ORDINANCE NO. 25-01

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Board of Supervisors of Mills County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2025 Whitetail Run Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Mills County to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"County" shall mean Mills County, Iowa.

"Urban Renewal Area" shall mean the 2025 Whitetail Run Urban Renewal Area, the boundaries of which are set out below, such area having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on October 28, 2025:

Lot Ten (10) of the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section Thirty-five (35),

ALSO, Lot Twenty-eight (28) of the Northeast Quarter of the Southeast Quarter (NE¼ SE¼) of Section Thirty-five (35),

AND ALSO, Lot Nine (9) of the Southwest Quarter of the Northwest Quarter (SW¼ NW¼) of Section Thirty-six (36),

ALSO, the North Half of the Northwest Quarter of the Southwest Quarter (N½ NW¼ SW¼) of Section Thirty-six (36), lying west of the road,

AND ALSO, the South Eighteen (18) feet of East one hundred seventy-seven and five-tenths (177.5) feet of Lot Thirty-three (33) of Three Oaks Subdivision, a rural subdivision, in Section Thirty-six (36).

All of the above land being in Township Seventy-three (73) North, Range Forty- three (43) West of the Fifth Principal Meridian, Mills County, Iowa

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the instructional support program of a school district imposed pursuant to Section 257.19 of the Code of Iowa and for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Board of Supervisors of Mills County, Iowa, on October 28, 2025.

Lonnie Mayberry, Chairperson, Board of Supervisors

Attest:

Amber Farnan, Auditor

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There being no further business to come before the meeting, it was upon motion adjourned.

Lonnie Mayberry, Chairperson, Board of Supervisors

Attest:

Amber Farnan, Auditor

STATE OF IOWA

SS:

MILLS COUNTY

I, the undersigned, County Auditor of Mills County, do hereby certify that the attached is a true, correct and complete copy of all the records of the Board of Supervisors of the County relating to the adoption of an ordinance entitled "Ordinance No. 25-01. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 28 day of October, 2025.

Amber Farnan, Auditor

STATE OF IOWA

SS:

MILLS COUNTY

I, the undersigned, County Auditor of Mills County, in the State of Iowa, do hereby certify that on the 28 day of October, 2025, a copy of an ordinance of the County was filed in my office, shown to have been adopted by the Board of Supervisors and approved by the Chairperson thereof on October 28, 2025, entitled: "Ordinance No. 25-01. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this 28 day of October, 2025.

Amber Farnan, Auditor

STATE OF IOWA

SS:

MILLS COUNTY

I, the undersigned, County Auditor of Mills County, do hereby certify that I caused to be published "Ordinance No. _______. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the County.

WITNESS MY HAND this __ day of _____________________, 2025.

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Amber Farnan, Auditor

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)

MINUTES PROVIDING FOR PASSAGE OF AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING DISTRICT

2025 Whitetail Run Urban Renewal Area

438850-19

Glenwood, Iowa

October 28, 2025

The Board of Supervisors of Mills County, Iowa, met on October 28, 2025 at 8:15 a.m., at the Mills County Courthouse, 418 Sharp Street, Glenwood, Iowa.

The Chairperson presided and the roll was called showing Supervisors present and absent, as follows:

Present: Mayberry, Sayers, Crouch

Absent: -None-.

Supervisor Mayberry introduced an ordinance entitled "Ordinance No. 25-01. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Supervisor Crouch and seconded by Supervisor Sayers that the ordinance be adopted. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Mayberry, Sayers, Crouch

Nays: -none-.

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Supervisor Sayers and seconded by Supervisor Crouch that the statutory rule requiring an ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed be suspended. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Mayberry Sayers Crouch

Nays: -none-.

Whereupon, the Chairperson declared the motion duly carried.

It was moved by Supervisor Crouch and seconded by Supervisor Sayers that the ordinance entitled "Ordinance No. 25-01. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Whitetail Run Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," now be put upon its final consideration and adoption. The Chairperson put the question on the motion, and the roll being called, the following named Supervisors voted:

Ayes: Mayberry Crouch Sayers

Nays: -none-.

Whereupon, the Chairperson declared the motion duly carried and the ordinance duly adopted, as follows: