

ORDINANCE NO. 560

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE UNION COUNTY WIND FARM URBAN RENEWAL AREA, IN UNION COUNTY, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, UNION COUNTY, CRESTON COMMUNITY SCHOOL DISTRICT AND ORIENT-MACKSBURG COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE COUNTY IN CONNECTION WITH THE UNION COUNTY WIND FARM URBAN RENEWAL AREA (**THE UNION COUNTY WIND FARM URBAN RENEWAL PLAN**)

WHEREAS, the Board of Supervisors of Union County, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 10 passed and approved on the 12th day of September, 2022, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Union County Wind Farm Urban Renewal Area (the "Urban Renewal Area"), which Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

Turbine #	County	Section	Township	Range	Township
5	Union	6	73	31	Spaulding
6	Union	6	73	31	Spaulding
7	Union	5	73	31	Spaulding
8	Union	5	73	31	Spaulding
9	Union	4	73	31	Spaulding
11	Union	3	73	31	Spaulding
12	Union	2	73	31	Spaulding
16	Union	6	73	30	Lincoln
17	Union	6	73	30	Lincoln
18	Union	3	73	30	Lincoln
19	Union	3	73	30	Lincoln
20	Union	2	73	30	Lincoln
26	Union	7	73	31	Spaulding
27	Union	8	73	31	Spaulding
28	Union	8	73	31	Spaulding
29	Union	9	73	31	Spaulding
30	Union	9	73	31	Spaulding
31	Union	10	73	31	Spaulding
34	Union	7	73	30	Lincoln

37	Union	18	73	31	Spaulding
38	Union	18	73	31	Spaulding
42	Union	19	73	31	Spaulding
43	Union	19	73	31	Spaulding
44	Union	20	73	31	Spaulding
53	Union	30	73	31	Spaulding
54	Union	30	73	31	Spaulding
55	Union	29	73	31	Spaulding
56	Union	29	73	31	Spaulding
57	Union	29	73	31	Spaulding
58	Union	28	73	31	Spaulding
59	Union	28	73	31	Spaulding
60	Union	28	73	31	Spaulding
77	Union	6	72	31	Douglas
78	Union	6	72	31	Douglas

AND

The access easements/driveways connecting each of the above turbines to public road right-of-way

AND

Full Rights-of-Way of the Following Roads:

- Adams-Union Ave from Adair-Union St to 110th St
- Adams-Union Ave from 140th St to 170th St
- Adams-Union Ave from 180th St to end of road
- Adams-Union Ave from 190th St to Hwy 34
- Beechwood Ave from Adair-Union St to 170th St
- 180th from Adams-Union to Monroe Ave
- Monroe Ave from 170th St to 180th St
- Monroe Ave from Cromwell Rd to 190th St
- 181st St from county line to Cromwell Rd
- Burr Oak Ave from 130th to end of road
- Clover Ave from Adair-Union St to 110th St
- Clover Ave from 120th St to 140th St
- Clover Ave from 150th St to 190th St
- Dogwood Ave from 170th to end of road
- Eagle Ave from 110th St to 120th St
- Eagle Ave from 140th St to 150th St
- Green Valley Rd from Adair-Union St to Creston city limits
- Cherry St Rd from Adair-Union St to Creston city limits
- Osage St from 120th St to Hwy 34
- Hawk Ave from 110th St from 120th St
- Iris Ave from 150th St to 160th St
- Iris Ave from 170th St Hwy 34

Ivy Ave from Adair-Union St to REA Rd
Jaguar Ave from end of road to Hwy 34
Joshua Ave from Adair-Union St to REA Rd
Kingfisher Ave from 110th to REA Rd
Lark Ave from Adair-Union St to REA Rd
Minnow Ave from Adair-Union St to REA Rd
Adair-Union St from Quebec Ave to Minnow St
110th St from Adams-Union Ave to Minnow St
120th St from Adams-Union county line to Green Valley Rd
120th St from Osage St to Ivy Ave
127th St from Kingfisher Ave to end of road
130th St from end of road to Green Valley State Park
130th St from Green Valley State Park Entry way to Green Valley Rd
REA Rd from Cherry St to Minnow Ave
140th St from Adams-Union Ave to Cherry St Rd
140th St from Osage St to Jaguar Ave
145th St from Osage to end of road
150th St from Adams-Union Ave to Green Valley Rd
150th St from Cherry St Rd to 12-Mile Lake Area
160th from end of road to Hwy 25
160th from Osage St to Jaguar Ave
170th St from Adams-Union Ave to Dogwood Ave
170th St from Iris Ave to Jaguar Ave
Cromwell Rd from 180th St to Hwy 34
190th St from Adams-Union Ave to Hwy 34

WHEREAS, expenditures and indebtedness are anticipated to be incurred by Union County, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the Board of Supervisors of Union County, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF UNION COUNTY, STATE OF IOWA:

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, Union County, Creston Community School District and Orient-Macksburg Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. 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 upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which Union County, State of Iowa,

certifies to the Auditor of Union County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of Union County, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by Union County, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of Union County, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.