



Date December 17, 2012

RESOLUTION CLOSING HEARING ON PETITION TO ESTABLISH THE
INGERSOLL GRAND SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT
AND APPROVING SAME

WHEREAS, on November 5, 2012, by Roll Call No. 12-1719, the City Council received a *Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District*, and referred the Petition to the City Plan and Zoning Commission for preparation of a report on the merit and feasibility of the proposed project and improvements as required by Iowa Code Chapter 386; and,

WHEREAS, the purposed of the proposed Ingersoll Grand Self-Supported Municipal Improvement District is to provide enhanced improvement and services within the district, all as more specifically described in the *Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District* which is on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, the City Plan and Zoning Commission considered the proposed project and improvements at a public hearing on November 15, 2012, and the City Council received the final report and recommendation of the Commission on November 19, 2012, by Roll Call No. 12-1805.

WHEREAS, on November 19, 2012, by Roll Call No. 12-1806, it was duly resolved by the City Council that the *Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District* be set down for public hearing on December 17, 2012, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, notice of said hearing was published as provided by law in the Des Moines Register on November 29, 2012, as provided by law, setting forth the time and place for hearing on said Petition; and,

WHEREAS, notice of said hearing was also given by mailing notice by certified mail on November 29, 2012, to each owner of property within the proposed district at the owner's address as shown by the records of the county auditor, all as specified in Section 386.3(4) of the Iowa Code; and,

WHEREAS, in accordance with said notices those interested in the Petition, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; NOW THEREFORE,

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

Date December 17, 2012

1. The City Council hereby makes the following findings regarding the sufficiency of the *Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District*:
 - a) The Petition contains the signatures of at least 25% of all owners of property within the proposed district which together represent ownership of property with an assessed value of at least 25% of all property in the proposed district, after removal of the Excluded Properties identified below.
 - b) The Petition contains a description of the boundaries of the proposed district, and such property is wholly within the boundaries of the City of Des Moines and is zoned for commercial use. The boundaries include portions of six parcels that should be removed from the district either because the boundary line runs through a building or only a small portion of the parcel is commercially zoned. The affected parcels, herein referred to as the "Excluded Parcels" are: 2515 Forest Drive; 516 28th Street; 3333 Grand Avenue; 3663 Grand Avenue; 3829 Grand Avenue; and District/Parcel No. 090/07279-084-0001.
 - c) The Petition identifies the name of the proposed district as the "Ingersoll Grand Self-Supported Municipal Improvement District".
 - d) The Petition identifies that the purpose of the District is as follows:
 - 1) To undertake the acquisition, construction, installation, operation, maintenance and repair within the public rights-of-way of Ingersoll and Grand Avenues within the District of 'improvements' as defined in the Act, consisting of improved sidewalks, curbs and cross-walks, landscaping, planters, decorative lighting, utility relocation, traffic signals, and related pedestrian improvements (hereinafter collectively referred to as the "Improvements"); and,
 - 2) To undertake the administration and provision of numerous services within the District (hereinafter collectively referred to as the "Services"), all as more specifically described in the Petition.
 - e) The Petition further provides for the annual levy of a Combined Capital Improvement and Operation Tax, and allows for the annual levy of a Debt Service Tax to be used to fund the Improvements and Services within the District.
 - f) The Petition further provides that the Combined Capital Improvement and Operation Tax and the Debt Service Tax shall not exceed an aggregated amount of \$2.25 per thousand dollars of taxable value of the property within the district in any one year, in addition to all other taxes.
 - g) The Petition identifies that the Debt Service Tax and the Combined Capital Improvement and Operation Tax may be levied for an initial period of twenty (20) years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2013, and that the City of Des Moines may renew the levy for subsequent five (5) year periods unless a petition containing the signatures of at least forty percent of all owners of property within the District or signatures which together represent ownership of property with an assessed

(continued)



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Date December 17, 2012

value of forty percent or more of the assessed value of all property within the District, is filed with the City Clerk in opposition to the renewal at least 6 months prior to the expiration of the current period.

- 2. The City Council further finds that the installation, operation, maintenance and provision of the Improvements and Services within the District is feasible and would provide substantial benefit to the District and to all the properties therein.
- 3. The Legal Department is hereby authorized and directed to prepare an Ordinance establishing the Ingersoll Grand Self-Supported Municipal Improvement District as proposed in the Petition but without the Excluded Parcels identified above, for consideration by the City Council at the expiration of the thirty (30) day waiting period required by Iowa Code §386.3(6).

(Council Communication No. 12- 620)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

NOTE: Iowa Code §386.3(6) provides that the City must wait at least 30 days after this hearing before it may adopt an ordinance creating the District. Six affirmative votes will be required to adopt that ordinance. I.C. §386.3(7).

Exhibits:

- "A" - Petition to Establish the Ingersoll Grand SSMID
- "1" - Map of the District
- "2" - Boundary Description of the District

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

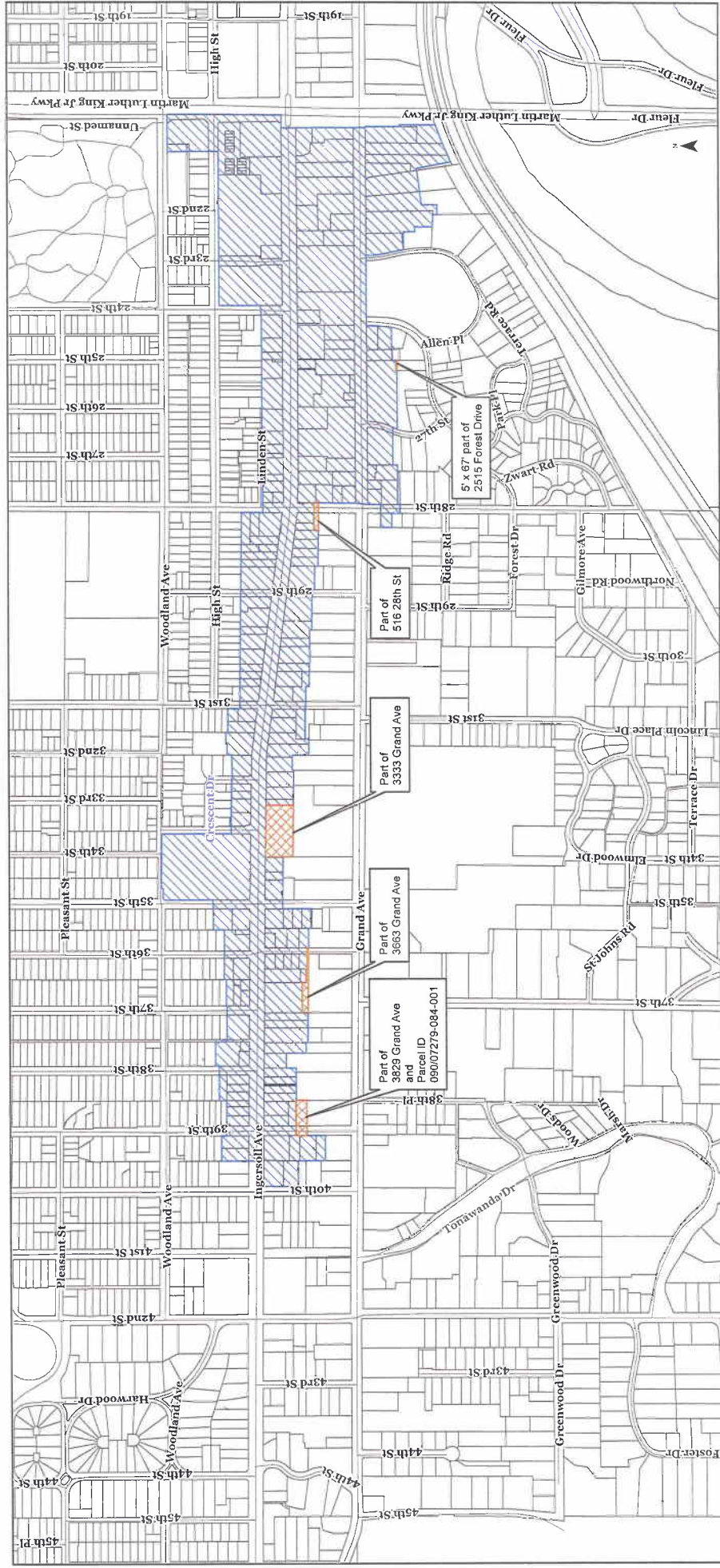
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

