

CITY of RUPERT
URBAN RENEWAL PLAN
2012

INTRODUCTION

Rupert is located in the Snake River Plain of Southern Idaho. It lies in southwestern Minidoka County, in South-central Idaho.

Minidoka County is located in the fertile Snake River Plain of Southern Idaho approximately 160 miles east of Boise, 160 miles northwest of Salt Lake City, Utah and 90 miles west of Pocatello. The county contains approximately four hundred eighty thousand (480,000) acres, of which 42% is in production agriculture. The county has a unique topography and elevation. Its southern portion, which runs along the Snake River, was originally part of the riverbed. Its northern portion runs over a somewhat higher table and is called the North-side project. Its extreme northern and eastern boundaries consist of lava flows with large and small areas of arable land. Although the surface structure is varied, there is only 180 feet difference in elevation from the lowest point at the southwest corner, 4180 feet and the highest point in the northeast corner, 4360 feet.

WATER

Water stored in reservoirs created by dams on the Snake River provides the means of irrigation for the diversified farming on the original Minidoka Project. Water was first delivered to the Minidoka Project in 1907 with the completion of Minidoka Dam. The old project consists of 72,221 acres. Deep wells provide the water for the new Governmental Homestead Project consisting of 89,000 acres. Additional acres have been developed by private enterprise since the first Veteran Homestead drawing in 1953. Today there are approximately 160,000 acres of rich sagebrush land under irrigation by pumping ground or surface.

CLIMATE

The climate of Minidoka County corresponds, in general, with that of the semi-arid valleys of Southern Idaho. The average annual precipitation is 9.48 inches, coming primarily in the form of snow during the months of November through February. Records show an annual precipitation high of 13.7 inches in 1968 and an unprecedented low of 3.38 as of September 1969. The mean temperature for Rupert is 62.2 degrees maximum, with highs of 105+ degrees F recorded and minus (-) 35 degrees F for the low.

The average date of the last killing frost in the spring is May 17th and the first frost in the fall is September 21. Minidoka County did experience scattered frost damage on July 4 and 5th in 1986. There is an average of 127 frost-free days.

TRANSPORTATION

Interstate Highway 84 traverses Minidoka County from east to west for approximately 15 miles. In addition to the Interstate system, there are 72 additional miles of State maintained highways in the county. Minidoka County Highway District maintains 608 miles of road in the county and also cooperates with the cities in the county on highway maintenance. The District's goal was to hard surface all roads on the North side, but this objective has changed with an increased energy cost and the current economic situation in the state and county. They currently have 310 miles of highways that qualify for Federal Highway funds. Sixty (60%) percent of the District budget is derived from gasoline taxes.

The mainline of the Union Pacific railroad crosses the northern side of the county. A spur line comes off the mainline at Minidoka, running past Acequia, Rupert, Burley, Paul and terminating in Twin Falls. While rail passenger service is not available in the area, the railroad serves a valuable function in the transportation of agricultural produce to and from the area.

Air transportation is limited by the size of the local facilities. The Burley airport located on the eastern edge of the city of Burley and is not large enough to serve commercial air transportation. However, there is an active private and charter service available at the Burley airport.

HISTORY

The City of Rupert is the gateway to Lake Walcott, which was formed with the construction of the Minidoka Power Plant and Minidoka Dam in 1904. The Plant is listed on the National Register of Historic Places. Lake Walcott is home to the Minidoka Wildlife Refuge where you can enjoy the sights of migrating birds throughout the year. Lake Walcott is also famous for excellent ice fishing in the winter. Rupert is an agricultural farming community well known for the efforts of local businesses in providing services with a home-felt hospitality and a general sense of community purpose.

Key attractions in Rupert and the surrounding area include: the Historic Rupert Town Square, the Historic Wilson Theater, Lake Walcott, the Snake River, bass and other fishing, Frisbee golf, the annual 4th of July celebration, the Viking Man triathlon in June and the Spudman triathlon in July.

Rupert's proximity to Burley, Twin Falls, Pocatello, Boise, and Salt Lake City provide easy access to a full range of cultural, retail, educational, and health care services found in metropolitan areas.

The City of Rupert contains a mixture of commercial development, vacant lots, and lots that are underused or contain unsightly conditions. Recent commercial development has mainly occurred along State Highway 24, the main highway connecting the community with Interstate 84. Unfortunately, the capacity of the city's infrastructure has not kept pace, and

is in need of upgrade. This includes expanding the capacity of the city's wastewater collection system and developing/improving water delivery along the Highway 24 corridor.

In June 2001, community leaders adopted a new comprehensive plan. To further the goals and objectives of that plan, the community leadership of Rupert recognizes the importance of developing a strategic plan to address key economic development issues, creating an environment for successful business investment, and ultimately increasing the community's standard of living. This is the purpose of this Rupert Urban Renewal Plan and its project. The main theme of the Plan is to facilitate efforts community-wide among private and public partners to accomplish important goals for securing the economic future of the community. The goals have been developed to achieve successful community stability and quality of life. These goals have evolved from a synthesis of ideas about the community's position in the marketplace, local strengths and challenges, potential opportunities, and residents' feelings about the future.

