

CHAPTER 45**URBAN RENEWAL AREA**

45.01 URBAN RENEWAL PROJECT AREA. Taxes levied on the taxable property in the urban renewal project area known as the Windsor Heights Urban Renewal Plan Area, by and for the benefit of the State of Iowa, City of Windsor Heights, County of Polk, Des Moines Independent Community School District, and all other taxing districts from and after the effective date of the ordinance codified by this Chapter shall be divided as hereinafter provided. The legal description of the project area is as follows:

Beginning at the northwest corner of Lot 22 of Mott Place an Official Plat;
Thence east approximately 385.3 ft. to the centerline of 73rd Street;
Thence northerly, along the centerline of 73rd Street 50.2 ft. to a point on the westerly extension of the north line of Lot 63 of said Mott Place;
Thence west 275.3 ft. to a point 28.0 ft. east of the northeast corner of said Lot 63;
Thence south 100.0 ft. to a point 28.0 ft. east of the southeast corner of said Lot 63;
Thence west 28.0 ft. to the southeast corner of said Lot 63;
Thence south 333.7 ft. to the southeast corner of Lot 48 of said Mott Place;
Thence east 1,333.0 ft. to the northeast corner of Lot 41 of said Mott Place;
Thence south 238.5 ft. to the centerline of University Ave.;
Thence east, along the centerline of University Ave., approximately 79.0 ft. to a point on the northerly extension of the east line of Lot 306 of Colby Acres Plat #2 an Official Plat;
Thence south 217.67 ft. to the southeast corner of Lot 307 of said Colby Acres Plat #2;
Thence south 66.0 ft. to the southeast corner of Lot 303 of said Colby Acres Plat #2;
Thence west 190.00 ft. to the west right-of-way line of 69th Street;
Thence south along the west right-of-way line of 69th Street, 66.0 ft. to the southeast corner of Lot 1 of Walnut Valley Plat #2 an Official Plat;
Thence west 150.00 ft. to the southwest corner of Lot 1 of said Walnut Valley Plat #2;
Thence south 1,452.0 ft. to the southeast corner of Lot 2 of said Walnut Valley Plat #2;
Thence east along the south line of said Lot 2 and also along the centerline of the westerly extension of School Street, 73.8 ft.;
Thence south approximately 300.0 ft. to the north line of Lot K of Windsor Place an Official Plat;
Thence west, along the north line of said Lot K, 150.0 ft.;
Thence south approximately 350.0 ft. to the centerline of Walnut Creek;
Thence northwesterly along the centerline of Walnut Creek, approximately 210.0 ft.;
Thence north-northwesterly along the centerline of Walnut Creek, approximately 433.0 ft.;

Thence west-northwesterly along the centerline of Walnut Creek, approximately 238.2 ft. to a point on the south line of Lot 2 of Ashworth an Official Plat;
Thence west along the south line of Lot 2 of said Ashworth, approximately 900.0 ft. to the centerline of 73rd Street;

Thence northwesterly along the centerline of 73rd Street, approximately 90.0 ft.;

Thence southwesterly 33.0 ft. to the westerly right-of-way line of 73rd Street;

Thence northerly along the west right-of-way line of 73rd Street, approximately 730.0 ft.;

Thence westerly along the City of Windsor Heights Corporate Limits line, 28.0 ft.;

Thence northerly along the City of Windsor Heights Corporate Limits line, 60.0 ft.;

Thence easterly, along the City of Windsor Heights Corporate Limits line, 28.0 ft. to the westerly right-of-way line of 73rd Street;

Thence northerly along the west right-of-way line of 73rd Street, approximately 920.4 ft.;

Thence west along the City of Windsor Heights Corporate Limits line; approximately 20.0 ft.;

Thence north along the City of Windsor Heights Corporate Limits line, 10.0 ft. to a point on the south right-of-way line of University Ave.;

Thence west along the south right-of-way line of University Ave., approximately 155.0 ft. to the centerline of North Walnut Creek;

Thence northerly along the centerline of Walnut Creek, approximately 90.0 ft. to a point on the north right-of-way line of University Ave.;

Thence west along the north right-of-way line of University Ave., 15.0 ft. to the southwest corner of Lot 27 of said Mott Place;

Thence northwesterly along the westerly line of Lot 27 of said Mott Place, 208.0 ft. to the northwest corner of Lot 27 of said Mott Place;

Thence west 95.0 ft. to the southwest corner of Lot 25 of said Mott Place;

Thence north 385.5 ft. to the northwest corner of Lot 22 of said Mott Place and the point of beginning.