Mayor

City Clerk

Ingersoll SSMID Proposed Expansion Boundary 082012 rev.12102012



Map - Proposed Boundary

-  Proposed New SSMID Boundary revised 12102012
-  Areas to be omitted from original Boundary 082012



Map prepared by:
 City of Des Moines
 Community Development Department
 Planning and Urban Design Division
 Date: April 30, 2012

Approved: Month Day, Year
 Revised:

November 16, 2012

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held November 15, 2012, the following action was taken regarding the proposed Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0-1 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes				X
Ted Irvine			X	
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson	X			
CJ Stephens	X			
Vicki Stogdil	X			

APPROVAL of the evaluative report and establishment of the proposed Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the evaluative report and establishment of the proposed Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

STAFF REPORT

I. GENERAL INFORMATION

Property owners have submitted a petition to the City Council seeking to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

II. ADDITIONAL APPLICABLE INFORMATION

Pursuant to Section 386.3 of the Iowa Code, the Plan and Zoning Commission is to prepare an evaluative report for the City Council based on the "merit" and "feasibility" of the proposed Self-Supported Municipal Improvement District (SSMID). The Commission is to make recommendations to the City Council with respect to establishment of the SSMID. Further, the Commission is directed to determine the validity of the petition.

Staff has prepared an evaluative report for the Commission's review and consideration (see attached).

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

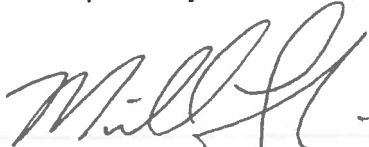
There was no one in the audience to speak in favor or in opposition.

COMMISSION ACTION

Shirley Daniels moved approval of the evaluative report and establishment of the proposed Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

Motion passed 11-0-1. (Ted Irvine abstained)

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

cc: File

Evaluation of Petition to Establish the "Ingersoll Grand Self-Supported Municipal Improvement District" and Recommendation to City Council

Property owners have submitted a petition to the City Council to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). The purposes of the SSMID are:

- To undertake the acquisition, construction, installation, operation, maintenance and repair within the public rights-of-way of Ingersoll and Grand Avenues within the District of 'improvements' as defined in the Act, consisting of improved sidewalks, curbs and cross-walks, landscaping, planters, decorative lighting, utility relocation, traffic signals, and related pedestrian improvements (hereinafter collectively referred to as the "Improvements").
- To undertake the administration and provision of the following services within the District (hereinafter collectively referred to as the "Services"):
 - Enhanced maintenance and cleaning of public spaces.
 - Activities and programs to enhance the safety of persons and property within the District, including establishment of a "Goodwill Ambassador" program.
 - Development and management of activities in support of marketing, business retention and attraction.
 - Capital, physical or other improvements designed to enhance the image and appearance of the District (i.e. seasonal plantings, seasonal decorations).
- Paying the administrative expenses for the provision of the Improvements and Services identified above, including but not limited to legal and engineering fees.

The petition states that the levy of taxes for the Ingersoll Grand Self-Supported Municipal Improvement District shall be used by the City in lieu of the levy of any taxes for the existing Ingersoll Avenue Self-Supported Municipal Improvement District. No taxes shall be levied for the Ingersoll Grand Self-Supported Municipal Improvement District in any fiscal year in which taxes are levied for the Ingersoll Self-Supported Municipal Improvement District.

The petition states that an "Ingersoll Grand Self-Supported Municipal Improvement District Combined Capital Improvement and Operation Fund" shall be established and the City Council shall be authorized to levy a Combined Capital Improvement and Operation Tax annual tax against all property within the District (but excluding any property assessed as residential property for property tax purposes which is not within a designated historic district). In the use of the proceeds of the Combined Capital Improvement and Operation Tax, priority shall be given to the payment of, or reimbursement of the City for the payment of, the incremental costs incurred by the City for the operation, maintenance and repair of the Improvements, above the costs the City would otherwise have incurred for the operation, maintenance and repair of standard sidewalks and streetscape improvements. All proceeds of the Combined Capital Improvement and Operation Tax shall be expended for those purposes identified in the petition, and the City shall not diminish the type and extent of governmental services described in this Petition that existed at the time the District was established.

The petition states that the City Council shall also be authorized to levy a debt service tax to be known as the "Ingersoll Grand Self-Supported Municipal Improvement District Debt Service Tax". Self-supported municipal improvement district bonds may be issued and sold at public or private sale to be used to pay any or all of the costs of the construction and installation of the Improvements described, or may be used to pay any legal indebtedness incurred by the City for the cost of such Improvements, including bonds or warrants previously issued to pay the costs of such Improvements, or bonds may be exchanged for the evidences of such legal indebtedness. Whenever any such bonds are issued and outstanding, the City shall establish a debt service fund to be known as the "Ingersoll Grand Municipal Improvement District Debt Service Fund", and shall annually levy the Debt Service Tax against all of the property in the district (but excluding any property assessed as residential property for property tax purposes which is not within a designated historic district) in the amount necessary to pay interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all such self-supported municipal improvement district bonds issued by the City.

The petition states that the aggregate rate of the Ingersoll Grand SSMID Debt Service Tax and the Ingersoll Grand SSMID Combined Capital Improvement and Operation Tax to be levied annually shall not exceed \$2.25 per thousand dollars (\$1,000) of taxable value of the property within the District in any one year, in addition to all other taxes. The Debt Service Tax and the Combined Capital Improvement and Operation Tax may be levied for an initial period of twenty (20) years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2013. The City of Des Moines may renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax for subsequent five (5) year periods unless a petition in opposition to the renewal and containing the signatures of at least forty percent of all owners of property within the District or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the District, is filed with the City Clerk at least 6 months prior to the expiration of the current period. The City of Des Moines shall not renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax if such a petition is timely received.

The petition allows the City to designate an organization to serve as the Ingersoll Grand Self-Supported Municipal Improvement District Advisory Board (hereinafter referred to as the ("SSMID Board"). To be designated as the SSMID Board, the organization must be representative of the property owners and businesses within the District, and agree to submit to the City Council no later than October 1st of each year, a proposed budget for the District showing, in general terms, proposed expenditures from the Combined Capital Improvement and Operation Fund and any other funds available for such purposes, for the fiscal year beginning on the next July 1. The proposed budget shall respect the priorities identified above. Any proposal to acquire, construct or install improvements to be financed with the proceeds of bonds payable from the Debt Service Tax shall be submitted to the SSMID Board for its report and recommendation at least 30 days prior to the date of the public hearing before the City Council of the City Council where the issuance of such bonds is considered for approval.

The City may enter into an operating agreement with the SSMID Board with respect to managing and undertaking the services, improvements, activities and programs described in this Petition, to be funded from the use of any available funds in the Ingersoll Grand SSMID Combined Capital Improvement and Operation Fund, any City funds designated for such purposes in the Capital Improvement Program, and any other funds available for such purposes.

Notwithstanding the fact that the District is located within the boundaries of a Urban Renewal Tax Increment Financing District which has been created by the City, an amount of funds which would be derived from the annual levy of the Combined Capital Improvement and Operation Tax against Property within the District if the District were not located within such Tax Increment Finance District shall be

made available annually for the those purposes identified in the petition, and that the City should take all actions necessary to accomplish this intent, including, if necessary, allocation to these purposes of a portion of the incremental property taxes which are attributable to properties within the District, but only to the extent permitted by applicable law. The petitioners also represent and warrant to the City Council that the continuation of the District and the undertaking of the Services and Improvements described in the petition are considered essential to the petitioners' efforts to create new jobs and income in the City and to retain jobs and income in the City that would otherwise be lost.

Finally, is the further intent of the petition that the City take no action which would make it impossible or illegal for the SSMID Board to receive voluntary contributions from tax exempt properties within the District or from any other properties which may benefit from or contract for services from the SSMID Board.

Plan and Zoning Commission Role

The City Council has referred the petition to the Plan and Zoning Commission in accordance with Section 386.3 of the Iowa Code. The Plan and Zoning Commission is to prepare an evaluative report for the City Council addressing the "merit" and "feasibility" of the proposed District. Further, it would be appropriate for the Commission to make a recommendation on the validity of the petition. After the Plan and Zoning Commission has evaluated the petition, the City Council will set a time and place for the public hearing at which the City Council will consider the establishment of the District. If the City Council decides that it is appropriate to establish the District, the City Council must wait another 30 days after that hearing before it may adopt an ordinance establishing the District.

Validity of the Petition

The petition submitted to the City Council and referred to the Plan and Zoning Commission has been evaluated for the following:

1. The SSMID District meets all the criteria set forth in Section 386.3(1) of the Iowa Code including:
 - a. The SSMID is comprised of contiguous property wholly within the boundaries of the City. The entire District is zoned for commercial uses or in a duly designated historic district.
 - b. The SSMID has been given a descriptive name: "Ingersoll Grand Self-Supported Municipal Improvement District."
 - c. The property in the District is generally comprised of properties adjoining Ingersoll Avenue from MLK Jr. Parkway to 40th Street; properties adjoining Grand Avenue from MLK Jr. Parkway to 28th Street ; and properties adjoining the west side of MLK Jr. Parkway from Woodland Avenue to the Raccoon River. Properties within the District are zoned NPC, Neighborhood Pedestrian Commercial District; C-2, General Retail and Highway-Oriented Commercial District; C-1, Neighborhood Retail Commercial District and R-4 Multiple Family Residential District (within a Owls Head Local Historic District). The current uses and intended future uses of the property in the District include a variety of retail shopping, office and multiple-family residential uses. The Des Moines 2020 Community Character Plan designates the entire district as a Pedestrian-Oriented Commercial Corridor and recommends that such corridors have a well designed, human scale streetscape that provides compatibility and continuity along the street and

enhances the neighborhood image. Accordingly, the property in the District is similarly related so that the present and potential use or enjoyment of the property is benefited by the condition, performance of administration, redevelopment, revitalization and maintenance of the District. Further, the owners of property in the District have a present and potential benefit from the condition, performance of administration, redevelopment, revitalization and maintenance of the District.

2. The petition contains signatures from more than 25% of all owners of property within the proposed District. As of November 9, 2012, the petition has been signed by 29.4% of all owners of property within the district (52 of 177 owners) representing ownership of 33.9% of all parcels within the district (76 of 224 parcels). The signatures also represent ownership of property with an assessed value of 25% or more of the assessed value of all of the property in the District. As of November 9, 2012, the signatures represent ownership of property with an assessed value of 46.7% of the assessed value of all property in the District (\$48,352,300 of \$103,557,250). Additional petitions have been submitted that were signed by the contract purchaser rather than current titleholder.
3. The petition provides a valid map and legal description for the boundaries of the proposed Ingersoll Grand SSMID District.
4. The proposed SSMID boundary incorporates the boundary of the existing Ingersoll SSMID district. The petition states that the levy of taxes for the Ingersoll Grand Self-Supported Municipal Improvement District shall be used by the City in lieu of the levy of any taxes for the existing Ingersoll Avenue Self-Supported Municipal Improvement District. No taxes shall be levied for the Ingersoll Grand Self-Supported Municipal Improvement District in any fiscal year in which taxes are levied for the Ingersoll Self-Supported Municipal Improvement District.
5. The petition states that the aggregate rate of the Ingersoll Grand SSMID Debt Service Tax and the Ingersoll Grand SSMID Combined Capital Improvement and Operation Tax to be levied annually shall not exceed \$2.25 per thousand dollars (\$1,000) of taxable value of the property within the District in any one year, in addition to all other taxes. The Debt Service Tax and the Combined Capital Improvement and Operation Tax may be levied for an initial period of twenty (20) years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2013. The City of Des Moines may renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax for subsequent five (5) year periods unless a petition in opposition to the renewal and containing the signatures of at least forty percent of all owners of property within the District or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the District, is filed with the City Clerk at least 6 months prior to the expiration of the current period. The City of Des Moines shall not renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax if such a petition is timely received.
6. The petition specifically states the purpose, intent and eligible activities of the proposed SSMID district. In use of the proceeds of the Combined Capital Improvement and Operation Tax, priority shall be given to the payment of, or reimbursement of the City for the payment

of, the incremental costs incurred by the City for the operation, maintenance and repair of the improvements, above the costs the City would otherwise have incurred for the operation, maintenance and repair of standard sidewalks and streetscape improvements. Whenever SSMID bonds are issued and outstanding, the City shall establish a debt service fund in the amount necessary to pay interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all such self-supported municipal improvement district bonds issued by the City.

7. The SSMID District is located within the Ingersoll Grand Commercial Urban Renewal Area which utilizes Tax Increment Financing ("TIF"). Any TIF allocated to the urban renewal area will include a portion of the SSMID levy on any increase in taxable values within the SSMID district, resulting in a loss of funds available for the undertakings authorized by the SSMID petition. The petition provides that the City shall, to the extent permitted by law, offset this loss of SSMID funds by the allocation of other City funds for undertakings authorized by the SSMID Petition. On November 5, 2012, by Roll Call No. 12-1720, the City Council declared its intention to comply with this requirement.
8. The activities identified in the purposes of the SSMID, further the objectives of the Des Moines 2020 Community Character Plan by assisting with the development of a well-designed, human scale streetscape that provides compatibility and continuity along the street and enhances the neighborhood image.

Feasibility of the Project

In fiscal year 2013/14 through 2032/33 the maximum aggregate total Debt Service Tax levy and Combined Capital Improvement and Operation Tax levy of \$2.25/\$1000 of taxable assessed value allowed by the petition would generate revenues of approximately \$207,000 annually based on current assessed values. The actual levy will be set annually by the City Council. Once the Ingersoll Grand SSMID Board is established, it will be charged with recommending a budget to the City Council for all future fiscal years.

The Ingersoll Grand SSMID Debt Service Fund and the Ingersoll Grand SSMID Capital Improvement and Operation Fund may be combined with City funds designated in the Capital Improvement Program of the City for such purposes and any other available funds to pay the anticipated costs and other expenses for the SSMID activities and services in the District.

Recommendation

The petition to establish the "Ingersoll Grand Self-Supported Municipal Improvement District" meets the criteria as outlined in Chapter 386 of the Iowa Code for such districts. The petition is valid and the Ingersoll Grand SSMID has merit and is feasible. The Plan and Zoning Commission forwards this report to City Council on November 19, 2012, at which time the City Council may set the date of public hearing for December 17, 2012 to consider establishment of the District.

**PETITION TO ESTABLISH THE
INGERSOLL GRAND
SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT**

TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL
OF THE CITY OF DES MOINES, IOWA:

We, the undersigned, being owners of property within the City of Des Moines, Iowa (the "City"), and within the self-supported municipal improvement district proposed by this petition, hereby petition the Mayor and City Council of the City of Des Moines, Iowa, pursuant to the provisions of Chapter 386 of the 2011 Code of Iowa, as amended (the "Act"), to establish a self-supported municipal improvement district in accordance with the Act in the City of Des Moines, Polk County, Iowa, subject to the following provisions and limitations:

1. The name of which shall be the "Ingersoll Grand Self-Supported Municipal Improvement District" (hereinafter referred to as the "District").
2. The boundaries of the District shall be as shown on the map attached hereto as Exhibit "1" and described on the attached Exhibit "2". Such parcels are related by present and potential use, physical location and relationship to present and potential commercial activity. However individual parcels may be omitted from the District if such omission does not cause a loss of contiguity for the remaining parcels, and it is determined by the City Council that the inclusion of those parcels is not permitted by the Act or would be detrimental to the purposes of the District.
3. The District shall be created to serve the following purposes:
 - a) To undertake the acquisition, construction, installation, operation, maintenance and repair within the public rights-of-way of Ingersoll and Grand Avenues within the District of 'improvements' as defined in the Act, consisting of improved sidewalks, curbs and cross-walks, landscaping, planters, decorative lighting, utility relocation, traffic signals, and related pedestrian improvements (hereinafter collectively referred to as the "Improvements").
 - b) To undertake the administration and provision of the following services within the District (hereinafter collectively referred to as the "Services"):
 - 1) Enhanced maintenance and cleaning of public spaces, including:
 - Sidewalk sweeping and power wash cleaning;
 - Cleaning public alleys and developed public spaces;
 - Removal of illegal graffiti, signs and stickers from public spaces and improvements; and,
 - Maintenance of trees and seasonal plantings.
 - 2) Activities and programs to enhance the safety of persons and property within the District, including establishment of a "Goodwill Ambassador" program to provide uniformed and unarmed civilians on streets within the District who can provide public information, hospitality service, assistance to persons within the District and cleaning services.
 - 3) Development and management of activities in support of marketing, business retention and attraction, including:
 - Conduct market analyses, business retention surveys and image surveys;

- o Establish databases of information relevant to marketing, business retention and attraction;
 - o Space referrals and assistance;
 - o Business-to-business communications programs;
 - o Business marketing materials;
 - o Miscellaneous business support services;
 - o Marketing activities, including media and advertising campaigns and communication pieces (calendar of events, newsletters, shopping directories, maps, holiday brochures);
 - o Establishment and promotion of special events, festivals, and holiday activities in public spaces; and,
 - o Transportation programs.
- 4) Capital, physical or other improvements designed to enhance the image and appearance of the District, including:
- o Seasonal and holiday decorations;
 - o Signage and banners;
 - o Installation of seasonal plant materials and trees; and,
 - o Transportation infrastructure.
- c) Paying the administrative expenses for the provision of the Improvements and Services identified above, including but not limited to legal and engineering fees.
4. The levy of taxes for the Ingersoll Grand Self-Supported Municipal Improvement District shall be used by the City in lieu of the levy of any taxes for the Ingersoll Avenue Self-Supported Municipal Improvement District. No taxes shall be levied for the Ingersoll Grand Self-Supported Municipal Improvement District in any fiscal year in which taxes are levied for the Ingersoll Self-Supported Municipal Improvement District
5. A combined capital improvement and operation fund shall be established for the District to be known as the "Ingersoll Grand Self-Supported Municipal Improvement District Combined Capital Improvement and Operation Fund" (sometimes herein referred to as the "Combined Capital Improvement and Operation Fund"), and the City Council shall be authorized to levy an annual tax for such fund to be known as the "Ingersoll Grand Self-Supported Municipal Improvement District Combined Capital Improvement and Operation Tax" (sometimes herein referred to as the "Combined Capital Improvement and Operation Tax") upon the property as defined in the Act within the District (but excluding any property assessed as residential property for property tax purposes which is not within a designated historic district) for the purposes described in paragraph 6, below.
6. The proceeds of the Combined Capital Improvement and Operation Tax, City funds designated in the Capital Improvement Program of the City for such purposes, and any other funds available for such purposes, shall be used for the purposes of paying (or reimbursing the City with respect thereto) all or part of the costs incurred in connection with:
- a) The acquisition, construction, installation, operation, maintenance and repair of the Improvements as described above;
 - b) The provision of the Services as described above; and,
 - c) The administrative expenses for the provision of the Improvements and Services;
 - d) Any other expenses reasonably incurred in fulfilling the purposes of the District.
7. In the use of the proceeds of the Combined Capital Improvement and Operation Tax, priority shall be given to the payment of, or reimbursement of the City for the payment of, the incremental costs incurred by the City for the operation, maintenance and repair of the

