

QUALIFICATIONS OF THE APPRAISER

Russ G. Manternach, MAI
Real Estate Appraiser



Education

Master of Business Administration
Creighton University, Omaha, Nebraska
December, 1992

Bachelor of Business Administration
Iowa State University, Ames, Iowa
December, 1989

Experience

Professional experience includes over 20 years as a commercial real estate appraiser. Russ co-founded Commercial Appraisers of Iowa, Inc. in 2001 after eight years with Iowa Appraisal and Research Corporation. Our company acquired the appraisal firm Carlson, Gunderson & Associates, Inc. during 2010.

The following is a partial list of property types appraised and experience:

Eminent Domain Projects	Industrial
Multiple Family Residential	Restaurants
Conventional and Medical Office	Mini-storage Facilities
Subdivisions/Vacant Land	Churches
Automobile Dealerships	Special Use Properties
Mobile Home Parks	Retail Properties
Motel/Hotels	Air Rights
Other Income Producing Properties	Expert Witness Testimony

Appraisal Coursework

Standards of Professional Practice, Part A	Business Practices and Ethics
Standards of Professional Practice, Part B	Current Government Policies Affecting Real Estate
Advanced Income Capitalization	Real Estate Appraising –Response to Financial Disaster
Highest and Best Use and Market Analysis	Case Study – Eminent Domain
Advanced Sales Comparison and Cost Approaches	Ethics and Appraisal Review
Report Writing and Valuation Analysis	Right of Way Best Practices
Advanced Applications	Eminent Domain and Condemnation

Professional Affiliations

Designated MAI - Appraisal Institute
Appraisal Institute - Iowa Chapter – Former Board of Director
International Right of Way Association

State Certification

Certified General Real Property Appraiser, State of Iowa. Certificate No. CG01775.

Prepared for

**Jerry Byg, P.E.
Fox Engineering Associates, Inc.
414 South 17th Street
Suite 107
Ames, IA 50010**

An Appraisal of Real Estate Described as

**Grossman Parcel Located at
3401 South James Street
Grimes, Iowa**

Date of Value

January 7, 2014

Prepared by

**Russ G. Manternach, MAI
Commercial Appraisers of Iowa, Inc.
3737 Woodland Avenue, Suite 320
West Des Moines, IA 50266
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COMMERCIAL APPRAISERS OF IOWA, INC.

Real Estate Valuation & Consulting

Patrick J. Schulte, MAI
Russ G. Manternach, MAI

Levi H. Freedman
Karen C. Olson
David J. Fuglsang
Luke J. Wanninger

January 10, 2014

Jerry Byg, P.E.
Fox Engineering Associates, Inc.
414 South 17th Street
Suite 107
Ames, IA 50010

Dear Mr. Byg:

**Re: Value Finding Appraisal of Grossman Parcel Located at 3401 South James Street,
Grimes, Iowa.
Southwest Grimes Sanitary Sewer Improvement Project.**

As you requested, we have on January 7, 2014, inspected the above referenced property. A description of the parent tract is included in the Summary of Salient Data Section of the accompanying report. We have included an acquisition plat in the report that identifies the proposed acquisition.

The purpose of the appraisal is to estimate the difference in the fair market value of the fee simple estate, and of the separate property ownership or tenant interests, if applicable, in the property immediately before and immediately after the proposed acquisition for project improvement purposes. The estimates of market value assume the price paid for the property is not affected by any knowledge of the proposed project. "Fair Market Value" is defined in the Summary of Salient Data Section of the accompanying report. The appraisal is to be used for acquisition purposes. The intended users are the City of Grimes and Fox Engineering Associates, Inc.

The appraisal is prepared in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, in accordance with Part 24 of Title 49 of the Code of Federal Regulations. It is made in conformance to the guidelines of the Uniform Standards of Professional Appraisal Practice (USPAP) and the Appraisal Institute's Code of Ethics. However, Jurisdictional Exception is taken if USPAP is in conflict with the Uniform Relocation Act.

Mr. Jerry Byg, P.E.
January 10, 2014
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Value Conclusions

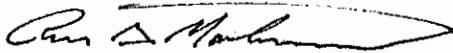
Based on the data and judgments contained in this appraisal, we conclude that the difference in the market value of the fee simple estate in the subject property, immediately before and immediately after the proposed acquisition, as of January 7, 2014, is: **\$15,400.**

Just Compensation

\$15,400.

It has been a pleasure providing appraisal services to you. If you should have any questions regarding the derivation of just compensation, please feel free to contact me at your convenience.

Respectfully submitted,



Russ G. Manternach, MAI

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LETTER OF TRANSMITTAL

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SUMMARY OF SALIENT DATA

Property Identification - Parent Tract

The parent tract consists of a 51.67-acre vacant tract of land that has been used for agricultural purposes. A legal description for the property, as obtained from public records, is as follows:

Outlot X, Grossman Industrial Acres, Grimes, Polk County, Iowa.

Proposed Acquisition

The City of Grimes proposes to acquire a 0.89-acre permanent sanitary sewer easement.

A 2.15-acre temporary construction easement is also being acquired adjacent to the permanent easement. The duration of the temporary easement is for up to 12 months.

A map of the proposed acquisition is included in this report.

Ownership & Sales History

According to public records, the owner is Robert and Eileen Grossman. We are not aware of any transfers of ownership during the past five years.

There is a "for sale" sign on the property. The owner stated the sign has been on the property for several years and he quotes a price of \$2,000,000 when asked, which equates to \$38,707 per acre.

Occupancy

The property is leased to Lance Studer on a cash basis for agricultural use. The lease is on an annual term and the rate is \$255 per acre.

Assessed Value

According to the Polk County Assessor's Office, the property is identified as GeoParcel No. 7925-08-300-003. The assessed value is as follows:

Land	\$92,800
Improvements	\$0
Total	\$92,800

Purpose and Use of the Appraisal

The purpose of the appraisal is to estimate the difference in the fair market value of the fee simple estate, and of the separate property ownership or tenant interests, if applicable, in the property immediately before and immediately after the proposed acquisition for project improvement purposes. The estimates of market value assume the price paid for the property is not affected by any knowledge of the proposed project. "Fair Market Value" is defined in the Summary of Salient Data Section of the accompanying report. The appraisal is to be

used for acquisition purposes. The intended users are the City of Grimes and Fox Engineering Associates, Inc.

Scope of Work

The appraisal is to be used to estimate just compensation for acquisition purposes related to the proposed project.

The scope of work for this assignment included an inspection of the subject property, reviewing public record information concerning the subject and other properties in its immediate neighborhood, reviewing construction plans associated with this project, and searching for sales of properties similar to the subject. The interior of the building(s) was not inspected, if applicable. The property owner or representative was contacted and offered an opportunity to inspect the property with the appraiser.

A sales comparison approach was completed to estimate the market value of the land. All comparable sales used in the appraisal were inspected by the appraiser or an employee of Commercial Appraisers of Iowa, Inc. The sales were verified by interviewing the grantor, grantee, or through public records. The comparable sales applied in the analyses are described in detail on the data sheets included in the addendum to this report.

The just compensation was estimated by completing a value finding appraisal report. The just compensation in a value finding appraisal is intended to reflect the difference between the before and after values. The estimate of just compensation is the diminution in value as a result of the proposed acquisition.

The scope of this assignment includes apportioning the value of the acquisition between any parties that may have an interest, if applicable.

Definition of Fair Market Value

The term "fair and reasonable market value" means the cash price which would be arrived at as between a voluntary seller, willing but not compelled to sell, and a voluntary purchaser willing, but not compelled to buy. It assumes a buyer and seller are bargaining freely, in the open market for the purchase and sale of the real estate in question.

The term does not mean a value under circumstances where greater than its fair price could be obtained, nor does it mean the price which the property would bring at a forced sale. It does not mean what the property is worth to the plaintiff (owner) nor what the defendant (acquiring authority) can afford to pay, but what it is fairly worth in cash on the open market, as above stated. (*Iowa Civil Jury Instructions 2500.4*)

In short, the fair and reasonable market value of a property is to be considered in the same manner that a knowledgeable, voluntary buyer determines the fair and reasonable market value of a property—what are its capabilities, what are its detriments, what is it fairly and reasonable worth in the market place? The jury and/or Compensation Commission is entitled to be informed of all-factors which (1) the willing seller would impress upon the willing buyer that tend to show value and (2) the willing

buyer would impress upon the willing seller that tend to indicate lack of value—including sales of comparable properties and evidence of its highest and best use. Basis: *Iowa Civil Jury Instructions 2500.6 and annotate authorities*; Bellew v. Iowa State Highway Commission, 171 N.W. 2d 284, 288-289 (Iowa 1969); and, In Re Primary Road No. 141, 255 Iowa 711, 124 N.W.2d 141, 147 (1963).

The determination of “Market Value” may not consider or reflect any enhancement in value of the subject, caused by the public improvement which has prompted the taking. (No sales exhibiting these effects may be used as a comparable in arriving at the value of the subject property, either before or after the date of condemnation.) Basis: *Iowa Civil Jury Instructions 2500.3*; Socony Vacuum Oil Co. v. State, 170 N.W.2d 378 (Iowa 1969).

Source: Iowa Department of Transportation, Office of Right of Way, Appraisal Operations Manual, August 2003.

Compliance with USPAP - Jurisdictional Exception Rule

The Uniform Standards of Professional Appraisal Practice (USPAP) states, “If any applicable law or regulation precludes compliance with any part of USPAP, only that part of USPAP becomes void for that assignment.”

This assignment involves a jurisdictional exception because the Iowa Code prohibits consideration of increases or decreases in a property’s value caused by the project. It specifically states, “shall not take into consideration any advantages that may result to said owner on account of the improvements for which it is taken”.

USPAP requires that “when analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such anticipated improvements to the extent they are reflected in market actions.” We are specifically disregarding the benefits that would accrue to the subject property due to the proposed project. Therefore we note this appraisal is made using a “jurisdictional exception” in order to appraise the property in compliance with requirements for government acquisition appraisals.

Date of Inspection and Valuation

The property was inspected on January 7, 2014 by Russ G. Manternach. The estimate of just compensation is effective as of that date.

Contamination

There are no obvious signs of contamination. We have performed this analysis assuming no contamination exists.

Value Conclusions

Just Compensation	\$15,400.
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Contacts and Addresses

Robert Grossman
P.O. Box 890010
Temecula, CA 92589
Phone: 951-302-5834

Tenant
Lance Studer
135 SE Hardwood Drive
Waukee, IA 50263
Phone: 515-971-3896

Appraiser Competency

Russ G. Manternach prepared the analysis and valuation conclusions. Mr. Manternach is a Certified General Real Property Appraiser by the State of Iowa and holds the professional designation of MAI from the Appraisal Institute. Refer to the Qualifications of the Appraiser in the Addendum for additional information. The appraiser has performed numerous appraisals on properties similar to the subject of this report.

ASSUMPTIONS AND LIMITING CONDITIONS

We are appraising the property assuming it does not suffer from soil or groundwater contamination. Our estimate of market value, and other findings presented in this report, is contingent upon this assumption.

The date of value to which the opinions expressed in this report apply is set forth in the letter of transmittal. We assume no responsibility for economic or physical factors occurring at some later date, which may affect the opinions stated herein.

The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

No opinion is intended to be expressed for legal matters or that would require specialized investigation or knowledge beyond that ordinarily employed by real estate appraisers, although such matters may be discussed in the report.

No opinion as to title is rendered. Data on ownership and the legal description were obtained from sources generally considered reliable. Title is assumed to be marketable and free and clear of all liens and encumbrances, easements, and restrictions except those specifically discussed in the report. The property is appraised assuming it to be under responsible ownership and competent management and available for its highest and best use.

No engineering survey has been made by the appraiser. Except as specifically stated, data relative to size and area, were taken from sources considered reliable. No encroachment of real property improvements is assumed to exist, unless otherwise stated.

The maps, plats, and exhibits included are for illustration only, as an aid in visualizing matters discussed within the report. They should not be considered to be surveys or relied upon for any other purpose.

No opinion is expressed as to the value of subsurface oil, gas, or mineral rights. The property is not subject to surface entry for the exploration or removal of such materials except as is expressly stated.

Because no title report was made available to the appraiser, I assume no responsibility for such items of record not disclosed by our normal investigation.

No detailed soil studies covering the subject property were available for my use. Therefore, premises as to soil qualities employed in this report are not conclusive but have been considered

consistent with information available. It is assumed that the site would support those improvements that represent the highest and best use.

Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute, the American Society of Appraisers, and the Uniform Standards of Professional Appraisal Practice.

Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or to the MAI or RM designation or the SREA, SRPA or SRA designations, the American Society of Appraisers or their members) shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior written consent and approval of the undersigned. This consent and approval does not apply to Governmental Agencies who disclose appraisals and appraised values through their normal business functions.

We have inspected the subject property from public street right of way and found no obvious evidence of structural deficiencies except as stated in this report. However, no responsibility for hidden defects or conformity to specific governmental requirements, such as fire, building and safety, earthquake, or occupancy codes can be assumed without provision of specific professional or governmental inspections.

Because no termite inspection report was available, we assume no termite damage or infestation unless so stated.

Because no asbestos inspection report was made available to the appraiser, we assume no responsibility for such materials or like items that would require specialized knowledge or investigation beyond that ordinarily employed by real estate appraisers.

Unless stated otherwise, we did not observe and are not aware of the existence of hazardous or toxic materials or wastes at subject property. The existence of such materials may have an affect on the estimate of value. The client should retain an expert in these fields, if desired.

Testimony or attendance in court or at any other hearing is not required by reason of rendering this appraisal unless such arrangements are made a reasonable time in advance.

It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the appraisal report.

No consideration has been given in this appraisal to personal property located on the premises, or to the cost of moving or relocating such personal property, except noted otherwise. Only the real property has been considered.

STATEMENT OF THE APPRAISAL PROBLEM

Project Definition

The City of Grimes is acquiring property for a sanitary sewer extension in the southwest portion of the city.

We have not considered any increase in value that may accrue to the property due to this project. However, we are considering negative effects caused by the project and associated acquisition.

Proposed Acquisition

The City of Grimes proposes to acquire a 0.89-acre permanent sanitary sewer easement.

A 2.15-acre temporary construction easement is also being acquired adjacent to the permanent easement. The duration of the temporary easement is for up to 12 months.

A map of the proposed acquisition is included in this report.

The value reduction to the parent tract is equal to the contributory value of the land, improvements, and partial rights acquired, along with any damage to the remainder, if applicable.

The report will be a Value Finding Report.

DES MOINES AREA AND CITY DATA

A detailed description of the Des Moines Metropolitan Area has been retained in our files and is available upon request of our client. In summary, the social, economic, governmental and environmental forces that affect properties in the Des Moines Metropolitan Area are favorable. The Metropolitan Area population has steadily increased over the past 30 years and future increases are anticipated. The Metro Area has a diversified and growing work force. There has been stable growth, which has resulted in a relative balance in the supply and demand for most of the major property groups. There is no excessive vacancy and continued stable growth is anticipated.

NEIGHBORHOOD DESCRIPTION

General

The neighborhood is located in the northwest portion of the Des Moines Metro Area, within the city limits of Grimes. Neighborhood boundaries include Interstate Highway #80/35 and Meredith Drive to the south, the properties along Northwest 70th Avenue and First Street/Highway #44 to the north, Northwest 100th Street to the east, and the city limits of Grimes to the west.

Utilities

The majority of properties lying in the developed areas along Highway #141 and in the northwest portion of the neighborhood have all utilities available. A portion of the properties located in the southwest, southeast, and northeast portion of the neighborhood do not have sanitary sewer service.

