



Roll Call Number

Agenda Item Number

58A

Date November 4, 2019

An Ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 15,119, ENTITLED: 'AN ORDINANCE providing that general property taxes levied and collected each year on all property located within the Ingersoll-Grand Commercial Urban Renewal Area in the City of Des Moines, County of Polk, State of Iowa, by and for the benefit of the State of Iowa, City of Des Moines, County of Polk, Des Moines Independent Community School District, Des Moines Area Community College, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City of Des Moines in connection with the Urban Renewal Project for such Area'",

presented.

MOVED by that this ordinance be considered and given first vote for passage.

FORM APPROVED:

Roger K Brown

Roger K. Brown
Assistant City Attorney

(First of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 15,119, ENTITLED:

"AN ORDINANCE providing that general property taxes levied and collected each year on all property located within the Ingersoll-Grand Commercial Urban Renewal Area in the City of Des Moines, County of Polk, State of Iowa, by and for the benefit of the State of Iowa, City of Des Moines, County of Polk, Des Moines Independent Community School District, Des Moines Area Community College, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City of Des Moines in connection with the Urban Renewal Project for such Area."

WHEREAS, on July 9, 2012, by Resolution and Roll Call No. 12-1113, the City Council of the City of Des Moines, Iowa, after public notice and hearing as prescribed by law, adopted an urban renewal plan titled "Ingersoll-Grand Commercial Urban Renewal Plan" for an Urban Renewal Project within the Ingersoll-Grand Commercial Urban Renewal Area described as follows:

Ingersoll-Grand Commercial Urban Renewal Area (original area)

Beginning at a point on the West lot line of Lot 16, Mennig Place, an Official Plat said point being 305 feet South of the Northwest corner of said Lot 16, Mennig Place; thence North along said West lot line of Lot 16, Mennig Place to its intersection with the South Right-of-Way line of Grand Avenue; thence East along said South Right-of-Way line of Grand Avenue to its intersection with the Southerly projection of the East Right-of-Way line of 43rd Street; thence North along said Southerly projection of the East Right-of-Way line of 43rd Street and continuing North along said East Right-of-Way line of 43rd Street to a point on said East Right-of-Way line of 43rd Street said point being 179 feet North of the South line of Lot 2, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence East along a line 179 feet North of and parallel to said South line of Lot 2, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to its intersection with the West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along said West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 250 feet North of the South lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence East along a line 250 feet North of and parallel to the South lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 53 feet East of said West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along a line 53 feet West of and parallel to the West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1,

Township 78 North, Range 25 West of the 5th P.M. to the Southeast corner of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along the East lot line of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 150 feet South of the Northeast corner of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence west along a line 150 South of and parallel to the North line of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to its intersection with the East Right-of-Way line of 43rd Street; thence North along said East Right-of-Way line of 43rd Street and continuing North along the Northerly projection of said East Right-of-Way line of 43rd Street to its intersection with the North Right-of-Way line of Ingersoll Avenue; thence East along said North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 16, Block A, Gil-Mar Park, an Official Plat; thence North along said West lot line of Lot 16, Block A, Gil-Mar Park to its intersection with the South lot line of West lot line of Lot 2, Block A, Gil-Mar Park; thence Southeasterly along said South lot line of Lot 2, Block A, Gil-Mar Park to a point said point being 24 feet Northwesterly from the Southeast corner of said Lot 2, Block A, Gil-Mar Park; thence North along a line 24 feet West of and parallel to the East lot line of Lot 2, Block A, Gil-Mar Park to its intersection with the South Right-of-Way line of Harwood Drive; thence Southeasterly along said South right-of-Way line of Harwood Drive and continuing Southeasterly along the Southeasterly projection of said South Right-of-Way of Harwood Drive to its intersection with the East Right-of-Way line of 42nd Street; thence North along said East Right-of-Way line of 42nd Street to a point said point being 300 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 300 feet North of and parallel to said North Right-of-Way line of Ingersoll Avenue to its intersection with the West Right-of-Way line of 41st Street; thence South along said West Right-of-Way line of 41st Street to a point said point being 200 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 200 feet North of and parallel to said North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 10, Greenwood Park, an Official Plat; thence South along said West lot line of Lot 10, Greenwood Park to a point said point being 82.5 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 82.5 feet North of and parallel to the North Right-of-Way line of Ingersoll Avenue 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 a point said point being 200 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 200 feet North of and parallel to the North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 14, Greenwood Park; thence North along said West lot line of Lot 14, Greenwood Park to a point said point being 282.5 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 282.5 feet North of and parallel to 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 the Northwest Corner of Lot 19, Rhoads Heights; thence East along the North lot line of Lot 19, Rhoads Heights to the Northeast Corner of Lot 19, Rhoads Heights; thence South along the East lot lines of Lots 19, 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 the Southwest Corner of Lot 27, 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 the West lot line of Lot 27, 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 55 feet North of the Southwest Corner Lot 27, 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 55 feet North of and parallel to the South lot line of Lot 27, 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 55 North of and parallel to the South lot line of Lot 27, 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 a point said point being 54.83 feet West of the Southeast Corner of Lot 2, Crescent Place; thence North along a line 54.83 feet West of parallel to the East lot line of Lot 2, Crescent Place; to a point said point being 36.5 feet North of the South lot line of Lot 2, Crescent Place; thence East along a line 36.5 feet North of and parallel to the South lot line of Lot 2, Crescent Place and continuing East along the Easterly extension of a line 36.5 feet North of and parallel to the South lot line of Lot 2, Crescent Place to its intersection with the West lot line of Lot 3, Crescent Place; thence North along said West lot line of Lot 3, Crescent Place to the Northwest Corner of Lot 3, Crescent Place; thence East along the North lot line of Lot 3, Crescent Place to its intersection with the West Lot line of Lot 12, Block 1, Garver Place; thence North along said West Lot line of Lot 12, Block 1, Garver Place to the Southwest Corner of Lot 1, Block 1, Garver Place; thence North along the West lot line of said Lot 1, Block 1, Garver Place to a point said point being 174 feet North of the South lot line of Lot 1, Block 1, Garver Place; thence East along a line 174 feet North of and parallel to the South lot line of Lot 1, Block 1, Garver Place to its intersection with the East lot line of Lot 1, Block 1, Garver Place; thence South along said East lot line of Lot 1, Block 1, Garver Place and continuing South along the 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 and 58, Ingersoll Place to the Southwest Corner of Lot 59, Ingersoll Place; thence North along the West lot line of Lot 59, Ingersoll Place to a point said point being 195 feet South of the North lot line of Lot 59, Ingersoll Place; thence East along a line 195 feet South of and parallel to the North lot lines of Lots 59

and 60, Ingersoll Place to its intersection with the East lot line of Lot 60, Ingersoll Place; thence South along said East lot line of Lot 60, Ingersoll Place to the Southwest Corner of Lot 61, Ingersoll Place; thence East along the South lot lines of Lots 61, 62, 63, 64, 65, Ingersoll Place to the Southwest Corner of Lot 66, Ingersoll Place; thence North along the West lot line of Lot 66, Ingersoll Place to a point said point being 120 feet South of the North lot line of Lot 66, Ingersoll Place; thence east along a line 120 South of and parallel to the North lot line of Lot 66, Ingersoll Place to its intersection with the West lot line of Lot 67, Ingersoll Place; thence South along said West lot line of Lot 67, Ingersoll Place to a point said point being 124 feet South of the North lot line of Lot 67, Ingersoll Place; thence East along a line 124 feet South of the North lot line of Lot 67, Ingersoll Place to its intersection with the West lot line of Lot 68, Ingersoll Place; thence South along the West lot line of Lot 68, Ingersoll Place to the Southwest Corner of Lot 68, Ingersoll Place; thence East along the South lot lines of Lots 68, 69, and 70, Ingersoll Place and continuing East along the Easterly projection of the South lot lines of said Lots 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 West lot line Lot 1, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence Northwesterly along said West lot 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 Northeasterly Corner of the North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 2, 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 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. to the Southwesterly most Corner of Lot 3, August Home Plat 1, an Official Plat; thence North along West lot line of said 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 Northeast Corner of Lot 6, Cummins Replat; thence Southwesterly along the East lot line of said Lot 6, Cummins Replat to the Northeast Corner of Lot 5, Cummins Replat; thence West along the North lot line of Lot 5, Cummins Replat to a point said point being 15 feet West of the Northeast Corner of Lot 5, Cummins Replat; thence South along a line 73 feet East of and parallel to the West lot lines of Lots 6 and 5, Cummins Replat to the North lot line of Lot 4, Cummins Replat; thence East along said North lot line of Lot 4, Cummins Replat to the East lot line of Lot 4, Cummins Replat; thence South along said East lot line of Lot 4, Cummins Replat to a point said point being 20 feet South of the North lot line of Lot 4, Cummins Replat; thence West along a line 20 feet South of and parallel to the North lot line of Lot 4, Cummins Replat to the East lot line of Lot 34, The Polk & Hubbell Park, an Official Plat; thence North along said East lot line of Lot 34, The Polk & Hubbell Park and continuing North along the East lot line of Lot 71, The Polk & Hubbell Park to a point said point being 5 feet North of the South lot line of said Lot 71, The Polk & Hubbell Park; thence West 67 feet along a line 5 feet North of and parallel to the South lot line of said Lot 71, The Polk & Hubbell Park; thence South along a line 67 feet West of and parallel to the East lot lines of Lots 71 and 34. The Polk & Hubbell Park to the North Right-of-Way line of Forest Drive; thence West along said North Right-of-Way line of Forest Drive to the East lot line of Lot 36, The Polk &

