

ORDINANCE NO. 94108-1217

An Ordinance Deleting Property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Muscatine, Iowa (the "City") previously enacted an ordinance providing for the division of taxes levied on taxable property in the Consolidated Muscatine Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Consolidated Muscatine Urban Renewal Area in the City of Muscatine was designated a "tax increment district"; and

WHEREAS, the City Council now desires to decrease the size of the "tax increment district" by deleting certain property;

BE IT ENACTED by the City Council of the City of Muscatine, Iowa:

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Consolidated Muscatine Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"Deleted Property" shall mean the following real property situated in the City of Muscatine, Muscatine County, State of Iowa, more particularly described as follows:

EXHIBIT A

LEGAL DESCRIPTION

A tract of land located in the Northeast Quarter and the Northwest Quarter of Section 24, Township 77 North, Range 2 West of the 5th P.M., Muscatine County, Iowa. Said tract more particularly described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of said Section 24; thence North 89°28'58" East (assumed bearing) 904.20 feet on the North line of the Northeast Quarter of said Section 24; thence South 00°30'17" East 2642.65 feet to the South line of the Northeast Quarter of said Section 24; thence South 89°30'02" West 741.74 feet on said South line to the Easterly right-of-way of State Highway No. 38; thence North 16°25'35" West 763.21 feet on said Easterly right-of-way; thence North 30°29'55" West 154.85 feet on said Easterly right-of-way; thence North 21°40'59" West 534.60 feet on said Easterly right-of-way; thence North 24°49'01" West 308.06 feet on said Easterly right-of-way; thence North 21°40'59" West 1095.53 feet on said Easterly right-of-way to the North line of the Northwest Quarter of said Section 24; thence North 89°30'12" East 886.89 feet on said North line to the point of beginning. Said tract contains 75.19 acres.

LEGAL DESCRIPTION

A tract of land located in the Southwest Quarter of Section 13, Township 77 North, Range 2 West of the 5th P.M., Muscatine County, Iowa. Said tract more particularly described as follows: Commencing at the Southwest Corner of the Southeast Quarter of said Section 13; thence South $89^{\circ}30'$ West 99.46 feet on the South line of the Southwest Quarter of said Section 13 to the Point of Beginning of the tract herein described; thence continuing South $89^{\circ}30'12''$ West on said Southerly line 787.43 feet; thence North $21^{\circ}40'59''$ West on the Easterly right-of-way of State Highway No. 38 a distance of 8.58 feet; thence North $89^{\circ}30'12''$ East 790.53 feet; thence South $00^{\circ}00'00''$ East 8.00 feet to the Point of Beginning. Said tract contains 0.11 acres.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Consolidated Muscatine Urban Renewal Area. No division of property tax revenues as provided under Section 403.19 of the Code of Iowa shall be done with respect to the Deleted Property without further action by the City Council.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Muscatine, Iowa, on December 21, 2017.



Attest:

City Clerk

Mayor

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There being no further business to come before the meeting, it was upon motion adjourned.



Attest:

City Clerk

Mayor

First Reading: December 7, 2017

Second Reading: December 21, 2017

Final Reading: December 21, 2017

Publication: 12-28-2017

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of the City relating to the adoption of an ordinance entitled "Ordinance No. 94108-1217. An Ordinance Deleting Property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 21st day of December, 2017.



City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, do hereby certify that I caused to be published "Ordinance No. 94108-1217. An Ordinance Deleting Property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND this 4th day of January, 2018



City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)