Improvements, above the costs the City would otherwise have incurred for the operation, maintenance and repair of standard sidewalks and streetscape improvements.

8. The City Council of City shall be authorized to levy a debt service tax to be known as the "Ingersoll Grand Self-Supported Municipal Improvement District Debt Service Tax" (sometimes herein referred to as the "Debt Service Tax"). Self-supported municipal improvement district bonds may be issued and sold at public or private sale to be used to pay any or all of the costs of the construction and installation of the Improvements described in paragraph 3(a), above, or may be used to pay any legal indebtedness incurred by the City for the cost of such Improvements, including bonds or warrants previously issued to pay the costs of such Improvements, or bonds may be exchanged for the evidences of such legal indebtedness. Such bonds shall be payable from the Debt Service Tax. Whenever any such bonds are issued and outstanding, the City shall establish a debt service fund to be known as the "Ingersoll Grand Municipal Improvement District Debt Service Fund (sometimes herein referred to as the "Debt Service Fund"), and shall annually levy the Debt Service Tax against all of the property in the district for the Debt Service Fund in the amount necessary to pay interest as it becomes due and the amount necessary to pay, or to create a sinking fund to pay, the principal at maturity of all such self-supported municipal improvement district bonds issued by the City. However, parcels of property which are assessed as residential property for property tax purposes at the time of the issuance of the bonds are exempt from the Debt Service Tax until the parcels are no longer assessed as residential property or until the residential properties are designated as a part of an historic district.
9. The aggregate rate of the Debt Service Tax and the Combined Capital Improvement and Operation Tax to be levied annually as aforesaid shall not exceed \$2.25 per thousand dollars (\$1,000) of taxable value of the property within the District in any one year, in addition to all other taxes. The Debt Service Tax and the Combined Capital Improvement and Operation Tax may be levied for an initial period of twenty (20) years, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2013. The City of Des Moines may renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax for subsequent five (5) year periods unless a petition in opposition to the renewal and containing the signatures of at least forty percent of all owners of property within the District or signatures which together represent ownership of property with an assessed value of forty percent or more of the assessed value of all property within the District, is filed with the City Clerk at least 6 months prior to the expiration of the current period. The City of Des Moines shall not renew the levy of the Debt Service Tax and the Combined Capital Improvement and Operation Tax if such a petition is timely received.
10. The City may designate an organization to serve as the Ingersoll Grand Self-Supported Municipal Improvement District Advisory Board (hereinafter referred to as the "SSMID Board"). To be designated as the SSMID Board, the organization must be representative of the property owners and businesses within the District, and agree to submit to the City Council no later than October 1st of each year, a proposed budget for the District showing, in general terms, proposed expenditures from the Combined Capital Improvement and Operation Fund and any other funds available for such purposes, for the fiscal year beginning on the next July 1. The proposed budget shall respect the priorities identified in paragraph 7, above. Any proposal to acquire, construct or install Improvements to be financed with the proceeds of bonds payable from the Debt Service Tax shall be submitted to the SSMID Board for its report and recommendation at least 30 days prior to the date of

- the public hearing before the City Council of the City Council where the issuance of such bonds is considered for approval.
11. The City may enter into an operating agreement with the SSMID Board with respect to managing and undertaking the services, improvements, activities and programs described in this Petition, to be funded from the use of any available funds in the Combined Capital Improvement and Operation Fund, any City funds designated for such purposes in the Capital Improvement Program, and any other funds available for such purposes.
 12. It is the intent of this Petition that all proceeds of the Combined Capital Improvement and Operation Tax shall be expended for those purposes identified in paragraph 6, and that the City shall not diminish the type and extent of governmental services described in this Petition that existed at the time the District was established, with the intention of transferring the cost of providing such services from the general fund or the Capital Improvement Program to the Combined Capital Improvement and Operation Fund.
 13. It is the further intent of this Petition that, notwithstanding the fact that the District is located within the boundaries of a Urban Renewal Tax Increment Financing District which has been created by the City, an amount of funds which would be derived from the annual levy of the Combined Capital Improvement and Operation Tax against Property within the District if the District were not located within such Tax Increment Finance District shall be made available annually for the those purposes identified in paragraph 6, and that the City should take all actions necessary to accomplish this intent, including, if necessary, allocation to these purposes of a portion of the incremental property taxes which are attributable to properties within the District, but only to the extent permitted by applicable law. In furtherance of the foregoing, the undersigned petitioners hereby represent and warrant to the City Council that the continuation of the District and the undertaking of the Services and Improvements described herein are considered essential to the petitioners' efforts to create new jobs and income in the City and to retain jobs and income in the City that would otherwise be lost.
 14. It is the further intent of this Petition that the City take no action which would make it impossible or illegal for the SSMID Board to receive voluntary contributions from tax exempt properties within the District or from any other properties which may benefit from or contract for services from the SSMID Board.

SIGNATURE PAGES ATTACHED

Representing at least 25% of all owners of property within the proposed District who together represent ownership of property with an assessed value of at least 25% of the assessed value of all property in the proposed district.

Exhibit "2"

Boundary Description of the Ingersoll Grand Self-Supported Municipal Improvement District

Beginning at a point on the West lot line of Lot 14, Greenwood Park, said point being 182.5 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 182.5 feet North of and parallel with the North Right-of-Way line of Ingersoll Avenue to its intersection with the West Right-of-Way line of 39th Street; thence South along said West Right-of-Way line of 39th Street to a point said point being 150 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 150 feet North of and parallel to the North Right-of-Way line of Ingersoll Avenue to the Southwest Corner of Lot 9, Rhoads Heights, an Official Plat; thence North along the West lot line of said Lot 9, Rhoads Heights to the Northwest Corner of said Lot 9, Rhoads Heights; thence East along the North lot line of Lot 9, Rhoads Heights and continuing East along the Easterly projection of the North lot line of Lot 9, Rhoads Heights to its intersection with the East Right-of-Way line of 38th Street; thence North along said East Right-of-Way line of 38th Street to a point said point being 20 feet North of the South lot line of Lot 20, Rhoads Heights; thence East along a line 20 feet North of and parallel with the South lot line of said Lot 20, Rhoads Heights to the East lot line of said Lot 20, Rhoads Heights; thence South along the East lot lines of Lots 20, 21, Rhoads Heights to its intersection with the Westerly projection of the North lot line of Lot 33, Rhoads Heights; thence East along the said Westerly projection of the North lot line of Lot 33, Rhoads Heights and continuing East along the North lot line of Lot 33, Rhoads Heights and also continuing East along the Easterly projection of the North lot line of Lot 33, Rhoads Heights to its intersection with the East Right-of-Way line of 37th Street; thence North along said East Right-of-Way line of 37th Street to the Northwest Corner of Lot 43, Rhoads Heights; thence East along the North lot line of said Lot 43, Rhoads Heights to its intersection with the West lot line of Lot 16, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of Lot 16, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to the Northwest Corner of said Lot 16, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence East along the North lot line of Lot 16, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. and continuing East along the Easterly projection of the North lot line of Lot 16, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to the Northwest Corner of Lot 6, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence east along the North lot line of Lot 6, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of Lot 28, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of Lot 28, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to

A point said point being 125 feet North of the South lot line of said Lot 28, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence east along a line 125 feet North of and parallel to the South lot line of said Lot 28, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. and continuing East along the Easterly projection of said line 125 feet North of the South lot line of said Lot 28, Official Plat Lot 1, Official Plat Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East Right-of-Way line of 35th Street; thence North along said East Right-of-Way line of 35th Street to a point said point being 20 feet South of the Northwest Corner of Lot 19, Stratford, an Official Plat; thence Northeasterly along a line to a point said point being 10 feet South of and 10 feet East of the Northwest Corner of Lot 19, Stratford; thence East along a line 10 feet South of and parallel to the North lot line of Lot 19, Stratford to a point said point being 80 feet East of the West lot line of Lot 19, Stratford; thence North along a line

80 feet East of and parallel to the West lot line of Lot 19, Stratford to its intersection with the South Right-of-Way line of Woodland Avenue; thence East along said South Right-of-Way line of Woodland Avenue to its intersection with the West Right-of-Way line of 34th Street; thence South along said West Right-of-Way line of 34th Street to its intersection with the Westerly projection of the North lot line of Lot 1, Crescent Place, an Official Plat; thence East along said Westerly projection of the North lot line of Lot 1, Crescent Place and continuing East along the North lot line of Lot 1, Crescent Place to its intersection with the West lot line of Lot 3, Crescent Place; thence South along said West lot line of Lot 3, Crescent Place to a point said point being 60 feet South of the North lot line of said Lot 3, Crescent Place; thence East along a line 60 feet South of and parallel with the North line of said Lot 3, Crescent Place to its intersection with the West Lot line of Lot 12, Block 1, Garver Place, an Official Plat; thence North along said West Lot line of Lot 12, Block 1, Garver Place to a point said point being 60 feet South of the North lot line of said Lot 12, Block 1, Garver Place; thence East along a line 60 feet South and parallel with the North lot line of said Lot 12, Block 1, Garver Place to its intersection with the West lot line of Lot 11, Block 1, Garver Place; thence North along said West lot line of Lot 11, Block 1, Garver Place to a point said point being 56 feet South of the North lot line of said Lot 11, Block 1, Garver Place; thence East along a line 56 feet South of and parallel with the North lot line of said Lot 11, Block 1, Garver Place to its intersection with the East lot line of said Lot 11, Block 1, Garver Place; thence South along said East lot line of Lot 11, Block 1, Garver Place to the Northwest Corner of Lot 10, Block 1, Garver Place; thence East along the North lot line of Lot 10, Block 1, Garver Place and continuing East along the North lot line of Lot 9, Block 1, Garver Place to its intersection with the West Right-of-Way line of 31st Street; thence South along said West Right-of-Way line of 31st Street to its intersection with the Westerly projection of the centerline of the Vacated East/West Alley Right-of-Way located in Block 3, McCain Place, an Official Plat; thence East along said Westerly projection of the centerline of the Vacated East/West Alley Right-of-Way located in Block 3, McCain Place and continuing along the centerline of the Vacated East/West Alley Right-of-Way located in Block 3, McCain Place to its intersection with the West Right-of-Way line of 29th Street; thence East along the Westerly projection of the centerline of the Vacated East/West Alley Right-of-Way located in Block 4, McCain Place and continuing along the centerline of the Vacated East/West Alley Right-of-Way located in Block 4, McCain Place to its intersection with the West Right-of-Way line of 28th Street; thence South along said West Right-of-Way line of 28th Street to its intersection with the Westerly projection of the South Right-of-Way line of Linden Street; thence East along said Westerly projection of the South Right-of-Way line of Linden Street and continuing East along the South Right-of-Way line of Linden Street to the Southwest Corner of Lot 57, Ingersoll Place, an Official Plat; thence East along the South lot lines of Lots 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, Ingersoll Place, and continuing East along the Easterly projection of the South lot lines of said Lots 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, Ingersoll Place to the East Right-of-Way line of 24th Street; thence North along said east Right-of-way line of 24th Street to its intersection with the South Right-of-Way Line of High Street; thence East along said South Right-of-Way line of High Street to its intersection with the Southerly projection of the West lot line of Lot 5, Park Place, an Official Plat; thence North along said Southerly projection of the West lot line of Lot 5, Park Place and continuing North along the West lot line of Lot 5, Park Place and also continuing North along the Northerly projection of the West lot line of Lot 5, Park Place to its intersection with the South line of the North 132 feet of Lot 8, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M.; thence continuing North along a line 250 feet West of and parallel to the East lot line of Lot 8, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the North lot line of Lot 8, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M.; thence East along said North lot line Lot 8, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M. and continuing East along the Easterly projection of the North lot line Lot 8, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the North/South Centerline of Section 5, Township 78 North, Range 24 West of the 5th P.M. (also the Centerline of Right-of-Way known as former Harding Road); thence South along said North/South Centerline of Section 5, Township 78 North, Range 24