Hubbell Park; thence North along said East lot line of Lot 36, The Polk & Hubbell Park to a point said point being 53.5 feet South of the North lot line of Lot 36, The Polk & Hubbell Park; thence Southwesterly along a line from said point being 53.5 feet South of the North lot line of Lot 36, The Polk & Hubbell Park on the East lot line of Lot 36, The Polk & Hubbell Park to the Southeast Corner of Lot 39, The Polk & Hubbell Park; thence Southwesterly along the South lot line of said Lot 39, 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 7, J.S. Polk's Subdivision, an Official Plat; thence West along said Easterly projection of the South lot line of Lot 7, J.S. Polk's Subdivision and continuing West along said South lot line of Lot 7, J.S. Polk's Subdivision its intersection with the East lot line of Lot 9, J.S. Polk's Subdivision; thence North along said East lot line of Lot 9, J.S. Polk's Subdivision to a point said point being 15 feet South of the North Lot line of said Lot 9, J.S. Polk's Subdivision; thence West along a line 15 feet South of and parallel to the North Lot line of said Lot 9, J.S. Polk's Subdivision and continuing West along a West projection of said line 15 feet South of and parallel to the North Lot line of said Lot 9, J.S. Polk's Subdivision to 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 South of the North lot line of Lot 1, Owls Head, an Official Plat; thence West along a line 160 South of and parallel to the North lot line of Lot 1, Owls Head to its intersection with the East lot line of Lot 2, Owls Head; thence South along said East lot line of Lot 2, Owls Head to the South lot line of said Lot 2, Owls Head; thence West along said South lot lines of Lots 2, 3, 4, and 5, Owls Head to the East lot line of Lot 6, Owls Head; thence North along said East lot line of Lot 6, Owls Head to a point said point being 240 feet South of the North lot line of said Lot 6, Owls Head; thence West along a line 240 feet South of and parallel to said North lot line of Lot 6, Owls Head and continuing West along the Westerly projection of said line 240 feet South of and parallel to said North lot line of Lot 6, Owls Head to the West Right-of-Way line of 29th Street; thence West along a line 240 feet South of and parallel to the North lot line of Lot 1, Langan Place, an Official Plat to its intersection with the East lot line of Lot 9, Langan Place; thence South along said East lot line of Lot 9, Langan Place to a point said point being 500 feet South of the North lot line of Lot 9, Langan Place; thence West along a line 500 feet South of and parallel to the North lot line of Lot 9, Langan Place to its intersection with the East lot line of Lot 11, Langan Place; thence West along a line 61 feet South of and parallel to the North lot line of said Lot 11, Langan Place to its intersection with the East Right-of-Way line of 31st Street; thence West to the Southeast Corner of Lot 13, Langan Place; thence West along the South lot line of Lot 13, Langan Place to its intersection with the East lot line of Lot 4, Pierces Subdivision, an Official Plat; thence South along said East lot line of Lot 4, Pierces Subdivision to its intersection with the South lot line of said Lot 4, Pierces Subdivision; thence West along said South lot line of Lot 4, Pierces Subdivision to its intersection with the East lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision; thence North along said East lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision to a point said point being 280 feet North of the South lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision; thence West along a line 280 feet North of and parallel to the South lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision to the West lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision; thence South along said West lot line of Lot 3, Official Plat Lot 5, Pierces Subdivision to the Northeast Corner of Lot 8, Block A, Lincoln Place

Replat, an Official Plat; thence South along the East lot line of Lot 8, Block A, Lincoln Place Replat to its intersection with the South lot line of Lot 8, Block A, Lincoln Place Replat; thence Northwesterly along said South lot line of Lot 8, Block A, Lincoln Place Replat to its intersection with the West lot line of Lot 8, Block A, Lincoln Place Replat; thence North along said West lot line of Lot 8, Block A, Lincoln Place Replat to its intersection with the South lot line of the East 264 feet of Lot 1, Official Plat Lot 5, Pierces Subdivision; thence West along said South lot line of the East 264 feet of Lot 1, Official Plat Lot 5, Pierces Subdivision to its intersection with the East lot line of Lot 8, Portland Place, an Official Plat; thence North along said East lot line of Lot 8, Portland Place to its intersection with the North lot line of Lot 8, Portland Place; thence West along said North lot line of Lot 8, Portland Place to the East lot line of Lot 4, Portland Place; thence North along the East lot lines of Lot 4 and 3, Portland Place to its intersection with the South lot line of the West 165.66 feet of Lot 1, Official Plat Lot 5, Pierces Subdivision; thence West along said South lot line of the West 165.66 feet of Lot 1, Official Plat Lot 5, Pierces Subdivision to its intersection with the West lot line of Lot 1, Official Plat Lot 5, Pierces Subdivision; thence North along said West lot line of Lot 1, Official Plat Lot 5, Pierces Subdivision to its intersection with North Right-of-Way line of Bolton Drive; thence West along said North Right-of-Way line of Bolton Drive 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 its intersection with the Easterly projection of a line 174 feet North of and parallel to the South lot line of Lot 2, Cowles Place, an Official Plat; thence West along said Easterly projection of a line 174 feet North of and parallel to the South lot line of Lot 2, Cowles Place and continuing West along a line 174 feet North of and parallel to the South lot line of Lot 2, Cowles Place to its intersection with the East lot line of Lot 14, Mason Place, an Official Plat; thence South along said East lot line of Lot 14, Mason Place to a point said point being 55 feet North of the Southeast Corner of Lot 14, Mason Place; thence West along a line 55 feet North of and parallel to the South lot lines of Lots 14, 13, 12, and 11, Mason Place to its intersection with the West lot line of Lot 11, Mason Place; thence North along said West lot line of Lot 11, Mason Place and continuing North along the West lot line of Lot 2, Mason Place to its intersection with the South lot line of Lot 5, Mason Place; thence West along said South lot line of Lot 5, Mason Place to the East Right-of-Way line of 38th Street; thence North along said East Right-of-Way line of 38th Street to its intersection with the Easterly projection of the South lot line of Lot 3, Chamberlain Place, an Official Plat; thence West along said Easterly projection of the South lot line of Lot 3, Chamberlain Place continuing West along the South lot line of Lot 3, Chamberlain Place to its intersection with the East line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 330 feet North of the South line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 330 feet North of and parallel to the South line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East lot line of Lot 3, Official Plat, North $\frac{1}{2}$,

Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the South lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. thence West along said South lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. and continuing West along the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 165 feet West of the East lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along a line 165 feet West of and parallel to the East lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 200 feet North of the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 200 feet North of and parallel to the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along said East lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 77 feet North of the South lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 77 feet North of and parallel to the South lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to the Southeast Corner of Lot 1, Bray Place, an Official Plat; thence Northwesterly along the Southwesterly lot line of said Lot 1, Bray Place to the Southeasterly Corner of Lot 2, Bray Place; thence Southwesterly along the Southeasterly lot line of Lot 2, Bray Place and continuing Southwesterly along a Southwesterly projection of the Southeasterly lot line of Lot 2, Bray Place to its intersection with the Westerly Right-of-Way line of Tonawanda Drive; thence Southeasterly along said Westerly Right-of-Way line of Tonawanda Drive to its intersection with the South lot line of Lot 6, Browns Woods Plat 2, an Official Plat; thence West along said South lot line of Lot 6, Browns Woods Plat 2 to its intersection with the East lot line of Lot 2, Browns Woods Plat 2; thence South along said East lot line of Lot 2, Browns Woods Plat 2 to its intersection with the South lot line of Lot 2, Browns Woods Plat 2; thence West along said South lot line of Lot 2, Browns Woods Plat 2 to its intersection with the East Right-of-Way line of 42nd Street; thence North along said East Right-of-Way line of 42nd Street to its intersection with the Easterly projection of the South lot line of Lot 2, Mennig Place; thence West along said Easterly projection of the South lot line of Lot 2, Mennig Place and continuing West along the South lot line of Lot 2, Mennig Place to its intersection with the West lot line of Lot 2, Mennig Place; thence North along said West lot line of Lot 2, Mennig Place to a point said point being 378 feet South of the North lot line of Lot 15, Mennig Place; thence

West along a line 378 feet South of and parallel to the North lot line of Lot 15, Mennig Place to the East lot line of Lot 16, Mennig Place; thence North along said East lot line of Lot 16, Mennig Place to a point said point being 305 feet South of the North lot line of Lot 16, Mennig Place; thence West along a line 305 feet South of and parallel to the North lot line of Lot 16, Mennig Place to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, by Ordinance No. 15,119, passed July 9, 2012, the City Council of the City of Des Moines, Iowa, provided for the division of revenue from taxes within the Ingersoll-Grand Commercial Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa, as amended; and,

WHEREAS, on November 4, 2019, by Resolution and Roll Call No. 19-_____, the City Council of the City of Des Moines, Iowa, after public notice and hearing as prescribed by law, adopted the Fifth Amendment to the Ingersoll-Grand Commercial Urban Renewal Plan which amended and reduced the size of the Ingersoll-Grand Commercial Urban Renewal Area to be as follows:

*Ingersoll-Grand Commercial Urban Renewal Area
(remaining area after the Fifth Amendment)*

