RESOLUTION NO. 837-12

A resolution to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve 2012 urban renewal plan amendment for the Mitchell County Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, the Board of Supervisors of Mitchell County (the "County") has previously created the Mitchell County Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the real property (the "Property") lying within the description set out in Exhibit A hereto; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, notice of a public hearing by the Board of Supervisors of the County on the question of establishing the Property as an urban renewal area and on a proposed 2012 urban renewal plan amendment (the "Amendment") for the County Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on June 26, 2012; and

WHEREAS, the Amendment was submitted to and considered by the County's Planning and Zoning Commission; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan amendment were mailed to

_____

_____

_____

; the consultation meeting was held on the 29th day of May, 2012, and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, the City Council of the City St. Ansgar has consented to the inclusion of those portions of the Property lying within two miles of its boundaries in the Urban Renewal Area;

EXHIBIT A– Description of Property

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Upon motion and vote, the meeting adjourned.

Chairperson

Attest:

County Auditor

STATE OF IOWA
COUNTY OF MITCHELL SS:

I, the undersigned, do hereby certify that I am the County Auditor of Mitchell County, and that as such I have in my possession or have access to the complete records of the County and of its officers; and that I have carefully compared the transcript hereto attached with the records and that the attached is a true, correct and complete copy of the records relating to the action taken by the Board of Supervisors preliminary to and in connection with designating an urban renewal area and approving the 2012 urban renewal plan amendment for the Mitchell County Urban Renewal Area.

WITNESS MY HAND this 26th day of June, 2012.

Lowell Resch
County Auditor

(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the 2012 urban renewal plan amendment.)

100 A NEW CENTURY OF SERVICE 1912 | 2012

DORSEY
DORSEY & WHITNEY LLP

May 21, 2012

VIA EMAIL
Lowell Tesch
Mitchell County Auditor
Osage, IA

Re: Mitchell County Urban Renewal Area (2012 Addition)
Our File No. 448849

Dear Lowell:

Based on the information you provided, we have prepared the attached materials which will enable your Board of Supervisors to set a date for a public hearing on the expansion of the existing urban renewal area and on an amendment to the existing urban renewal plan for the area.

The notice which is included in the attached resolution must be published once, not less than four (4) nor more than twenty (20) days prior to the date selected for the hearing. Please print a separate copy of the notice for delivery to the newspaper, and we would appreciate receiving a copy of the notice once it has been published.

Also, a "consultation session" must be set up with the city, school district, and community college in which the property to be added to the urban renewal area is located. Please refer to my separate letter attached for further details.

The cities of Osage, St. Ansgar and Riceville must consent to this amendment. I am providing a consent agreement for this purpose. Also the County Planning and Zoning Commission must convene a meeting to review and comment on the proposed amendment prior to the public hearing on June 19.

Please send us one fully-executed set of the proceedings once all the actions have been taken. Please let me know if you have any questions.

Best regards,

John P. Danos

Attachments

cc: Kathy Showalter

EXHIBIT A

DESCRIPTION OF ADDITIONAL PROPERTIES

(June 2012 Addition)

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

The rights-of way of U.S. Highway 218 from the Minnesota Border progressing south past the intersection of U.S. Highway 218 and 465th Street and

Lots 2 and 3, St. Ansgar Industrial Park, second addition.

2012 AMENDMENT TO THE MITCHELL COUNTY URBAN RENEWAL AREA DESIGNATION AND PLAN AMENDMENT

448849-6

Osage, Iowa

June 26, 2012

The Board of Supervisors of Mitchell County, Iowa, met on June 26, 2012, at 9:30 o'clock, a.m., at the Courthouse, Osage, Iowa, for the purpose of conducting a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan amendment.

The Chairperson presided and the roll being called the following members of the Board were present and absent:

Present: Marreel, Voaklander, Walk

Absent: none

The Board investigated and found that notice of the intention of the Board of Supervisors to conduct a public hearing on the designation of the 2012 Amendment to the Mitchell County Urban Renewal Area and on an urban renewal plan amendment had been published according to law and as directed by the Board and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. All written objections, statements, and evidence heretofore filed were reported to the Board, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements)

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed.

Supervisor Voaklander moved the adoption of a resolution entitled "A resolution to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve 2012 urban renewal plan amendment for the Mitchell County Urban Renewal Area", seconded by Supervisor Walk. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Voaklander, Walk, Marrel

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.