

**URBAN RENEWAL PLAN**  
**HITT ROAD URBAN RENEWAL PROJECT**  
**AMMON URBAN RENEWAL AGENCY**  
**CITY OF AMMON**

Ordinance No. \_\_\_\_  
Adopted \_\_\_\_\_  
Effective \_\_\_\_\_, publication

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## ATTACHMENTS

Attachment No. 1	Description of the Project Area and Revenue Allocation Area boundaries
Attachment No. 2	Project Area-Revenue Allocation Area Boundary Map
Attachment No. 3	Private Properties which may be Acquired by Agency
Attachment No. 4	Map Depicting Expected Land Uses and Current Zoning Within Revenue Allocation Area and Project Area
Introduction to Attachment No. 5	Introduction
Attachment No. 5	Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts and Financing Methods (and) Implementation Plan
Attachment No. 5A	Net Value of Private Development in Revenue Allocation Area
Attachment No. 5B	Estimated Annual Tax Revenue Allocations
Attachment No. 5C	Impact of Revenue Allocation Financing on Bonneville County Property Taxing Entities Tax Code Area 02; 1993 Tax Levy Rate
Attachment No. 6	Urban Renewal Agency Resolution No. <u>94-4</u> Proposing the Urban Renewal Plan, Approved <u>April 12, 1994</u>
Attachment No. 7	City Council Resolution No. <u>94-1</u> Determining the Hitt Road Area to be a Deteriorated Area
Attachment No. 8	Planning and Zoning Agency Resolution Recommending that the Hitt Road Renewal Plan Conforms to the Comprehensive Plan for the City of Ammon, Approved _____, 199____, Resolution No. _____

Attachment No. 9

City Council Ordinance No. \_\_\_\_ Approving the Hitt Road Urban Renewal Plan and Authorizing the City Clerk to Transmit a copy of the Ordinance and Other Required Information to County and State Officials, Approved \_\_\_\_\_, 199\_\_\_\_, Date of Publication, \_\_\_\_\_, 199\_\_\_\_.

Attachment No. 10

Idaho Falls City Council Resolution No. \_\_\_\_\_ declaring a need for the Hitt Road Urban Renewal Plan.

## **EXECUTIVE SUMMARY OF THE HITT ROAD URBAN RENEWAL PLAN**

### **Introduction**

The Hitt Road Urban Renewal Plan ("The Plan") is a legal document providing the Ammon Urban Renewal Agency with the powers, duties, and obligations to implement a program of redevelopment and revitalization within the Project Area as identified on the map as depicted on Attachment No. 2 to The Plan.

The Project Area qualifies as a deteriorating area under the Urban Renewal Law as identified by City Council Resolution No. 94-1 passed on January 6, 1994. A copy of that resolution is included as Attachment No. 7. Private redevelopment has been limited because of the lot layouts, including the current location of Sand Creek, ownership patterns, and deteriorated buildings. The Plan provides for the elimination of those conditions through a cooperative effort between the Agency and a private developer, Cantlon Properties, Inc.

### **Plan Activities and Private Development**

The program outlined in The Plan emphasizes the installation of needed public improvements, including the relocation of Sand Creek, widening and improvement of Hitt Road, utility work, and possible property acquisition, to encourage private development. The developer, Cantlon Properties, Inc., has stated that its development would not be financially feasible without Agency assistance in financing the extraordinary site costs, including the relocation of Sand Creek, widening and improvement of Hitt Road and other site work.

The shopping center is planned in two phases, approximately as indicated on the attached Exhibit A. An Albertson's supermarket is the primary new development for Phase I that would be built in 1994. The mobile home park on the southern end of the Project Area would be replaced during the Phase II development. The value of the new development for both phases is about \$22,000,000.

### **Financing**

Agency financing of the activities referenced above will come from a combination of two revenue allocation bond issues and developer advances. Debt service for the bonds will be paid by annual revenue allocations generated by the planned shopping center.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 1994, the date of the base assessment roll, will generate



revenue for the Agency to pay its project costs. Those project costs include Agency's planning costs, appraisals, legal fees, administration, financing public improvements, and contingencies. The current assessed valuation of real and personal property on the base assessment roll, estimated to be \$1,850,140, is still available for use by the other taxing districts. The Plan authorizes the Agency to obtain various funding sources, including a developer loan or other funding mechanisms to be repaid by revenue allocation proceeds. When the Agency project activities are completed and any bonds and loans are repaid, the increases in assessed value of real and personal property in the area become available for use by the other taxing entities.

Cantlon Properties, Inc., has proposed to assist with the Agency's activities by advance funding of the planning costs estimated to be \$34,000.00 and to provide the balance of the required Agency funding until the Agency can sell a Series B bond issue and generate additional annual revenue allocation funds to repay the balance of the developer advance. It is anticipated that revenue allocation proceeds will be needed for 21 years or such longer period as required to pay project costs. An outline implementation plan is attached as Exhibit B.

### **Development Agreements**

The Plan provides for agreements with developers either through an owner participation agreement or disposition and development agreement. Under such agreements, the developer will be contractually committed to its scope of development in exchange for the Commission's assistance with site and other costs. Under such agreements, the developer will be required to commit to a specific schedule of performance. Any new development or renovation of existing structures will be required to continue through an estimated useful life of at least 20 years. The duration of The Plan is set forth as 30 years. Design considerations and land use enforcement shall be governed by the Ammon zoning and building codes, unless the Agency formally adopts other design standards.



## Implementation Plan

### Phase I—1994

#### I. Planning

##### A. Cantlon Properties

###### 1. Urban Renewal Plan Preparation/Approval

January—April 1994; services provided by developer \$ 6,500

##### B. Urban Renewal Agency

###### 1. Legal—Urban Renewal Plan, Memorandum of Understanding, Owner Participation Agreement, judicial validation action

18,000

January and continuing; funded by developer

###### 2. Administration—Urban Renewal Plan (through bond sale); services by ECIPDA

9,500

January and continuing; funded by developer

Total

34,000

##### C. Funding Sources

Developer advance to Agency per Memorandum of Understanding, to be repaid with interest from the date costs are incurred by the Developer at a rate payable by the Agency as its Series 1994 Bonds or if Bonds are not issued, a rate not to exceed the Key Bank of Idaho prime rate plus two points from bond proceeds in September 1994

\$ 34,000

## II. Execution

### A. Cantlon Properties

1.	Sand Creek Relocation	
	Includes new right-of-way for parkway, new creek bed, city pump relocation, demolition, grading, fill, and design	\$1,314,379
2.	Hitt Road Widening	
	50 % of improvement and traffic signal change, plus utility pole relocation	237,500
3.	Other Improvements	
	Dedicated water mains, sanitary sewers, and entries; contingencies	387,036
4.	Parkway Improvements	300,000
5.	Project construction administration and management subtotal	<u>60,000</u>
	Subtotal	\$2,298,915

### B. Urban Renewal Agency

1.	Planning, administration, and legal	<u>124,000</u>
	Total	\$2,422,915

### C. Funding Sources

1.	Agency revenue allocation bonds, Series A	\$1,128,700
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2.	Developer advance of funds, repaid by Agency with balance of Series B bond proceeds and with available revenue allocation funds over the term of the bonds after payment of bond debt service	<u>1,294,215</u>
	Total	\$2,422,915

Phase II—1995 or Later

I. Planning

Completed with Phase I

II. Execution

A. Cantlon Properties

1.	Sand Creek Relocation	\$ 130,625
2.	Hitt Road Widening, 50 % of cost	190,000
3.	Other Improvements	
	Dedicated water mains, sanitary sewers, and entries; contingencies	<u>161,780</u>
	Subtotal	\$ 482,405

4. Other Costs

Partial reimbursement of developer advance for balance of Phase I costs (\$693,489) plus interest; balance to be repaid from available revenue allocation funds over the term of the bonds after payment of bond debt service	<u>684,595</u>
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Total	\$1,167,000
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B. Urban Renewal Agency

Phase II--1995 or Later (Continued)

B. Urban Renewal Agency

Ongoing administration and legal;  
costs covered under Phase I estimate

C. Funding Sources

1. Agency revenue allocation bonds,  
Series B

**\$1,167,000**

**URBAN RENEWAL PLAN FOR THE  
HITT ROAD AREA  
AMMON URBAN RENEWAL AGENCY**

**SECTION 100      INTRODUCTION**

This is the Urban Renewal Plan (the "Plan") for the Hitt Road Project (the "Project") in the City of Ammon, (the "City"), County of Bonneville, State of Idaho, and consists of the Text, the Description of the Project Area and Revenue Allocation Area Boundaries (Attachment No.1), the Project Area-Revenue Allocation Area Boundary Map (Attachment No. 2), the Private Properties which may be Acquired by Agency (Attachment No. 3), the Map Depicting Expected Land Uses and Current Zoning Within Revenue Allocation Area and Project Area (Attachment No. 4), the Introduction to Attachment No. 5, the Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts and Financing methods (Attachment No. 5), Net Value of Private Development in Ammon Revenue Allocation Area (Attachment 5A), Annual Tax Revenue Allocations (Attachment 5B), Impact of Revenue Allocation Financing on Bonneville County Property Taxing Entities Tax Code Area 02 (Attachment No. 5C).

