2011, there was filed in my office a true and correct copy of the Amendment No. 3 to the Grundy County Industrial Park Urban Renewal Plan, as amended, and the Resolution adopting same for the Grundy County Industrial Park Urban Renewal Area, of Grundy County, State of Iowa, approved by the Board of Supervisors on the 2nd day of May, 2011, the original of which is on file on Book 2011, Page 0872, in the records of the undersigned County Recorder.

Dated this 4th day of May, 2011.



(COUNTY SEAL)

15809.029 # 688393.1

Charles E. Kruse by MLP
County Recorder of Grundy County,
State of Iowa

ORIGINAL

STATE OF IOWA
GRUNDY COUNTY RECORDED

11 MAY -4 PM 2: 27

BOOK 2011 PAGE 0872
CHARLES E. KRUSE, RECORDER

BY Mary Schmidt DEPUTY

Type of Document: RESOLUTION ADOPTING AMENDMENT NO. 3 TO THE
GRUNDY COUNTY INDUSTRIAL PARK URBAN
RENEWAL PLAN (with Amendment No. 3 attached as
Exhibit 1)

Return Document to: Mary Schmidt, County Auditor
706 G Avenue
Grundy Center, IA 50638

Preparer Information: Patricia J. Martin
Ahlers & Cooney, P.C.
100 Court Ave., Ste. #600
Des Moines, IA 50309
(515) 243-7611

Taxpayer Information: N/A

GRANTORS: N/A

GRANTEES: N/A

LEGAL DESCRIPTION: See Resolution, page 5. (Resolution #39-2010/2011)

Book & Page of previously recorded documents:

688395.1