West of the 5th P.M. (also the Centerline of Right-of-Way known as former Harding Road) to its intersection with the Easterly projection of the North Right-of-Way line of Ingersoll Avenue; thence West along said Easterly projection of the North Right-of-Way line of Ingersoll Avenue and continuing West along the North Right-of-Way line of Ingersoll Avenue to its intersection with the Northerly projection of a line 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M.; thence South along said Northerly projection of a line 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M. and continuing South along a line 100 feet West of and parallel to the East lot line of Lot 9, Official Plat, Southwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M. to the North Right-of-Way line of Grand Avenue; thence Southeasterly to a point on the South Right-of-Way line of Grand Avenue said point being 93 feet West of the East line of Lot 1, Official Plat, Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence South 225 feet along a line 93 feet West of and parallel to the East line of Lot 1, Official Plat, Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence East 18 feet along a line 225 feet South of and parallel to the South Right-of-Way line of Grand Avenue; thence South along a line 75 feet West of the East line of Lot 1, Official Plat, Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. to the North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 1, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence Southwesterly along said North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 1, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. to the East lot line Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence Northwesterly along said East lot line Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 345 feet Southeasterly along said East lot line Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. from the North lot line of said Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence Southwesterly along a line from said point 345 feet Southeasterly along said East lot line Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. from the North lot line of said Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. and its intersection with a point on the Northerly extension of the East lot line of Lot 6, The Polk and Hubbell Park, an Official Plat said point being 65.73 feet North of the North lot line of said Lot 6, The Polk and Hubbell Park to a point on said line Southwesterly from point 345 feet Southeasterly along said East lot line Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. from the North lot line of said Lot 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. and its intersection with a point on the Northerly extension of the East lot line of Lot 6, The Polk and Hubbell Park, an Official Plat point being 65.73 feet North of the North lot line of said Lot 6, The Polk and Hubbell Park said point being 40 feet East of and parallel with the East lot line of Lot 2, August Home Plat 1, an Official Plat; thence South along a line 40 feet East of and parallel with the East lot line of Lot 2, August Home Plat 1 and continuing South along the Southerly extension of said line 40 feet East of and parallel with the East lot line of Lot 2, August Home Plat 1 to its intersection with a point 66.75 feet East of the East lot line of Lot 6, the Polk and Hubbell Park along a line extending Easterly from a point on the East lot line of Lot 6, The Polk and Hubbell Park 25.50 feet South of the North lot line of Lot 6, The Polk and Hubbell Park to a point on the East lot line of Lot 3, August Home Plat 1 154.14 feet North of the Southeast corner of Lot 3, August Home Plat 1; thence West along a line 476.25 feet South of and parallel with the North lot line of Lot 3, August Home Plat 1 to its intersection with the West lot line of Lot 3, August Home Plat 1; thence North along said West lot line of Lot 3, August Home Plat 1 to its intersection with the South lot line of Lot 2, August Home Plat 1; thence Northwesterly along said South line of Lot 2, August Home Plat 1 to the Southeasterly most Corner of Lot 1, August Home Plat 1; thence North/West/North along the East Lot line of Lot 1, August Home Plat 1 to North lot line of Lot 1, August Home Plat 1; thence West along said North lot line of Lot 1, August Home Plat 1 to the East Right-of-Way line of Terrace Road; thence North along said East Right-of-Way of Terrace Road

to the South Right-of-Way line of Grand Avenue; thence West along said South Right-of-Way line of Grand Avenue to the West Right-of-Way line of Forest Drive; thence South along the West Right-of-Way line of Forest Drive to the Southeast Corner of Lot 2 Cummins Replat, an Official Plat; thence West along the South lot line of said Lot 2, Cummins Replat to the Southwest corner of said Lot 2, Cummins Replat; thence continuing Westerly along the South lot line of Lot 7, Cummins Replat to its intersection with the East lot line of Lot 71, The Polk & Hubbell Park, an Official Plat; thence South along said East lot line of Lot 71, The Polk & Hubbell Park to the Southeast corner of said Lot 71, The Polk & Hubbell Park; thence West along the South lot lines of Lots 71,70,69 and 68, The Polk & Hubbell Park to the East Right-of-Way line of 27th Street; thence North along said East Right-of-Way line of 27th Street to its intersection with the Easterly projection of the South lot line of Lot 6, J.S. Polk's Subdivision, an Official Plat; thence West along said Easterly projection of the South lot line of Lot 6, J.S. Polk's Subdivision and continuing West along said South lot lines of Lot 6, 5, and 4, J.S. Polk's Subdivision to its intersection with the East lot line of Lot 3, J.S. Polk's Subdivision; thence South along said East lot line of Lot 3, J.S. Polk's Subdivision to the Southeast corner of said Lot 3, J.S. Polk's Subdivision; thence West along the South lot lines of said Lots 3, 2 and 1, J.S. Polk's Subdivision and continuing West along the Westerly extension of said South lot lines of said Lots 3, 2 and 1, J.S. Polk's Subdivision to its intersection with the West Right-of-Way line of 28th Street; thence North along said West Right-of-Way line of 28th Street to a point said point being 160 feet South of the North lot line of Lot 1, Owls Head, an Official Plat; thence West along a line 160 feet South of and parallel with the North lot line of Lot 1, Owls Head to its intersection with the West lot line of Lot 1, Owls Head; thence North along said West lot line of Lot 1, Owls Head to a point said point being 85 feet South of the North lot line of Lot 1, Owls Head; thence East along a line 85 feet South of and parallel with the North lot line of Lot 1, Owls Head and the Easterly extension of said line to its intersection with the East Right-of-Way line of 28th Street; thence North along the East Right-of-Way line of 28th Street to the Northwest corner of Lot 1, J.S. Polk's Subdivision; thence Northeasterly along a line from said Northwest corner of Lot 1, J.S. Polk's Subdivision to the Southwest corner of Lot 19, Official Plat of the Southwest $\frac{1}{4}$ of Section 5, Township 78 North, Range 24 West of the 5th P.M.; thence North along the East Right-of-Way line of 28th Street to its intersection with the Easterly extension of the South lot line of Lot 19, Sears Place, an Official Plat; thence West along said Easterly extension of the South lot line of Lot 19, Sears Place and continuing West along the South lot line of said Lot 19, Sears Place and continuing West along the South lot lines of Lots 3, 4, 5, and 6, Sears Place to the Southwest corner of said Lot 6, Sears Place; thence North along the West lot line of said Lot 6, Sears Place to the Southeast corner of Lot 9, Sears Place; thence West along the South line of said Lot 9, Sears Place to its intersection with the East Right-of-Way line of 29th Street; thence North along said East Right-of-Way line of 29th Street to its intersection with the Easterly extension of the South lot line of Lot 9, Parriott Place, an Official Plat; thence West along said Easterly extension of the South lot line of Lot 9, Parriott Place, and continuing West along said South lot line of said Lot 9, Parriott Place and the South lot line of Lot 8, Parriott Place to the Southwest corner of said Lot 8, Parriott Place; thence North along the West lot line of said Lot 8, Parriott Place to the Southeast corner of Lot 7, Parriott Place; thence West along the South lot line of said Lot 7, Parriott Place and continuing West along the South lot lines of Lots 6, 5, 4, and 3 to the Southwest corner of said Lot 3, Parriott Place; thence North along the West lot line of said Lot 3, Parriott Place to a point, said point being 3 foot North of the Southwest corner of said Lot 3, Parriott Place; thence West along a line 303 feet North of and parallel with the South lot line of Lot 2, Parriott Place to its intersection with the West lot line of said Lot 2, Parriott Place; thence North along said West lot line of Lot 2, Parriott Place to a point, said point being 323 feet North of said South lot line of Lot 2, Parriott Place; thence West along a line North of and parallel with the South lot line of Lot 1, Parriott Place to the West lot line of said Lot 1, Parriott Place and continuing West along the Westerly extension of said line being 323 feet North of and parallel with the South lot line of said Lot 1, Parriott Place to its intersection with the West Right-of-Way line of 31st Street; thence North along said West Right-of-Way line of 31st Street to the Southeast corner of Lot 6, Block 2, Garver Place; thence West along the South lot line of said Lot 6, Block 2, Garver Place to its intersection with the East lot line of Lot 4, Block 2,