This Plan was prepared for the Ammon Urban Renewal Agency (the "Agency"), reviewed and recommended by the Agency, pursuant to the State of Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code), (the "Law"), the Local Economic Development Act (Chapter 29, Title 50, Idaho Code), (the "Act"), the Idaho Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to the Comprehensive Plan of Ammon.

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project (the "Project Area"). The Agency retains all powers allowed by law. Because of the long-term nature of this Plan, and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions.



The purpose of the Urban Renewal Law will be attained through and the major goals of this Plan are:

The elimination of environmental deficiencies in the Project Area, including, among others, obsolete and aged building types, and inadequate public facilities.

The assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian, and vehicular circulation in the Project Area, which will be facilitated by the relocation of Sand Creek.

The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new commercial expansion, employment, and economic growth.

The provision of adequate land for parks and open spaces.

The establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project.

The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Revenue Allocation Area and the Project Area as a whole, and benefitting the various taxing districts in which the Urban Renewal Area is located.

## **SECTION 101 - Provisions Necessary to Meet State and Local Requirements**

### **SECTION 101.1 - Conformance With State of Idaho Urban Renewal Law of 1965, as Amended**

- a. The laws of the State of Idaho allow for an Urban Renewal Plan to be submitted by any interested person or entity in an area certified as an Urban Renewal Area by the Ammon City Council. The Hitt Road Area was certified by the Council by Resolution on January 6, 1994.
- b. In accordance with the Idaho Urban Renewal Law of 1965 this Plan was submitted to the Planning Commission of the City of Ammon. After

consideration of the Plan, the Commission filed a Resolution with the City Council stating that this Plan is in conformity with the Comprehensive Plan, City of Ammon.

- c. This Plan was submitted to the Agency by an interested entity as allowed by Idaho Code §50-2008(b). As required by the Act, the Agency has reviewed the information within the Plan concerning use of revenue allocation funds and approved such information as if prepared by the Agency.

## **SECTION 200 - DESCRIPTION OF PROJECT AREA**

The boundaries of the Project Area and of the Revenue Allocation Area are described in Attachment No. 1, which is attached hereto and incorporated herein by reference, and are shown on the "Project Area and Revenue Allocation Area Boundary Map", attached hereto as Attachment No. 2 and incorporated herein by reference.

## **SECTION 300 - PROPOSED REDEVELOPMENT ACTIONS**

### **SECTION 301 - General**

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Project Area by:

- a. The acquisition of certain real property;
- b. The demolition or removal of certain buildings and improvements;
- c. The provision for participation by property owners within the Project Area;
- d. The management of any property acquired by and under the ownership and control of the Agency;
- e. The provision for relocation assistance to displaced Project occupants, as required by law;
- f. The installation, construction, or reconstruction of streets, utilities, parking facilities, recreation and park amenities, and other public improvements and the operation and management of such facilities in conformance with the Law and Act.
- g. The disposition of property for uses in accordance with this Plan;



- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- i. The assembly of adequate sites for the development and construction of commercial facilities; and,
- j. To the extent allowed by law, the lending or investing of federal funds to facilitate redevelopment.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

### **SECTION 302 - Urban Renewal Plan Objectives**

Urban Renewal action is necessary in the Project Area to combat problems of physical blight and economic obsolescence.

The Project Area consists of an area at the southeast corner of 17th Street and Hitt Road in Ammon. The area has a history of a slow-growing tax base primarily attributed to: inadequate street and parking improvements; inappropriately located drainage facilities; poorly maintained properties; inadequate pedestrian and open areas; undeveloped properties; inconsistent and diverse property ownership; and other deteriorating factors.

Hence, the Urban Renewal Plan for the Project Area is a proposal for public facilities, to provide an improved environment for new commercial developments, to eliminate unsafe conditions, to assist potential owner participation developers to assemble appropriate development sites where necessary through acquisition, demolition and disposition activities, and to otherwise prevent the extension of blight and deterioration and reverse the deteriorating action of the area.

### **SECTION 303 - Participation Opportunities and Agreement**

#### **SECTION 303.1 - Participation Agreements**

The Agency shall enter into an owner participation agreement with any existing or future owner of property, in the event the property owner seeks and/or receives assistance from the Agency in the redevelopment of the property. In that event, the Agency may allow for an existing or future owner of property to remove his property and/or structure from future Agency acquisition subject to entering into an owner participation agreement.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the rehabilitated or new structure meets the following standards:

- a. Executed owner participation agreement to meet conditions described below.
- b. Any such property within the Project shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated in conformity with all applicable codes and ordinances of the City of Ammon.
- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan.
- e. Any new construction shall also conform to all applicable codes and ordinances of the City of Ammon.

In such participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties, whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 307 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

#### **SECTION 304 - Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall



attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements within the Project Area.

The Agency specifically intends to cooperate to the extent allowable by law with the Cities of Ammon and Idaho Falls for the acquisition of property and the construction of public improvements.

## **SECTION 305 - Property Acquisition**

### **SECTION 305.1 - Real Property**

Only as specifically authorized herein, the Agency may acquire, but is not required to acquire, real property located in the Project Area where it is determined that the property is needed for construction of public improvements and as otherwise allowed by law. The acquisition shall be by any means authorized by law (including, but not limited to, the Idaho Urban Renewal Law, the Local Economic Development Law, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property.

The Agency is authorized by this Plan to acquire the properties identified in Attachment No. 3 hereto. Otherwise, Agency acquisition of any other real property shall be accomplished only following a formal amendment to this Plan that will include an exhibit identifying the property to be acquired.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

### **SECTION 305.2 - Personal Property**

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, and where allowed by law the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain.



## **SECTION 306 - Property Management**

During such time such property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

## **SECTION 307 - Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project**

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may also undertake relocation activities for those not entitled to benefit under federal law as the Agency may deem appropriate for which funds are available. In the event the Agency's activities directly result in the displacement of families within the area, the Agency shall relocate such displaced families into decent, safe, and sanitary dwelling accommodations without undue hardship to such families. For any other activity, the Agency will comply with the provisions of the Idaho Urban Renewal Law regarding relocation.

## **SECTION 308 - Demolition, Clearance, and Building Site Preparation**

### **SECTION 308.1 - Demolition and Clearance**

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

### **SECTION 308.2 - Preparation of Building Sites**

The Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, pedestrian walkways, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

## **SECTION 309 - Property Disposition and Development**

### **SECTION 309.1 - Real Property Disposition and Development**

#### **SECTION 309.1(a) - General**

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho Code Section 50-2011 and as otherwise allowed by law. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

#### **SECTION 309.1(b) - Disposition and Development Documents**

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Bonneville County.

All property in the Project area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other



transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law. The Developers (including owner/participants) will be required by the contractual agreement to observe the Land Use and Building Requirements provision of this Plan and to submit a Redevelopment Schedule satisfactory to the Agency. Schedule revisions will be made only at the option of the Ammon Urban Renewal Agency.

In addition, the following requirements and obligations shall be included in the agreement:

That the Developers, their successors, and assigns agree:

- (1) That a plan and time schedule for the proposed development shall be submitted to the Agency.
- (2) That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- (3) That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the Developer(s).
- (4) That there will be no discrimination against any person or group of persons because of age, race, sex, creed, color, national origin or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises or any improvements erected or to be erected thereon, therein conveyed nor will the Developer himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, sublessees, or vendees in the premises or any improvements therein conveyed. The above provision will be perpetual and will be appended to the land disposed of within the Urban Renewal Project Area by the Agency.
- (5) That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Urban Renewal Plan.
- (6) That at the discretion of the Agency a bond or other surety will be provided acceptable to the Agency to ensure performance under the contract of the sale.

- (7) That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.

All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City of Ammon.

### **SECTION 309.1(c) - Development by the Agency**

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct any publicly owned building, facility, structure, or other improvement within the Project Area for itself or for any public body or entity.

The Agency may also prepare properties for development by renovation or other means as allowed by law. The Agency may also as allowed by law assist in the development of private projects.

In addition to the public improvements authorized under Idaho Code Section 50-2007, the Agency is authorized to install and construct, or to cause to be installed and constructed, within the Project Area for itself or for any public body or entity, public improvements and public facilities, including, but not limited to, the following: (1) utilities; (2) parks, plazas and pedestrian paths; (3) parking facilities; (4) landscaped areas; (5) street improvements; (6) sanitary sewers; (7) flood control facilities and storm drains; and (8) water mains.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Local Economic Development Act and Section 504 to this Plan or out of any other available funds.



### **SECTION 309.1(d) - Development Plans**

All development plans (whether public or private) prepared, pursuant to disposition and development or owner participation agreements, shall be submitted to the Agency for approval and architectural review through the City Building Department. All development in the Project Area must conform to those standards specified in Section 404, infra.