This Urban Renewal Plan describes the project area and improvements, how those improvements will be funded, and outlines the powers, duties and obligations of the City of Rupert Urban Renewal Agency (the "Agency"). This Plan, by way of adopted ordinance, establishes the Rupert Urban Renewal Area and Revenue Allocation Area. The Agency has commissioned an economic feasibility study, which includes a fiscal impact statement. The economic feasibility study focuses on all aspects of the entire District and aspects directly related to the project and revenue allocation area. The Agency intends to utilize tax revenue allocation to fund much of the costs incurred by this Plan.

URBAN RENEWAL PLAN

This is the Urban Renewal Plan (the "Plan") for Urban Renewal Area #1 in the City of Rupert (the "City"), County of Minidoka, State of Idaho, and consists of the text and all attachments thereto, including:

- a map of the project area and revenue allocation area;
- description of the project area and revenue allocation area boundaries;
- expected land use and current zoning map of the project area;
- a statement of proposed public improvements, costs, revenues, tax impacts, and financing methods; and,
- estimated annual revenues and costs for the project.

The term "project" is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. This is reference specifically to Idaho Code Section 50-2018(10) for the various activities contemplated by this project. Such activities include both private and public development of property within Urban Renewal Area #1. The term "project" is not meant to refer to a specific activity or development proposal.

This Plan was prepared by the Urban Renewal Agency of the City of Rupert (the "Agency")

pursuant to City of Rupert Resolution No. 06-114, the State of Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code), the Local Economic Development Act (Chapter 29, Title 50, Idaho Code), the Idaho Constitution, and other applicable law.

This Plan provides the Agency with powers, duties and obligations to implement and further the program/project formulated in this Plan for the redevelopment and revitalization of the area within the boundaries of Urban Renewal Area #1 ("Project Area" or "Urban Renewal Area") set forth on the area map, Attachment "A" hereto; this area is also the revenue allocation area. The Project Area was certified by the Rupert City Council.

The Project Area has been determined by the Rupert City Council to be a deteriorated or deteriorating area as defined in Sections 50-2018 (8) and (9), and 50-2903(8) Idaho Code. Specifically, the area is deteriorating due to insufficient public utility infrastructure.

50-2018 (8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

50-2018 (9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section [50-2008\(d\)](#), Idaho Code, shall apply; and provided further, that any disaster area referred to in section [50-2008\(g\)](#), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

50-2903 (8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation,

deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section [50-2008\(d\)](#), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section [63-1701\(4\)](#), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

This Plan contains specific recommendations of ways the Urban Renewal Agency of the City of Rupert and the City of Rupert can remedy these deficiencies and assist business development within the Urban Renewal Area, designated Revenue Allocation Area #1 on the map set forth on Attachment A hereto.

The Agency has been advised by the Rupert City Planning and Zoning Commission on October 11, 2012 that this Plan does conform to the City's Comprehensive Plan.

In accordance with applicable law, a public hearing was held on this Plan on December 11, 2012, after publication of a notice on November 1, 2012, of such hearing, in a newspaper having general circulation. The City and the Agency have taken various other actions as required by law with respect to this Plan, including the City Council adopting this Plan as indicated on Attachment "B" hereto.

PROJECT OVERVIEW

As discussed on page 4, Urban Renewal Area #1 is a deteriorated and deteriorating area as defined in Sections 50-2018(h), 50-2018(i), and 50-2903(8), Idaho Code. The Project will involve several actions to remedy the existing conditions causing deterioration of the area.

In order to address the deteriorating area problems set forth on the preceding pages, it is recommended that various actions be taken. The Urban Renewal Agency has identified needed infrastructure improvements for Revenue Allocation Area #1 ("RAA #1") as:

- Scott Avenue water and street improvements from 5th Street to 8th Street. The Agency will partnership with City of Rupert for street overlay and water improvements to accommodate business expansion in 3-5 years. Approximate cost \$ 130,000. Rupert Urban Renewal Agency will pay \$ 20,000; City of Rupert will pay \$110,000.
- Gaining 50' by 3000' (150,000 square feet) of right-of-way easement along the south/southeast boundary stretching across to 'H' Street. Approximate cost is \$0.23 per square foot for \$35,000.
- Developing a road accessing the northwest corner of the C & C Leasing property. Approximate costs: right-of-way 50' by 350' = 10,500 square feet at \$3.81 per square foot = \$40,000; asphalt and base, 10,500 sq. feet at \$2.45 per sq. foot = \$25,725 (without curbing); total costs are approximately \$30,975.
- Providing wastewater to the C & C Leasing property. Approximate cost: \$300,000.
- Providing water service to the C & C Leasing property. Approximate cost: \$300,000.
- Reconstructing 'H' Street and associated infrastructure (water, wastewater, storm drainage, lighting) between South 3rd Street to South 9th Street (2000 linear feet, 30' wide road way). Approximate costs: asphalt and base removal \$5,000; replace base and asphalt \$147,000; install curb and gutter 4000' at \$15 per lineal foot = \$60,000; wastewater flow improvements \$300,000; storm drainage improvements \$150,000; street lighting \$10,000; total cost are approximately \$672,000.