Topography and Flood Hazard Area

The neighborhood topography is level to gently rolling. Properties in close proximity to Little Beaver Creek and North Walnut Creek are included in flood hazard areas.

Traffic Arteries and Transportation

Traffic arteries include the above mentioned boundary streets and Highway #141, aligned in a north-south direction. Highway #44 is the main east-west traffic artery through Grimes.

Population

The table below is a summary of the population of the City of Grimes.

Year	Population	%
1990	2,653	N/A
2000	5,098	92%
2010	8,246	62%

As shown in the table, the population of Grimes nearly doubled during the 1990's, and has continued to experience rapid growth in recent years.

Development and Trends

Neighborhood development over the past several years includes numerous office, light industrial, service commercial and retail properties. Most of this development is located in close proximity to Highway #141 and Interstate #80/35.

Wal-Mart has built a store at the southeast corner of the intersection of Highway #141 and Northwest 70th Avenue.

Knapp Properties donated 10 acres of land for a new 60,000 square foot YMCA building along the south side of Northwest 70th Avenue, east of Highway #141.

During the last five years there have been hundreds of acres developed and available for a variety of commercial and business park uses. There are large quantities of commercial land available between Highway #44 on the north and Interstate #35/80 on the south and extending from 86th Street on the east through the City of Grimes on the west.

There has also been a substantial amount of single and multiple family residential development in Grimes over the past several years. This trend is anticipated to continue.

Conclusion

The City of Grimes has experienced tremendous growth during the last 10 years. That growth is expected to continue since it is in the path of the western and northern suburban growth of the Des Moines Metropolitan Area. There is no major employment in this small bedroom community, but there is nearby employment in the Urbandale and West Des Moines office park areas, and throughout the Des Moines metropolitan area. The trend is for continued rapid growth. No negative influences were noted that would be considered a detriment upon future development.

ASSESSMENT AIR PHOTO – PARENT TRACT



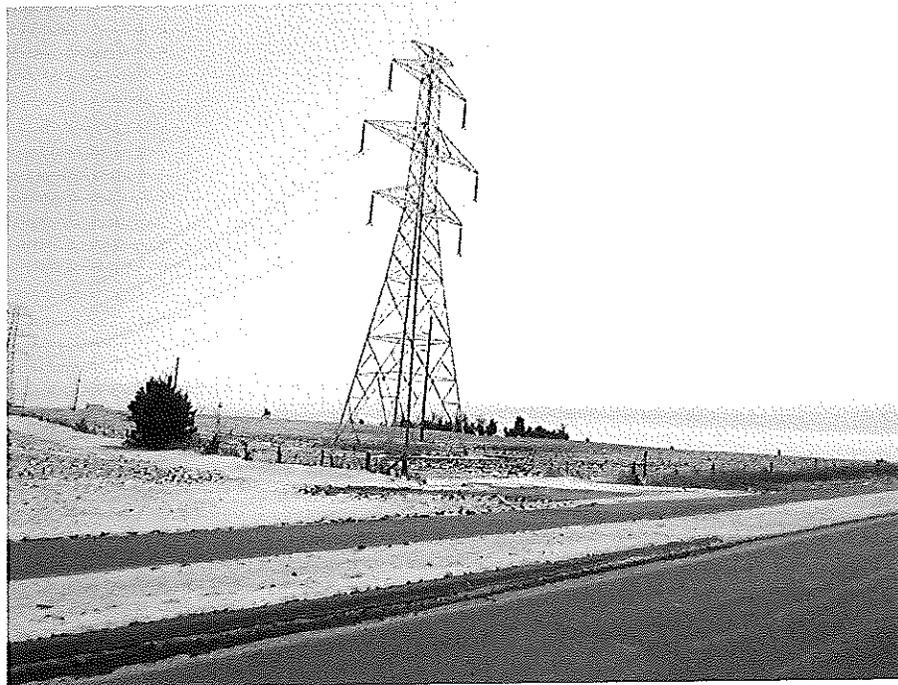
AERIAL PHOTO (Google Maps)



SUBJECT PHOTOGRAPHS



Looking Northeast at Parent Tract



Looking Southeast at Parent Tract

SUBJECT PHOTOGRAPHS



Power Lines on North Portion of Site



Looking North along Proposed Easement

STREET SCENES

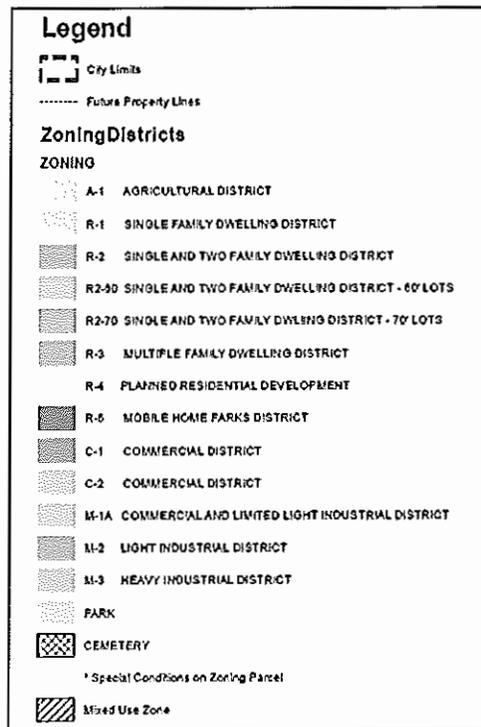


Looking South along South James Street

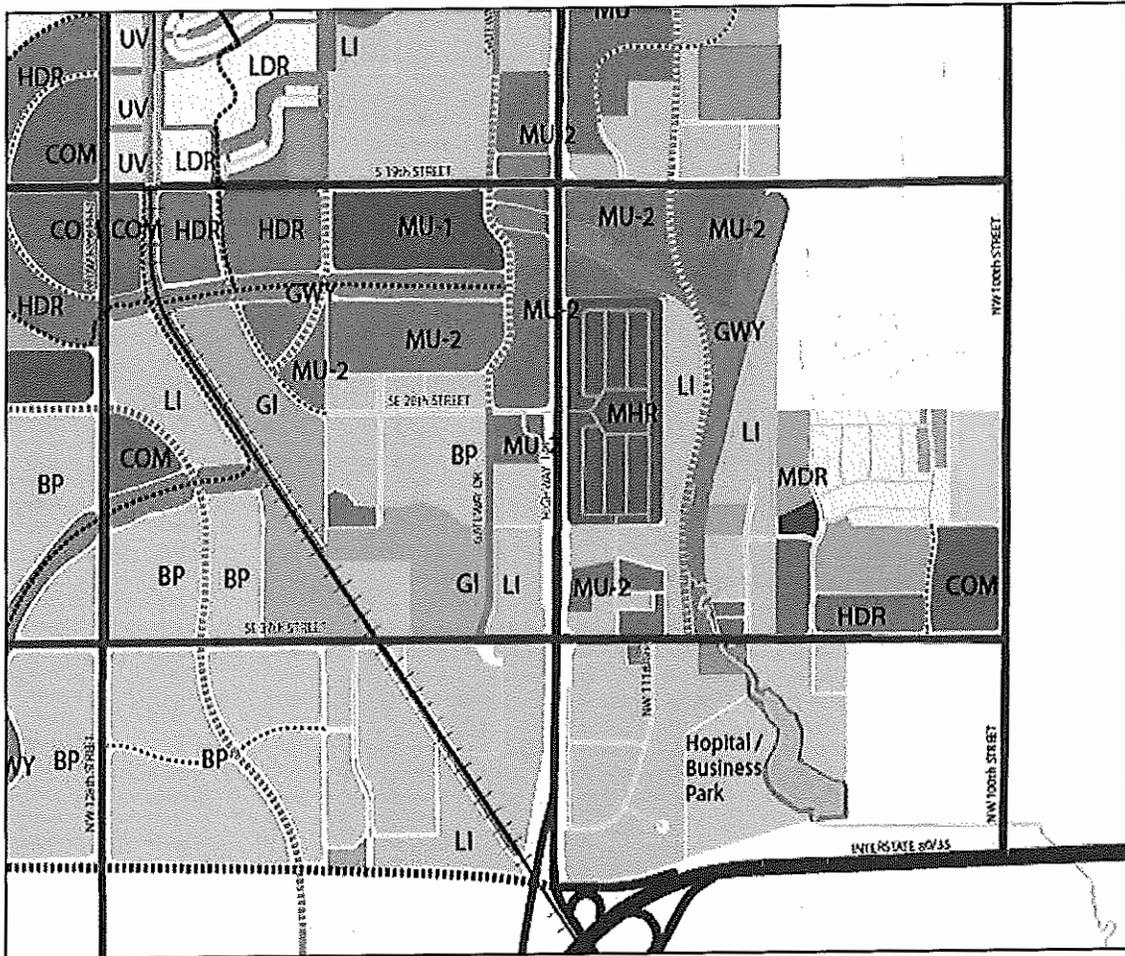


Looking East along SE 37th Street

GRIMES ZONING MAP



FUTURE LAND USE MAP



Existing Arterials	Low Density Residential (LDR)	General Commercial (COM)
Proposed Arterials	Urban Village (UV)	Downtown/Governors District
Existing Collectors	Urban Reserve (UR)	Business Parks (BP)
Proposed Collectors	Mobile Home Residential (MHR)	Light Industrial (LI)
Existing Local Streets	Medium Density Residential (MDR)	General Industrial (GI)
Proposed Local Streets	High Density Residential (HDR)	Civic (CIV)
Existing Trails	Mixed Use 1 (MU)	Future Parks & Rec (FPARKS)
Proposed Trails	Mixed Use 2	Greenway/Preserve/OS (GWY)
	Neighborhood Commercial (NCOM)	Public Facility (PF)
		Broadwalk (Railroad ROW)

PARENT TRACT DESCRIPTION -BEFORE

General

The site is an irregular shaped tract of land located on the northeast corner of South James Street and SE 37th Street in Grimes, Iowa.

Size

The site area is 51.67 acres. The area was obtained from public assessment data.

Frontage/Streets

The site has frontage along South James Street and SE 37th Street, which are two way, two lane paved streets adjacent to the subject site.

Boundaries

The site is primarily bounded by vacant land and residential acreages. An industrial property is located east of the site.

Topography and Flood Hazard Area

The site has gently rolling topography.

According to the Flood Insurance Rate Map, the site is not located in a designated 100-year flood hazard area.

Easements and Encroachments

The north 225 feet of the site is encumbered with an electric transmission line easement. Overhead electric lines are located on this portion of the site. It is our understanding that buildings cannot be constructed in this easement area. However, the area can be used for paved parking, storage and open space. The easement is shown on the plat map included in this report.

We are unaware of any other easements that would adversely affect the value of the site. We did not note any encroachment during our inspection.

Zoning

The site is zoned A-1, Agricultural District, by the City of Grimes. The site is designated for Business Park Use on the Grimes Land Use Map.

Utilities

All utilities and city services are located in close proximity to the site.

Soils

We have performed no soil analysis. It is assumed the site would support those uses deemed to be the highest and best use of the land. We have assumed the site does not suffer from any soil or groundwater contamination.

- COMMERCIAL APPRAISERS OF IOWA, INC. -

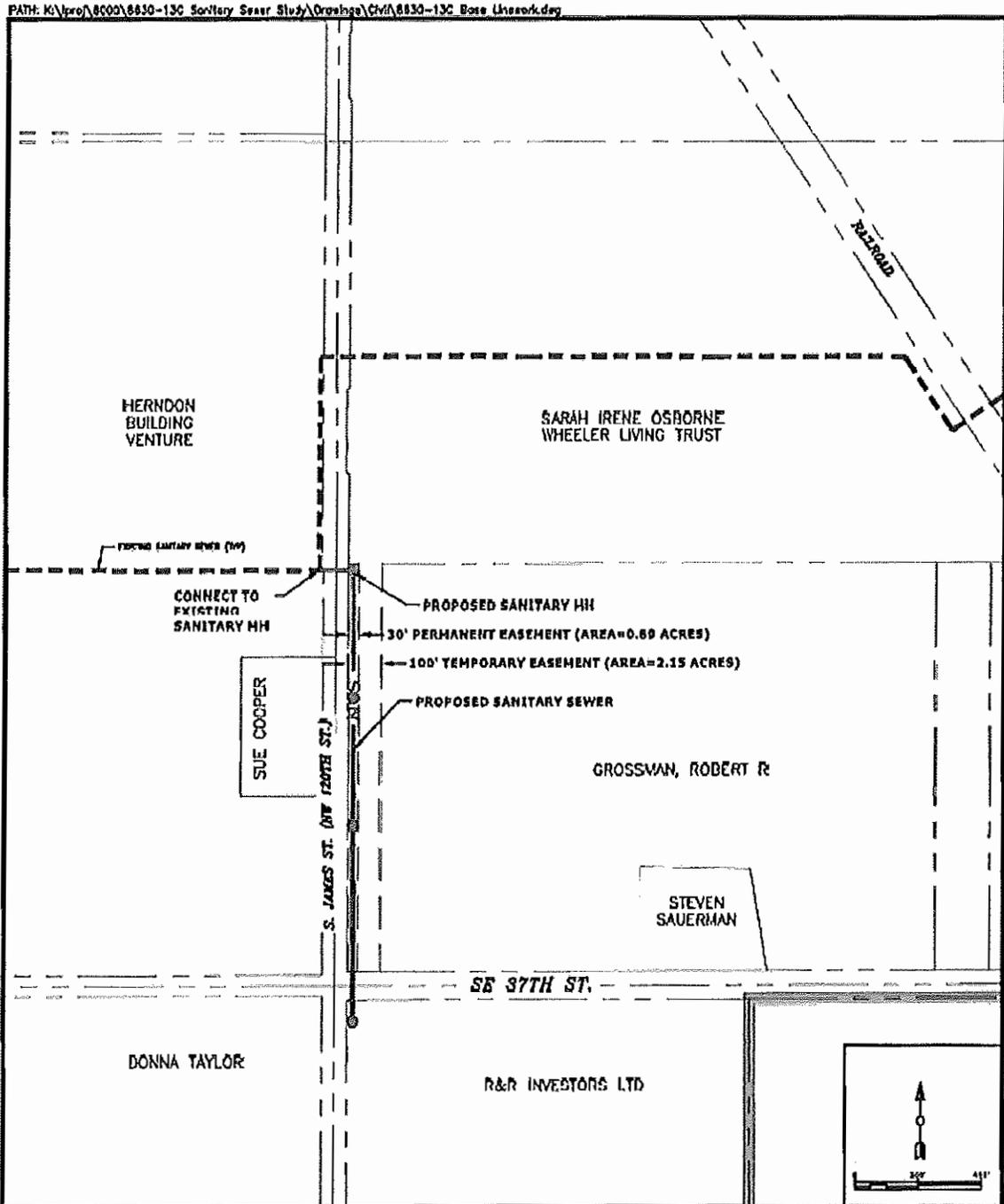
Improvements

The site is a vacant tract of land that has been used for agricultural purposes.

HIGHEST AND BEST USE OF PROPERTY - BEFORE

The highest and best use, as vacant, is for office, service commercial or light industrial development.

ACQUISITION PLAT



	SANITARY SEWER EASEMENT GROSSMAN PROPERTY OUTLOT X GROSSMAN INDUSTRIAL ACRES CITY OF GRIMES, IOWA			FIGURE: SS OPT 2		
	REVISION	NO.	DATE			
	DRAWN JAZ	PROJECT NO. 8630-13C	DATE 11-20-13			

DESCRIPTION OF RIGHTS TO BE ACQUIRED

The City of Grimes proposes to acquire a 0.89-acre permanent sanitary sewer easement. The easement will be located on the west 30 feet of the site. The easement is being acquired for the construction and future repair/maintenance of an underground sanitary sewer line.

