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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

Type of Document: RESOLUTION ADOPTING AMENDMENT NO. 1 TO THE EARLHAM 2019 URBAN RENEWAL PLAN (INCLUDING AMENDMENT NO. 1 LABELED AS EXHIBIT 1 AND ATTACHED TO THE RESOLUTION)

Return Document to: Jessica Visser
City of Earlham
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Taxpayer Information: N/A

GRANTORS: N/A

GRANTEES: N/A

LEGAL DESCRIPTION: See Resolution, pages 1-2.
4897-8233-6658-1\10430-065

ITEMS TO INCLUDE ON AGENDA

CITY OF EARLHAM, IOWA

April 13, 2026

7:00 P.M.

Earlham 2019 Urban Renewal Plan

- Public hearing on the proposed Amendment No. 1 to the Earlham 2019 Urban Renewal Plan
- Resolution determining an area of the City to be an economic development and blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 1 to the Earlham 2019 Urban Renewal Plan

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21,
CODE OF IOWA, AND THE LOCAL RULES OF THE CITY.

April 13, 2026

The City Council of the City of Earlham, State of Iowa, met in regular session, in the Council Chambers, City Hall, 140 South Chestnut Avenue, Earlham, Iowa, at 7:00 P.M., on the above date. There were present Mayor Lillie, in the chair, and the following named Council Members:

Nelson, Mudge, Miller, Fredericksen, Visser

Absent: _____

Vacant: _____

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 1 to the Earlham 2019 Urban Renewal Plan, the Mayor first asked for the report of the City Clerk, or her delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that ○ written recommendations were received from affected taxing entities. The report of the City Clerk, or her delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written comments had been filed with respect to the proposed Amendment, and the City Clerk reported that ○ written comments thereto had been filed. The Mayor then called for any oral comments to the adoption of the Amendment No. 1 to the Earlham 2019 Urban Renewal Plan and ○ were made. The public hearing was then closed.

{Attach summary of comments here,
or include summary of comments in meeting minutes}

Council Member Miller then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE EARLHAM 2019 URBAN RENEWAL PLAN" and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2026, at this place.

Council Member Mudge seconded the motion. The roll was called, and the vote was:

AYES: Miller, Mudge, Visser, Nelsen,
Frederickson

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO 26-14

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AND BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE EARLHAM 2019 URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 19-47, adopted November 25, 2019, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Earlham 2019 Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Earlham 2019 Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Madison County; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

Beginning at the northwest corner of Section 7, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence south, 810 feet to a point in the center of County Road P-57; thence east, 2640 feet more or less to a point on the east line of the Northwest $\frac{1}{4}$ of said Section 7; thence north along said east line, 810 feet to the north $\frac{1}{4}$ corner of said Section 7, said point also being the south $\frac{1}{4}$ corner of Section 6, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, thence north along the west line of lot 17 of Allen's Subdivision, an Official plat included in and forming a part of the city of Earlham, to the south right-of-way line of the Iowa Interstate Rail Road as presently established; thence along said south right-of-way line for a distance of 378.5 feet more or less; thence northeast to the southwest corner of Outlot "D" of Westphal Subdivision, an Official Plat, included in and forming a part of the city of Earlham; thence along the south line of said Outlot "D", also being the south line of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of section 6; thence east along said south line to a point on the east line of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, thence north along said east line to the northeast corner of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, thence west along the north line of said Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, to the southeast corner of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 6; thence north along the east line of said West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, 400.00 feet; thence west along a line being 400 feet north of and parallel with the south line of said West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, 1260 feet more or less to a point on the east line of the Northwest $\frac{1}{4}$ of said Section 6; thence north 29 feet; thence west along a line being 429 feet north of and parallel with the south line of said Northwest $\frac{1}{4}$ of Section 6, 597.5 feet; thence north 33 feet; thence west 54 feet more or less to a point being 1777.61 feet east, and 461.78 feet north of the West $\frac{1}{4}$ corner of said Section 6; thence north 726.76 feet; thence west 599.41 feet

