

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SETTING DATES OF A CONSULTATION AND  
A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 13  
TO THE 1989 ANKENY ECONOMIC DEVELOPMENT URBAN  
RENEWAL PLAN IN THE CITY OF ANKENY, STATE OF  
IOWA

WHEREAS, by Resolution No. 62-89, adopted April 17, 1989, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the 1989 Ankeny Economic Development Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the 1989 Ankeny Economic Development Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan has been amended several times, most recently by Amendment No. 12 approved by Resolution No. 2021-374 adopted on October 4, 2021, and which Plan, as amended, is on file in the office of the Recorder of Polk County; and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 13 to the Plan ("Amendment No. 13" or "Amendment"), a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add and/or confirm proposed urban renewal projects for the Area and to add new property to the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 13 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 13 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ANKENY, STATE OF IOWA:

Section 1. That the consultation on the proposed Amendment No. 13 required by Section 403.5(2), Code of Iowa, as amended, shall be held on March 15, 2023, in the Ankeny City Hall, 410 West First Street, Ankeny, Iowa, at 10:00 A.M., and the Economic Development Director, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes

of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Amendment No. 13, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE  
CITY OF ANKENY, STATE OF IOWA AND ALL AFFECTED  
TAXING ENTITIES CONCERNING THE PROPOSED  
AMENDMENT NO. 13 TO THE 1989 ANKENY ECONOMIC  
DEVELOPMENT URBAN RENEWAL PLAN FOR THE CITY  
OF ANKENY, STATE OF IOWA

The City of Ankeny, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on March 15, 2023, in the Ankeny City Hall, 410 West First Street, Ankeny, Iowa concerning a proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan for the 1989 Ankeny Economic Development Urban Renewal Area Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Economic Development Director, or his delegate, as the designated representative of the City of Ankeny, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Ankeny, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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City Clerk, City of Ankeny, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Amendment No. 13 before the City Council at its meeting which commences at 5:30 P.M. on April 3, 2023, in the Council Chambers, Ankeny Kirkendall Public Library, 1250 SW District Drive, Ankeny, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Des Moines Register, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED AMENDMENT NO. 13 TO THE 1989  
ANKENY ECONOMIC DEVELOPMENT URBAN RENEWAL  
PLAN FOR AN URBAN RENEWAL AREA IN THE CITY OF  
ANKENY, STATE OF IOWA

The City Council of the City of Ankeny, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 P.M. on April 3, 2023 in the Council Chambers, Ankeny Kirkendall Public Library, 1250 SW District Drive, Ankeny, Iowa, to consider adoption of a proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of Ankeny, State of Iowa.

Amendment No. 13 proposes to add the following land to the Urban Renewal Area:

PART OF THE SOUTH ½ OF SECTION 15 AND A PART OF THE NORTH ½ OF SECTION 22 ALL BEING IN TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF CHRISTIAN CHURCH ESTATES, BEING AN OFFICIAL PLAT; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF SAID LOT 1 AND BEING A POINT ON THE SOUTH LINE OF LOT A OF GOLFVIEW TERRACE PLAT 4, BEING AN OFFICIAL PLAT; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 TO THE SOUTHWEST CORNER OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4; THENCE NORTH ALONG THE WEST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 AND ALONG THE WEST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 EXTENDED NORTH TO THE NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND BEING ON THE NORTH LINE OF STREET LOT A OF GOLFVIEW TERRACE PLAT 1, BEING AN OFFICIAL PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1 TO THE NORTHEAST CORNER OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1 TO THE NORTHWEST CORNER OF LOT A OF LAKEVIEW PLAZA PLAT 2, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2 TO THE NORTHEAST CORNER OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET

RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2 TO THE NORTHWEST CORNER OF LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1 TO THE NORTHEAST CORNER OF SAID LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1 AND BEING THE SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 4, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 4 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 4 AND BEING THE SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 2, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 2 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 2 AND BEING SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 6, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 6 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 6 AND BEING THE SOUTHWEST CORNER OF LOT 32 OF FRONTIER VILLAGE PLAT 8, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID LOT 32 TO THE SOUTHEAST CORNER OF SAID LOT 32; THENCE NORTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT 32 TO THE NORTHWEST CORNER OF LOT A OF HANDIMART PLAT 1, BEING AN OFFICIAL PLAT, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 OF SAID HANDIMART PLAT 1; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 AND ALONG THE EASTERLY EXTENSION OF SAID SOUTH LINE TO THE EAST LINE OF LOT A; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG SAID EAST LINE OF HANDIMART PLAT 1 TO THE SOUTHEAST CORNER OF SAID LOT A OF HANDIMART PLAT 1 AND BEING THE SOUTHWEST CORNER OF LOT F OF SAID FRONTIER VILLAGE PLAT 8; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID LOT F OF FRONTIER VILLAGE PLAT 8 TO THE INTERSECTION OF THE WEST LINE OF LOTS 64-68 OF WEST LAWN PLACE PLAT 3, BEING AN OFFICIAL PLAT, EXTENDED NORTH; THENCE SOUTH ALONG SAID WEST LINE OF LOTS 64-68 OF WESTLAWN PLACE PLAT 3 EXTENDED NORTH AND ALONG THE WEST LINE OF LOTS 64-68 OF WESTLAWN PLACE PLAT 3 TO THE INTERSECTION OF THE SOUTH LINE OF

WESTLAWN PLACE PLAT 6 EXTENDED EASTERLY; THENCE WEST ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 6 EXTENDED EASTERLY AND BEING ALONG THE NORTH LINE SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND BEING ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 6 TO THE SOUTHWEST CORNER OF SAID WESTLAWN PLACE PLAT 6 AND BEING THE SOUTHEAST CORNER OF WESTLAWN PLACE PLAT 7, BEING AN OFFICIAL PLAT; THENCE WEST CONTINUING ALONG SAID NORTH LINE OF SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID WESTLAWN PLACE PLAT 7 TO THE SOUTHWEST CORNER OF SAID WESTLAWN PLACE PLAT 7; THENCE WEST CONTINUING ALONG SAID NORTH LINE OF SAID SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 7 EXTENDED WEST TO THE EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET EXTENDED SOUTH SAID EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET BEING 33.00 FEET EAST OF THE EAST LINE OF LAKEVIEW PLAZA PLAT 3, BEING AN OFFICIAL PLAT, EXTENDED SOUTHERLY; THENCE NORTH CONTINUING ALONG SAID NORTH LINE OF SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG SAID EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET EXTENDED SOUTH TO THE INTERSECTION OF THE SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 EXTENDED EAST; THENCE WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF SW 3<sup>RD</sup> STREET AND ALONG SAID SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 EXTENDED EAST AND ALONG THE SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 TO THE SOUTHWEST CORNER OF SAID LAKEVIEW PLAZA PLAT 3 AND BEING THE SOUTHEAST CORNER OF SAID CHRISTIAN CHURCH ESTATES; THENCE WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF SW 3<sup>RD</sup> STREET AND ALONG THE SOUTH LINE OF SAID CHRISTIAN CHURCH ESTATES TO THE POINT OF BEGINNING AND CONTAINING 53.66 AC ( 2,337,259 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of Ankeny, Iowa.

The City of Ankeny, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote economic development and to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development

of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes specific public infrastructure or site improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

The proposed Amendment No. 13 would add and/or confirm proposed urban renewal projects for the Area and add new property to the Urban Renewal Area.

Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Ankeny, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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City Clerk, City of Ankeny, State of Iowa

(End of Notice)



Section 5. That the proposed Amendment No. 13, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 13 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 6<sup>th</sup> day of March, 2023.

