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Date .. December 3, 2012 .....

RESOLUTION CLOSING HEARING ON THE FIRST AMENDMENT  
TO THE SECOND RESTATED URBAN REVITALIZATION PLAN FOR THE  
CITY-WIDE URBAN REVITALIZATION AREA AND APPROVING SAME

WHEREAS, on June 15, 1987, by Roll Call No. 87-2630, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(1) of the Urban Revitalization Act, finding that the rehabilitation, conservation, redevelopment, or a combination thereof of the entire area then within the corporation boundaries of the City of Des Moines is necessary in the interest of the public health, safety, or welfare of the residents of the City and the area meets the criteria of Section 404.1 of the Code of Iowa; and,

WHEREAS, by Ordinance No. 11,026 passed July 6, 1987, as amended by Ordinance No. 11,065 passed September 21, 1987, the City Council designated the entire area within the corporate boundaries of the City of Des Moines as established on July 7, 1987, as the City-wide Urban Revitalization Area; and,

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(6) of the Act, approving the Urban Revitalization Plan for the City-wide Urban Revitalization Area, which plan (the "original City-wide Plan") was repeatedly amended; and,

WHEREAS, on June 16, 1997, by Roll Call No. 97-2126, the City Council approved and adopted the Twenty-first Amendment to the original City-wide Plan, which adopted a restated plan which incorporated all prior amendments to the original City-wide Plan; and,

WHEREAS, on December 5, 2011, by Roll Call No. 11-2085, the City Council approved and adopted the 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans which consolidated all of the City of Des Moines, as it then existed and as thereafter expanded by future annexations, into the City-wide Urban Revitalization Area and approved the Second Restated Urban Revitalization Plan as a completed and restated urban revitalization plan for the City-wide Urban Revitalization Area; and,

WHEREAS, the purpose of the First Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "First Amendment") is to designate the Riverpoint West Area bounded by SW 9th Street on the east, Martin Luther King Jr. Parkway on the north, and the Raccoon River on the south and west as a new subarea within the Downtown Overlay District wherein the value added by qualifying improvements to real estate assessed as commercial property may qualify for a temporary exemption from taxation under the 3-year 100% tax abatement schedule or a new 5-year declining tax abatement schedule; and,

Date December 3, 2012

WHEREAS, on November 5, 2012, by Roll Call No. 12-1700, the City Council scheduled a public hearing on the proposed First Amendment to be held at 5:00 p.m., on December 3, 2012, in the City Council Chambers; and,

WHEREAS, public notice of the hearing was published in the Des Moines Register on November 15, 2012; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said First Amendment have been given the opportunity to be heard; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The public hearing on the proposed First Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and all objections to the proposed First Amendment are hereby overruled.
2. The proposed First Amendment is hereby found to be in conformance with the Des Moines 2020 Community Character Plan.
3. The First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, attached hereto as Exhibit A, is hereby approved and adopted.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown  
 Assistant City Attorney  
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk