

Resolution No. 16-0105

RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE SECOND RESTATED AND AMENDED URBAN RENEWAL PLAN

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist within two miles outside the city limits of the municipality 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 municipality; and

WHEREAS, by Resolution No. 07-0716/165, adopted July 16, 2007, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Amended and Restated Urban Renewal Plan (the "Plan") for the Amended and Restated Urban Renewal Plan Area (also known as the Consolidated Area) (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Polk County; and

WHEREAS, by Resolution No. 09-1102/303, adopted November 2, 2009, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, by Resolution No. 12-1119/355, adopted November 19, 2012, this City Council approved and adopted an Amendment No. 2 to the Plan; and

WHEREAS, by Resolution No. 14-1062, adopted October 20, 2014, this City Council approved and adopted an Amendment No. 3 to the Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of that area set forth in Exhibit A, attached hereto; and

WHEREAS, City staff has caused there to be prepared a form of the Second Amended and Restated Urban Renewal Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add and/or confirm the proposed urban renewal projects to be undertaken within the Urban Renewal Area and to add certain real estate to the Urban Renewal Area; and

WHEREAS, this proposed Second Amended and Restated Urban Renewal Plan removes land as specifically described in Exhibit B, attached hereto;

WHEREAS, this proposed Second Amended and Restated Urban Renewal Plan adds land as specifically described in Exhibit C, attached hereto;

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Urban Renewal Plan; and

WHEREAS, notice of a public hearing by the City Council of the City of Windsor Heights on the issue of establishing the properties set forth in Exhibit C as an urban renewal area and on the proposed Second Amended and Restated Urban Renewal Plan, was given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council conducted said hearing on January 12, 2016; and

WHEREAS, in accordance with the notices, all persons or organizations desiring to be heard on the proposed Second Amended and Restated Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed

WHEREAS, copies of the Second Amended and Restated Urban Renewal Plan, notice of public hearing and notice of a consultation meeting with respect to the Second Amended and Restated Urban Renewal Plan were mailed to each affected taxing entity; the consultation meeting was held on the 16th day of December, 2015; and responses to any comments or recommendations received following the consultation meeting were made as required by law.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, STATE OF IOWA:

Section 1. The areas set forth in Exhibit B are hereby removed from their designated TIF districts.

Section 2. An economic development area as defined by Chapter 403 of the Code of Iowa is found to exist on the property identified in Exhibit C.

Section 3. The area set forth in Exhibit C is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated in the Second Amended and Restated Urban Renewal Plan.

Section 4. The rehabilitation, conservation, redevelopment, development or a combination thereof, of the property is necessary in the interest of the public health, safety, or welfare of the residents.

Section 5. It is hereby determined by this City Council as follows:

- A. The proposed Second Amended and Restated Urban Renewal Plan, attached hereto as Exhibit D, conforms to the general plan of the municipality as a whole; and
- B. Proposed commercial development in the proposed Second Amended and Restated Urban Renewal Plan is necessary and appropriate to facilitate the proper

growth and development of the city in accordance with sound planning standards and local community objectives.

Section 6. The Second Amended and Restated Urban Renewal Plan incorporating these new areas, is hereby approved.

Section 7. All resolution or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and Approved this 12th Day of January, 2016.

Diana Willits, Mayor

ATTEST:

Brett Klein, City Administrator / Clerk

EXHIBIT A—EXISTING URBAN RENEWAL AREA

Original Project Sub-Area

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 East 70.0 Ft. to the Northwest corner of Lot 303 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.

Amendment No. One Sub-Area:

All of Lots 43, 44, 45, 46, & 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 1-235 Right-of-Way now owned by the State of Iowa; and, all that part of 73rd Street Right-of-Way (as it now 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 Ft Northwest of the intersection of the Centerline of 73rd Street and the extension of the South line of said Lot 2 of Ashworth.

Amendment No. Two Sub-Area: Right of Way

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 North 125 feet of Lot 1 of Cooper Place

Colby Acres

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

Suburban Farms Sub-Area:

6500 Hickman Road

- EX RD – N 500F Lot 7 and All Lots 7 1/2 & 8 Suburban Farms

6440 Hickman Road

- EX RD – W 70F N 395F LT 6 Suburban Farms

6400 Hickman Road

- EX RD & N 245F E 125F & S 150F – LT 4 & EX RD & S 150F & W 70F N 395F – LTS 5 & 6 Suburban Farms

6336 Hickman Road

- EX RD – N 245F E 125F LT 4 Suburban Farms

6322 Hickman Road

N 325F W 120F LT 2 & EX S 350F LT 3 Less .012A RD Suburban Farms

LT 8 Barnes Manor Plat 3

and

All adjacent public right of ways

and

The public right of way along 63rd Street between Hickman Road and University Avenue

Colby Park Sub-Area:

Part of Lots 56, 57, 58 and 59, all in Windsor Park, an Official Plat in Windsor Heights, Polk County, Iowa.

Beginning at the NW corner of said Lot 56, thence southeasterly to a point 976.8 feet west of and 125 feet south of the NE corner of Lot 1 of said Windsor Park, thence southwesterly 160 feet to a point on the west line of said Lot 59, thence North 240 feet to the point of beginning.

Said parcel contains 0.44 acres, more or less. And

A tract of land located in Lots 48 and 49 of Windsor Place and Out Lot X of Windsor Park, Official Plats, in Windsor Heights, Polk County, Iowa, described as follows:

Commencing at the NE Corner of Lot 1 of said Windsor Park; thence southerly 125 feet; thence southerly 330 feet on the east line of Lot 84, 85, 86, 87 and 88 of Windsor Park; thence westerly 885 feet to the Point of Beginning; thence southeasterly to a point 200 feet westerly from the SE Corner of said Out Lot X; thence westerly to a point 500 feet westerly and 33 feet northerly of the SE Corner of Lot 49 of said Windsor Place; thence northerly to a point 500 feet west and 108 feet north of the SE Corner of said Lot 49; thence northwesterly to a point on the northwesterly line of said Lot 49 which is 160 feet normally distant northerly from the south line of said Lot 49; thence to a point on the southeasterly line of Lot 48, which is 80 feet northeasterly of the southeasterly corner of said Lot 48; thence northwesterly to a point on the West line of said Lot 48, which is 155 feet northerly of the southwesterly corner of said Lot 48; thence easterly to the Point of Beginning, containing 4.9 acres, more or less.

And

Beginning at the Northeast Corner of Lot 47 in Windsor Place, an Official Plat, Polk County, Iowa; thence South 625 feet; thence West parallel to the North line of Lot 47, 410 feet; thence North 625 feet to the North line of Lot 47; thence East 410 feet to place of beginning, subject to easement of record over the North 25 feet for street purposes.

Amendment No. 1 Area (63rd & Hickman Sub-Area)

The South 195 feet of the North 200 feet of Lot 1, and the South 195 feet of the North 200 feet of the East 35 feet of Lot 2, Suburban Farms, City of Windsor Heights, Polk County, Iowa,

And

The public right of ways being established in connection with the City of Windsor Heights widening of Hickman Road, Westover Blvd. and 63rd Street.

Amendment No. 2 Area

The South 125 feet of the North 250 feet of Lot 1 COOPER PLACE, an Official Plat, now included in and forming a part of the City of Windsor Heights, Polk County, Iowa.

Locally known as: 1146 65th Street, Windsor Heights, Iowa 50324

Amendment No. 3 Area

Lots 1 thru 6 and Lot 16, Sherwood Forest Plat No. 1 AND Lots 4 thru 7, the North 325.00 feet of Lot 8, the East 15.00 feet of the North 152.00 feet of Lot 9 AND the East 3.00 feet of the South 173.00 feet of the North 325.00 feet of Lot 9, Plaza Hills Plat 5 AND the North 100.00 feet of Lot 1, Plaza Hills Plat 7 lying South and adjacent to Lots 3 thru 8, Plaza Hills Plat 5, except Parcel A of said Lot 1, Plaza Hills Plat 7 AND 73rd Street lying East and adjacent to said Lots 3, 4 and 6, Sherwood Forest Plat No. 1 AND Hickman Road lying North and adjacent to Lots 3 thru the East 15.00 feet of Lot 9, Plaza Hills Plat 5 AND Hickman Road lying East of 73rd Street and West of 63rd Street AND 73rd Street from Hickman Road to the Westbound entrance to interstate 235 AND University Avenue from 73rd Street to 69th Street. All right-of-way lying within the boundary of Windsor Heights.

Itemized

Lot 1, Sherwood Forest Plat No. 1

Lot 2, Sherwood Forest Plat No. 1

Lot 3, Sherwood Forest Plat No. 1

Lot 4, Sherwood Forest Plat No. 1

Lot 5, Sherwood Forest Plat No. 1

Lot 6, Sherwood Forest Plat No. 1

Lot 16, Sherwood Forest Plat No. 1

Lot 4, Plaza Hills Plat 5

Lot 5, Plaza Hills Plat 5

Lot 6, Plaza Hills Plat 5

Lot 7, Plaza Hills Plat 5

North 325.00 feet, Lot 8, Plaza Hills Plat 5

East 15.00 feet of the North 152.00 feet, Lot 9, Plaza Hills Plat 5

East 3.00 feet of the South 173.00 feet of the North 325.00 feet, Lot 9, Plaza Hills Plat 5

North 100.00 feet, Lot 1, Plaza Hills Plat 7, lying South and adjacent to Lots 3 thru 8, Plaza Hills Plat 5, except Parcel A of said Lot 1, Plaza Hills Plat 7

73rd Street lying East and adjacent to Lots 3, 4 and 6, Sherwood Forest Plat No. 1

Hickman Road lying North and adjacent to 73rd Street, North and adjacent to Sherwood Forest Plat No. 1 and North and adjacent to Lots 3 thru the East 15.00 feet of Lot 9, Plaza Hills Plat 5

Hickman Road lying East of 73rd Street and West of 63rd Street

73rd Street from Hickman Road to the Westbound entrance to Interstate 235

University Avenue from 73rd Street to 69th Street

EXHIBIT B—PROPOSED REMOVALS FROM THE URBAN RENEWAL PLAN

Amendment No. 1 Area (63rd & Hickman Sub-Area)

All of that portion of Lot 1 in Windsor Crossing Plat 1 that lies within TIF Ordinance No. 09-07 63rd & Hickman.

AND

Suburban Farms Sub-Area:

All of that portion of Lot 1 in Windsor Crossing Plat 1 that lies within TIF Ordinance No. 06-01 Suburban Farms.

EXHIBIT C—PROPOSED ADDITIONS TO THE URBAN RENEWAL PLAN

Lot 1 in Windsor Crossing Plat 1

Property Address: 6300 Hickman

Legal Description:

Lot 1 in Windsor Crossing Plat 1, an Official Plat, located in the City of Windsor Heights, Polk County, Iowa.

EXHIBIT D
[INSERT SECOND AMENDED AND RESTATED URBAN RENEWAL PLAN]

**SECOND AMENDED AND RESTATED
URBAN RENEWAL PLAN**

for the

**CONSOLIDATED
WINDSOR HEIGHTS
URBAN RENEWAL AREA**

Original Plan—1989
Amendment #1—1995
Amendment #2—1996
Amended and Restated Plan—2007
Amendment #1 to Amended and Restated Plan—2009
Amendment #2 to Amended and Restated Plan—2012
Amendment #3 to Amended and Restated Plan—2014

As Approved by the City Council

Resolution No. _____ (_____, 2015)

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**SECOND AMENDED AND RESTATED URBAN RENEWAL PLAN
for the
CONSOLIDATED WINDSOR HEIGHTS URBAN RENEWAL AREA**

A. INTRODUCTION

The Second Amended and Restated Urban Renewal Plan (the “Plan” or “Urban Renewal Plan”) was developed to assist with the redevelopment and revitalization of established blighted and economic development areas within the City, and help local officials promote economic development in the City of Windsor Heights (the “City”). The City’s original urban renewal plan was adopted in 1989 (“Original Plan”) to address blight and obsolescence along University Avenue. The Original Plan was amended several times over the years. In 2007, the City adopted the Amended and Restated Urban Renewal Plan (“Amended Plan”), which consolidated the five sub-areas into a single urban renewal area. The Amended Plan was amended in 2009, 2012 and 2014 to redefine the proposed projects to be undertaken with the urban renewal area and to add certain real estate to the area. The current Plan is being adopted for the following purposes: (i) to add and/or confirm the list of proposed projects to be undertaken with the Second Amended and Restated Urban Renewal Plan, (ii) to add new property to the area, and (iii) to provide for the replacement of the urban renewal plans through the adoption of a new, Second Amended and Restated Urban Renewal Plan.

Except as modified by this Plan, the provisions of the Original Plan, as amended, and the Amended Plan, as amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Plan shall control. Nothing in this Plan shall interfere with the continued operations and cash flows from the tax increment financing districts that are pre-existing and have been established from time to time by ordinance of the City Council within the Urban Renewal Areas.

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Second Amended and Restated Urban Renewal Area is located generally along University Avenue between 63rd and 72nd Streets, 63rd Street between Hickman Road and Interstate 235 and Hickman Road from 63rd Street west to approximately 69th Street, all in the City of Windsor Heights, and consists of the following separately identified sub-areas in the consolidated area:

Name	Established	Base Year
Original Project sub-area	1989	1989
Amendment No. 1 sub-area	1995	1994
Amendment No. 2 sub-area	1996	1995
Colby Park sub-area	2007	2006
Suburban Farms sub-area	2005	2005

The separate identified of the different sub-areas will be maintained and observed for those purposes which are aided by or in need of the division, but reference to the sub-areas for all other

purposes are consolidated in order to permit the City to take advantage of the efficiencies associated with combined planning and redevelopment activities.

As part of this Second Amended and Restated Urban Renewal Plan, certain areas of the Suburban Farms Sub-Area and the Amendment No. 1 Area (63rd & Hickman Sub-Area) will be removed from those TIF districts and the entire property re-incorporated in a separate TIF district to be known as the 2016 Addition. *See* Removed Property, attached Exhibit A. The purpose of this removal and re-incorporation is to alleviate a patchwork of TIF districts on a single property.

The legal description of the property being added to the Second Amended and Restated Urban Renewal Plan is attached hereto as Exhibit B. A map of entire Second Amended and Restated Urban Renewal Area (the “Area” or “Urban Renewal Area”), as amended, is attached hereto as Exhibit C.

C. HISTORY AND PURPOSE

The City of Windsor Heights’ Second Amended and Restated Urban Renewal Plan has been developed to: (1) provide for the continuation of redevelopment and revitalization activities within the Area, and (2) provide for the use of tax increment revenues for qualified activities throughout the Urban Renewal Area.

Chapter 403 of the Code of Iowa authorizes cities to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. Urban renewal powers were initially provided to cities in order that conditions of deterioration within cities might be brought under control. Gradually, urban renewal has been found to be a useful tool, as well, for economic development in previously undeveloped areas and for retention of enterprises and jobs in other areas.

In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize City Councils to create “economic development” areas. An economic development urban renewal area may be any area of a city which has been designated by the City Council as an area which is appropriate for industrial, commercial and/or residential enterprises and in which the city seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

In 1996, the Iowa General Assembly again expanded the scope of urban renewal legislation relative to housing development in “economic development areas.” This legislation allows the use of tax increment financing (TIF) for housing projects beyond those that benefit only low and moderate income (LMI) families. Under the 1996 legislation, TIF can be used for any type of

housing development as long as a percentage of the TIF revenues or funds from other sources, equal to or greater than the percentage of LMI families in the county, is set aside to help meet the housing needs on this group.

This Second Amended and Restated Urban Renewal Plan has been prepared in accordance with the provisions of Chapter 403 of the Code of Iowa, and it is intended that the City may exercise all of the powers and undertake all of the activities provided for in Chapter 403 of the Code of Iowa.

D. TAX INCREMENT DISTRICT

Pursuant to Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing (“TIF”) mechanism to finance the costs of public improvements associated with redevelopment projects. In order to utilize TIF, a portion of the urban renewal area will be designated by ordinance as a TIF District. Depending upon the dates upon which the TIF District is legally established and debt is initially certified, the original taxable valuation within the TIF District will be frozen and is designated as the “base valuation.” The “base valuation” will be the assessed value of the taxable property in the Urban Renewal Area and TIF District as of January 1 of the calendar year preceding the calendar year in which the County first certifies the amount of any debt payable from TIF revenues to be generated within the TIF District. When the value of the property inside the TIF District increases by virtue of new construction, the difference between the base valuation and the new property value is the “tax increment” or “incremental value.” The amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the tax increment district.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with the urban renewal projects identified in this Plan related to commercial or light industrial development. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Second Amended and Restated Urban Renewal Plan.

E. URBAN RENEWAL DESIGNATION

The initial purpose of this Second Amended and Restated Urban Renewal Plan is to facilitate the use of tax increment financing and the construction of related public facilities and infrastructure in support of economic development throughout the Urban Renewal Area and the promotion of

all manner of projects aimed at the alleviation of slum and/or blight conditions in the Urban Renewal Area. The sub-areas included within this Second Amended and Restated Urban Renewal Plan have been designated under applicable provisions of Chapter 403 of the Code of Iowa as blighted and economic development areas. It is anticipated that this Second Amended and Restated Urban Renewal Plan will assist in planning for development in the Urban Renewal Area, as amended, and facilitate growth in commercial development. The Urban Renewal Area is designated and suitable for such uses as described herein.

F. LAND USE

This Second Amended and Restated Urban Renewal Plan relies on the City's Comprehensive Plan, City zoning requirements, and the development policies already in place to provide guidance for development within the Urban Renewal Area. This will eliminate any potential conflicts and inconsistencies between any urban renewal requirements and general City development regulations.

The City has adopted a comprehensive plan for the City which qualifies as the "general plan for the development of the municipality as a whole" as provided under Section 403.5 of the Code of Iowa. The Planning and Zoning Commission will be asked to review this Second Amended and Restated Urban Renewal Plan and adopt a finding that it is in conformity with the Comprehensive Plan and recommend its approval to the City Council. The goals and objectives of this Plan are consistent with the planning goals and land use policy statements which are identified and adopted as part of the comprehensive planning process.

G. AREA OBJECTIVES

The Second Amended and Restated Urban Renewal Plan is designed to provide opportunities, incentives, and sites for new commercial and light industrial development within the district. More specific objectives for development within the Second Amended and Restated Urban Renewal Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial developments.
2. To plan for and provide sufficient land for commercial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public infrastructure and other public facilities which contribute to the sound development in the Area.
4. To provide a more marketable and attractive investment climate.
5. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

6. To facilitate such development through the use of appropriate and available incentives, including various federal, state and local sources as identified in this Plan.
7. To increase the number of affordable housing units in the City that are safe, attractive and comfortable.
8. To provide public facilities to enhance City services and enhance the economic attractiveness of the community.
9. To alleviate the conditions of blight in the Urban Renewal Area.

H. URBAN RENEWAL ACTIVITIES

To meet the objectives of this Second Amended and Restated Urban Renewal Plan and to encourage the development of the Area, the City intends to use the powers conferred under Chapter 403 and Chapter 15A of the Code of Iowa including, but not limited to, tax increment financing. Activities may include:

1. Undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. Arrange for or cause to be provided the construction or repair of public infrastructure, including but not limited to streets, storm water drainage, sanitary sewer, water, sidewalks, street lights, parks and open spaces, recreational trails or facilities, landscaping, public utilities or other related facilities in connection with urban renewal projects.
3. Provide for the construction of urban renewal projects or specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
4. Make loans, forgivable loans, tax rebate payments or other types of economic development grants or incentives to private persons or businesses for economic development purposes on such terms as may be determined by the City Council.
5. Use tax increment financing to facilitate urban renewal projects, including but not limited to, actions to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
6. Borrow money and to provide security therefor.
7. Make or have made surveys and plans necessary for the implementation of specific urban renewal projects.
8. Acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment. The City Council may acquire any

property or interest which it determines to be necessary or advisable to carry out the Plan. These actions may include purchase of properties, relocation of occupants, demolition of buildings, and preparation of sites for redevelopment, including abatements of environmental hazards.

9. Dispose of property so acquired.
10. Install new streets and circulation ways, curbs, bridges, sidewalks, and water and sewer improvements, as required for the implementation of specific project plans.
11. Construct and install improvements within public right-of-ways or other public properties, including street and utility improvements.
12. Redesign and reconstruct the public parking areas, street access points, and curbs and curb cuts.
13. Use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Windsor Heights and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Second Restated and Amended Urban Renewal Plan.

I. URBAN RENEWAL FINANCING

The City of Windsor Heights intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Urban Renewal Area may be deemed necessary or appropriate for economic development purposes and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Plan and the Iowa Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Urban Renewal Area. Alternatively, the City may determine to use available funds for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Iowa Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to use tax increment financing as a means to help pay for the costs associated with the development of the Urban Renewal Area. General

obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewer systems, storm sewers, water mains or sidewalks;
2. The acquisition of land and preparation of the same for sale to private developers;
3. The making of loans or grants to private businesses under Chapter 15A of the Iowa Code, including debt service payments on any bonds or notes issued to finance such loans or grants; or
4. Providing the local matching share of CEBA, RISE, or other state, federal or local grants and loan programs.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

J. PREVIOUS URBAN RENEWAL PROJECTS

The following urban renewal projects were authorized prior to July 1, 2015 and are continuing:

1. University Avenue Expansion and Reconstruction: \$180,900
2. Colby Park Redevelopment: \$375,243
3. Colby Park Community and Events Center: \$1,979,168
4. Hickman Road: \$4,293,475
5. University Avenue Town Center Redevelopment: \$3,338,465
6. Kim's Condominium Project along University Avenue: rebates not to exceed \$600,000 total from FY 2013-2018
7. Bridge reconstruction project connecting the cities of Clive and Windsor Heights: \$0

K. PROPOSED URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, in addition to the projects previously proposed in the Urban Renewal Plan, as amended, the Proposed Urban Renewal Projects under this Plan may include:

1. Development Agreements

The City expects to consider requests for development agreements for projects that are consistent with this plan, in the City's sole discretion. The following are tentative expected agreements:

A. Colby/Midtown Center Project. Colby's Apple Valley, LLC (or one of its subsidiary companies) plans to undertake redevelopment of the existing Apple Valley center. The redevelopment will take place in two phases, with Phase I to consist of demolishing the existing buildings and replacing them with a 17,825 +/- square foot anchor store and 12,600 +/- square foot multi-tenant building. Phase II of the project consists of demolishing existing buildings and replacing them with two multi-tenant buildings of 15,400 +/- square feet and 10,500 +/- square feet. The City is considering financial incentives, possibly in the form of tax rebates, to assist Colby with construction costs, in accordance with City design guidelines. Incentives are expected to consist of no more than \$200,000.00 annually, or \$2,000,000.00 total.

B. City Center Project. A private developer plans to undertake redevelopment at the 66th and University location (specifically, 6580 University and 6516 University). The City will consider incentives for a mixed-use development, including family-style restaurant, retail, residential and/or civic uses, possibly in the form of tax rebates, to assist with construction costs, in accordance with City design guidelines. Incentives are expected to consist of no more than \$200,000.00 annually, or \$2,000,000.00 total. In addition, in order to facilitate the construction of the civic space, the City will consider granting a loan in an amount of up to \$250,000.00 to be paid back over a period of ten (10) years, portions or which may be forgivable upon meeting employment and longevity criteria as set by the City Council.

C. Hickman Motor Lodge. The City may provide financial incentives for the redevelopment of the current Hickman Motor Lodge, located at 6500 Hickman Road, in Windsor Heights. Incentives for redevelopment are expected to consist of no more than \$250,000.00. The City may also consider purchasing the property for redevelopment, the cost of which will not exceed \$1,000,000.00.

D. Additional Development Agreements. There are also agreements that are unknown at this time, but based on past history, and dependent on developmental opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to loans, grants, tax rebates, the sale or transfer of city-owned lands and other incentives. The costs of such development agreements will not exceed \$1,000,000.00.

2. Other Incentive Programs

A. Economic Development Loan Program. The City plans to consider an economic development loan program to provide direct financial assistance for economic development activities in the Urban Renewal Area. The amount of funding available for any one project would not exceed fifteen thousand dollars (\$15,000.00), and the City would grant no more than ten (10) such loans over a period of ten (10) years, for a maximum total loan amount of one hundred fifty thousand dollars (\$150,000.00). All potential loan participants will be required to apply for such funds, as determined by the City Council, and approval of such loans will be in the City's sole discretion. Portions of such grants may be forgivable upon meeting employment and longevity criteria as set by the City Council.

B. Façade Improvement Grant Program. The City plans to consider a façade improvement grant program to assist with façade improvements in the Urban Renewal Area. The

amount of funding available for any one project would not exceed Ten thousand dollars (\$10,000.00), and the City would grant no more than ten (10) such loans over a period of ten (10) years, for a maximum total loan amount of one hundred fifty thousand dollars (\$100,000.00). Façade improvements would include any exterior improvements to the face of the building parallel to the public roadway involving exterior siding, walls/fencing, ADA improvements, pedestrian amenities, windows/doors, awnings/canopies, lighting, painting, signage, landscaping and related improvements. All potential loan participants will be required to apply for such funds, as determined by the City Council, and approval of such grants will be in the City's sole discretion.

L. PROJECT PARTICIPATION REVIEW

The City will give consideration to the following conditions when determining whether or not to participate in a project:

1. The developer requests the participation of the City in the development.
2. A development agreement has been established which provides acceptable assurances to both the City and the developer that the project will be completed and that contingencies for default are adequately provided for.
3. The developer has a specific proposal which is found to be compatible with the urban renewal goals and is found to be in the best interest of the City of Windsor Heights.
4. The developer can prove commitment and ability to complete the project.
5. That the proposed City participation is consistent with adopted criteria and guidelines. With City Council approval, improvements may be provided at the request of developers. This option may be financed through appropriate sources including state and federal incentive programs. In addition, the City may utilize other methods which are legally available to provide incentives for development.

M. PROPERTY ACQUISITION/DISPOSITION

If property acquisition/disposition becomes necessary to accomplish the objectives of the Plan, urban renewal powers will be carried out, without limitation, in accordance with the State of Iowa Urban Renewal Law. Any disposition of property within the Urban Renewal Area will be based on the following criteria:

1. Greatest benefit for the City as a whole and those areas within, and directly adjacent to, the Urban Renewal Area.
2. Compatibility with neighboring land uses, architecture and design.
3. Conformance with the Plan and the Zoning Ordinances.
4. Willingness of a developer to enter into an agreement with respect to proposed development and job creation.
5. Any other conditions and criteria developed and adopted with respect to specific property dispositions.

N. RELOCATION

The City does not expect there to be any relocation required of residents or businesses to facilitate redevelopment and revitalization activities under the Urban Renewal Plan; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

O. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform to state and local laws will be complied with by the City and the developer in implementing this Urban Renewal Plan and its supporting documents.

P. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan, as amended, shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, unauthorized or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

Q. AMENDMENTS

This Urban Renewal Area Plan may be amended from time to time for a number of reasons, including but not limited to, change in the Area, to add or change land use controls and regulations, to add or modify urban renewal projects, to modify goals or types of renewal activities, or to amend property acquisition and disposition provisions. The City Council may amend this Plan pursuant to appropriate procedures under Iowa Code Chapter 403.

R. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a plan indefinitely until it is repealed by the City Council. During the life of this plan, the City Council may designate all or any portion of the property covered by this plan as a “tax increment district.” Incremental property tax collections will continue for the maximum period allowed by state law or, if sooner, until the City Council chooses to cease such collections.

S. DEBT

1. Current constitutional debt limit of the City: \$19,142,188
2. Current general obligation debt of the City: \$13,269,572
3. Proposed amount of indebtedness to be incurred under this Plan: Although a specific amount of debt to be incurred has not yet been determined, the estimated indebtedness for the proposed urban renewal projects identified above is \$5,500,000.00. This amount is

expected to be incurred over a number of years. Before authorizing any expenditure, the City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate. It is expected that project indebtedness, including interest on the same will be financed with tax increment revenues from the Urban Renewal Area. In no event will the City exceed its current constitutional debt limit.

EXHIBIT A—AREA REMOVED FROM THE URBAN RENEWAL PLAN

Amendment No. 1 Area (63rd & Hickman Sub-Area)

All of that portion of Lot 1 in Windsor Crossing Plat 1 that lies within TIF Ordinance No. 09-07 63rd & Hickman.

AND

Suburban Farms Sub-Area:

All of that portion of Lot 1 in Windsor Crossing Plat 1 that lies within TIF Ordinance No. 06-01 Suburban Farms.

EXHIBIT B—AREA ADDED TO THE URBAN RENEWAL PLAN

Lot 1 in Windsor Crossing Plat 1

Property Address: 6300 Hickman

Legal Description:

Lot 1 in Windsor Crossing Plat 1, an Official Plat, located in the City of Windsor Heights, Polk County, Iowa.

[INSERT MAP]

EXHIBIT C—NEW URBAN RENEWAL AREA

Original Project Sub-Area

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 East 70.0 Ft. to the Northwest corner of Lot 303 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.

Amendment No. One Sub-Area:

All of Lots 43, 44, 45, 46, & 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 1-235 Right-of-Way now owned by the State of Iowa; and, all that part of 73rd Street Right-of-Way (as it now 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 Ft Northwest of the intersection of the Centerline of 73rd Street and the extension of the South line of said Lot 2 of Ashworth.

Amendment No. Two Sub-Area: Right of Way

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 North 125 feet of Lot 1 of Cooper Place

Colby Acres

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

Suburban Farms Sub-Area:

6500 Hickman Road

- EX RD – N 500F Lot 7 and All Lots 7 1/2 & 8 Suburban Farms

6440 Hickman Road

- EX RD – W 70F N 395F LT 6 Suburban Farms

6400 Hickman Road

- EX RD & N 245F E 125F & S 150F – LT 4 & EX RD & S 150F & W 70F N 395F – LTS 5 & 6 Suburban Farms

6336 Hickman Road

- EX RD – N 245F E 125F LT 4 Suburban Farms

6322 Hickman Road

N 325F W 120F LT 2 & EX S 350F LT 3 Less .012A RD Suburban Farms

EXCEPT ALL PORTIONS OF LOT 1 WINDSOR CROSSING PLAT 1, an Official Plat, located in the City of Windsor Heights, Polk County, Iowa.

LT 8 Barnes Manor Plat 3

and

All adjacent public right of ways

and

The public right of way along 63rd Street between Hickman Road and University Avenue

Colby Park Sub-Area:

Part of Lots 56, 57, 58 and 59, all in Windsor Park, an Official Plat in Windsor Heights, Polk County, Iowa.

Beginning at the NW corner of said Lot 56, thence southeasterly to a point 976.8 feet west of and 125 feet south of the NE corner of Lot 1 of said Windsor Park, thence southwesterly 160 feet to a point on the west line of said Lot 59, thence North 240 feet to the point of beginning.

Said parcel contains 0.44 acres, more or less. And

A tract of land located in Lots 48 and 49 of Windsor Place and Out Lot X of Windsor Park, Official Plats, in Windsor Heights, Polk County, Iowa, described as follows:

Commencing at the NE Corner of Lot 1 of said Windsor Park; thence southerly 125 feet; thence southerly 330 feet on the east line of Lot 84, 85, 86, 87 and 88 of Windsor Park; thence westerly 885 feet to the Point of Beginning; thence southeasterly to a point 200 feet westerly from the SE Corner of said Out Lot X; thence westerly to a point 500 feet westerly and 33 feet northerly of the SE Corner of Lot 49 of said Windsor Place; thence northerly to a point 500 feet west and 108 feet north of the SE Corner of said Lot 49; thence northwesterly to a point on the northwesterly line of said Lot 49 which is 160 feet normally distant northerly from the south line of said Lot 49; thence to a point on the southeasterly line of Lot 48, which is 80 feet northeasterly of the southeasterly corner of said Lot 48; thence northwesterly to a point on the West line of said Lot 48, which is 155 feet northerly of the southwesterly corner of said Lot 48; thence easterly to the Point of Beginning, containing 4.9 acres, more or less.