### **SECTION 310 - PERSONAL PROPERTY DISPOSITION**

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

### **SECTION 311 - REHABILITATION AND CONSERVATION**

The Agency is authorized to rehabilitate, renovate, and conserve, or to cause to be rehabilitated, renovated, and conserved, any building or structure in the Project Area owned by the Agency for preparation of redevelopment and disposition. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any substandard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

### **SECTION 312 - PARTICIPATION WITH PRIVATE DEVELOPMENT**

Under the Idaho Urban Renewal Law the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Urban Renewal law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program.

Under those regulations the agency may participate with the private sector in the development and financing of those private projects which will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any other activity necessary or appropriate to carry out an economic development project.



As allowed by law, the Agency may also use funds from any other sources for any purpose set forth under the Law.

## **SECTION 400 - USES PERMITTED IN THE PROJECT AREA**

### **SECTION 401 - Redevelopment Plan Map and Development Strategy**

The Description of the Project Area and Revenue Allocation Area Boundary and Project Area-Revenue Allocation Area Boundary Map, attached hereto as Attachment Nos. 1 and 2 and incorporated by reference, describe the location of the Project Area Boundaries. The proposed land uses to be permitted in the Project Area for all land -- public and private -- are depicted in Attachment No. 4.

### **SECTION 402 - Designated Land Uses**

#### **SECTION 402.1 - Commercial Uses**

The areas designated in Attachment 4 for community shopping center uses shall be used for the HC-1 and C-1 commercial uses set forth and described in the Ammon City Zoning Ordinance.

### **SECTION 403 - Other Land Uses**

#### **SECTION 403.1 - Public Rights-of-Way**

The major public streets within the Project Area include 17th Street and Hitt Road.

Additional public streets, alleys, and easements may be created in the Project Area as need for proper development. Existing streets, alleys and easements may be abandoned, closed, expanded or modified as necessary for proper development of the Project, in conjunction with any applicable policies and standards of the City of Ammon regarding changes to dedicated rights-of-way.

Any changes in the existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the City's design standards; shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation

adopted by the Agency for the Project and any participation agreements executed thereunder;

- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and,
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically in public rights-of-way.

#### **SECTION 403.2 - Other Public, Semi-Public, Institutional, and Nonprofit Uses**

The Agency is also authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

#### **SECTION 403.3 - Interim Uses**

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable Ammon City Code.

#### **SECTION 404 - General Controls and Limitations**

All real property in the Project Area, under the provisions of either a disposition and development agreement or owner participation agreement is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

#### **SECTION 404.1 - Construction**

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific



performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

#### **SECTION 404.2 - Rehabilitation and Retention of Properties**

Any existing structure within the Project Area, subject to either a disposition and development agreement or owner participation agreement, approved by the Agency for retention and rehabilitation, shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

#### **SECTION 404.3 - Limitation on Type, Size, Height of Building**

Except as set forth in other sections of this Plan, the type, size and height of buildings shall be as limited by applicable federal, state and local statutes, ordinances, and regulations.

#### **SECTION 404.4 - Open Spaces, Landscaping, Light, Air and Privacy**

The issues of open space, landscaping, light, air and privacy shall be governed by applicable federal, state and local ordinances.

#### **SECTION 404.5 - Signs**

All signs shall conform to City sign ordinances as they now exist or are hereafter amended.

#### **SECTION 404.6 - Utilities**

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

#### **SECTION 404.7 - Incompatible Uses**

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors which would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

#### **SECTION 404.8 - Nondiscrimination and Nonsegregation**

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin, or ancestry permitted in the sale, lease sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

## **SECTION 404.9 - Subdivision of Parcels**

Any parcel in the Project Area shall be subdivided only in compliance with the City Subdivision Ordinance.

## **SECTION 404.10 - Minor Variations**

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan, without amendment of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect this public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

## **SECTION 404.11 - Off-Street Loading**

Any development and improvements shall provide for off-street loading as required by the City ordinances as they now exist or are hereafter amended.

## **SECTION 404.12 - Off-Street Parking**

All new construction in the area shall provide off-street parking as required by the City ordinances as they now exist or are hereafter amended.



## **SECTION 405 - Design for Development**

Within the limits, restrictions, and controls established in this Plan, and to the extent allowed by law, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any development must also comply with the City of Ammon Zoning Ordinance regarding heights, setbacks, and other like standards.

In the case of property which is the subject of a disposition and development or participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under those agreements the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. Those controls and standards will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standards and provisions of any applicable City Building or Zoning Ordinances; provided, however, each and every development shall comply with all applicable City Zoning and Building Ordinance. Absent the Agency developing and promulgating specific design standards or controls, the Agency shall review all projects by applying and/or deferring to the usual approval process imposed by the City of Ammon.

## **SECTION 500 - METHODS OF FINANCING THE PROJECT**

### **SECTION 501 - General Description of the Proposed Financing Method**

The Agency is authorized to finance this Project with financial assistance from the City, State of Idaho, federal government, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from any other funds available to the Agency. The

City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project.

#### **SECTION 502 - Revenue Bond Funds**

As allowed by law and subject to such restrictions as are imposed by law, the Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency, nor any persons executing the bonds shall be liable on the bonds by reason of their issuance.

#### **SECTION 503 - Other Loans and Grants**

Any other loans, grants, guarantees, or financial assistance from the United States, the State of Idaho, or any other public or private source will be utilized if available.

#### **SECTION 504 - Revenue Allocation Financing Provisions**

The Agency hereby adopts revenue allocation financing provisions as authorized by Chapter 29, Title 50, Idaho Code (the "Act"), effective retroactively to January 1, 1994. These revenue allocation provisions shall apply to all taxing districts in which the Revenue Allocation Area is located and described on Attachment Nos. 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Urban Renewal Project.

The Agency, acting by one or more resolutions adopted by its Board of Directors, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay such costs as are incurred or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code Section 50-2903[11]) of one or more urban renewal projects.

Upon enactment of an ordinance by the governing body of the City of Ammon, Idaho, finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code Section 50-2908. The Agency shall use such funds solely in accordance with Idaho Code Section 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of



such urban renewal projects as the Agency may determine by resolution or resolutions of its Board of Directors.

A statement listing proposed public improvements and facilities, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code Section 50-2905 is included in Attachment No. 5 to this Plan. This statement necessarily incorporates estimates and projections based on the Agency's present knowledge and expectations. The Agency is hereby authorized to modify the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs if the Board of Directors of the Agency deems such modification necessary or convenient to effectuate the general objectives of the Plan.

The Agency has also provided for expenditure of revenue allocation proceeds on an annual basis without the issuance of bonds. The Agency has also provided for obtaining advances or loans from the City or private entity in order to immediately commence construction of certain of the public improvements. Revenues will continue to be allocated to the Agency until the improvements identified in Attachment No. 5 are completely constructed or until any obligation to the City or other public entity or private entity are fulfilled. Attachment No. 5 incorporates estimates and projections based on the Agency's present knowledge and expectations concerning the length of time to complete the improvements. The activity may take longer depending on the significance and timeliness of development. Alternatively the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds.

## **SECTION 600 - ACTIONS BY THE CITY**

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned property, rights-of-way, or public utilities within or affecting the Project Area.
- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- c. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.

- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Preservation of historical sites.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- g. Institutional and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant and other state and federal grant funds that may be made available for the Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. The waiver of any hookup or installation fee for sewer, water, or other utility services for any facility owned by any public agency, including the Agency and facility.

The foregoing actions to be taken by the City do not constitute any commitment for financial outlays by the City.

## **SECTION 700 - ENFORCEMENT**

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition,



any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

#### **SECTION 800 - DURATION OF THIS PLAN**

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan shall be effective for thirty (30) years from the date of adoption of this Plan by the City Council through December 31, 2024.

#### **SECTION 900 - PROCEDURE FOR AMENDMENT**

The Urban Renewal Plan may be further modified at any time by the Agency provided that, if modified after disposition of real property in the Project Area, or after execution of an owner participation agreement, the modifications must be consented to by the Developer or Developers or his successor or successors of such real property whose interest is substantially affected by the proposed modification. Where the proposed modification will substantially change the Plan, the modifications must be approved by the City Council in the same manner as the original Plan. Substantial changes for City Council approval purposes shall be regarded as revisions in project boundaries, land uses permitted, land acquisition, and other changes which will violate the objectives of this Plan.