to a point on the east line of the west fractional $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 6, thence south along said east line to a point of intersection of said east line and the extension of the south line of Outlot "X" of Williamson Addition Plat 2, an Official Plat, included in and forming a part of the city of Earlham; thence along said south line of Outlot "X", to the northwest corner of NW Spruce Avenue right-of-way as presently established, and the south line of said Outlot "X"; thence south 35.89 feet along said line; thence west 669.67 feet along said line; thence south 30.31 feet along said line; thence west 160.02 feet along said line, to the west line of said section 6; thence north along said west line, 207.5 more or less to the north line of the south 858 feet of the south 46.17 acres of the north 66.17 acres of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 1-77-29; thence west along the north line of said south 858 feet, and the north line of Parcels "A" and "B" of said section 1, 1038.06 feet to the Northwest corner of said parcel "B"; thence south along the west line of said parcel "B", 709.20 feet; thence west along the north line of said parcel "B", 286.27 feet to the west line of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 1; thence south along said west line, 90.00 feet; thence east, 133 feet, thence south 75 feet, thence west 133 feet to a point on the west line of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 1, thence south along said west line of said East $\frac{1}{2}$, 363 feet to the southwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 1; thence east along the south line of said Section 1 to the point of beginning.

AND

Commencing at the Center corner of Section 6, Township 77 North, Range 28 West of the 5th P.M.; Thence east, along the south line of the Northeast Quarter (NE1/4) of said Section 6, 1320.3 feet, more or less to the east line of the East 50 feet of the South 700 feet of the West half (W.1/2) of the NE1/4, and the Point of Beginning; Thence north, along said east line, 700 feet, more or less to the Southwest corner of Parcel "B", as recorded in Book 2001, Page 4834 of the Madison County Recorder's office; Thence along the south line of said Parcel "B", 360 feet; Thence north, along the east line of said Parcel "B", 529.14 feet; Thence southwest, along the north line of said Parcel "B", 98.81 feet; Thence continuing northwest, along said north line, 198.70 feet; Thence continuing northwest, along said north line, 77.85 feet; Thence continuing northwest, along said north line, 39.06 feet, to the east line of the East 1000 feet of the North 850 feet of the South 1550 feet of the West half (W.1/2) of the NE1/4 of said Section 6; Thence north, along said east line to the Northeast corner of said East 1000 feet of the North 850 feet of the South 1550 feet of the West half (W.1/2) of the NE1/4 of said Section 6; Thence west, along said North line, 1000 feet, to the Northwest corner of said tract; thence south, along the west line, 850 feet, to the Southwest corner of said tract; Thence east, along the south line of said tract, 950 feet, to the west line of the East 50 feet of the South 700 feet of the West half (W.1/2) of the NE1/4, of said Section 6; Thence south, along said west line, 700 feet, more or less to the south line of the NE1/4 of said Section 6; Thence west, along said south line 50 feet, to the point of beginning.

WHEREAS, a proposed Amendment No. 1 to the Plan ("Amendment No. 1" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 1 does not add land to the Urban Renewal Area; and

WHEREAS, by resolution adopted on March 9, 2026, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 1 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 1 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Clerk, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 1 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Earlham Echo, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EARLHAM, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 concerning the area of the City of Earlham, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 1 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development and blighted area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 1 to the Earlham 2019 Urban Renewal Plan of the City of Earlham, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the Earlham 2019 Urban Renewal Plan for the City of Earlham, State of Iowa"; Amendment No. 1, including all of the

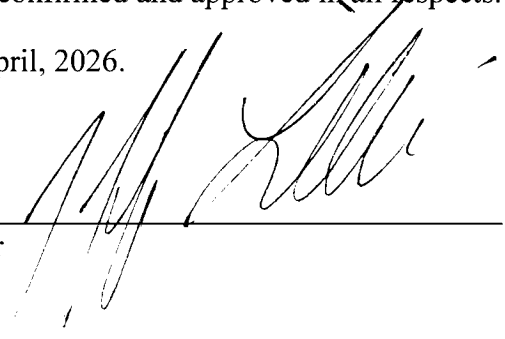
exhibits attached thereto, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 1 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 1 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Madison County, Iowa, to be filed and recorded in the manner provided by law.

