

ORDINANCE NO. 2023-02

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

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

WHEREAS, pursuant to that ordinance, a portion of the Elkader Urban Renewal Area in the City of Elkader 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 Elkader, Iowa:

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

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

“Deleted Property” shall mean certain real property situated in the City of Elkader, Clayton County, State of Iowa more particularly described as follows:

Lot One (1) of Lot Two (2) of Lot Two (2) and Lot One (1) of Lot Four (4) of Lot Two (2) in the Southwest quarter (SW ¼) of the southeast quarter (SE ¼) of section fourteen (14); and Lot One (1) of Lot Five (5) in the Northwest quarter (NW ¼) of the Northeast quarter (NE ¼) of Section Twenty-three (23); all in the township Ninety-three (93) North, Range Five (5) West of the 5th P.M., in Clayton County, Iowa, According to the Plat recorded in Book 35, Plats, Page 27 (Instrument No. 2012R00758);

AND

Lot Five (5) of Lot Eleven (11) of Johnson Park – 2000 Addition in the Southeast Quarter (SE ¼) of Section Fourteen (14), Township Ninety-three (93) North, Range Five (5) West of the Fifth Principal Meridian, in the City of Elkader, Clayton County, Iowa containing 4.25 acres, more or less, and more particularly described by metes and bounds as follows:

Commencing at the East ¼ Corner of Section 14, Township 93 North, Range 5 West of the 5th P.M.; thence N 89°-54'-49" W, 652.07 feet along the north line of the SE ¼ of said Section 14; thence S 03°-10'-29" E, 841.28 feet along the east line of Johnson Park 2000 Addition to the City of Elkader; thence S 86°-47'-04" W, 166.75 feet to the Point of Beginning; thence S 86°-47'-04" W, 191.46 feet;

thence S 03°-12'-56" E, 930.76 feet along the west line Lot 11 of said Johnson Park – 2000 Addition; thence N 86°-46'-56" E, 142.25 feet; then N 07°-12'-34" E, 425.21 feet; thence N 00°-30'16" E, 134.91 feet; thence N 08°-43-45" W, 379.70 feet to the Point of Beginning. Said described parcel contains 4.25 acres, more or less. Bearings are based on the Iowa State Plane Coordinate System North Zone (1401) Horizontal NAD 83 (1996); and

Lots 12, 14 and 13 of Johnson Park – 2000 Addition to the City of Elkader, Clayton County, Iowa, according to the Plats recorded in Book 21, Plats, Page 16 (Instrument No. 2000R03930); and

Lots 15 of Johnson Park – 2000 Addition to the City of Elkader, Clayton County, Iowa, according to the Plats recorded in Book 21, Plats, Page 16 (Instrument No. 2000R03930); and

Lot One (1) of Lot Sixteen (16) of Johnson Park – 2000 Addition to the City of Elkader, Clayton County, Iowa, according to the Plats recorded in Book 48, Plats, Page 87 (Instrument No. 2022R01312).

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Elkader 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 Elkader, Iowa, on May 22, 2023.



Mayor

Attest:



City Clerk

First consideration: April 24, 2023
Second consideration: May 8, 2023


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



Mayor

Attest:



City Clerk