ORDINANCE NO. 94108-1217
AN ORDINANCE AUTHORIZING
CHANGE TO TITLE 1 ADMINISTRATIVE,
CHAPTER 9 COUNCIL, SECTION 2(E)
WHEREAS, the City Council of the City of
Muscatine previously adopted Ordinance
No. 93081-0615 on June 4, 2015, an Or-
dinance codifying and amending the Mus-
catine Code of Ordinances; and
WHEREAS, since the effective date of
said Ordinance, the City has identified a
change to Title 1, Chapter 9, Section
2(E); and
WHEREAS, the City wishes to make this
change,
NOW, THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL OF THE CITY
OF MUSCATINE, IOWA AS FOLLOWS:
SECTION 1. Title 1, Chapter 9, Section 2
is amended by adding the underlined lan-
guage as follows:
Previous City Code (informational pur-
poses):
1-6-4 Council and Council Members. The
Council shall be the governing body of
the City and is comprised of the alderman
as provided for in the City Charter. The
City Council shall exercise a power by the
passage of a motion, resolution, amend-
ment, or an ordinance as prescribed by
the laws of the State of Iowa.
Current City Code:
1-9-2 Powers and Duties of the Council.
E. Contracts. The Council shall make
or authorize the making of all contracts.
No contract shall bind or be obligatory
upon the City unless adopted by resolu-
tion of the Council.
Revision to Current City Code:
E. Contracts. The Council shall make
or authorize the making of all contracts
Contracts are approved by motion or as
otherwise required by Iowa Code.
SECTION 2. REPEALER. All ordinances
or parts of ordinances in conflict with the
provisions of this ordinance are hereby
repealed.
SECTION 3. SEVERABILITY CLAUSE.
If any section, provision or part of this or-
dinance shall be adjudged invalid or un-
constitutional such adjudication shall not
affect the validity of the ordinance as a
whole or any section, provision or part
thereof not adjudged invalid or unconsti-
tutional.
SECTION 4. WHEN EFFECTIVE. This
ordinance shall be effective from and af-
ter its final passage, approval and publi-
cation as provided by law.
Passed and approved by the Muscatine
City Council of this 14th day of Decem-
ber, 2017.

Mayor Diana Broderson

ATTEST:

Gregg Mandsager, City Clerk

First reading: December 7, 2017

Second Reading: December 14, 2017

CE

AFFIDAVIT OF PUBLICATION

STATE OF IOWA }
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is hereto annexed as Exhibit "A" and made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the following dates:

12-28

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Subscribed and sworn to before me by said affiant this

day of

December

29th

17



STEPHEN H. THOR

Commission Number 168839

My Commission Expires

3-24-18

Stephen H. Thor

Notary Public in and for Scott County, Iowa

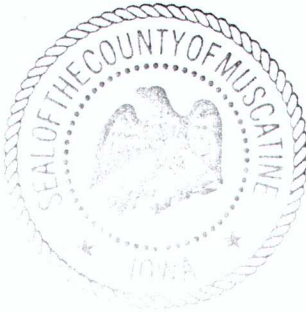
STATE OF IOWA

SS:

COUNTY OF MUSCATINE

I, the undersigned, County Auditor of Muscatine County, in the State of Iowa, do hereby certify that on the 9th day of January, 201~~8~~, the City Clerk of the City of Muscatine, Iowa, filed in my office a copy of an ordinance of the City shown to have been adopted by the Council and approved by the Mayor thereof on December 21, 2017, entitled: "Ordinance No. 94108-1217. An Ordinance Deleting Property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this 9th day of January, 201~~8~~



Sessie A. Souk
County Auditor

MINUTES PROVIDING FOR PASSAGE
OF AN ORDINANCE DELETING
PROPERTY FROM A TAX INCREMENT
FINANCING DISTRICT FOR THE
CONSOLIDATED MUSCATINE URBAN
RENEWAL AREA

421464-52

Muscatine, Iowa

December 7, 2017

The City Council of the City of Muscatine, Iowa, met on December 7, 2017 at 7 o'clock p.m., at the City Council Chambers, in the City.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Absent: Bynum

Council Member Harvey introduced an ordinance entitled Ordinance Deleting Property From the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member Harvey and seconded by Council Member Natvig that the ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that the ordinance had been given its initial consideration.

It was moved by Council Member Spread and seconded by Council Member Fitzgerald that the statutory rule requiring an ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Fitzgerald, Natvig, Saucedo, Harvey, and Spread

Nays: None

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Spread and seconded by Council Member Fitzgerald that the ordinance entitled "Ordinance No. 94108-1217. An Ordinance Deleting Property from the Tax Increment Financing District for the Consolidated Muscatine Urban Renewal Area of the City of Muscatine, Iowa, Pursuant to Section 403.19 of the Code of Iowa," now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

Ayes: Fitzgerald, Natvig, Saucedo, Harvey, and Spread

Nays: None

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows: