

ORDINANCE NO. 46

AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2012 ADDITION TO THE MITCHELL COUNTY URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

BE IT ENACTED by the Board of Supervisors of Mitchell County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2012 Addition to the Mitchell County Urban Renewal Area, 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 to finance projects in the area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“County” shall mean Mitchell County, Iowa.

“Urban Renewal Area Amendment” shall mean that portion of the property included in the 2012 Addition to the Mitchell County Urban Renewal Area, described as set out below, approved by the Board of Supervisors by resolution adopted on the April 10, 2012:

Certain real property in Mitchell County, Iowa more particularly described as follows:

Parcel # 17066102540011, Parcel A Southeast ¼ in Section 25, Township 98N, Range 17 west of the 5th PM per survey 2010-2229.

“Urban Renewal Area” shall mean the entirety of the Mitchell County Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Amendment. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Amendment each year by and for the benefit of the State of Iowa, the County and any school district or other taxing district in which the Urban Renewal Area Amendment is located, shall be divided as follows:

(a) 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 Area Amendment, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County Board of Supervisors certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes

levied by or for any taxing district which did not include the territory in the Urban Renewal Area Amendment on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area Amendment exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area Amendment 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. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Amendment shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. 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 as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Board of Supervisors of Mitchell County, Iowa, on the April 10, 2012.



Chairperson, Board of Supervisors

Attest:




County Auditor

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There being no further business to come before the meeting, it was upon motion adjourned.


Chairperson, Board of Supervisors

Attest:


County Auditor


STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of Mitchell County, Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the Board of Supervisors of the County relating to the adoption of an ordinance entitled "Ordinance No. 46. An Ordinance providing for the division of taxes levied on taxable property in the 2012 Addition to the Mitchell County Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 10th day of April, 2012.


County Auditor

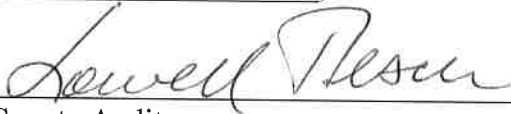
STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of Mitchell County, Iowa, do hereby certify that on the 10th day of April, 2012, there was filed in my office a copy of an ordinance of the Board of Supervisors of the County shown to have been adopted by the Board and approved by the Chairperson thereof on April 10, 2012, entitled: "Ordinance No. 46. An Ordinance providing for the division of taxes levied on taxable property in the 2012 Addition to the Mitchell County Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa", and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this 10th day of April, 2012.


County Auditor


STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of Mitchell County, Iowa, do hereby certify that I caused to be published "Ordinance No. 46. An Ordinance providing for the division of taxes levied on taxable property in the 2012 Addition to the Mitchell County Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa", of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the County.

WITNESS MY HAND this _____ day of _____, 2012.


County Auditor

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)

NOTICE OF A PUBLIC HEARING ON DESIGNATION OF
EXPANDED MITCHELL COUNTY URBAN RENEWAL AREA AND
ON PROPOSED URBAN RENEWAL PLAN

Notice Is Hereby Given: That at 9:30 o'clock a.m., at the Mitchell Co. Courthouse, Osage, Iowa, on the 10th of April, 2012, there will be conducted a public hearing on the question of designating an expanded Mitchell County Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, by adding and including all the property described as follows:

Certain real property in Mitchell County, Iowa more particularly described as follows:

(1) Parcel # 17066102540011, Parcel A Southeast $\frac{1}{4}$ in Section 25, Township 98N, Range 17 west of the 5th PM per survey 2010-2229;

(2) All street and highway rights-of way in Mitchell County that have not already been included in previous plans; and

(3) The following parcels and properties owned by the County:

- The Courthouse and Law Enforcement Center, located on Court Square, in Osage, Parcel # 10-26-230-001.
- The Annex Building, in Osage, Parcel # 10-26-227-013, Lot 8 Block 158.
- The County Services Building, in Osage, Block 166, Parcel # 10-26-229-007, E $\frac{1}{2}$ Lot 8; Lot 9; and the W $\frac{1}{2}$ Lot 10; Parcel # 10-26-229-010, E $\frac{1}{2}$ Lot 10 Adj. Vac. alley & W 46' Lots 11 & 12; Parcel # 10-26-229-011 E 10' W $\frac{1}{2}$ Lots 11 & 12; and Parcel # 10-26-229-009 E1/2 Lots 11 & 12.
- The County Care Facility, in Osage, Parcel # 11-07-300-002, 300' X 300' Par in N $\frac{1}{2}$ SW $\frac{1}{4}$; S1/2 SW $\frac{1}{4}$ of Section 7-98-16.
- The St. Ansgar Shop, in St. Ansgar, Parcel # 05-24-412-003, E $\frac{1}{2}$ of lots 5,6,7, & 8 in Block 51.
- The Riceville Shop, in Riceville, Parcel # 08-25-100-004. 100' X 185' Par in E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 25-99-15.
- Secondary Roads/Osage Shop in Osage, Parcel # 10-24-476-005, 380' X 1024.11' par in SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- The Stacyville Shop, Parcel # 07-06-100-003, 324.4" X 360' in the NE Cor. of NW $\frac{1}{4}$ of Sec. 6-99-16.

The subject matter of the public hearing will also include a proposed amendment to the urban renewal plan for the Mitchell County Urban Renewal Area covering the area identified above, pursuant to Chapter 403, Code of Iowa, a copy of which amendment is on file for public inspection in the office of the County Auditor.

The proposed amendment to the urban renewal plan brings the property described above under the plan, makes it subject to the provisions of the plan, and outlines a proposal for using tax increment revenues to facilitate new economic development projects, including, but not limited to, the construction of sewer treatment facilities, road and bridge improvements and other projects to be identified by the Board of Supervisors in the future.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matter of the hearing.

Lowell Tesch
County Auditor