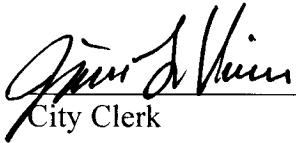
Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 13th day of April, 2026.

Mayor



ATTEST:



City Clerk

Label the Amendment as Exhibit 1 (with all exhibits) and attach it to this Resolution.

EXHIBIT 1

**AMENDMENT NO. 1
to the
EARLHAM 2019
URBAN RENEWAL PLAN
for the
EARLHAM 2019
URBAN RENEWAL AREA**

City of Earlham, Iowa

**Original Plan – November 2019
Amendment No. 1 – April 2026**

**Amendment No. 1
to the
Earlham 2019 Urban Renewal Plan for
the
Earlham 2019 Urban Renewal Area

City of Earlham, Iowa**

The Earlham 2019 Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Earlham 2019 Urban Renewal Area (“Area” or “Urban Renewal Area”) was adopted on November 25, 2019.

The Urban Renewal Plan is now being amended, by this Amendment No. 1 to the Plan (“Amendment” or “Amendment No. 1”), to add to the list of proposed urban renewal projects to be undertaken within the Urban Renewal Area.

No land is being added to or removed from the Urban Renewal Area by this Amendment. Accordingly, the previously established "base values" or "base valuations" of the original Urban Renewal Area and any subareas added by prior amendments to the Plan will remain unchanged by this Amendment.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections of the Plan not mentioned in this Amendment shall continue to apply to the Plan.

AREA DESIGNATION

The Urban Renewal Area continues to be designated as a blighted area and as an area appropriate for commercial and industrial economic development. This Amendment makes no change in the Area designation.

DEVELOPMENT PLAN

The City has a general plan for the physical development of the City as a whole outlined in the Earlham Comprehensive Plan, adopted April 14, 2025. The Urban Renewal Plan, as amended, including the urban renewal projects added by this Amendment, are in conformity with the Earlham Comprehensive Plan.

The Urban Renewal Plan, as amended, does not in any way replace or modify the City’s current land use planning or zoning regulation process.

The need for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, if any, is set forth in the Plan, as amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

Various urban renewal projects were authorized prior to the date of this Amendment, as described in the Urban Renewal Plan, and may be continuing. No previously authorized urban renewal projects are being modified by this Amendment.

ELIGIBLE URBAN RENEWAL PROJECTS **(Amendment No. 1)**

Although certain project activities may occur over a period of years, the Eligible Urban Renewal Projects under this Amendment include:

- 1. Earlham Public Works Building Project:** The City plans to undertake the construction of a new public works building within the Urban Renewal Area. The City's existing public works building, which is located within the Urban Renewal Area, is over 100 years old and originally served as the community's electric and water plant. While it holds historical significance, it no longer adequately supports the operational demands of our growing city. The existing facility is in blighted condition due to deterioration and is unable to support the operational demands of the City. The condition of the current building is increasingly concerning. Light is visible through portions of the brick walls, and temporary supports are being used to stabilize the structure and permit overhead door functioning. There is no heat in the equipment area, requiring vehicles to run for extended periods before use.

In furtherance of ensuring that the City can provide adequate maintenance services now and into the future, the City believes it is crucial to have a public works building that can accommodate modern equipment and vehicles used by the City to provide public services. This project will provide a centralized facility to house the city's equipment used to maintain roads and support daily operations. This includes snowplows that service both intown streets and surrounding areas, ensuring residents and neighboring county residents can safely access our community to purchase bulk water and support local businesses. The facility will also store mowers and maintenance equipment used to care for city parks and recreational facilities, including softball, baseball, and soccer fields. A new facility will significantly improve operational efficiency. Heated storage will reduce equipment warmup time during winter months, allowing crews to begin snow removal sooner and respond more quickly during severe weather events. This improved response time directly enhances public safety and service delivery. The proposed new public works facility may also share a driveway with the future fire station site, creating efficiencies in both site design and access.