And

Beginning at the Northeast Corner of Lot 47 in Windsor Place, an Official Plat, Polk County, Iowa; thence South 625 feet; thence West parallel to the North line of Lot 47, 410 feet; thence North 625 feet to the North line of Lot 47; thence East 410 feet to place of beginning, subject to easement of record over the North 25 feet for street purposes.

Amendment No. 1 Area (63rd & Hickman Sub-Area)

The South 195 feet of the North 200 feet of Lot 1, and the South 195 feet of the North 200 feet of the East 35 feet of Lot 2, Suburban Farms, City of Windsor Heights, Polk County, Iowa,

And

The public right of ways being established in connection with the City of Windsor Heights widening of Hickman Road, Westover Blvd. and 63rd Street,

EXCEPT ALL PORTIONS OF LOT 1 WINDSOR CROSSING PLAT 1, an Official Plat, located in the City of Windsor Heights, Polk County, Iowa.

Amendment No. 2 Area

The South 125 feet of the North 250 feet of Lot 1 COOPER PLACE, an Official Plat, now included in and forming a part of the City of Windsor Heights, Polk County, Iowa. Locally known as: 1146 65th Street, Windsor Heights, Iowa 50324

Amendment No. 3 Area

Lots 1 thru 6 and Lot 16, Sherwood Forest Plat No. 1 AND Lots 4 thru 7, the North 325.00 feet of Lot 8, the East 15.00 feet of the North 152.00 feet of Lot 9 AND the East 3.00 feet of the South 173.00 feet of the North 325.00 feet of Lot 9, Plaza Hills Plat 5 AND the North 100.00 feet of Lot 1, Plaza Hills Plat 7 lying South and adjacent to Lots 3 thru 8, Plaza Hills Plat 5, except Parcel A of said Lot 1, Plaza Hills Plat 7 AND 73rd Street lying East and adjacent to said Lots 3, 4 and 6, Sherwood Forest Plat No. 1 AND Hickman Road lying North and adjacent to Lots 3 thru the East 15.00 feet of Lot 9, Plaza Hills Plat 5 AND Hickman Road lying East of 73rd Street and West of 63rd Street AND 73rd Street from Hickman Road to the Westbound entrance to interstate 235 AND University Avenue from 73rd Street to 69th Street. All right-of-way lying within the boundary of Windsor Heights.

Itemized

- Lot 1, Sherwood Forest Plat No. 1
- Lot 2, Sherwood Forest Plat No. 1
- Lot 3, Sherwood Forest Plat No. 1
- Lot 4, Sherwood Forest Plat No. 1
- Lot 5, Sherwood Forest Plat No. 1
- Lot 6, Sherwood Forest Plat No. 1
- Lot 16, Sherwood Forest Plat No. 1
- Lot 4, Plaza Hills Plat 5
- Lot 5, Plaza Hills Plat 5
- Lot 6, Plaza Hills Plat 5
- Lot 7, Plaza Hills Plat 5
- North 325.00 feet, Lot 8, Plaza Hills Plat 5
- East 15.00 feet of the North 152.00 feet, Lot 9, Plaza Hills Plat 5
- East 3.00 feet of the South 173.00 feet of the North 325.00 feet, Lot 9, Plaza Hills Plat 5
- North 100.00 feet, Lot 1, Plaza Hills Plat 7, lying South and adjacent to Lots 3 thru 8, Plaza Hills Plat 5, except Parcel A of said Lot 1, Plaza Hills Plat 7
- 73rd Street lying East and adjacent to Lots 3, 4 and 6, Sherwood Forest Plat No. 1
- Hickman Road lying North and adjacent to 73rd Street, North and adjacent to Sherwood Forest Plat No. 1 and North and adjacent to Lots 3 thru the East 15.00 feet of Lot 9, Plaza Hills Plat 5
- Hickman Road lying East of 73rd Street and West of 63rd Street
- 73rd Street from Hickman Road to the Westbound entrance to Interstate 235
- University Avenue from 73rd Street to 69th Street

2016 Addition

Lot 1 in Windsor Crossing Plat 1

Property Address: 6300 Hickman

Legal Description:

Lot 1 in Windsor Crossing Plat 1, an Official Plat, located in the City of Windsor Heights, Polk County, Iowa.

[INSERT MAP]