Beginning at a point on the West lot line of Lot 16, Mennig Place, an Official Plat said point being 305 feet South of the Northwest corner of said Lot 16, Mennig Place; thence North along said West lot line of Lot 16, Mennig Place to its intersection with the South Right-of-Way line of Grand Avenue; thence East along said South Right-of-Way line of Grand Avenue to its intersection with the Southerly projection of the East Right-of-Way line of 43rd Street; thence North along said Southerly projection of the East Right-of-Way line of 43rd Street and continuing North along said East Right-of-Way line of 43rd Street to a point on said East Right-of-Way line of 43rd Street said point being 179 feet North of the South line of Lot 2, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence East along a line 179 feet North of and parallel to said South line of Lot 2, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to its intersection with the West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along said West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 250 feet North of the South lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence East along a line 250 feet North of and parallel to the South lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 53 feet East of said West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along a line 53 feet West of and parallel to the West lot line of Lot 1, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to the Southeast corner of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$,

Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence North along the East lot line of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to a point said point being 150 feet South of the Northeast corner of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M.; thence west along a line 150 South of and parallel to the North line of Lot 11, Official Plat of the South $\frac{1}{2}$, Southeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Section 1, Township 78 North, Range 25 West of the 5th P.M. to its intersection with the East Right-of-Way line of 43rd Street; thence North along said East Right-of-Way line of 43rd Street and continuing North along the Northerly projection of said East Right-of-Way line of 43rd Street to its intersection with the North Right-of-Way line of Ingersoll Avenue; thence East along said North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 16, Block A, Gil-Mar Park, an Official Plat; thence North along said West lot line of Lot 16, Block A, Gil-Mar Park to its intersection with the South lot line of West lot line of Lot 2, Block A, Gil-Mar Park; thence Southeasterly along said South lot line of Lot 2, Block A, Gil-Mar Park to a point said point being 24 feet Northwesterly from the Southeast corner of said Lot 2, Block A, Gil-Mar Park; thence North along a line 24 feet West of and parallel to the East lot line of Lot 2, Block A, Gil-Mar Park to its intersection with the South Right-of-Way line of Harwood Drive; thence Southeasterly along said South right-of-Way line of Harwood Drive and continuing Southeasterly along the Southeasterly projection of said South Right-of-Way of Harwood Drive to its intersection with the East Right-of-Way line of 42nd Street; thence North along said East Right-of-Way line of 42nd Street to a point said point being 300 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 300 feet North of and parallel to said North Right-of-Way line of Ingersoll Avenue to its intersection with the West Right-of-Way line of 41st Street; thence South along said West Right-of-Way line of 41st Street to a point said point being 200 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 200 feet North of and parallel to said North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 10, Greenwood Park, an Official Plat; thence South along said West lot line of Lot 10, Greenwood Park to a point said point being 82.5 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 82.5 feet North of and parallel to the North Right-of-Way line of Ingersoll Avenue 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 a point said point being 200 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 200 feet North of and parallel to the North Right-of-Way line of Ingersoll Avenue to its intersection with the West lot line of Lot 14, Greenwood Park; thence North along said West lot line of Lot 14, Greenwood Park to a point said point being 282.5 feet North of the North Right-of-Way line of Ingersoll Avenue; thence East along a line 282.5 feet North of and parallel to 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 the Northwest Corner of Lot 19, Rhoads Heights; thence East along the North lot line of Lot 19, Rhoads Heights to the Northeast Corner of Lot 19, Rhoads Heights; thence South along the East lot lines of Lots 19, 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 the Southwest Corner of Lot 27, 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 the West lot line of Lot 27, 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 55 feet North of the Southwest Corner Lot 27, 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 55 feet North of and parallel to the South lot line of Lot 27, 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 55 North of and parallel to the South lot line of Lot 27, 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 a point said point being 54.83 feet West of the Southeast Corner of Lot 2, Crescent Place; thence North along a line 54.83 feet West of parallel to the East lot line of Lot 2, Crescent Place; to a point said point being 36.5 feet North of the South lot line of Lot 2, Crescent Place; thence East along a line 36.5 feet North of and parallel to the South lot line of Lot 2, Crescent Place and continuing East along the Easterly extension of a line 36.5 feet North of and parallel to the South lot line of Lot 2, Crescent Place to its intersection with the West lot line of Lot 3, Crescent Place; thence North along said West lot line of Lot 3, Crescent Place to the Northwest Corner of Lot 3, Crescent Place; thence East along the North lot line of Lot 3, Crescent Place to its intersection with the West Lot line of Lot 12, Block 1, Garver Place; thence North along said West Lot line of Lot 12, Block 1, Garver Place to the Southwest Corner of Lot 1, Block 1, Garver Place; thence North along the West lot line of said Lot 1, Block 1, Garver Place to a point said point being 174 feet North of the South lot line of Lot 1, Block 1, Garver Place; thence East along a line 174 feet North of and parallel to the South lot line of Lot 1, Block 1, Garver Place to its intersection with the East lot line of Lot 1, Block 1, Garver Place; thence South along said East lot line of Lot 1, Block 1, Garver Place and continuing South along the 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 and 58, Ingersoll Place to the Southwest Corner of Lot 59, Ingersoll Place; thence North along the West lot line of Lot 59, Ingersoll Place to a point said point being 195 feet South of the North lot line of Lot 59, Ingersoll Place; thence East along a line 195 feet South of and parallel to the North lot lines of Lots 59 and 60, Ingersoll Place to its intersection with the East lot line of Lot 60, Ingersoll Place; thence South along said

East lot line of Lot 60, Ingersoll Place to the Southwest Corner of Lot 61, Ingersoll Place; thence East along the South lot lines of Lots 61, 62, 63, 64, 65, Ingersoll Place to the Southwest Corner of Lot 66, Ingersoll Place; thence North along the West lot line of Lot 66, Ingersoll Place to a point said point being 120 feet South of the North lot line of Lot 66, Ingersoll Place; thence east along a line 120 South of and parallel to the North lot line of Lot 66, Ingersoll Place to its intersection with the West lot line of Lot 67, Ingersoll Place; thence South along said West lot line of Lot 67, Ingersoll Place to a point said point being 124 feet South of the North lot line of Lot 67, Ingersoll Place; thence East along a line 124 feet South of the North lot line of Lot 67, Ingersoll Place to its intersection with the West lot line of Lot 68, Ingersoll Place; thence South along the West lot line of Lot 68, Ingersoll Place to the Southwest Corner of Lot 68, Ingersoll Place; thence East along the South lot lines of Lots 68, 69, and 70, Ingersoll Place and continuing East along the Easterly projection of the South lot lines of said Lots 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 17.75 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 West lot line Lot 1, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M.; thence Northwesterly along said West lot 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 Northeasterly Corner of the North Right-of-Way line of the Norfolk and Southern Railroad lying within Lot 2, 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 2, Official Plat Northwest $\frac{1}{4}$, Section 8, Township 78 North, Range 24 West of the 5th P.M. to the Southwesterly most Corner of Lot 3, August Home Plat 1, an Official Plat; thence North along West lot line of said 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 Northeast Corner of Lot 6, Cummins Replat; thence Southwesterly along the East lot line of said Lot 6, Cummins Replat to the Northeast Corner of Lot 5, Cummins Replat; thence West along the North lot line of Lot 5, Cummins Replat to a point said point being 15 feet West of the Northeast Corner of Lot 5, Cummins Replat; thence South along a line 73 feet East of and parallel to the West lot lines of Lots 6 and 5, Cummins Replat to the North lot line of Lot 4, Cummins Replat; thence East along said North lot line of Lot 4, Cummins Replat to the East lot line of Lot 4, Cummins Replat; thence South along said East lot line of Lot 4, Cummins Replat to a point said point being 20 feet South of the North lot line of Lot 4, Cummins Replat; thence West along a line 20 feet South of and parallel to the North lot line of Lot 4, Cummins Replat to the East lot line of Lot 34, The Polk & Hubbell Park, an Official Plat; thence North along said East lot line of Lot 34, The Polk & Hubbell Park and continuing North along the East lot line of Lot 71, The Polk & Hubbell Park to a point said point being 5 feet North of the South lot line of said Lot 71, The Polk & Hubbell Park; thence West 67 feet along a line 5 feet North of and parallel to the South lot line of said Lot 71, The Polk & Hubbell Park; thence South along a line 67 feet West of and parallel to the East lot lines of Lots 71 and 34; The Polk & Hubbell Park to the North Right-of-Way line of Forest Drive; thence West along said North Right-of-Way line of Forest Drive to the East lot line of Lot 36, The Polk & Hubbell Park; thence North along said East lot line of