A 2.15-acre temporary construction easement is also being acquired adjacent to the permanent easement. The duration of the temporary easement is for up to 12 months.

A map of the proposed acquisition is included in this report.

EFFECTS OF THE ACQUISITION

There is no fee acquisition. The site area will not change as a result of the project.

The owner will lose partial use of the 0.89-acre permanent sanitary sewer easement area. After the project is completed, the permanent easement area can still be used for parking, setback, agricultural, and greenspace purposes. No buildings will be permitted to be constructed on the permanent easement area.

The majority, or all, of the proposed permanent easement would be located within typical commercial and industrial building setback requirements. A portion of the proposed easement area is already encumbered with an electric transmission line easement.

The owner will lose partial use of the 2.15-acre temporary construction easement area to construct the sanitary sewer improvements. The duration of the easement will be for up to 12 months.

The owner will continue to have access during the project.

Any existing crop will be allowed to be harvested prior to project construction.

The highest and best use of the remainder property will not change after the proposed acquisition.

Any driveways, fences, grass areas, or drainage tile disturbed by the project will be repaired/replaced by the project contractor, unless noted otherwise.

VALUATION

The City of Grimes proposes to acquire a permanent sanitary sewer easement and a temporary construction easement. To assist in our estimate of just compensation, we will estimate the market value of the fee simple estate in the parent tract land.

The diminution in value is best measured by considering the value of the land acquired as part of the whole, along with the contributory value of partial rights acquired and damage to the remainder. We will also consider the loss in landscaping and other items, if applicable.

Land Valuation

The essence of the land sales comparison approach is to discover what similar properties have sold for recently in the local market, and after an appropriate adjustment process, to develop indications of what they would have sold for if they had possessed all of the physical and economic characteristics of the property being appraised.

We researched the market for sales that would provide a good indication of value for the property being appraised. We have chosen five sales for presentation within this section. The comparable sales are summarized in the following table. Additional information on the sales is included in the Addendum.

The most consistent indicator of value is the sale price per acre and adjustments have been made on this basis.

Comparable Land Sales

Sale	Location	Size Acres	Sale Date	Sale Price	Price/ Acre	Grantor	Grantee
1	2900 Brookside, Grimes	21.51	May-12	\$527,000	\$24,496	Wright Tree	Scannell Prop.
2	6925 SE Four Mile, Ankeny	31.62	Mar-12	\$1,000,000	\$31,626	Carl Moyer	Old Dominion
3	905 SE 54th St, Ankeny	29.91	May-12	\$1,837,122	\$61,422	Chapman Bros.	Ryan Ankeny
4	SW 19th Street, Grimes	79.00	Jul-13	\$1,200,000	\$15,190	Road Contractors	L. Koethe
5	450 SE 37th St, Grimes	37.06	Jan-08	\$1,249,450	\$33,714	Sharon Stang, etal	Stang Prop.(R&R)
	Subject	51.67					

The Land Sales Comparison Adjustment table follows. It is a presentation of the essential data for each sale and the adjustments we deemed necessary. An adjustment greater than 1.00 indicates that the comparable sale is inferior to the subject property in that regard. Conversely, an adjustment less than 1.00 demonstrates that the sale is superior to the subject.

Land Sales Comparison Adjustment Table

Sale	Date	Area Acres	Price /Acre	Rights/	Mrkt Cond.	Adjstd	Loc./ Utils	Size/ Shape	Topog/ Flood	Zone	Other	Net Adj.	Indic.
				Cash/ Cond.		Price/ Acre							Acre Value
1	May-12	21.51	\$24,496	0.97	1.00	\$23,761	1.00	0.98	1.00	1.00	1.20	1.18	\$27,943
2	Mar-12	31.62	\$31,626	0.97	1.00	\$30,677	1.00	0.98	1.00	1.00	1.00	0.98	\$30,064
3	May-12	29.91	\$61,422	0.97	1.00	\$59,579	0.60	0.98	1.00	1.00	1.00	0.59	\$35,033
4	Jul-13	79.00	\$15,190	0.97	1.00	\$14,734	1.70	1.02	1.00	1.00	1.00	1.73	\$25,549
5	Jan-08	37.06	\$33,714	0.97	0.94	\$30,740	1.10	0.95	1.00	1.00	1.00	1.05	\$32,124
Subj.		51.67											

Justification of Adjustments

Property Rights Conveyed - The adjustment most often required for property rights conveyed is for the existence of a leasehold position. This adjustment reflects the impact of leases on property value when contract rents differ from market rents. This category can also consider adjustments necessitated if the subject or comparable property is subject to easements that have negative impacts towards value beyond typical boundary related easements, unless separately adjusted in a following category.

Approximately 18% of the subject site is encumbered with an electric transmission line easement. The comparable sales were adjusted downward for not having similar easements.

Cash Equivalency - If a comparable sale occurred under conditions other than cash to the seller, then a cash equivalency adjustment may be necessary. No adjustments were necessary for cash equivalency.

Conditions of Sale - This adjustment considers buyer or seller motivation. Conditions of sale may include desperation exchanges, tax ramifications, reinvestment or condemnation money, assemblage, non-arm's length transactions, and other situations. No adjustments were necessary for conditions of sale.

Market Conditions – Adjustments are made in this category to reflect the increase or decrease in property values between the date of comparable sale and valuation of the subject property.

Demand for commercial and industrial development land has shown a slowdown between mid-2007 and January of 2011. It appears values for this property type has declined over this period. We have applied a 2% per year downward market conditions adjustment to the comparable sales for that time period. It appears values have been relatively stable since the beginning of 2011. No adjustments were applied after January of 2011.

Location— This category takes into consideration the location of the comparable sales in relation to the subject property. The major factors considered were access and visibility from traffic arteries, the type and quality of development in the area, and acceptance for development in that location by the market. This category also considers paved street frontage and proximity to utilities.

Sale #3 was adjusted downward for its superior location in comparison to the subject site.

Sales #4 and #5 were adjusted upward for their inferior location and/or proximity to utilities.

Size and Shape- Size adjustments were made to reflect the impact of economies of scale. As a larger tract of land is purchased, its sale price per square foot will typically decrease. An irregular shape generally decreases the utility of a site and lowers the sale price.

Sale #4 was adjusted upward for its larger size in relation to the subject site. The remaining sales were adjusted downward for their smaller size.

Topography/Flood – No adjustments are necessary for this category.

Zoning – The zoning and/or anticipated zoning of the subject and comparable sales is relatively similar.

Other – Sale #1 was adjusted upward for the purchaser being responsible for a portion of the cost associated with future streets that will extend along the site.

Reconciliation – Land Value

After adjustments, the comparable sales indicate a value range for the subject parent tract from approximately \$26,000 to \$35,000 per acre. We have given consideration to all of the sales and reconcile to a market value of \$32,000 per acre for the parent tract.

Permanent Easement

The City of Grimes proposes to acquire a 0.89-acre permanent sanitary sewer easement. The easement is being acquired for the construction and future repair/maintenance of an underground sanitary sewer line.

The majority, or all, of the proposed permanent easement would be located within typical commercial and industrial building setback requirements. A portion of the proposed easement area is already encumbered with an electric transmission line easement.

After the project is completed, the permanent easement area can still be used for parking, agricultural, recreational, setback, and greenspace purposes. No buildings will be permitted to be constructed on the permanent easement area. The value is diminished as a result of the easement.

We estimate the diminution in value to be between 10% to 30% of fee value, and will reconcile to 30%. The diminution in value attributable to the permanent easement is estimated as follows:

$$0.89 \text{ Acres} \times \$32,000 \text{ Per Acre} \times 30\% = \$8,544.$$

Rounded to \$8,500.

Temporary Easement

The City of Grimes proposes to acquire a 2.15-acre temporary construction easement adjacent to the permanent easement. The duration of the temporary easement is for up to 12 months.

We will estimate compensation for the temporary easement area by applying a land rental. We have observed land rental rates primarily ranging from 8% to 10% of land value. We will apply a land rental amount of 10%.

The diminution in value attributable to the temporary easement is estimated as follows:

$$2.15 \text{ Acres} \times \$32,000 \text{ Per Acre} \times 10\% \times 1.0 \text{ Year} = \$6,880.$$

Rounded to \$6,900.

Total Value Loss Conclusion

The total diminution in value as a result of the acquisition is as follows:

Fee Acquisition	N/A.
Permanent Easement	\$8,500.
Temporary Easement	\$6,900.
Landscaping/Other	<u>N/A.</u>
Total Just Compensation	\$15,400.

Other Interests

The property is leased to a tenant on a cash basis for agricultural use on an annual term. Our appraisal assumes any existing crop will be allowed to be harvested prior to project construction. Also, future lease terms can be modified to consider the smaller land area or other effects of the project. Therefore, no compensation is estimated for the farm tenant.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation from completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

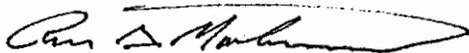
The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

I personally inspected the subject property.

I have performed no services, as an appraiser or in any other capacity, regarding the subject property within the last three years.

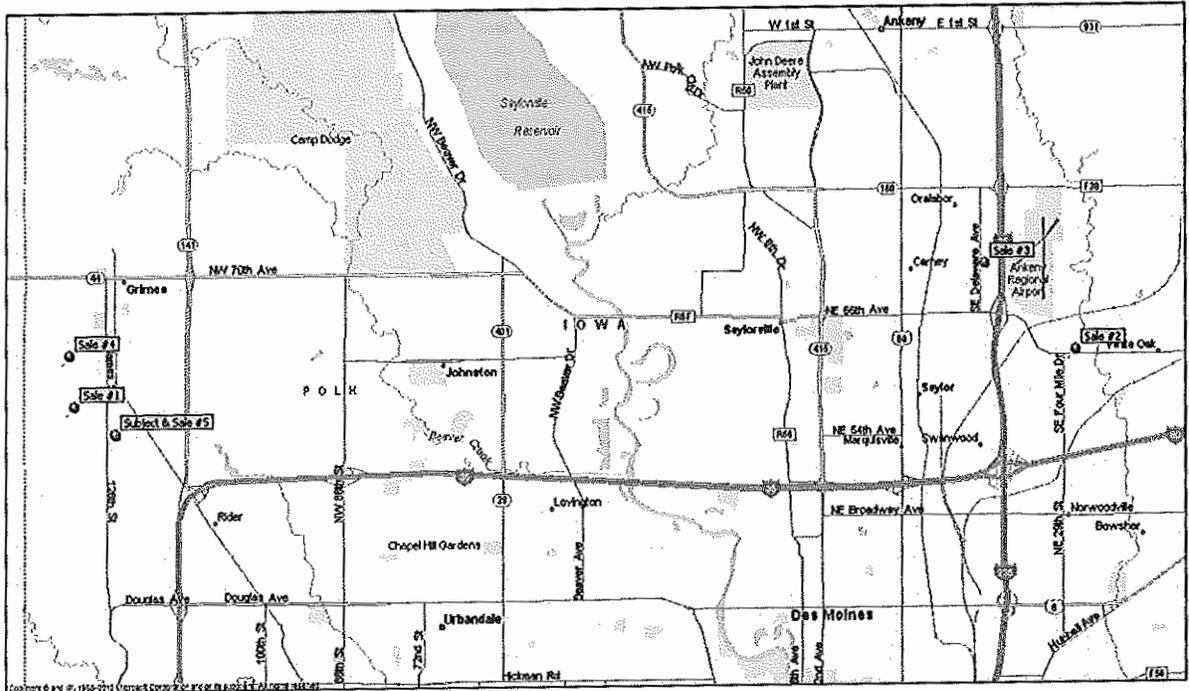
No one provided significant professional assistance to the persons signing this report.

As of the date of this report, Russ G. Manternach has completed the requirements of the continuing education program of the Appraisal Institute.



Russ G. Manternach, MAI
State Certificate # CG01775

COMPARABLE LAND SALES MAP





Property Identification

Record ID 3172
Property Type Industrial
Address 2900 Brookside Drive, Grimes, Polk County, Iowa

Sale Data

Grantor Wright Tree Service, Inc.
Grantee Scannell Properties #141, LLC
Sale Date May 10, 2012
Deed Book/Page 14284/923
Property Rights Fee Simple
Conditions of Sale Typical
Verification Grantee
Sale Price \$527,000

Zoning M-2, Heavy Industrial
Topography Level
Utilities All
Gross Land Size 21.514 Acres or 937,168 SF
Sale Price/Gross Acre \$24,495
Sale Price/Gross SF \$0.56

Legal Description Lot 1, Grimes Industrial Park Plat 3, Grimes, Polk County, Iowa.

Remarks See File #3776. Buyer purchased property to develop with a build-to-suit FedEx Warehouse. Grantee will be responsible for portion of cost associated with extending Brookside Drive to the north and the future construction of Southwest 28th Street (north boundary of site).



Property Identification

Record ID 3009
Property Type Industrial
Address 6925 SE Four Mile Drive, Ankeny, Polk County, Iowa 50021

Sale Data

Grantor Carl D. Moyer & Penny Moyer
Grantee Old Dominion Freight Line, Inc
Sale Date March 09, 2012
Deed Book/Page 14198/687
Property Rights Fee Simple
Verification Grantee & Public Records
Sale Price \$1,000,000

Land Data

Utilities All Near
Gross Land Size 31.620 Acres or 1,377,367 SF

Indicators

Sale Price/Gross Acre \$31,626
Sale Price/Gross SF \$0.73

Legal Description Lot 1, Old Dominion Freight Line Plat 1, Ankeny, Polk County, Iowa.

Remarks Grantee purchased to construct a distribution center. The sale included 33.15 acres. However, the northeast 1.53 acres (4.5% of the site) is located in a flood plain and was deeded to the City of Ankeny. The effective site area was 31.62-acres (shown above). The grantor was responsible for extending sewer from the west to the subject at a reported cost of \$275,000. Zoned R-1 at time of sale but sale contingent upon rezoning to allow industrial use.



Property Identification

Record ID 3010
Property Type Industrial
Address 905 SE 54th Street, Ankeny, Polk County, Iowa 50021

Sale Data

Grantor Chapman Brothers Farms
Grantee Ryan Ankeny, LLC
Sale Date May 03, 2012
Deed Book/Page 14258/587
Property Rights Fee Simple
Verification Broker & Public Records
Sale Price \$1,837,122

Land Data

Zoning M-1
Gross Land Size 29.910 Acres or 1,302,880 SF

Indicators

Sale Price/Gross Acre \$61,422
Sale Price/Gross SF \$1.41

Legal Description Lot 1, Chapman Brothers Farm Plat 1, an Official Plat, Ankeny, Polk County, Iowa.

Remarks Grantee purchased to construct a build to suit distribution center for Toro. Property was listed prior to sale at \$75,000/acre.



Property Identification

Record ID 3484
Property Type Industrial
Address SW 19th Street, Grimes, Polk County, Iowa

Sale Data

Grantor Road Contractors, Inc.
Grantee Lemar Koethe
Sale Date July 26, 2013
Deed Book/Page 14894-956
Property Rights Fee Simple
Conditions of Sale Typical
Financing Cash
Verification Grantee & Public Records
Sale Price \$1,200,000

Utilities All near
Gross Land Size 79.000 Acres or 3,441,240 SF
Sale Price/Gross Acre \$15,190
Sale Price/Gross SF \$0.35

Legal Description E 1/2 NW 1/4, 7-79-25, Polk County, Iowa.

Remarks Located adjacent to recent industrial development. Located along gravel road.



