

CHAPTER 30 C WEST PLATT STREET URBAN RENEWAL PROJECT AREA

2-30C-1 PURPOSE  
2-30C-2 DEFINITIONS

2-30C-3 PROVISIONS FOR DIVISIONS OF  
TAXES

2-30C-1 PURPOSE. The purpose of this Ordinance is to provide for the division of taxes on the taxable property in the West Platt Street Urban Renewal Project Area of the City of Maquoketa, Iowa, each year by and for the benefit of the State, City, County, school districts or other taxing districts after the effective date of this Ordinance in order to create a special fund to pay the principal of and interest on loans, monies advanced to or indebtedness, including bonds proposed to be issued by the City of Maquoketa to finance in such area.

2-30C-2 DEFINITIONS. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. "City" shall mean the City of Maquoketa, Iowa.
2. "County" shall mean the County of Jackson, Iowa.

URBAN RENEWAL AREA: COMMERCIAL PROPERTY DESCRIPTIONS DIRK MARCUCCI-  
18298 HWY 64

Commencing at the Southeast Corner of the Northeast Quarter of Section 23, Township 84 North, Range 2 East of the Fifth Principal Meridian; thence North 33 feet to the point of beginning; thence North 201 feet along the Section Line; thence West 165.7 feet; thence South 201 feet; thence East 165.7 feet to the point of beginning, containing .76 acres, more or less.

Subject to Easements of record, including but not limited to the Easements recorded in Book NN, page 96 and 98, and also subject to the rights of the Public in all highways.

Part of the SE ¼ NE ¼ of Sec. 23, T84N, R2E of the 5th P.M. in the City of Maquoketa, Jackson County, Iowa,

Beginning at the E ¼ corner of the said Sec. 23; thence S 89°26'50"W, 165.59 ft. (165.70 ft. record) along the south line of the NE ¼ of said Sec. 23; thence N 00°39'35"W, 53.14 ft; thence N 78°48'46"E, 115.72 ft; thence N 83°47'28"E, 52.97 ft. to the east line to the Point of Beginning; containing 11,290sq.ft., of which 8,168sq.ft. are within existing road right of way.

Basis of Bearings: The south line of the NE ¼ of said Sec. 23 is assumed to bear S89°26'50" W for the purpose of this description.

And:

Commencing at the E ¼ Corner of said Sec. 23; thence N00°00'24"W, 172.54ft. along the east line of the NE ¼ of said Sec. 23, to the Point of Beginning; thence N18°05'09"W, 64.45ft.; thence

N89°26'50"E, 20.00ft. to the said east line; thence S00°00'24"E, 61.46 ft. along said east line, to the Point of Beginning; containing 615sq.ft.

Basis of Bearings: The east line of the NE ¼ of Said Sec. 23 is assumed to bear N00°00'24" W for the purpose of this description.

JEANETTE MESSERLI – 18343 HWY 64

The West half of Northwest Quarter of the Southwest Quarter of Section Twenty Four; and commencing at the Northeast Corner of land formerly owned by E.K. Wesner, which was conveyed to him by Robert Williams and wife, December 12,1989, and which Deed is recorded in Deed Records of Jackson County, Iowa, in Book 55, Page 363; and running thence East to the corner of Section Twenty Four; thence South on the West side of Section 24 to the Corner of the Northwest Quarter of the Southwest Corner of said Section 24; thence West to the land so sold to said E.K. Wesner; thence North along the line of said E.K. Wesner's land to the place of beginning, and being in Township Eight Four North, Range Two, East of the Fifth Principal Meridian, Jackson County, Iowa, consisting of 29 acres, more or less.

EXCEPTING THEREFROM 6.1 acres condemned for Highway purposes in Book J, Page 523.

SUBJECT to Easements of Record, Rights of the public in All Highways, and Access Agreements, if any.

PATTY J. MCNABB AND MONA K. REICHLING – 1021 WEST PLATT

There is no actual consideration for this transfer and therefore it is exempt from tax transfer tax and the filing of a Declaration of Value.

