

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: November 7, 2016

Item: Urban Renewal Plan –Osmium Review Urban Renewal Plan for Conformity with the Comprehensive Plan

Requested Action: Finding of Consistency with the Comprehensive Plan

Case Advisor: Clyde Evans, AICP, Director of Community and Economic Development

Applicant’s Request: Staff has initiated the process to create a new Urban Renewal Plan, the Osmium Urban Renewal Plan. Per the Code of Iowa, Urban Renewal Plans are required to be sent to the Plan and Zoning Commission for their review of the Plan for conformity with the Comprehensive Plan.

History: On October 26, 2016, after proper notification, staff held a consultation meeting with affected taxing entities as required by State Code. The only representatives from the taxing entities attending the meeting was from the Winterset School District. Each taxing entity had an additional seven days from the consultation meeting to send written recommendations for modification to the Urban Renewal Plan. As of November 2, the deadline for such recommendations, staff had received no such recommendations.

Staff Review and Comment: This request has been reviewed by City staff. Staff is of the opinion that the proposed Urban Renewal Plan generally conforms to the adopted Comprehensive Plan. The property included in the Plan Area has land use categories of Medium Density Residential, High Density Residential, Warehouse Retail, Regional Commercial, Community Commercial, Highway Commercial, Open Space, Office, and Support Office, which are consistent with the planned uses within the Urban Renewal Area.

Comprehensive Plan Consistency: The Osmium Urban Renewal Plan as proposed has been reviewed by City staff for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed Urban Renewal Plan is generally consistent with the Comprehensive Plan in that the plan is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Staff Recommendation and Conditions of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution finding that the Osmium Urban Renewal Plan is consistent with the adopted Comprehensive Plan and recommend its approval to the City Council, subject to any applicable State Codes.

Applicant: City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265
515-222-3600

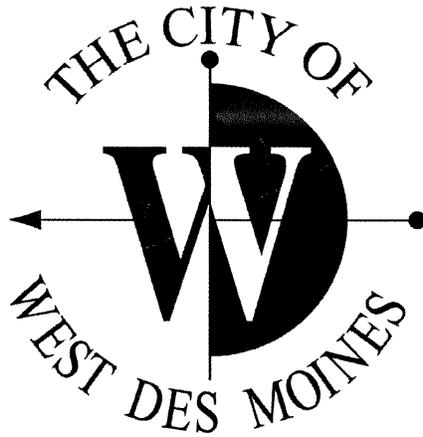
Owner: N/A

Applicant’s Representative: City of West Des Moines
4200 Mills Civic Parkway

West Des Moines, IA 50265
515-222-3600

Attachments:

- Exhibit I - Proposed Osmium Urban Renewal Plan
- Exhibit II - Resolution



**OSMIUM
URBAN RENEWAL PLAN**

**FOR THE
OSMIUM URBAN RENEWAL AREA**

NOVEMBER 2016

TABLE OF CONTENTS

I.	Introduction	1
II.	Authority to Adopt and Implement Plan – Area Designation	2
III.	Area Description	2
IV.	Plan Objectives	2
V.	Description of Types of Urban Renewal Activities	3
VI.	Land Use Plan and Consistency of Comprehensive Plan	4
VII.	Urban Renewal Financing	4
VIII.	Implementation	5
IX.	Property Acquisition/Disposition/Relocation	5
X.	Proposed Urban Renewal Projects	6
XI.	City Indebtedness and Financial Data	10
XII.	Public Building Analysis	11
XIII.	Agreements to Include Agricultural Land	11
XIV.	City of Cumming Consent	11
XV.	Consent of Warren County and Madison County	11
XVI.	State and Local Requirements	12
XVII.	Amendments	12
XVIII.	Applicability and Effective Period	12
XIX.	Severability	12
 Exhibits		
A.	Legal Description – Osmium Urban Renewal Area	A-1
B.	Boundary Maps – Individual Maps of Area by County	B-1
C.	Location Map - Osmium Urban Renewal Area	C-1
D.	Agreements to Include Ag Land in the Osmium Urban Renewal Area	D-1
E.	Joint City/County Agreement with Warren County	E-1
F.	Joint City/County Agreement with Madison County	F-1
G.	Joint Agreement with City of Cumming	G-1

I. INTRODUCTION

This Osmium Urban Renewal Plan (the "Plan") has been prepared to provide for the development and redevelopment of the Osmium Urban Renewal Area (the "Urban Renewal Area" or "Area" or "Plan Area"). The City is using its power and authority under the Plan to stimulate economic development. It is anticipated and intended that the public investment made as a result of this Plan will not only result in redevelopment of the Area, but also that such development and investment will serve as a catalyst for additional development in the surrounding area. Investment by the private sector as a result of this public action will expand the City's tax base and improve and maintain the quality of life in the community, and thereby achieve these public purposes and goals.

The proposed Urban Renewal Plan activities will serve as an economic catalyst for development within the Plan Area. The additional commercial and industrial development will provide local employment opportunities. The projects listed in the Plan provide for economic use of land, resulting in private investment that may not otherwise occur and thereby significantly increasing the taxable value of the property. It will also create a higher level of investment in the surrounding commercial and industrial properties both in the total amount of development and in the value of existing or future individual commercial and industrial structures, thus substantially increasing the tax base beyond that which would otherwise be probable for the Area.

The main impetus for the Plan is the pending decision of Microsoft Corporation to expand its presence in West Des Moines with a another data center site ("Microsoft Project"), which would be located within this Area. Microsoft's current facilities are in the Mills Parkway Urban Renewal Area, Subdistrict #7, and the Alluvion Urban Renewal Area. Those facilities have generated increased taxable value and jobs within the City. Microsoft develops, manufactures, licenses and supports a range of services, devices, and software products which include operating systems for servers, personal computers; server applications for distributed computing environments; information worker productivity applications; business solution applications; high-performance computing applications; and software development tools. In the web search portal business, Microsoft provides access to the Internet and operates web sites that provide access to a wide variety of online services that include Azure (Cloud services), Office365, Xbox Live, Telecommunications, and many other businesses. As of 2016, Microsoft Corporation was #25 on the Fortune 500 list; employed over 118,000 people; and was estimated to be worth over \$200 billion. The total investment by Microsoft for the newest data center within this community is expected to be at least \$980,000,000. This total includes extensive equipment and other costs that are not subject to property tax. Microsoft has verbally agreed to at least a \$307 million minimum assessment agreement for the facilities constructed related to the newest data center, meaning that the minimum valuation for property tax purposes shall be at least \$307 million when the facilities are all completed, which will have a significant impact on the tax base. In addition, the infrastructure required for the Microsoft Project (roads, water, sewer, fiber, and related activities), will open up surrounding property for future development because these facilities are in an undeveloped part of the City.

The City intends to apply for Iowa Department of Transportation RISE grant(s) to support some of the Urban Renewal projects. Microsoft has been approved for financial assistance under the Iowa Economic Development Authority's High Quality Jobs Program. The City intends to provide any required local match obligation through the provision of incentives pursuant to a development agreement.

II. AUTHORITY TO ADOPT AND IMPLEMENT PLAN-AREA DESIGNATION

Authority and powers to undertake this Plan are granted to the City of West Des Moines by Chapters 15, 15A and 403 of the 2015 Code of Iowa.

The City Council finds the Area to be suitable for designation as an economic development area, including but not limited to the following: to encourage the location and expansion of certain commercial and industrial enterprises to more conveniently provide needed employment services and facilities to the residents of the City, to alleviate and prevent conditions of unemployment by assisting and retaining local industries and commercial and industrial enterprises and to strengthen and revitalize the economy of the State and the City.

III. AREA DESCRIPTION

The property or Area included in this Plan is legally described in Exhibit "A" and depicted on the Urban Renewal Area maps in Exhibits "B" and "C". Exhibits "A," "B," and "C" are incorporated into and made a part of this Plan.

IV. PLAN OBJECTIVES

The objectives of the Plan are to rectify the inadequacies in the infrastructure system as identified elsewhere in the Plan and promote economic development and optimal growth of the tax base.

It is contemplated that urban renewal activities will include construction of new public and private infrastructure, including roads, water, and sewer; reconstruction and improvement of existing infrastructure; installation of fiber; and relocation of power lines. In addition, economic development grants may also be used to promote economic development and optimal growth of the tax base.

Generally, renewal activities are designed to provide opportunities, incentives, and sites for new and expanded commercial and industrial development. More specific objectives for development within the Urban Renewal Area are as follows:

1. To stimulate through public action and commitment, private investment in new development.
2. To provide a more marketable and attractive investment climate.
3. To achieve a diversified, well-balanced economy, improving the standard of living, creating job opportunities, and strengthening the tax base.

4. To help develop a sound economic base that will serve as the foundation for future growth and development.
5. To support and provide for currently planned and potential future development in an undeveloped area of City.

The City does not currently contemplate acquisition of any land to be developed for residential use or economic development (except for the installation of public improvements), but rather anticipates that such development will be an undertaking of the private sector.

V. DESCRIPTION OF TYPES OF URBAN RENEWAL ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapters 403, 15 and 15A, Code of Iowa including, but not limited to, tax increment financing. Some of the renewal activities anticipated include the following:

1. Improvement, installation, construction, relocation, and reconstruction of public infrastructure, including but not limited to roads and streets, utilities (water storage, wells, distribution lines); sanitary sewer; storm sewer; electric (installation, distribution, relocation); fiber optics, public facilities, bike/pedestrian trails, traffic signals and signage, turn lanes and activities related or associated with the foregoing.
2. To provide for the construction of site improvements including, but not limited to grading and site preparation activities, access roads, fencing, utility connections, and related activities.
3. To provide for relocation benefits as required by law.
4. To make loans, grants, rebates, or other incentives to private persons or businesses for economic development purposes on such terms as may be determined by the City Council.
5. To borrow money and to provide security therefore.
6. To make or have made surveys and plans necessary for the implementation of the urban renewal program or specific urban renewal projects.
7. To use tax increment financing for a variety of purposes.
8. Insure or provide for the insurance of any real or personal property or operations of the City against any risks or hazards, including payment of premiums on any such insurance.

9. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for development, and to dispose of said property.
10. Enter into any contracts necessary to effectuate the purposes of this Plan.
11. The use of any or all other powers granted by Chapters 15, 15A or 403, Code of Iowa to develop and provide for improved economic conditions for the City of West Des Moines and State of Iowa.

VI. LAND USE PLAN AND CONSISTENCY WITH COMPREHENSIVE PLAN

The Area is currently planned for the following land uses: Light Industrial, Office, Open Space, Single Family Residential, Medium Density Residential, High Density Residential, Business Park, Warehouse Retail, Neighborhood Commercial, Highway Commercial, Community Commercial, and Support Office.

The City Council finds that the Plan is in conformity with the existing West Des Moines Comprehensive Plan adopted on September 20, 2010. The West Des Moines Comprehensive Plan is the City's general plan for the development of the City as a whole. In addition, the proposed urban renewal projects as described in this Plan conform with the West Des Moines Comprehensive Plan. This Urban Renewal Plan does not change or in any way replace the City's current land use planning or zoning regulation process.

Any urban renewal projects related to the need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area are set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

VII. URBAN RENEWAL FINANCING

The City of West Des Moines intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of West Des Moines has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing (T.I.F.) mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects, etc. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City and in any event upon the expiration of the T.I.F. district.

B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell General Obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incenting development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of West Des Moines. It is the City's intent to abate the debt service on these bonds with incremental taxes from this Area.

C. Tax Abatement

Under Section 403.6 subsection 18 of the Iowa Code, the City has the authority to abate taxation of value added to real estate within the Area during the process of construction for development or redevelopment for up to two years, as an incentive for redevelopment of the property.

D. Special Assessments

Under Division IV of Chapter 384 of the Iowa Code, the City has the authority to assess the partial or total cost of various public improvements to benefitted properties within the Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan related to commercial or industrial development and other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of this Urban Renewal Plan.

VIII. IMPLEMENTATION

Implementation of the activities in this Plan is at the City Council's discretion.

IX. PROPERTY ACQUISITION/DISPOSITION/RELOCATION

Any property acquisition/disposition necessary to accomplish the objectives of this Plan will be carried out, without limitation, in accordance with any required statutory procedures.

The City will comply with any required applicable State or Federal laws governing the relocation of persons displaced from the Area as a result of urban renewal projects

undertaken pursuant to this Plan, although no such relocation is expected to be required at this time.

X. PROPOSED URBAN RENEWAL PROJECTS

It is anticipated that the newest data center (“Microsoft Project” or “Project”) will consist of a regional datacenter and associated support infrastructure to house servers and computer equipment to operate large-scale web portal services as part of Microsoft's on-line services businesses. There will be an expected investment of at least \$980,000,000. The Project is expected to add at least 132 new data center positions.

At this time, the urban renewal projects ("Proposed Projects" or “Proposed Urban Renewal Projects”) to be undertaken within the Area are generally shown in the following section and may include other such improvements deemed appropriate and necessary by the City for furtherance of the urban renewal project.

A. Public Improvements

Some of the costs for the Public Improvements may be covered by a RISE grant(s), pursuant to which the State will provide partial funding, potentially resulting in a decreased amount of tax increment needed for the project. Any local match requirement for a RISE grant for road improvements under the Plan is expected to be funded/reimbursed from tax increment.

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
<p>Veterans Parkway – West of SE Adams Street to SW Grand Prairie Parkway Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016 - 2020</p>	<p>\$35,000,000- \$45,000,000.</p>	<p>The improvements to Veterans Parkway will provide direct paved access to Microsoft Project, and will also provide access to any additional development that may take place between SE Adams Street and SW Grand Prairie Parkway.</p>
<p>S/SW Grand Prairie Parkway – Veterans Parkway to Raccoon River Drive Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	<p>2016- 2020</p>	<p>\$20,000,000- \$25,000,000</p>	<p>The improvements to S/SW Grand Prairie Parkway will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between Veterans Parkway and Raccoon River Drive.</p>

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
<p>SW 60th Street* (WDM)– North of G14 to SW Adams Street</p> <p>Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	2016-2020	\$5,000,000-\$7,000,000	<p>The improvements to SW 60th Street will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between G14 and SW Adams Street.</p>
<p>SE 50th Street* (WDM) – Veterans Parkway to north of Polk County Line</p> <p>Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	2016-2020	\$2,000,000-\$5,000,000	<p>The improvements to SE 50th Street allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between Veterans Parkway and Polk County Line.</p>

Description of Urban Renewal Project	Est. Time Period	Estimated cost to be reimbursed by tax increment financing	Rationale (why economic development is promoted)
<p>SE and SW Adams Street – SE 50th Street* to SW 60th Street*</p> <p>Public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights, and related items.</p>	2016-2020	\$2,000,000 - \$5,000,000	The improvements to SE and SW Adams Street will allow paved access to Microsoft Project, and will also provide access to any additional development that may take place between SE 50 th Street and SW 60 th Street.
<p>Water System Improvements- West of SE and SW Adams Street to Grand Avenue.</p> <p>Extend and construct water lines to connect existing water supply distribution system to new areas of development.</p>	2016-2020	\$17,000,000 - \$21,000,000	The extension of water lines would allow for commercial and industrial development in the Area.
<p>Sanitary Sewer Improvements - Middle Creek Sewer to west of I-35</p> <p>Extend and construct sewer lines to connect existing sanitary sewer system to new areas of development; may also entail other effluent “treatment” options.</p>	2016-2020	\$3,000,000 - \$4,000,000	The extension of sewer lines would allow for commercial and industrial development in the Area.
<p>Financing of debt/debt issuance costs.</p>	2016-2037	\$7,000,000- \$10,000,000	Required costs of borrowing money for urban renewal projects.
<p>Subtotal**</p>		\$91,000,000– \$122,000,000	

*Note: The Plan reflects anticipated street names for proposed streets to be located in the Area as depicted in Exhibit C.

**Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

B. Tax Rebate or Other Development Agreements

The City plans to enter into a development agreement with Microsoft related to the Microsoft Project whereby Microsoft would agree to a minimum assessment agreement setting a minimum assessed value of the Microsoft Project and the creation of at least 132 jobs. Subject to the terms and conditions of the future development agreement, the City expects to construct road improvements, which will total up to \$87,000,000 million, water distribution of up to \$21 million, and sanitary sewer improvements of up to \$4 million, (all described above under “Public Improvements”). In addition, the City expects to provide economic development grants of up to \$14,600,000 to incent private investment in the Microsoft Project. Project amounts and terms and conditions may vary upon completion of a development agreement.

C. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated Cost
Fees and costs	Undetermined	\$100,000

XI. CITY INDEBTEDNESS AND FINANCIAL DATA

1.	July 1, 2016 constitutional debt limit:	\$212,760,921
2.	Outstanding general obligation debt:	\$132,715,000
3.	A specific amount of debt to be incurred for the Proposed Urban Renewal Projects has not yet been determined. At no time will the City exceed its constitutional debt limit. The Projects authorized in this Plan are only proposed projects at this time. The City Council will consider each Project proposal on a case-by-case basis to determine if it is consistent with the Plan and in the public’s best interest to participate in the Project. These Projects will commence and be concluded over a number of years. The City expects to issue bond indebtedness for the engineering and administration, construction of the Proposed Urban Renewal Projects, economic development grants, and possible land acquisitions related to the Proposed Projects. It is further expected that such indebtedness, including interest and costs on the same, will be financed in whole or in part with tax increment revenues from the Urban Renewal Area over the statutorily available period. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above could be up to this amount:	\$105,700,000- \$136,700,000

XII. PUBLIC BUILDING ANALYSIS

When a project involves the use of taxes resulting from a division of revenue under Iowa Code section 403.19 for a public building, chapter 403 requires that the City provide an analysis of alternate development options and funding sources and why those options are less feasible than using tax increment revenues to help fund the project. The City has not identified a public building as an Urban Renewal Project in this Plan.

XIII. AGREEMENTS TO INCLUDE AGRICULTURAL LAND

Because some of the property being included in the Osmium Urban Renewal Area may be defined as “agricultural land” under Iowa Code Section 403.17(3), the City and each owner of property that may qualify as agricultural land have entered into an agreement in which the property owner agrees to allow the City to include real property defined as “Agricultural Land” in the Urban Renewal Area. A copy of the agreements executed by the property owners are attached as Exhibit D. The original agreements (with exhibits) executed by the property owner and the City will be retained on file at the West Des Moines City Clerk’s office.

XIV. CITY OF CUMMING CONSENT

Some of the property included in the Osmium Urban Renewal Area includes land outside but within two miles of the West Des Moines boundary, and is located within the City of Cumming. In accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city and within the boundaries of another city, but only if the other city adopts a resolution declaring the need for a portion of its property to be included in the urban renewal area. The City of Cumming has adopted a resolution declaring a need for its land to be included in the Area. A copy of the resolution will be retained on file with the West Des Moines City Clerk’s office. The City of Cumming also executed a Joint Agreement with the city of West Des Moines which gives the City of West Des Moines permission to include property within the City of Cumming in the Urban Renewal Area. A copy of the Joint Agreement is attached as Exhibit “G.” The original agreement is on file with the West Des Moines City Clerk’s office.