Property Identification

Record ID 3485
Property Type Industrial
Address 450 SE 37th Street, Grimes, Polk County, Iowa

Sale Data

Grantor Sharon and Alan Stang
Grantee Stang Property, LLC (R & R Realty)
Sale Date January 23, 2008
Decd Book/Page 12530-330
Property Rights Fee Simple
Conditions of Sale Typical
Financing Cash
Verification Grantee & Public Records
Sale Price \$1,249,450

Land Data

Utilities Sewer within 1/4 mile
Gross Land Size 37.060 Acres or 1,614,334 SF

Indicators

Sale Price/Gross Acre \$33,714
Sale Price/Gross SF \$0.77

Legal Description NW 1/4 NW 1/4 17-79-25, Polk County, Iowa.

Remarks Located at corner of two paved streets. Designated for business park use on future land use map. Grantee purchased to develop with industrial buildings.

Iowa Department of Transportation

PROJECT DEVELOPMENT
OFFICE OF RIGHT OF WAY
Ames, Iowa 50010

Parcel No. Grossman Project No. 8630-13C County Polk

Record Owner Robert and Eileen Grossman

Owner's Mailing Address P.O. Box 890010, Temecula, CA 92589

Address of Property being Appraised 3401 S. James Street, Grimes, Iowa.

This property is de- Outlot X, Grossman Industrial Acres, Grimes, Polk County,
scribed as follows: Iowa.

Land to be acquired: Fee title _____ Acres @ \$ _____ = \$ _____ 0.

Title to Existing ROW _____ Sq. ft. @ \$ _____ = \$ _____ 0.

Permanent Easement 0.89 Acres @ \$ 16,000 = \$ 8,500.

Value of improvements acquired (excluding R/W fence*): _____ 0.

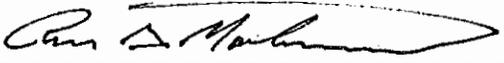
Damage to remaining property: _____ 6,900.
- Temporary Easement

Total Estimate of Just Compensation = \$ 15,400.

ROUNDED = \$ 15,400.

Date of Valuation January 7, 2014

Signed



Russ G. Manternach, MAI
Commercial Appraisers of Iowa, Inc.

* Compensation for R/W fence to be by fixed schedule or in accord with Section 68.44, Code of Iowa.

CERTIFICATION OF APPRAISER

Project No. 8630-13C
Parcel No. Grossman

I hereby certify:

That I personally made a field inspection of the property herein appraised and that I have afforded the property owner or his authorized representative the opportunity to accompany me at the time of inspection. I have also personally made a field inspection of the comparable sales relied upon in making said appraisal. The subject and the comparable sales relied upon in preparing this appraisal are as represented by the photographs supplied.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and the information upon which the opinions expressed therein are based is correct, subject to the limiting conditions therein set forth.

That I understand this appraisal is to be used in connection with the acquisition of property by the State of Iowa.

This appraisal was prepared according to the contract/assignment from the Iowa Department of Transportation. The appraisal is prepared under the Jurisdictional Exception provision contained in the Uniform Standards of Professional Appraisal Practice (USPAP). In preparing the appraisal, I have conformed with all parts of USPAP except those that are contrary to State and Federal requirements.

This eminent domain appraisal has been completed under the following appraisal requirements

- The Iowa Constitution, Article 1, Section 18
- Code of Iowa, Chapters 6A, 6B, 316 and other eminent domain statutes
- Iowa Supreme Court interpretations of Iowa Constitution and eminent domain statutes
- Regulations 761, IAC 111
- Federal Uniform Act and Regulations, 49CFR, part 24

Guidance can be found at

- The Iowa Department of Transportation Appraisal Policy and Procedure Manual
- The Federal Highway Administration (FHWA) Appraisal Guide
- Uniform Standards for Federal Land Acquisition
- Uniform Standards of Professional Appraisal Practice (USPAP)

That neither my employment nor my compensation for making this appraisal and report are in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the Iowa Department of Transportation or officials of the Federal Highway Administration and I will not do so until so authorized, or until I am required to do so by due process of law, or until I am released from the obligation by having publicly testified as to such findings.

That I am aware the Iowa Department of Transportation will provide a copy of this appraisal to the property owner or their designee.

That the conclusion set forth in this appraisal is my independent opinion of the difference between the fair market value of this property before and after the proposed acquisition.

As of January 7, 2014 The estimate of just compensation \$ 15,400.

Date of Signature January 10, 2014

Signature

[Handwritten signature]

Russ G. Manternach, MAI

Iowa Department of Transportation

Project No. 8630-13C
 Parcel No. Grossman

PURPOSE OF THIS APPRAISAL:

To estimate the market value of the ownership interest, and the leasehold interest if any, in this property before the proposed acquisition by the Department of Transportation and the market value of the same interest in the remainder property immediately after the proposed acquisition. In case the proposed acquisition causes only limited damage, the purpose is to estimate just compensation resulting from the acquisition, without reporting before and after values.

DEFINITION OF MARKET VALUE:

The cash price which would be arrived at as between a voluntary seller willing but not compelled to sell and a voluntary purchaser willing but not compelled to buy, both of whom are acting freely, intelligently and at arm's length, bargaining in the open market for the sale and purchase of the real estate in question. (State of Iowa Uniform Jury Instruction No. 14.4)

DEFINITION OF HIGHEST AND BEST USE:

The utilization of a property to its best and most profitable use. It is that use, chosen from among the reasonably probable and financially feasible alternative uses which is found to be physically practical, legally acceptable and which results in the highest present value, as defined, as of the effective date of the appraisal.

HAZARDOUS SUBSTANCE CONTAMINATION:

The appraiser observed the following signs of possible contamination: x None, ___ As described

FIVE YEAR DELINEATION OF TITLE: (If none, so state)

Grantor	Grantee	Type of Instr.	Date of Instr.	Book	Page	Sales Price
None						

LEASES: (Lessee's Name, Address and Lease Terms)

Lance Studer, 135 SE Hardwood Drive , Waukee, IA 50263
 \$255/Acres cash rent with annual term.

DATE OF INSPECTION AND INVITATION:

I offered Robert Grossman who is the owner an opportunity to accompany me on my inspection of this property by ___ personal contact x telephone ___ letter on January 7, 2014. This invitation was ___ accepted x declined.

Telephone number of owner or representative contacted: 951-302-5834

I personally inspected the subject property on January 7, 2014

DEFINITIONS

The following definitions have been taken from *The Dictionary Of Real Estate Appraisal*, Fifth Edition, published by the Appraisal Institute, as printed in 2010.

Easement

Non-possessory (incorporeal) interest in landed property conveying use, but not ownership, of a portion of that property.

Eminent domain

The right of government to take private property for public use upon the payment of just compensation. The Fifth Amendment of the U.S. Constitution, also known as the *takings clause*, guarantees payment of just compensation upon appropriation of private property.

Fee simple estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Fixture

An article that was once personal property, but has since been installed or attached to the land or building in a rather permanent manner so that it is regarded in law as part of the real estate.

Grantee

A person to whom property is transferred by deed or to whom property rights are granted by a trust instrument or other document.

Grantor

A person who transfers property by deed or grants property rights through a trust instrument or other document.

Lease

A contract in which the rights to use and occupy land or structures are transferred by the owner to another for a specified period of time in return for a specified rent.

Leased fee interest

A freehold (ownership interest) where the possessory interest has been granted to another party by creation of a contractual landlord-tenant relationship (i.e., a lease).

Leasehold improvements

Improvements or additions to leased property that have been made by the lessee.

Leasehold interest

The tenant's possessory interest created by the lease.

Lessee

One who has the right to occupy and use the property of another for a period of time according to a lease agreement.

Lessor

One who conveys the rights of occupancy and use to others under a lease agreement.

Life Estate

Rights of use, occupancy, and control, limited to the lifetime of the designated party, sometimes referred to as the *life tenant*.

Market Rent

The most probable rent a property should bring in a competitive and open market reflecting all conditions and restrictions of the lease agreement, including permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs).

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well-informed or well advised and each acting in what they consider their own best interest;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: Office Of The Controller Of The Currency, effective date August 24, 1990, as amended April 9, 1992 and June 7, 1994.

Real Estate

An identified parcel or tract of land, including improvements, if any.

Real Property

The interests, benefits, and rights inherent in the ownership of real estate (USPAP, 2010-2011 ed.)

STATE CERTIFICATION



STATE OF IOWA

IOWA DEPARTMENT OF COMMERCE
PROFESSIONAL LICENSING AND REGULATION

THIS IS TO CERTIFY THAT THE BELOW NAMED
HAS BEEN GRANTED A CERTIFICATE AS A
GENERAL REAL PROPERTY APPRAISER

CERTIFICATE NO. CG01775 EXPIRES: 6/30/2015

MANTERNACH, RUSSELL G
COMMERCIAL APPRAISERS OF IA
3737 WOODLAND AVENUE
SUITE 320
WEST DES MOINES, IA 50266

QUALIFICATIONS OF THE APPRAISER

Russ G. Manternach, MAI
Real Estate Appraiser



Education

Master of Business Administration
Creighton University, Omaha, Nebraska
December, 1992

Bachelor of Business Administration
Iowa State University, Ames, Iowa
December, 1989

Experience

Professional experience includes over 20 years as a commercial real estate appraiser. Russ co-founded Commercial Appraisers of Iowa, Inc. in 2001 after eight years with Iowa Appraisal and Research Corporation. Our company acquired the appraisal firm Carlson, Gunderson & Associates, Inc. during 2010.

The following is a partial list of property types appraised and experience:

Eminent Domain Projects	Industrial
Multiple Family Residential	Restaurants
Conventional and Medical Office	Mini-storage Facilities
Subdivisions/Vacant Land	Churches
Automobile Dealerships	Special Use Properties
Mobile Home Parks	Retail Properties
Motel/Hotels	Air Rights
Other Income Producing Properties	Expert Witness Testimony

Appraisal Coursework

Standards of Professional Practice, Part A
Standards of Professional Practice, Part B
Advanced Income Capitalization
Highest and Best Use and Market Analysis
Advanced Sales Comparison and Cost Approaches
Report Writing and Valuation Analysis
Advanced Applications

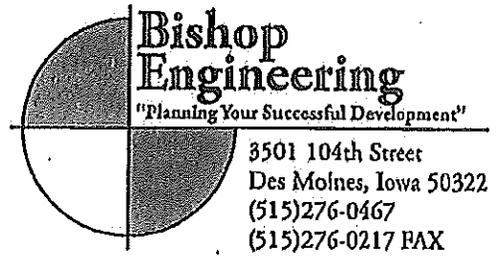
Business Practices and Ethics
Current Government Policies Affecting Real Estate
Real Estate Appraising –Response to Financial Disaster
Case Study – Eminent Domain
Ethics and Appraisal Review
Right of Way Best Practices
Eminent Domain and Condemnation

Professional Affiliations

Designated MAI - Appraisal Institute
Appraisal Institute - Iowa Chapter – Former Board of Director
International Right of Way Association

State Certification

Certified General Real Property Appraiser, State of Iowa. Certificate No. CG01775.



January 6, 2014

Mayor and City Council
Grimes, Iowa
101 N. Harvey Street
Grimes, Iowa 50111

Honorable Mayor and Members of the City Council:

On behalf of the Owner, Beaverbrooke Development Company, I am requesting consideration of rezoning the following legally described property from

A-1 AGRICULTURAL, R-3 MULTI FAMILY DWELLING DISTRICT, R-2 70 SINGLE AND 2 FAMILY DWELLING DISTRICT AND C-2 GENERAL & HIGHWAY SERVICE COMMERCIAL DISTRICT TO PUD-PLANNED UNIT DEVELOPMENT DISTRICT:

PROPERTY DESCRIPTION:

BOOK 11937 PAGES 250-252

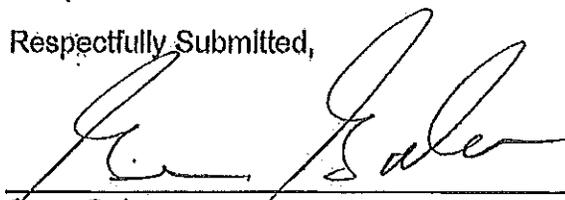
PARCEL K IN A PARCEL OF LAND IN PART OF THE SOUTH 1/2 OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5th P.M. AND A PART OF THE NORTH 1/2 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5th P.M., CITY OF GRIMES, POLK COUNTY, IOWA AS DESCRIBED IN THE PLAT OF SURVEY AS RECORDED IN THE OFFICE OF THE POLK COUNTY RECORDER IN BOOK 11866 OF PAGE 944.

AND,

BOOK 15029 PAGES 129-130

BEGINNING AT A POINT AT THE SW CORNER OF THE N 1/2 OF THE NW 1/4 OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5th P.M., IN THE CITY OF GRIMES, POLK COUNTY, IOWA THENCE NORTH 340.4 FEET ALONG THE WEST LINE OF SAID SECTION 32; THENCE EAST 695 FEET ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE N 1/2 OF THE NW 1/4 OF SAID SECTION 32; THENCE SOUTH 340.4 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF THE N 1/2 OF THE NW 1/4 OF SAID SECTION 32; THENCE WEST 695 FEET ALONG THE SOUTH LINE OF THE N 1/2 OF THE NW 1/4 OF SAID SECTION 32 TO THE PLACE OF BEGINNING.

Respectfully Submitted,


Gene Gabus

Date 1-7-2014

EXHIBIT "A"

HERITAGE AT GRIMES

PROPERTY DESCRIPTION:

BOOK 11937 PAGES 250-252

PARCEL K IN A PARCEL OF LAND IN PART OF THE SOUTH 1/2 OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5th P.M. AND A PART OF THE NORTH 1/2 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5th P.M., CITY OF GRIMES, POLK COUNTY, IOWA AS DESCRIBED IN THE PLAT OF SURVEY AS RECORDED IN THE OFFICE OF THE POLK COUNTY RECORDER IN BOOK 11866 OF PAGE 944.

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SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

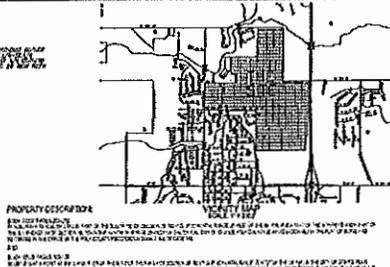
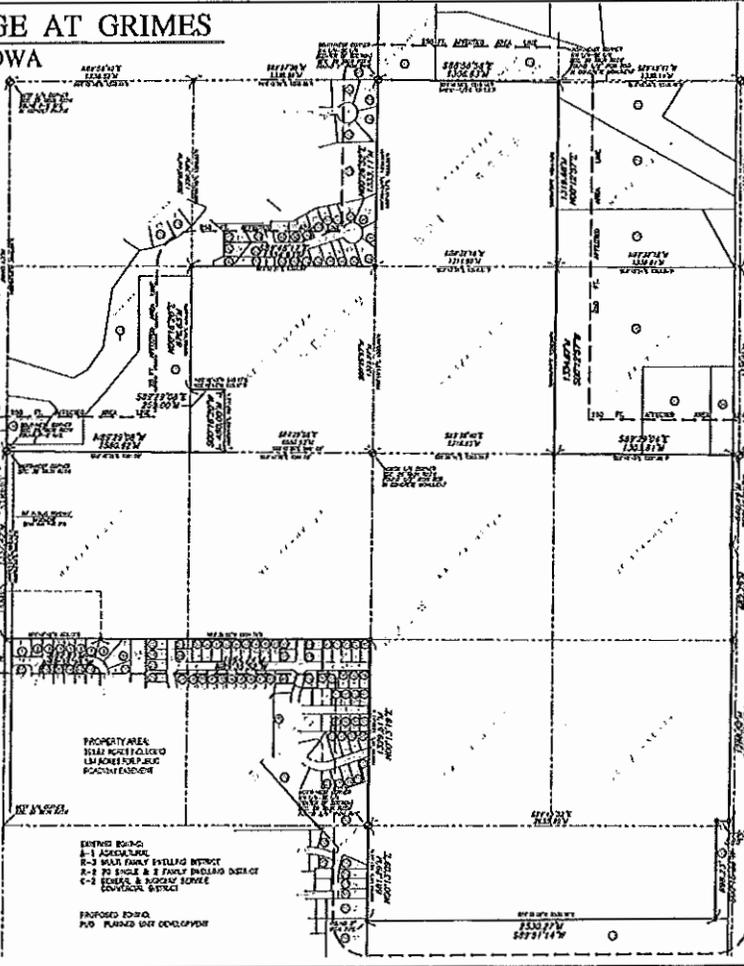
SAID TRACT OF LAND CONTAINS 398.62 ACRES INCLUDING 1.54 ACRES FOR PUBLIC ROADWAY EASEMENT.

