

CHAPTER 30B 1990 MAQUOKETA IOWA INDUSTRIAL DEVELOPMENT URBAN  
RENEWAL PROJECT AREA

2-30-B-1 PURPOSE  
2-30-B-2 DEFINITIONS

2-30-B-3 PROVISIONS FOR DIVISIONS  
OF TAXES

2-30B-1 PURPOSE. The purpose if this Ordinance is to provide for the division of taxes on the taxable property in the 1990 Maquoketa Iowa Industrial Development 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, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Maquoketa to finance projects in such area.

2-30B-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.

3. "Original Project Area" shall mean that portion of the City of Maquoketa, Iowa described in the Urban Renewal Plan for the 1990 Maquoketa, Iowa Industrial Development Urban Renewal Area approved by Resolution No. 90-18 on March 12, 1990 and amended in December 1990 and May 2000, which Original Project Area includes the lots and parcels located within the area legally described as follows:

All that part of the West Half of the Southwest Quarter of Section 20, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa, lying South of Iowa Highway No. 64.

Northeast Quarter of the Northeast Quarter of Section 30, Township 84 North Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

East Half of the Southeast Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

West Half of the Southeast Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

The part of the East Half of the Southwest Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa described as follows to-wit:

Commencing at the Southeast Corner of said East Half of the Southwest Quarter of Section 19, thence West to a point of intersection with the East line of Dearborn Street; thence North along said East line of Dearborn Street to a point of intersection with the North line of Locust Street; thence West 316 feet more or less to a point in the center of Clark Street, thence North 900 feet to a point of 30 feet East of the Southeast corner of Lot 14, Block 9, Goodenow's 1st Addition to the

City of Maquoketa, Jackson County, Iowa; thence West 158 feet to the Southwest Corner of said Lot 14, Block 9, Goodenow's 1st Addition; thence North 60 feet to the Northwest corner of said Lot 14, Block 9, Goodenow's 1st Addition; thence West 168 feet to a point of 40 feet West of the Southwest Corner of Lot 2, Block 9, said Goodenow's 1st Addition; thence North 150 feet to a point in the center of the intersection of Matteson Street and Pleasant Street in the City Of Maquoketa, Iowa; thence East 169 feet to a point 30 feet South of the Southwest Corner of Lot 9, Block 2, Goodenow's 1st Addition; thence west 216 feet to the Northwest corner of Lot 11, Block 1, Goodenow's 1st Addition; thence North 180 feet to the Northwest corner of Lot 14, Block 1, Goodenow's 1st Addition; thence East 216 feet to the Northwest Corner of lot 3, Block 2, Goodenow's 1st Addition; thence North to a point of intersection with the North line of said East Half of the Southwest Quarter of said Section 19; thence East along said North Section line to the Northeast Corner of said East Half of the Southwest Quarter of said Section 19; thence South to the point of beginning, being the Southeast corner of said East Half of the Southwest Quarter of Section 109"

4. "Amendment No. 2 Area" shall mean that portion of the City of Maquoketa, Iowa described in Amendment No. 2 to the Urban Renewal Plan for the 1990 Maquoketa, Iowa Industrial Development Urban Renewal Area approved by Resolution No. 2000-43 on May 15,2000, which Amendment No. 2 Area includes the lots and parcels located within the area legally described as follows:

The North half of the Southwest fractional quarter and commencing at the Northwest corner of the South Half of the Southwest quarter of Section Thirty One, thence East 31 rods, thence Southwesterly to a point 13 rods South of the point of beginning; also the South Half of the northwest fractional quarter of Section Thirty One, Township Eighty Four North, Range Three East of the Fifth Principal Meridian, Jackson County, Iowa, excepting therefrom a strip 5-1/3 rods on the East side therefrom. Also excepting commencing at the Northwest corner of the South Half of the Northwest Quarter of said Section Thirty One, thence South 51 rods, thence East 90 rods, thence North 51 rods, thence West 90 rods to the place of beginning also excepting those lands acquired for the highway right of way. Also excepting Parcel "E", in the Southwest Quarter of said Section 31, more particularly described as follows:

Commencing at the West Quarter corner of Section 31, Township 84 North, Range 3 East of the Fifth Principal Meridian, Jackson County, Iowa;

Thence North 01 degrees 29 minutes 50 seconds West, 482.87 feet along the Westerly line of the Northwest One-Quarter of said Section 31 to the Southerly line of the Northerly 51 rods of the Westerly 90 rods of the South One-Half of the Northwest One-Quarter of said Section 31;

Thence North 89 degrees 07 minutes 08 seconds East, 60.00 feet along the said Southerly line of the Northerly 51 rods of the Westerly 90 rods to the Easterly right of way line of former primary road No. U.S. 61 and the point of beginning;

Thence North 89 degrees 07 minutes 08 seconds East, 1425.00 feet along said Southerly line of the Northerly 51 rods of the Westerly 90 rods; to the Easterly line of said northerly 51 rods of the Westerly 90 rods;

Thence North 01 degrees 29 minutes 50 seconds West, 813.84 feet along said Easterly line of the Northerly 51 rods of the Westerly 90 rods to the Southwesterly right of way line of relocated U.S. Highway No. 61;

Thence-South 74 degrees 15 minutes 19 seconds East, 185.46 feet along said Southwesterly right of way line;

Thence South 62 degrees 08 minutes 27 seconds East, 438.88 feet along said Southwesterly right of way line;

Thence South 52 degrees 29 minutes 52 seconds East, 279.39 feet along said Southwesterly right of way line;

Thence South 33 degrees 32 minutes 33 seconds East, 378.40 feet along said Southwesterly right of way line to the Westerly line of the East 5-1/3 rods of the Southeast One-Quarter of the Southwest One-Quarter of said Section 31;

Thence South 01 degrees 48 minutes 43 seconds East, 1861.78 feet along said Westerly line of the East 5-1/3 rods to the Southerly line of the North One-Half of the Southwest One-Quarter of said Section 31;

Thence South 88 degrees 59 minutes 54 seconds West, 1858.73 feet along said Southerly line of the North One-Half of the Southwest One-Quarter to the Easterly line of Parcel "E" in the Southwest One-Quarter of said Section 31;

Thence North 01 degrees 29 minutes 50 seconds West, 924.94 feet along said Easterly line of Parcel "E" to the Northerly line of said parcel "E";

Thence South 89 degrees 07 minutes 13 seconds West 534.06 feet to the Easterly right of way line of former primary road No. U.S. No. 61;

Thence North 01 degrees 29 minutes 50 seconds West, 230.29 feet along said Easterly right of way line;

Thence North 23 degrees 17 minutes 55 seconds West, 53.85 feet along said Easterly right of way line ;

Thence North 01 degrees 29 minutes 50 seconds West, 584.87 feet along said Easterly right of way line to the point of beginning.

Full right-of-way for old Highway 61 from the city limits south to interchange of old Highway 61 and new Highway 61.

5. "Amendment No. 3 (also known as 2000 Amendment No. 2) Area" shall mean that portion of the City of Maquoketa, Iowa described in Amendment No. 3 to the Urban Renewal plan for the 1990 Maquoketa, Iowa Industrial Development Urban Renewal Area approved by Resolution No. 2000-76 on September 5, 2000, which Amendment No. 3 Area includes the lots and parcels located within the area legally described as follows:

a. Route of the 12"-16" water main loop. The proposed water main will connect to the existing 12' water main at the west side of water tower in S. Vermont St. It will then turn east along Washington St. to S. 5th St., a distance of 800 feet. It will then go south along S. 5th St. a distance of 500 feet. It will then turn west for 150 feet into property owned by the Maquoketa School District (Maquoketa High School property). It will then go south 1000 feet in the Maquoketa School District property. It will then go east 150 feet to S. 5th St. It will then go south 500 feet along S. 5th St. to the south line of the NW ¼ of Section 25, T84N, R2E of the 5th Principal Meridian. It will then go east 1300 feet along the south line of the NW ¼ of Section 25, T84N, R2E of the 5th Principal Meridian to South Main Street (Jackson County 200th Avenue). It will then follow S. Main St. south to 17th Street (Jackson County), approximately 2600 feet. It will then follow 17th St. east to 211th St., approximately 2600 feet. It will then follow 211th St. south approximately 1100 feet. The water main will then continue south along the east line of the SE ¼ of the NW ¼ of Section 31, T84N, R3E of the Fifth Principal Meridian to the east line of the US Highway 61 Right of Way, approximately 400 feet. It will then cross the Highway 61 Right-of-Way in a normal (perpendicular) direction to the highway and enter the Highway 61 Industrial Park, a distance of approximately 350 feet.

b. The Hainstock Golf Course. The golf course is described as follows: Parcel NE part of the NE SW lying N of Road, consisting of 7 acres; NW SE consisting of 36.79 acres; SW SE excluding Parcel "E" in survey 1J-123, consisting of 20.73 acres; abandoned railroad ROW W ½ SE excepting that part of parcel "E" in survey 1J-123, consisting of 5.29 acres; NW NE excepting parcels "C" and "D" in survey 1J-124, consisting of 26.98 acres; parcel "D" NW NE in survey 1J-124, consisting of 2.64 acres; parcel "B" SW SE in survey 1I-141 consisting of 18.47 acres; and the east 600' of the west 1128' of the north 500' and east 40' of the west 528' of SW SE;

Except for the following, which will comprise the Timber City Golf Housing Development, a housing subdivision and a separate tax-increment-financing district of its own:

#### TIMBER CITY GOLF ADDITION LEGAL DESCRIPTION

A part of the SE ¼ of Section 30, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa described as follows:

Commencing as a point of reference at the S ¼ corner of said Section 30; Thence N01°24'49"W along the west line of said SE ¼, 194.96 feet to the point of beginning;

Thence N01°24'49" along said west line, 423.29 feet;

Thence N90°00'00"E, 6.63 feet;

Thence NE-ly along an arc of 115.56 feet of a 175.74 foot radius curve to the right having a chord distance of 113.49 feet bearing N17°57'33"E;

Thence N36°47'50"e, 161.90 feet to the point of beginning;

Thence NE-ly along an arc of 21.48 feet of a 109.74-foot radius curve to the left having a chord distance of 21.45 feet bearing N31°11'23"E;

Thence N25°34'55"E, 65.12 feet;

Thence NE-ly along an arc of 161.50 feet of a 380.25-foot radius curve to the right having a chord distance of 160.28 feet bearing N37°44'58"E;

Thence N41°43'15"W, 156.02 feet;

Thence N27°05'27"W, 47.27 feet;

Thence N06°40'06"W, 82.62 feet;

Thence N05°56'09"E, 215.88 feet;

Thence N17°40'40"W, 205.02 feet;

Thence N42°01'03"E, 140.88 feet;

Thence S62°43'29"E, 341.97 feet;

Thence S29°27'07"E, 356.11 feet;

Thence S38°55'53"E, 260.09 feet;

Thence S14 degrees, 30'15"E, 205.46 feet;

Thence S80 degrees, 48'08"W, 250.80 feet;

Thence S72 degrees, 29'32"W, 197.12 feet;

Thence S58 degrees, 55'53"W, 250.80 feet;

Thence N26 degrees, 09'05"W, 109.26 feet;

Thence N53 degrees, 12'10"W, 66.00 feet to the point of beginning containing 11.08 acres.

c. The Marvin Heneke Farm. The farm is described as follows: The S ½ SW ¼, and all that part of the SW ¼ Se ¼ lying West of the center of the Public Road, all in Section 31, Township 84 North, Range 3 East of the 5th P.M., Jackson County, Iowa, EXCEPTING the following to-wit: Commencing at the Northwest corner of the SW ¼ SW ¼ of said Section 31; thence East 31 rods; thence southwest to a point 13 rods south of the place of beginning; thence North to the place of beginning; AND EXCEPT beginning at the Southwest corner of the SW ¼ of Section 31; thence 450' North; thence 200' East; thence 450' South; thence 200' East to the point of beginning; AND EXCEPT a parcel of land located in the SE ¼ SW ¼ and the SW ¼ Se ¼; All in Section 31, Township 84 North, Range 3 East of 5th P.M.

d. Route of MMEU's electrical line for its loop to the site. The interconnection point for the new electrical power lines will be in the proximity of the intersection of Myatt Drive (184th Ave) and 17th Street. The electrical lines will then proceed southward in the right-of-way of 184th Ave until it reached 1st Street (the Jackson-Clinton County Line Road.) The electrical lines will turn eastward on 1st street and head east using the right-of-way of 1st Street until the lines touch

the Marvin Heneke Farm. MMEU will also use parts of the existing TIF district, especially the right-of-way of 200th Ave (Old Hwy 61) and other parts within the area in Amendment #2, including the right-of-way of the 1st Street that abuts the south boundary of the Heneke Farm.

6. Amended Project Area shall mean that portion of the City of Maquoketa, Iowa included within the Original Project Area and the Amendment No. 2 Area and the Amendment No. 3 Area, which Amended project Area includes the lots and parcels located within the area legally described as follows:

All that part of the West Half of the Southwest Quarter of Section 20, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa, lying South of Iowa Highway No. 64.

Northeast Quarter of the Northeast Quarter of Section 30, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

East Half of the Southeast Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

West Half of the Southeast Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa.

The part of the East Half of the Southwest Quarter of Section 19, Township 84 North, Range 3 East of the 5th Principal Meridian, Jackson County, Iowa described as follows to wit:

Commencing at the Southeast Corner of said East Half of the Southwest Quarter of Section 19, thence West to a point of intersection with the East line of Dearborn Street; thence North along said East Line of Dearborn Street to a point of intersection with the North line of Locust Street; thence West 316 feet more or less to a point in the center of Clark Street, thence 900 feet to a point 30 feet East of the Southeast corner of Lot 14, Block 9, Goodenow's 1st Addition to the City of Maquoketa, Jackson County, Iowa; thence North 60 feet to the Northwest Corner of said Lot 14, Block 9, Goodenow's 1st Addition; thence West 168 feet to a point in the center if the intersection of Matteson Street and Pleasant Street in the City of Maquoketa, Iowa; thence East 169 feet to a point 30 feet south of the Southwest Corner of Lot 9, Block 2, Goodenow's 1st Addition; thence North 225 feet; thence West 128 feet; thence South 15 feet, thence west 216 feet to the Northwest Corner of Lot 11, Block 1, Goodenow's 1st Addition; thence North 180 feet to the Northwest corner of Lot 14, Block 1, Goodenow's 1st Addition; thence East 216 feet to the Northwest corner of Lot 3, Block 2, Goodenow's 1st Addition; thence North to a point of intersection with the North line of said East Half of the Southwest Quarter of said Section 19; thence East along said North Section line to the Northeast corner of said East Half of the Southwest Quarter of said Section 19; thence South to the point of beginning, being the Southeast corner of said East Half of the Southwest Quarter of Section 109"

The North half of the Southwest fractional quarter and commencing at the Northwest corner of the South Half of the South Half of the southwest Quarter of Section Thirty One, thence East 31 rods, thence Southwesterly to a point 13 rods South of the point of beginning, thence North 13 rods to the place of beginning; also the South Half of the Northwest fractional quarter of Section Thirty One, Township Eighty Four North, Range Three East of the Fifth Principal Meridian, Jackson County, Iowa, excepting therefrom a strip 5-1/3 rods on the East side therefrom. Also excepting commencing at the Northwest corner of the South Half of the Northwest Quarter of said Section

Thirty One, thence South 51 rods, thence East 90 rods, thence North 51 rods, thence West 90 rods to the place of beginning also excepting those lands acquired for highway right of way. Also excepting Parcel "E", in the Southwest Quarter of said Section 31, more particularly described as follows:

Commencing at the West Quarter corner of Section 31, Township 84 North, Range 3 East of the Fifth Principal Meridian, Jackson County, Iowa;

Thence North 01 degrees 29 minutes 50 seconds West, 482.87 feet along the Westerly line of the Northwest One-Quarter of said Section 31 to the Southerly line of the Northerly 51 rods of the Westerly 90 rods of the South One-Half of the Northwest One-Quarter of said Section 31;

Thence North 89 degrees 07 minutes 08 seconds East, 60.00 feet along the said Southerly line of the Northerly 51 rods of the Westerly 90 rods; to the Easterly right of way line of former primary road No. U.S. 61 and the point of beginning;

Thence North 89 degrees 07 minutes 08 seconds East, 1425.00 feet along said Southerly line of the Northerly 51 rods of the Westerly 90 rods; to the Easterly line of said Northerly 51 rods of the Westerly 90 rods;