#### **SECTION 1000 - SEVERABILITY**

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any Court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

4/8/94

# **Annon Urban Renewal Agency** Revenue Allocation (Tax Increment) Revenue Projections and Debt Service Coverage

Tax Year	Assessed Value	Gross Levy	School Credit	Net Levy	Incremental Revenue	Series 1995 Debt	Series 1997A Debt	Series 1997B Debt	Total Debt	Annual Coverage Factor	Cumulative Coverage
1997	\$15,851,935	0.014969	0.0040	0.010969	\$ 173,875 (1)	\$ 79,208	\$ 12,381 (2)	\$ 6,235 (2)	\$ 79,208 (2)	2.20	\$ 94,667
1998	23,320,667	0.015183	0.0040	0.011183	260,795 (1)	124,208	74,285 (2)	37,413 (2)	124,208 (2)	2.10	231,254
1999	24,545,952	0.015183	0.0040	0.011183	274,497	122,295	104,285	47,413	273,993	1.00	231,759
2000	24,808,787	0.015183	0.0040	0.011183	277,437	125,315	101,795	46,813	273,923	1.01	235,273
2001	25,074,251	0.015183	0.0040	0.011183	280,405	123,015	104,305	46,213	273,533	1.03	242,146
2002	25,074,251	0.015183	0.0040	0.011183	280,405	120,640	101,400	45,613	267,653	1.05	254,899
2003	25,074,251	0.015183	0.0040	0.011183	280,405	123,190	103,495	45,013	271,698	1.03	263,607
2004	25,074,251	0.015183	0.0040	0.011183	280,405	120,440	105,175	44,413	270,028	1.04	273,985
2005	25,074,251	0.015183	0.0040	0.011183	280,405	122,635	101,440	43,813	267,888	1.05	286,503
2006	25,074,251	0.015183	0.0040	0.011183	280,405	124,515	102,705	43,213	270,433	1.04	296,476
2007	25,074,251	0.015183	0.0040	0.011183	280,405	121,070	103,555	42,613	267,238	1.05	309,643
2008	25,074,251	0.015183	0.0040	0.011183	280,405	122,560	103,990	42,013	268,563	1.04	321,486
2009	25,074,251	0.015183	0.0040	0.011183	280,405	123,710	104,010	41,413	269,133	1.04	332,759
2010	25,074,251	0.015183	0.0040	0.011183	280,405	124,510	103,615	40,813	268,938	1.04	344,227
2011	25,074,251	0.015183	0.0040	0.011183	280,405	119,950	102,805	40,213	262,968	1.07	361,665
2012	25,074,251	0.015183	0.0040	0.011183	280,405	120,250	101,580	39,613	261,443	1.07	380,628
2013	25,074,251	0.015183	0.0040	0.011183	280,405	120,256	99,940	39,013	259,209	1.08	401,824
2014	25,074,251	0.015183	0.0040	0.011183	280,405	119,969	102,885	38,413	261,267	1.07	420,963
2015	25,074,251	0.015183	0.0040	0.011183	280,405	124,388	102,885	77,813	202,201	1.39	499,168
2016	25,074,251	0.015183	0.0040	0.011183	280,405	123,219	102,885	84,688	207,907	1.35	571,667
2017	25,074,251	0.015183	0.0040	0.011183	280,405	121,756	102,885	90,938	212,694	1.32	639,379
2018	25,074,251	0.015183	0.0040	0.011183	280,405			281,563	281,563	1.00	638,222
						\$ 2,527,099	\$ 1,733,646	\$ 1,265,248	\$ 5,395,679		

## **Assessed Value by Type of Improvement within the Project**

Project	1997	1998	1999	2000	2001
Supermarket	\$ 4,965,143	\$ 5,014,794	\$ 5,064,942	\$ 5,115,591	\$ 5,166,747
Retail Shops	2,133,574	3,914,307	4,036,122	4,076,483	4,117,248
Pad Sites	1,835,252	3,621,105	4,549,347	4,594,841	4,640,789
Discount	6,542,542	6,607,967	6,674,047	6,740,787	6,808,195
Major	897,418	4,672,332	4,719,055	4,766,245	4,813,908
Other	1,215,633	1,227,789	1,240,066	1,252,467	1,264,991
Total	\$ 17,589,562	\$ 25,058,294	\$ 26,283,579	\$ 26,546,414	\$ 26,811,878
Less Base Taxable	(1,737,627)	(1,737,627)	(1,737,627)	(1,737,627)	(1,737,627)
Assessed Value	\$ 15,851,935	\$ 23,320,667	\$ 24,545,952	\$ 24,808,787	\$ 25,074,251

## **Incremental Revenue and Capitalized Interest**

Includes:	Capitalized Interest (2)		Capitalized Interest Earnings & Factor for Fund Balance (1)	
	1997A	1997B	Cap. Int.	F.R.
1997	\$ 12,381	\$ 6,235	\$ 1,477	\$ 8,000
1998	\$ 74,285	\$ 37,413	\$ 5,893	\$ 8,000
	\$ 86,666	\$ 43,648	\$ 7,370	\$ 8,000

# **Summary of Debt Service Requirements** (Fiscal years ending September 30)

Fiscal Year	Series 1995 Bonds			Series 1997A			Series 1997B			Total Debt Service
	Principal	Interest	Total	Principal	Interest		Principal	Interest	Total	
1997	\$ 0	\$ 79,208	\$ 79,208	\$ 0	\$ 12,381		\$ 0	\$ 6,235	\$ 18,616	\$ 97,824
1998	45,000	79,208	124,208	0	74,285		0	37,413	111,698	235,906
1999	45,000	77,295	122,295	30,000	74,285		10,000	37,413	151,698	273,993
2000	50,000	75,315	125,315	30,000	71,795		10,000	36,813	148,608	273,923
2001	50,000	73,015	123,015	35,000	69,305		10,000	36,213	150,518	273,533
2002	50,000	70,640	120,640	35,000	66,400		10,000	35,613	147,013	267,653
2003	55,000	68,190	123,190	40,000	63,495		10,000	35,013	148,508	271,698
2004	55,000	65,440	120,440	45,000	60,175		10,000	34,413	149,588	270,028
2005	60,000	62,635	122,635	45,000	56,440		10,000	33,813	145,253	267,888
2006	65,000	59,515	124,515	50,000	52,705		10,000	33,213	145,918	270,433
2007	65,000	56,070	121,070	55,000	48,555		10,000	32,613	146,168	267,238
2008	70,000	52,560	122,560	60,000	43,990		10,000	32,013	146,003	268,563
2009	75,000	48,710	123,710	65,000	39,010		10,000	31,413	145,423	269,133
2010	80,000	44,510	124,510	70,000	33,615		10,000	30,813	144,428	268,938
2011	80,000	39,950	119,950	75,000	27,805		10,000	30,213	143,018	262,968
2012	85,000	35,250	120,250	80,000	21,580		10,000	29,613	141,193	261,443
2013	90,000	30,256	120,256	85,000	14,940		10,000	29,013	138,953	259,209
2014	95,000	24,969	119,969	95,000	7,885		10,000	28,413	141,298	261,267
2015	105,000	19,388	124,388	0	0		50,000	27,813	77,813	202,201
2016	110,000	13,219	123,219	0	0		60,000	24,688	84,688	207,907
2017	115,000	6,756	121,756	0	0		70,000	20,938	90,938	212,694
2018	0	0	0	0	0		265,000	16,563	281,563	281,563
TOTAL	\$ 1,445,000	\$ 1,082,099	\$ 2,527,099	\$ 895,000	\$ 838,646		\$ 605,000	\$ 660,248	\$ 2,998,894	\$ 5,525,993





August 3, 1998

Ammon Urban Development Agency  
% Kenneth Shepherd  
310 North, 2<sup>nd</sup> East  
Rexburg, ID 83440

Gentlemen:

As you may be aware, we are in the process of assisting the Attorney General's office in turning your account over to Kent Swanson of "Alpine Insurance Agency, Inc." We have consulted with Kent regarding this proposed transaction and he has agreed to service your account immediately.

If this is agreeable to you and to your board, please sign an "Agent of Record" letter which Kent will provide, and return a copy to us, whereupon we will notify ICRMP. When you have signed the "Agent of Record" letter, you may contact your new agent for any service needs that may arise, as well as for the renewal of your coverage at the anniversary date. We will provide Kent with your file.

If there should be any questions, please call me. Thank you for the many years that we were able to work together — it is greatly appreciated!

Best personal regards,

Michael H. Jepsen

cc Dennis Charney, Attorney General office  
Alpine Insurance Agency, Inc.

JEPSEN INSURANCE MANAGEMENT COMPANY

1587 East 17th Street, Suite 203 • Idaho Falls, Idaho 83404 • (208) 529-8223  
INSURANCE • COMMERCIAL • PERSONAL

*Judy, Please review this  
I need your help with the revenue*

*Actual  
Received*

*Property  
Value  
Real  
Personal*

	1998 Budget	Amended Budget	1999 Budget	1999 items by or before Feb.	
Administration - ECIPDA	5,000	11,000	12,000	6,000	
Legal Fees - Elam Burke	5,000	22,000		5,000	
Audit Expense	5,000	4,308	4,500	4,500	
ICRMP Insurance	1,500	1,042	1,100	1,100	
Miscellaneous	2,000	500	2,000		
Harlan Mann	0	8,000			
Trustee Fee due June or July	3,000	3,250	3,250		
Letter of Credit Fee (due August 1)	35,000	35,000	35,000		
1995 Series Bond February Payment		28,577.57	38,647.50	38,647.50	
1995 Series Bond August Payment		83,647.50	83,647.50	83,647.50	
1997 Series A February Payment			37,142.50	37,142.50	
1997 Series A August Payment			67,142.50		
1997 Series B February Payment			18,706.50	18,706.50	
1997 Series B August Payment			28,706.50		
Coverage Account (due Sept. 1)		65,000			
			331843	194744	

DESCRIPTION OF THE PROJECT AREA AND  
REVENUE ALLOCATION AREA BOUNDARIES

COMMUNITY SHOPPING CENTER

Beginning at a point that is N 0°11'23" W, 253.30 feet along the section line from the west corner of Section 27, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; and running thence N 0°11'23" W, 36.53 feet; thence N 41°46'01" E, 588.84 feet; thence N 16°56'52" E, 90.55 feet; thence S 70°44'05" E, 77.48 feet; thence N 19°15'55" E, 442.58 feet; thence N 12°8'55" E, 119.12 feet; thence N 5°1'45" E, 654.44 feet; thence N 0°51'35" E, 39.69 feet; thence N 1°28'25" E, 55.46 feet; thence N 6°44'45" W, 55.49 feet; thence N 13°25'25" W, 110.79 feet; thence N 28°25'5" W, 326.86 feet; thence N 89°26'5" W, 86.60 feet; thence N 4°50'48" W, 9.94 feet; thence N 89°25'18" W, 454.47 feet; thence N 0°11'23" W, 329.03 feet; thence N 89°25'18" W, 18.00 feet; thence N 1°56'32" W, 1569.52 feet; thence N 0°11'23" W, 181.02 feet; thence N 89°25'18" W 33.01 feet; thence S 0°11'23" E, 1749.16 feet; thence N 89°25'18" W, 15.00 feet; thence S 0°11'23" E, 2636.95 feet; thence N 78°35'23" E, 116.21 feet to the Point of Beginning.

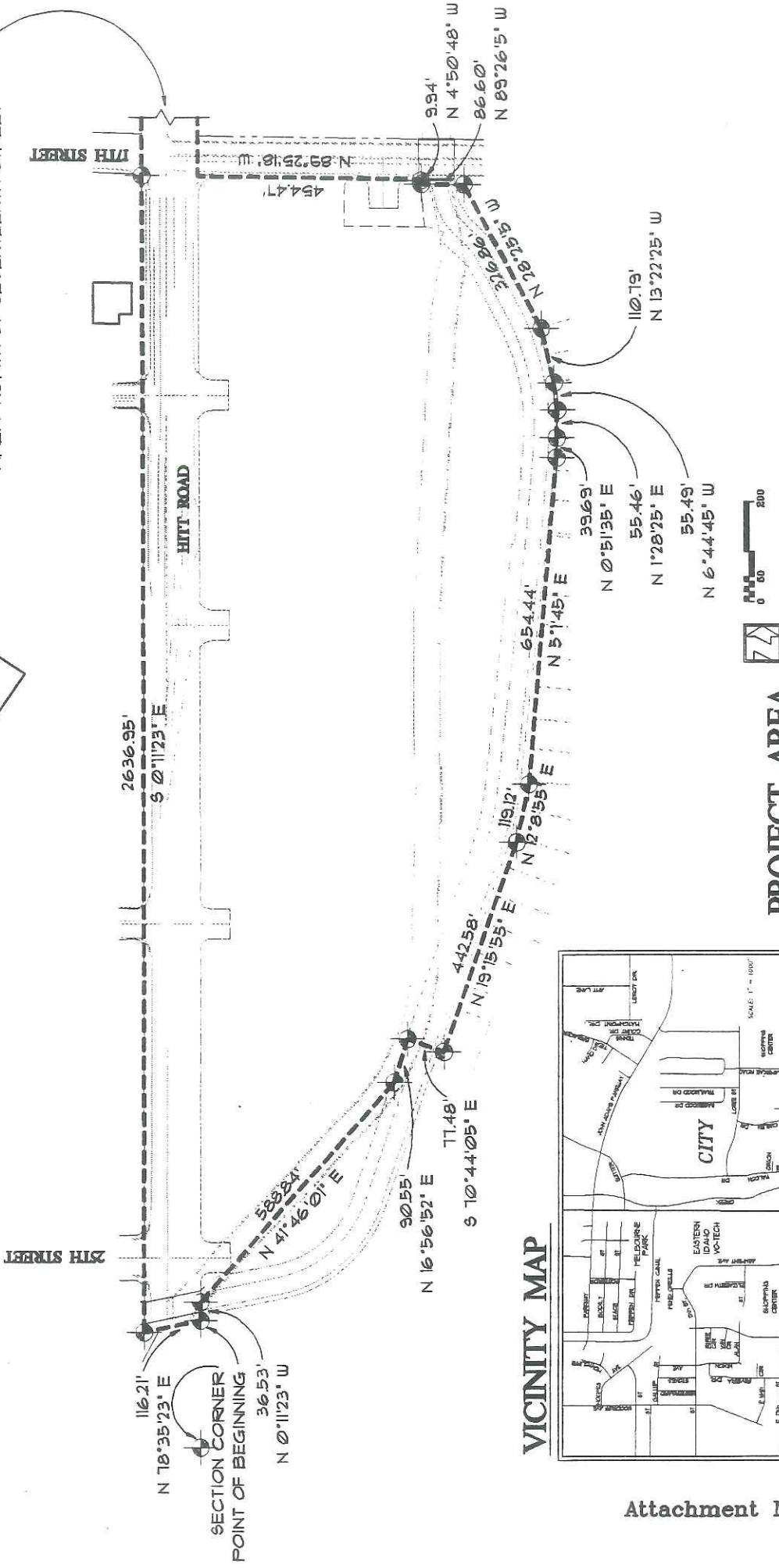
Containing: 1,640,880 sq. ft. - 37.67 acres

DISCLAIMER

The description set forth hereinabove is not absolute and as such, require examination by a certified land surveyor or licensed authority.



SEE ATTACHMENT ONE FOR BOUNDARY  
DESCRIPTION OF 'REVENUE ALLOCATION  
AREA' NORTH OF SEVENTEENTH STREET



**PROJECT AREA**

SCALE 1" = 300.00'



**VICINITY MAP**



**PROJECT AREA - REVENUE ALLOCATION  
AREA BOUNDARY MAP**



1087 WEST RIVER ST.  
SUITE 160  
BOISE, IDAHO 83702  
(208) 336-5370  
FAX (208) 336-8380

ARCHITECTS

### Attachment 3

#### Properties Which May Be Acquired by Agency

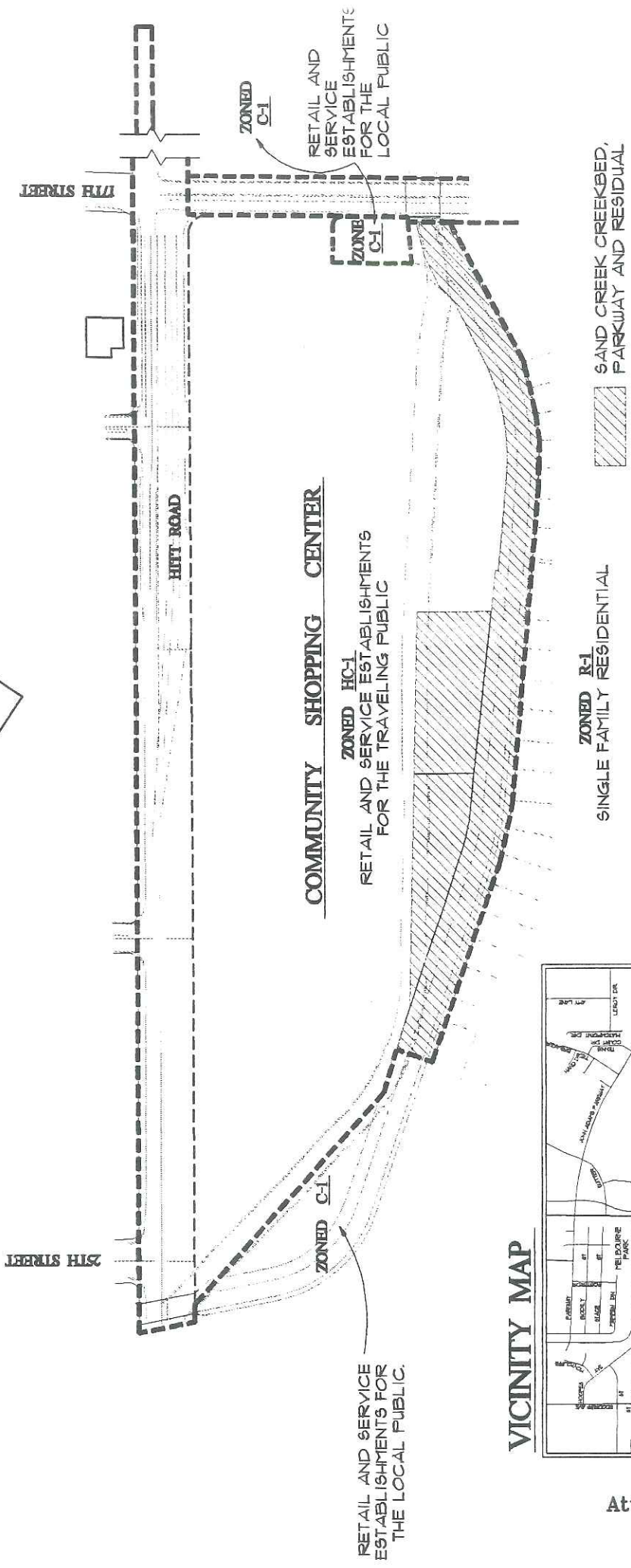
A. Bergman

A portion of the parcel described below for the parkway and creek bed

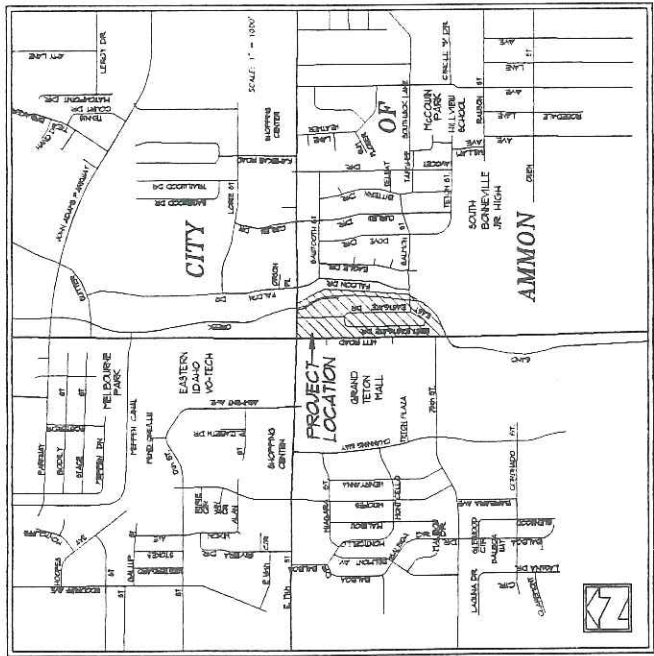
Beginning at a point that is S.89°26'05"E. 320 feet along the Section line and S.0°33'55"W. 40 feet from the Northwest Corner of Section 27, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; said point being on the South right-of-way line of 17th Street, and running thence S.89°26'05"E. 135 feet; thence S.04°50'48"E. 92.59 feet; thence S.08°19'04"W. 4.01 feet; thence N.89°26'05"W. 163.19 feet to the East right-of-way line of an existing 60 foot roadway; thence N.0°33'55"E. 76.15 feet along the East right-of-way line to a point of curve with a radius of 20 feet; thence to the right along said curve 31.42 feet to the POINT OF BEGINNING.

CONTAINING: 15,253.43 Sq.Ft. — 0.35 acres.

B. Public and private easements or rights-of-way within the Project Area which conflict with or are inconsistent with the Redevelopment Plan.



**VICINITY MAP**



**PROJECT AREA**

SCALE 1" = 3000.00'

**MAP DEPICTING EXPECTED LAND USES AND CURRENT ZONING WITH REVENUE ALLOCATION AREA AND PROJECT AREA**



1007 WEST RIVER ST.  
SUITE 160  
BOISE, IDAHO 83702  
(208) 336-8370  
FAX (208) 336-8380



## Attachment 5

### Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts, and Financing Methods

#### INTRODUCTION

The Urban Renewal Plan and attachments incorporate estimates and projections based on the Agency's present knowledge and expectations. The Agency may modify the project if the Board of Directors deems such modifications necessary to effectuate the plan. This plan proposes certain public improvements, including the relocation of Sand Creek, the widening of Hitt Road, and utility work, plus possible property acquisition and site clearance, all of which will facilitate development in the Revenue Allocation Area.

The attachments, with their various estimates and projections, constitute an economic feasibility study. Costs and revenues are analyzed for two phases of development. The analysis shows the need for approximately \$2,700,000 in capital expenditures during the development term of the project. Multiple financing sources, including two revenue allocation bond issues, annual revenue allocations, and developer advances, are shown. Since the estimated costs are covered by projected revenue allocations, the conclusion is that the project is feasible.

The information contained in these attachments assumes certain projected actions. First the Agency has projected the use of revenue allocations for twenty-five (25) years; however, the final revenue period allocation would be determined when the Participation Agreement is finalized. The actual use will be finally determined by final project costs. Second, the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. Should all of the development take place as projected, use of revenue allocation funds would be completed by 2017 or later, depending on duration of revenue allocation. Should private development take longer to materialize or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced, and it would take longer to repay the projected developer advances.

The focus of the attachments is the financing of the proposed public improvements, property acquisition, and other costs.

Attachment 5A, Net Value of Private Development, lists estimated increases in tax assessments resulting from new development and reappraisals. The shopping center development is expected to occur in two phases. The first phase would be built in 1994, and the second would follow in 1995 or later. All other increases are projections of anticipated reappraisals on 5-year cycles.

Attachment 5B, Annual Tax Revenue Allocations, illustrates how the project's new development would generate net revenue for the Agency.

Attachment 5C, Impact of Revenue Allocation Financing on Bonneville County Property Taxing Entities Tax Code Area 02 (Distribution Percentages Per 1993 Tax Levy Rates), shows the estimated impact of revenue allocation financing on all taxing districts in which the revenue allocation area is located if the project is built. This attachment should be read in conjunction with Attachments 5A and 5B, which show how the revenue estimates were generated.

## PHASE I

### I. Costs

#### A. Public Improvements

##### 1. Sand Creek Relocation

Land for new creek bed and parkway	\$ 640,731
------------------------------------	------------

City pump relocation, land, and piping; utility relocation	225,188
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Demolition, grading, fill, construction, including landscaping	368,460
---	---------

Design, title, legal	<u>80,000</u>
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Subtotal	\$1,314,379
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##### 2. Hitt Road Widening

50% improvements and design	137,500
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50% 17th and Hitt signal, utility, and design	<u>100,000</u>
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Subtotal	\$ 237,500
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##### 3. Other Improvements

Dedicated water main (62,640) and sanitary, sewer	86,652
--	--------

Pipe to serve drainage	75,000
------------------------	--------

Dedicated entries, land, and improvements	<u>75,384</u>
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Subtotal	\$ 237,036
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4. <u>Parkway Improvements</u>	\$300,000
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PHASE I (Continued)

5.	<u>Contingency</u>	<u>150,000</u>
	Subtotal—Public Improvements	\$2,238,915
B.	<u>Other Costs</u>	
4.	Planning	34,000
5.	Project construction administration and management, 5,000 per month, 12 months	60,000
6.	Debt service Series A Bonds, 15 years at \$113,735 per year	1,706,025
7.	Limited Agency administration, average of \$6000 per year for 15 years	90,000
8.	Interest at 8 percent on developer advance until bond proceeds received: estimated Series A \$1,128,700 by September 15, 1994, and Series B \$1,167,600 by April 15, 1996	189,869
9.	Balance available <sup>1</sup> for repayment of remaining developer advance (\$693,489) plus interest at 8 percent by 2012	<u>359,273</u>
	Subtotal	2,439,167
	Total	<u>\$4,678,082</u>

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<sup>1</sup>Future revenue allocation funds available each year after payment of debt service for the Series A and B Bonds or other financial arrangements.

PHASE I (Continued)

II. Revenues

A.	Revenue Allocation Bond, Series A, net proceeds of issuance costs, 15 years, 5.90% issue with no debt service coverage <sup>2</sup>	\$1,128,700
B.	Annual revenue allocations per Attachment 5B (through 2012, Phase 1 only)	2,330,273
C.	Developer advance for balance of public improvements and property acquisition costs, planning, construction project management and three years of Agency administration plus interest at 8 percent to be repaid with future tax increment from Phases I and II and \$684,595 from the Series B Bond issue	<u>1,219,109</u>
	Total	<u>\$4,678,082</u>

PHASE II

I. Costs

A. Public Improvements

1.	Sand Creek Relocation	
	Construction and design of head wall	\$ 130,625
2.	Hitt Road Widening	
	50% improvement and design	190,000
3.	Other Improvements	
	Dedicated water main	62,640
	Dedicated sanitary sewer	24,012

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<sup>2</sup>Reflects anticipated property tax payment guarantee of property taxes by Albertson's for duration of revenue allocation.

PHASE II (Continued)

	Dedicated entry, land, and improvements	<u>25,128</u>
	Subtotal (Other)	\$ 111,780
4.	Contingency	<u>50,000</u>
	Subtotal Public Improvements	\$ 482,405
B.	<u>Other Costs</u>	
1.	Debt service, Series B Bonds, 15 years at \$129,733 per year	1,946,995
2.	Partial reimbursement of developer advance for balance of Phase I costs and interest costs to 4/15/96 from Series B Bonds	684,595
3.	Balance available <sup>3</sup> for repayment of remaining developer advance (\$693,489) plus interest at 8 percent for Phase I costs by 2012	<u>1,362,149</u>
	Subtotal	<u>\$3,993,739</u>
	Total	<u>\$4,476,144</u>
II.	<u>Revenues</u>	
A.	Revenue Allocation Bonds, Series B, net proceeds, 15 years, 5.75% issue with 1.35 debt service coverage no guarantee at this time	1,167,000
B.	Annual revenue allocations per Attachment 5B (through 2012)	<u>3,309,144</u>
	Total	<u>\$4,476,144</u>

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<sup>3</sup>Future revenue allocation funds available each year after payment of debt services for the Series A and B Bonds.