XV. CONSENT OF WARREN COUNTY AND MADISON COUNTY

Some of the property included in the Osmium Urban Renewal Area includes land outside but within two miles of the West Des Moines boundary, and is located within unincorporated Warren and Madison Counties. In accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city only if the city obtains the consent of the county within which such property is located. A Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City of West Des Moines and Warren County. A copy of the Joint Agreement is attached as Exhibit “E”. Likewise, a Joint Agreement, which gives the City permission to include property outside the City limits in the Urban Renewal Area, has been executed by the City of West Des Moines and Madison County. A copy of the Joint

Agreement is attached as Exhibit "F". The original agreements are on file with the West Des Moines City Clerk's office.

XVI. STATE AND LOCAL REQUIREMENTS

The City will comply with all provisions necessary to conform with State and local laws in implementing this Plan and its supporting documents.

XVII. AMENDMENTS

This Plan may be amended or revoked at any time by resolution of the West Des Moines City Council in accordance with the provisions of Chapter 403, Code of Iowa, 2015, and in any manner deemed appropriate to accomplish the objectives of the Plan.

XVIII. APPLICABILITY AND EFFECTIVE PERIOD

This Plan will become effective upon its adoption by the City Council and will remain in effect until terminated by the City Council.

With respect to any property covered by this Plan which is included in an ordinance which designates that property as a tax increment area, 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, currently is limited to twenty (20) years from the calendar year following the calendar year in which the City (following adoption of a TIF ordinance) first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property. The division of revenues shall continue pursuant to the terms of each TIF ordinance for the maximum period allowed by law. However, 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 Iowa Code) by the City for activities carried out under this Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law. The City will most likely use several TIF ordinances within the Plan, based on when development occurs, and each TIF ordinance will have its own base value date and expiration or sunset date.

XIX. SEVERABILITY

If any section, provision, or part of this Plan is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Plan as a whole or any action, provision, or part hereof not adjudged to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OSMIUM URBAN RENEWAL AREA WEST DES MOINES, IOWA

A TRACT OF LAND IN DALLAS, MADISON, POLK AND WARREN COUNTIES, IOWA IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DALLAS COUNTY

A TRACT OF LAND IN SECTIONS 23, 26, 27, 28, 33 AND 34 IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND DALLAS COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY;

THENCE EAST, ALONG THE NORTH RIGHT OF WAY LINE OF THE IOWA INTERSTATE RAILROAD COMPANY, TO THE WEST LINE OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 61.81 FEET;

THENCE SOUTH $83^{\circ}53'23''$ WEST (ASSUMED BEARING), A DISTANCE OF 493.70 FEET;

THENCE NORTH $00^{\circ}42'13''$ EAST (ASSUMED BEARING), A DISTANCE OF 1,593.01 FEET,

THENCE NORTH $89^{\circ}59'09''$ EAST (ASSUMED BEARING, A DISTANCE OF 1,763.44 FEET;

THENCE SOUTH $86^{\circ}12'46''$ EAST (ASSUMED BEARING), A DISTANCE OF 112.82 FEET;

THENCE NORTH $88^{\circ}58'59''$ EAST (ASSUMED BEARING), A DISTANCE OF 2.03 FEET;

THENCE SOUTH $00^{\circ}02'55''$ EAST (ASSUMED BEARING), A DISTANCE OF 1,255.46 FEET, TO THE NORTH RIGHT OF WAY LINE OF THE INTERSTATE RAILROAD;

THENCE SOUTH $00^{\circ}02'55''$ EAST (ASSUMED BEARING), TO THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE;

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF RACCOON RIVER DRIVE, TO THE EAST LINE OF SECTION 28, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 28, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE SOUTH 83°41'06" WEST (ASSUMED BEARING), ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 637.97 FEET;

THENCE SOUTH 00°05'24" EAST (ASSUMED BEARING), A DISTANCE OF 974.65 FEET, TO A POINT OF CURVATURE;

THENCE SOUTHEASTERLY, ALONG A 2,350.00 RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 307.59 FEET;

THENCE SOUTH 07°35'22" EAST (ASSUMED BEARING), A DISTANCE OF 215.67 FEET;

THENCE NORTH 82°24'38" EAST (ASSUMED BEARING), A DISTANCE OF 35.00 FEET;

THENCE SOUTH 10°44'59" EAST (ASSUMED BEARING), A DISTANCE OF 816.24 FEET;

THENCE SOUTH 83°52'57" EAST (ASSUMED BEARING), A DISTANCE OF 211.01 FEET;

THENCE SOUTH 62°01'19" EAST (ASSUMED BEARING), A DISTANCE OF 453.81 FEET;

THENCE SOUTH 61°10'39" WEST (ASSUMED BEARING), A DISTANCE OF 637.41 FEET;

THENCE SOUTH 09°28'41" WEST (ASSUMED BEARING), A DISTANCE OF 157.96 FEET;

THENCE SOUTH 19°58'52" EAST (ASSUMED BEARING), A DISTANCE OF 191.49 FEET;

THENCE SOUTH 38°52'19" EAST (ASSUMED BEARING), A DISTANCE OF 157.01 FEET;

THENCE SOUTH 02°57'50" EAST (ASSUMED BEARING), A DISTANCE OF 118.81 FEET;

THENCE SOUTH 80°57'51" EAST (ASSUMED BEARING), A DISTANCE OF 205.82 FEET;

THENCE SOUTH 59°53'57" EAST (ASSUMED BEARING), A DISTANCE OF 202.91 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 740.00 FEET;

THENCE SOUTH 20°06'49" EAST (ASSUMED BEARING), A DISTANCE OF 219.54 FEET;

THENCE SOUTH 74°57'26" EAST (ASSUMED BEARING), A DISTANCE OF 71.59 FEET;

THENCE SOUTH 50°10'56" EAST (ASSUMED BEARING), A DISTANCE OF 60.00 FEET;

THENCE SOUTH 26°13'11" EAST (ASSUMED BEARING), A DISTANCE OF 49.24 FEET;

THENCE SOUTH 67°42'28" EAST (ASSUMED BEARING), A DISTANCE OF 99.62 FEET;

THENCE SOUTH 60°36'58" EAST (ASSUMED BEARING), A DISTANCE OF 105.32 FEET;

THENCE SOUTH 49°47'31" EAST (ASSUMED BEARING), A DISTANCE OF 127.77 FEET;

THENCE SOUTH 17°37'05" EAST (ASSUMED BEARING), A DISTANCE OF 178.50 FEET;

THENCE SOUTH 33⁰50'14" WEST (ASSUMED BEARING), A DISTANCE OF 16.07 FEET;

THENCE SOUTH 22⁰29'24" EAST (ASSUMED BEARING), A DISTANCE OF 267.14 FEET;

THENCE SOUTH 17⁰24'32" EAST (ASSUMED BEARING), A DISTANCE OF 83.06 FEET;

THENCE SOUTH 14⁰27'34" EAST (ASSUMED BEARING), A DISTANCE OF 19.61 FEET;

THENCE NORTH 83⁰46'32" EAST (ASSUMED BEARING), A DISTANCE OF 104.30 FEET;

THENCE SOUTH 19⁰13'23" EAST (ASSUMED BEARING), A DISTANCE OF 986.91 FEET;

THENCE SOUTH 70⁰46'37" WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE SOUTH 19⁰13'23" EAST (ASSUMED BEARING), TO A POINT LOCATED 75 FEET NORTH OF THE SOUTH LINE OF SECTION 34; TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, TO THE SOUTH LINE OF SAID SECTION 34;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 34, TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 75.34 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 685.52;

THENCE NORTH 19⁰13'23" WEST (ASSUMED BEARING), A DISTANCE OF 1,531.39 FEET;

THENCE SOUTH 70⁰46'37" WEST (ASSUMED BEARING), A DISTANCE OF 75.00 FEET;

THENCE NORTH 19⁰13'23" WEST (ASSUMED BEARING), A DISTANCE OF 1,036.61 FEET;

THENCE NORTHWESTERLY, ALONG A 875.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, WITH A CHORD BEARING OF NORTH 21⁰00'39" WEST (ASSUMED BEARING), A DISTANCE OF 54.60 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 83⁰46'32" EAST (ASSUMED BEARING), A DISTANCE OF 103.31 FEET;

THENCE NORTH 16⁰55'44" WEST (ASSUMED BEARING), A DISTANCE OF 142.73 FEET;

THENCE NORTH 43⁰37'42" WEST (ASSUMED BEARING), A DISTANCE OF 290.02 FEET;

THENCE NORTH 64⁰18'42" WEST (ASSUMED BEARING), A DISTANCE OF 115.51 FEET;

THENCE NORTH 38°34'18" EAST (ASSUMED BEARING), A DISTANCE OF 60.52 FEET;
THENCE NORTH 50°10'56" WEST (ASSUMED BEARING), A DISTANCE OF 477.28 FEET;
THENCE NORTH 71°59'01" WEST (ASSUMED BEARING), A DISTANCE OF 80.78 FEET;
THENCE NORTH 28°55'54" WEST (ASSUMED BEARING), A DISTANCE OF 96.57 FEET;
THENCE NORTH 54°34'51" WEST (ASSUMED BEARING), A DISTANCE OF 586.73 FEET;
THENCE NORTH 41°54'05" WEST (ASSUMED BEARING), A DISTANCE OF 452.06 FEET;
THENCE NORTH 83°51'35" WEST (ASSUMED BEARING), A DISTANCE OF 40.93 FEET, TO A POINT OF NON-TANGENCY ON A CURVE;
THENCE NORTHWESTERLY, ALONG A 1,240.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, WITH A CHORD BEARING OF NORTH 21°49'51" WEST (ASSUMED BEARING), A DISTANCE OF 616.42 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 38.17 FEET;
THENCE SOUTH 62°34'47" WEST (ASSUMED BEARING), A DISTANCE OF 327.71 FEET;
THENCE NORTH 36°04'17" WEST (ASSUMED BEARING), A DISTANCE OF 15.71 FEET;
THENCE NORTH 26°00'56" WEST (ASSUMED BEARING), A DISTANCE OF 424.67 FEET;
THENCE NORTH 48°05'06" EAST (ASSUMED BEARING), A DISTANCE OF 460.13 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 70.00 FEET;
THENCE NORTH 82°24'38" EAST (ASSUMED BEARING), A DISTANCE OF 85.00 FEET;
THENCE NORTH 07°35'22" WEST (ASSUMED BEARING), A DISTANCE OF 1,104.40 FEET;
THENCE NORTH 00°05'24" WEST (ASSUMED BEARING), TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;
THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, TO THE POINT OF BEGINNING;