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e. Route of the 12"-16" water main loop. The proposed water main will connect to the existing 12" water main at the west side water tower in S. Vermont St. It will then go south on S. Vermont St. to Washington St., a distance of 400 feet. It will then turn east along Washington St. to 5th St., a distance of 800 feet. It will then go south along S. 5th St. a distance of 500 feet. It will then turn west for 150 feet into property owned by the Maquoketa School District (Maquoketa High School property). It will then go south 1000 feet in the Maquoketa School District property. It will then go east 150 feet south to S. 5th St. It will then go south 500 feet along S. 5th St. to the south line of the NW ¼ of Section 25, T84N, R3E of the 5th Principal Meridian. It will then go east 1300 feet along the south line of the NW ¼ of Section 25, T84N, R3E of the 5th Principal Meridian to South Main St. south to 17th Street (Jackson County 200th Avenue) It will then follow S. Main St. south to 17th Street (Jackson County), approximately 2600 feet. It will follow 17th St. east to 211th St., approximately 2600. It will then follow 211th St. south approximately 1100 feet, The water main will continue south along the east line of the SE ¼ of the NW ¼ of Section 31, T84N, R3E of the 5th Principal Meridian to the east line of the US Highway 61 Right-of-way, approximately 400 feet. It will then cross the Highway 61 Right-of-way in a normal (perpendicular) direction to the highway and enter the Highway 61 Industrial Park, a distance of approximately 350 feet.

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Thence NE-ly along an arc of 115.56 feet of a 175.74-foot radius curve to the right having a chord distance of 113.49 feet bearing N17°57'33"E;

Thence N36 °47'50"E, 161.90 feet to a point if beginning;

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Thence N25°34'55"E, 65.12 feet;

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Thence N27° 05'27"W, 47.27 feet;

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Thence N53 degrees, 12'10"W, 66.00 feet to the point of beginning containing 11.08 acres.

g. The Marvin Heneke Farm. The farm is described as follows: The S ½ SW ¼, and all that part of the SW ¼ SE ¼ lying West of the center of the Public Road, all in Section 31, Township 84 North, Range 3 East of the 5th P.M., Jackson County, Iowa, EXCEPTING the following to-wit: Commencing at the Northwest corner of the SW ¼ SW ¼ of said Section 31; thence East 31 rods; thence Southwest to a point of 13 rods South of the place of beginning; thence North to the place of beginning; AND EXCEPT beginning at the Southwest corner of the SW ¼ of Section 31; thence 450' North; thence 200' East; thence 450' South; thence 200 East to a point of beginning; AND EXCEPT a parcel of land located in the SE ¼ SW ¼ and the SW ¼ SE ¼; All in Section 31, Township 84 North, Range 3 East of the 5th P.M.

h. Route of MMEU's electrical line for it's loop to the site. The interconnection point for the new electrical power lines will be in the proximity of the intersection of Myatt Drive (184th Ave) and 17th St Street. The electrical lines will then proceed southward in the right of way of 184th Ave until it reaches 1st Street (the Jackson Clinton County Line Road.) The electrical lines will turn eastward on 1st Street and head east using the right-of-way of 1st Street until the lines touch at the Marvin Heneke Farm. MMEU will also use parts of the existing TIF district, especially the right-of-way of 200th Ave (Old Hwy 61) and other parts within the area in Amendment #2, including the right of way of the 1st Street that abuts the south boundary of the Heneke Farm.

## 2-30B-3 PROVISIONS.

1. The taxes levied on the taxable property in the Amended Project Area, legally described in Section 1 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.

2. As to the Original Project Area, 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 taxing property in the original Project Area upon the total sum of the assessed value of the taxable property in the Original Project Area as shown on the assessment roll as of January 1, 1989, being the first day of the calendar year preceding the effective date of Ordinance Nos. 727 and 739, shall be allocated to and when collected be paid in to the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to Amendment No. 2 Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1999, being the assessment roll applicable to property in such area as January 1 of the calendar year preceding the effective date of Ordinance No. 935.

As to Amendment No. 3 Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll applicable to property in such area as of January 1 of the calendar year preceding the effective date of this Ordinance No. 935.

3. That portion of the taxes each year in excess of the base period taxes for the Amended Project Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Maquoketa to pay the principal of and interest on loans, monies advanced

to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Maquoketa, Iowa to finance or refinance, in whole or part, urban renewal projects undertaken within the Amended Project Area pursuant to the Urban Renewal Plan, as amended, except that taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the Amended Project Area without any limitations as hereinabove provided.

4. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Project Area exceeds the total assessed value of the taxable property in said areas shown by the assessment rolls referred to on Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Project Area shall be paid into the funds for the respective taxing districts in the same manner as all other property taxes.

5. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Maquoketa referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended 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 hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Original Project Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance No. 935, and to fully implement the provisions of Section 403.19 of the Code of Iowa with respect the division of taxes from property within the Amendment No. 1 Area as described above. In the event that any provision of 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 full invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Amended Project Area and the territory contained therein.

(Ord. No. 942, 10-02-00)

