



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, June 13, 2019 at 5:00 PM
10 W. State Street - Council Chambers

1. Call To Order & Roll Call
 - Bloomquist
 - Boston
 - Brodin
 - Buzbee
 - Eilers
 - Lins-Eich
 - Valbracht
2. Recommendation On Special Use Permit For Marshalltown Company For Properties At 707, 709, 711, 713 And 715 Noble Street And 11 S. 8th Avenue

Documents:

[061319_PZ_MEMO_MARSHALLTOWN COMPANY SUP.PDF](#)
[SUP_MARSHALLTOWN COMPANY_APP_061819.PDF](#)
[SUP_MARSHALLTOWN COMPANY_PLAN_061819.PDF](#)

3. Recommendation To The City Council On Urban Renewal Area #3 Amendment No. 7

Documents:

[PZ MEMO UR AREA 3 AMEND.PDF](#)
[MARSHALLTOWN URBAN RENEWAL AREA NO 3 AMENDMENT NO 7 FINAL.PDF](#)

4. Marshalltown Downtown Master Plan Update
 - For a copy of the draft plan visit the project website:
[HTTPS://WWW.DOWNTOWNMARSHALLTOWN.COM/PROJECT-DOCUMENTS](https://www.downtownmarshalltown.com/project-documents)

Final resolution of acceptance will be presented to the City Council on June 24th.

2019 Proposed Meeting Schedule

7/11/19 8/15/19 9/12/19 10/10/19 11/14/19 12/12/19

MARSHALLTOWN

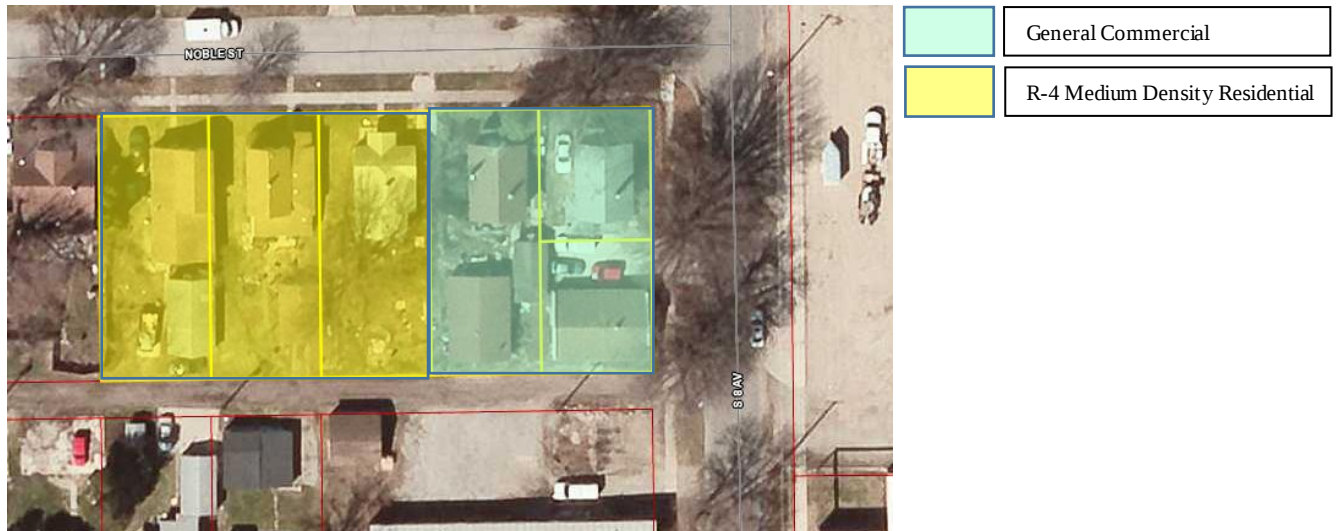
IOWA

FROM: Michelle Spohnheimer, Housing & Community Development Director 

DATE: June 11, 2019 meeting

RE: **Recommendation to Board of Adjustment: Special Use Permit Request from Marshalltown Company for 707, 709, 711, 713 and 715 Noble Street and 11 S. 8th Avenue**

We have had a request to allow a Special Use Permit for a parking lot across the street from Marshalltown Company along Noble Street. There are six properties, three of which are residential and require the Special Use Permit to allow for parking lot development.



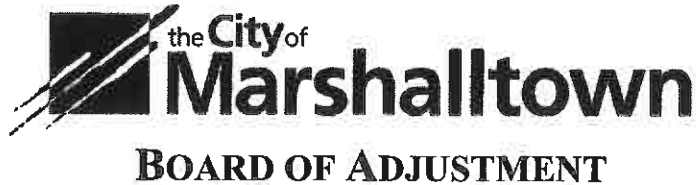
The Plan Zoning Commission is responsible for making a recommendation to the Board of Adjustment which is scheduled to meet on June 18, 2019. Application materials are attached.

Parking lots are permitted as a Special Use in the R-4, Medium Density Residential District. The Board may place any conditions on the request.

Chap. 15.3.10. Parking lots used for regular customer parking of automobiles and light trucks located not more than 300 feet from the boundary of any business or industrial district, under such conditions as will protect the character of the surrounding property. Lots shall not store materials, goods, vehicles for sale, rent, storage, or any other business purpose.

If you have questions please do not hesitate to contact me at 641-754-5756 or e-mail me at mspohnheimer@marshalltown-ia.gov.

DATE SUBMITTED & FEE PAID: pd 5/24/19
HEARING DATE: 6/18/19



Special Use & Home Occupation Special Use Permit Application

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

All items listed must be submitted with this application:

X **A site plan, drawn in ink to scale.** This site plan shall not be larger than 11" X 17."

 Any other applicable drawings or diagrams. Home Occupation Special use permits must submit a floor plan diagram.

X **Application fee.** A \$300 fee is required for a special use request (\$50 for a Home Occupation Special Use request). Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.

X **Legal description of the property.** The property owner should have a copy of the legal description of the property. *Please note that the tax description on the Marshall County assessor's webpage is NOT the legal description.* The legal description is listed on the property's abstract or owners may obtain a copy of the recorded deed from the Marshall County Recorder's Office for a fee.

It is the burden of the applicant to provide sufficient facts with this application and at the Board of Adjustment meeting to support a finding that all the standards for approval have been met. For all special use requests, with the exception of a Home Occupation Special Use request, the Plan & Zoning Commission shall first review the proposal and make a recommendation to the Board of Adjustment.

Attendance at all meetings is required.

Please type or print legibly in ink.

Property Address: 707, 709, 711, 713, 715 NOBLE ST. + 11 S. 8TH AVE

Owner: MARSHALLTOWN COMPANY

Mailing Address: PO BOX 738 MARSHALLTOWN, IA

Phone: 641-752-6701

Email: STROSKEY@CGACONSULTANTS.COM

Owner's Agent (if applicable): STEVE TROSKEY - CGA ENGINEERS

Agent Address: 16 E. MAIN ST

Agent Phone: 641-752-6701

Agent Email: STROSKEY@CGACONSULTANTS.COM

The board will use this information to review your request. Please attach any additional supporting information. If you have any questions, please contact the Zoning Department at 754-5756.

Please describe the request and what justification there is for the proposal. Attach additional pages if necessary. If applicable, please provide a description of the business or use, discuss any signage to be used, and parking issues.

Owner/Agent Signature: Stephen Troskey

Date: 5-29-19

May 29, 2019

Ms. Michelle Spohnheimer
City of Marshalltown
36 North Center Street
Marshalltown, IA 50158



RE: Marshalltown Company Special Use Permit
Marshalltown, IA
CGA PN: 5759

Dear Ms. Spohnheimer

We are representing Marshalltown Company on a Special Use Permit Application.

Marshalltown Company is currently building an expansion at their South 8th Avenue headquarters and seek 66 additional parking spots for employees. The company owns six properties along Noble Street and South 8th Avenue. Three are zoned General Commercial and three are zoned residential. The Zoning Ordinance of 2010 allows for off-site parking on a residential lot with an approved Special Use Permit.

Marshalltown Company is proposing three bays of parking and a 50 foot wide landscaped buffer to the west. In addition, there will be a five foot landscape buffer around the remaining perimeter. As part of these improvements Marshalltown Company will pave the public alley adjacent to their new parking lot.

Please see the attached exhibit for a detailed parking lot layout.

Thank you for your assistance and consideration on this project. We hope you and Board of Adjustment will look favorably upon this application.