MADISON COUNTY

A TRACT OF LAND IN SECTIONS 1, 2, 3 AND 12 IN TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND MADISON COUNTY, IOWA, IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 700 FEET;

THENCE NORTH, ALONG A LINE 700 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 175 FEET;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO A POINT 350 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE WEST, ALONG A LINE 350 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 325 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 225 FEET;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE WEST, ALONG A LINE 500 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 75 FEET;

THENCE NORTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO A POINT 275 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2,

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 325 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 700 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE WEST, ALONG A LINE 600 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 250 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 200 FEET;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 350 FEET;

THENCE NORTH, ALONG A LINE 550 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO A POINT 175 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 3;

THENCE WEST, ALONG A LINE 175 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 3, TO A POINT 200 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 200 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH, ALONG A LINE 300 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO A POINT 250 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, TO THE WEST LINE OF

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 250 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 250 FEET;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO A POINT 75 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2, TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 750 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 750 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 550 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 400 FEET;

THENCE EAST, ALONG A LINE 150 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 175 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 75 FEET;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 150 FEET;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 175 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO A POINT 75 FEET WEST OF THE EAST LINE OF SAID SECTION 1;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 1, TO A POINT 75 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE EAST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, TO THE EAST LINE OF SAID SECTION 1;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 1, TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 12, TO THE POINT OF BEGINNING.

POLK COUNTY

A TRACT OF LAND IN SECTIONS 31 AND 32 IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND POLK COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 100 FEET;

THENCE NORTH, ALONG A LINE 100 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 31, A DISTANCE OF 320 FEET;

THENCE EAST, TO THE WEST LINE OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA;

THENCE EAST, A DISTANCE OF 100 FEET;

THENCE SOUTH, ALONG A LINE 100 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 32, TO THE SOUTH LINE OF SAID SECTION 32;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 32, TO THE POINT OF BEGINNING.

WARREN COUNTY

A TRACT OF LAND IN SECTIONS 4, 5, 6, 7 AND 8 IN TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES AND WARREN COUNTY, IOWA , IS INCLUDED IN THE OSMIUM URBAN RENEWAL PLAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER SAID SECTION 4, TO THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 800 FEET;

THENCE NORTHWESTERLY, TO A POINT LOCATED 850 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8 AND 200 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 8;

THENCE WEST, ALONG A LINE 200 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 8, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SAID SECTION 8, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF SAID SECTION 5, TO THE SOUTHWEST CORNER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE EAST, ALONG A LINE 200 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 5, TO THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 5, TO A POINT 225 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE WEST, ALONG A LINE 225 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 50 FEET;

THENCE WEST, ALONG A LINE 275 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 25 FEET;

THENCE WEST, ALONG A LINE 300 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 75 FEET;

THENCE WEST, ALONG A LINE 375 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 200 FEET;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE EAST LINE OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG A LINE 575 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, TO THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20TH AVENUE WARREN COUNTY);

THENCE NORTH, ALONG THE WEST RIGHT OF WAY LINE OF SE 50TH STREET (20TH AVENUE WARREN COUNTY), TO THE SOUTH RIGHT OF WAY LINE OF SE ADAMS STREET (ADAMS STREET WARREN COUNTY);

THENCE WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF ADAMS STREET (WARREN COUNTY), TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE NORTH, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE WEST, ALONG A LINE 75 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT 75 FEET EAST OF THE WEST LINE OF SAID SECTION 6;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 6, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 35;

THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF INTERSTATE 35, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE WEST, ALONG THE SOUTH LINE OF THE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 7, TO THE WEST LINE OF SAID SECTION 7;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 7, TO THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 6, TO A POINT 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6;

THENCE EAST, ALONG A LINE 75 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, TO A POINT 175 FEET WEST OF THE EAST LINE OF SAID SECTION 6;

THENCE NORTH, ALONG A LINE 175 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 6, TO THE NORTH LINE OF SAID SECTION 6;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 6, TO THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN;

THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 175 FEET;

THENCE SOUTH, ALONG A LINE 175 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 5, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 100 FEET;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 100 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 300 FEET;

THENCE EAST, ALONG A LINE 400 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO A POINT 75 FEET WEST OF THE EAST LINE OF SAID SECTION 5;

THENCE NORTH, ALONG A LINE 75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 5, TO A POINT 500 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TO THE WEST LINE OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WARREN COUNTY, IOWA;

THENCE EAST, ALONG A LINE 500 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 75 FEET;

THENCE SOUTH, ALONG A LINE 75 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID SECTION 4, TO A POINT 250 FEET NORTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL;

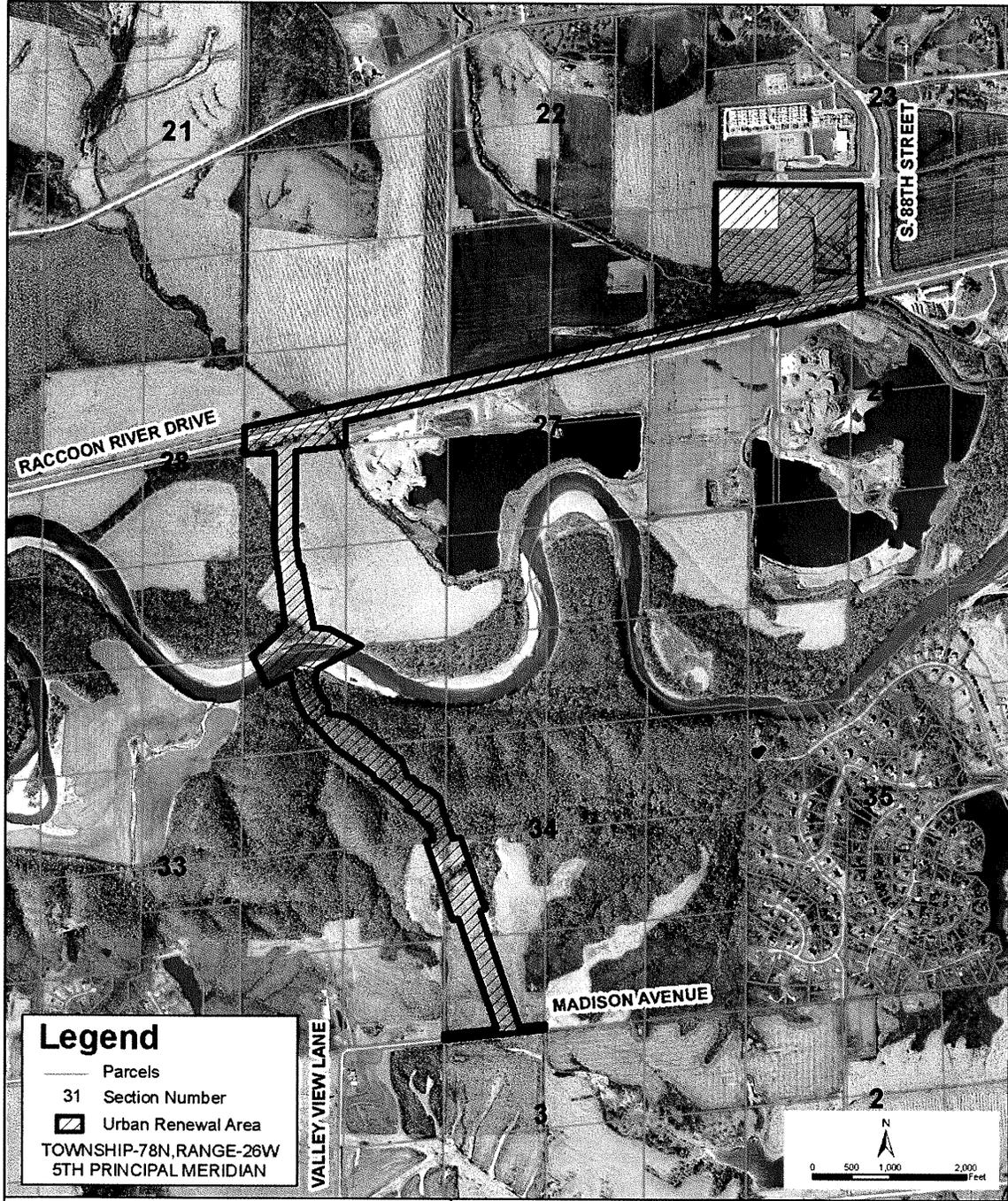
THENCE NORTHEASTERLY, ALONG A LINE 250 FEET NORTHWESTERLY OF AND PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF THE GREAT WESTERN TRAIL, TO THE WEST LINE OF PARCEL "C" AS DEPICTED ON A PLAT OF SURVEY DATED JANUARY 14, 2004 RECORDED IN PLAT BOOK 2004, PAGE 20 OF 77-25 IN THE OFFICE OF THE WARREN COUNTY RECORDER;

THENCE NORTH, ALONG THE WEST LINE OF SAID PARCEL "C", TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, TO THE POINT OF BEGINNING.