Lot 36, The Polk & Hubbell Park to a point said point being 53.5 feet South of the North lot line of Lot 36, The Polk & Hubbell Park; thence Southwesterly along a line from said point being 53.5 feet South of the North lot line of Lot 36, The Polk & Hubbell Park on the East lot line of Lot 36, The Polk & Hubbell Park to the Southeast Corner of Lot 39, The Polk & Hubbell Park; thence Southwesterly along the South lot line of said Lot 39, 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 7, J.S. Polk's Subdivision, an Official Plat; thence West along said Easterly projection of the South lot line of Lot 7, J.S. Polk's Subdivision and continuing West along said South lot line of Lot 7, J.S. Polk's Subdivision its intersection with the East lot line of Lot 9, J.S. Polk's Subdivision; thence North along said East lot line of Lot 9, J.S. Polk's Subdivision to a point said point being 15 feet South of the North Lot line of said Lot 9, J.S. Polk's Subdivision; thence West along a line 15 feet South of and parallel to the North Lot line of said Lot 9, J.S. Polk's Subdivision and continuing West along a West projection of said line 15 feet South of and parallel to the North Lot line of said Lot 9, J.S. Polk's Subdivision to 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 South of the North lot line of Lot 1, Owls Head, an Official Plat; thence West along a line 160 South of and parallel to the North lot line of Lot 1, Owls Head to its intersection with the East lot line of Lot 2, Owls Head; thence South along said East lot line of Lot 2, Owls Head to the South lot line of said Lot 2, Owls Head; thence West along said South lot lines of Lots 2, 3, 4, and 5, Owls Head to the East lot line of Lot 6, Owls Head; thence North along said East lot line of Lot 6, Owls Head to a point said point being 240 feet South of the North lot line of said Lot 6, Owls Head; thence West along a line 240 feet South of and parallel to said North lot line of Lot 6, Owls Head and continuing West along the Westerly projection of said line 240 feet South of and parallel to said North lot line of Lot 6, Owls Head to the West Right-of-Way line of 29th Street; thence West along a line 240 feet South of and parallel to the North lot line of Lot 1, Langan Place, an Official Plat to its intersection with the East lot line of Lot 9, Langan Place; thence South along said East lot line of Lot 9, Langan Place to a point said point being 500 feet South of the North lot line of Lot 9, Langan Place; thence West along a line 500 feet South of and parallel to the North lot line of Lot 9, Langan Place to its intersection with the East lot line of Lot 11, Langan Place; thence West along a line 61 feet South of and parallel to the North lot line of said Lot 11, Langan Place to its intersection with the East Right-of-Way line of 31st Street; thence West to the Southeast Corner of Lot 13, Langan Place; thence West along the South lot line of Lot 13, Langan Place to its intersection with the East lot line of Lot 4, Pierces Subdivision, an Official Plat; thence North along the East lot line of said lot 4 to the South Right of Way Line of Grand Avenue; Thence East along said South Right of Way line to the Southerly extension of the West line of Lot 1 in Parriot Place, an Official Plat; Thence North along said Southerly extension to the Southwest corner of said Lot 1, said Southwest Corner being on the North Right-of-Way line of Grand Avenue; thence West along said North Right-of-Way to the East lot line of Lot 22 of the Official Plat of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 78 North, Range 24 West of the 5th P.M., thence North along said East lot line, 292 feet; thence West along a line that is 292 feet North of and parallel with the South lot line of Lots 22 and 20 of said Official Plat of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 78 North, Range 24 West of the 5th P.M., to the West lot line of

said Lot 20; thence North along said West lot line, also being the East lot line of Lot 19 in said Official Plat of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 78 North, Range 24 West of the 5th P.M., to a line that is 300 feet North of and parallel with the South lot line of said Lot 19; thence West along said parallel line to West lot line of said Lot 19; thence South along said West lot line to the said North Right-of-Way line of Grand Avenue; thence West along said North Right-of-Way line to the West Right-of-Way line of 39th Street; thence North along said West Right-of-Way line to the North line of the South 171 feet of Lot 13 of said Greenwood Park; thence West along said North line to the West lot line of said Lot 13; thence South along said West lot line to said North Right-of-Way line; thence West along said North Right-of-Way line to the East line of Lot 9 of said Greenwood Park; thence North along said East line to North line of the South 210 feet of Lots 9 and 8 of said Greenwood Park; thence West along said North line to the West line of the East 23 feet of said Lot 8; thence South along said West line and its Southerly extension to the South Right-of-Way line of Grand Avenue; thence East along said South Right-of-Way line to the West Right-of-Way line of 38th Place; thence South along said West Right-of-Way line to the South lot line of Lot 3 of said Chamberlain Place; thence West along said South lot line of Lot 3, Chamberlain Place to its intersection with the East line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 330 feet North of the South line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 330 feet North of and parallel to the South line of the West $\frac{1}{2}$ of Lot 2, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence South along said East lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the South lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. thence West along said South lot line of Lot 3, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. and continuing West along the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 165 feet West of the East lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along a line 165 feet West of and parallel to the East lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 200 feet North of the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 200 feet North of and parallel to the South lot line of Lot 4, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the East lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along said East lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$,

Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to a point said point being 77 feet North of the South lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence West along a line 77 feet North of and parallel to the South lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to its intersection with the West lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M.; thence North along said West lot line of the Unreplatted Part Lot 5, Official Plat, North $\frac{1}{2}$, Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$, Section 7, Township 78 North, Range 24 West of the 5th P.M. to the Southeast Corner of Lot 1, Bray Place, an Official Plat; thence Northwesterly along the Southwesterly lot line of said Lot 1, Bray Place to the Southeasterly Corner of Lot 2, Bray Place; thence Southwesterly along the Southeasterly lot line of Lot 2, Bray Place and continuing Southwesterly along a Southwesterly projection of the Southeasterly lot line of Lot 2, Bray Place to its intersection with the Westerly Right-of-Way line of Tonawanda Drive; thence Southeasterly along said Westerly Right-of-Way line of Tonawanda Drive to its intersection with the South lot line of Lot 6, Browns Woods Plat 2, an Official Plat; thence West along said South lot line of Lot 6, Browns Woods Plat 2 to its intersection with the East lot line of Lot 2, Browns Woods Plat 2; thence South along said East lot line of Lot 2, Browns Woods Plat 2 to its intersection with the South lot line of Lot 2, Browns Woods Plat 2; thence West along said South lot line of Lot 2, Browns Woods Plat 2 to its intersection with the East Right-of-Way line of 42nd Street; thence North along said East Right-of-Way line of 42nd Street to its intersection with the Easterly projection of the South lot line of Lot 2, Mennig Place; thence West along said Easterly projection of the South lot line of Lot 2, Mennig Place and continuing West along the South lot line of Lot 2, Mennig Place to its intersection with the West lot line of Lot 2, Mennig Place; thence North along said West lot line of Lot 2, Mennig Place to a point said point being 378 feet South of the North lot line of Lot 15, Mennig Place; thence West along a line 378 feet South of and parallel to the North lot line of Lot 15, Mennig Place to the East lot line of Lot 16, Mennig Place; thence North along said East lot line of Lot 16, Mennig Place to a point said point being 305 feet South of the North lot line of Lot 16, Mennig Place; thence West along a line 305 feet South of and parallel to the North lot line of Lot 16, Mennig Place to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, expenditures and indebtedness have been incurred, and additional expenditures and indebtedness are anticipated to be incurred by the City of Des Moines, Iowa, to finance said Urban Renewal Project; and

WHEREAS, the City Council of the City of Des Moines, Iowa, desires to continue to provide for the division of revenue from taxation in the amended Urban Renewal Area as described above, in accordance with the provisions of Section 403.19 of the Code of Iowa, as amended.

WHEREAS, the following enactment is necessary to accomplish the objectives described above and in the Ingersoll-Grand Commercial Urban Renewal Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AS FOLLOWS:

Section 1. The City Council hereby makes the following findings regarding the purpose and intent of this ordinance:

- a) The purpose of this ordinance is to amend and shrink the exterior boundaries of the Ingersoll-Grand Commercial Urban Renewal Area to match the amended Urban Renewal Area as provided by the Fifth Amendment to the Ingersoll-Grand Commercial Urban Renewal Plan adopted by the City Council of the City of Des Moines on November 4, 2019.
- b) The intent of this ordinance is for the base value of the Ingersoll-Grand Commercial Urban Renewal Area to be reduced by the amount contributed to the original base value by all those parcels that are removed from the Urban Renewal Area by the Fifth Amendment and this Ordinance.
- c) This ordinance shall be applied prospectively only, commencing on the effective date of this Ordinance as provided in Section 3 of this Ordinance.
- d) This Ordinance is to be applied and construed in accordance with this Section.

Section 2. Ordinance No. 15,119 is hereby amended to read as follows:

Sec. 1. That the taxes levied on the taxable property in the Urban Renewal Area known as the Ingersoll-Grand Commercial Urban Renewal Area, as amended by the Fifth Amendment to the Ingersoll-Grand Commercial Urban Renewal Plan and legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Des Moines, Iowa, County of Polk, Des Moines Independent Community School District, Des Moines Area Community College, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Sec. 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in said Urban Renewal Area upon the total sum of the assessed value of the taxable property in said Urban Renewal Area as shown on the assessment roll as of January 1, 2014, shall be allocated to and when collected be paid into the fund into which all other property taxes are paid for the respective taxing district, as taxes by or for said taxing district.

Sec. 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Sec. 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Sections 403.9 and 403.12 of the Code of Iowa, as amended, incurred by the City of Des Moines to finance or refinance in whole or in part the Ingersoll-Grand Commercial Urban Renewal Project, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, taxes for the payment of bonds and interest of each taxing district, and taxes imposed under Section 346.27, subsection 22, related to joint county-city buildings shall be collected

against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Sec. 4. All taxes levied and collected upon the taxable property in said Ingersoll-Grand Commercial Urban Renewal Area shall be paid into the funds of the taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes unless or until the total assessed valuation of the taxable property in said Urban Renewal Area shall exceed the total assessed value as of January 1, 2014, of the taxable property in said Urban Renewal Area.

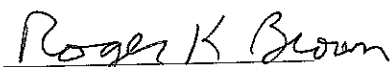
Sec. 5. At such time as the loans, advances, bonds and interest thereon and indebtedness of the City of Des Moines referenced in Sec. 3 of this Ordinance have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area known as the Ingersoll-Grand Commercial Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Sec. 6. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19 of the Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to said Urban Renewal Area and the territory therein.

Sec. 7. This Ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Section 3: This Ordinance shall be in effect upon the later of: i) its final passage, approval and publication as provided by law; or ii) January 5, 2020.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

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