

BOARD OF SUPERVISORSDistrict 1 | **Stacey Walker**District 2 | **Ben Rogers**District 3 | **Louis J. Zumbach****JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER**

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCounty.org

**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Monday, July 26, 2021

11 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA**Call to Order****Public Comment: Five Minute Limit per Speaker**

This comment period is for the public to address topics on today's agenda.

Minutes

Discuss and decide on meeting minutes.

Proclamation: 31st Anniversary Celebration of the ADA (Americans with Disabilities Act)

Public hearing to establish a Secondary Road Assessment District to improve Wayside Circle with a two-inch asphalt overlay for the entire length of Wayside Circle and four-inch patching in three locations and driveway transitions involving concrete driveway panel removal and replacement at a cost of \$118,185.00. The assessment district includes Blair Ridge Estates Addition lots 1-6 and lots 9-16 and Blair Ridge Estates 2nd Addition lots 1-2.

Discuss Temporary Use Permit, Case JTU21-0010, Tim and Pattie Fox, owners; and Traveling Tapster, c/o Jayme Tegeler, petitioner; requesting permission to operate a RAGBRAI Beer Sales event, located at 3463 Central City Road, Center Point, Iowa.

Discuss a resolution amending the Linn County Urban Renewal Plan for the Linn County Urban Renewal Area.

Discuss a resolution amending the Linn County Urban Revitalization Plan for the Linn County Urban Revitalization Area.

Discuss a request from the City of Cedar Rapids for Linn County to consent to the inclusion of an area outside of the City of Cedar Rapids corporate limits in the Commerce Park Urban Renewal Area to make road and related improvements in connection with proposed development projects.

Discuss a request from the City of Cedar Rapids for Linn County to consent to the inclusion of an area outside of the City of Cedar Rapids corporate limits in the American Prairie Urban Renewal Area to make road and related improvements in connection with proposed development projects.

Discuss revisions to Board of Supervisors policy OP-19, Access to Secondary Roads.

Public Comment: Five Minute Limit per Speaker

This is an opportunity for the public to address the board on any subject pertaining to board business.

Payroll Authorizations

Discuss and decide on Employment Change Roster (payroll authorizations).

Claims

Discuss and decide on claims.

Correspondence**Appointments****Adjournment**

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncounty.org.

LINN COUNTY



PROCLAMATION

31ST ANNIVERSARY CELEBRATION OF THE ADA

- WHEREAS,** the Americans with Disabilities Act (ADA) was signed into law 31 years ago, on July 26th, 1990, by President George H.W. Bush to ensure the civil rights of people with disabilities; and
- WHEREAS,** on the 31st anniversary of the Americans with Disabilities Act, we celebrate and recognize the progress that has been under the ADA by reaffirming the principles of equality and inclusion for all citizens; and
- WHEREAS,** this legislation established a clear and comprehensive national mandate for the elimination of discrimination against people with disabilities; and
- WHEREAS,** over the past 31 years, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions and increasing full participation in community life; and
- WHEREAS,** the full promise of the ADA will only be reached if the community remains committed to its effort to fully implement the ADA; and
- WHEREAS,** the ADA is working toward a future in which all doors are open to equality of opportunity, full participation, independent living, integration and economic self-sufficiency for persons with disabilities; and
- WHEREAS,** July 26th, 2021 is the 31st Anniversary of the ADA and a number of community organizations that work with people with disabilities, have come together to celebrate the promise of hope and freedom envisioned by the ADA;

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Linn County Board of Supervisors, do hereby reaffirm our commitment to work toward the full inclusion of people with disabilities in community life and proclaim Friday, July 30th, 2021, as **The 31st Anniversary Celebration of the ADA** in Linn County, Iowa.

Linn County Board of Supervisors

Chairperson





Planning & Development
Linn County, Iowa

Unified Development Code Article V
Section 107-93(c)

Zoning Division

Temporary Use Application

Page 1 of 2

Owner Information:		Applicant Information:	
Owner	Tim and Pathe Fox	Applicant	Jayme Tegeler - Traveling Tapster
Address	3463 Central City Rd Center Point Ia 52213	Address	3316 Rosewood Ct NE Cedar Rapids, IA 52402
Phone	319 573-0547	Phone	319-240-6801
E-mail	pf1028@gmail.com	E-mail	travelingtapster@gmail.com
Surveying Co: _____		E-Mail _____	
Engineer: _____		Phone _____	
Property Information:			
Property Address or Address Range (block)		3463 Central City Rd. Center Point Ia 52213	
Brief legal(s) (Sec./Twp./Range)		OTTER CREEK TOWNSHIP Sec 6 85N R16 TW. 36 SE EX-W 144	
GPN(s)		06-66-4-51-001-0-0000	
Rural Land Use Map Designation		Text	
Current Zoning	Ag.	Total Acres	26.36
Submittal Requirements:		Text	
Application, Fee, Minor Site Plan Drawing			
Proof of Insurance (if applicable)			
Severe Weather Plan (if applicable)			
The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property. This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval.			
Owner	Tim & Pathe Fox	Applicant	Jayme Tegeler
Date	7/14/21	Date	7/11/21
Case #	Date Received		
Receipt#			

The following information shall be provided with the application:

Is the property located within a Flood Plain? ☒ YES ☒ NO

Is the Proposed Use within the Flood Plain area? ☒ YES ☒ NO

Temporary use period:

Beginning July 29, 2021

Ending July 29, 2021

Description of Proposed Use:

Selling canned beer to Ragbrai riders.

Days & Hours of Operation

Thursday, July 29, 2021 from 10:00am- 4:00pm

Will a building or structure be used and what type?

Enclosed Trailer used to sell canned beer.

Will there be a sign? Per Article V, section 107-94 (j) include dimension details and content.

Yes, on trailer 16 " x 20 " stating the beers available and the prices.

Have you contacted the Building Division for review of applicable building code requirements?

☐ Yes ☒ No

Restroom Facilities:

☐ Currently provided on site.

☒ Portable will be brought to the site.

☐ None available.

Estimated increase in vehicle trips per day _____

Type of vehicles using facility _____

Does the property have access from a state highway? ☒ YES ☐ NO

(If yes, review with Iowa Department of Transportation at (319) 365-3558.

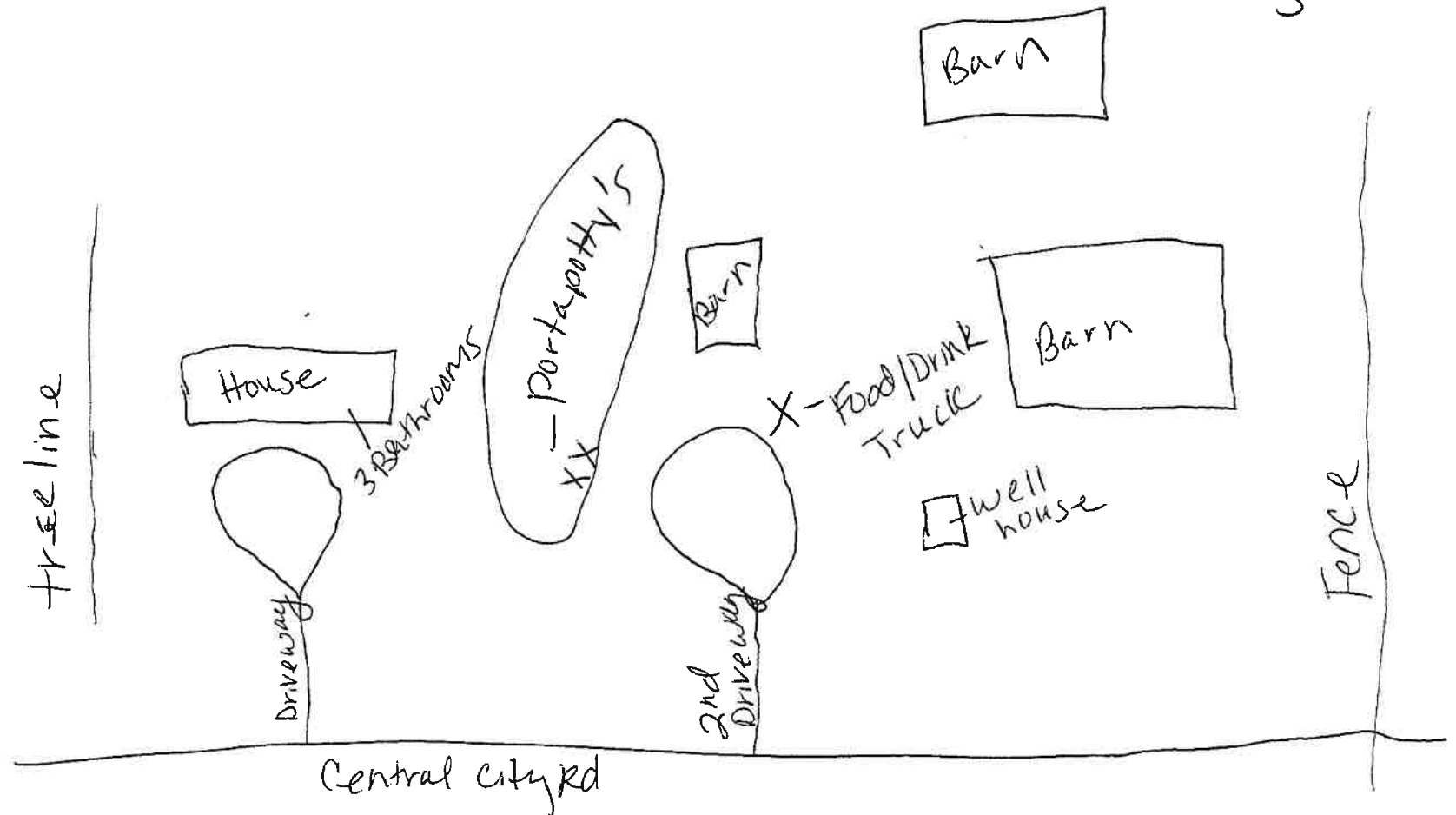
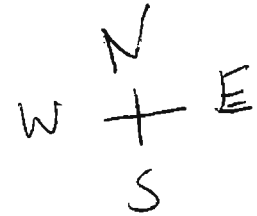
Number of parking spaces provided 30

The following documents shall be attached:

- Proof of Insurance
- Minor Site Plan
- Proof of Insurance (if applicable)
- Severe Weather Plan (if applicable)

3463 Central City Rd.

Center Point, Ga 32213



SEVERE WEATHER PLAN FOR SPECIAL EVENTS or VENUES

Plan/Event Information for: Traveling Tapster
Dates of Event/Site July 29, 21
(Enter "On-going" for a plan)

CONTACT INFORMATION:

Name: Tim and Pattie Fox
Phone: 319 573-0547
Email: pfox1028@gmail.com

I. GENERAL

- A. This severe weather plan identifies protective actions to take during severe weather by management, personnel, and attendees of special/outdoor events sponsored by Pattie Fox/Best of Linn County.
- B. Flexibility must be exercised when implementing this plan because of the wide variety and threat levels of severe weather that can occur. **If discretion is exercised, err on the side of safety.**
- C. Use of the Incident Command System and Incident Action Plan is highly recommended. (Recommended on line course: FEMA ICS-100)

II. ASSUMPTIONS

The possibility of severe weather may exist at any time, especially during special events such as farmers' market, concerts, Freedom Festival, bike/foot races, carnival/fair, company picnics, etc.

III. BASIC PLAN

- A. Designate a person or subcommittee to be responsible for employee safety during special events.
1. Designate the person or subcommittee to monitor weather conditions at least a day before the event and the day of the event.

Person designated: Pattie Fox

2. If severe weather may threaten the area, take the weather alert radio to the special event and have someone monitor weather information sources. Linn County EMA may be able to assist with weather monitoring for large venues.

B. Notification Procedures

1. Before the event - If severe weather is anticipated for the time frame the event is scheduled, make plans to cancel or postpone the event.

- a. Identify shelter areas to accommodate anticipated attendance:
(Attach)

- b. If shelter areas are not available, determine time necessary to clear venue. Enter that time here:

TIME NECESSARY TO CLEAR VENUE: 1/2 hr.

EVENT TO BE POSTPONED/DELAYED/CANCELLED --

DECISION TIME: 9 AM

(Event Start Time) minus (Time to Clear) equals
Decision Time for Pending or Actual Severe
Weather.

2. During the event - If severe weather occurs during the event, the following persons, in order of authority, will make the decision on postponing, delaying the start, or cancelling the event:

NAME	Phone (Cell Preferred)
Pathe Fox	319 513-0547
Tim Fox	319 558 7685

The same person(s) will make the appropriate announcements to those in attendance.

- a. **Severe Thunderstorm Watch** - If a Severe Thunderstorm Watch is issued for the area, the following announcement will be made:

"A Severe Thunderstorm Watch is in effect for our area. Event organizers are monitoring weather conditions and the event

maybe (chose one) suspended/canceled/postponed on short notice. Please be prepared to leave the area as quickly as possible."

- b. **Severe Thunderstorm Warning** - If a Severe Thunderstorm Warning is issued for the area, the following announcement will be made:

"A Severe Thunderstorm Warning is in effect for our area. The event is (chose one) suspended/canceled/postponed until further notice. Please leave the area as soon as possible."

- c. **Tornado Watch** - If a Tornado Watch is issued for the area, the following announcement will be made:

"A Tornado Watch is in effect for our area. Event organizers are monitoring weather conditions and the event maybe (chose one) canceled/postponed on short notice. Please be prepared to leave the area as quickly as possible."

- d. **Tornado Warning** - If a Tornado Warning is issued for the area, the following announcement will be made:

"A Tornado Warning is in effect for our area. Take cover immediately. Do not go to your vehicle."

Go to the nearest Ditch."

- e. **Tornado Sighting/Touchdown** - If a Tornado has been sighted in the area, or if a touchdown has occurred, the following announcement will be made:

A Tornado has been sighted. All persons should take cover immediately. Do not go to your vehicle."

Go to the nearest ditch -

- f. **Other Severe Weather** - If other severe weather occurs, such as heavy rain, high winds, lightning, hail, etc... all activities will be interrupted immediately and the following announcement will be made:

"This event is (chose one) suspended/canceled/postponed until further notice. Please leave the area/take cover as quickly as possible."

3. Other - Pathe Fox (provide name) will have available a mobile phone, or other communication device in case emergency responders must report to the area due to injuries, etc...

4. LIGHTNING SAFETY (a lightening detector may be available for checkout from Linn County Emergency Management.

A. All thunderstorms produce lightning and can be dangerous.

B. When cloud-to-ground lightning is seen or thunder is heard outdoor activity should be stopped and everyone should be directed to shelter.

C. Do not resume activities until approximately 30 minutes have passed since the last thunder was heard.

(Alternate language modified from NCAA guidelines)

The following specific lightning safety guidelines have been developed with the assistance of lightning safety experts. Design your lightning safety plan to consider local safety needs, weather patterns and thunderstorm types.

- a. *As a minimum, lightning safety experts strongly recommend that by the time the monitor observes 30 seconds (approx. equivalent to 6 miles) between seeing the lightning flash and hearing its associated thunder, all individuals should have left the athletics/event site and reached a safer structure or location. Use of a lightening detector is helpful.*
- b. *Please note that thunder may be hard to hear if there is an athletics event going on, particularly in stadiums with large crowds. Implement your lightning safety plan accordingly.*
- c. *The existence of blue sky and the absence of rain are not guarantees that lightning will not strike. At least 10 percent of lightning occurs when there is no rainfall and when blue sky is often visible somewhere in the sky, especially with summer thunderstorms. Lightning can, and does, strike as far as 10 (or more) miles away from the rain shaft.*
- d. *Avoid using landline telephones, except in emergency situations. People have been killed while using a landline telephone during a thunderstorm. Cellular or cordless phones are safe alternatives to a landline phone, particularly if the person and the antenna are located within a safer structure or location, and if all other precautions are followed.*

- e. To resume athletics/event activities, lightning safety experts recommend waiting 30 minutes after both the last sound of thunder and last flash of lightning. If lightning is seen without hearing thunder, lightning may be out of range and therefore less likely to be a significant threat. At night, be aware that lightning can be visible at a much greater distance than during the day as clouds are being lit from the inside by lightning. This greater distance may mean that the lightning is no longer a significant threat.

At night, use both the sound of thunder and seeing the lightning itself to decide on resetting the 30 minute "return-to-play/event" clock before resuming outdoor athletics/event activities. Again, a lightning detector is helpful.

- f. People who have been struck by lightning do not carry an electrical charge. Therefore, cardiopulmonary resuscitation (CPR) is safe for the responder. If possible, an injured person should be moved to a safer location before starting CPR. Lightning-strike victims who show signs of cardiac or respiratory arrest need prompt emergency help. If you are in a 911 community, call for help. Prompt, aggressive CPR has been highly effective for the survival of victims of lightning strikes. Automatic external defibrillators (AEDs) have become a common, safe and effective means of reviving persons in cardiac arrest. Planned access to early defibrillation should be part of your emergency plan. However, CPR should never be delayed while searching for an AED.

Note: Weather watchers, real-time weather forecasts and commercial weather warning devices are all tools that can be used to aid in decision-making regarding stoppage of the event, evacuation and resumption/cancellation of the event.

I. IDENTIFICATION OF BEST AVAILABLE PROTECTIVE AREAS

- A. In the event of a Tornado Warning, sighting, or touchdown the following locations are designated as the best available protective areas for outside, open spaces:

1. Ditch
2. Ravine
3. Low Lying area.

(IDENTIFICATION OF BEST AVAILABLE PROTECTIVE AREAS – cont.)

- B. In the event of a Tornado Warning, sighting, or touchdown the following locations are designated as the best available protective areas for inside areas:

- 1.
- 2.
- 3.

not an inside event
will be canceled in case
of Tornado warning -

V. SUPERSESSION

This document is the initial Severe Weather Plan for Special Events for

Ragbrai farm event, and may be updated or amended as required.

4/14/21
Effective Date

Linn Co. EMA Review

Date Received: _____

Staff Member – reviewed by: _____

Date of Review: _____

Prepared by and to be returned to: MIKE TERTINGER, Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100 (319) 892-5130

RESOLUTION APPROVING A TEMPORARY USE

RESOLUTION # _____

WHEREAS, Tim and Pattie Fox, owners; and Traveling Tapster, c/o Jayme Tegeler, petitioner; Case JTU21-0010, have requested the Linn County Board of Supervisors' permission to operate a RAGBRAI Beer Sales event, located at 3463 Central City Road, Center Point, Iowa located within the SW ¼ SE ¼ of 06-85-7.

WHEREAS, said temporary use request and attachments thereto have been examined by the Linn County Board of Supervisors and approval of the request is subject to the following conditions:

WHEREAS, the Board of Supervisors makes the following Findings of Facts:

1. Planning & Development received the Temporary Use Permit application on Wednesday, July 14, 2021.
2. The parcel is currently zoned AG (Agricultural) containing 26.36 acres.
3. The subject parcel has a Rural Land Use Map designation of AA (Agricultural Area).
4. The outdoor event will be held on Thursday July 29, 2021 at 3463 Central City Rd between the hours of 10am and 4pm.
5. Setup for the event will begin on Thursday July 29th, 2021.
6. The event will include a beer trailer provided by Traveling Tapster to sell beer to RAGBRAI bicycle riders.
7. The event will not include onsite food sales. Bottled water will be available for purchase on the property.
8. The applicant will provide portable toilets, and a hand washing station.
9. Parking is available for staff only. General public parking will not be permitted on the property.
10. Appropriate licensing, permits and insurance are required by various departments.

AND WHEREAS, the Linn County Technical Review Committee has examined the application and all conditions of approval are listed as part of this Resolution;

AND WHEREAS, the temporary use application has been examined by the Linn County Board of Supervisors at a public meeting on July 26, 2021, all interested persons having been heard;

WHEREAS, said temporary use request and attachments thereto have been examined by the Linn County Board of Supervisors and approval of the request is subject to the following conditions:

LINN COUNTY PLANNING & DEVELOPMENT – Zoning Division

1. The Temporary Use may be reviewed at any time during the duration of the permit to ensure that all conditions have been or are being met.
2. Evidence of liability insurance coverage has been provided for the event dates, through Insurance Providers Group of Illinois LLC.
3. Signage shall conform to Article V, Section 107-94, subsection (j). Temporary off site signs may be allowed, provided that:
 - a. No sign is placed on public property, or within a road right-of-way.
 - b. Sign size shall not exceed 16 sq. ft., or 6' in width, nor 5' in height.
 - c. All temporary signs are required to be removed on the day following the final event date.
4. The owner and petitioner shall sign an "Acceptance of Conditions" form which provides assurance that all conditions will be met prior to the Board of Supervisors Resolution of Approval, and specifically agrees to hold Linn County harmless from any and all damages or claims for damages that might arise or accrue by reason of approval of the Temporary Use permit by the Linn County Board of Supervisors. Further, by signing the "Acceptance of Conditions" form, the petitioner shall agree to allow employees of the County reasonable access to the property for inspection and for submission of documents to verify any additional information.

LINN COUNTY PLANNING & DEVELOPMENT – Building Division

1. All electrical wiring shall be in compliance with the National Electrical Code.
2. Platforms or structures planned for this event are required to meet building code requirements.

LINN COUNTY CONSERVATION DEPARTMENT

1. No conditions to be met.

LINN COUNTY ENGINEERING DEPARTMENT

1. Access shall be from the existing entrance on Central City Road.
2. No parking is allowed on Central City Road.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Contact Linn County Public Health (892-6000) if selling food and/or beverages at the event.
2. Continuously maintain all requirements of the Health Department throughout the event.
3. Portable toilets and hand-washing stations are strongly recommended.

LINN COUNTY SHERIFF'S OFFICE

1. An after-hour's call list shall be supplied to the Linn County Sheriff's Office for emergency situations.
2. If a traffic problem would occur, contact shall be made to the Linn County Sheriff's Office to help alleviate the problem.
3. Traffic control is to be provided by the applicant during operation. Traffic shall be maintained on Prairieburg Road at all times.

LINN COUNTY EMERGENCY MANAGEMENT

1. A tone alert weather radio is required to be available on site and in use at any time the public is using the facility.
2. The applicant shall submit a Severe Weather Plan for approval by the Linn Co. Emergency Management Agency.

WHEREAS, failure to submit and/or comply with any of the conditions in a timely manner will revoke this Temporary Use Permit.

NOW, THEREFORE, BE IT RESOLVED, by the Linn County Board of Supervisors that said temporary use is hereby approved.

Passed and approved this 28th day of July 2021.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa hereby certify that at a regular meeting of the said Board of Supervisors the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstain and ___ Absent from voting.

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 28th of July, 2021.

Notary Public State of Iowa

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. _____

Resolution Finally Adopting the Amended and Restated Urban Renewal Plan for the Linn County Urban Renewal Area

WHEREAS, the Board of Supervisors of Linn County, Iowa (the “County”) has created the Linn County Urban Renewal Area (the “Urban Renewal Area”) and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, an amendment to the Urban Renewal Plan for the Urban Renewal Area has been prepared which describes new projects to be undertaken in that Area; and

WHEREAS, pursuant to the Amended and Restated Plan, no new property has been added to the Urban Renewal Area; and

WHEREAS, Pursuant to Section 403.5 of the Code of Iowa, a consultation meeting was held on Wednesday, July 14, 2021, in the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa at 11:00 A.M. No comments or recommendations from affected taxing entities were received at this meeting; and

WHEREAS, notice of this meeting was published on July 13, 2021;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. That all recommendations received, if any, at the consultation meeting referred to in the preamble above are found to be without sufficient merit to preclude the adoption of the proposed Amended and Restated Plan.

Section 2. That the proposed Amended and Restated Plan is adopted in the form attached as Exhibit 1 to this Resolution; and

Section 3. All resolutions or parts of resolution in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved July 28, 2021.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstain ___ Absent

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, _____,

On this _____ day of _____, 2021.

Notary Public State of Iowa

Exhibit 1

LINN COUNTY, IOWA

AMENDED AND RESTATED URBAN RENEWAL PLAN

July, 2021

I. INTRODUCTION

Chapter 403 of the Code of Iowa (“Chapter 403”) authorizes counties to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. Urban renewal powers were initially provided to cities in order that conditions of blight and of deterioration within cities might be brought under control. Gradually, urban renewal has been found to be a useful tool, as well, for economic development in previously undeveloped areas and for retention of enterprises and jobs in other areas.

Chapter 403 declares there exists in Iowa the continuing need for programs to alleviate and prevent conditions of unemployment, and that it is necessary to assist and retain local industries and commercial enterprises to strengthen and revitalize the economies of Iowa and its cities and counties.

In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize boards of supervisors to create “economic development” areas. An economic development urban renewal area may be any area of a County which has been designated by the board of supervisors as an area which is appropriate for industrial and commercial enterprises, including enterprises that construct residential development and in which the county seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the board of supervisors that such an area needs to be established within the county. An urban renewal plan is then prepared for the area, which must be consistent with the county’s existing comprehensive or general plan. Any city or school district that levies property taxes on property within the proposed urban renewal area must be notified and given an opportunity to comment on the plan. The board of supervisors must hold a public hearing on the urban renewal plan, following which, the board of supervisors may approve the plan.

This document is intended to serve as the Urban Renewal Plan for the Linn County Urban Renewal Area (the “Urban Renewal Area”) and will guide the County in promoting economic growth through the encouragement of commercial and industrial development and the retention of

jobs in the County. This document is an Urban Renewal Plan within the meaning of Chapter 403 and sets out a proposed project and activities to be undertaken within the Urban Renewal Area.

The Linn County Urban Renewal Plan (the “Original Plan”, and as so amended shall be referred to herein as the “Urban Renewal Plan”) for the Linn County Urban Renewal Area (the “Urban Renewal Area”) was adopted by the Board of Supervisors on March 29, 2017 by Resolution No. 2017-3-54. The Urban Renewal Plan is being amended by this Amendment (“Amendment”) to update the list of eligible projects. This Amendment adds no new land to the Area. Except as modified by this Amendment, the provisions of the original Urban Renewal Plan, as amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections in the Original Plan not mentioned in this Amendment shall continue to apply to the Plan.

Section VIII of the Urban Renewal Plan provides that the Urban Renewal Plan may be amended from time to time in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives, activities or project, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa. The Board of Supervisors may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law. This amendment to the Linn County Urban Renewal Plan for the Linn County Urban Renewal Area is consistent with this provision.

II. DESCRIPTION OF URBAN RENEWAL AREA

A legal description of all property (the “Property”) that is proposed to be included within the Urban Renewal Area is attached hereto as Exhibit A.

A map showing all property that is proposed to be included within the Urban Renewal Area is attached hereto as Exhibit B.

III. URBAN RENEWAL OBJECTIVES

The primary objectives for the creation and development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by providing incentives for job retention, creating new job opportunities and strengthening the property tax base.
2. To acquire land for conservation and public recreation uses.
3. To stimulate through public action and commitment, private investment in commercial and industrial development, and to encourage job retention, growth and expansion through the use of various federal, state and local incentives.
4. To provide infrastructure, services and facilities that enhance possibilities for economic development and make the Linn County community attractive to private enterprise.

5. To provide public facilities to enhance County services and enhance the economic attractiveness of the community.

IV. URBAN RENEWAL PROJECTS AND ACTIVITIES

The following types of activities are examples of the specific actions which may be undertaken by the County within the Urban Renewal Area:

1. Preparation of plans related to the development and implementation of the Urban Renewal Area and specific urban renewal projects.

2. Construction of public improvements and facilities, including streets, trails, public utilities or other facilities in connection with an urban renewal project.

3. Acquisition, preparation and disposition of property for private development and/or redevelopment.

4. Pursuant to state law, provision of direct financial assistance, including grants and loans, to private persons engaged in economic development, in such form and subject to such conditions as may be determined by the Board of Supervisors.

V. URBAN RENEWAL PROJECT

The County has the opportunity to acquire approximately 485 acres of property located generally southeast of Squaw Creek Park. One area of approximately 306 acres includes nine parcels owned by Dows Farms, Inc. and is generally described as follows: On the northwest corner of the intersection of Highway 13 and Cottage Grove Parkway, bounded by Squaw Ridge Road on the west, Cottage Grove Parkway on the south, Highway 13 on the east and Squaw Creek Park and Gardner Golf Course on the north. The other area of approximately 179 acres includes seven parcels owned by Dows Real Estate Company and is generally described as follows: On the northwest corner of the intersection of Squaw Creek Road and Mt. Vernon Road, bounded by Dows Road on the west, Mt. Vernon Road on the south, Squaw Creek Road on the east, and Squaw Creek Ridge Subdivision on the north.

The County anticipates that Squaw Creek Park could be expanded to include some of the property and that existing trail systems could be extended off of Mt. Vernon Road and connected to trails in Squaw Creek Park. The County contemplates agreements with the cities of Cedar Rapids and Marion with respect to the use by those cities of portions of the property. Certain portions of the property that abut Highway 13 and/or Mt. Vernon Road, Squaw Creek Road, and Dows Road could be made available for private development.

The County expects that acquisition of the property and use for recreation and conservation purposes will contribute to the well-being of the County's residents and will make the County a more attractive location for new commercial and industrial enterprises.

In order to finance the acquisition of the property, the County intends to issue general obligation bonds. State law authorizes counties to issue general obligation bonds for urban renewal projects after publishing a notice of hearing and intent to issue the bonds, which notice must include the right of voters to petition for an election on the issuance of the bonds.

In accordance with recent amendments to Chapter 403 of the Code of Iowa, the Urban Renewal Plan for the Urban Renewal Area is amended to add the following project activities which are expected to be undertaken:

Development Agreements

The following are private redevelopment projects which are expected to be undertaken:

Project	Description and Rationale	Estimated Indebtedness
Dows Farm Agri Community Commercial Area	Development the commercial portion of the Dows Farm Development, consistent with the Dows Farm Governing Plan. Construction of approximately 40,700	The County anticipates entering in to a Development Agreement which will provide a reimbursement of 100% of the increment taxes generated and collected

	square feet of commercial space.	with respect to the project improvements which will be reimbursed for a period of 10-years. The annual reimbursement will be subject to development conformance with the Dows Farm Governing Plan. The total estimated amount of indebtedness for this project is: \$667,617.
--	----------------------------------	---

VI. LAND USE PLAN AND PROPOSED DEVELOPMENT

The County's 2013 Comprehensive Plan designates the Urban Renewal Area for development and conservation uses; therefore the Urban Renewal Projects and Activities described in this Plan are consistent with the county's adopted Comprehensive Plan.

Furthermore, the County approved the Governing Plan for the Dows Farm Agri-Community in 2020. The Governing Plan illustrated the vision for the Dows Farm Agri-Community and provides detailed development criteria for the area. All Urban Renewal Projects and Activities described in this Plan are consistent with the adopted Governing Plan

This Urban Renewal Plan, as amended, does not in any way replace or modify the City's current land use planning or zoning regulation process.

VII. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect until it is repealed by the Board of Supervisors.

VIII. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives, activities or project, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa.

IX. COUNTY INDEBTEDNESS

The estimated amount of debt to be incurred by the updated urban renewal project identified in this Amendment are outlined in *Section II* of this Amendment. The estimated project costs in this

Amendment are estimates only and will be incurred and spent over a number of years. In no event will the County's constitutional debt limit be exceeded. It is expected that such indebtedness will be financed in whole with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, the anticipated aggregate indebtedness to be incurred for the proposed urban renewal projects identified in this Amendment is estimated at \$667,617 (this estimate does not include debt service or financing costs related to debt issuance, which will be incurred over the life of the Area). Currently, the Linn County's' outstanding general obligation indebtedness is \$60,315,000 (as of Fiscal Year 2021 beginning July 1, 2020). The Constitution of the State of Iowa limits the amount of County debt outstanding at any time to no more than five (5) percent of the actual value (as shown by the last certified state and county tax list) of all taxable property within the County. The County's constitutional debt limit is \$1,056,020,177 as of July 1, 2020 (FY2021).

X. REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

XI. SEVERABILITY

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. _____

**Resolution Finally Adopting the Amended and Restated Urban Revitalization Plan
for the Linn County Urban Revitalization Area**

WHEREAS, by Resolution 2021-2-21 adopted February 17, 2021, the Linn County Board of Supervisors Approved the Linn County Urban Revitalization Plan ("Original Plan") and subsequently adopted Ordinance 5-3-2021, on March 3, 2021, creating the Linn County Urban Revitalization Area ("Area" or "Revitalization Area") subject to said plan ; and

WHEREAS, a proposed Amended and Restated Linn County Urban Revitalization Plan (the "Amended and Restated Plan") has been prepared, the purpose of which is to remove commercial property from applicable property and to remove commercial property from the tax exemption schedules; and

WHEREAS, pursuant to the Amended and Restated Plan, no new property has been added to the Urban Revitalization Area; and

WHEREAS, notice of this meeting was published in accordance with Chapter 404 of the Code of Iowa;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. That the proposed Amended and Restated Plan is adopted in the form attached as Exhibit 1 to this Resolution; and

Section 2. All resolutions or parts of resolution in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved July 28, 2021.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstain ___ Absent

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, _____,

On this _____ day of _____, 2021.

Notary Public State of Iowa

Exhibit 1

LINN COUNTY, IOWA

AMENDED AND RESTATED URBAN REVITALIZATION PLAN

July, 2021

INTRODUCTION

In 1979, the Iowa legislature enacted into law the Urban Revitalization Act ("Act") giving county governing bodies the authority to designate an area or areas of a county as urban revitalization areas. Under the Act, qualified real estate within the designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years. The primary intent of the Act is to provide communities with a long-term increase or stabilization in their tax base by encouraging rehabilitation or new construction which might not otherwise have occurred.

Specifically, the Act provides Linn County the opportunity to influence its growth by stimulating investment from the private sector. After the tax exemption schedule is completed, the individual property will be fully taxed, thus completing the philosophy that tax incentives are used to encourage individuals to improve their property with the long-term goal of increasing the tax base. Certain criteria have been established which must be met by a county exercising the authority conferred in the Act. Section 404.1 of the Code of Iowa provides that the Board of Supervisors may designate an area of the county as a revitalization area if that area is any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and which is detrimental to the public health, safety, or welfare.
2. An area which by reason of the presence of substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture, or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in section 403.17.

5. An area designated as appropriate for public improvements related to housing and residential development or construction of housing and residential development, including single or multifamily housing.

In adopting the Urban Renewal Plan and Urban Renewal Area in March 2017 for this same property, the Board of Supervisors found that this area meets the definition of an economic development area as defined in section 403.17. In adopting the this Urban Revitalization Plan, the Board of Supervisors further affirms economic development of the Revitalization Area is necessary in the interest of the public health, safety or welfare of the residents of the County and meets the criterion of Iowa Code 403.17.

Section 404.2 of the Code of Iowa requires that a county prepare a plan to govern activities within the proposed revitalization area before establishing the revitalization area by ordinance. Accordingly, the County has prepared a plan contained within this document.

PLAN COMPONENTS

A. Geographic Description of Urban Revitalization Area:

The area to be designated within the Urban Revitalization Tax Exemption Area is described as:

PARCEL A

A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 83 NORTH, RANGE 6 WEST OF THE 5TH P.M., LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 20; THENCE NORTH 0°53'10" WEST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1,325.59 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH 89°52'38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 933.01 FEET; THENCE SOUTH 0°53'10" EAST, 1,424.00 FEET; THENCE SOUTH 89°57'02" WEST, 360.00 FEET; THENCE SOUTH 0°49'31" EAST, 593.83 FEET; THENCE SOUTH 89°57'02" WEST, 280.00 FEET; THENCE SOUTH 0°49'31" EAST, 186.19 FEET; THENCE SOUTH 89°57'40" WEST, 293.07 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE NORTH 0°49'31" WEST ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 881.18 FEET TO THE POINT OF BEGINNING, CONTAINING 39.59 ACRES (1,724,535 S.F.) MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

AND

PARCEL B

A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 83 NORTH, RANGE 6 WEST OF THE 5TH P.M., LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE NORTH 89° 57' 02" EAST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20, A DISTANCE OF 1304.08 FEET TO THE WEST RIGHT OF WAY LINE OF SQUAW CREEK ROAD; THENCE SOUTH 00° 57' 12" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1,320.90 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20; THENCE SOUTH 89° 57' 40" WEST ALONG SAID NORTH LINE, A DISTANCE OF 32.00 FEET; THENCE SOUTH 00° 57' 12" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 300.00 FEET; THENCE NORTH 89° 57' 40" EAST, 32.00 FEET; THENCE SOUTH 00° 57' 12" EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 940.98 FEET TO THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE AND THE NORTH RIGHT OF WAY LINE OF MOUNT VERNON ROAD; THENCE SOUTH 89° 48' 47" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 619.03 FEET; THENCE SOUTH 00° 11' 13" EAST, 5.00 FEET; THENCE SOUTH 89° 48' 47" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1,119.40 FEET; THENCE NORTH 00° 11' 12" WEST, 667.50 FEET; THENCE SOUTH 89° 48'

47" WEST, 670.97 FEET TO THE CENTERLINE OF DOWS ROAD AS SHOWN ON FINAL PLAT FOR ALTHEA'S FIRST ADDITION TO LINN COUNTY, IOWA, RECORDED IN BOOK 3322, PAGE 602 OF THE LINN COUNTY, IOWA RECORDERS OFFICE; THENCE NORTH 00° 24' 40" WEST ALONG SAID CENTERLINE, A DISTANCE OF 82.73 FEET; THENCE NORTH 26° 53' 50" WEST ALONG SAID CENTERLINE, A DISTANCE OF 558.34 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20; THENCE NORTH 00° 49' 31" WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20, A DISTANCE OF 442.89 FEET; THENCE NORTH 89° 57' 40" EAST, 293.07 FEET; THENCE NORTH 00° 49' 31" WEST, 186.19 FEET; THENCE NORTH 89° 57' 02" EAST, 280.00 FEET; THENCE NORTH 00° 49' 31" WEST, 593.83 FEET; THENCE NORTH 89° 57' 02" EAST, 360.00 FEET; THENCE NORTH 00° 53' 10" WEST, 1,424.00 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE SOUTH 89° 52' 38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 404.23 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE SOUTH 00° 52' 57" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20, A DISTANCE OF 1,321.56 FEET TO THE POINT OF BEGINNING, CONTAINING 140.88 ACRES (6,136,625 S.F.) MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

AND

COMMENCING AS A POINT OF REFERENCE AT THE SW CORNER OF THE SE ¼ OF SAID SECTION 20, THENCE DUE EAST (THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 20 IS ASSUMED DUE EAST AND WEST) 247.50 FEET ALONG THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 20 TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE DUE EAST 660 FEET ALONG THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 20 TO A POINT; THENCE NORTH 0° 51' WEST 742.50 FEET TO A POINT; THENCE DUE WEST 660.0 FEET TO A POINT ON THE CENTERLINE OF THE PUBLIC ROAD; THENCE SOUTH 0° 51' EAST 742.50 FEET ALONG THE CENTERLINE OF THE PUBLIC ROAD TO THE POINT OF BEGINNING, SUBJECT TO THE PUBLIC HIGHWAYS.

All roads and highways that abut any of this property will also be included in the Urban Revitalization Area.

The area is also depicted on Exhibit B, and is by this reference incorporated herein, which is approximately 189 acres in size. The revitalization, and exemption as contemplated by this Plan, is applicable to all of the property assessed as multi-residential, residential, or commercial within the Plan Area.

B. OWNERSHIP AND ASSESSED VALUATION:

The Urban Revitalization Area, as specified in the legal description above, consists of the following parcels:

GPN/Address	Deed Holder	Land Value*	Improvement Value*	Total Assessed Value*
152040100200000/ 935 2 nd St. SW Cedar Rapids, IA 52404	Linn County Iowa	\$150,700	\$0	\$150,700

152015100300000/ 935 2 nd St. SW Cedar Rapids, IA 52404	Linn County Iowa	\$41,900	\$105,000	\$146,900
152045100200000/ 999 44 th St. Suite 1000 Marion, IA 52302	Smith Janet E Rev Trust	\$373,200	\$567,400	\$940,600

**Values are 2020 Assessed Values*

C. MUNICIPAL AND COUNTY SERVICES:

Subject to a development agreement with the City of Cedar Rapids, municipal water and wastewater will be extended into the site to serve proposed development. The West Bertram Fire Department currently provides fire protection services; the Linn County Sheriff's Office currently provides police protection. As it becomes financially feasible, the provision of additional services to the Revitalization Area will be expanded and improved to meet the demands of new development.

Other private infrastructure, including gas, electric, and telecommunications, currently serve the Plan area.

D. ZONING AND LAND USES:

The Revitalization Area is zoned Urban Services Residential with a Planned Unit Development Overlay District, and General Commercial. (See Exhibit A, Current Zoning.) Existing land uses are agricultural including row crop production, pasture and an existing farmstead; riparian stream corridor; and commercial. Proposed land uses are residential; multi-residential; commercial; agricultural including vegetable production and livestock grazing; and riparian stream corridor.

As specified in Chapter 107, Article VI (Unified Development Code) of the Linn County Code of Ordinances, uses allowed in a Planned Unit Development Overlay District, as well as applicable standards, shall be established in an associated approved governing plan. The Governing Plan for the Dows Farm Agri-Community, adopted by the Board of Supervisors, is included in Exhibit C, and is by this reference incorporated herein. The Governing Plan permits construction of commercial, agricultural, residential and multi-residential uses.

The Master Plan for the Dows Farm Agri-Community, included as part of the adopted Governing Plan, illustrates the vision for the Plan Area. Fifty percent of the site shall be kept in conservation, 25% will be kept as a working farm, and 25% shall consist of a mix of residential, multi-residential and commercial development. The thoughtful design for the Dows Farm Agri-Community uses the minimum amount of agricultural land necessary to accomplish the revitalization of other classes of property, and serves as a model for integrating agricultural practices and conservation open space into new development. The County has determined that any new construction on agriculturally-assessed property otherwise qualifying for exemption under this Plan is utilizing the minimum amount of agricultural land necessary to accomplish the goals of this Plan and will be eligible for exemption.

E. APPLICABLE PROPERTY:

This Plan and the tax exemptions allowed herein, are applicable to new construction and related site improvements and applies to the following property classifications in the Plan area: residential, multi-residential, and agricultural and, for such new construction and related site improvements in Parcel A and Parcel B, conforming to the Governing Plan. For agricultural classifications, the Plan and tax exemptions allowed herein are also applicable to rehabilitation and additions, and related site improvements to existing buildings.

Any additional development or expansion within the property described in the Geographic Description of Urban Revitalization Area of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the Linn County Board of Supervisors. A written request by the developer must be reviewed to ensure consistency with the Governing Plan as appropriate.

F. RELOCATION:

The County does not anticipate the displacement or relocation of any persons, families, or businesses as a result of the improvements to be made in the Revitalization Area. If such displacement occurs, the County will comply with all legal requirements.

G. TAX EXEMPTION SCHEDULES:

All Qualified Real Estate assessed as residential property or multi-residential property is eligible to receive an exemption from taxation on a portion of the Actual Value Added by Eligible Improvements as specified in Exemption Schedule A. All Qualified Real Estate assessed as agricultural property is eligible to receive an exemption from taxation on a portion of the Actual Value Added by Eligible Improvements as specified in Exemption Schedule B.

Following subdivision of all or any part of the land in Parcel B, each lot created thereby shall be Qualified Real Estate and each lot shall be eligible for the applicable tax exemption as provided herein with respect to that lot (land and improvements) when the requirements for exemption are satisfied.

The exemption is for a period of ten (10) years. The amount of the partial exemption is equal to a percent of the Actual Value Added by Eligible Improvements, determined as follows:

Exemption Schedule A

<u>Year</u>	<u>Percentage of Exemption</u>
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	100%
8	100%
9	100%
10	100%

Exemption Schedule B

<u>Year</u>	<u>Percentage of Exemption</u>
1	80%
2	70%
3	60%
4	50%
5	40%
6	40%
7	30%
8	30%
9	20%
10	20%

H. DEFINITIONS/ADDITIONAL REQUIREMENTS:

As used in this Plan, "Qualified Real Estate" means real property which is located in the designated Revitalization Area and to which Eligible Improvements have been added during the time the Area was so designated a revitalization area, which improvements have increased the actual value by at least the amount or percentage indicated below. "Qualified real estate" also means land upon which no structure existed at the start of the new construction, which is located in a designated revitalization area and upon which new construction has been added during the time the area was so designated.

"Eligible Improvements," as used in this Plan, include new construction of residential, multi-residential, agricultural, and commercial structures on vacant land or on land with existing structures. Eligible Improvements also include rehabilitation and additions to existing commercial or agricultural structures. All improvements, in order to be considered eligible, must be completed in conformance with all applicable ordinances and regulations of Linn County, must be constructed in conformance with the approved Governing Plan as applicable to the improvements, and must be completed during the time the Area is designated as a revitalization area. No abatement will be allowed unless a building permit has been issued by the County with respect to the project for which the abatement is requested.

"Actual Value Added by Eligible Improvements," as used in this Plan, means the actual value added as of the first year for which the exemption was received. In order to be eligible for tax abatement, the increase in actual value of the property from the Eligible Improvements must be at least 10%. If more than one building is located on the property, the ten percent (10%) increase applies only to the structure or structures upon which the improvements were made. If no structures were located on the property prior to the improvements, any improvements may satisfy the ten percent (10%) requirement.

I. OTHER FUNDING PROGRAMS:

The County is not currently aware of any federal, state, or private grant or loan program "likely to be a source of funding" for residential, multi-residential, and commercial improvements in the Revitalization Area, other than those of conventional lending institutions at normal market rates. Likewise, the County is not currently aware of any grant or loan program which the County "has or will have as a source of funding" for the Area for residential improvements. However, it is not the intention of the County to prohibit the use of

other appropriate federal or state revitalization or incentive programs within the Area. The County may seek federal and/or state grant or loan programs and any and all other funding sources in developing proposed projects. Federal programs may be available through the Department of Housing and Urban Development (HUD) and the Farmers Home Administration (FmHA). State programs may be available through the Iowa Housing Finance Authority and the Iowa Department of Economic Development. The County may seek private sector funding sources and/or utilize funding through Iowa Code Chapters 403 or 403A.

J. REVENUE BONDS:

Linn County, Iowa, may issue revenue bonds as provided under the Urban Revitalization Act for improvement projects within the Revitalization Area. Revenue bonds may be issued for all, or any part, of any interest in land, buildings, or improvements which are suitable for the use of a commercial enterprise or non-profit organization which the Board of Supervisors finds is consistent with the approved Urban Revitalization Plan. The Board of Supervisors currently has no plans to issue revenue bonds, but would consider reasonable proposals from developers.

K. APPLICATION AND APPROVAL:

An application, on a form provided by the County, shall be filed for each new exemption claimed. The application shall be filed by the property owner with the County Assessor by February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed for taxation, or the following two assessment years, in which case the exemption is allowed for the total number of years in the exemption schedule. The application is then reviewed by the Planning and Development Department and a determination made that the improvements are located in the Plan Area and are in conformance with this Plan, and that the improvements made increase the actual assessed valuation of the property by at least the minimum percentage required by this Plan, and that the improvements were made during the time the area was designated as a Revitalization Area. The County may allow a property owner to submit an application after the above deadlines subject to the discretion of the Board of Supervisors and the limitations outlined in Iowa Code Section 404.4. If a project is started in one year and is not completed until the following year, the application should be submitted in the year the project is completed. Submitting an application based upon partial completion of the project may result in the award of a partial exemption, as explained in Iowa Code Chapter 404 and corresponding regulations.

The application shall contain, but not be limited to, the following information:

- (1) Name of applicant/property owner;
- (2) Applicant's complete mailing address and telephone number;
- (3) The nature of the proposed improvement(s);
- (4) Estimated or actual cost of the improvement;
- (5) The estimated or actual date of completion;
- (6) The tax exemption schedule as selected by the owner of the property.

All approved applications shall be forwarded to the Linn County Assessor by March 1 for review and a final determination of eligibility by the Assessor, pursuant to Section 404.5 of

the Code of Iowa. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the new construction and notify the applicant of the determination, which may be appealed to the local board of review pursuant to Section 441.37 of the Code of Iowa. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

L. APPLICATION AND PRIOR APPROVAL:

Owners may submit a proposal for a new multi-residential, residential, or commercial construction project to the Board of Supervisors to receive prior approval for eligibility for a tax exemption on the project. The Board of Supervisors shall give its prior approval if the project is in conformance with this Plan. However, if the proposal is not approved, the owner(s) may submit an amended proposal for the Board of Supervisors to approve or reject. Such prior approval shall not entitle the owner(s) to exemption from taxation until the new construction has been completed and found to be qualified for the exemption. For prior approval applications, the Board of Supervisors shall approve an application submitted for approval if the project is:

1. In conformance with this Plan;
2. In conformance with the adopted Governing Plan;
3. Located within the Area designated by the Plan;
4. If improvements were made during the time the Area was so designated;
5. If the application meets all other legal requirements; and
6. The project has obtained a building permit from the County.

All approved applications shall be forwarded by to the Linn County Assessor by March 1 for review and a final determination of eligibility by the Assessor, pursuant to Section 404.5 of the Code of Iowa. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the new construction and notify the applicant of the determination, which may be appealed to the local board of review pursuant to Section 441.37 of the Code of Iowa. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

M. EFFECTIVE PERIOD:

This Plan shall become effective upon the approval of a resolution by the Board of Supervisors adopting the same ("Effective Date"). The new exemptions contained in this

Plan shall only be available for Eligible Improvements initiated (construction permits issued) and completed after the Effective Date, subject to the terms of the Plan.

N. PROCEDURES FOR CHANGES IN THE APPROVED PLAN:

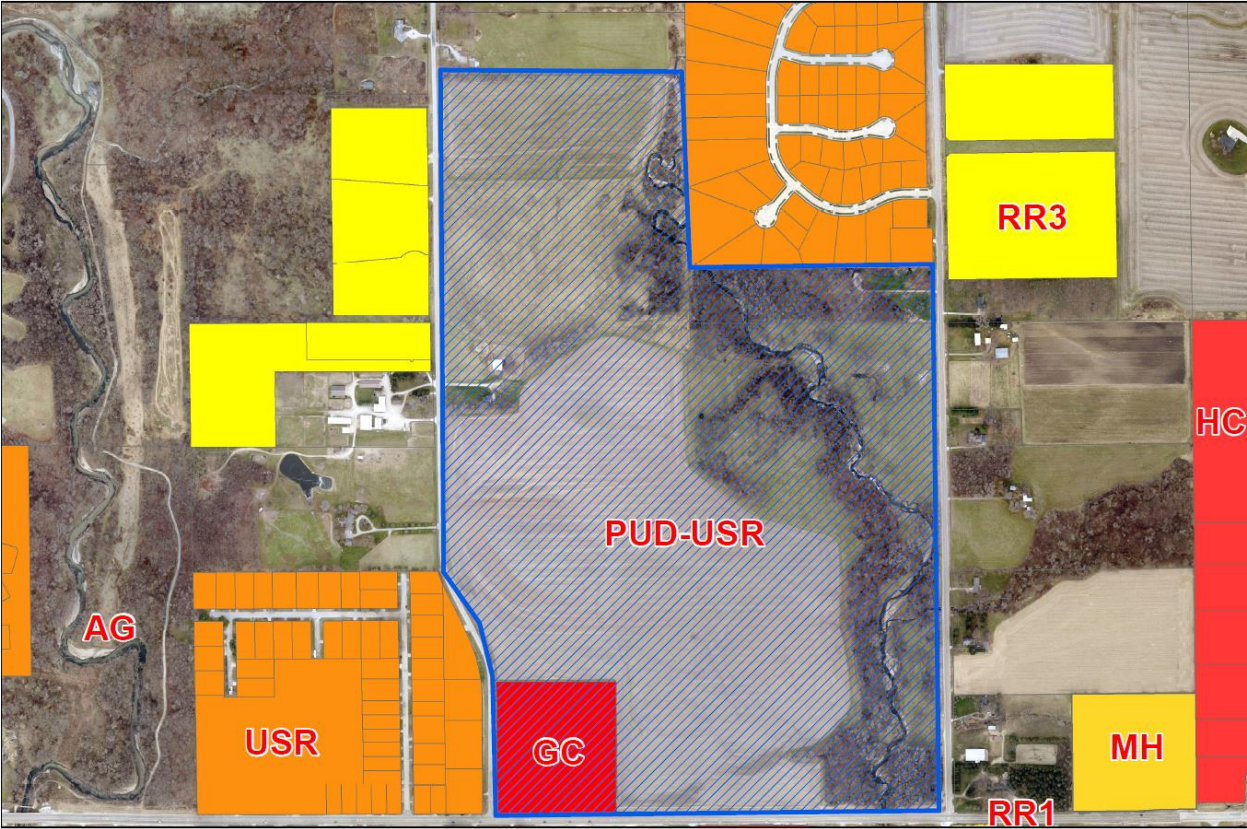
Adjustments or modifications of this approved Plan, resulting from experience during project execution, are authorized in the administration of this project, provided that the intent of this approved Plan is not changed and that any changes are in conformance with the approved Governing Plan. Specifically, these changes may include:

- Revisions to the Urban Revitalization Area boundary;
- Eligible projects;
- Tax exemption schedules;

O. REPEAL OF ORDINANCE:

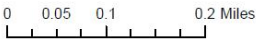
As stated in Section 404.7 of the Code of Iowa, the Linn County Board of Supervisors may repeal the ordinance establishing the revitalization area, when, in the opinion of the Board, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted by this chapter would cease to be of benefit to the County. In that event, all existing exemptions shall continue until their expiration.

CURRENT ZONING



LINN COUNTY PLANNING & DEVELOPMENT
JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER
935 2ND ST. SW
Cedar Rapids, IA 52404
Ph: 319-892-5141 | Fax: 319-892-5155

Current Zoning
Proposed Urban Revitalization Area



Legend

Proposed Urban Revitalization Area

0 200 400 800 1,200 1,600 2,000 Feet

1 inch = 1,000 feet

Proposed Urban Revitalization Area

© 2008 LINN County. All rights reserved. LINN County is not responsible for the accuracy of the information provided on this map. LINN County is not responsible for the accuracy of the information provided on this map. LINN County is not responsible for the accuracy of the information provided on this map.

LINN COUNTY

**CONSENT OF LINN COUNTY, IOWA TO THE INCLUSION OF AN AREA
OUTSIDE THE CITY OF CEDAR RAPIDS CORPORATE LIMITS TO BE IN
THE CITY OF CEDAR RAPIDS URBAN RENEWAL AREA OF OPERATION**

This “Consent of Linn County, Iowa to the Inclusion of an Area Outside the City of Cedar Rapids Corporate Limits to be in the City of Cedar Rapids Urban Renewal Area of Operation” (“Consent”) is made on or as of this ____ day of _____, 2021, by Linn County, Iowa (the “County”) a political subdivision of the State of Iowa, having an office for the transaction of business at 935 2nd St SW, Cedar Rapids, IA 52404, Cedar Rapids, Iowa 52401.

RECITALS:

WHEREAS, on May 14, 2019 the City Council of the City of Cedar Rapids, Iowa (“City”) adopted Resolution No. 0479-05-19 establishing the Commerce Park Urban Renewal Area (the “Commerce Park URA”), in accordance with Chapter 403 of the Code of Iowa (the “Urban Renewal Act”) for economic development purposes and to carry out urban renewal project activities as outlined in the Commerce Park URA Plan, and

WHEREAS, the City has initiated procedures in accordance with the Urban Renewal Act to amend the Commerce Park URA, including adding additional land to the urban renewal area, which amended area is described in Exhibit A, attached hereto and by this reference incorporated herein,

WHEREAS, a portion of the area proposed to be added to the Commerce Park URA consists of land which is outside of the Cedar Rapids corporate limits but is located contiguous with, and within two miles of said corporate limits in an unincorporated area of the County as depicted in Exhibit B attached hereto which by this reference incorporate herein (the “County Area”); and

WHEREAS, the City desires that the County Area be included in the Commerce Park URA to make improvements to the 6th Street SW right-of-way and Walford Road SW to improvement traffic flow and safety and in connection with proposed development projects; and

WHEREAS, in accordance with Section 403.17(4) of the Urban Renewal Act, the County Area is located contiguous with, and within two (2) miles of the City corporate limits and does not include any area which lies within the territorial boundaries of another incorporated city; and

WHEREAS, the Urban Renewal Act provides that the City may

WHEREAS, the City is desirous of obtaining the consent the County for inclusion of the County Area to be within the Commerce Park URA and thus within City’s “area of operation” as that term is defined in Section 403.17 of the Code of Iowa.

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the County hereby agrees and states as follows:

1. The Recitals contained hereinabove are true and correct and incorporated herein.
2. The County has been duly authorized to provide this Consent.

3. The County hereby consents to the inclusion of the County Area in the City's area of operation as provided for the Urban Renewal Act, and as defined in Section 403.17 of the Code of Iowa, as described and depicted herein.

IN WITNESS WHEREOF, the County has caused this Consent to be duly executed as of the date set forth above.

LINN COUNTY

Stacey Walker, Chair
Linn County Board of Supervisors

STATE OF IOWA)
) SS:
COUNTY OF LINN)

On this ____ day of _____, 2021, before me the undersigned, a Notary Public in and for said State, personally appeared Stacey Walker, to me personally known, who, being by me duly sworn, did say that he is the Chair of Linn County, Iowa Board of Supervisors, and that said instrument was signed on behalf of Linn County; and that said Stacey Walker, Chair of the Linn County, Iowa Board of Supervisors, as such officer acknowledged the execution of said instrument to be the voluntary act and deed of Linn County, by it voluntarily executed.

Notary Public in and for State of Iowa
My Commission Expires: _____

EXHIBIT A
LEGAL DESCRIPTION OF COMMERCE PARK URA
WITH AMENDED AREA

Being a portion of land located within Sections 20, 21, 28, and 29, all in Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

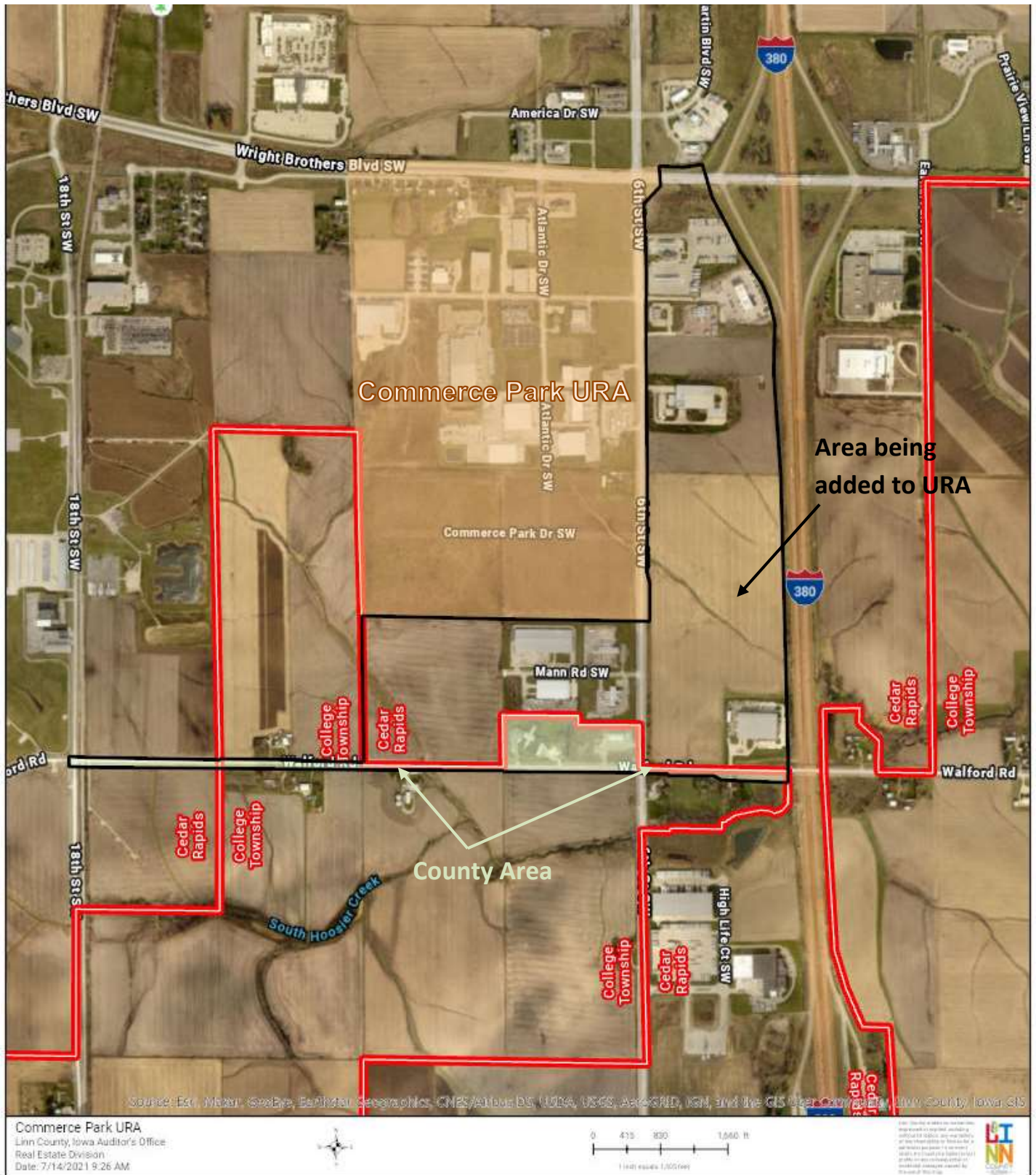
Beginning at the Southwest corner of the SE $\frac{1}{4}$ of said Section 20, also being the Northwest corner of the NE $\frac{1}{4}$ of said Section 29; Thence N $01^{\circ}09'22''$ E along the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 20, a distance of 107.82 feet to the North right-of-way line of Wright Brothers Boulevard SW also being the Southwest corner of Parcel B of Plat of Survey No. 663; Thence S $87^{\circ}12'45''$ E along said North right-of-way line and the South line of said Parcel B, a distance of 1,472.55 feet to the Southeast corner of said Parcel B also being the Southwest corner of Lot 1 of Airport Commerce Park Second Addition; Thence continuing S $87^{\circ}12'45''$ E along said North right-of-way line and the South line of said Lot 1, a distance of 180.91 feet; Thence S $83^{\circ}31'45''$ E along said North right-of-way line and South line of said Lot 1, a distance of 69.60 feet to the Southeast corner of said Lot 1; Thence continuing S $83^{\circ}31'45''$ E along said North right-of-way line, a distance of 599.77 feet along the South line of Atlantic Drive SW as shown on Airport Commerce Park Second Addition, the South line of Lots 1, 2 and A of Airport Commerce Park Third Addition, and a portion of Lot 1 of Airport Commerce Park Twelfth Addition (also being a portion of Parcel A of Plat of Survey No. 2314); Thence S $87^{\circ}12'45''$ E along said North right-of-way line and South lines of Lot 1 of said Twelfth Addition and said Parcel A, a distance of 256.48 feet to the Southeast corner of last said Lot 1 and Parcel A also being a point on the West right-of-way line of 6th Street SW (Highway 965);

All bearings referenced to this point are as shown on Airport Commerce Park Second Addition;

Thence Northeasterly 273 feet more or less to the Northwest corner of the 0.08 acre triangular parcel dedicated as public road right-of-way as shown on Airport Park Third Addition; Thence S $88^{\circ}26'45''$ E, a distance of 229.20 feet along the north line of said triangular parcel to the easterly most corner thereof; Thence N $83^{\circ}06'05''$ E, a distance of 170.07 feet along the south line of Lot 2 of said Airport Park to the southeast corner thereof, also being a point on the west right-of-way of the Interstate 380 right-of-way; Thence southeasterly 306 feet more or less to the northeast corner of Lot 1 of Capital First Addition also being a point of intersection with the west line of the westerly 120 feet of the Interstate 380 on ramp; Thence S $29^{\circ}01'52''$ E, a distance of 549.68 feet along the east lines of Lot 1 and Lot 3 of said Capital First Addition, also being along the west right-of-way line of Interstate 380 to the northeast corner of Parcel 'A' of Plat of Survey No. 1148; Thence continuing southerly along said west right-of-way line of Interstate 380 a distance of 770.28 feet along the east line of Parcel 'A' and Parcel 'B' of Plat of Survey No. 1148 to the southeast corner of said Parcel 'B'; Thence continuing southerly along said west right-of-way line a distance of 100 feet more or less to the northeast corner of Lot 1 of Mod Addition; Thence continuing southerly along said west right-of-way line a distance of 331.09 feet more or less to the southeast corner of Lot 1 of said Mod Addition; Thence continuing southerly along said west right-of-way line a distance of 900 feet more or less to the northeast corner of Lot 'A' of Hughes Group First Addition; Thence continuing southerly along said west right-of-way line and along the east line of said Hughes Group First Addition a distance of 2,537.44 feet more or less to the southeast corner of Lot 1 of said Hughes Group First Addition, also being a point on the north right-of-way line of Walford Road SW; Thence continuing southerly along said west right-of-way line a distance of 220 feet more or less to the intersection with the south right-of-way line of Walford Road SW; Thence westerly along the south right-of-way line of Walford Road SW a distance of 6,642 feet more or less to a point of intersection with the west right-of-way line of 18th Street SW; Thence northerly

a distance of 66 feet more or less along the west right-of-way line of 18th Street SW to the north right-of-way of Walford Road SW; Thence easterly along the north right-of-way of Walford Road SW a distance of 2,725 feet more or less to the intersection with the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 29; Thence northerly along said west line a distance of 1,302 feet more or less to the Southwest corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 29; Thence Northerly 1,330 feet more or less along the West line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 29 to the Northwest corner thereof; Thence Northerly 2,650 feet more or less along the West Line of the NE $\frac{1}{4}$ of said Section 29 to the Northwest corner thereof and Point of Beginning.

EXHIBIT B
MAP OF PROPOSED COMMERCE PARK URA WITH AMENDED AREA



**CONSENT OF LINN COUNTY, IOWA TO THE INCLUSION OF AN AREA
OUTSIDE THE CITY OF CEDAR RAPIDS CORPORATE LIMITS TO BE IN
THE CITY OF CEDAR RAPIDS URBAN RENEWAL AREA OF OPERATION**

This “Consent of Linn County, Iowa to the Inclusion of an Area Outside the City of Cedar Rapids Corporate Limits to be in the City of Cedar Rapids Urban Renewal Area of Operation” (“Consent”) is made on or as of this ____ day of _____, 2021, by Linn County, Iowa (the “County”) a political subdivision of the State of Iowa, having an office for the transaction of business at 935 2nd St SW, Cedar Rapids, IA 52404, Cedar Rapids, Iowa 52401.

RECITALS:

WHEREAS, on November 17, 2020 the City Council of the City of Cedar Rapids, Iowa (“City”) adopted Resolution No. 1425-11-20 establishing the American Prairie Urban Renewal Area (the “American Prairie URA”), in accordance with Chapter 403 of the Code of Iowa (the “Urban Renewal Act”) for economic development purposes and to carry out urban renewal project activities as outlined in the American Prairie URA Plan, and

WHEREAS, the City has initiated procedures in accordance with the Urban Renewal Act to amend the American Prairie URA, including adding additional land to the urban renewal area, which amended area is described in Exhibit A, attached hereto and by this reference incorporated herein,

WHEREAS, a portion of the area proposed to be added to the American Prairie URA consists of land which is outside of the Cedar Rapids corporate limits but is located contiguous with, and within two miles of said corporate limits in an unincorporated area of the County as depicted in Exhibit B attached hereto which by this reference incorporate herein (the “County Area”); and

WHEREAS, the City desires that the County Area be included in the American Prairie URA to make improvements to Wright Brothers Blvd SW in connection with proposed development projects; and

WHEREAS, in accordance with Section 403.17(4) of the Urban Renewal Act, the County Area is located contiguous with, and within two (2) miles of the City corporate limits and does not include any area which lies within the territorial boundaries of another incorporated city; and

WHEREAS, the City is desirous of obtaining the consent the County for inclusion of the County Area to be within the American Prairie URA and thus within City’s “area of operation” as that term is defined in Section 403.17 of the Code of Iowa.

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the County hereby agrees and states as follows:

1. The Recitals contained hereinabove are true and correct and incorporated herein.
2. The County has been duly authorized to provide this Consent.
3. The County hereby consents to the inclusion of the County Area in the City’s area of operation as provided for the Urban Renewal Act, and as defined in Section 403.17 of the Code of Iowa, as described and depicted herein.

IN WITNESS WHEREOF, the County has caused this Consent to be duly executed as of the date set forth above.

LINN COUNTY

Stacey Walker, Chair
Linn County Board of Supervisors

STATE OF IOWA)
) SS:
COUNTY OF LINN)

On this ____ day of _____, 2021, before me the undersigned, a Notary Public in and for said State, personally appeared Stacey Walker, to me personally known, who, being by me duly sworn, did say that he is the Chair of Linn County, Iowa Board of Supervisors, and that said instrument was signed on behalf of Linn County; and that said Stacey Walker, Chair of the Linn County, Iowa Board of Supervisors, as such officer acknowledged the execution of said instrument to be the voluntary act and deed of Linn County, by it voluntarily executed.

Notary Public in and for State of Iowa
My Commission Expires: _____

EXHIBIT A
LEGAL DESCRIPTION OF AMERICAN PRAIRIE URA
WITH AMENDED AREA

ALL OF THAT PORTION OF LAND WITHIN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA.

AND

ALL OF THAT PORTION OF LAND WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, LYING EAST OF THE EAST RIGHT-OF-WAY OF INTERSTATE 380 AND EAST OF A LINE SEGMENT DESCRIBED AS FOLLOWS: THE NORTH END OF THE LINE SEGMENT, BEING A RAIL FOUND AT THE SOUTH END OF A LINE BEARING N28°56'26"W A DISTANCE OF 124.39 FEET ALONG THE I-380 NORTH ON RAMP BEING A POINT ON THE WEST LINE OF LOT 1 OF STACEY'S FIRST ADDITION, TO THE SOUTH END OF THE LINE SEGMENT, BEING AN IRON ROD FOUND AT THE NORTH END OF A LINE BEARING N54°40'56"E A DISTANCE OF 209.97 FEET ALONG THE I-380 NORTHBOUND EXIT RAMP "B" BEING A POINT ON THE NORTH LINE OF LOT 1 OF NCS FIRST ADDITION.

AND

ALL OF THAT PORTION OF LAND WITHIN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, LYING NORTH OF THE NORTH PROPERTY LINE OF LOT 1 AND EASTERLY 60.10 FOOT EXTENSION THEREOF AS IS SHOWN ON NCS FIRST ADDITION, AND EAST OF A LINE SEGMENT DESCRIBED AS FOLLOWS: THE NORTH END OF THE LINE SEGMENT, BEING A RAIL FOUND AT THE SOUTH END OF A LINE BEARING N28°56'26"W A DISTANCE OF 124.39 FEET ALONG THE I-380 NORTH ON RAMP BEING A POINT ON THE WEST LINE OF LOT 1 OF STACEY'S FIRST ADDITION, TO THE SOUTH END OF THE LINE SEGMENT, BEING AN IRON ROD FOUND AT THE NORTH END OF A LINE BEARING N54°40'56"E A DISTANCE OF 209.97 FEET ALONG THE I-380 NORTHBOUND EXIT RAMP "B" BEING A POINT ON THE NORTH LINE OF LOT 1 OF NCS FIRST ADDITION.

AND

ALL OF THAT PORTION OF LAND WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, LYING NORTH OF THE SOUTH RIGHT-OF-WAY OF WRIGHT BROTHERS BOULEVARD SW.

AND

ALL OF THAT PORTION OF LAND WITHIN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA.

AND

ALL OF THAT PORTION OF LAND WITHIN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA.

AND

ALL OF THAT PORTION OF LAND WITHIN THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA.