EXHIBIT B

BOUNDARY MAP
OSMIUM URBAN RENEWAL AREA
(Individual Maps By County)



Legend

- Parcels
- 31 Section Number
- ▨ Urban Renewal Area

TOWNSHIP-78N, RANGE-26W
5TH PRINCIPAL MERIDIAN



CITY OF WEST DES MOINES
ENGINEERING SERVICES
4200 MILLS CIRC PARKWAY
WEST DES MOINES, IOWA 50265
PH. 515.222.3475 FAX: 515.273.0603

PROJECT:		OSMIUM URBAN RENEWAL PLAN EXHIBIT "B"	
LOCATION:		DALLAS COUNTY	
DRAWN BY:	REF	DATE:	10/07/2016
		SHT.	1 OF 1



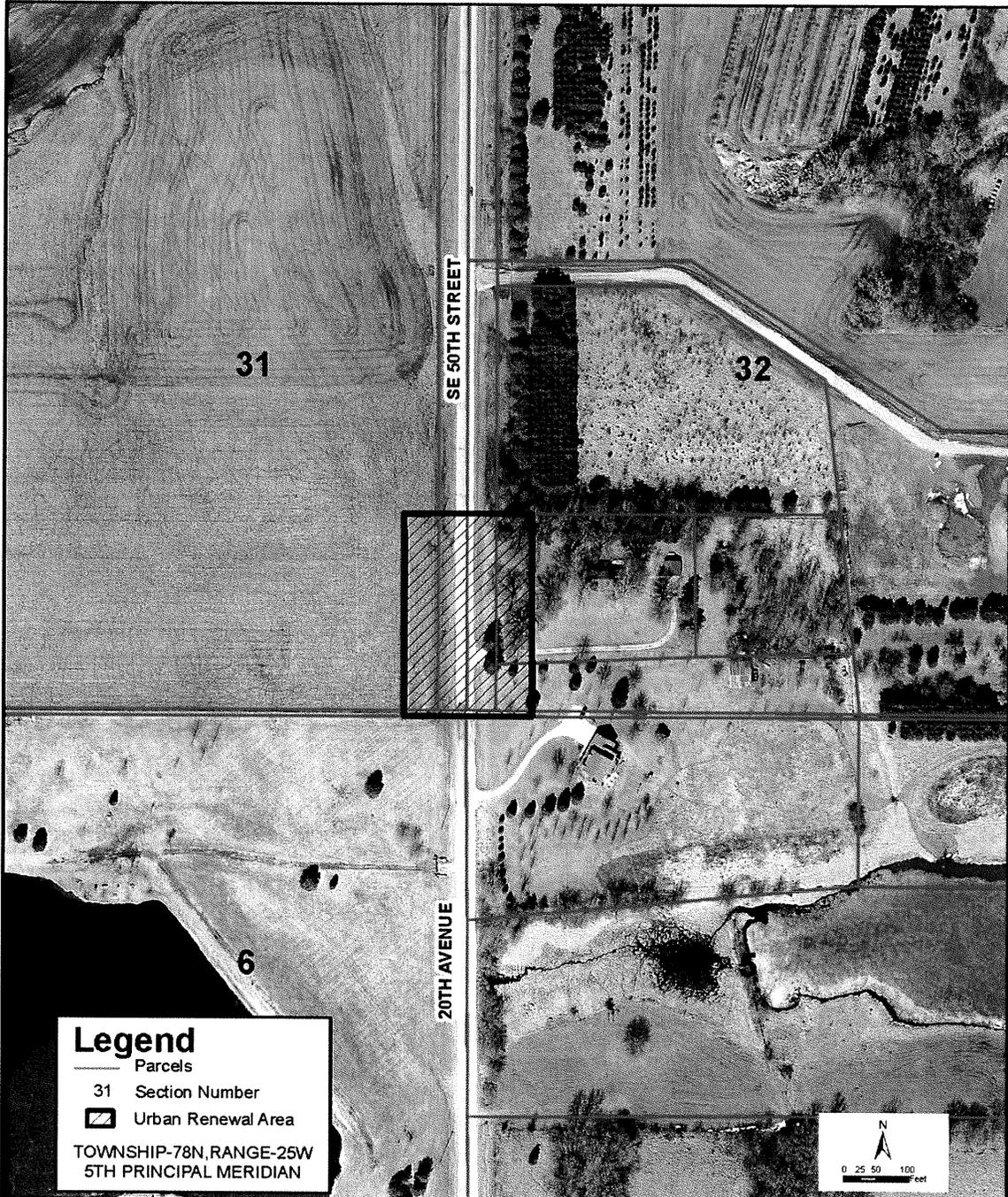
Legend

- Parcels
- 31 Section Number
- ▨ Urban Renewal Area

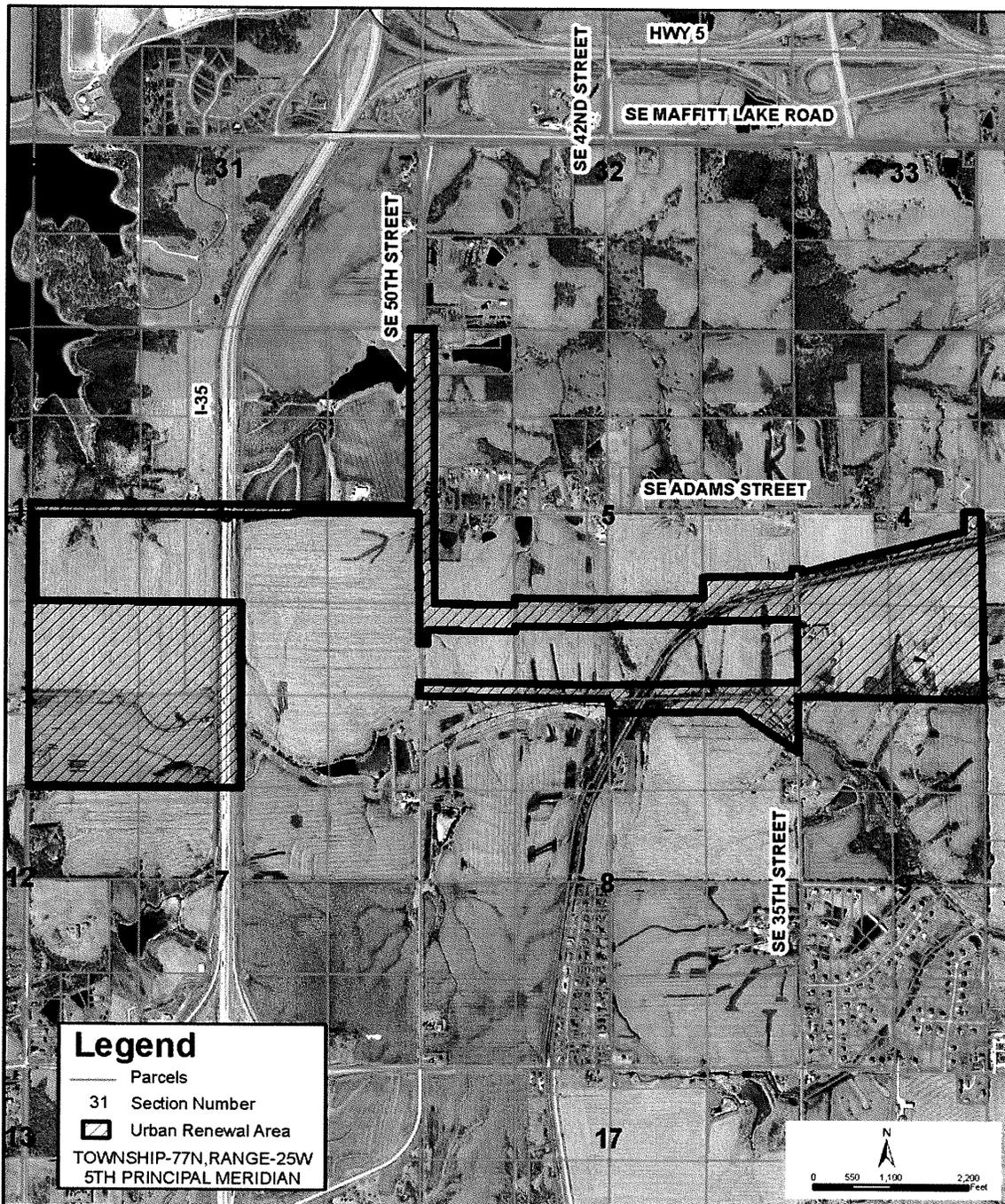
TOWNSHIP-77N, RANGE-26W
5TH PRINCIPAL MERIDIAN


CITY OF WEST DES MOINES
ENGINEERING SERVICES
 4200 MILLS C/MC PARKWAY
 WEST DES MOINES, IOWA 50265
 PH: 515.222.3475 FAX: 515.273.0603

PROJECT:	OSMIUM URBAN RENEWAL PLAN		
	EXHIBIT "B"		
LOCATION:	MADISON COUNTY		
DRAWN BY:	REF	DATE:	10/07/2016
		SHT:	1 OF 1



 <p>CITY OF WEST DES MOINES ENGINEERING SERVICES 4300 MILLS CIVIC PARKWAY WEST DES MOINES, IOWA 50265 PH 515.222.3620 FAX: 515.273.0602</p>	PROJECT: OSMIUM URBAN RENEWAL PLAN EXHIBIT "B"	
	LOCATION: POLK COUNTY	
	DRAWN BY: REF	DATE: 10/07/2016



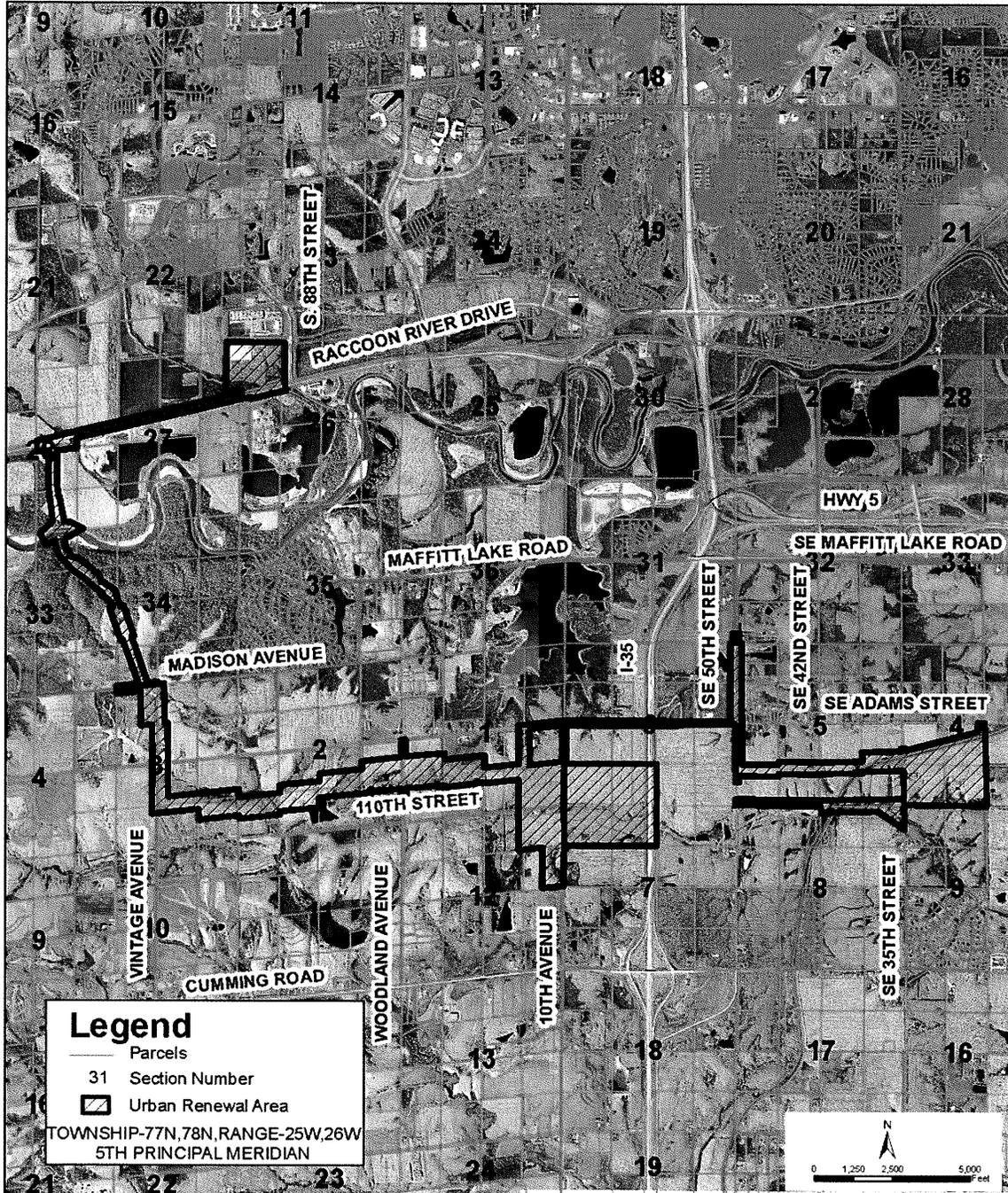
Legend
 — Parcels
 31 Section Number
 [Hatched Box] Urban Renewal Area
 TOWNSHIP-77N, RANGE-25W
 5TH PRINCIPAL MERIDIAN



**CITY OF WEST DES MOINES
 ENGINEERING SERVICES**
 4200 MILLS CIVIC PARKWAY
 WEST DES MOINES, IOWA 50265
 PH: 515.222.3475 FAX: 515.273.0603

PROJECT:	OSMIUM URBAN RENEWAL PLAN EXHIBIT "B"		
LOCATION:	WARREN COUNTY		
DRAWN BY:	REF	DATE:	10/07/2016
		SHT:	1 OF 1

**EXHIBIT C
LOCATION MAP
OSMIUM URBAN RENEWAL AREA
(IN ITS ENTIRETY)**



Legend
 Parcels
 31 Section Number
 Urban Renewal Area
 TOWNSHIP-77N, 78N, RANGE-25W, 26W
 5TH PRINCIPAL MERIDIAN

 CITY OF WEST DES MOINES ENGINEERING SERVICES 4200 MILLS CTRC PARKWAY WEST DES MOINES, IOWA 50265 PH. 515.222.3475 FAX. 515.273.0603	PROJECT: OSMIUM URBAN RENEWAL PLAN EXHIBIT "B" ALL COUNTIES		
	LOCATION: POLK WARREN MADISON DALLAS COUNTIES		
	DRAWN BY: REF	DATE: 10/07/2016	SHT. 1 OF 1

EXHIBIT D

AGREEMENTS TO INCLUDE AGRICULTURAL LAND IN THE OSMIUM URBAN RENEWAL AREA

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE OSMIUM URBAN RENEWAL AREA

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

- 1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 9th day of August, 2016.

Agricultural Land Owner's Name:

Charles I. and Ruth Colby Investment Trust

Signature: [Handwritten Signature]

Date: 8-9-16

Witness: [Handwritten Signature]

Signature: [Handwritten Signature]

Date: 8-9-16

Witness: [Handwritten Signature]

Approved by the West Des Moines City Council on the ___ day of ___, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000060615 91-93025050880 91-93025050860 91-15000070420
91-15000060490 91-15000060611 91-15000060640 91-15000070440
91-15000060660 91-93025050840 91-93025050820 (M) 61-011011228000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 10 day of September 2016.

Agricultural Land Owner's Name:

Davis Estates, Ltd.

Signature: Linda Griffith, Pres. Signature: _____

Date: 9-10-16 Date: _____

Witness: [Signature] Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025080220 91-93025080240

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

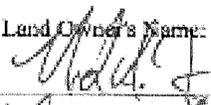
WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

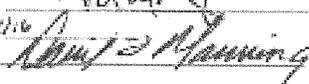
1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.
3. Owner enters into this Agreement with the understanding that the newly constructed roadway known as "Veteran's Parkway" will be aligned as depicted in Exhibit "B" attached hereto.

DATED this 14th day of September, 2016.

Agricultural Land Owner's Name: Nick A. Fusano

Signature: 

Date: 9/14/16

Witness: 

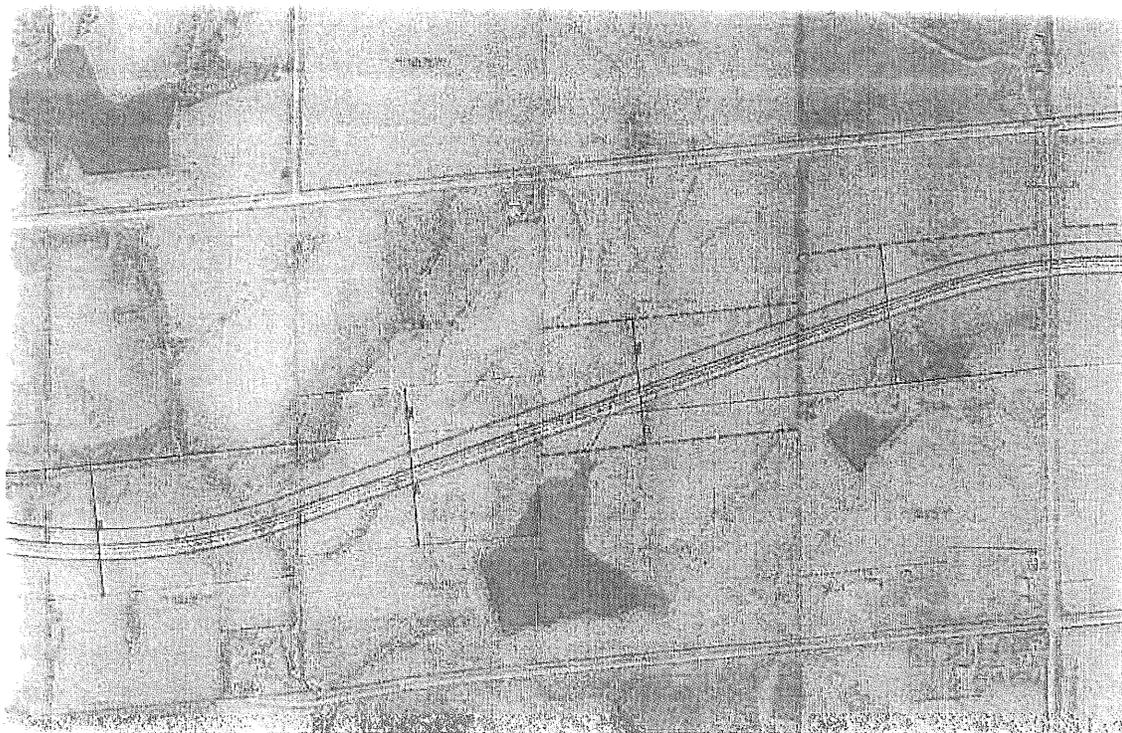
Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcel(s): (M) 61-013010288003000

EXHIBIT "B"



**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of October, 2016.

Agricultural Land Owner's Name:

Dollie M. Fischer & Gary R. Fischer, Co-Trustees of
the Ernest R. Fischer, Jr. Trust

Signature: *Dollie M. Fischer*
Dollie M. Fischer, Co-Trustee

Date: 10/14/16

Witness: *Shawn A. TWA*

Signature: *[Signature]*
Gary R. Fischer, Co-Trustee

Date: 10-14-16

Witness: *Shawn A. TWA*

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000050660 91-15000050640

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 11th day of October, 2016.

Agricultural Land Owner's Name:

Flinn Farms, LLC

Signature: *Jenna Flinn*, member

Date: October 11, 2016

Witness: *[Signature]*

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (P) 77-32000401178000 (M) 61-011010282000000 61-011010166010000 61-010010164000000
61-011010168000000 61-010010162000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this ____ day of _____, 2016.

Agricultural Land Owner's Name:

General Manufacturing Corporation

Signature: Mandy Ditter VP

Signature: _____

Date: Sept 13 2016

Date: _____

Witness: Richard Reigley

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000060260 91-15000060220 (M) 61-011010384000000 61-011010386000000
61-011010388000000 61-011010266010000 61-011010382000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 17th day of August, 2016.

Agricultural Land Owner's Name:

Veronica A. Haluska

Signature: Veronica A. Haluska

Date: 8-17-16

Witness: Jordan T. Breitbach
JORDAN T BREITBACH

Agricultural Land Owner's Name:

John O. Tank

Signature: John O. Tank

Date: April 22/16

Witness: Denise D. Dewald

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-010010188000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 6th day of September, 2016.

Agricultural Land Owner's Name:

K. Allen Hankins and Phyllis Hankins, Trustees of
the Allen and Phyllis Hankins Trust U/T/A dated
January 5, 1998

Signature: <u>K. Allen Hankins, trustee</u>	Signature: <u>Phyllis Hankins, Trustee</u>
<small>K. Allen Hankins, Trustee</small>	<small>Phyllis Hankins, Trustee</small>
Date: <u>9/6/16</u>	Date: <u>9/6/2016</u>
Witness: <u>Quane Hankins</u>	Witness: <u>Quane Hankins</u>

Approved by the West Des Moines City Council on the ___ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025040660 91-93025040647 91-93025040627

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(9) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 10th day of October, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kelly Higgins Turner

Kristin Jean Higgins

Signature: K. Higgins

Signature: _____

Date: 10-10-16

Date: _____

Witness: Debra Gilman

Witness: _____

Michael Andrew Higgins

Barbara J. Higgins

Signature: _____

Signature: _____

Date: _____

Date: _____

Witness: _____

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 28 day of Sep., 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

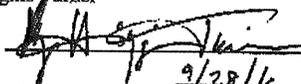
Kristin Jean Higgins

Signature: _____

Date: _____

Witness: _____

Kelly Higgins Turner

Signature: 

Date: 9/28/16

Witness:  9/28/16

Michael Andrew Higgins

Signature: _____

Date: _____

Witness: _____

Barbara J. Higgins

Signature: _____

Date: _____

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 9 day of 28th, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kristin Jean Higgins

Kelly Higgins Turner

Signature: _____

Signature: _____

Date: _____

Date: _____

Witness: _____

Witness: _____

Michael Andrew Higgins

Barbara J. Higgins

Signature: [Handwritten Signature]

Signature: _____

Date: 9/28/2016

Date: _____

Witness: [Handwritten Signature]

Witness: _____

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this ____ day of _____, 2016.

Agricultural Land Owner's Name:
Barbara J. Higgins (Life Estate)

Kristin Jean Higgins

Signature: _____

Date: _____

Witness: _____

Kelly Higgins Turner

Signature: _____

Date: _____

Witness: _____

Michael Andrew Higgins

Signature: _____

Date: _____

Witness: _____

Barbara J. Higgins

Signature: *Barbara J. Higgins*

Date: *July 7-2016*

Witness: *[Signature]*

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 29th day of August, 2016.

Agricultural Land Owner's Name:

K Properties, LLC

Signature: 

Signature: _____

Date: 8/29/16

Date: _____

Witness: 

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-011010284000000 61-011010262010000 61-011010264000000
 61-011010268000000 61-011010286000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 26 day of September 2016.

Agricultural Land Owner's Name:

Charlotte A. Kendall

Signature: Charlotte A. Kendall

Date: 9-20-16

Witness: Susan D. Conway

Susan Ilene Conway

Signature: Susan D. Conway

Date: 9-20-16

Witness: Charlotte A. Kendall

Gregory Paul Webb

Signature: Gregory Paul Webb

Date: 9-20-16

Witness: Ann

Sharon Marie Schnese

Signature: Sharon M. Schnese

Date: 9-22-2016

Witness: Wm. J. Schore

Charles E. Webb

Signature: Charles E. Webb

Date: 9-20-16

Witness: Charlotte A. Kendall

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000040622

91-15000040643

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of September, 2016.

Agricultural Land Owner's Name:

William C. Knapp, L.C.

By: Gerard D. Neugeb, Manager

Signature: Gerard D. Neugeb

Signature: _____

Date: 9/14/2016

Date: _____

Witness: Stuart Ruddy

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

City Clerk

Parcels: (W) 91-15000050447 91-15000050460

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 11th day of August, 2016.

Agricultural Land Owner's Name:

LeMar A. Koethe

Signature: 

Date: 8/11/16

Witness: Daniel Brown

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-93025050680 91-93025050621
(M) 61-010010180040000 61-010010180030000 61-010010180022000 61-010010180010000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 24th day of August, 2016.

Agricultural Land Owner's Name:

Martin Marietta Materials Real Estate Investments, Inc.

Signature: William J. Galin

Signature: _____

Date: 8/24/16

Date: _____

Witness: Carl Morgan

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (D) 25-1627300003 25-1627200005 25-1628400004 25-1628400002

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

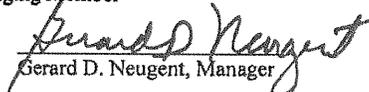
NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 14th day of September, 2016.

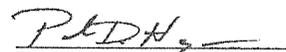
RACCOON RIVER LAND CO., L.L.C.
an Iowa limited liability company

By: William C. Knapp, L.C.
an Iowa limited liability company
Managing Member

By: 
Gerard D. Neugent, Manager

By: **RACCOON RIVER INVESTORS, LLC**
Managing Member

By: JSC TRUST
Member

By: 
Paul D. Hayes, Trustee

ACKNOWLEDGEMENTS

State of Iowa)
)ss:
County of Polk)

This record was acknowledged before me on September 14, 2016 by Gerard D. Neugent, Manager of William C. Knapp, L.C., Member of Raccoon River Land Co., L.L.C.



Stuart Ruddy
Notary Public

(Stamp or Seal)

State of Iowa)
)ss:
County of Polk)

This record was acknowledged before me on September 15, 2016 by Paul D. Hayes, Trustee of JSC Trust, Member in Raccoon River Investors, LLC, Member of Raccoon River Land Co., L.L.C.



Stuart Ruddy
Notary Public

(Stamp or Seal)

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (D) 25-1634100004 25-1633200004 25-1634300001 25-1634100003
25-1634100001 25-1634300004 25-1633200002 25-1634300002
(W) 61-785010348000000 61-785010342000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 5th day of October, 2016.

Agricultural Land Owner's Name:

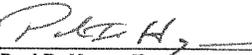
RACCOON RIVER LAND CO., L.L.C.
an Iowa limited liability company

By: William C. Knapp, L.C.
an Iowa limited liability company
Managing Member

By: 
Gerard D. Neugent, Manager

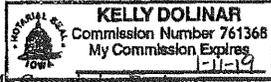
By: RACCOON RIVER INVESTORS, LLC
Managing Member

By: JSC TRUST
Member

By: 
Paul D. Hayes, Trustee

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on October 3, 2016 by Gerard D. Neugent, Manager of William C. Knapp, L.C. Member of Raccoon River Land Co., L.L.C.

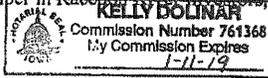


Kelly Dolinar
Notary Public in and for the State of Iowa

My Commission Expires:

STATE OF IOWA)
) SS
COUNTY OF POLK)

This record was acknowledged before me on October 5, 2016 by Paul D. Hayes, Trustee of JSC Trust, Member in Raccoon River Investors, LLC, Member of Raccoon River Land Co., L.L.C.



Kelly Dolinar
Notary Public in and for the State of Iowa

My Commission Expires:

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-021010362000000 61-021010368000000

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 7 day of SEPT, 2016.

Agricultural Land Owner's Name:

Temple Holdings, LP

Signature: [Signature]

Signature: _____

Date: 9/7/16

Date: _____

Witness: [Signature] 09/07/16

Witness: _____

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (W) 91-15000050442

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE OSMIUM URBAN RENEWAL AREA**

WHEREAS, the City of West Des Moines, Iowa, (the "City") has proposed the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of the Area will include certain property designated in the Osmium Urban Renewal Plan ("Property"); and

WHEREAS, Section 403.17(10) 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," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property owned by the Agricultural Land Owner below within the Urban Renewal Area meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

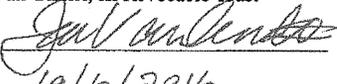
NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area (Exhibit A) and agrees that the City of West Des Moines, Iowa, may include such property within the Urban Renewal Area.
2. The Agricultural Land Owner further authorizes the governing body of the City of West Des Moines, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

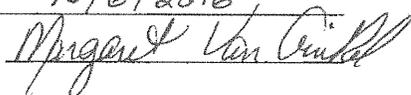
DATED this 6 day of OCTOBER, 2016.

Agricultural Land Owner's Name:

Joseph G. Van Ginkel, III Revocable Trust

Signature: 

Date: 10/6/2016

Witness: 

Approved by the West Des Moines City Council on the ____ day of _____, 2016.

Mayor

Attest: City Clerk

Parcels: (M) 61-011011224000000 61-011011222004000 61-011011222003000

EXHIBIT E
JOINT CITY/COUNTY AGREEMENT
(WARREN COUNTY)

JOINT CITY/COUNTY AGREEMENT

WHEREAS, the City of West Des Moines, State of Iowa, (the "City") has proposed to establish the Osmium Urban Renewal Area within two miles of the City of West Des Moines, State of Iowa, for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City of West Des Moines, State of Iowa, has reviewed the Osmium Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City of West Des Moines, State of Iowa; and

WHEREAS, Iowa Code Section 403.17(4) requires a "joint agreement" between the City and the County before the City can proceed with said projects.

NOW THEREFORE, WARREN COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Warren County, State of Iowa, hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with the Osmium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City of West Des Moines and in such locations as is identified in the Osmium Urban Renewal Plan.
2. This "joint agreement" is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Osmium Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Warren County, State of Iowa, and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this 29th day of September, 2016.

WARREN COUNTY, STATE OF IOWA

Doug Shull
Chairperson, Board of Supervisors

ATTEST:

Traci Vanderlinden
Secretary

STATE OF IOWA)
) SS
COUNTY OF WARREN)

On this 29th day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Doug Shull and Traci Vanderlinden to me personally known, who being duly sworn, did say that they are the Chairperson and Secretary, respectively, of Warren County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Secretary acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.



Megan R. Andrew
Notary Public in and for Warren County, Iowa

PASSED AND APPROVED this 3rd day of October, 2016.

CITY OF WEST DES MOINES, STATE OF IOWA

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 3rd day of October, 2016, before me a Notary Public in and for said County, personally appeared Steven Gaer and Ryan Jackson to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, State of Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

[Signature]
Notary Public in and for Polk County, Iowa

01279277-1\11333-280

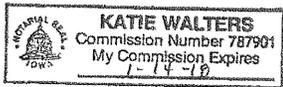


EXHIBIT F
JOINT CITY/COUNTY AGREEMENT
(MADISON COUNTY)

WHEREAS, the City of West Des Moines, State of Iowa, (the "City") has proposed to establish the Osmium Urban Renewal Area within two miles of the City of West Des Moines, State of Iowa, for the purpose of participating in eligible urban renewal projects; and

WHEREAS, the City Council of the City of West Des Moines, State of Iowa, has reviewed the Osmium Urban Renewal Plan for said Urban Renewal Area and has determined that the proposed Urban Renewal Plan and completion of the eligible projects are in the best interests of the City of West Des Moines, State of Iowa; and

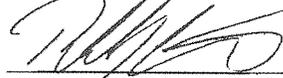
WHEREAS, Iowa Code Section 403.17(4) requires a "joint agreement" between the City and the County before the City can proceed with said projects.

NOW THEREFORE, MADISON COUNTY, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The Board of Supervisors of Madison County, State of Iowa, hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with the Osmium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects therein which are located within two miles of the City of West Des Moines and in such location as is identified in the Osmium Urban Renewal Plan.
2. This "joint agreement" is intended to meet the requirements of Iowa Code Section 403.17(4) with respect to the portions of the Osmium Urban Renewal Area outside the current boundaries of the City but within two miles thereof.
3. This Joint Agreement has been duly authorized by the governing bodies of Madison County, State of Iowa, and the City of West Des Moines, State of Iowa.

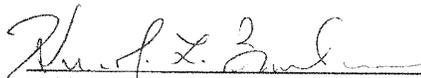
PASSED AND APPROVED this 20th day of September, 2016.

MADISON COUNTY, STATE OF IOWA



Chairperson, Board of Supervisors

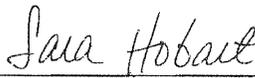
ATTEST:



Heidi L. Burhans, Madison County Auditor

STATE OF IOWA)
) SS
COUNTY OF MADISON)

On this 20th day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Phillip Clifton and Heidi L. Burhans to me personally known, who being duly sworn, did say that they are the Chairperson and Auditor, respectively, of Madison County, State of Iowa, a political subdivision, and that the seal affixed to the foregoing instrument is the seal of said political subdivision, and that said instrument was signed and sealed on behalf of said political subdivision by authority and resolution of its Board of Supervisors, and said Chairperson and Auditor acknowledged said instrument to be the free act and deed of said political subdivision by it voluntarily executed.



Notary Public in and for Madison County, Iowa



**EXHIBIT G
JOINT AGREEMENT
(CITY OF CUMMING)**

JOINT AGREEMENT

WHEREAS, the City of West Des Moines, Iowa, ("West Des Moines") is proposing to adopt the Osmium Urban Renewal Plan ("Plan") for the Osmium Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa (the Urban Renewal Chapter), in order to undertake activities authorized by that Chapter; and

WHEREAS, the Plan is expected to authorize, among other things, construction of infrastructure (including a sewer line) as urban renewal projects, and a portion of said infrastructure is expected to be constructed by the City of West Des Moines within the City of Cumming, Iowa; and

WHEREAS, it is expected that the infrastructure will benefit Microsoft Corporation's construction of a regional data center within the Osmium Urban Renewal Area; and

WHEREAS, this infrastructure is also expected to provide benefits to the residents and businesses of the City of Cumming, the City of West Des Moines, and surrounding municipalities; and

WHEREAS, it is expected that the cost of constructing the infrastructure within the City of Cumming will be funded in part from incremental tax revenue generated by the Microsoft Corporation regional data center located within the Osmium Urban Renewal Area, which revenues are expected to be collected by the County and provided to West Des Moines under the Urban Renewal Chapter; and

WHEREAS, in order to allow incremental tax revenues to be used to fund the construction of the infrastructure within the City of Cumming, property where the Microsoft Corporation regional data center will be located as well as property where the infrastructure will be constructed must be included in the Osmium Urban Renewal Area by the Plan; and

WHEREAS, the Plan proposes that property within the corporate boundaries of the City of Cumming be included in the land to be included in the Osmium Urban Renewal Area by the Plan (see attached map); and

WHEREAS, the City of West Des Moines will not adopt a TIF Ordinance covering the property located within the City of Cumming; and

WHEREAS, Section 403.17(4) of the Code of Iowa provides that no property may be included in a City's urban renewal area that lies in a neighboring city "unless a resolution has been adopted by the governing body of the [neighboring] City declaring a need to be included in the area"; and

WHEREAS, in addition to the City of Cumming adopting the aforementioned resolution ("Resolution"), the City of Cumming and the City of West Des Moines have decided to further document the arrangement through this Joint Agreement.

NOW THEREFORE, THE CITY OF CUMMING, STATE OF IOWA, AND THE CITY OF WEST DES MOINES, STATE OF IOWA, AGREE AS FOLLOWS:

1. The City Council of the City of Cumming, State of Iowa hereby agrees and authorizes the City of West Des Moines, State of Iowa, to proceed with adopting the Osmium Urban Renewal Plan, and the undertaking of the eligible urban renewal projects and the exercise of urban renewal powers within the Osmium Urban Renewal Area, including that portion of the Area within the boundaries of the City of Cumming. This Agreement is contingent on the City of West Des Moines not adopting an ordinance pursuant to Iowa Code Section 403.19 implementing tax increment financing on property within the corporate boundaries of the City of Cumming, absent express written permission from the City of Cumming in the form of an amendment to this Agreement.

2. This Joint Agreement and the aforementioned Resolution are intended to meet the requirements of Iowa Code Chapter 403.17(4) with respect to the Osmium Urban Renewal Area established by City of West Des Moines, State of Iowa.

3. This Joint Agreement has been duly authorized by the governing bodies of the City of Cumming, State of Iowa and the City of West Des Moines, State of Iowa.

PASSED AND APPROVED this 29th day of September, 2016.

CITY OF CUMMING, STATE OF IOWA

Tom Becker
Tom Becker, Mayor

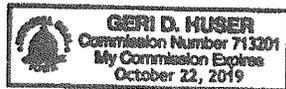
ATTEST:

Rachelle Swisher
Rachelle Swisher, City Clerk

STATE OF IOWA)
) SS
COUNTY OF WARREN)

On this 29 day of September, 2016, before me a Notary Public in and for the State of Iowa, personally appeared Tom Becker and Rachelle Swisher to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Cumming, State of Iowa, a Municipal Corporation, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Geri D. Muser
Notary Public in and for Warren County, Iowa



RESOLUTION NO. PZC -16- 070

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, FINDING THE PROPOSED OSMIUM URBAN RENEWAL PLAN CONFORMS WITH THE GENERAL PLAN FOR DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, The City of West Des Moines, has requested approval for the creation of the Osmium Urban Renewal Plan for that property located at the southwest quadrant of I-35 and future Veterans Parkway for the purpose of creating the Osmium Urban Renewal Plan;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on November 7, 2016, this Commission held a duly-noticed public meeting to consider the application for the creation of a new Urban Renewal Plan;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The finding, of consistency, in the staff report, dated November 7, 2016, or as amended orally at the Plan and Zoning Commission hearing of November 7, 2017, is adopted.

SECTION 2. In accordance with applicable State statutory provisions, the proposed creation of the Osmium Urban Renewal Plan is found to be in conformity with the general plan for development of the City and recommended to the City Council for approval.

PASSED AND ADOPTED on November 7, 2016.

ATTEST:

Craig Erickson, Chairperson
Plan and Zoning Commission

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on November 7, 2016, by the following vote:

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

Recording Secretary