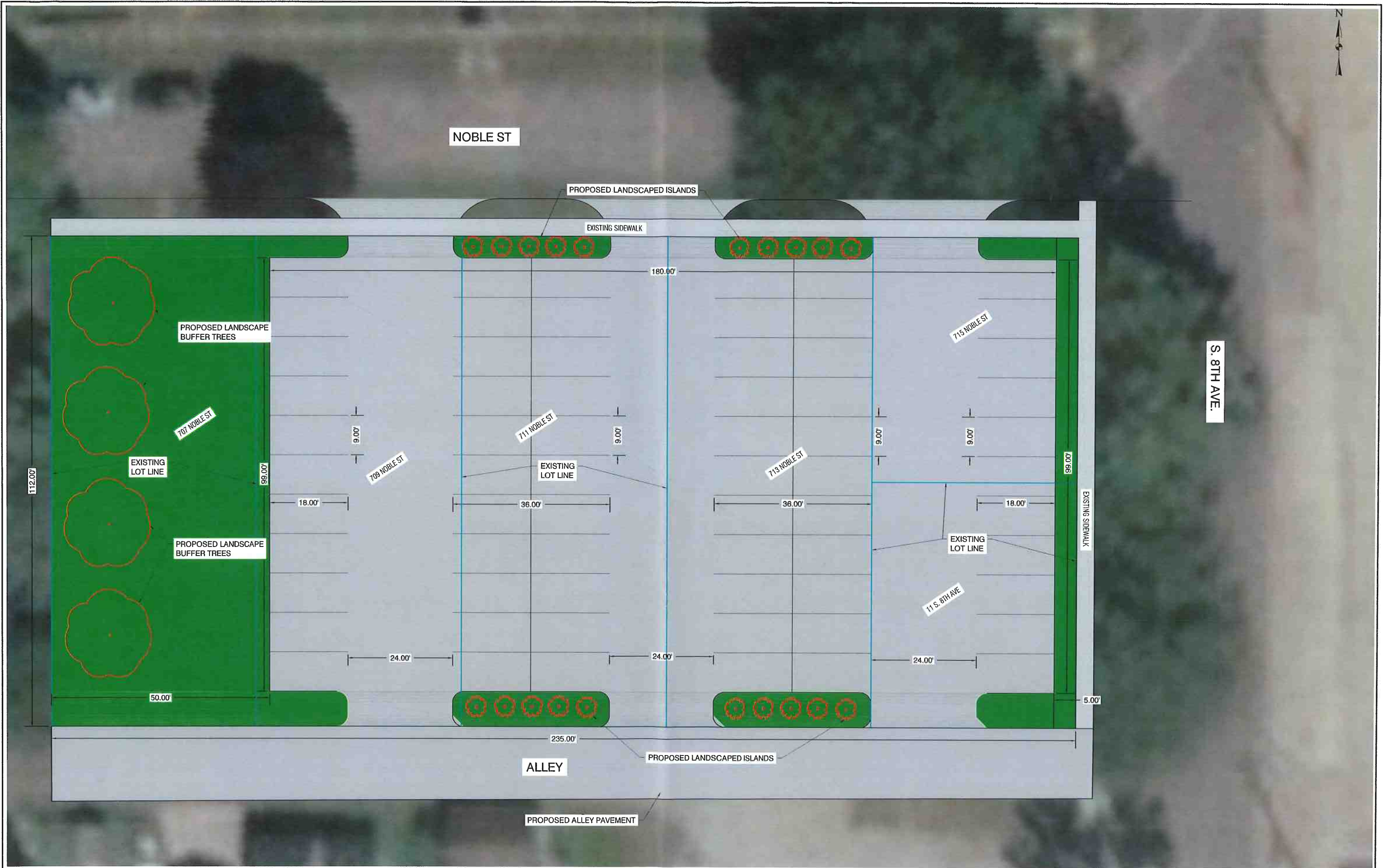
Best Regards,

A handwritten signature in black ink that reads "Stephen Troskey". The signature is written in a cursive, slightly slanted style.

Stephen Troskey
Project Manager
CGA Engineers

1. Lot One, in Block Two, in Wood's Addition to the Town of Marshall, Marshall County, Iowa.
2. North 56 feet of Lot One, in Block Two, in Wood's Addition to the Town of Marshall, Marshall County, Iowa.
3. An undivided one-half interest in Lot 2, Block 2, Wood's Addition to Marshall, Marshall County, Iowa.
4. Lot 3, Block 2, Wood's Addition to Marshall, Marshall County, Iowa, subject to easements and restrictions of record.
5. Lot 4, Block 2, Wood's addition to Marshall County, Iowa AND an undivided one-half interest in Lot 2, Block 2, Wood's Addition to Marshall, Marshall County, Iowa.
6. Lot 5, in Block 2, Wood's Addition to Marshall, Marshall County, Iowa, subject to easements and restrictions of record, if any.

K:\B. Green\Projects\Marshalltown Co Parking Lot\Layout\Marshalltown Co parking lot - LAYOUT - CGA Plan - 05-29-19 - 2:32pm - 5/02/20



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA
Clapsaddle-Garber Associates, Inc.
Toll Free (800) 542-7981
www.cgaconsultants.com

DESIGNED: ### DATE: ###
DRAWN: ### DATE: ###
CHECKED: ### DATE: ###
APPROVED: ### DATE: ###

MARSHALLTOWN CO. PARKING LOT
MARSHALLTOWN, IOWA

LAYOUT EXHIBIT

PROJECT NO.	###
SHEET NO.	1

MARSHALLTOWN

I O W A

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Shari L. Coughenour, Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Planning & Zoning Commission
From: Jessica Kinser, City Administrator
Date: June 3, 2019
RE: Recommendation on UR Area #3

Urban Renewal Area #3 is often referred to as the southern commercial area. It includes Center Street from Olive Street south to Highway 30 and Iowa Avenue from South 12th Street to an area near Governor Road. Amendment 7 to the Urban Renewal Plan seeks to do two things: add land and specify public improvement projects.

The map included in the plan shows the area to be added and the current boundaries of the area. In 2018, the City tried to add land from the western City limits to 12th Street along Iowa Avenue. However, errors in the legal description resulted in this being invalid. The legal description has now been corrected and does not present any issues. The rationale for adding this area is that Iowa Avenue has been a growing commercial area which does involve some blighted properties. By having an urban renewal area extend the entire length of Iowa Avenue, the Council will have an economic development tool to allow for incentives to be provided for blight remediation and redevelopment.

The other land to be added is on the eastern border of the area, specifically two quarter sections of agricultural land behind Walmart. The property owners had to sign an Ag Land Consent form and have done so (see Exhibit C in the plan). The rationale for adding this land into the urban renewal area is that it is a prime area for new development and a location where residential growth is likely to occur.

This amendment also seeks to establish authority for the City to pursue public improvement projects utilizing tax increment financing as well as specific development agreements. The public improvement projects are mostly road development projects and enhance the development potential for the area. The other development agreements specifically outlined are for a storage unit project as had been previously included in the 2018 draft and to fund economic development activities. The plan also outlines some broad authority for future tax rebate agreements for which the Urban Renewal Plan would not have to be amended for the Council to consider. The consideration of any development agreement will occur separately from this amendment.

City Council

Susan Cahill, Michael Gowdy, Al Hoop,
Gabriel Isom, Leon Lamer, Bill Martin, Bethany Wirin

Marshalltown



AMENDMENT NO. 7
to the
**CITY OF MARSHALLTOWN AMENDED
AND RESTATED URBAN RENEWAL
AREA NO. 3 URBAN RENEWAL PLAN**

for the
**CITY OF MARSHALLTOWN AMENDED
AND RESTATED URBAN RENEWAL
AREA NO. 3 URBAN RENEWAL AREA**

City of Marshalltown, Iowa

Original Plan – February 1996

Amendment No. 1 – April 2000

Amended and Restated Urban Renewal Plan Amendment No. 2 – January 2007

Amended and Restated Urban Renewal Plan Amendment No. 3 – June 2013

Amended and Restated Urban Renewal Plan Amendment No. 4 – June 2015

Amended and Restated Urban Renewal Plan Amendment No. 5 – October 2015

Amended and Restated Urban Renewal Plan Amendment No. 6 – October 2016

Amended and Restated Urban Renewal Plan Amendment No. 7 – June 2019

Local Government Professional Services, Inc.

DBA – Simmering-Cory

AMENDMENT NO. 7
to the
AMENDED AND RESTATED URBAN RENEWAL AREA NO. 3
URBAN RENEWAL PLAN
for the
AMENDED AND RESTATED URBAN RENEWAL AREA NO. 3
CITY OF MARSHALLTOWN, IOWA

The Amended and Restated Urban Renewal Area No. 3 Urban Renewal Plan (the “Plan” or “Urban Renewal Plan”) for the Amended and Restated Urban Renewal Area No. 3 Urban Renewal Area (the “Area” or “Urban Renewal Area”) was adopted in 1996 and has been previously amended six times including the following amendments:

- Amendment No. 1 (April 2000). Amendment No. 1 added land to the Urban Renewal Area.
- Amendment No. 2 (January 2007). Amendment No. 2 Amended and Restated the Urban Renewal Plan No. 3 for the Urban Renewal Area No. 3. The Amendment also added land and removed land from the Urban Renewal Area.
- Amendment No. 3 (June 2013). Amendment No. 3 added a project, Plumb Supply Company, LLC. To the Urban Renewal Plan and removed a self-imposed expiration date.
- Amendment No. 4 (June 2015). Amendment No. 4 added a project, Theisen’s, Inc., to the Urban Renewal Plan.
- Amendment No. 5 (October 2015). Amendment No. 5, also referred to as 2015-A Amendment, added a project, Bobcat Academy, to the Urban Renewal Plan.
- Amendment No. 6 (October 2016). Amendment No. 6 added a project, Hawkeye Hotels, LLC, to the Urban Renewal Plan.

Now the Amended and Restated Urban Renewal Plan No. 3 is being further amended for the purpose of adding additional land to the Urban Renewal Area and to identify new urban renewal projects to be undertaken within the Urban Renewal Area by this Amendment No. 7 (“Amendment No. 7” or “Amendment”) in accordance with the provisions of Chapter 403 of the *Code of Iowa*.

Except as modified by this Amendment, the provisions of the Amended and Restated Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

DESCRIPTION OF PROPERTY ADDED TO THE URBAN RENEWAL AREA

A legal description of the property being added to the Urban Renewal Area by this Amendment is attached hereto as Exhibit “A”. A map of the entire Urban Renewal Area, as amended, is attached hereto as Exhibit “B.”

The City reserves the right to modify the boundary of the Area, as amended, as needed at some future date.

AREA DESIGNATION

The Urban Renewal Area was originally designated as both an economic development area appropriate for the promotion of commercial and industrial development and an area in which blighted conditions exist, appropriate for blight remediation activities. Amendments No. 2 and 3 reconfirmed the designation of economic development and the presence of blighting factors within the area. Amendments four through six did not make any changes to the Area designation.

This Amendment makes no change in the area designation for the original area, the Amendment No. 1 Subarea, and the Amendment No. 2 Subarea. The land added by this Amendment No. 7 is designated as an economic development area appropriate for the promotion of commercial and industrial development.

ELIGIBLE URBAN RENEWAL PROJECTS (AMENDMENT NO. 7)

The City is hereby amending the Urban Renewal Plan, as amended, in accordance with the provisions of Chapter 403 of the *Code of Iowa*, to authorize new urban renewal projects that are proposed to be undertaken in the Urban Renewal Area.

1. Development Agreement: The proposed project involves the use of incremental property tax revenues to make economic development payments to TC Casady Property, LLC., in an amount not to exceed \$250,000.00 in connection with the development of a commercial building by TC Casady Property, LLC., located in the Urban Renewal Area. The City anticipates that the development will create an increase in assessed value for the property of \$530,000. Payments will be made for ten years, in an amount equal to 100% of the incremental property tax payments that are attributable to the expanded property.

2. Development Agreement: The City proposes to utilize increment, if available, to help fund activities that support efforts to generate new economic development activities within the Urban Renewal Area, including the promotion of development opportunities for perspective developers and efforts to work with existing businesses to enhance and grow their investment within the area. The goal is to provide funding to support growth and remediation of blight within the Area through investment by current and new businesses and developers which results in increased property tax values and the retention and creation of jobs. Funding may be provided to the Marshalltown Area Chamber of Commerce, or a similar agency, based on details of a program outlined in a development agreement. The City anticipates a maximum funding amount of \$250,000 over a period of five years.

3. Public Improvements:

Project	Estimated Date	Estimated Cost to be Funded by TIF Fund	Rationale
Economic Development Grant Program for Demolition and Redevelopment of Blighted Properties	2019-2025	\$1,000,000	The City plans to provide economic development grants to entities for the purpose of acquisition, demolition, and cleanup of dangerous and dilapidated properties that contribute to blighting conditions within the Area. In addition, the City may use funds for the direct purchase, demolition, and cleanup of property.
Sidewalk or Trail Development on Iowa Avenue from Center Street to 6 th Street	2019-2025	\$800,000	A safe pedestrian transportation system is an important element of a successful economic environment and quality of life factor for communities. The installation of approximately 2,600 linear feet of sidewalk or trail will connect to other existing trails in the community and provide pedestrian access to retail businesses along Iowa Avenue enhancing the economic appeal and development of the area.
Iowa Avenue Storm Water Improvements	2019-2025	\$1,500,000	Iowa Avenue is still designed as a rural highway section. With growth along the road the existing conditions are not sufficient to adequately handle storm water flows. The City anticipates using funding to install a stormwater collection system and curb and gutter along the street to better handle rain events and snow melt.