The Following described real estate, situated in Jackson County, Iowa, towit:

The West One-Half (W ½) of the East One-Half (E ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼); also conveying the North three-fourths (N ¾) of the East One-half (E ½) of the East One-half (E ½)of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼); all in Section Twenty Four (24) Township Eight-four (84) North, Range Two (2), East of the Fifth Principal Meridian. (Warranty Deed recorded in Book 91, Page 176.)

EXCEPTING THEREFROM a parcel of land conveyed to "First Methodist Episcopal Church of Maquoketa, Iowa", a Corporation, by Warranty Deed dated March 21,1958, and recorded March 28,1958, in Book 94, Page 51, described as:

A parcel of land in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Twenty Four (24), Township Eight-Four (84) North, Range Two (2) East of Fifth Principal Meridian, in the City of Maquoketa, Jackson County, Iowa, more particularly described as follows:

Commencing at a point on the center line of West Platt Street, 300 feet West of the West line of Western Avenue, according to Official Recorded Plat of the City of Maquoketa, Jackson County, Iowa; thence South 825 feet to the point of beginning; thence West 655 feet to the East Boundary Line of the

Hamilton Property; thence South 495 feet, thence East 330 feet; thence North 330 feet; thence East 330 feet; thence North 165 feet to the point of beginning, containing 5 acres, more or less.

And Also EXCEPTING THEREFROM the premises conveyed to the Iowa State Highway Commission, by Warranty Deed recorded June 7, 1966, in Book 104, Page 100m of the records in the Office of the Recorder of Jackson County, Iowa.

GLENN J. & LOIS J, KARPINSKE

The West Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 24, Township 84 North, Range 2 East of the 5th Principal Meridian, Jackson County, Iowa, except the East 30 feet thereof; which is half of the Western Avenue; also excepting the following:

Commencing at a point on the West line of Western Avenue 300 feet south of the centerline of West Platt Street; thence West 120 feet; thence South 360 feet; thence East 120 feet to the West line of Western Avenue; thence North along the West line of Western Avenue to the point of beginning.

Also excepting 2976 square feet conveyed to the State of Iowa for highway purposes, by Warranty Deed recorded in Book 103, Page 541.

Also excepting a part of the West Half of the Northwest quarter of the Northeast Quarter of the Southwest Quarter of Section 24, Township 84 North, Range 2 East of the Fifth Principal Meridian, in the City of Maquoketa, Jackson County, Iowa, more particularly described as follows:

Commencing at a point of reference at the West Quarter Corner of said Section 24; thence North 90 degrees 00 minutes 00 seconds East 1589.20 feet along the North line of Southwest Quarter of said Section 24 to a point of intersection with the westerly right of way extended of Western Avenue; thence South 1 degrees 17 minutes 12 seconds West 33.01 feet to the point of beginning; thence South 1 degrees 17 minutes 112 seconds West 267.30 feet along the Westerly right of way line of Western Avenue to the North line of the tract described in Warranty Deed Book 141 Page 160 in the Jackson County Recorder's Office; thence North 89 degrees 42 minutes 08 seconds West 160.00 feet; thence north 1 degree 17 minutes 12 seconds East 266.47 feet to a point of intersection with the Southerly right of way line of Platt Street (also Iowa Highway No.64.); thence North 90 degrees 00 minutes 00 seconds East 160.00 feet along said right of way line to the point of beginning.

The area of the above described exception is 0.980 acres more or less and is subject to easements of record.

ROTMAN MOTORS – 921 WEST PLATT STREET

Lots 1,2 and 3 in Thomas Subdivision of the West Half of the East 10 acres of the West Half of the Northeast Quarter of the Southwest Quarter of Section 24 in Township 84 North, Range 2 East of the 5th P.M.; in the City of Maquoketa, Jackson County, Iowa and according to the Plat recorded in Book T, page 315, Deed Records of Jackson County, Iowa.

This Deed, without actual consideration, confirms and supplements that certain Deed from Rotman and Rotman, a partnership, to Carl J. Rotman, as Trustee under the Declaration of Trust dated April 3, 1997, said Deed dated October 5, 1998 and filed October 6, 1998 as File No. 98-3629 in the Office of the

Jackson County Recorder; and therefore, this Deed is exempt from real estate of transfer tax and the filing of a Declaration of Value and Groundwater Hazard Statement pursuant to Section 428A.2(10) of the Code of Iowa.