HERITAGE AT GRIMES

GRIMES IOWA



OWNER/APPLICANT:
BEAVERBROOK DEVELOPMENT
4543 MERLE WAY NW
DES MOINES, IOWA 50310



AFFECTED OVERLIES:

AG-1	AG-2	AG-3	AG-4
AG-5	AG-6	AG-7	AG-8
AG-9	AG-10	AG-11	AG-12
AG-13	AG-14	AG-15	AG-16
AG-17	AG-18	AG-19	AG-20
AG-21	AG-22	AG-23	AG-24
AG-25	AG-26	AG-27	AG-28
AG-29	AG-30	AG-31	AG-32
AG-33	AG-34	AG-35	AG-36
AG-37	AG-38	AG-39	AG-40
AG-41	AG-42	AG-43	AG-44
AG-45	AG-46	AG-47	AG-48
AG-49	AG-50	AG-51	AG-52
AG-53	AG-54	AG-55	AG-56
AG-57	AG-58	AG-59	AG-60
AG-61	AG-62	AG-63	AG-64
AG-65	AG-66	AG-67	AG-68
AG-69	AG-70	AG-71	AG-72
AG-73	AG-74	AG-75	AG-76
AG-77	AG-78	AG-79	AG-80
AG-81	AG-82	AG-83	AG-84
AG-85	AG-86	AG-87	AG-88
AG-89	AG-90	AG-91	AG-92
AG-93	AG-94	AG-95	AG-96
AG-97	AG-98	AG-99	AG-100

Bishop Engineering
2001 10th Street
Des Moines, IA 50319
515-281-1111
Civil Engineering, Land Surveying, Estimating, etc.

RE-ZONING MAP
HERITAGE
GRIMES, IOWA

PLANNED USE DEVELOPMENT

EXISTING ZONING:
R-1 AGRICULTURAL
R-2 SINGLE & 2 FAMILY RESIDENTIAL DISTRICT
C-1 BUSINESS & PROFESSIONAL SERVICE DEVELOPMENT DISTRICT

PROPOSED ZONING:
PUD PLANNED USE DEVELOPMENT

DATE: JUL 16, 2008
DRAWN BY: J. L. HARRIS
CHECKED BY: J. L. HARRIS
SCALE: AS SHOWN

120101
1 OF 1

CITY OF GRIMES, IOWA

URBAN RENEWAL PLAN AMENDMENT
GRIMES URBAN RENEWAL AREA

January 14, 2014

The Urban Renewal Plan (the "Plan") for the Grimes Urban Renewal Area (the "Area") is being amended for the purposes of (1) identifying a new urban renewal project to be undertaken therein; and (2) updating the description of the City's IOOF Building Renovation Project.

1) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following described project descriptions:

A)

Name of Project: TNC LLC Building Renovation Project

Name of Urban Renewal Area: Grimes Urban Renewal Area

Year of Establishment of Urban Renewal Area: _____

Date of Council Approval of Project: January 14, 2014

Description of Private Development Project and Project Site: The property (the "TNC Property") situated at 215 SE Main Street in the Urban Renewal Area has been identified by the prior action of the City Council as a property in need of economic development initiatives. TNC LLC (the "Company") has acquired the TNC Property and proposed to remodel and convert said TNC Property into a commercial facility.

Description of Public Infrastructure: No public infrastructure construction is anticipated with respect to the Project.

Description of Properties to be Acquired in Connection with Project: It is not anticipated that the City will acquire real property in connection with the Project.

Description of Use of TIF: The City intends to enter into a development agreement with the Company with respect to the Project. Under the agreement the City will provide economic development incentive payments to the Company in an amount not to exceed \$64,000. The payments under this agreement will be funded exclusively with 100% of the incremental property tax revenues to be received from the Development Property for a period of ten years.

B)

Name of Project: 2014 Hubbell Warehouse Development Project (“Hubbell Project”)

Name of Urban Renewal Area: Grimes Urban Renewal Area

Year of Establishment of Urban Renewal Area: _____

Date of Council Approval of Project: January 14, 2014

Description of Hubbell Project and Project Site: Certain property (the “Hubbell Property”) situated in the Urban Renewal Area has been identified by the prior action of the City Council as a property in need of economic development initiatives. Hubbell Realty Company (the “Company”) has proposed to undertake the construction of a new warehousing facility (the “Project”) on the Hubbell Property.

The Hubbell Property is legally described as follows:

The East 542.50 feet of Lot 5 in Grimes Business Park Plat 2, an Official Plat, now included in and forming a part of the City of Grimes, Polk County, Iowa, containing 8.22 acres, more or less.

Description of Public Infrastructure: No public infrastructure construction is anticipated with respect to the Project.

Description of Properties to be Acquired in Connection with Project: It is not anticipated that the City will acquire real property in connection with the Project.

Description of Use of TIF: The City intends to enter into a development agreement with the Company with respect to the Project. Under the agreement the City will provide economic development incentive payments to the Company in an amount not to exceed \$422,000. The payments under this agreement will be funded exclusively with the incremental property tax revenues to be received from the Development Property for a period not to exceed 7 years.

2) Updated Description of the City’s IOOF Building Renovation Project. The City approved the IOOF Building Renovation Project in the September, 2012 Amendment to the Plan. It is now necessary to update the description of the IOOF Building Renovation Project to read as follows:

Name of Project: IOOF Building Renovation Project

Name of Urban Renewal Area: Grimes Urban Renewal Area

Year of Establishment of Urban Renewal Area: _____

Date of Initial Council Approval of Project: September 11, 2012

Description of Private Development Project and Project Site: The property (the "Development Property") situated at 212 S.E. Main Street in the Urban Renewal Area has been identified by the prior action of the City Council as a property in need of restoration and economic development initiatives. A private developer (the "Developer") in the community has acquired the Development Property and proposes to construct renovations and improvements thereon and to undertake the redevelopment of the Development Property (the "Project"). The Developer is utilizing state and federal historic tax credits, bank financing, private equity and municipal financial support to fund the Project. It is anticipated that the Developer will enter into a minimum assessment agreement fixing the minimum actual valuation of the Development Property at \$450,000 in conjunction with the Project.

Description of Public Infrastructure: No public infrastructure construction is anticipated with respect to the Project..

Description of Properties to be Acquired in Connection with Project: It is not anticipated that the City will acquire real property in connection with the Project.

Description of Use of TIF: The City intends to enter into a development agreement with the Developer with respect to the Project. Under this agreement the City will provide a guaranty of a portion of the Developer's bank financing and a pledge of a series of economic development payments to the Developer. The guaranty will be in an amount not to exceed \$700,000 and will be backed by the incremental property tax revenues to be received from the entirety of the Urban Renewal Area. The economic development payments will be in an aggregate amount not to exceed \$309,000 and will be exclusively funded with incremental property tax revenues to be derived from the Development Property.

3) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$37,080,922</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed debt to be incurred in connection with projects	<u>\$1,495,000</u>

SET DATE FOR HEARING ON URBAN
RENEWAL PLAN AMENDMENT

419952-32

Grimes, Iowa

December 10, 2013

The Council of the City of Grimes, Iowa, met on December 10, 2013, at _____ o'clock, _____.m., at the _____, in the City, for the purpose of setting a date for a public hearing on a proposed urban renewal plan amendment. The Mayor presided and the roll being called, the following members of the Council were present and absent:

Present: _____

Absent: _____.

The Mayor announced that an amendment to the urban renewal plan for the Grimes Urban Renewal Area had been prepared, and that it was now necessary to set a date for a public hearing on the proposed amendment to the urban renewal plan. Accordingly, Council Member _____ moved the adoption of the following resolution entitled "Resolution setting date for a public hearing on urban renewal plan amendment," and the motion was seconded by Council Member _____. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. _____

Setting date for public hearing on urban renewal plan amendment

WHEREAS, the City Council of the City of Grimes, Iowa (the "City"), by prior resolution established the Grimes Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which would facilitate the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (1) providing tax increment financing support to the renovation and redevelopment of the I.O.O.F. Building situated at 212 S.E. Main Street; (2) providing tax increment financing support to Hubbell Realty Company in connection with an economic development project; (3) providing tax increment financing support to the TNC, LLC in connection with an economic development project, and it is now necessary that a date be set for a public hearing on the Amendment;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Grimes, Iowa, as follows:

Section 1. This City Council will meet at the _____, Grimes, Iowa, on the 14th day of January, 2014, at _____ o'clock __.m., at which time and place it will hold a public hearing on the proposed Amendment to the Plan for the Area.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved this December 10, 2013.

Mayor

Attest:

City Clerk

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT

Notice Is Hereby Given: That at _____ o'clock __.m., at the _____, Grimes, Iowa, on the 14th day of January, 2014, the City Council of the City of Grimes, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Grimes Urban Renewal Area to facilitate the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (1) providing tax increment financing support to the renovation and redevelopment of the I.O.O.F. Building situated at 212 S.E. Main Street; (2) providing tax increment financing support to Hubbell Realty Company in connection with an economic development project; (3) providing tax increment financing support to the TNC, LLC in connection with an economic development project. A copy of the proposed Amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Rochelle Williams
City Clerk

•••••

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTIES OF DALLAS AND POLK SS:
CITY OF GRIMES

I, the undersigned, City Clerk of the aforementioned City do hereby certify that pursuant to the resolution of its City Council fixing a date of public hearing on a proposed urban renewal plan amendment, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City, and copies were sent to the county and school district.

WITNESS my hand this ____ day of _____, 201__.

City Clerk

(Attach here publisher's affidavit of publication of notice.)

(PLEASE NOTE: This certificate must not be dated until the publication has been made and you have reviewed it to be sure that the notice was published on the date indicated in the attached affidavit.)

STATE OF IOWA
COUNTIES OF DALLAS AND POLK SS:
CITY OF GRIMES

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with setting a date for public hearing on an urban renewal plan amendment.

WITNESS my hand this ___ day of _____, 201__.

City Clerk

December 9, 2013

VIA E-MAIL

Kelley Brown
City Administrator/City Hall
Grimes, Iowa

Re: Grimes Urban Renewal Area (2013 Amendment)
Our File No. 419952-32

Dear Kelley:

We have prepared the attached materials which will enable your City Council to act on December 10, 2013 set January 14, 2014 as the date for a public hearing on the amendment to the existing urban renewal plan for the area.

The notice which is included in the attached resolution must be published once, not less than four (4) and not more than twenty (20) days prior to the date selected for the hearing. Please email or fax a copy of the published notice to our office. Our fax number is (515) 283-1060.

Also, a "consultation session" must be set up with Polk County and the Dallas-Center Grimes Community School District. Please refer to my separate letter enclosed for further details.

Please provide one fully executed set of proceedings, once all the actions have been taken, and contact me if you have any questions.

Best regards,

John P. Danos

cc: Rochelle Williams

December 9, 2013

VIA E-MAIL

Kelley Brown
City Administrator/City Hall
Grimes, Iowa

Re: Urban Renewal Area Amendment/Consultation Session
Our File Number: 419952-32

Dear Kelley:

The Iowa Urban Renewal Law requires that a city provide information concerning a proposed urban renewal plan or amendment to any other governmental bodies which might be affected by the use of tax increment financing within your urban renewal area. Specifically, the City must send a copy of the urban renewal plan amendment and an invitation to attend a meeting to discuss the urban renewal plan amendment to any county and school district whose jurisdiction covers any property which is within the urban renewal area. This consultation must be held at least two weeks prior to the public hearing on January 14, 2014.

It is our understanding that the property within your urban renewal area would affect Polk County and Dallas Center-Grimes Community School District.

Attached is a draft letter which you may use in order to provide notification to these governmental entities of the date, time and place of a meeting at which they may discuss your urban renewal plan amendment. The law does not require that this be a meeting of the City Council, and you may use your discretion about who represents the City at the meeting.

Along with the letter, you should send a copy of the urban renewal plan amendment and a copy of the notice of the public hearing on the urban renewal plan amendment.

According to our records, here are the mailing addresses for the individuals who should receive the notification letter and the enclosures:

Board of Supervisors
c/o Polk County Auditor
Polk County Administration Building
111 Court Avenue
Des Moines, Iowa 50309

Page 2

Superintendent
Dallas-Center Grimes Community School District
1414 Walnut Street, Suite 200
P.O. Box 512
Dallas Center, IA 50063

Please call me if you have questions.

Sincerely,

John P. Danos

cc: Rochelle Williams

[City letterhead]

DATE: _____

TO: Board of Supervisors, Polk County
Superintendent, Dallas-Center Grimes Community School District

FROM: City Council
City of Grimes, Iowa

RE: Urban Renewal Plan Amendment

The City of Grimes is in the process of amending the urban renewal plan for the Grimes Urban Renewal Area, and, pursuant to Section 403.5 of the Code of Iowa, the City is sending you the enclosed copy of its urban renewal plan amendment and scheduling a meeting at which you will have the opportunity to discuss this amendment.

The meeting to discuss our urban renewal plan amendment has been set for _____, 201____, at _____ o'clock ____m. at the _____ in Grimes. If you are unable to send a representative to the meeting, we invite your written comments. In addition, Section 403.5 gives your designated representative the right to make written recommendations concerning the urban renewal plan amendment no later than seven days following the date of the meeting.

The City will also hold a public hearing on this urban renewal plan amendment at _____ o'clock ____m. on January 14, 2014, and a copy of the notice of hearing is enclosed for your information.

Please call our City Administrator at 515-986-3036, if you have questions.

Enclosure

HEARING & APPROVAL OF URBAN
RENEWAL AREA PLAN AMENDMENT

419952-37

Grimes, Iowa

January 14, 2014

The City Council of the City of Grimes, Iowa, met on January 14, 2014, at _____ o'clock, __.m., at the _____, in the City for the purpose of conducting a public hearing on a proposed urban renewal plan amendment. The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: _____

Absent: _____.

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on the urban renewal plan amendment had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member _____ moved the adoption of a resolution entitled "A resolution to approve urban renewal plan amendment for the Grimes Urban Renewal Area ", seconded by Council Member _____. After due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO.01-0414

A resolution to approve urban renewal plan amendment for the Grimes Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, this City Council of the City of Grimes, Iowa (the "City"), by prior resolution established the Grimes Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, an amendment (the "Amendment") to the plan for the Urban Renewal Area has been prepared which would facilitate the undertaking of new urban renewal projects in the Urban Renewal Area consisting of: (1) providing tax increment financing support to the renovation and redevelopment of the I.O.O.F. Building situated at 212 SE Main Street; (2) providing tax increment financing support to Hubbell Realty Company in connection with an economic development project; and (3) providing tax increment financing support to the TNC, LLC in connection with an economic development project; and

WHEREAS, notice of a public hearing by the City Council of the City of Grimes, Iowa, on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on January 14, 2014; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Polk County and the Dallas-Center Grimes Community School District; the consultation meeting was held on the ____ day of _____, 20__; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Grimes, Iowa, as follows:

Section 1. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 2. It is hereby determined by this City Council as follows:

A. The activities proposed under the Amendment conform to the general plan for the development of the City;

B. Proposed economic development under the Amendment is 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. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved January 14, 2014.

Mayor Thomas M. Armstrong

Attest:

City Clerk Rochelle Williams

(Attach copy of the urban renewal plan amendment to this resolution.)

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT, LOAN
GUARANTY AND TAX INCREMENT
PAYMENTS

(IOOF, Building)

419952-37

Grimes, Iowa

January 14, 2014

A meeting of the City Council of the City of Grimes, Iowa, was held at _____ o'clock
____.m., on January 14, 2014, at the _____, Grimes, Iowa, pursuant to the rules
of the Council.

The Mayor presided and the roll was called, showing members present and absent as
follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter
set out and moved its adoption, seconded by Council Member _____; and
after due consideration thereof by the City Council, the Mayor put the question upon the
adoption of said resolution, and the roll being called, the following named Council Members
voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 01-0314

To fix a date of meeting at which it is proposed to approve a Development Agreement with, and approve loan guaranties on behalf of Friends of the IOOF Building, Inc., including annual appropriation tax increment payments

WHEREAS, the City of Grimes, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Grimes Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the "Development Agreement") with, and to make certain loan guaranties (the "Guaranties") on behalf of, Friends of the IOOF Building, Inc. (the "Company") in connection with the construction of renovations and improvements and the redevelopment of certain real property situated at 212 SE Main Street in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$309,000 and would provide incremental property tax backed loan guaranties on behalf of the Company in an amount not to exceed \$700,000, under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Grimes, Iowa, as follows:

Section 1. This Council shall meet on the 28th day of January, 2014, at _____ o'clock ____ .m., at the _____, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and the Guaranties and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT
AGREEMENT WITH, AND LOAN GUARANTIES ON BEHALF OF,
FRIENDS OF THE IOOF BUILDING, INC. AND AUTHORIZATION OF
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Grimes, Iowa, will meet at the _____, on the 28th day of January, 2014, at _____ o'clock ____m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Friends of the IOOF Building, Inc. in connection with the construction of renovations and improvements and the redevelopment of certain real property situated at 212 SE Main Street in the Urban Renewal Area, which Agreement provides for certain financial incentives in the form of annual appropriation incremental property tax payments (the "Payments") in a total amount not exceeding \$309,000 and loan guaranties (the "Guaranties") in an amount not to exceed \$700,000, as authorized by Section 403.9 of the Code of Iowa.

The Payments and the Guaranties will not constitute general obligations of the City, but will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement, the Payments and/or the Guaranties or may abandon the proposal.

This notice is given by order of the City Council of Grimes, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Kelley Brown
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved January 14, 2014.

Mayor

Attest:

City Clerk

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(Hubbell Realty Company)

419952-37

Grimes, Iowa

January 14, 2014

A meeting of the City Council of the City of Grimes, Iowa, was held at _____ o'clock
____.m., on January 14, 2014, at the _____, Grimes, Iowa, pursuant to the rules
of the Council.

The Mayor presided and the roll was called, showing members present and absent as
follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter
set out and moved its adoption, seconded by Council Member _____; and
after due consideration thereof by the City Council, the Mayor put the question upon the
adoption of said resolution, and the roll being called, the following named Council Members
voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 01-0514

To fix a date of meeting at which it is proposed to approve a Development Agreement with Hubbell Realty Company, including annual appropriation tax increment payments in an amount not to exceed \$422,000

WHEREAS, the City of Grimes, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Grimes Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the "Development Agreement") with Hubbell Realty Company (the "Company") in connection with their construction of a new warehousing and distribution facility on certain real property situated in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$422,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Grimes, Iowa, as follows:

Section 1. This Council shall meet on the 28th day of January, 2014, at _____ o'clock ____ .m., at the _____, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH
HUBBELL REALTY COMPANY AND AUTHORIZATION OF
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Grimes, Iowa, will meet at the _____, on the 28th day of January, 2014, at _____ o'clock ____m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Hubbell Realty Company (the "Company") in connection with the Company's construction of a new warehousing and distribution facility on certain real property situated in the Urban Renewal Area, which Agreement provides for certain financial incentives in the form of annual appropriation incremental property tax payments to the Company in a total amount not exceeding \$422,000, as authorized by Section 403.9 of the Code of Iowa.

The agreement to make annual appropriation incremental property tax payments will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Grimes, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Rochelle Williams
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved January 14, 2014.

Mayor Thomas M. Armstrong

Attest:

City Clerk Rochelle Williams

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(TNC, L.L.C.)

419952-37

Grimes, Iowa

January 14, 2014

A meeting of the City Council of the City of Grimes, Iowa, was held at _____ o'clock
____,m., on January 14, 2014, at the _____, Grimes, Iowa, pursuant to the rules
of the Council.

The Mayor presided and the roll was called, showing members present and absent as
follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter
set out and moved its adoption, seconded by Council Member _____; and
after due consideration thereof by the City Council, the Mayor put the question upon the
adoption of said resolution, and the roll being called, the following named Council Members
voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 01-0614

To fix a date of meeting at which it is proposed to approve a Development Agreement with TNC, L.L.C., including annual appropriation tax increment payments in an amount not to exceed \$64,000

WHEREAS, the City of Grimes, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Grimes Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the "Development Agreement") with TNC, L.L.C. (the "Company") in connection with the remodeling and conversion of certain real property situated at 215 SE Main Street in the Urban Renewal Area into a commercial facility; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$64,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Grimes, Iowa, as follows:

Section 1. This Council shall meet on the 28th day of January, 2014, at _____ o'clock ____ .m., at the _____, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT
AGREEMENT WITH TNC, L.L.C. AND AUTHORIZATION OF
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Grimes, Iowa, will meet at the _____, on the 28th day of January, 2014, at _____ o'clock ____ .m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and TNC, L.L.C. in connection with the remodeling and conversion of certain real property situated at 215 SE Main Street in the Urban Renewal Area into a commercial facility, which Agreement provides for certain financial incentives in the form of annual appropriation incremental property tax payments in a total amount not exceeding \$64,000, as authorized by Section 403.9 of the Code of Iowa.

The agreement to make annual appropriation incremental property tax payments will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Grimes, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Rochelle Williams
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved January 14, 2014.

Mayor Thomas M. Armstrong

Attest:

City Clerk Rochelle Williams

••••

On motion and vote the meeting adjourned.

Mayor Thomas M. Armstrong

Attest:

City Clerk Rochelle Williams

STATE OF IOWA
COUNTY OF POLK SS:
CITY OF GRIMES

I, the undersigned, City Clerk of the aforementioned City, hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2014.

City Clerk Rochelle Williams

(Attach here the publisher's original affidavit with clipping of the notice as published.)

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



ORDINANCE #623

AN ORDINANCE AMENDING THE GRIMES OFFICIAL ZONING MAP, PURSUANT TO THE CODE OF ORDINANCES SECTION 165.05 BY CHANGING THE ZONING OF THE BELOW DESCRIBED PROPERTY KNOWN AS METRO WASTE AUTHORITY CONSISTING OF 8 ACES CURRENTLY ZONED A-1 AGRICULTURAL IS REQUESTED TO BE REZONED M-2 HEAVY INDUSTRIAL AND A WAIVER OF REQUIREMENT FOR THE HWY 141 MIXED USE DEVELOPMENT CORRIDOR DISTRICT.

SECTION 1. Purpose. The purpose of this Ordinance is to amend the official zoning map and the comprehensive land use map by changing approximately 8 acres currently zoned A-1 Agricultural to M-3 Heavy Industrial and a waiver of requirement for the Hwy 141 Mixed Use Development Corridor District to allow for construction of a proposed municipal solid waste transfer station.

SECTION 2. Amendment. Pursuant to the Grimes Code of Ordinances Section 165.05 the official zoning map shall be amended as follows and this ordinance shall be noted in the Editor's Note located after Section 165.47.

LEGAL DESCRIPTION

Metro Waste Authority

Proposed 8 acres currently zoned A-1 Agricultural to M-3 Heavy Industrial and a waiver of requirement for the Hwy 141 Mixed Use Development Corridor District.

PROPERTY DESCRIPTION:

Parcel C of the Survey of the E ½ of the NE ¼ of Section 17, Township 79 North, Range 25 West of the 5th P.M., Polk County, Iowa, as filed December 2, 2004 and recorded in Book 10846, page 771, of Polk County, Iowa

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 8 ACRES MORE OR LESS.

SAID TRACT OF LAND BEING SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability 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 5: Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the City Council and approved by the City Council on this 14th day of January 2014.

ATTEST:

Thomas M. Armstrong, Mayor

Rochelle Williams, City Clerk



Metro Waste Authority
Your Partner in Environmental Solutions

November 21, 2013

Ms. Rochelle Williams
City Clerk
City of Grimes
101 N.E. Harvey Street
Grimes, IA 50111

RE: P-45 Metro Waste Authority Solid Waste Transfer Station
Request for Rezoning of Parcel C

Dear Ms. Williams:

In accordance with the City of Grimes Ordinances, Chapter 165, Section 165.44 Amendments, Metro Waste Authority (MWA) requests the City of Grimes City Council (Council) to rezone Parcel C from A-1 to M-3 to allow for construction of a proposed municipal solid waste transfer station. MWA currently owns two parcels of land, Lot 6 and Parcel C, located at 4105 SE Beisser Drive within the City of Grimes. Currently Lot 6 is zoned M-3 and Parcel C is zoned A-1. Please find attached a copy of the legal description of Parcel C, a list and map of all adjacent property owners within a 250 ft radius (hard copy and Microsoft Excel file), and a conceptual site plan depicting the proposed municipal solid waste transfer station.

In 1998 MWA purchased Lot 6 which is approximately 8 acres with the intent to construct a municipal solid waste transfer station. In conjunction with purchasing Lot 6, MWA received a Special Use Permit for the transfer station dated November 5, 1998 from the City of Grimes Board of Adjustment. To provide additional acreage necessary for efficient development of a transfer station, in 2004 MWA purchased Parcel C which is approximately 2.5 acres and adjacent to Lot 6. In 2008 MWA allowed several of our member communities; including the Cities of Grimes, Des Moines, Clive, and West Des Moines to construct two salt barns and utilize the Lot 6 parcel for salt storage and distribution activities.

In an effort to allow continued operation of the existing salt barns, the transfer station has been located on the northern and eastern portion of Lot 6 (zoned M-3). The transfer station will be a bi-level, fully enclosed building design consisting of a vehicle unloading/tipping floor area in the upper level of the building and two "load-out" refuse hoppers to allow the feeding of waste into the top of transfer tractor-trailers located in the lower level. Outside the transfer station building upper level will be a vehicle maneuvering area for refuse trucks. The attached layout also shows provisions to allow for a small vehicle unloading area to the south of the maneuvering area. As a bi-level facility, the ingress and egress roads to the vehicle maneuvering area and small vehicle area rise at a slope no greater than six percent. This slope is considered good practices and appropriate for the types of vehicles utilizing the facility and winter weather conditions. Additionally, the turning radii of the roads are laid out to allow safe and efficient



Ms. Rochelle Williams
November 21, 2013
Page 2

movement of the large vehicles utilizing the facility. Based on the building location, required grade changes and turning movements, the egress roads from the transfer station vehicle maneuvering area and small vehicle area extend into Parcel C (zoned A-1).

It should also be noted that transfer tractor-trailers will enter the lower level "load-out area" of the transfer station building from the east. This will allow the transfer trailers to directly exit the site to the west after being loaded with waste. To safely and efficiently accommodate this transfer tractor-trailer loading operation, access is through the right-of-way easement onto Parcel C. This transfer tractor-trailer roadway on Parcel C will also connect to the egress roads from the maneuvering and small vehicle areas.

Given the design and operational requirements for a municipal solid waste transfer station and in part the site constraints posed by the existing salt barns, we believe it is necessary and appropriate to extend the road network into Parcel C.

MWA requests the Council rezone Parcel C from A-1 to M-3 to allow portions of the solid waste transfer station on Parcel C. In a separate submittal MWA is simultaneously requesting a Waiver of Requirements to allow M-3 use within the Highway 141 Mixed Use Development Corridor District.

MWA looks forward to working with the City of Grimes on this project. I would encourage you to schedule a tour of our existing facility located on Delaware Avenue if you would like to see first hand the type of facility that is being proposed. If you should require any additional information or have any questions or concerns, please feel free to contact me at (515) 323-6535.

Sincerely,



Thomas B. Hadden III
Executive Director

Attachments: Parcel C Legal Description
Conceptual Site Plan
List and Map of Adjacent Property Owners

cc: Jeff Dworek (MWA)
Doug DeCesare (HDR)
John Dempsey (HDR)
John Gade (Fox Engineering)
James Brick (Brick Gentry)
Kelley Brown (Grimes City Administrator)
File P45.15

**BRICK, GENTRY, BOWERS, SWARTZ,
STOLTZE, SCHULING & LEVIS, P.C.**

ATTORNEYS AND COUNSELORS AT LAW

AMY S. BEATTIE
JAMES R. BOWERS
JAMES B. BRICK
JOSEPH S. BRICK
STEVEN P. BRICK
KENNETH L. BUTTERS
NOLDEN GENTRY
THOMAS J. LEVIS
JAMES E. NERVIG
THOMAS P. SCHLAPKOHL

39TH AND INGERSOLL
550 THIRTY-NINTH STREET, SUITE 200
DES MOINES, IOWA 50312
TELEPHONE: (515) 274-1450
FACSIMILE: (515) 274-1488

MARK R. SCHULING
BRUCE H. STOLTZE
CLIFFORD S. SWARTZ
DAVID E. BRICK
STEPHANIE L. BRICK DREY
PATRICK M. McORAW
MATTHEW S. BRICK
OF COUNSEL:
PATRICK W. BRICK

Writers direct e-mail: tlm.nervig@brickgentrylaw.com

February 7, 2005

Tom Haddon
Metro Waste Authority
521 East Locust Street
Des Moines, Iowa 50309

To Whom it May Concern:

Pursuant to your request, we have examined the Abstract of Title to the following described real estate in Polk County, Iowa:

Parcel C of the Survey of the E ½ of the NE ¼ of Section 17, Township 79 North, Range 25 West of the 5th P.M., Polk County, Iowa, as filed December 2, 2004 and recorded in Book 10846, Page 771, of Polk County Iowa records.

Said Abstract is now continued to January 25, 2005, at 9:41 A.M., by continuation No. 507539 prepared by Iowa Title Company. Based entirely upon our examination of the Abstract, it is our opinion that, as of the date of the final continuation mentioned above, good and marketable title to the above-described real estate is held by:

METRO WASTE AUTHORITY

SUBJECT TO the following:

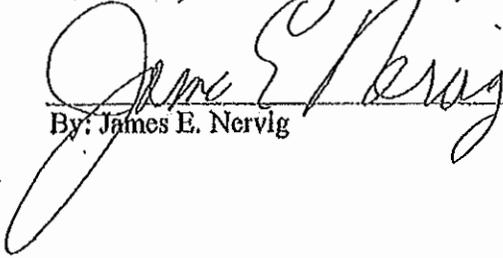
Easements and Restrictions: Said property is subject to easements, covenants, reservations and restrictions filed of record and/or appearing on the Plat.

Entry 11 of the continuation No. 507539 shows a 30-foot wide Sewer Easement, filed on December 1, 1997, in Book 7779, Page 175, which appears to run across the property under examination from west to east.