Project	Estimated Date	Estimated Cost to be Funded by TIF Fund	Rationale
Construction of an extension to East Merle Hibbs Blvd. and future unnamed connecting streets, including necessary public utilities, to support commercial and residential growth in the Area. Improvements may include, but are not limited to, street construction, water, storm sewer, sanitary sewer, public utilities, sidewalks, street lighting, and other related facilities and activities.	2019-2028	\$6,000,000	The proposed project will support commercial development by providing necessary infrastructure and access to the lots to be developed. Due to past success and a history of growth in the area the City believes it is reasonable to expect a continued demand for lots and new development in the coming years. The City also anticipates that by acquiring the land and constructing public infrastructure that it will facilitate the growth of the area, City, and County.
Construction of an extension to East LaFrentz Lane and future unnamed connecting streets, including necessary public utilities, to support commercial and residential growth in the Area. Improvements may include, but are not limited to, street construction, water, storm sewer, sanitary sewer, public utilities, sidewalks, street lighting, and other related facilities and activities.	2019-2028	\$6,000,000	The proposed project will support commercial development by providing necessary infrastructure and access to the lots to be developed. Due to past success and a history of growth in the area the City believes it is reasonable to expect a continued demand for lots and new development in the coming years. The City also anticipates that by acquiring the land and constructing public infrastructure that it will facilitate the growth of the area, City, and County.

Project	Estimated Date	Estimated Cost to be Funded by TIF Fund	Rationale
West Berle Road Improvements Improvement may include, but are not limited to, street construction (or reconstruction), storm sewer, sanitary sewer, public utilities, sidewalks, street lighting, and other related facilities, and activities.	2019-2028	\$1,000,000	The City anticipates that the reconstruction of approximately 2,000 lineal feet of West Berle Road could help make additional land available for future development. The City has a history of growth in the recent past in this part of the City and anticipates a continued demand for additional land available for new commercial development.
Construction of an Extension to South 5th Avenue Connecting with East Merle Hibbs Blvd.	2019-2028	\$500,000	Recent development and the potential for additional future development in the area have increased traffic and congestion in the neighborhood. The City anticipates a need to consider additional transportation routes to ease the demand on existing roads. The City may consider the use of funds to construct an extension of South 5th Avenue to connect with Merle Hibbs Blvd., including needed public infrastructure including water, sanitary sewer, and storm water utilities.
Wayfinding	2019-2021	\$40,000	Wayfinding can be an integral piece to the success of community development including the growth and success of commercial and industrial businesses within the area. The City may use funds to provide for implementation of wayfinding signage and other practices, identified by the master plan, to improve transportation and access to businesses and industry within the Urban Renewal Area.
NOTE: It may be that the above costs will be reduced by the application of state and/or federal grants or program; cost sharing agreements with other entities; or other available sources of funds.			

4. Tax Rebate Program: The City anticipates that there will be a need to provide incentives to developers within the Urban Renewal Area, as amended, in the form of tax increment rebates to incentivize economic development and remediation of blight within the Urban Renewal Area, as amended.

The following general program guidelines and benefits will be based on the following, subject to review by the City Council:

- Projects must be located within the Urban Renewal Area.
- Prior to providing any rebate under this program the City will hold a public hearing(s) as required by Iowa Law and will approve a Development Agreement outlining details specific to the development and any rebates to be approved.
- Priority for agreements will be given to projects that result in the creation of new jobs and/or new taxable value for the City of Marshalltown.
- Rebates provided will be subject to annual appropriation by the City Council.
- Projects should not create an unfair advantage over similar businesses within the Urban Renewal Area as determined by the City Council.
- Projects will not be participating or taking advantage of other City incentives including, but not limited to Urban Revitalization (tax abatement) or other tax exemption programs.
- Rebate agreements will not be approved for amounts less than \$10,000 nor more than \$1,000,000.
- Rebate agreements will not exceed a maximum of ten years.
- The City does not anticipate more than ten development agreements to be approved under this program without reauthorization.
- Special priority will be given to development in the following locations located within the Urban Renewal Area:
 - o Projects along Iowa Avenue West from the City limits to South 6th Street.
 - o Projects within the areas zoned as Regional Commercial.

5. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost to be Funded by TIF Funds
Fees & Costs	Undetermined	Not to Exceed \$50,000

FINANCIAL INFORMATION

1.	July 1, 2018 Constitutional Debt Limit:	\$72,641,507
2.	Outstanding General Obligation Debt:	\$42,208,724
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 7) are identified above in the Eligible Urban Renewal Projects (Amendment No. 7). The project costs in this Plan will be incurred and spent over a number of years based on the terms of a development agreement and plans developed by the City. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 7) as described above will be approximately as stated in the next column:	\$27,390,000.00

EFFECTIVE PERIOD

This Amendment No. 7 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the *Code of Iowa*. The division of revenues shall continue on the Area for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

AGRICULTURAL LAND

Because a portion of the land being added by Amendment No. 7 is defined as “agricultural land” by the *Code of Iowa* Section 403.17(3), the City and the agricultural land owner have entered into an agreement in which the agricultural land owner agrees to allow the City to include real property, defined as “agricultural land,” in the Urban Renewal Area. A copy of that agreement is attached as Exhibit “C.” The original signed agreement is on file at the City Clerk’s office.

REPEALER

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

SEVERABILITY CLAUSE

If any part of this Amendment No. 7 is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OF LAND ADDED TO URBAN RENEWAL AREA BY AMENDMENT NO. 7

Beginning at the Northeast corner of the NW $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M.;

thence Southerly along the East line of the NW $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M., to the Southeast corner of Lot 1 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M.;

thence westerly 673.0' along the South line of Lot 1 and Lot 2 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M., to a point 66.0' East of the Southwest corner of said Lot 2;

thence northerly 353.4' parallel to and 66.0' east of the West line of said Lot 2 to the North line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 15 North, Range 18 West of the 5th P.M.;

thence westerly 66.0' along said North line to the Northwest Corner of Lot 2 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M.;

thence southerly 353.4' along the Westerly line of said Lot 2 to the Southwest Corner thereof;

thence westerly along the south line of Lot 3 and Lot 4 of the Subdivision of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 83 North, Range 18 West of the 5th P.M., to the Southwest corner of said Lot 4;

thence northerly along the West line of said Lot 4 to the NW corner of Section 15, Township 83 North, Range 18 West of the 5th P.M.;

thence North along the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M. to the Northwest corner thereof;

thence East along the North line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 10 a distance of 289.96' to the Northeast corner of Parcel "D" in Lot 4 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 10;

thence South along the East line of said Parcel "D" to the Northwest corner of Lot 5, Block 3, Pioneer Village First Addition to Marshall;

thence Easterly along the North lines of Lots 5, 6, 7, 8, 9, 10, 11, 12, and 13, Block 3, Pioneer Village First Addition to the Northeast corner of said Lot 13;

thence Southeast to the Northwest corner of Lot 14, Block 3, Pioneer Village First Addition to Marshall;

thence Southeast to the Northeast corner of Lot 16, Block 3, Pioneer Village First Addition to Marshall;

thence Easterly parallel to and 60.0' North of the South line of said Lot 14 extended to a point on the East right of way line of S. 14th St.;

thence North along said East right of way line to the Southwest corner of Lot 1, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence East along the South line of Rolling Meadows 2nd Addition to Marshall to the Southeast corner of Lot 9, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence South to the Northwest corner of Parcel "A" in Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M.;

thence East along the North line of said Parcel "A" extended to a point 224.0' North of the Southeast corner of Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M.;

thence South along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 83 North, Range 18 West of the 5th P.M. to the Northwest corner of the NE $\frac{1}{4}$ of Section 15, Township 83 North, Range 18 West of the 5th P.M., and the Point of Beginning.

AND

The North One-Half of the Southwest Quarter of Section 12, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa.

EXHIBIT B

MAP OF MARSHALLTOWN URBAN RENEWAL AREA NO. 3, AS AMENDED

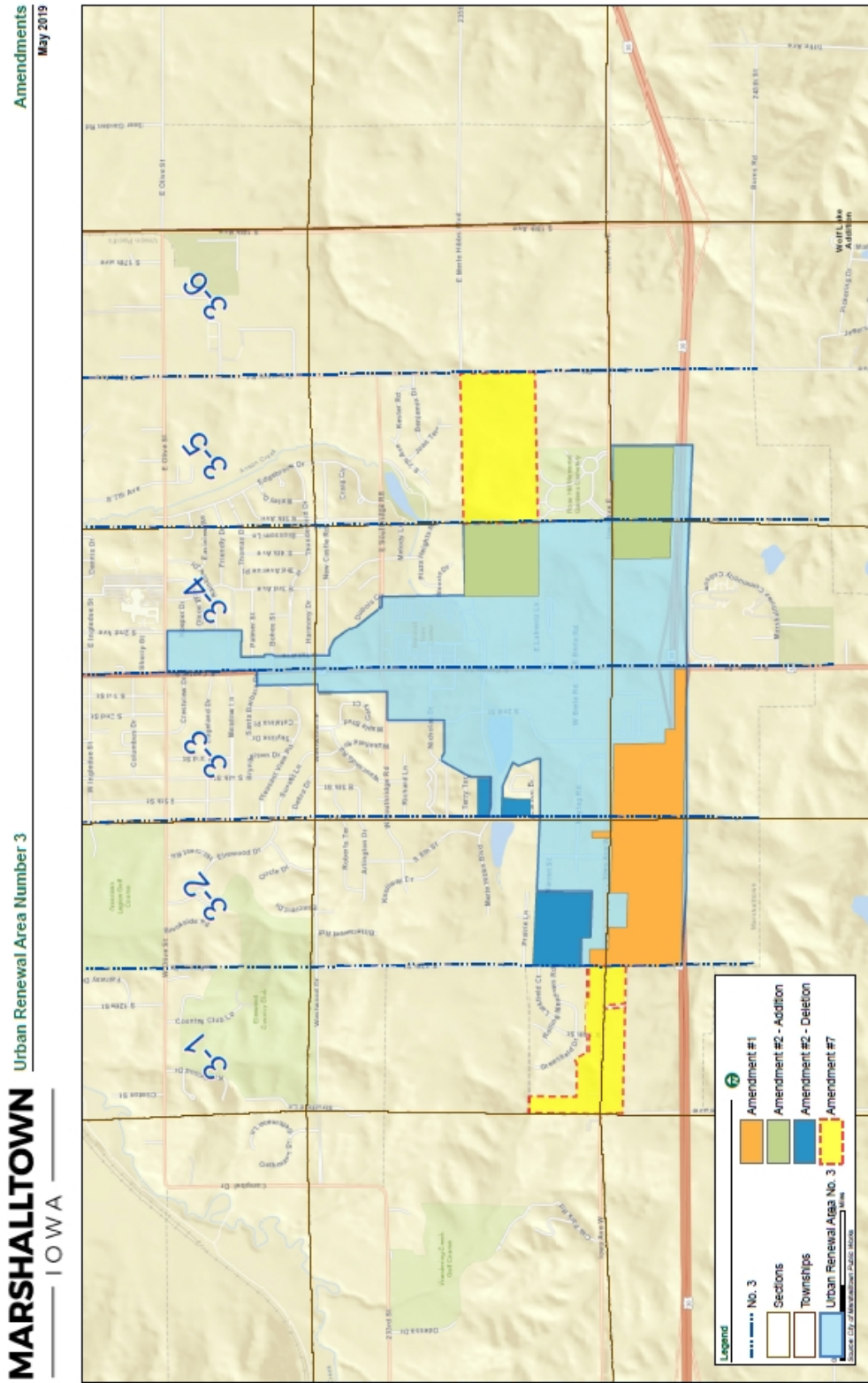


EXHIBIT C

AGRICULTURAL LAND CONSENT

DECLARATION OF AGREEMENT TO INCLUDE AGRICULTURAL LAND IN MARSHALLTOWN URBAN RENEWAL AREA

WHEREAS, the City Council of the City of Marshalltown, Iowa (the "City") has begun the process of amending the urban renewal plan for the Urban Renewal Area No. 3 (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake certain projects, including the use of tax increment financing for improvements related to economic development; and

WHEREAS, the Urban Renewal Area would be expanded to include certain property with the following legal description:

The North One-Half of the Southwest Quarter of Section 12, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa.

(the "Added Property"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owner of such property agrees to include such property in such urban renewal area; and

WHEREAS, it has been determined that the Added Property meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa; and

WHEREAS, in order for the City to include the Added Property the owner of that property must agree that the Added Property may be included in the Urban Renewal Area;

NOW, THEREFORE, the Undersigned hereby certifies and agrees as follows:

1. The Undersigned is the owner of the Added Property described above.
2. The Undersigned hereby agrees that the City of Marshalltown may include the Added Property described above in the Urban Renewal Area.

DATED this 5 day of October, 2018.

By Donald J. Stolzer