## Attachment 5A

### Net Value<sup>1</sup> of Private Development

#### PHASE I

<u>Year</u>	<u>New Development<sup>2</sup></u>	<u>Base Value<sup>3</sup></u>	<u>Net Value</u>	<u>Cumulative<sup>4</sup></u>
1994	\$ 8,887,228	\$ 878,259	\$ 8,008,969	\$ 8,008,969

#### PHASE II

1995	<u>13,033,793</u>	<u>971,881</u>	<u>12,061,912</u>	<u>20,150,971<sup>5</sup></u>
TOTALS	(\$21,921,021)	(\$1,850,140)	(\$20,070,881)	

1996	-0-	-0-	-0-	20,352,480
1997	-0-	-0-	-0-	20,556,005
1998	-0-	-0-	-0-	20,761,565
1999	-0-	-0-	-0-	20,969,181
2000	-0-	-0-	-0-	21,178,873
2001	-0-	-0-	-0-	21,390,661
2002	-0-	-0-	-0-	21,604,568
2003	-0-	-0-	-0-	21,820,614
2004	-0-	-0-	-0-	22,038,820
2005	-0-	-0-	-0-	22,259,208
2006	-0-	-0-	-0-	22,481,800
2007	-0-	-0-	-0-	22,706,618
2008	-0-	-0-	-0-	22,933,684
2009	-0-	-0-	-0-	23,163,021
2010	-0-	-0-	-0-	23,394,651
2011	-0-	-0-	-0-	23,628,598
2012	-0-	-0-	-0-	23,864,884
2013	-0-	-0-	-0-	24,103,533
2014	-0-	-0-	-0-	24,345,568
2015	-0-	-0-	-0-	24,588,014
2016	-0-	-0-	-0-	24,833,894
2017	-0-	-0-	-0-	25,082,233
2018	-0-	-0-	-0-	25,333,055
2019	-0-	-0-	-0-	25,586,386
2020	-0-	-0-	-0-	25,842,250
2021	-0-	-0-	-0-	26,100,672
2022	-0-	-0-	-0-	26,361,679
2023	-0-	-0-	-0-	26,625,296
2024	-0-	-0-	-0-	26,891,548
2025	-0-	-0-	-0-	27,160,463

1.Estimated assessed value of new shopping center development to be constructed in at least two phases in 1994 and 1995, or later, less the estimated 1994 assessed value of the existing property (base assessment roll).

2.Includes estimated assessed value of land, buildings and site preparation, and personal property for a 51,034 square foot Albertson's supermarket, 18,200 square feet, small tenant shop space, and 13,500 square feet of development on 3 pads for the proposed Phase I development.

3.Includes assessed value of land, buildings and personal property (primarily mobil homes), but not private utility property which is assessed by the Idaho Tax Commission.

4.Reflects an estimated 1% year increase in assessed value and hence net value based on reappraisals every 5 years.

5.Includes 1% increase in net value for Phase I development.

# Attachment 5B

## Estimated Annual Revenue Allocations

<u>Year Assessed</u>	<u>Year Taxes Received</u>	<u>Estimated Valuation</u> <sup>1</sup>	<u>Tax Levy Rate</u> <sup>2</sup>	<u>Gross Revenue</u> <sup>3</sup>	<u>School Payment</u> <sup>4</sup>	<u>Agency Net Revenue</u>	<u>Phase I</u> <u>Phase II</u>
1995	1996	8,008,969	0.018201	\$ 145,771	\$ 32,036	\$113,735	
							116,345
1996	1997	20,150,971	0.018383	370,435	80,604	289,831	173,487
							119,010
1997	1998	20,3552,480	0.018567	377,881	81,410	296,471	177,461
							121,733
1998	1999	20,556,005	0.018753	385,477	82,224	303,253	181,520
							124,513
1999	2000	20,761,565	0.018940	393,224	83,046	310,178	185,666
							127,352
2000	2001	20,969,181	0.019129	401,128	83,877	317,251	189,900
							130,252
2001	2002	21,178,873	0.019321	409,192	84,715	324,477	194,224
							133,213
2002	2003	21,390,661	0.019514	417,416	85,563	331,853	198,640
							136,238
2003	2004	21,604,568	0.019709	425,806	86,418	339,388	203,150
							139,327
2004	2005	21,820,614	0.019906	434,365	87,282	347,083	207,756
							142,481
2005	2006	22,038,820	0.020105	443,096	88,155	354,941	212,459

<u>Year Assessed</u>	<u>Year Taxes Received</u>	<u>Estimated Valuation</u>	<u>Tax Levy Rate</u>	<u>Gross Revenue</u>	<u>School Payment</u>	<u>Agency Net Revenue</u>	<u>Phase I Phase II</u>
							145,702
2006	2007	22,259,208	0.020306	452,002	89,037	362,965	217,263
							148,992
2007	2008	22,481,800	0.020509	461,087	89,972	371,160	222,168
							152,351
2008	2009	22,706,618	0.020714	470,355	90,826	379,529	227,177
							155,782
2009	2010	22,933,684	0.020922	479,809	91,735	388,074	232,292
							159,285
2010	2011	23,163,021	0.021131	489,453	92,652	396,801	237,516
							162,862
2011	2012	23,394,651	0.021342	499,291	93,579	405,712	242,850
							164,491
2012	2013	23,628,598	0.021342	504,284	94,514	409,770	245,279
							166,136
2013	2014	23,864,884	0.021342	509,326	95,460	413,866	247,732
							167,797
2014	2015	24,103,533	0.021342	514,420	96,414	418,006	250,209
							169,475
2015	2016	24,344,568	0.021342	519,564	97,378	422,186	252,711
							171,170
2016	2017	24,588,014	0.021342	524,760	98,352	426,408	255,238



<u>Year Assessed</u>	<u>Year Taxes Received</u>	<u>Estimated Valuation</u>	<u>Tax Levy Rate</u>	<u>Gross Revenue</u>	<u>School Payment</u>	<u>Agency Net Revenue</u>	<u>Phase I Phase II</u>
2017	2018	24,833,894	0.021342	530,007	99,336	439,671	172,882 257,790
2018	2019	25,082,233	0.021342	535,308	100,325	434,983	174,610 260,368
2019	2020	25,333,055	0.021342	540,661	101,332	439,329	176,356 262,972
2020	2021	25,586,386	0.021342	546,067	102,346	443,721	178,120 265,602
2021	2022	25,842,250	0.021342	551,528	103,369	448,159	179,901 268,258
2022	2023	26,100,672	0.021342	557,043	104,403	452,640	181,700 270,940
2023	2024	26,361,679	0.021342	562,614	105,447	457,167	183,517 273,650
2024	2025	26,625,296	<u>0.021342</u>	<u>568,239</u>	<u>106,501</u>	<u>461,738</u>	185,352 <u>276,386</u>
<u>TOTALS</u>				\$13,503,404	\$2,615,627	\$10,888,777	4,370,602 6,517,175

1. Based on cumulative net values from Attachment 5A.

2. Estimated at one percent (1%) per year increases from 1993, and no increases after 2011.

3. Estimated valuation times tax levy rate.

4. Estimated valuation times 0.0040 as required by statute, revised 1994.

# Attachment 5C

## Impact of Revenue Allocation Financing on Bonneville County Property Taxing Entities Tax Code Area 02: 1993 Tax Levy Rate

Year Assessed	Project Revenue <sup>1</sup>	Bonneville County	School Dist. #93	Ammon City	Ammon Cemetery	Flood Control #1	Ambulance
Tax Levy	0.017842	0.005720	0.009740	0.002072	0.000065	0.000007	0.000238
	100%	32.06%	54.59%	11.61%	0.37%	0.04%	1.33%
1995	\$ 145,771	\$ 46,734	\$ 79,577	\$ 16,924	\$ 539	\$ 58	\$ 1,939
1996	370,435	118,461	202,221	43,007	1,371	148	4,927
1997	377,881	121,149	206,285	43,872	1,398	151	5,026
1998	385,477	123,584	210,432	44,754	1,426	154	5,127
1999	393,224	126,068	214,661	45,653	1,455	157	5,230
2000	401,128	128,602	218,976	46,571	1,484	160	5,335
2001	409,192	131,187	223,378	47,507	1,514	164	5,442
2002	413,416	133,824	227,867	48,462	1,544	167	5,852
2003	425,806	136,513	232,448	49,436	1,576	170	5,663
2004	434,365	139,257	237,120	50,430	1,607	174	5,777
2005	443,096	142,057	241,886	51,444	1,639	177	5,893
2006	452,002	144,912	246,748	52,477	1,672	181	6,012
2007	461,087	147,825	251,707	53,532	1,706	184	6,133
2008	470,355	150,796	256,767	54,608	1,740	188	6,256
2009	479,809	153,827	261,928	55,706	1,775	192	6,381
2010	489,453	156,919	267,192	56,825	1,811	196	6,510
2011	499,291	160,073	272,563	57,968	1,847	200	6,640
SUB TOTALS:	\$7,055,788	\$2,261,788	\$3,851,756	\$819,176	\$26,104	\$2,821	\$93,843
2012	504,284	161,673	257,289	58,547	1,866	202	6,707
2013	509,326	163,290	278,041	59,133	1,885	204	6,774
2014	514,420	164,923	280,822	59,724	1,903	206	6,842

((4/12/94))

<u>Year Assessed</u>	<u>Project Revenue</u>	<u>Bonneville County</u>	<u>School Dist. #93</u>	<u>Ammon City</u>	<u>Ammon Cemetery</u>	<u>Flood Control #1</u>	<u>Ambulance</u>
Tax Levy	0.017842	0.005720	0.009740	0.002072	0.000065	0.000007	0.000238
	100%	32.06%	54.59%	11.61%	0.37%	0.04%	1.33%

2015	519,564	166,572	283,630	60,321	1,922	208	6,910
2016	524,760	168,238	286,466	60,925	1,942	210	6,979
2017	530,077	169,920	289,331	61,534	1,961	212	7,049
2018	535,308	171,620	292,225	62,149	1,980	214	7,120
2019	540,661	173,336	295,147	62,771	2,000	216	7,191
2020	546,067	175,069	298,098	63,398	2,020	219	7,263
2021	551,528	176,820	301,079	64,032	2,041	221	7,335
2022	557,043	178,588	304,090	64,673	2,061	223	7,408
2023	562,614	180,374	307,131	65,319	2,082	225	7,483
2024	<u>568,239</u>	<u>182,177</u>	<u>310,202</u>	<u>65,973</u>	<u>2,102</u>	<u>227</u>	<u>7,558</u>

SUB TOTALS: \$6,863,821 \$2,232,600 \$3,801,551 \$808,489 \$25,765 \$2,787 \$92,619

TOTALS: \$14,019,609 \$4,494,388 \$7,653,307 \$1,671,665 \$51,869 \$5,608 \$186,462

# I. Gross Revenue From Attachment 5B



RESOLUTION NO. 94-4

A RESOLUTION OF THE AMMON URBAN RENEWAL AGENCY, THE URBAN RENEWAL AGENCY OF THE CITY OF AMMON, IDAHO, RECOMMENDING AND ADOPTING THE HITT ROAD URBAN RENEWAL PLAN, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE ADMINISTRATOR AND THE SECRETARY OF THE AGENCY TO TAKE APPROPRIATE ACTION; AND PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

THIS RESOLUTION, made on the date hereinafter set forth by the Ammon Urban Renewal Agency, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code (hereinafter the "Law"), a duly created and functioning urban renewal Agency for Post Fall, Idaho, hereinafter referred to as the "Agency."

WHEREAS, on or about January 6, 1994, the City of Ammon, through its Mayor and City Council, passed Resolution No. 94-1 creating an urban renewal Agency, pursuant to Chapter 20, Title 50, Idaho Code, finding one or more areas within the City of Ammon to be "deteriorated" or "deteriorating areas" as defined by Idaho Code Sections 50-2018(h) (i) and 50-2903 (b), finding one such area to include the southeast corner of 17th Street and the Hitt Road area, declaring such area as the Ammon Urban Renewal Area, making additional findings regarding the characteristics of the area, making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Mayor to appoint five Commissioners for the Agency;

WHEREAS, the legislature of the State of Idaho has enacted the Local Economic Development Act, Chapter 29, Title 50, Idaho Code referred to herein as the "Act," authorizing certain urban renewal agencies (including the Agency), to adopt revenue allocation financing provisions as part of their urban renewal plans;

WHEREAS, in order to implement the provisions of the Act and the Law either the Agency may prepare a plan or any person, public or private, may submit such plan to the Agency;

WHEREAS, Cantlon Properties, Inc. has submitted a proposed Hitt Road Urban Renewal Plan (hereinafter the "Plan"), for the area previously designated as the Ammon Urban Renewal Area;

WHEREAS, such proposed Plan also contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, as required by the Act, the Agency has reviewed the information within the Plan concerning use of revenue allocation funds and approved such information as if prepared by the Agency;

WHEREAS, such Plan will be tendered to the Planning and Zoning Agency and to the City Council of the City of Ammon for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the Plan shall include a statement listing: (1) the kind, number and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (5) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

WHEREAS, it is necessary, and in the best interest of the citizens of the City of Ammon, Idaho, to recommend approval of the Plan and to adopt, as part of the Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Plan (as now or hereafter amended), in order: to encourage private development in the urban renewal area; to prevent and arrest decay of the Ammon Urban Renewal Area due to the inability of existing financing methods to provide needed public improvements; to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Ammon Urban Renewal Area in order to facilitate the long-term growth of their common tax base; to encourage the long-term growth of their common tax base; to encourage private investment within the City of Ammon and to further the public purposes of the Ammon Urban Renewal Agency; and

WHEREAS, the Board of Commissioners of the Agency finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1 and 2 of the Plan is likely to increase as a result of initiation of urban renewal projects in accordance with the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE AMMON URBAN RENEWAL AGENCY, AMMON, IDAHO:

Section 1: That the Board specifically adopts the Hitt Road Urban Renewal Plan submitted by Cantlon Properties, Inc. and for purposes of compliance with Section 50-2905 of the Act, the Plan is deemed to have been prepared by the Agency.

Section 2: That the Agency recommends that the Plan, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference, be adopted by the Ammon City Council.



Section 3: That this Resolution constitutes the necessary action of the Agency under the Act, Section 50-2905, recommending approval by the City Council and that the Plan includes a statement listing: (1) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (5) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred, that the Plan includes a revenue allocation provision and that the Agency has determined that the equalized assessed valuation of the revenue allocation area will likely increase as the result of the initiation of an urban renewal project.

Section 4: The Chairman, Administrator and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed Plan for approval by the City of Ammon, including but not limited to, the preparation of the notice of public hearing on adoption of the revenue allocation financing provisions by the City Council and submittal of the Plan to the various taxing entities as required by Idaho Code Section 50-2906.

Section 5: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED AND APPROVED THIS 13<sup>th</sup> DAY OF April, 1994.

  
CHAIRMAN

ATTEST:

  
SECRETARY

3/28/94



CITY COUNCIL RESOLUTION IMPLEMENTING THE STATUTORY  
CRITERIA OF AND EMPOWERING THE AMMON URBAN RENEWAL  
AGENCY, MAKING CERTAIN FINDINGS OF FACT, AND DETERMINING  
THE SOUTH EAST CORNER OF 17TH STREET AND HITT ROAD AREA TO BE A  
DETERIORATED AREA

APPROVED January 6, 1994

RESOLUTION 94-1

A RESOLUTION IMPLEMENTING THE STATUTORY CREATION OF AND EMPOWERING THE AMMON URBAN RENEWAL AGENCY MAKING CERTAIN FINDINGS OF FACT, AND DETERMINING THE SOUTH EAST CORNER OF 17TH STREET AND HITT ROAD AREA TO BE A DETERIORATING AND DETERIORATED AREA AS DEFINED BY IDAHO CODE, SECTIONS 50-2018 (i) AND 50-2903 (6)(b).

WHEREAS, the City of Ammon desires to implement and empower an Urban Renewal Agency by the Idaho Urban Renewal Law of 1965 (codified at Chapter 20, Title 50, Idaho Code);

WHEREAS, it is anticipated that the Urban Renewal Agency intends to prepare an Urban Renewal Plan containing a revenue allocation financing provision, pursuant to the local Economic Development Act (codified at Chapter 29, Title 50, Idaho Code);

WHEREAS, the City recognizes that there are certain factual prerequisites to the empowerment of the Agency and the ultimate adoption of an Urban Renewal Plan containing revenue allocation financing provisions;

WHEREAS, the City has obtained an eligibility report, which examines the Corner of 17th Street and Hitt Road Area for the purpose of determining whether such area is a deteriorating area and deteriorated area as defined by Idaho Code, Sections 50-2018 (i) and 50-2903 (6)(b);

WHEREAS, the eligibility report dated January 1, 1994 has been submitted to the Mayor and City Council, a copy which is attached hereto as Exhibit 1.

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

1. That there are one or more areas within the City of Ammon which are deteriorating or deteriorated areas as defined by Idaho Code, Sections 50-2018 (i), and 50-2903 (6)(b).
2. That one such area is the 17th Street and Hitt Road Area.
3. That the rehabilitation, conservation, and redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, and welfare of the residents of the City.
4. That there is a need for an Urban Renewal Agency to function in the City.

5. Based on the January 1, 1994 report of the Area, the City Council makes the findings that:

- a. The area is determined to be a deteriorating area as defined by Idaho Code, Section 50-2018 (i) and a deteriorated area as defined by Idaho Code, Section 50-2903 (6) (b);
- b. The area is determined to be appropriate for an urban renewal project.

6. That pursuant to Idaho Code, Section 50-2006(b), the Mayor is authorized and directed to appoint, with the advice and consent of the City Council, five (5) commissioners of the Urban Renewal Agency.

7. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 6th day of January, 1994.

  
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Mayor C. Bruce Ard