

Altoona-436778-1AURAG

FILED FOR RECORD
POLK COUNTY, IOWA

INST # 069736
RECORDING FEE No fee
AUDITOR FEE _____

96 APR 17 A 11:59 AM

TIMOTHY J. BRIEN
RECORDER
URBAN RENEWAL AGREEMENT

WHEREAS, the City of Altoona, Iowa (the "City") has established the Altoona Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, the City proposes to amend the boundaries of the Altoona Urban Renewal Area by deleting certain property and by adding certain other property; and

WHEREAS, a portion of the property which is proposed to be added is located outside the city limits as shown on Exhibit A hereto, (the "Additional Property"); and

WHEREAS, the Additional Property is covered by an agreement between the City and the City of Des Moines, pursuant to which the City of Des Moines has agreed to refrain from annexing the Additional Property; and

WHEREAS, it is the intention of the City to annex the Additional Property; and

WHEREAS, in accordance with paragraph 3 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two miles of the boundary of a city if the city obtains the consent of the county within which such property is located; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Polk County enter into this agreement in order to give its consent that the City may exercise urban renewal powers with respect to the Additional Property;

NOW, THEREFORE, it is agreed by the City of Altoona and Polk County as follows:

Section 1. Polk County hereby gives its consent that the City of Altoona may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Additional Property.

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Section 2. This Agreement shall be deemed to meet the statutory requirements of paragraph 3 of Section 403.17 of the Code of Iowa and shall be effective following approval by the governing bodies and execution by the appropriate officials of the City and the County.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed by its Mayor and attested by its City Clerk and the County has caused this Agreement to be executed by the Chairperson of its Board of Supervisors and attested by its County Auditor, as of the dates shown opposite their respective signatures below.

City of Altoona, Iowa

By Christy J. Budget
Mayor

Attest:

[Signature]
City Clerk

Date: 3-18-96

Polk County, Iowa

By J. F. Hancock
Chairperson, Board of Supervisors

Attest:

Mary Kay LaBarnes Deputy Auditor Date: 4-2-96
County Auditor

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EXHIBIT A
Legal Description

SOUTHWEST ADDITION TO THE RENEWAL AREA

Beginning at the Northeast corner of Section 22, T-79N, R-23W of the 5th P.M., Polk County, Iowa; thence South along the east line thereof to the East R.O.W. line of Relocated U.S. Highway No. 65; thence Northwesterly on said East R.O.W. line to the South R.O.W. line of Hubbell Avenue; thence Northeasterly along said South R.O.W. line to the East line of Section 15, T-79N, R-23W; thence South along said East line to the Northwest corner of the Southwest One-Quarter (SW $\frac{1}{4}$), Southwest One-Quarter (SW $\frac{1}{4}$) of Section 14, T-79N, R-23W; thence East along the North line thereof to the Northeast corner of said Southwest One-Quarter (SW $\frac{1}{4}$), Southwest One-Quarter (SW $\frac{1}{4}$); thence South along the East line thereof to the Southeast corner of said Southwest One-Quarter (SW $\frac{1}{4}$), Southwest One-Quarter (SW $\frac{1}{4}$); thence West along the South line thereof to the Northeast corner of the Northwest One-Quarter (NW $\frac{1}{4}$), Northwest One-Quarter (NW $\frac{1}{4}$) of Section 23, T-79N, R-23W; thence South along the East line thereof to the Southeast corner of said Northwest One-Quarter (NW $\frac{1}{4}$), Northwest One-Quarter (NW $\frac{1}{4}$), Northwest One-Quarter (NW $\frac{1}{4}$); thence West along the South line thereof to the Southwest corner of said Northwest One-Quarter (NW $\frac{1}{4}$), Northwest One-Quarter (NW $\frac{1}{4}$), Northwest One-Quarter (NW $\frac{1}{4}$); thence North along the West line thereof to the point of beginning.

Said parcel containing 275 acres, more or less.

The "Additional Property" referred to in the Agreement to which this is attached is that portion of the property described above which is located outside the city limits of the City of Altoona, as more particularly shown on the map which is on file with the City Clerk.

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RESOLUTION

Moved by Willits Seconded by Bishop

that the following Resolution be adopted:

WHEREAS, the City of Altoona, Iowa (the "City") has established the Altoona Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, the City proposes to amend the boundaries of the Altoona Urban Renewal Area by deleting certain property and by adding certain other property; and

WHEREAS, a portion of the property which is proposed to be added is located outside the city limits as shown on Exhibit A hereto, (the "Additional Property"); and

WHEREAS, the Additional Property is covered by an agreement between the City and the City of Des Moines, pursuant to which the City of Des Moines has agreed to refrain from annexing the Additional Property; and

WHEREAS, it is the intention of the City to annex the Additional Property; and

WHEREAS, in accordance with paragraph 3 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two miles of the boundary of a city if the city obtains the consent of the county within which such property is located, and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Polk County enter into this agreement in order to give its consent that the City may exercise urban renewal powers with respect to the Additional Property;

NOW, THEREFORE, BE IT RESOLVED by the Polk County Board of Supervisors that Polk County should and does hereby approve the attached agreement, gives its consent to the City of Altoona to exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the Additional Property described, and authorizes the Chair to execute the attached agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS

John F. Mauo

Chair

SUBMITTED BY:

Norman G. Jesse
Norman G. Jesse, County Manager

FY 95/96 #948-3309

ROLL CALL FOR ALLOWANCE	
APR 2 '95	
Jack Bishop	Yes
Martha Willits	Yes
George M. Mills	Yes
Florence D. Bahr	Yes
John F. Mauo	Yes
Yes	Nay
Above numbers made by <u>Willits</u>	
ALLOWED	
BY <u>John F. Mauo</u> CHAIRMAN	

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