These improvements total an estimated \$1,467,975 in 2012 dollars. The Urban Renewal Agency and the City of Rupert will make these improvements as money and/or financing

becomes available. There is no current plan for bonded indebtedness.

The Agency also recommends that the City of Rupert aid and cooperate with the Agency in carrying out this Plan and take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and prevent the recurrence or spread in the area of conditions causing deterioration. It is expected the City of Rupert, by agreement, will act on behalf of the Urban Renewal Agency to acquire and construct the Project where appropriate, including any and all public facilities, all to be financed as set forth below under "Financing Methods". The Agency will also seek the cooperation of such other State and/or local bodies necessary to carry out this Plan.

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any publicly-owned facility, structure, or other improvements within the Urban Renewal Area for itself or for any public body or entity. The Agency may also assist in the preparation for development by such means as allowed by law.

The Agency is authorized to take any actions permitted by Idaho Code Section 50-2007 or other applicable law to install and construct, or cause to be installed or constructed, within the Urban Renewal Area, or materially related or connected thereto, any public improvements and public utilities or other improvements beneficial to the Urban Renewal Area (RAA#1).

The above actions constitute the Urban Renewal Project (the "Project").

Financing Methods

At the time of Plan development there are two financing sources identified that may be used to cover the costs of the Project:

Sources

Urban Renewal Agency of Rupert	\$ 20,000
City of Rupert	\$110,000
Total available in 2012	\$130,000

Future work on the Project will be funded by the tax increment generated by Revenue Allocation Area #1 (which is the same area as the Urban Renewal Area and Project Area) and other sources that may become available.

Economic Feasibility Study

2012 Tax Assessments: In 2012, the Minidoka County Assessor assessed the following value for the property included in Revenue Allocation Area #1 (Project Area) as

\$11,186,033. Each property and its assessed valuation is included in Attachment "C". The assessed value for the entire city of Rupert is \$154,748,924.

Figure 1
Tax assessment rate

Taxing jurisdiction	Levy Rate
Minidoka County	0.003814628
Indigent Fund	0.000349441
City of Rupert	0.004833892
School District #311	0.002434045
Highway District	0.001105920
Cemetery District #1	0.000295263
Fair	0.000129979
Historical Society	0.000027405

As indicated above, each of the eight (8) taxing jurisdictions will continue to receive their portion of the assessed valuation from the existing value of the property in Revenue Allocation Area #1.

The 2012 tax levies for each of the eight tax jurisdictions was supplied by the Minidoka County Assessor's Office and shown in Figure 1.

Figure 2
2012 Tax Revenue

Taxing Jurisdiction	Tax Revenue
Minidoka County	42,670.55
Indigent Fund	3,980.86
City of Rupert	54,072.08
School District #311	27,227.31
Highway District	12,966.85
Cemetery District #1	3,302.82
Fair	1,453.95
Historical Society	306.55

Total Tax Revenue from RAA #1 145,980.97

Based upon the 2012 valuation of the properties in RAA #1 and an assumed property value increase of 5% with no new construction, the tax revenue for each taxing jurisdiction increases as shown in Figure 3. Figure 3 (below) shows the projected revenue to each taxing jurisdiction assuming 5% property value increase with no new construction and the

Urban Renewal Agency operating. Except for Minidoka Joint School District No. 331, each of the other seven tax jurisdictions have their tax revenue fixed at the 2012 level until Plan termination or 20 years, whichever happens first.

Figure 3

Taxing Jurisdiction	Tax Revenue	URA increment
Minidoka County	42,670.55	2,133.53
Indigent Fund	3,980.86	123.09
City of Rupert	54,072.08	2,703.6
School District #311	28,945.79	0
Highway District	12,966.85	648.34
Cemetery District #1	3,302.82	165.14
Fair	1,453.95	72.70
Historical Society	306.55	15.33
Urban Renewal Agency to receive		5,846.40

It is estimated that future construction of public infrastructure and private investment will increase the assessed valuation of the properties in RAA #1. Future increases in property taxes above the 2012 level, with the exception of Minidoka Joint School District No. 331, will go to the Urban Renewal Agency to carry out the improvements identified in this Plan. When this Plan is terminated by statute or by convenience of the URA, unused funds will be returned to the taxing jurisdictions affected by this Plan unless.