The costs of constructing the new public works building are expected not to exceed \$1,500,000.

2. **Future Development Agreements:** The City expects to consider requests for development agreements for projects located within the Urban Renewal Area that are consistent with this Plan, as amended, in the City’s sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including, but not limited to, land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The amount of costs financed through Tax Increment Financing (TIF) for such development agreements are estimated not to exceed \$500,000.

3. **Planning, Engineering, Legal, and Other Fees and Costs:** The City expects to use Tax Increment Financing (TIF) to reimburse itself for advance payment of various fees and costs related to the Urban Renewal Plan, this Amendment to the Plan, and general planning related to urban renewal projects. The amount of these fees and costs to be financed using TIF are estimated not to exceed \$25,000.

FINANCIAL DATA

1.	Current constitutional debt limit:	\$6,322,991
2.	Current outstanding general obligation debt:	\$3,007,193
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 1) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 1) as described above will be approximately as stated in the next column:	<p style="text-align: right;">\$2,025,000</p> <p>This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.</p>

PUBLIC BUILDING ANALYSIS

One of the projects proposed in this Amendment, the new public works building project, would involve a public building. If this project is ultimately approved by the City, the City intends to finance a portion of the cost of the project through tax increment financing. Before the City can

use tax increment funds created by a division of revenue under Iowa Code Section 403.19 towards the project's cost, Iowa law requires an analysis of alternative development options and funding options for the urban renewal project, and reasons why such options would be less feasible than the use of incremental tax revenues to fund the project.

The total project costs for development of a new public works building are estimated to be approximately \$1,500,000. One alternative funding source for this project is the issuance of general obligation bonds that would be paid by the City's general obligation debt service levy, without using incremental tax revenues collected through Tax Increment Financing (TIF). This option would mean that only taxpayers of the City would be responsible for payment of the bonds/notes. However, this facility will benefit not only Earlham taxpayers, but also residents of the surrounding regional area who travel into and through the City.

Alternative funding sources for the project include the use of the City's LOST revenue is also a possible funding source for the project. However, the City has allocated the available LOST revenue for other projects and purposes. Using TIF to help finance this project will help preserve the City's financial capacity to use LOST revenue for other projects and to use the general obligation debt service levy for other capital improvements that may be needed in the future.

For the aforementioned reasons, the City considers the use of Tax Increment Financing (TIF) to abate general obligation debt associated with the project to be the most feasible, fair, and equitable mechanism for helping to fund the proposed project.

URBAN RENEWAL FINANCING

The City intends to utilize various financing tools, such as those described below to successfully undertake the proposed urban renewal actions. The City 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 *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, property acquisition, redevelopment incentives or other urban renewal 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 eligible urban renewal projects. Certain 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 tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition of property, construction of certain public improvements within the Area, and for other urban renewal projects or incentives for development consistent with the Urban Renewal Plan, as amended. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from 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 the Urban Renewal Plan, as amended. 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 for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

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 the Urban Renewal Plan.

EFFECTIVE PERIOD

This Amendment No. 1 will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. Notwithstanding anything to the contrary in the Plan or in any prior resolution or document, the Plan, as amended, shall remain in effect until terminated by the City Council.

The use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403. Nothing in this Amendment shall alter the duration of the division of revenue as previously explained in the Plan.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the Plan in conflict with this Amendment are hereby repealed.

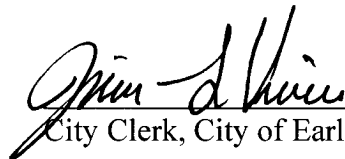
If any part of this Amendment or the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Amendment or the Plan as a whole, or any part of the Amendment or the Plan not determined to be invalid or unconstitutional.

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MADISON)

I, the undersigned City Clerk of the City of Earlham, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 13 day of April, 2026.



City Clerk, City of Earlham, State of Iowa