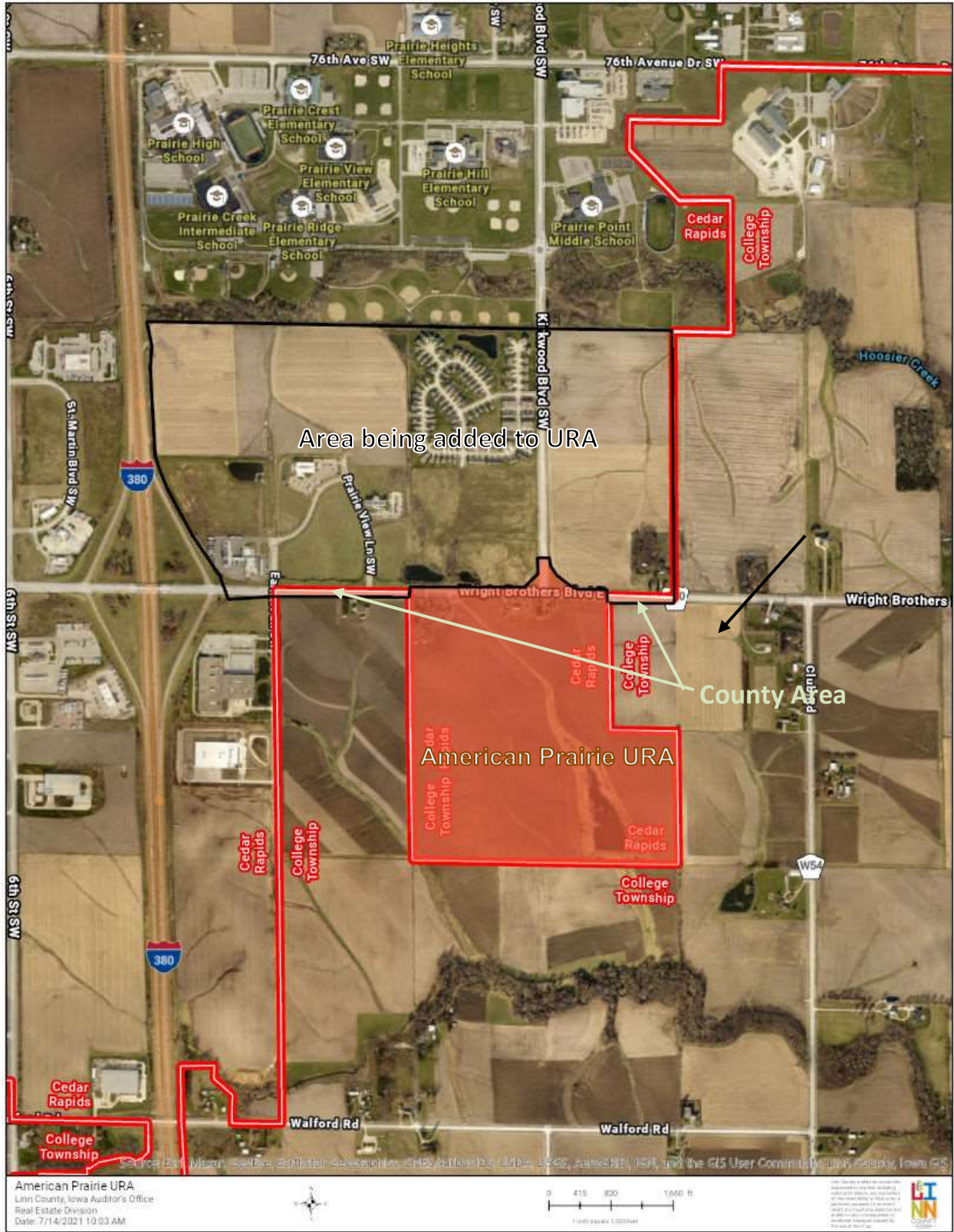
AND

ALL OF THAT PORTION OF LAND WITHIN THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, LYING NORTH OF THE SOUTH RIGHT-OF-WAY OF WRIGHT BROTHERS BOULEVARD SW.

AND

ALL OF THAT PORTION OF LAND WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA.

EXHIBIT B
MAP OF PROPOSED AMERICAN PRAIRIE URA WITH AMENDED AREA





BOARD OF SUPERVISORS

County of Linn, Iowa

SUBJECT: Access to Secondary Roads			Directive Number:
Approval Date: 02/08/2012	Effective Date: 02/08/2012	Revision No.: Revised from previous County Engineer nnlrv	Policy Section & Number: OP-019
Reference: BOS Minutes: 02/02/2012			Distribution: Department, Intranet, Website

I. Policy/Purpose

The purpose of this policy is to outline requirements regarding access to Linn County secondary roads, including: number of accesses, access surfacing, commercial access agreements and permit requirements.

II. Scope

This policy pertains to requests for access from residents of unincorporated Linn County served by the Linn County Secondary Road Department.

III. Objectives

The objectives of this policy are to establish access requirements, outline conditions under which driveways may be surfaced, summarize treatment of existing hard-surfaced driveways during construction and maintenance projects, indicate the location and number of accesses allowed, set permit requirements and outline the commercial access agreement.

IV. Definitions

1. Clear Zone: A distance measured from the outside edge of the shoulder away from the road (minimum 10' to maximum the full right-of-way width).
2. Hot Mix Asphalt (HMA): This material is often called asphalt or blacktop and is delivered as a mix of aggregate and asphalt cement to the location, placed with a paving machine, and rolled to assure density.
3. Permit: A document issued by the county engineer granting permission for construction within the right-of-way. The permit states the conditions under which work can be performed and sets standards for construction. The Code of Iowa (Chapter 318) requires that anyone who seeks to make an alteration within the ROW obtain a permit from the highway authority with control. For the purposes of this policy, the county engineer is the issuing authority.
4. Portland Cement Concrete (PCC): This material is a mixture of Portland cement, water, and aggregate which hardens under a chemical reaction called hydration into a hard pavement.

5. Right-of-Way (ROW): Property obtained through deed or permanent easement reserved for construction of and/or maintenance of transportation facilities (typically 66' wide on most county roads).
6. Roadside: Areas within ROW that are outside the traveled way.
7. Seal Coat: A thin maintenance overlay of liquid asphalt with embedded aggregate.
8. Traveled Way: Designated driving surface of a road (including the shoulder).

V. Procedure

Background

The Linn County Secondary Road Department is continually maintaining and reconstructing roads that serve businesses, residences, and property throughout the unincorporated area of the county where there are an estimated 11,000 driveways that provide access to public and private property. The Code of Iowa requires that prior to making changes within the county right-of-way, residents must obtain a permit. The purpose of obtaining this permit is to assure that the work is done to county standards and that the county's interests and liability are safeguarded. The permit process allows people seeking to do work within the county ROW an opportunity to review the proposed work with county engineering staff, discuss appropriate standards for the work, and consider safety requirements.

Linn County entrance permits require that driveways serving residences be surfaced with granular material. Driveways serving agricultural property are generally rock surfaced to provide better load and road edge support. Granular surfacing of driveways allows for easier maintenance of county roads by county maintenance crews. Minor grade imperfections can be smoothed as a part of shouldering operations on paved roads or during regular maintenance of granular surfaced roads. Changes in road grade are easier to make, and granular surfacing is less costly to restore.

Many driveways have been paved without obtaining the required permit. Most of these surfaced driveways are paved to the edge of the road, whether the road is paved or rock surfaced. When the county resurfaces or reconstructs a road, the removal and replacement of paved driveways significantly inflates the cost of the project. Driveways paved to the edge of the road make even routine surface maintenance more difficult. County taxpayers should not be burdened with the cost of replacing unpermitted improvements within the right of way. The permit warns that paving may be affected by future county projects and that the property owner bears the cost of any change required.

Authority

Counties have the right to require a permit for construction within the right-of-way and to set standards for all construction within the right-of-way. Chapter 318 Section 8 of the Code of Iowa states as follows:

A person shall not excavate, fill, or make a physical change within the right-of-way of a public road or highway without obtaining a permit from the highway authority.

Linn County driveway permits specifically state that driveways serving residences shall be rock surfaced. Paving within the right-of-way is not allowed, unless an exception has been agreed to and a permit has been issued. The Code of Iowa allows the county to bring work done within the right-of-way to county standards and collect for the cost of doing so.

Requests for Paved Driveway along Granular Roads

Linn County discourages paving driveway surface on county roads due to safety and maintenance concerns. If a drive pavement is approved, it must be constructed in accordance with the permit and any costs associated with the drive pavement must be borne by the owner. The typical requirements for paved drives are:

1. drives must be surfaced a minimum of 6 inches thick,
2. drives may not be dowelled to the county road,
3. drive openings must be paved the full width of the county road shoulder,
4. drives must drain to the ditch, not onto the county road, and
5. pavement must be stopped a minimum of 15 feet from the centerline of the county road.

Driveway Pavement Replacement on County Construction and Maintenance Projects

Linn County will use the following procedures when the replacement of driveway surfacing is needed in the course of construction and maintenance projects on paved and granular surfaced roadways.

1. Permitted and non-permitted driveway pavements: The owner is entitled only to replacement of the driveway surfacing with a granular rock surface. The manner in which the county replaces the driveway surfacing depends upon the project plans for the county road the driveway abuts.
 - a. Road paving projects: The county will replace the paved driveway surfacing with rock surfacing. However, the county may determine that it is beneficial to the project to surface existing paved drives with new pavement. This is generally when the existing pavement may be connected to the new HMA overlay within the standard drive fillet of 4 feet. Owners may choose to have their additional permitted drive paved within the county right-of-way through the project contract at the owner's expense. Payment is based upon estimated quantities and is required in advance of paving. Generally, drive connections are made with the same pavement material used for the road project. On road projects involving PCC pavement, drives are generally paved with either PCC or HMA surfacing. On road projects involving HMA surfacing, drives are generally paved with HMA surfacing or seal coat. On road projects involving seal coat, drives will be left with a granular surface. Driveway paving outside of the project limits will not be replaced. Drive pavement outside the right-of-way will not be replaced.
 - b. Road grading projects: The county will not replace driveway paving on road grading projects. Minimum rock transitions will be provided.
 - c. Rock shall be used on all projects to provide a transition from the owner's drive to the new road surface. Removal of concrete or asphalt is the responsibility of the owner and is subject to invoice for county cost of removal as deemed appropriate by the county.
2. Right-of-way acquisition: Driveway surfacing may be addressed during the right-of-way negotiation process. Surfaced driveways will be replaced according to the provisions of this policy.

Number of Accesses

County policy allows one access per 40 acre parcel. A second access may be permitted by the county engineer upon receipt and review of written justification of need. Examples of need for a second access include: a natural barrier (creek) to full use of parcel, a home on parcel associated with the farm or business operation with a separate drive from the field, and separate use of a portion of the parcel through a county conditional use permit.

County policy allows one access to a residential lot or a properly created viable field division. A second access may be permitted by the county engineer upon receipt and review of written justification of need. A natural barrier preventing full essential use of property would be an example of a need for a second access.

Access Location

Accesses to all properties along secondary roads are subject to the requirements of the county subdivision standards. These standards set minimum and maximum driveway slopes, grade, distance from intersection and width.

Commercial Access Agreements

Access requirements for properties not conforming to the general county policy may be allowed by the county engineer through an agreement. The agreement shall establish the number and location of all access into property and the responsibility of the property owner for cost to Secondary Road Department associated with the required accesses.