It is anticipated that future private sector investments will be made as result of the public infrastructure improvements in Revenue Allocation Area #1. There are properties in RAA #1 that could accommodate manufacturing facilities similar to the current Brewster Cheese. If this were to occur, property value in RAA #1 could increase by 200 percent or more. As an example, Figure 4 assumes that property value in RAA #1 will increase by 150% and shows how that would increase funds available to implement the Project. As required by Section 50-2908 (2) (a) (iii), Idaho Code, Minidoka Joint School District No. 331 will continue to receive their portion of the increment. The figure below does not include that levy amount however the School District would receive \$71,471.71 in this scenario.

Figure 4
Fiscal Impact on Taxing Jurisdictions

Taxing Jurisdiction	Tax Revenue	URA increment
Minidoka County	42,670.55	69,339.66
Indigent Fund	3,980.86	6,279.39

City of Rupert	54,072.08	87,867.12
School District #311	28,945.79	0
Highway District	12,966.85	19,506.65
Cemetery District #1	3,302.82	5,367.09
Fair	1,453.95	2,362.80
Historical Society	306.55	498.15
Urban Renewal Agency to receive		191,220.86

Based upon the figures presented in Figures 3 and 4, the Urban Renewal Agency of the City of Rupert finds The Project to be feasible, using the anticipated increase in assessed valuation resulting from future industrial and commercial development locating in Rupert, Idaho.

All of the foregoing figures and dates are based upon information provided by the Idaho State Tax Commission, the Minidoka County Assessor and Clerks Offices, and estimates of the Agency and the City of Rupert and may vary depending on the actual construction and installation costs of The Project and other factors beyond the control of the Agency or the City of Rupert.

CONCLUSION AND RECOMMENDATION

The Urban Renewal Agency of the City of Rupert, in cooperation with the City of Rupert, is in the fortunate position of being able to redevelop the Urban Renewal Area and to assist businesses in making a substantial investment in the community. Economic investments in Rupert will be facilitated by improving the infrastructure within RAA #1. This area is where commercial, industrial, and manufacturing business investments are likely to happen providing economic benefit to the community. In 1988, the Idaho Legislature passed, and Governor Cecil D. Andrus signed into law the Local Economic Development Act. This law allows municipalities the opportunity to provide for a method of financing needed improvements, allocating a portion of the property taxes levied against taxable property in an industrial area. The intent of the law is to identify areas in need of improvement and development and to encourage private investment in those areas.

The Urban Renewal Agency of the City of Rupert believes this project meets both the intent and the spirit of his law. Therefore, the Urban Renewal Agency of the City of Rupert recommends to the Rupert City Council the adoption of this Urban Renewal Plan for Urban Renewal Area #1 and, further, to create and adopt Revenue Allocation Area #1 within Urban Renewal Area #1, as shown in Attachment A.

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 the law, then, such provision 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.



ORDINANCE NO. 14-511

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RUPERT, IDAHO, AMENDING THE BOUNDARIES OF REVENUE ALLOCATION AREA NO. 1 IN THE CITY OF RUPERT, IDAHO TO ADD AN ADDITIONAL PROPERTY; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rupert Urban Renewal Agency (hereafter "Agency") was created on November 7, 2006 by Resolution No. 06-114 of the City Council of the City of Rupert, Idaho; and,

WHEREAS, the City Council of the City of Rupert, Idaho (the "City") following the formation of the Agency created Urban Renewal Area No. 1 (the "revenue allocation area" or "RAA", a deteriorated area or deteriorating area of the City of Rupert and created an Urban Renewal Project known as CITY OF RUPERT URBAN RENEWAL PLAN 2012 (the "Plan") which was adopted by Ordinance 12-514 after required hearings and notice as required by law and after findings that the Plan has met all informational recitations and other requirements of Idaho law; and,

WHEREAS, following said creation of the revenue allocation area known as Urban Renewal Area No. 1 and the adoption of Ordinance 12-514, it was determined that there existed an additional parcel of land adjacent to the RAA that has been annexed by the City of Rupert and is also a deteriorated or deteriorating area that should be included in the RAA and subject to the Plan – said land being located on the southern boundary of the revenue allocation area and more particularly described as follows:

DESCRIPTION: A PORTION OF THE LANDS OF W4, LLC PER WARRANTY DEED RECORDED JANUARY 24, 2007 AS INSTRUMENT No. 488906, MINIDOKA COUNTY RECORDS.

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO.

