

ORDINANCE NO. 256

AN ORDINANCE **REPEALING** ORDINANCE NOS. 155 AND 175 PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE AMENDED OKOBOJI URBAN RENEWAL AREA I, IN THE CITY OF OKOBOJI, IOWA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

WHEREAS, the City of Okoboji ("City") adopted the Okoboji Urban Renewal Plan ("Plan") for the Okoboji Urban Renewal Area I ("Urban Renewal Area") by Resolution No. 98-06 on April 14, 1998; and

WHEREAS, the City adopted an Amendment No. 1 to the Plan ("Amendment No. 1") by Resolution No. 05-14 on September 27, 2005 to add land to the Urban Renewal Area; and

WHEREAS, the City adopted Ordinance No. 155 on May 12, 1998 to implement the division of property tax revenues under Iowa Code Section 403.19 in the following-described portion of the Urban Renewal Area:

ORIGINAL AREA

1. A portion of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 17, Township 99 North, Range 36, West of the 5th P.M., City of Okoboji, Dickinson County, Iowa, described as follows: -

Commencing at the Northwest corner of said NE 1/4 SW 1/4 of Section 17, Township 99 North, Range 36; thence running South 231 feet; thence East 898 feet; thence North 231 feet, thence West 898 feet to the point of beginning.

2. Part of the Northeast Quarter of the Southwest Quarter of Section 17, Township 99 North, Range 36 West of the 5th P.M. and part of Lot 98 of the Plat of Chalstrom's Beach, Okoboji, Dickinson County, Iowa, described as follows: - Commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 17-99-36; thence South 89°33.7' East a distance of 33.0 feet along the northerly line of said NE 1/4 SW 1/4 of Section 17 to the Easterly right-of-way line of Primary Highway No. 71; thence South 0°20.5' West 232.3 feet along the easterly line of Highway No. 71; thence South 89°47.1' East 16.82 feet along the right-of-way line of Highway No. 71 to the present easterly right-of-way line of Highway No. 71 and the point of beginning; thence South 0°20.5' West 256.84 feet along the present easterly line of Highway No. 71; thence South of the former Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way now owned by the State of Iowa, which is also on the easterly line of Lot 98; thence Northeasterly of the most southerly corner of said Lot 98 of the Plat of Chalstrom's Beach lying 64.57 feet Northeasterly of the most southerly corner of said Lot 98; thence Northeasterly 344.32 feet along a 5679.58 feet radius curve concave northwesterly with a long chord bearing North 20°49.98' East 344.28 feet along the easterly line of said Lot 98 and the westerly line of the former railroad; thence North 19°05.6' East 137.58 feet along the easterly line of said Lot 98 and the westerly line of the former railroad to the south line of the public roadway;

thence North 89°33.7' West 618.05 feet along the south right-of-way line of the public roadway; thence South 0°20.8' West 198.00 feet; thence North 89°47.1' West 848.2 feet to the point of beginning.