#### ROTMAN MOTORS – 913 WEST PLATT STREET

The East five (5) acres of the West Half (W ½) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Twenty- four (24), Township Eight- Four (84) North, Range Two (2) East of the 5th Principal Meridian, Jackson County, Iowa, excepting therefrom the South 900 feet thereof.

#### ROTMAN MOTORS – 913 WEST PLATT

The West 163 feet if the North 300 feet of Green Acres Subdivision of Out Lot 54 in the City of Maquoketa, Jackson County, Iowa; subject to easements of record, including the easement reserved by the City of Maquoketa in the Quit Claim Deed dated March 5, 1990 recorded in Book 156 at Page 168.

#### FASTRAKS, INC. – 916 W PLATT STREET

#### TRACT 1

Commencing at the Southwest corner of the following described real estate, to-wit:

The East 7/16 of the East Half of the Northwest Quarter of Section 24. Township 84 North, Range 2, East of the 5th Principal Meridian; Jackson County, Iowa, except the East 10 acres thereof, subject to public highways and easements of record, thence north on the West line thereof 143 feet, thence East 75 feet, thence South 143 feet to the South line of the above described premises, thence West along said South line 75 feet to the place of beginning.

Subject to and reserving all rights of easements of record.

#### TRACT II

Commencing at the Southwest corner of the following described real estate, to-with:

The East seven sixteenths of the east Half of the Northwest Quarter of Section 24, Township 84 North, Range 2, East of the 5th Principal Meridian, Jackson County, Iowa, except the East 10 acres thereof:

Thence North on the West line thereof 143 feet to the point of beginning, thence North along said West line 100 feet, thence East 150 feet, thence South 100 feet, thence West 150 feet to the point of beginning.

The above described real estate may also be described as Lot 46 as shown on the plat of River Front Addition to the City of Maquoketa, Jackson County, Iowa; said Palt being recorded September 26, 1967 in Plat Book 1A, Page 165.

#### TRACT III

Commencing at the Southwest Corner of the Northwest Quarter of Section 24, Township 84 North, Range 2 East of the 5th Principal Meridian, Jackson County, Iowa, thence East on the south line thereof 2035.6 feet; thence north 502.1 feet along the East line of the following described real estate to with:

The West 10 acres of the East 45 acres of the East Half to the Northwest Quarter of Section 24, Township 84 North, Range 2, East of the 5th Principal Meridian, Jackson County, Iowa, excepting therefrom all that part thereof being and lying North of the Maquoketa River; to a point, said point being the Southeast Corner of survey by J.G. Thorne dated November 28, 1069 and recorded in Book 1-B, Page 143 in the Office of the Jackson County Recorder, thence West along the South line of said survey 170 feet, thence South 265 feet to the point of beginning, thence South 204.1 feet, thence East 170 feet, thence North 356.1 feet, thence Southwesterly to the point of beginning.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Maquoketa, Iowa in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Maquoketa, Iowa desires to provide for the division of revenue from taxation in the Urban Renewal Project Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended.

2-30C-3 PROVISIONS OF DIVISIONS. After the effective date of this Ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Project Area is located, shall be divided as follows:

That the taxes levied on the taxable property in the Urban Renewal Project Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Maquoketa, County of Jackson, Maquoketa Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Project Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Maquoketa certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Maquoketa, Iowa hereby established, to pay the principal of and interest in loans, monies advanced to indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of section 403.9 or 403.12 of the Code of Iowa, as amended, incurred, by the City of Maquoketa, Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Project Area pursuant to the Urban Renewal Plan, except that taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the Urban Renewal Project Area without any limitation as herein above provided.

Unless or until the total assessed valuation of the taxable property in the Urban Renewal Project Area exceeds the total assessed value of the taxable property in the Urban Renewal Project Area as shown by

the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Project Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes.

At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Maquoketa, Iowa referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Project Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Project Area as described above. In the Event that any provision if this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Urban Renewal Project Area and the territory contained therein. (Ord. 933, 05-08-2001)

## TITLE II POLICY AND ADMINISTRATION