SECTION 32: A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER MORE PARTICULARLY DESCRIBED BELOW:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER MONUMENTED BY A ½" REBAR AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0°37'45" EAST ALONG THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER 416.71 FEET;

THENCE SOUTH 85°16'14" EAST 24.83 FEET TO A ½" REBAR;
THENCE CONTINUING SOUTH 85°16'14" EAST 353.70 FEET TO A ½" REBAR;
THENCE NORTH 17°58'05" EAST 62.46 FEET TO A CORNER;
THENCE SOUTH 89°04'17" EAST 167.48 FEET TO A ½" REBAR;
THENCE SOUTH 1°54'30" WEST 145.38 FEET TO A ½" REBAR;
THENCE SOUTH 88°02'46" EAST 175.07 FEET TO A ½" REBAR;
THENCE NORTH 3°03'21" EAST 149.98 FEET TO A ½" REBAR;
THENCE NORTH 0°37'46" WEST 395.29 FEET TO A ½" REBAR ON THE NORTH LINE OF
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;
THENCE ALONG SAID NORTH LINE SOUTH 89°48'04" WEST 742.33 FEET TO THE TRUE
POINT OF BEGINNING.

SAID ADDITIONAL REVENUE ALLOCATION AREA CONTAINS 7.66 ACRES, MORE OR
LESS.

And WHEREAS, the City of Rupert Urban Renewal Agency Board of Directors has met to consider adding the said property to the RAA as the "one time" boundary extension permitted by Idaho Code 50-2033 and has recommended that the above-described parcel be added to Urban Renewal Area No. 1 and that tax increments accordingly be collected to fund the Project set forth in the Plan; and,

WHEREAS, the total area to be added is not greater than ten percent (10%) of the existing revenue allocation area and the area to be added is contiguous to the existing revenue allocation area; and

WHEREAS, on December 16, 2014, a hearing was held after providing notice to Minidoka County, Minidoka County Highway District, Cemetery District 1, Minidoka School District 331, Minidoka County Fair, Minidoka County Historical Society, and the City of Rupert as required by law and was also published in the City's official newspaper; and,

WHEREAS, the Legislature of the State of Idaho has enacted Chapter 29, Title 50, Idaho Code, authorizing certain urban renewal agencies, including the Agency, to adopt revenue allocation financing provisions as part of urban renewal plans; and,

WHEREAS, the Plan presented by the Agency and previously approved by the City contains a revenue allocation financing provision and all other information required by law; and,

WHEREAS, it is necessary and in the best interest of the citizens of the City of Rupert, Idaho to add the above-described real property to the RAA subject to the Plan, including revenue allocation financing provisions, since revenue allocation will help finance urban renewal projects to be completed in accordance with the Plan (as now or hereafter amended) in order to: 1.) encourage private development in the Urban Renewal Area No. 1; 2.) prevent and arrest decay of the Rupert area due to the inability of existing financing methods to provide needed public improvements; 3.) to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Urban Renewal Area No. 1 in order to facilitate the long-term growth of their common tax base; and 4.) to encourage private investment within the City of Rupert and to further the public purposes of the Agency.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RUPERT, IDAHO:

Section 1: That it is hereby found and determined that the above-described real property has been and is declared to be deteriorated and/or deteriorating or both and as such it is in the best interest of the City and its residents to add said land to Urban Renewal Area No. 1.

Section 2: In accordance with Idaho Code 50-2906(2), the revenue allocation financing provision set forth in the Plan previously adopted in City Ordinance 12-514 shall be effective on the above described parcel retroactively to January 1st of 2014– the year in which the City Council has enacted the present Ordinance.

Section 3: The addition of the above-described land to the RAA and application of the terms of the Plan conforms to the Comprehensive Plan of the City of Rupert, Idaho.

Section 4: With the addition of the above-described parcel to the RAA, the Plan continues to give due consideration to the provision of adequate open space, park, and recreation areas and facilities that may be desirable for neighborhood improvement and shows consideration for the health safety and welfare of any children residing in the general vicinity of the Urban Renewal Area covered by the Plan.

Section 5: By adding the above property, the Plan continues to afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Revenue Allocation Area by private enterprise; the addition is also consistent with every other requirement of Idaho law pertaining to the Plan and tax increment financing.

Section 6: Adding the above-described property to the previously approved RAA Project Area is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition will require the exercise of governmental action, because of a number of factors or other conditions which retard development of the area.

Section 7: The above described property is hereby added to Urban Renewal Area No. 1, amending the area's boundaries, and shall be developed and rehabilitated subject to the tax increment financing provisions, terms, and other measures set forth in the Urban Renewal Project known as

CITY of RUPERT URBAN RENEWAL PLAN 2012. The amended legal description of Urban Renewal Area No. 1 is attached hereto and incorporated by reference as "Exhibit A"; this legal description is hereby approved as the official legal description of the RAA. The amended map, including the above described property, of the revenue allocation area known as Urban Renewal Area No.1 is attached hereto as "Exhibit B", incorporated by reference, and is hereby approved.