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Mayor

ATTEST:

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City Clerk

# **EXHIBIT 1**

## **AMENDMENT NO. 13**

**to the**

## **1989 ANKENY ECONOMIC DEVELOPMENT URBAN RENEWAL PLAN**

## **CITY OF ANKENY, IOWA**

### **Original Area Adopted – 1989**

**Amendment No. 1 – 1994**

**Amendment No. 2 – 2003**

**Amendment No. 3 – 2003**

**Amendment No. 4 – 2005**

**Amendment No. 5 – 2012**

**Amendment No. 6 – 2015**

**Amendment No. 7 – 2017**

**Amendment No. 8 – 2018**

**Amendment No. 9 – 2018**

**Amendment No. 10 – 2019**

**Amendment No. 11 – 2020**

**Amendment No. 12 – 2021**

**Amendment No. 13 – 2023**

**AMENDMENT NO. 13  
TO THE  
1989 ANKENY ECONOMIC DEVELOPMENT  
URBAN RENEWAL PLAN**

**CITY OF ANKENY, IOWA**

**INTRODUCTION**

The 1989 Ankeny Economic Development Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the 1989 Ankeny Economic Development Urban Renewal Area (“Area” or “Urban Renewal Area”), adopted in 1989, and subsequently amended 12 times, is being further amended by this Amendment No. 13 (“Amendment No. 13” or “Amendment”) to add and/or confirm proposed urban renewal projects for the Area and to add new property to the Urban Renewal Area.

Except as modified by this Amendment, the provisions of the original 1989 Ankeny Economic Development Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections not mentioned in this Amendment shall continue to apply to the Plan, as previously amended.

**BASE VALUE**

The property included in the original Plan, adopted in 1989, the property added or removed by each prior amendment, and the property added by this Amendment No. 13 each may be referred to as “Subareas” in this Amendment. All Subareas of the Urban Renewal Area are depicted in Exhibit B. The property included in the original Plan, adopted in 1989, is called the “Original Subarea”. The property added by this Amendment is called the “Amendment No. 13 Subarea.” The Subareas make up the total Urban Renewal Area. The City is not intending to place the Amendment No. 13 Subarea into a tax increment financing ordinance. Nothing in this Amendment affects already established frozen base values for any pre-existing Subarea previously placed in a tax increment financing ordinance.

**DESCRIPTION OF AREA**

The legal description of the property being added to the Urban Renewal Area by this Amendment No. 13 is attached hereto as Exhibit A. A depiction of the Area after this Amendment, including all Subareas, is set out in Exhibit B.

**AREA DESIGNATION**

The Urban Renewal Area has previously been designated as a mixed-use area for both the promotion of economic development, commercial and industrial development, and blight remediation. That designation is not changed by this Amendment. The property being added by Amendment No. 13 is designated as appropriate for the promotion of economic development – commercial and industrial.

## **DEVELOPMENT PLAN/ZONING**

The City has a general plan for the physical development of the City as a whole, outlined in The Ankeny 2040 Plan, adopted April 2, 2018 and updated January 17, 2023. The Plan and this Amendment, including the urban renewal projects identified herein, are in conformity with The Ankeny 2040 Plan.

The Plan, as amended, does not in any way replace the City's current land use planning or zoning regulation process.

Any urban renewal projects related to the need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in the Plan and this Amendment. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## **PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS**

Numerous urban renewal projects have been authorized prior to the date of this Amendment, and many are continuing. Such projects are not listed in this Amendment but consist of a variety of urban renewal projects described in prior amendments.