AND

All of Lots 43, 44, 45, 46, and 47 of Mott Place an Official Plat now included in and forming a part of the City of Windsor Heights, Polk County, Iowa; and, All that part of the Right-of-Way of 71st Street lying immediately adjacent to and between said Lots 44 and 45 of Mott Place; and, All that part of the Right-of-Way of 72nd Street lying immediately adjacent to and between said Lots 46 and 47 of Mott Place.

All of Lots 1 and 2 of Rancho Grande an Official Plat now included in and forming a part of the City of Windsor Heights, Polk County, Iowa; and, All that part of Lots 3, 4, and 5 of said Rancho Grande that is Not a part of Interstate I-235 Right-of-Way now owned by the State of Iowa; and, All that part of 73rd Street Right-of-Way (as it not exists) lying between the Centerline of Center Street and the westerly extension of the south line of Lot 2 of Ashworth an Official Plat now included in and forming a part of the City of Windsor Heights, Polk County, Iowa; and, All that part of the Southwesterly 33.0 ft of 73rd Street Right-of-Way lying between the Westerly extension of the South line of said Lot 2 of Ashworth and a point approximately 90.0 ft Northwest of the intersection of the Centerline of 73rd Street and the extension of the South line of said Lot 2 of Ashworth.

AND

Right of Way

University Avenue - 69th Street to East Corp. Line
 63rd Street - North of C/L University Ave., a distance of 247.5 feet
 63rd Street - South of C/L University Ave., a distance of 2,137.4 feet
 School Street - C/L of 64th Street to East Corp. Line, a distance of 442.9 feet
 67th Street - South of C/L University Ave., a distance of 217 feet
 66th Street - North of C/L University Ave., a distance of 470 feet
 66th Street - South of C/L University Ave., a distance of 540 feet
 65th Street - North of C/L University Ave., a distance of 158.4 feet
 65th Street - South of C/L University Ave., a distance of 165 feet

Colby Acres Plat 3

Lots 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62
 16 foot alley North of Lots 51-62, 350 feet East of C/L of 66th Street
 Lots 83, 87, South 1/2 of Lot 85, South 1/2 of Lot 86
 Lots 64, 65, 66, 67, 68, 69, 70, 81 and 82 of Colby Acres Plat 3.

Elmcrest

Lots 72, 73

Evergreen Heights

Lots 8, 9, East 40 feet of Lot 10

Hopkins Place

Lots 1, 2, 3, 4, 23, 24, East 60.4 feet of Lot 5, North 55 feet of Lot 22

Windsor Place

East 402.9 feet of Lot 35, except the West 33 feet and except the North 50 feet, Windsor Place; and the North Half of that part of Lot K lying immediately South of and adjoining the East 402.9 feet except the West 33 feet of Lot 35, Windsor Place.

Cooper Place

Lots 2, 3, 4 and the North 125 feet of Lot 1 of Cooper Place.

Colby Acres

Lots 45, 47, 48, 49, 50 of Colby Acres.

45.02 TAXES ALLOCATED. 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 said urban renewal area upon the total sum of the assessed value on the assessment roll of January 1, 1989, being the first day of the calendar year preceding the effective date of the ordinance codified in this Chapter, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by and for said taxing district into which all other property taxes are paid.

45.03 TAXES IN EXCESS ALLOCATED. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 45.02 of this Chapter shall be allocated to and when collected be paid into a special tax increment fund hereby established to pay the principal of and interest on loans, moneys advanced to and indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Sections 403.9 and 403.12 of the Code of Iowa, incurred by the City to finance or refinance in whole or in part projects undertaken pursuant to the Windsor Heights Urban Renewal Plan Project, except that taxes for the payment of bonds and interest on each taxing district levying taxes on said project area shall be collected against all taxable property within the project area without any limitation as herein provided.

45.04 LEVY AND COLLECTION OF TAXES. All taxes levied and collected upon the taxable

property in said Windsor Heights Urban Renewal Plan Area shall be paid into the funds of the taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes unless or until the total assessed valuation of the taxable property in said Urban Renewal Area shall exceed the total assessed value of the taxable property in said Urban Renewal Area on the date of adoption of the ordinance codified herein.

45.05 PAYMENT OF BONDS AND INTEREST. At such time as the loans, moneys advanced, bonds and interest thereon and indebtedness of the City herein referred to have been paid, all moneys thereafter received from taxes upon the taxable property in the Windsor Heights Urban Renewal Plan Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

45.06 CONFLICTING STATUTES. The provisions of this Chapter are intended and shall be construed so as to implement fully the provisions of Section 403.19 of the Code of Iowa with respect to the division of taxes from property within the Urban Renewal Project Area described above. In the event that any provision of this Chapter shall be determined to be contrary to law, it shall not affect other provisions or application of this Chapter which shall, at all times, be construed to invoke fully the provisions of Section 403.19 of the Code of Iowa with reference to said Urban Renewal Project and the territory therein.