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ORDINANCE NO. 6466

AN ORDINANCE AMENDING ORDINANCE NO. 5912 AND PROVIDING THAT GENERAL PROPERTY TAXES SHALL NO LONGER BE DIVIDED **ON CERTAIN PROPERTY** LOCATED WITHIN THE OLD AIRPORT ROAD URBAN RENEWAL PROJECT AREA, IN THE CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, STATE OF IOWA (**REMOVING "2021 REMOVAL PARCELS" FROM DIVISION OF TAXES ONLY**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, in 2006, adopted an Urban Renewal Plan for an urban renewal area known as the Old Airport Road Urban Renewal Project Area ("Urban Renewal Area"), and, in Ordinance No. 5912, adopted in 2007, provided for the division of taxes within the Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, the Urban Renewal Area was subsequently amended by an Amendment No. 1, adopted by Resolution No. 08-165, on June 9, 2008, to add land to the Urban Renewal Area, which land has not yet been included in a TIF Ordinance; and

WHEREAS, the City Council of the City of Council Bluffs has determined that in order to fulfill the purposes, objectives, and projects for the Urban Renewal Area, certain undeveloped portions of the Urban Renewal Area should be removed from Ordinance No. 5912 and should cease being subject to the division of taxes under Ordinance No. 5912 and under Iowa Code Section 403.19.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA, THAT:

Section 1: That the following portion of the Urban Renewal Area (the "2021 Removal Parcels") shall be removed from the application of Ordinance No. 5912 and shall no longer be subject to the division of taxes under Iowa Code Section 403.19 under said Ordinance:

A PARCEL OF LAND BEING ALL OF POWER CENTER SUBDIVISION AND RHODENS SUBDIVISION, A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2SW1/4) OF SECTION 07, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN AND A PORTION OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 18, METRO CROSSING, A PLATTED SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS; THENCE SOUTHERLY ON THE WEST LINE OF SAID METRO CROSSING AND ON IT'S SOUTHERLY PROLONGATION 2,729 FEET

MORE OR LESS TO THE CENTERLINE OF VETERANS MEMORIAL HIGHWAY; THENCE WESTERLY ON SAID CENTERLINE 2,590 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY PROLONGATION OF THE EAST RIGHT-OF-WAY LINE OF SOUTH EXPRESSWAY; THENCE NORTHERLY ON SAID SOUTHERLY PROLONGATION AND ON SAID EAST RIGHT-OF-WAY LINE 1,528 FEET MORE OR LESS TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE 2,758 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER (SE1/4); THENCE SOUTHERLY ON SAID EAST LINE 47.5 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS AN AREA OF 129 ACRES, MORE OR LESS.

Section 2. That nothing herein shall be interpreted as altering the boundaries or removing any property from the Urban Renewal Area (for purposes of clarity, while the 2021 Removal Parcels are no longer subject to the division of revenue provided for in Iowa Code Section 403.19, the 2021 Removal Parcels will remain a part of the Old Airport Road Urban Renewal Project Area).

Section 3. That the portion of the Urban Renewal Area that is not being removed from Ordinance No. 5912 by this Ordinance shall be and remains subject to all of the provisions of Ordinance No. 5912 and shall retain its previously established base value.

Section 4. That 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 or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 9th day of August, 2021.

Mayor

ATTEST:

City Clerk

Read First Time: July 26, 2021

Read Second Time: August 9, 2021

Read Third Time: _____, 2021

PASSED AND APPROVED: _____, 2021.

I, _____, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2021, signed by the Mayor on _____, 2021, and published in The Daily Nonpareil on _____, 2021.

City Clerk, City of Council Bluffs, State of
Iowa

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