## **ELIGIBLE URBAN RENEWAL PROJECTS** **(Amendment No. 13)**

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Amendment include:

### **1. Public Improvements:**

<b>Project</b>	<b>Estimated Project Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
SW Oralabor Road and SW State Street intersection improvements and construction of a pedestrian underpass	2023 - 2024	\$5,255,000 – \$10,510,000	Improves traffic flow and pedestrian access and promotes commercial development

SW State Street Reconstruction – SW Ordinance Road to West 1 <sup>st</sup> Street (SB Lanes)	2023	\$1,825,000 - \$3,650,000	Improves deteriorated pavement conditions through busy commercial and industrial corridor
West 1 <sup>st</sup> Street widening and improvements – Phase 2	2024 - 2027	\$12,100,000 - \$24,200,000	Improves traffic flow and promotes commercial redevelopment
TOTAL		\$19,180,000 - \$38,360,000	

**2. Future Development Agreements:** The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The City Council has in the past generally considered incentives such as property tax rebates ranging from 50% to 100% of the property tax increment generated from the increased assessed valuation by the construction of the eligible project. However, the City has discretion to change the use of incentives at any time without notice, depending on the facts and circumstances. Certain tax levies are not included as part of the property tax increment rebates, such as debt service levies, certain school levies, and other levies as may be determined by the legislature. The City's use of property tax increment rebates as an incentive for a project is also impacted by a project's use of or eligibility for tax abatement or other incentives. With this Amendment, the City has estimated the total costs to be funded or reimbursed from tax increment for all types of incentives described above to be awarded after the adoption of this Amendment within the entire Area. Accordingly, the costs of such development agreements to be approved after this Amendment in this Area will not exceed \$35,000,000.

**3. Planning, engineering fees (for urban renewal plans), attorney fees, administration, other related costs to support urban renewal projects and planning:**

Project	Estimated Date	Estimated Cost to be funded by TIF Funds
Costs associated with attorney and bond counsel review of urban renewal activities and development agreements, economic planning and engineering related studies, and other administrative costs.	Market or program driven as need arises.	Not to exceed \$500,000

### **FINANCIAL DATA**

1.	July 1, 2022 constitutional debt limit:	\$395,854,796
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2.	Current outstanding general obligation debt:	\$110,000,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 13) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 13) as described above to be funded by TIF Funds will be approximately as stated in the next column:	<p>\$54,680,000 - \$73,860,000 for future projects</p> <p>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</p>

### **REPEALER AND SEVERABILITY**

Any parts of the Plan in conflict with this Amendment are hereby repealed. If any part of this Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Amended and Restated Plan as a whole, or any part of this Amendment or the Plan not determined to be invalid or unconstitutional.

### **EFFECTIVE PERIOD**

This Amendment No. 13 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, ordinance or any other document, the Urban Renewal Plan, as amended, shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The Original 1989 Urban Renewal Area and Plan was adopted in March of 1989 and debt was certified thereafter. The Original Plan contained no sunset and none was required by law at the time of adoption; accordingly, the Original Subarea has no sunset. Amendment No. 1 to the 1989 Urban Renewal Area and Plan was adopted in February of 1994, and debt was certified shortly thereafter. The City self-imposed a sunset date as to the Amendment No. 1 Subarea that was not required by statute. The self-imposed sunset was June 30, 2004 and effective "thereafter for so long as necessary for incremental taxes pursuant to Section 403.19, Code of Iowa, 1993, or successor provisions, to fully pay all loans, monies advanced or indebtedness incurred by the City of Ankeny, Iowa, to finance or refinance the Urban Renewal Project". The City has certified for incremental taxes continuously since Amendment No. 1 was adopted in order to pay for loans, monies advanced or indebtedness incurred by the City so the Amendment No. 1 self-imposed sunset has not expired. In Amendment No. 5, the City eliminated this self-imposed sunset and elected the same sunset for the Amendment No. 1 Subarea as is applicable to the Amendment No. 2 Subarea, or Fiscal Year 2023/2024. The Amendment No. 2 Subarea was approved by the City Council on May 19, 2003, and debt was certified in 2003; therefore fiscal year 2023/2024 is the last year that tax increment can be collected in the

Amendment No. 2 Subarea. The Amendment No. 3 Subarea was approved by the City Council on November 17, 2003, and debt certified in 2003; therefore fiscal year 2023/2024 is the last year that tax increment can be collected in the Amendment No. 3 Subarea. Amendment No. 4 designated property within the Original Subarea as appropriate for blight remediation. Notwithstanding any inconsistent document, no sunset exists for an Urban Renewal Area that contains blight, so the Amendment No. 4 Subarea has no sunset. The Amendment No. 5 Subarea was approved by the City Council in 2012, and debt certified in 2012; therefore fiscal year 2032/2033 is the last year that tax increment can be collected in the Amendment No. 5 Subarea. Amendment No. 6 and 7 did not add land so no sunset date applies. Likewise, no sunset applies to the Amendment No. 8 Subarea because Amendment No. 8 primarily removed property, and the property added by Amendment No. 8 was public right of way and no increment will be collected therefrom. The Amendment No. 9 Subarea was approved by the City Council in 2018, a TIF Ordinance placed on the Subarea in 2018, and debt certified in 2018; therefore, fiscal year 2038/2039 will be the last year that tax increment can be collected in the Amendment No. 9 Subarea. The Amendment No. 10 Subarea was approved by the City Council in 2019, a TIF Ordinance placed on the Subarea in 2019, and debt certified in 2019; therefore, fiscal year 2039/2040 will be the last year that tax increment can be collected in the Amendment No. 10 Subarea. The Amendment No. 11 Subarea was approved by the City Council in 2020, a TIF Ordinance placed on the Subarea in 2020, and debt certified in 2020; therefore fiscal year 2040/2041 will be the last year that tax increment can be collected in the Amendment No. 11 Subarea. The Amendment No. 12 Subarea was approved by the City Council in 2021, a TIF Ordinance placed on the Subarea in 2021, and debt certified in 2021; therefore fiscal year 2041/2042 will be the last year that tax increment can be collected in the Amendment No. 12 Subarea. No sunset applies to the Amendment No. 13 Subarea because the City is not intending to place the property added by Amendment No. 13 into a TIF Ordinance.

**EXHIBIT A**  
**LEGAL DESCRIPTION OF AMENDMENT NO. 13 SUBAREA**

PART OF THE SOUTH ½ OF SECTION 15 AND A PART OF THE NORTH ½ OF SECTION 22 ALL BEING IN TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

