

MINUTES PROVIDING FOR PASSAGE
OF AN ORDINANCE DELETING
PROPERTY FROM A TAX INCREMENT
FINANCING DISTRICT FOR THE
CONSOLIDATED MUSCATINE URBAN
RENEWAL AREA

421464-52

Muscatine, Iowa

December 7, 2017

The City Council of the City of Muscatine, Iowa, met on December 7, 2017 at 7 o'clock p.m., at the City Council Chambers, in the City.

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

Present: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Absent: Bynum

Council Member Harvey introduced an ordinance entitled Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Harvey and seconded by Council Member Natvig that the 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: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Nays: None

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

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DORSEY & WHITNEY LLP, ATTORNEYS, DES MOINES, IOWA

It was moved by Council Member _____ and seconded by Council Member _____ that the statutory rule requiring an 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: _____

ORDINANCE NO. _____

An Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Muscatine, Iowa (the "City") previously enacted an ordinance providing for the division of taxes levied on taxable property in the Consolidated Muscatine Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Consolidated Muscatine Urban Renewal Area in the City of Muscatine 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;

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

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Consolidated Muscatine Urban Renewal Area.

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

"Deleted Property" shall mean the following real property situated in the City of Muscatine, Muscatine County, State of Iowa, more particularly described as follows:

EXHIBIT A

LEGAL DESCRIPTION

A tract of land located in the Northeast Quarter and the Northwest Quarter of Section 24, Township 77 North, Range 2 West of the 5th P.M., Muscatine County, Iowa. Said tract more particularly described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of said Section 24; thence North 89°28'58" East (assumed bearing) 904.20 feet on the North line of the Northeast Quarter of said Section 24; thence South 00°30'17" East 2642.65 feet to the South line of the Northeast Quarter of said Section 24; thence South 89°30'02" West 741.74 feet on said South line to the Easterly right-of-way of State Highway No. 38; thence North 16°25'35" West 763.21 feet on said Easterly right-of-way; thence North 30°29'55" West 154.85 feet on said Easterly right-of-way; thence North 21°40'59" West 534.60 feet on said Easterly right-of-way; thence North 24°49'01" West 308.06 feet on said Easterly right-of-way; thence North 21°40'59" West 1095.53 feet on said Easterly right-of-way to the North line of the Northwest Quarter of said Section 24; thence North 89°30'12" East 886.89 feet on said North line to the point of beginning. Said tract contains 75.19 acres.

LEGAL DESCRIPTION

A tract of land located in the Southwest Quarter of Section 13, Township 77 North, Range 2 West of the 5th P.M., Muscatine County, Iowa. Said tract more particularly described as follows: Commencing at the Southwest Corner of the Southeast Quarter of said Section 13; thence South 89°30'tiu West 99.46 feet on the South line of the Southwest Quarter of said Section 13 to the Point of Beginning of the tract herein described; thence continuing South 89°30'12" West on said Southerly line 787.43 feet; thence North 21°40'59" West on the Easterly right-of-way of State Highway No. 38 a distance of 8.58 feet; thence North 89°30'12" East 790.53 feet; thence South 00°00'00" East 8.00 feet to the Point of Beginning. Said tract contains 0.11 acres.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Consolidated Muscatine Urban Renewal Area. No 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 without further action by the City Council.

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.

Passed and approved by the City Council of the City of Muscatine, Iowa, on December 7, 2017.

Mayor

Attest:

City Clerk

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

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, 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. _____. An Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa.”

WITNESS MY HAND this ____ day of _____, 2017.

City Clerk

STATE OF IOWA

SS:

COUNTY OF MUSCATINE

I, the undersigned, County Auditor of Muscatine County, in the State of Iowa, do hereby certify that on the ____ day of _____, 2017, the City Clerk of the City of Muscatine, Iowa, filed in my office a copy of an ordinance of the City shown to have been adopted by the Council and approved by the Mayor thereof on December 7, 2017, entitled: "Ordinance No. _____. An Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, 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 ____ day of _____, 2017.

County Auditor

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, do hereby certify that I caused to be published "Ordinance No. _____. An Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, 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 ____ day of _____, 2017.

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 ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)