

ORDINANCE NO. 15,543

AN ORDINANCE repealing Ordinance No. 13,400, as amended by Ordinance No. 13,998, which provide for the division of revenue from taxation in the Airport Business Park Urban Renewal Project Area in accordance with the provisions of Iowa Code Section 403.19, with such repeal to be effective June 30, 2017.

WHEREAS, by Ordinance No. 13,400 passed on December 2, 1996, as amended by Ordinance No. 13,998 passed September 24, 2001, the City Council provided for the division of revenue from taxation in the Airport Business Park Urban Renewal Project Area in accordance with the provisions of Iowa Code Section 403.19; and,

WHEREAS, the adopted urban renewal plan for the Airport Business Park Urban Renewal Project Area expires on June 30, 2017; and,

WHEREAS, the purpose of this ordinance is to memorialize the termination of the Airport Business Park Urban Renewal Project by repealing Ordinance No. 13,400 and Ordinance No. 13,998 effective June 30, 2017.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Moines, Iowa, as follows:

Section 1. That Ordinance No. 13,400 passed on December 2, 1996, and Ordinance No. 13,998 passed September 24, 2001, which provide for the division of revenue from taxation in accordance with the provisions of Iowa Code Section 403.19 within the Airport Business Park Urban Renewal Project Area more specifically described as follows:

"Original Area" designated by Ordinance No. 13,400:

The Southwest Quarter of Section 31, Township 78 North, Range 24 West of the 5th P.M., all now include in and forming a part of the City of Des Moines, Polk County, Iowa.

"Expansion Area" added by Ordinance No. 13,998:

A parcel of land located in the East 1/2 of Section 31, Township 78 North, Range 24 West of the 5th P.M., in the City of Des Moines, Polk County, Iowa, that is more particularly described as follows:

Beginning at the South ¼ corner of said Section 31, said point also being the Southeast Corner of Outlot X, Airport Business Park Plat 1, an Official Plat; Thence North 00°03'55" East, 2638.56 feet along the East line of said Outlot X and Outlot Y to the Northeast Corner of said Outlot Y, said point also being the center of said Section 31; Thence South 89°38'55" East, 306.84 feet along the South right-of-way line of Army Post Road to a point of curvature; Thence easterly along a curve to the left having a radius of 2700.55 feet, an arc length of 974.13 feet along the South right-of-way line of Army Post Road to a point of tangency; Thence North 69°41'02" East, 63.53 feet along the South right-of-way line of Army Post Road to the Northwest Corner of Airport Commerce

Park South, an Official Plat; Thence South 00°03'46" West, 196.22 feet along the West line of Airport Commerce Park South to a point; Thence South 00°05'21" West, 1318.60 feet along the West line of Airport Commerce Park South to a point; Thence South 89°40'39" East, 1319.87 feet along the south line of Airport Commerce Park South to a point on the East line of said Section 31; Thence South 00°06'47" West, 1317.93 feet along said East line to the Southeast Corner of said Section 31; Thence North 89°42'24" West, 2638.63 feet along the South line of said Section 31 to the Point of Beginning,

are hereby repealed effective June 30, 2017.

Sec. 2. The certification of loans, advances, indebtedness and bonds for payment from the special fund for the Airport Business Park Urban Renewal Project Area pursuant to Iowa Code §403.19 shall cease with the certification that was due on December 1, 2015, making the taxes collectable in the fiscal year beginning July 1, 2016, the last tax year subject to the division of revenue. Any funds held in the special fund for the Airport Business Park Urban Renewal Project Area on July 1, 2017, and not obligated for the payment of loans, advances, indebtedness and bonds eligible for payment from the special fund, shall be promptly refunded by the City Finance Director to the Polk County Auditor for allocation and payment into the funds of the respective taxing jurisdictions as taxes by or for the taxing districts in the same manner as taxes on all other property within the Airport Business Park Urban Renewal Project Area

Sec. 3. This Ordinance shall be effective upon final passage, approval and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 16-2095), passed by the City Council of said City at a meeting held December 5 2016 signed by the Mayor on December 5, 2016 and published and provided by law in the Business Record on December 23, 2016. Authorized by Publication Order No. 9884.

Diane Rauh, City Clerk