3. All of the Lots in the Plat of East Okoboji View Commercial Park, City of Okoboji, Dickinson County, Iowa.
4. Subdivisions 1, 2 and 3 of Lot A, and all of Lot C, R. A. Smith's Subdivision of Government Lot 3 in Section 17, Township 99 North, Range 36 West of the 5th P.M., City of Okoboji, Dickinson County, Iowa.
5. All that part of the abandoned railroad right-of-way in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 17, Township 99 North, Range 36, West of the 5th P.M., City of Okoboji, Dickinson County, Iowa, lying South of the South right-of-way line of Stakeout Road in the City of Okoboji.
6. Lots A and B of the Auditor's Plat of Lot L of Okoboji City and Lot A of Auditor's Plat of Government Lot 2 in Section 20, Township 99 North, Range 36, West of the 5th P.M., in the City of Okoboji, Dickinson County, Iowa.
7. All that part of the abandoned railroad right-of-way in the North Half of the Northwest Quarter (N 1/2 NW 1/4) of Section 17, Township 99 North, Range 36, West of the 5th P.M., in the City of Okoboji, Dickinson County, Iowa lying North of a line extending from the Southeast corner of Lot 28, Plat of Morningside, in said City of Okoboji, to the Southwest corner of Lot 31 of said Plat of Morningside.
8. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 40, 41, and 42, in the Plat of Morningside, City of Okoboji, Dickinson County, Iowa.
9. All that part of the abandoned railroad right-of-way in the Northwest Quarter (NW 1/4) of Section 20, Township 99 North, Range 36, West of the 5th P.M., City of Okoboji, Dickinson County, Iowa, bounded on the North by a line being an Easterly extension of the North line of Lot 40, Plat of Morningside, in the City of Okoboji, and on the South by a line being an Easterly extension of the South line of Lot 19, Block B, Beck's Subdivision of Blocks I, L, J and K of Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
10. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Block B, Beck's Subdivision of Blocks I, L, J and K of Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
11. All of Block A, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
12. All of Block H, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.

13. All of Block G, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
14. The East 200 feet of Block B, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
15. The East 200 feet of the South 100 feet of Block 52, Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
16. Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, Block A, Beck's Subdivision of Blocks I, L, J and K of Beck's Subdivision of Okoboji City, in the City of Okoboji, Dickinson County, Iowa.
17. The South 200 feet of the following described parcel--

A part of lot 23, Block A of the Subdivision of Blocks I, L, J and K, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa, described as follows: -

Beginning at the Southwest corner of Lot 8, Block A, of the Subdivision of Block I, L, J and K, Beck's Replat of Okoboji City; thence Northerly along the West line of Lots 8, 9, 10, 11 and 12, of said Block A, to the Northwest corner of Lot 12; thence Northerly along the West line of Lot 13 of said Block A, to a point 233.33 feet North of the South line of said Lot 23, which 233.33 feet is measured on a line parallel with the West line of said Lot 23; thence West on a line parallel with the North line of said Lot 23, a distance of 172 feet; thence Southerly 233.33 feet on a line parallel with the West line of said Lot 23, to the South line of said Lot 23; thence East to the point of beginning.

18. A part of Lot 23, Block A, Beck's Subdivision of Block I, L, J and K of Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa, described as follows: -

Commencing at the Northeast corner of said Lot 23, thence West along the North line of said Lot 23, 356.57 feet, thence South on a line perpendicular to the North line of said Lot 23, 500 feet; thence East on a line parallel with the North line of said Lot 23 to the Easterly line of said Lot 23; thence Northerly along said Easterly line to the point of beginning,

19. Lots 3 and 4, Pan American Second addition, City of Okoboji, Dickinson County, Iowa.
20. All that part of Lot H, Beck's Replat of Okoboji City, Dickinson County, Iowa, bounded on the East by the West right-of-way line of U.S. Highway No. 71, as now established, and on the West by a line being 500 feet West of the West right-of-way line of said U.S. Highway No. 71, as measured radially.
21. All that part of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4), Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) and the West Half of the Northwest Quarter (W 1/2 NW 1/4), located within the

Corporate Limits of the City of Okoboji, in Section 17, Township 99 North, Range 36, West of the 5th P.M., Dickinson County, Iowa, bounded on the East by the West right-of-way line of U.S. Highway No. 71, as now established, and on the West by a line which is 500 feet West of the Westerly right-of-way line of said U.S. Highway No. 71, as measured radially.

All that part of the North 800 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, Township 99 North, Range 36, West of the 5th P.M., in the City of Okoboji, Dickinson County, Iowa, which lies West of a line which is 500 feet West of the right-of-way of U.S. Highway No. 71, as measured radially from said right-of-way.

; and

WHEREAS, the City subsequently adopted Ordinance No. 175 to amend Ordinance No. 155 to implement the division of property tax revenues under Iowa Code Section 403.19 in the subarea added to the Urban Renewal Area by Amendment No. 1, which subarea is legally described as follows:

AMENDMENT NO. 1 AREA

A part of Lot 23, Block A, Beck's Subdivision of Blocks I, L, J and K, Beck's Replat of Okoboji City, in the Town of Okoboji, described as follows: - Commencing at the Southwesterly corner of Lot 8, Block A, of said Beck's Subdivision of Blocks I, L, J and K; thence South 89°39'55" West a distance of 202.51 feet to the point of beginning; thence North 0°08'50" East a distance of 134 feet; thence South 89°39'55" West a distance of 90 feet; thence South 008'50" West a distance of 134 feet to the South line of said Lot 23, Block A; thence North 89°39'55" East a distance of 90 feet to the point of beginning.

(City Property)

AND

Part of Lot 23, Block A, Subdivision of Blocks I, L, J and K, Beck's Replat of Okoboji City, in the City of Okoboji, Dickinson County, Iowa, described as follows: -Commencing at the southwest corner of Lot 8, Block A, thence South 89°39'55" West a distance of 312.51 feet to the point of beginning; thence South 89°39'55" West a distance of 870.23 feet; thence North 0°08'50" East a distance of 200 feet; thence North 89°39'55" East a distance of 376.23 feet; thence South 0°08'50" West a distance of 200 feet to the point of beginning.

(Private Property)

; and

WHEREAS, all debt that has been certified for reimbursement from the Urban Renewal Area, as amended, has been fully paid and there are no current obligations under the Plan to be paid from any tax increment within the Urban Renewal Area, as amended; and

WHEREAS, the City determined the Plan has fulfilled its purpose and the City Council has terminated the Plan and the Urban Renewal Area, as amended, by Resolution; and

WHEREAS, accordingly, the City has determined to repeal Ordinance Nos. 155 and 175 providing for the division of taxes levied on taxable property in the Urban Renewal Area, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OKOBOJI, STATE OF IOWA:

Section 1. That Ordinance Nos. 155 and 175 are hereby repealed in their entirety and shall have no further effect.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED the 14th day of April 2020.



Mary VanderWoude
Mayor

ATTEST:



Michael Meyers
City Clerk

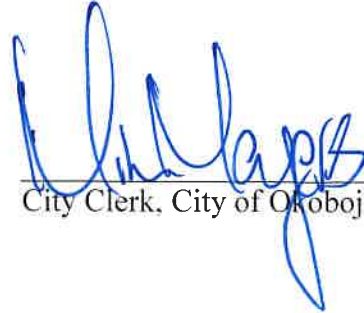
A motion was made by Councilmember Robinson and seconded by Councilmember Hentges to consider approval of this Ordinance (First Consideration) and upon roll call the following vote was recorded: AYE: Mendenhall, Andres, Hentges, Robinson Said motion to consider approval of this Ordinance (First Consideration) was passed 4-0 by the City Council;

A motion was made by Councilmember Hentges and seconded by Councilmember Robinson to waive the second and third considerations of this Ordinance and upon roll call the following vote was recorded: AYE: Mendenhall, Andres, Hentges, Robinson Said motion to waive the second and third considerations of this Ordinance was passed 4-0 by the City Council;

A motion was made by Councilmember Robinson and seconded by Councilmember Andres to adopt this Ordinance and upon roll call the following vote was recorded: AYE: Mendenhall, Andres, Hentges, Robinson Said motion to consider approval of this Ordinance was adopted by the City Council. Thereupon, the Mayor declared this Ordinance, passed and approved on Tuesday, April 14, 2020.

PASSED AND APPROVED: APRIL 14, 2020.

I, Michael Meyers, City Clerk of the City of Okoboji, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 256 passed and approved by the City Council of the City at a meeting held April 14, 2020, signed by the Mayor on April 14, 2020, and published in the Dickinson County News on August 5, 2020.



City Clerk, City of Okoboji, State of Iowa

(SEAL)

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