

Dist #3113
2010

784950
CITY OF OLDTOWN
ORDINANCE NO. 2009-4

264

AN ORDINANCE OF THE CITY OF OLDTOWN, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, APPROVING THE OLDTOWN URBAN RENEWAL PLAN; CONFIRMING THE DETERIORATED DECLARATION; ADOPTING A REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City of Oldtown did on October 12, 2009 by Resolution No. 2009-1, declare that a specifically described portion of the city limits of the City of Oldtown was deteriorated and deteriorating, and in need of remediation by an urban renewal agency, and

WHEREAS the City Council of the City of Oldtown recommended that the Mayor of the City of Oldtown appoint an urban renewal commission, and

WHEREAS the Mayor of the City of Oldtown did on October 12, 2009, with the advice and consent of the City Council, by an Order of Appointment, appointed the Oldtown Urban Renewal Agency Commission, and

WHEREAS the appointed Board of Commissioners of the Oldtown Urban Renewal Agency will adopt By-Laws establishing its existence and has retained staff to assist it with its duties, and

WHEREAS the Oldtown Urban Renewal Agency has prepared an urban renewal plan pursuant to Title 50, Chapters 20 & 29, Idaho Code, for remediation of the deterioration found to exist, hereinafter referred to as the Oldtown Urban Renewal Plan, and

WHEREAS the Board of Commissioners of the Oldtown Urban Renewal Agency conducted a public hearing on December 14, 2009, and have adopted Resolution 2009-1 recommending approval of the Oldtown Urban Renewal Plan by the City Council of the City of Oldtown, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF OLDTOWN AS FOLLOWS:

Section 1: The City Council hereby makes the following findings of fact:

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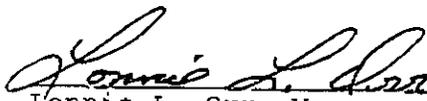
a. The area of the proposed plan has been previously declared by the City of Oldtown to be a deteriorated and deteriorating area, and the Agency finds that the deterioration described by the City Council does in fact exist.

b. The Oldtown Urban Renewal Plan provides for varying methods to remediate the described deterioration and prevent future deterioration, and contains the necessary elements required by Idaho law, including a tax allocation feasibility study which finds that the estimated tax increment revenue is sufficient to repay the debt to be incurred to provide the improvements described within the Plan.

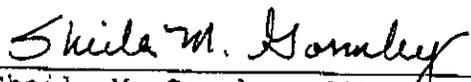
- c. The Oldtown Urban Renewal Plan indicates the type of improvements and rehabilitation projects that are proposed to be carried out, including land uses, densities, building requirements, methods of financing, and a revenue allocation provision.
- d. The Oldtown Urban Renewal Plan describes a revenue allocation area by metes and bounds description, as described in Exhibit 1 and displayed in Exhibit 2, attached and incorporated by reference herein, that does not exceed the limitations of I.C. 50-2904.(13).
- e. The Oldtown Urban Renewal Plan conforms to the general plan of the City of Oldtown, and is in conformance with the Comprehensive Plan.
- f. The Oldtown Urban Renewal Plan does not anticipate the displacement of any families.
- g. The Oldtown Urban Renewal Plan will enhance public recreational facilities and activities within the City, and encourage private sector participation.
- h. That unless the afore-mentioned conditions are improved, they will substantially impair the sound growth potential of the City of Oldtown and will constitute an economic and social liability, and that further development in the area without such improvements will endanger the public health, safety and welfare.
- i. That improvement of the property and the City services in the plan area are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 2: The Mayor and City Council of the City of Oldtown hereby adopts the Oldtown Urban Renewal Plan and approves the revenue allocation area provided for in the Plan, and this Ordinance shall be effective upon its passage and publication.

ADOPTED AND APPROVED this 14th day of December, 2009.


 Lonnie L. Orr, Mayor

ATTEST:


 Sheila M. Gormley, City Clerk

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TELEPHONE 252-2001

FILED BY
City of Oldtown
 2009 DEC 18 A 10:15
 MARIE SCOTT
 BONNER COUNTY RECORDER
 CB DEPUTY

Legal Description of the Urban Renewal District – Phase 1 for the City of Oldtown
December 14, 2009

All that portion of Section 24, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River and lying within the city limits of the City of Oldtown, less the following described parcels:

Tax 31, 32, 33, 34, 35, 41, 45; Lots 2, 4 & 6, of the recorded plat of Albeni Falls Mill Addition; Parcel # 56N06W247680 less the easterly 1000 feet thereof; and Parcel 'B' as shown on the Record of Survey/Boundary Line Adjustment, Instrument No. 750840, records of Bonner County, Idaho.

Also, all that portion of Section 25, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River, less Parcel 'B' as shown on the Record of Survey/Boundary Line Adjustment, Instrument No. 750840, records of Bonner County, Idaho.

Also, all that portion of Section 19, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, within the city limit of the City of Oldtown, less the following described parcels:

Tax 3, 8, 10, 12, 18, 22, 23, 26; Parcel # 56N05W196725; Parcel # 56N05W198226; all that portion of Parcel # 56N05W196776 except the following described portions:

Beginning at a point on the south line of said Section 19, said point being 1290 feet from the Southeast corner of said section 19; thence Northerly, perpendicular to said south line of said Section 19, to the Southerly Right of Way of State Highway #2; thence Westerly along said Right of Way 765 feet; thence Southerly, Perpendicular to the south line of said Section 19, 880 feet; thence Southeasterly, to its intersection with said south line of Section 19, to a point lying westerly 680 feet from the point of beginning; thence easterly 680 feet to the point of beginning.

Beginning at a point on the south line of said Section 19, said point lying westerly 427 feet from the southeast corner of said Section 19; thence westerly along said section line, 463 feet; thence northeasterly 443 feet to a point which is 126 feet northwesterly from the point of beginning; thence southeasterly 126 feet to the point of beginning.

Also, including vacated Right of Way as shown on the Exhibit drawing by H2 Surveying.

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Also, all that portion of Section 30, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, within the city limits of the City of Oldtown, less Parcel # 56N05W300151 except the following described portion:

Beginning at a point on the northerly line of said Section 30 that bears westerly 427 feet from the northeast corner of said Section 30, thence southeasterly 180 feet to the Meander line of the Pend Oreille River; thence westerly along said meander line 1500 feet; thence northerly, perpendicular to the north line of said Section 30, 304 feet; thence northwesterly 176 feet to a point on the north line of said Section 30 which lies 1970 feet from the northeast corner of said Section 30; thence easterly along said section line 680 feet; thence southerly, perpendicular to the north line of said Section 30, 113 feet; thence northeasterly to its intersection with the northerly line of said Section 30 at a point which is 890 feet from the northeast corner of said Section 30; thence easterly 463 feet along the north line of said Section 30 to the point of beginning.

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