2. **Taxes:** Entry No. 15 of continuation No. 507539 shows: Real Estate taxes for Fiscal Year 2003-04 and all prior years paid.
3. **Zoning:** The property is subject to the Zoning Ordinances of the City of Grimes, Iowa.

Respectfully submitted,

BRICK, GENTRY, BOWERS, SWARTZ,
STOLTZE, SCHULING & LEVIG, P.C.


By: James E. Nervlg

TITLE GUARANTY DIVISION
Member No. 2621

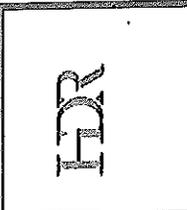
JEN/mdc

JIMBR:Jim Nervlg;Metro Waste Authority;Opinion Final - Grimes



Legend

-  250 ft Buffer
-  Properties needing notification
-  Property Boundaries - 2011
-  Metro Waste Authority Property Boundary



Property Information

City of Grimes
Metro Waste Authority

DATE

July 2013

FIGURE

1

October 18, 2013

Mr. Joe McAreavy
Public Works Director
City of Grimes
101 N. Harvey Street
Grimes, IA 50111

RE: Metro Waste Authority Transfer Station
Waiver of Requirements -- HWY 141 Mixed Use Development Corridor District

Dear Mr. McAreavy:

In accordance with the City of Grimes Ordinances, Chapter 165A, Section 165A.27 Waiver of Requirements, Metro Waste Authority hereby requests the City of Grimes Planning and Zoning Commission to consider the Waiver of Requirements to allow M-3 use within the Highway 141 Mixed Use Development Corridor District for a proposed municipal solid waste transfer station to be located at 590 Beisser Drive. Please find attached a conceptual site plan for the proposed municipal solid waste transfer station.

Metro Waste Authority (MWA) currently owns two parcels of land, Lot 6 and Parcel C, located at 590 Beisser Drive within the City of Grimes. Currently Lot 6 is zoned M-3 and Parcel C is zoned A-1. In 1997 MWA purchased Lot 6 which is approximately 8 acres with the intent to construct a municipal solid waste transfer station. Subsequent to purchasing Lot 6, MWA received a Special Use Permit for the transfer station dated November 5, 1998 from the City of Grimes Board of Adjustment. To increase the acreage necessary for the transfer station, in 2004 MWA purchased Parcel C which is approximately 2 acres and adjacent to Lot 6. In 2008 MWA allowed several of our member communities; including the Cities of Grimes, Des Moines, Clive, and West Des Moines to construct two salt barns and utilize the Lot 6 property for salt storage and distribution activities.

In an effort to allow continued operation of the existing salt barns, the transfer station has been located on the eastern portion of Lot 6 (zoned M-3). The transfer station will be a bi-level, non-compacted design consisting of two refuse hoppers and a tipping floor area on the upper level and a "load-out" area on the lower level. Outside the transfer station building upper level will be a large vehicle maneuvering area and a small vehicle unloading area. As a bi-level facility, the ingress and egress roads for the large vehicle maneuvering area and small vehicle unloading area should be at a slope no greater than six percent given the types of vehicles utilizing the facility and the anticipated winter weather conditions in the region. Additionally, the turning radii of the roads should be adequate for the large vehicles utilizing the facility. Thus, as a result of the building location, required slopes and radii, the egress roads from the large vehicle maneuvering area and small vehicle unloading area extend into Parcel C (zoned A-1).

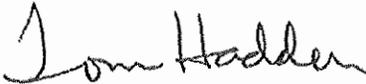
Mr. Joe McAreavy
October 18, 2013
Page 2

It should also be noted that transfer trailers will enter the lower level "load-out" area of the transfer station building from the east. This will allow the transfer trailers to directly exit the site to the west after waste loading with the option to cross the outbound (northern) scale at the scale house. To accommodate this transfer station operation and the length of the transfer trailers, access is provided through the right-of-way easement onto Parcel C (zoned A-1) which will connect with the egress roads from the maneuvering and unloading areas.

Given the design and operational requirements for a municipal solid waste transfer station and the site constraints with the existing salt barns, it is necessary to extend the road network into Parcel C. Should the Planning and Zoning Commission grant approval of the Waiver of Requirements for this site, MWA will proceed with re-zoning Parcel C from zone A-1 to M-3.

MWA appreciates the consideration of the Waiver of Requirements and looks forward to working with the City of Grimes on this project. I would encourage you to schedule a tour of our existing facility located on Delaware Avenue if you would like to see first hand the type of facility that is being proposed. If you should require any additional information or have any questions or concerns, please feel free to contact me at (515) 323-6535.

Sincerely,



Tom Hadden
Executive Director

Attachment: Conceptual Site Plan

cc: Jeff Dworek, MWA
Doug DeCesare, HDR
John Gade, Fox Engineering
James Brick, Brick Gentry
Kelley Brown, Grimes City Administrator
File P45.15



101 NE Harvey Street, Grimes, Iowa 50111 515.986.3036 Fax 515.986.3846

This meeting of the Grimes Planning and Zoning Commission was called to order on Tuesday, December 3, 2013 at 5:32 P.M. at the Grimes City Hall.

Roll Call: Present: Steve Reneker, Bill Bohan, Kristin Haar
Absent: Council Liaison Mat Tapper, Steve Valline, Mike Chambers

I. GENERAL AGENDA ITEMS

I. APPROVAL OF THE AGENDA

Motion by Bohan, Second by Haar to approve the agenda.

Roll call: Ayes-3; Nays-0 Motion passes: 3 -0

II. APPROVAL OF THE MINUTES

Motion by Haar, Second by Bohan to approve the minutes from the November 5, 2013 meeting

Roll call: Ayes: 3; Nays: 0 Motion passes: 3 – 0

II. PUBLIC AGENDA ITEMS

1. Public Hearing and Action on a Request from Brooke Ridge West for a Land Use Change and Rezone of 15.9 acres currently zoned A-1 Agricultural to R2-70 Single Family and two family dwellings.

Chairman Steve Reneker opened the Public Meeting at 5:36. Dean Roghair, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes IA addressed the Board on behalf of Stanbrough Realty Company. Roghair stated that this site consists of approximately 15.9 acres and is zoned A-1 Agricultural and they would like it rezoned to R2-70 (Single and Two-Family Dwelling District) in addition to a Land Use Change. Roghair stated this parcel is bound on the west by NW 142nd street and on the north by NW 27th Street. City Engineer John Gade stated that the land use plan was dictated on the developer's proposal for development at the time that plan was initially created. Gade noted that the developer since had revised his intentions for that ground usage and that the City did not have any overriding plan that would be impacted by this change. Gade also said that a single family development would be more compatible with adjacent development plans.

Being no further discussion by the Board, and no oral or written comments received from the public, Chairman Steve Reneker closed the Public Hearing at 5:42.

Motion by Haar, Second by Bohan to approve the Request from Brooke Ridge West for a Land Use Change and Rezone of 15.9 acres currently zoned A-1 Agricultural to R2-70 Single Family and two family dwellings.

Roll call: Ayes-3 Nays- 0 Motion passes: 3 – 0

2. Public Hearing and Action on a Request from Metro Waste Authority for a Rezone from A-1 Agricultural to M-3 Heavy Industrial and Request for a Waiver of Requirements for the Hwy 141 Mixed Use Development Corridor District.

Chairman Steve Reneker opened the Public Hearing at 5:46. Tom Hadden, Executive Director for Metro Waste Authority, 300 E. Locust St, Suite 100 Des Moines IA presented an overview of their plans for development of a municipal solid waste transfer station. Hadden stated that Metro Waste Authority purchased the main portion of the property with M-3 zoning in 1998 with a subsequent additional purchase in 2004 of approximately 2 ½ acres adjacent to it that is currently zoned A-1. Hadden stated that the original parcel was intended to be used as a transfer station at some point in the future and was being used in the meantime as a salt storage facility. Hadden noted that by building the salt storage facilities, Metro Waste allocated a significant portion of the original property and it was determined that additional land would be needed to allow expansion to include the solid waste transfer station. Hadden stated that a section of the additional ground purchased falls within the Highway 141 Mixed Use Development Corridor District and would have to be rezoned to M-1 in order for that expansion to take place. City Engineer Gade noted that the land usage for the parcel in question was only going to be used for storm water detention and roadway, but since it was partially in the Corridor District, the entire parcel was subject to the zoning. Gade also noted that the development of a transfer station would increase the truck traffic volume on SW 37th. Gade stated that traffic studies were being performed and future expansion of that roadway was in the planning stages.

Being no further discussion by the Board and no written or oral comments from the Public, Chairman Steve Reneker closed the Public Hearing at 6:07.

Motion by Haar, Second by Bohan to approve the Request from Metro Waste Authority for a Rezone from A-1 Agricultural to M-3 Heavy Industrial as well as approving the Request for a Waiver of Requirements for the Hwy 141 Mixed Use Development Corridor District.

Roll call: Ayes-3 Nays- 0 Motion passes: 3 – 0

III. PUBLIC FORUM- None

IV. ZONING ADMINISTRATOR REPORT -

City Engineer Gade advised the Board that Metro Waste Authority would be taking a request for the Special Use Permit for the Transfer Station to the Board of Adjustment later this month and a Site Plan for this project would be presented to Planning and Zoning in January. Gade also said he expected to have a request in January on the Heritage Re-Zone. Building Inspector Clyce stated there were 9 new single family home permits issued last month and 142 inspections.

1. Old Business- None
2. New Business- Chairman Steve Reneker presented a service recognition award for Board Member Kristin Haar in appreciation for her eight years of service on the Planning and Zoning Board. Haar is in the process of moving to Johnston and her services will be missed.
Next meeting, January 7 2014.

V. ADJOURNMENT

Motion by Haar, Second by Bohan to adjourn the meeting.

Meeting is adjourned at 6:14 pm

Steve Reneker, Chairman



CIVIL DESIGN ADVANTAGE L.L.C.

ENGINEERS, LANDSCAPE ARCHITECTS,
PLANNERS & SURVEYORS

October 30, 2013

Attn: Kelley Brown
City Administrator, City of Grimes
101 N. Harvey Street
Grimes, Iowa 50111

RE: **Brooke Ridge West**
Rezoning Initiation
CDA 1309.386

Dear Ms. Brown:

On behalf of Stanbrough Realty Company, LLC, we submit herewith three copies of the rezoning request for Brooke Ridge West. The site consists of approximately 15.9 acres that is currently zoned A-1 Agricultural. We are proposing to rezone to R2-70 (Single-Family and Two-Family Dwelling District).

Please place this rezoning request on the next available Council Agenda to initiate the rezoning.

Please contact me with any questions.

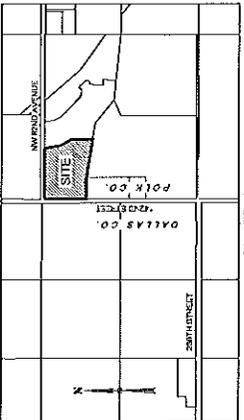
Sincerely,

CIVIL DESIGN ADVANTAGE, LLC

R. Dean Roghair, P.E.

copy: John Gade, Fox Engineering
Jeff Stanbrough, Stanbrough Realty Company, LLC

VICINITY MAP (1"=1,000')



OWNER:
 DAVIS REALTY, LLC
 3405 S.E. CROSSROADS DRIVE, SUITE G
 WEST DES MOINES, IOWA 50306

APPLICANT:
 CHAMBERLAIN REALTY CO., LLC
 7088 HICKMAN ROAD, SUITE 30
 CLIVE, IOWA 50325

ENGINEER / SURVEYOR:
 CIVIL DESIGN ADVANTAGE
 3405 S.E. CROSSROADS DRIVE, SUITE G
 BRAMES, IOWA 50311
 PH: 515-369-4100

ZONING:
 RESIDENTIAL SINGLE-FAMILY DISTRICT
 RES-10 SINGLE AND TWO FAMILY DWELLING DISTRICT

GRIMES, IOWA

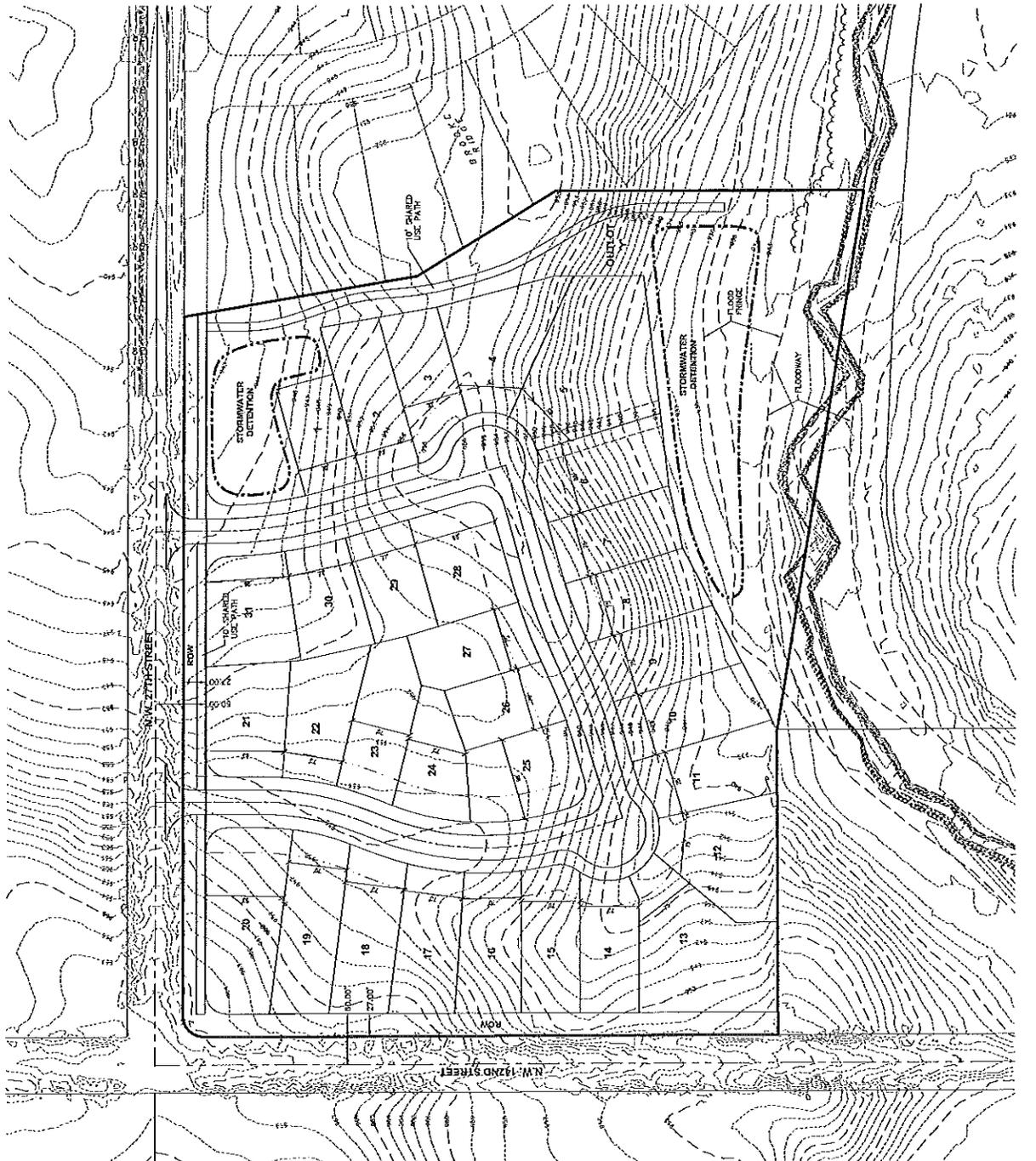
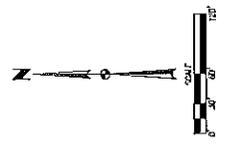
BULK REGULATIONS

MIN. LOT WIDTH = 70' WITH NO RESTRICTION ON THE NUMBER OF LOTS ABOVE 70' IN WIDTH.
 MIN. REAR YARD = 20'
 MIN. SIDE YARD = 20'

MIN. STORY 7/4: TOTAL
 70' STORY 80' TOTAL
 70' STORY 90' TOTAL
 70' STORY 100' TOTAL
 70' STORY 110' TOTAL
 70' STORY 120' TOTAL
 70' STORY 130' TOTAL
 70' STORY 140' TOTAL
 70' STORY 150' TOTAL
 70' STORY 160' TOTAL
 70' STORY 170' TOTAL
 70' STORY 180' TOTAL
 70' STORY 190' TOTAL
 70' STORY 200' TOTAL

AREA BREAKDOWN

TOTAL AREA = 13.00 AC
 AGRICULTURAL REPAIR ROW = 5.00 AC
 CULDEY AREA = 3.65 AC
 NET AREA = 11.35 AC





OWNER
 JAMES BEATTY, LLC
 WEST 625 MONROE, IOWA 50246

APPLICANT
 STANBROOK REALTY CO., LLC
 1000 WEST 14TH STREET, SUITE 28
 GRIMES, IOWA 50111

ENGINEER / SURVEYOR
 CIVIL DESIGN ADVANTAGE, LLC
 3405 S.E. CROSSROADS DRIVE, SUITE G
 GRIMES, IOWA 50111
 PH: 315-369-4400

ZONING
 EXISTING ZONING: A-1 AGRICULTURAL DISTRICT
 PROPOSED ZONING: RESIDENTIAL SINGLE AND TWO FAMILY DWELLING DISTRICT

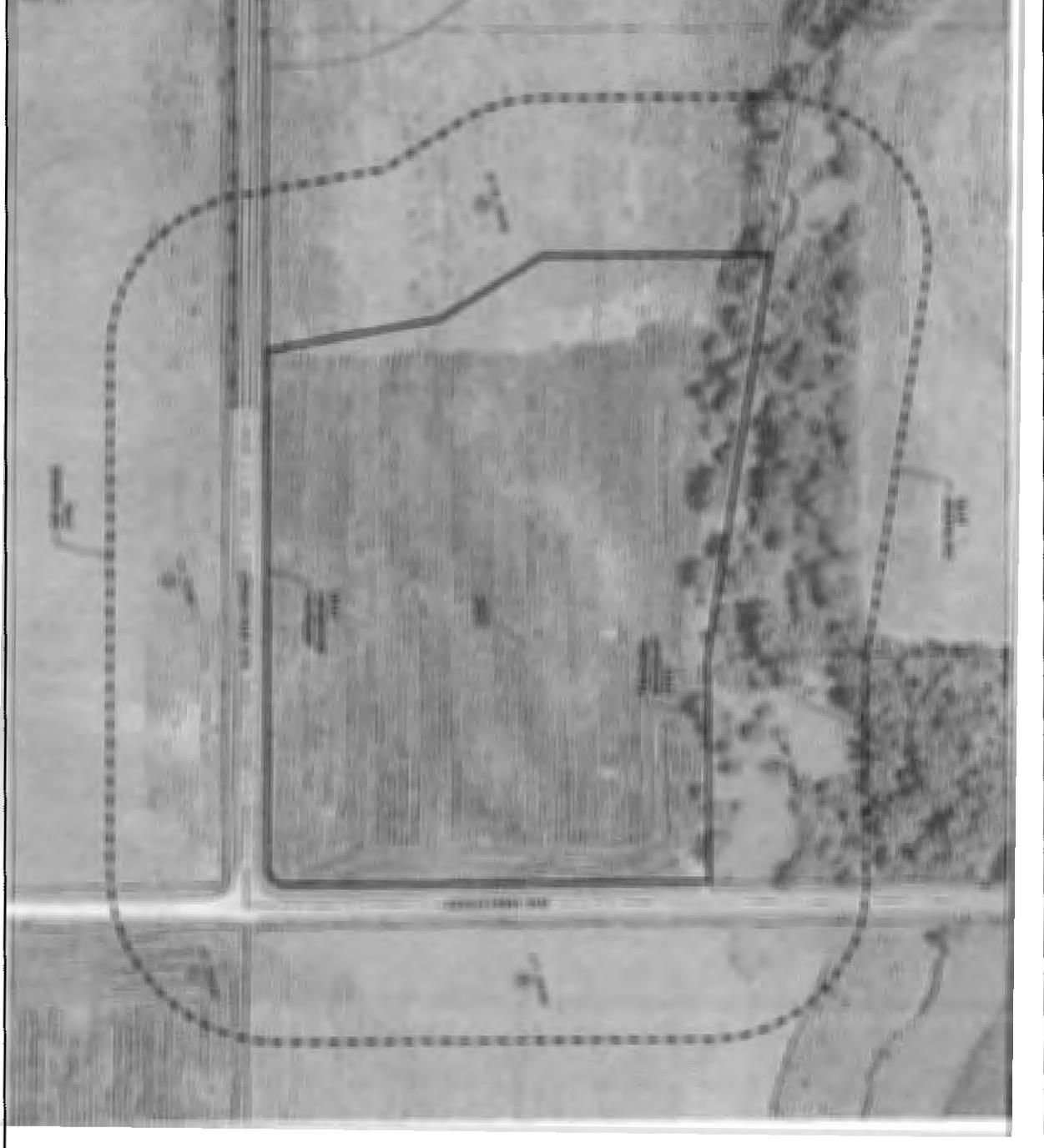
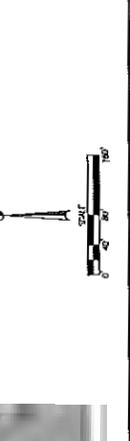
BULK REGULATIONS

MIN. LOT WIDTH - 75' WITH NO RESTRICTION ON THE NUMBER OF LOTS ABOVE 75'
 MIN. LOT DEPTH - 30' WITH NO RESTRICTION ON THE NUMBER OF LOTS ABOVE 75'
 MIN. FRONT YARD - 30'
 MIN. REAR YARD - 25'
 MIN. SIDE YARD - 5'
 MIN. SETBACK TOTAL - 10' (FRONT) / 5' (SIDE) / 5' (REAR)
 MIN. SETBACK TOTAL (IF SIDE OR MORE OF THE LOTS ARE EQUAL OR GREATER THAN 100 FT) - 10' (FRONT) / 5' (SIDE) / 5' (REAR)
 MIN. SETBACK TOTAL (IF SIDE OR MORE OF THE LOTS ARE EQUAL OR GREATER THAN 100 FT) - 10' (FRONT) / 5' (SIDE) / 5' (REAR)
 MIN. SETBACK TOTAL (IF SIDE OR MORE OF THE LOTS ARE EQUAL OR GREATER THAN 100 FT) - 10' (FRONT) / 5' (SIDE) / 5' (REAR)
 MIN. SETBACK TOTAL (IF SIDE OR MORE OF THE LOTS ARE EQUAL OR GREATER THAN 100 FT) - 10' (FRONT) / 5' (SIDE) / 5' (REAR)

REZONING DESCRIPTION
 PARCEL 'A' IN LOT 1, PLOTMAN'S SUBDIVISION, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 12427, PAGE 701, IN THE CITY OF GRIMES, POLK COUNTY, IOWA, AND PARCEL 'B' IN LOT 1, PLOTMAN'S SUBDIVISION, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 14894, PAGE 233, IN THE CITY OF GRIMES, POLK COUNTY, IOWA. PROPERTY CONTAINS 15.86 ACRES (69236 SQUARE FEET). PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

ADJACENT OWNERSHIP

1. RICHARD T. CALDWELL
 2200 S. Y. AVENUE
 GRIMES, IOWA 50111
2. HOWARD H. HULMAN
 1000 WEST 14TH STREET
 GRIMES, IOWA 50111
3. BROOKE RIDGE HOLDINGS LLC
 273 N.E. 47TH PLACE
 DES MOINES, IOWA 50313
4. PAULS REALTY LLC
 6000 CEDAR DRIVE UNIT 60
 WEST CEDAR MONROE, IOWA 50246
5. LEE O. & AMY F. LOMAS
 1000 WEST 14TH STREET
 GRIMES, IOWA 50111
6. BOURBON FARMER INC
 207 S. 4TH BOX 100
 GRIMES, IOWA 50111





ORDINANCE #624

AN ORDINANCE AMENDING THE GRIMES OFFICIAL ZONING MAP, PURSUANT TO THE CODE OF ORDINANCES SECTION 165.05 BY CHANGING THE ZONING OF THE BELOW DESCRIBED PROPERTY KNOWN AS BROOKE RIDGE WEST A PROPERTY CONSISTING OF APPROXIMATELY 15.9 ACRES CURRENTLY ZONED A-1 AGRICULTURAL REQUEST TO REZONE TO R2-70 SINGLE FAMILY AND TWO FAMILY DWELLING DISTRICT.

SECTION 1. Purpose. The purpose of this Ordinance is to amend the official zoning map and the comprehensive land use map by changing approximately 15.9 acres currently zoned A-1 Agricultural to R2-70 Single Family and Two Family Dwelling District.

SECTION 2. Amendment. Pursuant to the Grimes Code of Ordinances Section 165.05 the official zoning map shall be amended as follows and this ordinance shall be noted in the Editor's Note located after Section 165.47.

LEGAL DESCRIPTION
Brooke Ridge West

PROPOSED 15.9 acres currently zoned A-1 Agricultural to R2-70 Single Family and Two Family Dwelling District.

PROPERTY DESCRIPTION:

Parcel 'A' in Lot 1, Peitzman's subdivision, as shown on the plat of survey recorded in book 12437, page 751, in the City of Grimes, Polk County, Iowa except parcels 'E' and 'F' of said parcel 'A', as shown on the plat of survey recorded in book 14684, page 350, in the City of Grimes, Polk County, Iowa. Property contains 15.90 acres (692,598 square feet)

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 15.90 ACRES MORE OR LESS.

SAID TRACT OF LAND BEING SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of these ordinances are hereby repealed.

SECTION 4. Severability 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 5: Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the City Council and approved by the City Council on this 14th day of January 2014

ATTEST:

Thomas M. Armstrong, Mayor

Rochelle Williams, City Clerk

GREATER DES MOINES CONVENTION AND VISITORS BUREAU
THE PARENT ORGANIZATION OF THE DES MOINES AREA SPORTS COMMISSION

400 Locust Street, Suite 265
Des Moines, IA 50309
(515) 286-4960
(800) 451-2625
Fax: (515) 244-9757
catchdesmoines.com

December 17, 2013

Dear City Manager:

I have enclosed the Amendment to Intergovernmental Agreement admitting Polk City, Iowa into this agreement.

You will also find a signature page. Please have the appropriate parties complete the signature page for your city and return to me in the enclosed envelope. Once I have received all signatures, I will record the document. I will then forward you a copy of the file stamped document.

If you have any questions, please feel free to contact me at 515-699-3441 or nancy@catchdesmoines.com.

Sincerely,



Nancy Goode
Vice President of Finance & Administration



CATCH
DES MOINES

AMENDMENT TO INTERGOVERNMENTAL
AGREEMENT FOR THE PROMOTION OF
TOURISM AND CONVENTION ACTIVITIES
IN THE GREATER DES MOINES AREA

This Amendment to Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa Area (Amendment) is made and entered into this _____ day of _____, 2013, by and among the City of Altoona, the City of Ankeny, the City of Clive, Iowa, The City of Des Moines, Iowa, the City of Grimes, Iowa, the City of Indianola, Iowa the City of Johnston, Iowa, the City of Perry, Iowa, the City of Pleasant Hill, Iowa; the City of Urbandale, Iowa, the City of West Des Moines, Iowa, the City of Windsor Heights, Iowa, and the County of Polk, Iowa (collectively, the "Existing Parties") and the City of Perry, Iowa.

WHEREAS, each of the Existing Parties is a party to that certain Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa Area entered into pursuant to the provisions of Chapter 28E of the Code of Iowa, and filed for record in Polk County, Iowa on May 13, 1985 at Book 5452, Page 479 (the "Agreement"); and

WHEREAS, pursuant to Article V(G) of the Agreement, the Existing Parties desire to amend the Agreement to admit, as a new party to the Agreement, the City of Polk City; and

WHEREAS, the City of Polk City desires to enter into this Amendment for the purpose of becoming a party to the Agreement.

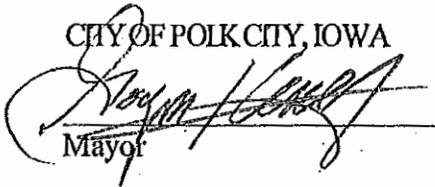
NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein, the parties to this Amendment agree as follows:

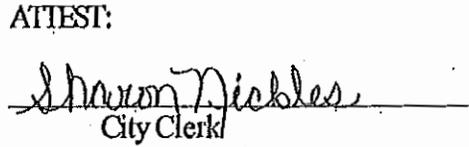
1. The City of Polk City, Iowa is hereby admitted as a party to the Agreement, effective January 1, 2014, and such municipality shall abide by all of the terms and conditions of the Agreement.
2. Except as specifically amended hereby, the Agreement shall continue in full force and effect.
3. The Existing Parties hereby represent that pursuant to Article V(G) of the Agreement, the admission of the City of Polk City to the Agreement has been approved by Board members holding 2/3rds of the votes under the Agreement and is evidenced by the Board resolution attached hereto as Exhibit A and incorporated herein by reference.
4. This Amendment is entered into pursuant to the provisions of Chapter 28E of the Code of Iowa. The parties hereto shall cause this Agreement to be filed with the Secretary of State of Iowa.

In witness whereof, the undersigned Joint Board for the Promotion of the Greater Des Moines, Iowa Area, on behalf of the Municipalities and the County, and the City of Polk City have executed this Amendment.

JOINT BOARD FOR THE PROMOTION OF
THE GREATER DES MOINES, IOWA AREA

By: _____
Its: _____

CITY OF POLK CITY, IOWA

Mayor

ATTEST:

City Clerk

CITY OF ANKENY, IOWA

Mayor

City Clerk

CITY OF GRIMES, IOWA

ATTEST:

Mayor

City Clerk

CITY OF PERRY, IOWA

ATTEST:

Mayor

City Clerk

CITY OF PLEASANT HILL, IOWA

ATTEST:

Mayor

City Clerk

ATTEST:



*101 North East Harvey, Grimes, Iowa 50111
515.986.3036 Fax 515.986.3846*

**City Council of Grimes, Iowa
RESOLUTION 01-0214
Approval of Motion to Apply for the
2014 Iowa Great Places Grant & Designation**

On this day, January 14, 2014

WHEREAS, the City Council, City of Grimes, Iowa, is empowered to govern the affairs of the City of Grimes, Iowa, pursuant to the laws of the State of Iowa; and

WHEREAS, the Iowa Department of Cultural Affairs, an agency of the Executive Branch of the State of Iowa, has made available to the citizens of Iowa a competitive grant and designation offering known as Iowa Great Places; and

WHEREAS, it is the Intent of the City Council of Grimes, Iowa, to enter into the application process for the purpose of attaining said grant and designation; and

THEREFORE, BE IT RESOLVED THAT the City Council, City of Grimes, Iowa, does hereby approve submittal of the 2014 Great Places grant and designation application, and agrees to the terms and conditions therein, and resolves to remit such matching funds as required under the agreement, contingent upon the City of Grimes receiving a Great Places grant award, and pursuant to the completion of contract language thereafter.

Thomas M. Armstrong, Mayor

Hereby attested to be true and accurate
Rochelle Williams, City Clerk