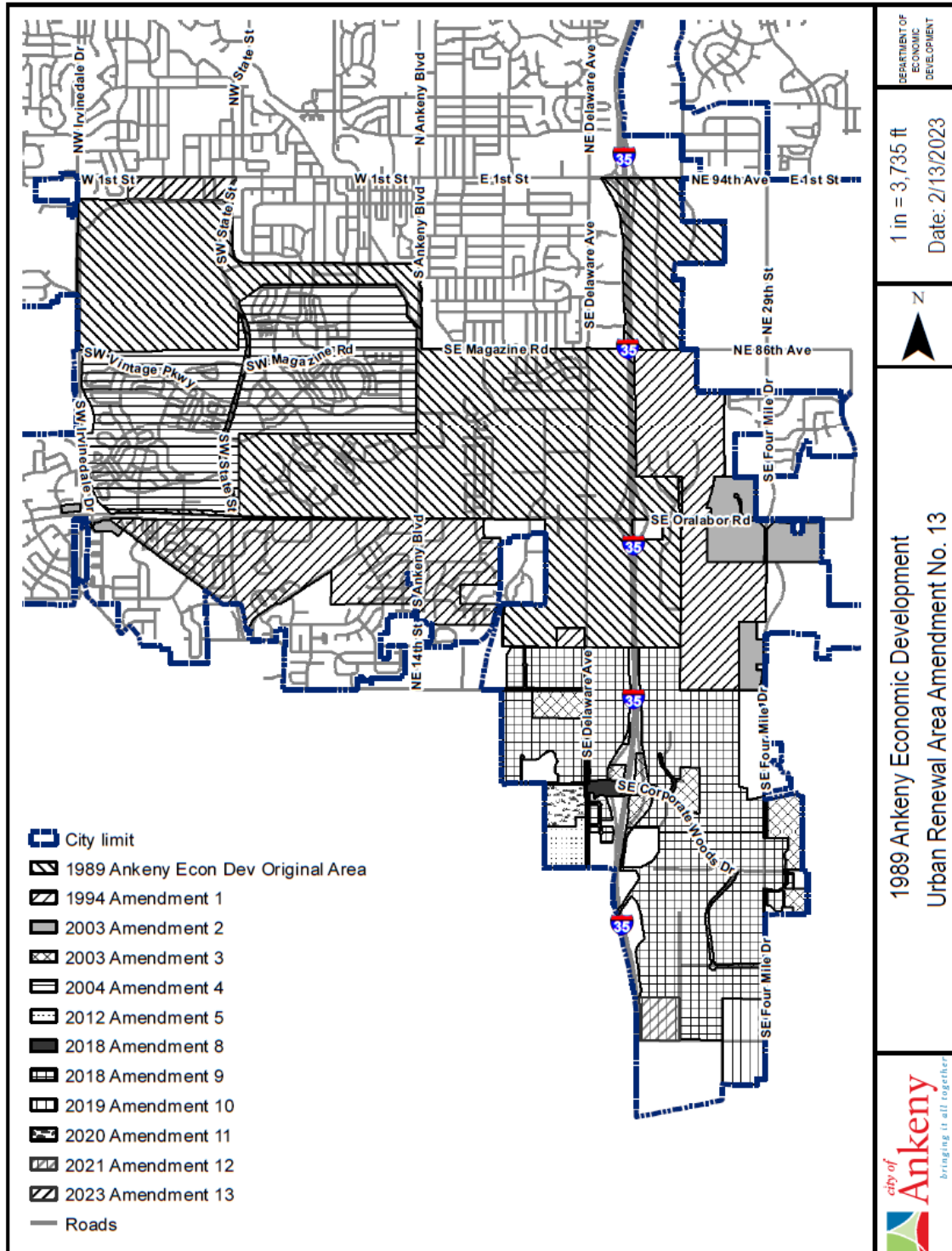
BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF CHRISTIAN CHURCH ESTATES, BEING AN OFFICIAL PLAT; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF SAID LOT 1 AND BEING A POINT ON THE SOUTH LINE OF LOT A OF GOLFVIEW TERRACE PLAT 4, BEING AN OFFICIAL PLAT; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 TO THE SOUTHWEST CORNER OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4; THENCE NORTH ALONG THE WEST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 AND ALONG THE WEST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 4 EXTENDED NORTH TO THE NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND BEING ON THE NORTH LINE OF STREET LOT A OF GOLFVIEW TERRACE PLAT 1, BEING AN OFFICIAL PLAT; THENCE EAST ALONG THE NORTH LINE OF SAID WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1 TO THE NORTHEAST CORNER OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT A OF GOLFVIEW TERRACE PLAT 1 TO THE NORTHWEST CORNER OF LOT A OF LAKEVIEW PLAZA PLAT 2, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2 TO THE NORTHEAST CORNER OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT A OF LAKEVIEW PLAZA PLAT 2 TO THE NORTHWEST CORNER OF LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE NORTH LINE OF SAID LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1 TO THE NORTHEAST CORNER OF SAID LOT A OF COLLEGE PARK PLAZA NORTHWEST PLAT 1 AND BEING THE SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 4, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 4 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 4 AND BEING THE SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 2, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 2 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 2 AND BEING SOUTHWEST CORNER OF FRONTIER VILLAGE PLAT 6, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID FRONTIER VILLAGE PLAT 6 TO THE SOUTHEAST CORNER OF SAID FRONTIER VILLAGE PLAT 6 AND BEING THE SOUTHWEST CORNER OF LOT 32 OF FRONTIER VILLAGE PLAT 8, BEING AN OFFICIAL PLAT; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID LOT 32 TO THE SOUTHEAST CORNER OF SAID LOT 32; THENCE NORTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID



LOT 32 TO THE NORTHWEST CORNER OF LOT A OF HANDIMART PLAT 1, BEING AN OFFICIAL PLAT, ALSO BEING THE SOUTHWEST CORNER OF LOT 1 OF SAID HANDIMART PLAT 1; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 AND ALONG THE EASTERLY EXTENSION OF SAID SOUTH LINE TO THE EAST LINE OF LOT A; THENCE SOUTH CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG SAID EAST LINE OF HANDIMART PLAT 1 TO THE SOUTHEAST CORNER OF SAID LOT A OF HANDIMART PLAT 1 AND BEING THE SOUTHWEST CORNER OF LOT F OF SAID FRONTIER VILLAGE PLAT 8; THENCE EAST CONTINUING ALONG SAID NORTH LINE OF WEST FIRST STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID LOT F OF FRONTIER VILLAGE PLAT 8 TO THE INTERSECTION OF THE WEST LINE OF LOTS 64-68 OF WESTLAWN PLACE PLAT 3, BEING AN OFFICIAL PLAT, EXTENDED NORTH; THENCE SOUTH ALONG SAID WEST LINE OF LOTS 64-68 OF WESTLAWN PLACE PLAT 3 EXTENDED NORTH AND ALONG THE WEST LINE OF LOTS 64-68 OF WESTLAWN PLACE PLAT 3 TO THE INTERSECTION OF THE SOUTH LINE OF WESTLAWN PLACE PLAT 6 EXTENDED EASTERLY; THENCE WEST ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 6 EXTENDED EASTERLY AND BEING ALONG THE NORTH LINE SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND BEING ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 6 TO THE SOUTHWEST CORNER OF SAID WESTLAWN PLACE PLAT 6 AND BEING THE SOUTHEAST CORNER OF WESTLAWN PLACE PLAT 7, BEING AN OFFICIAL PLAT; THENCE WEST CONTINUING ALONG SAID NORTH LINE OF SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF SAID WESTLAWN PLACE PLAT 7 TO THE SOUTHWEST CORNER OF SAID WESTLAWN PLACE PLAT 7; THENCE WEST CONTINUING ALONG SAID NORTH LINE OF SAID SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF WESTLAWN PLACE PLAT 7 EXTENDED WEST TO THE EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET EXTENDED SOUTH SAID EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET BEING 33.00 FEET EAST OF THE EAST LINE OF LAKEVIEW PLAZA PLAT 3, BEING AN OFFICIAL PLAT, EXTENDED SOUTHERLY; THENCE NORTH CONTINUING ALONG SAID NORTH LINE OF SW 3<sup>RD</sup> STREET RIGHT-OF-WAY AND ALONG SAID EAST RIGHT-OF-WAY LINE OF SW LINDEN STREET EXTENDED SOUTH TO THE INTERSECTION OF THE SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 EXTENDED EAST; THENCE WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF SW 3<sup>RD</sup> STREET AND ALONG SAID SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 EXTENDED EAST AND ALONG THE SOUTH LINE OF LAKEVIEW PLAZA PLAT 3 TO THE SOUTHWEST CORNER OF SAID LAKEVIEW PLAZA PLAT 3 AND BEING THE SOUTHEAST CORNER OF SAID CHRISTIAN CHURCH ESTATES; THENCE WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF SW 3<sup>RD</sup> STREET AND ALONG THE SOUTH LINE OF SAID CHRISTIAN CHURCH ESTATES TO THE POINT OF BEGINNING AND CONTAINING 53.66 AC ( 2,337,259 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

# **EXHIBIT B** **MAP OF URBAN RENEWAL AREA FOLLOWING ADOPTION OF** **AMENDMENT NO. 13**



CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF POLK

)

I, the undersigned City Clerk of the City of Ankeny, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Ankeny, State of Iowa

(SEAL)