

RESOLUTION NO. 17-23

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE AMENDED AND RESTATED LAURENS ECONOMIC DEVELOPMENT URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 14-05, adopted June 20, 2005, 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 Laurens Economic Development Urban Renewal Plan for the Laurens Economic Development Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which plan was subsequently amended and restated in 2008 when the City adopted the Amended and Restated Laurens Economic Development Urban Renewal Plan (the "Amended and Restated Plan" or "Plan"), which Amended and Restated Plan has been subsequently amended, by Amendment No. 1 to the Plan adopted in 2014, and which Plan, as amended, is on file in the office of the Pocahontas County Recorder; and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 2 to the Plan ("Amendment No. 2" or "Amendment"), 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 to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area and to add land to the Urban Renewal Area; and

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

WHEREAS, this proposed Amendment No. 2 would add the following land to the Urban Renewal Area:

Lot 1 of the Northeast Quarter (NE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section 27, Township 93 North (T-93-N), Range Thirty-four West (R-34-W), of the 5th P.M., Pocahontas County, Iowa and being more fully described as follows:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-seven (27), T-93-N, R-34-W, of the 5th P.M., Pocahontas County, Iowa, thence South 89°58'55" West, 557.61 feet along the North line of said SE $\frac{1}{4}$ to the centerline of the existing Drainage Channel of Drainage District No. 41, Pocahontas County, Iowa, said point being the point of beginning, thence South 05°08'47" West, 129.25 feet along the centerline of said Channel; thence South 30°52'15" West, 1389.26 feet along the centerline of said Channel to the South line

of the NE ¼ of said SE ¼; thence South 89°59'09" West, 9.50 feet along the South line of the NE ¼ of said SE ¼ to the Southwest (SW) corner thereof, thence North 01°26'28" West, 1321.36 feet along the West line of NE ¼ of said SE ¼ to the Northwest (NW) corner thereof, thence North 89°58'55" East, 767.16 feet along the North line of the SE ¼ of said Section 27 to the point of beginning.

The above described parcel containing 12.671 acres and subject to all easements of record shall be known as Lot 1 of NE ¼ of SE ¼ of said Section 27 for recording purposes.

AND

Description of Lot A of Lot 1 of Lot 4

A part of Lot 1 of Lot 4, Auditor's Plat of unplatted portion of the South Half (S ½) of Section Twenty-seven (27), Township 93 North (T-93-N), Range 34 West (R-34-W), of the 5th P.M., Pocahontas County, Iowa, and being more fully described as follows: Commencing at the Northwest (NW) corner of the SE ¼ of Section 27, T-93-N, R-34-W, of the 5th P.M., Pocahontas County, Iowa; thence North 89°58'55" East, 1267.58 feet along the North line of said SE ¼ to the point of beginning; thence continuing North 89°58'55" East, 57.19 feet along the North line of said SE ¼, to the Northeast (NE) corner of Lot 1 of Lot 4 of the Auditor's Plat of unplatted portion of the South ½ of said Section 27, thence South 01°26'30" East, 1321.36 feet along the East line of said Lot 1 of Lot 4, to the Southeast (SE) corner thereof; thence South 89°59'10" West, 96.76 feet along the South line of said Lot 1 of Lot 4; thence North 00°16'24" East, 1320.97 feet to the point of beginning.

The above described Lot A, of Lot 1 of Lot 4, contains 2.33 acres and is subject to all easements of record.

AND

Description of Lot A of Lot 2 of the SW ¼ of the SE ¼

A part of Lot 2 in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Twenty-seven (27), Township 93 North (T-93-N), Range 34 West (R-34-W), of the 5th P.M., Pocahontas County, Iowa, and being more fully described as follow:

Commencing at the Northwest (NW) corner of the SE ¼ of Section 27, T-93-N, R-34-W, of the 5th P.M., Pocahontas County, Iowa; thence North 89°58'55" East, 1267.58 feet along the North line of said SE ¼, thence South 00°16'24" West, 1320.97 feet to the point of beginning, said point being on the North line of Lot 2 of the SW ¼ of said SE ¼; thence North 89°59'10" East, 96.76 feet along the North line of said Lot 2, to the Northeast (NE) corner thereof, thence South 01°26'30"

East, 15.25 feet to the center line of the existing Drainage Channel No. 41, Pocahontas County, Iowa, thence South 30°41'09" West, 250.00 feet parallel with the center line of said channel, to the most Southerly corner point of said Lot 2; thence North 52° 11'07" West, 50.39 feet along the Southwesterly line of Lot 2; thence North 30° 41'09" East, 136.89 feet, parallel with the center line of said channel; thence North 00° 16'24" East, 81.60 feet to the point of beginning.

The above described Lot A of Lot 2, contains 0.33 acre and is subject to all easements of record.

The North line of the SE ¼ of said Section 27 is used as bearing North 89°58'55" East in the above descriptions.

WHEREAS, by resolution adopted on August 7, 2023, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Manager/City Clerk, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 2 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Laurens Sun, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2, 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.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 concerning the area of the City of Laurens, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and

sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 2 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, but with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 2 to the Amended and Restated Laurens Economic Development Urban Renewal Plan of the City of Laurens, State of Iowa, attached hereto as Exhibit

1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 2 to the Amended and Restated Laurens Economic Development Urban Renewal Plan for the City of Laurens, State of Iowa"; Amendment No. 2, including all of the exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 2 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 2 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pocahontas County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 2, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 5th day of September, 2023.

Mayor

ATTEST:

City Clerk