Garver Place; thence South along the East lot line of said Lot 4, Block 2, Garver Place to its intersection with the South lot line of said Lot 4, Block 2, Garver Place; thence West along said South lot line of Lot 4, Block 2, Garver Place and continuing West along the South lot line of Lot 5, Block 2, Garver Place to its intersection with the East lot line of Lot 1, Stratford, an Official Plat; thence North along said East lot line of Lot 1, Stratford to a point said point being 175 feet South of the North lot line of Lot 1, Stratford; thence West along a line 175 feet South of and parallel with the North lot line of Lot 1, Stratford to its intersection with the East lot line of Lot 2, Stratford; thence South along said East lot line of Lot 2, Stratford to a point said point being 184 feet South of the North lot line of said Lot 2, Stratford; thence West along a line 184 feet South of and parallel with the North lot line of said Lot 2, Stratford and continuing West along a line 184 feet South of and parallel with the North lot lines of Lots 3, and 6, Stratford to its intersection with the East lot line of Lot 7, Stratford; thence North along said East lot line of Lot 7, Stratford to the Southeast corner of Lot 15, Stratford; thence West along the South lot line of said Lot 15, Stratford and continuing West along the South lot line of Lot 13, Stratford and the Westerly extension of said South lot line of Lot 13, Stratford to its intersection with the West Right-of-Way line of 35th Street; thence South along said West Right-of-Way line of 35th Street to the Southeast corner of Lot 32, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M., an Official Plat; thence West along the South lot line of said Lot 32, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of Lot 32, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of Lot 32, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 15 feet North of the Southwest corner of said Lot 32, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 294 feet South of and parallel with the North lot line of Lot 29, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. and continuing West along the Westerly extension of said line 294 feet South of and parallel to the North lot line of Lot 29, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West Right-of-Way line of 36th Street; thence North along said West Right-of-Way line of 36th Street to a point said point being 292 feet South of the North lot line of Lot 28, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 292 feet South of and parallel with said North lot line of Lot 28, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. and continuing West along a line 292 feet South of and parallel with the North lot lines of Lots 27, 26, and 25, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the Southeast corner of Lot 24, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along the South lot line of said Lot 24, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. and continuing West along a line 292 feet South of and parallel with the North lot line of Lot 22, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the Southeast corner of Lot 21, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along the South lot line of said Lot 21, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of said Lot 21, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of Lot 21, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 282 feet South of the North lot line of said Lot 21, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 282 feet South of and parallel with the North lot line of Lot 19, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of said Lot 19, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.;

thence North along said West lot line of Lot 19, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 150 feet South of the North lot line of said Lot 19, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 150 South of and parallel with the North lot line of Lot 18, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to the East lot line of Lot 17, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East lot line of Lot 17, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 215.25 feet South of the North lot line of said Lot 17, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 215.25 feet South of and parallel with said North lot line of Lot 17, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to the East lot line of Lot 13, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East lot line of Lot 13, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to the Northeast corner of Lot 14, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M.; thence West along the North lot line of said Lot 14, OP of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 6, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East lot line of Lot 16, Greenwood Park, thence South along said East lot line of Lot 16, Greenwood Park to a point said point being 300 feet North of the South lot line of said Lot 16, Greenwood Park; thence West along a line 300 feet North of and parallel with the South lot line of Lot 16, Greenwood Park and continuing West along the Westerly extension of a line 300 feet North of and parallel with the South lot line of Lot 16, Greenwood Park to its intersection with the West Right-of-Way line of 39th Street; thence South along said West Right-of-Way line of 39th Street to a point said point being 171 feet North of the South lot line of Lot 13, Greenwood Park; thence West along a line 171 North of and parallel with the South lot line of Lot 13, Greenwood Park to its intersection with the East lot line of Lot 12, Greenwood Park; thence North along said East lot line of Lot 12, Greenwood Park to a point said point being 350 North of the South lot line of Lot 12, Greenwood Park; thence West along a line 350 North of and parallel with the South lot line of Lot 12, Greenwood Park to its intersection with the East Right-of-Way line of 40th Street; thence North along said East Right-of-Way line of 40th Street to its intersection with the South Right-of-Way line of Ingersoll Avenue; thence East along said South Right-of-Way line of Ingersoll Avenue to its intersection with the Southerly extension of the West lot line of Lot 14, Greenwood Park; thence North along said Southerly extension of the West lot line of Lot 14, Greenwood Park and continuing North along the West lot line of Lot 14, Greenwood Park to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sample Signature Page

Signatures in Support of Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District.

We hereby certify that we have read, or been given the opportunity to read the accompanying Petition to Establish the Ingersoll Grand Self-Supported Municipal Improvement District, and we hereby join in such petition. We do hereby further certify that we are the owners of the properties described below and are shown as owners on the transfer books in the office of the County Auditor. Subject to any ownership limitation set forth, the undersigned have full authority to execute this petition and to commit our property to its terms. Signers on behalf of corporations or companies certify that they hold the corporate or company offices set forth opposite their names and have signed this petition with authorization by the Board of Directors or Members, as appropriate, and have full authority to bind and commit the corporation or company to the terms hereto.

Affected Property:

Address: 3425 Ingersoll Avenue
District/Parcel No.: 090/06475-004-000
Occupant: Dahl's Foods

Owners:

COLE AW DES MOINES (INGERSOLL) IA, LLC

a Delaware limited liability company

By: Cole REIT Advisors III, LLC, a Delaware limited liability company, its Manager

By: _____
Todd J. Weiss, Senior Vice President

Date: _____