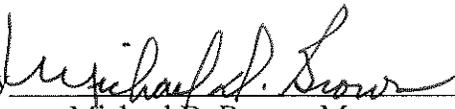
Section 8: Upon publication of this Ordinance, the City Clerk is authorized and directed to transmit to the county auditor and tax assessor of Minidoka County, and to the appropriate official of School District No. 331, Minidoka County, the Minidoka County Highway District, Cemetery District 1 of Rupert Idaho, Minidoka County Fair Board, Minidoka County Historical Society, the City of Rupert, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the Revenue Allocation Area, and a map or plat indicating the boundaries of the amended Revenue Allocation Area.

Section 9: The City Council hereby finds and declares that the Revenue Allocation Area consisting of the entirety of the amended Urban Renewal Area No. 1 as defined herein and in Exhibit A and Exhibit B is subject to all provisions in the Plan and the equalized assessed valuation of which the Council hereby determines in and as part of the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan. No material term of the Plan, other than the RAA boundaries, is changed.

Section 10: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 16th day of December, 2014, by the City Council of the City of Rupert and signed by the Mayor on said date.

CITY OF RUPERT

By 
Michael D. Brown, Mayor

ATTEST:

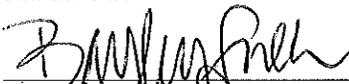

Bayley Fuller, City Clerk

EXHIBIT A TO ORDINANCE No. 14-511

AMENDED REVENUE ALLOCATION AREA No. 1

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY,
IDAHO

SECTION: A PORTION OF SECTIONS 29 AND 32, AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 32, MARKED BY A BRASS
CAP, AND RUNNING THENCE ALONG THE WEST LINE THEREOF SOUTH 0°37'45"
EAST 378.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE SOUTH 0°37'45" EAST 193.58 FEET
TO THE INTERSECTION THEREOF WITH THE SOUTHEASTERN RIGHT OF WAY LINE
OF STATE HIGHWAY 24;

THENCE CONTINUING ALONG SAID WEST SECTION LINE SOUTH 0°37'45" EAST
746.36 FEET TO THE SOUTHWEST CORNER OF THE NW1/4NW1/4 OF SAID SECTION
32;

THENCE SOUTH 0°37'45" EAST ALONG THE WEST BOUNDARY OF THE SOUTHWEST
QUARTER OF THE NORTHWEST QUARTER 416.71 FEET;

THENCE SOUTH 85°16'14" EAST 24.83 FEET TO A ½" REBAR;

THENCE CONTINUING SOUTH 85°16'14" EAST 353.70 FEET TO A ½" REBAR;

THENCE NORTH 17°58'05" EAST 62.46 FEET TO A ½" REBAR;

THENCE SOUTH 89°04'17" EAST 167.48 FEET TO A ½" REBAR;

THENCE SOUTH 1°54'30" WEST 145.38 FEET TO A ½" REBAR;

THENCE SOUTH 88°02'46" EAST 175.07 FEET TO A ½" REBAR;

THENCE NORTH 3°03'21" EAST 149.98 FEET TO A ½" REBAR;

THENCE NORTH 0°37'46" WEST 395.29 FEET TO A ½" REBAR ON THE SOUTH LINE
OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER NORTH 89°48'04" EAST 582.16 FEET TO A 5/8" REBAR AT
THE SOUTHEAST CORNER OF THE NW1/4NW1/4;

THENCE ALONG THE EAST LINE OF SAID NW1/4NW1/4 NORTH 0°28'55" WEST 1293.57 FEET TO THE INTERSECTION THEREOF WITH THE SOUTH LINE OF THE 100 SOUTH STREET RIGHT OF WAY;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE NORTH 89°47'35" EAST 1327.95 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF THE NE1/4NW1/4 OF SAID SECTION 32;

THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE NORTH 89°48'09" EAST 32.00 FEET;

THENCE NORTH 0°19'19" WEST 25.00 FEET TO THE SOUTH LINE OF SAID SECTION 29;

THENCE ALONG THE EAST LINE OF THE 'H' STREET RIGHT OF WAY NORTH 0°13'18" WEST 1294.48 FEET TO THE NORTHWEST CORNER OF LOT 1 OF THE SUNSET ADDITION TO RUPERT, IDAHO, THE OFFICIAL PLAT OF WHICH IS DATED APRIL 13, 1947;

THENCE NORTH 0°03'12" WEST 60.31 FEET TO THE SOUTHWEST CORNER OF BLOCK 7 OF B. E. SMITH'S FIRST ADDITION TO RUPERT, THE OFFICIAL PLAT OF WHICH WAS RECORDED APRIL 18, 1913, MINIDOKA COUNTY RECORDS;

THENCE CONTINUING ALONG SAID EAST LINE OF THE 'H' STREET RIGHT OF WAY NORTH 0°04'42" WEST 650.95 FEET TO THE SOUTHWEST CORNER OF BLOCK 3 OF SAID B. E. SMITH'S FIRST ADDITION;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 3 NORTH 89°44'06" EAST 100.00 FEET TO THE SOUTHEAST CORNER OF LOT 8 THEREOF;

THENCE ALONG THE EAST LINE OF SAID LOT 8 NORTH 0°16'32" WEST 124.81 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE ACROSS THE BLOCK 3 ALLEY NORTH 0°16'32" WEST 16.00 FEET TO THE SOUTHEAST CORNER OF LOT 5 THEREOF;

THENCE ALONG THE EAST LINE THEREOF NORTH 0°16'32" WEST 124.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 5;

THENCE ALONG THE NORTH LINE OF SAID BLOCK 3 NORTH 89°40'10" EAST 200.00 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE ACROSS 'G' ST. NORTH 89°40'10" EAST 80.00 FEET TO THE NORTHWEST CORNER OF BLOCK 4 OF SAID B. E. SMITH'S ADDITION TO RUPERT;

THENCE, ACROSS 2nd ST. SOUTH, NORTH 0°14'47" WEST 60.00 FEET TO THE SOUTHWEST CORNER OF BLOCK 1 OF SAID B. E. SMITH'S ADDITION TO RUPERT;

THENCE ALONG THE WEST LINE OF SAID BLOCK 1 NORTH 0°13'03" WEST 266.00 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE ALONG THE NORTH LINE OF SAID BLOCK 1 NORTH 89°40'10" EAST 300.01 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE NORTH 0°12'54" WEST 40.61 FEET TO THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 29;

THENCE NORTH 0°13'04" WEST 18.92 FEET TO THE SOUTHEAST CORNER OF BLOCK 85 OF THE ORIGINAL RUPERT TOWNSITE;

THENCE ALONG THE EAST LINE OF SAID BLOCK 85 NORTH 0°13'04" WEST 300.00 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE CONTINUING NORTH 0°13'04" WEST 0.42 FEET TO THE SOUTHEASTERN LINE OF THE HIGHWAY 24 RIGHT OF WAY;

THENCE ALONG SAID SOUTHEASTERN RIGHT OF WAY LINE NORTH 45°14'54" EAST 113.48 FEET TO THE INTERSECTION THEREOF WITH THE SOUTH LINE OF BLOCK 75 OF THE ORIGINAL RUPERT TOWNSITE;

THENCE ALONG SAID SOUTH LINE OF BLOCK 75 NORTH 89°45'37" EAST 298.66 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE ALONG THE EAST LINE OF SAID BLOCK 75 NORTH 0°15'35" WEST 293.51 FEET TO THE INTERSECTION THEREOF WITH SAID SOUTHEASTERN LINE OF THE HIGHWAY 24 RIGHT OF WAY;

THENCE NORTH 44°45'06" WEST 80.00 FEET TO THE SOUTHEASTERN LINE OF THE EASTERN IDAHO RAILROAD RIGHT OF WAY;

THENCE ALONG SAID SOUTHEASTERN RAILROAD RIGHT OF WAY LINE SOUTH 45°14'54" WEST 340.84 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF THE 'F' ST. RIGHT OF WAY;

THENCE ALONG LAST SAID EAST LINE NORTH 0°15'05" WEST 280.41 FEET TO THE NORTHWESTERN LINE OF SAID EASTERN IDAHO RAILROAD RIGHT OF WAY;

THENCE ALONG SAID NORTHWESTERN RAILROAD RIGHT OF WAY LINE NORTH 45°14'54" EAST 2607.73 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID SECTION 29;

THENCE ALONG SAID EAST SECTION LINE NORTH 0°15'33" WEST 19.00 FEET TO THE NORTHEAST CORNER OF SAID SECTION 29;

THENCE ALONG THE NORTH LINE OF SAID SECTION 29 SOUTH 89°47'40" WEST 94.60 FEET;

THENCE SOUTH 45°14'54" WEST 56.90 FEET TO THE SOUTHEASTERN LINE OF THE SCOTT AVENUE (SHOWN AS BANNOCK ST. ON THE MAP OF THE ORIGINAL RUPERT TOWNSITE) RIGHT OF WAY;

THENCE ALONG SAID SOUTHEASTERN LINE OF THE SCOTT AVENUE RIGHT OF WAY SOUTH 45°14'54" WEST 1825.05 FEET TO THE INTERSECTION THEREOF WITH THE EASTERLY PROLONGATION OF THE NORTH LINE OF THE ALLEY IN BLOCK 55 OF THE ORIGINAL RUPERT TOWNSITE;

THENCE ALONG SAID EASTERLY PROLONGATION AND ALONG SAID NORTH ALLEY LINE SOUTH 89°46'06" WEST 423.07 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF SAID BLOCK 55;

THENCE ACROSS 'F' ST. SOUTH 89°46'06" WEST 80.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE THEREOF;

THENCE ALONG SAID WEST LINE OF THE 'F' ST. RIGHT OF WAY SOUTH 0°15'05" EAST 886.99 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERN LINE OF SAID HIGHWAY 24 RIGHT OF WAY;

THENCE ALONG SAID NORTHWESTERN HIGHWAY RIGHT OF WAY LINE AS FOLLOWS:

SOUTH 45°14'54" WEST 521.24 FEET,

SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1949.86 FEET, A CENTRAL ANGLE OF 12°44'51", AN ARC LENGTH OF 433.82 FEET, A CHORD BEARING OF SOUTH 38°01'54" WEST AND AN CHORD DISTANCE OF 432.92 FEET, AND

SOUTH 31°29'27" WEST 1365.25 FEET TO THE INTERSECTION THEREOF WITH THE NORTH LINE OF THAT REAL PROPERTY CONVEYED TO BUDKE BY INSTRUMENT No. 515309, RECORDED JANUARY 6, 2012 RECORDS OF MINIDOKA COUNTY;

THENCE ALONG THE NORTH AND EAST LINES OF SAID LANDS OF BUDKE, SOUTH 89°49'09" WEST 46.86 FEET AND NORTH 0°05'10" WEST 115.22 FEET;

THENCE ALONG SAID NORTH LINE SOUTH 89°46'06" WEST 376.84 FEET TO THE SOUTHEASTERN LINE OF THE HEREINABOVE MENTIONED EASTERN IDAHO RAILROAD RIGHT OF WAY;

THENCE ALONG SAID SOUTHEASTERN RAILROAD RIGHT OF WAY LINE SOUTH 45°14'54" WEST 362.82 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF THE SE1/4SW1/4 OF SAID SECTION 29;

THENCE ALONG LAST SAID WEST LINE SOUTH 0°05'01" EAST 759.19 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERN LINE OF THE AFORESAID HIGHWAY 24 RIGHT OF WAY;

THENCE ALONG SAID NORTHWESTERN HIGHWAY RIGHT OF WAY LINE AS FOLLOWS:

SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1392.40 FEET, A CENTRAL ANGLE OF 5°24'05", AN ARC LENGTH OF 131.26 FEET, A CHORD BEARING OF SOUTH 57°01'48" WEST, AND A CHORD DISTANCE OF 131.21 FEET,

SOUTH 59°43'50" WEST 77.97 FEET,

NORTH 74°12'25" WEST 39.10 FEET,

NORTH 29°36'15" WEST 5.54 FEET,

SOUTH 60°24'08" WEST 71.22 FEET,

SOUTH 29°36'15" EAST 5.54 FEET,

SOUTH 12°41'06" WEST 39.61 FEET,

SOUTH 59°43'50" WEST 797.60 FEET,

SOUTH 70°14'56" WEST 68.20 FEET,

SOUTH 59°08'47" WEST 226.68 FEET,

NORTH 74°38'23" WEST 60.77 FEET, AND

NORTH 30°19'46" WEST 12.59 FEET;

THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 89°22'15" WEST 25.00 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS 108.73 ACRES, MORE OR LESS.

EXCEPTING THEREFROM, HOWEVER, THAT PORTION OF THE PROPERTY CONVEYED TO RODRIGUEZ BY INSTRUMENT No. 515530, RECORDED JANUARY 25, 2012, MINIDOKA COUNTY RECORDS, LYING OUTSIDE OF THE 100 SOUTH STREET

RIGHT OF WAY, AND THAT PORTION OF THE REAL PROPERTY CONVEYED TO JOHNSON BY INSTRUMENT No. 445539, RECORDED DECEMBER 30, 1999, MINIDOKA COUNTY RECORDS, LYING OUTSIDE OF THE 100 SOUTH STREET RIGHT OF WAY, SAID PORTIONS DESCRIBED COLLECTIVELY AS FOLLOWS:

COMMENCING AT THE HEREINABOVE MENTIONED NORTHWEST CORNER OF SECTION 32 AND RUNNING THENCE ALONG THE NORTH LINE THEREOF NORTH $89^{\circ}47'21''$ EAST 1148.30 FEET TO THE NORTHWEST CORNER OF SAID LANDS OF RODRIGUEZ; THENCE ALONG THE WEST LINE THEREOF SOUTH $0^{\circ}27'19''$ EAST 25.00 FEET TO THE INTERSECTION THEREOF WITH THE SOUTH LINE OF SAID 100 SOUTH STREET RIGHT OF WAY, AND THE TRUE POINT OF BEGINNING OF THIS EXCEPTION DESCRIPTION;

THENCE CONTINUING ALONG SAID WEST LINE OF THE LANDS OF RODRIGUEZ SOUTH $0^{\circ}27'19''$ EAST 324.72 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE ALONG THE SOUTH LINE OF SAID LANDS OF RODRIGUEZ, AND IN TURN ALONG THE SOUTH LINE OF THE AFORESAID LANDS OF JOHNSON NORTH $89^{\circ}32'03''$ EAST 149.74 FEET TO THE SOUTHEAST CORNER OF SAID LANDS OF JOHNSON;

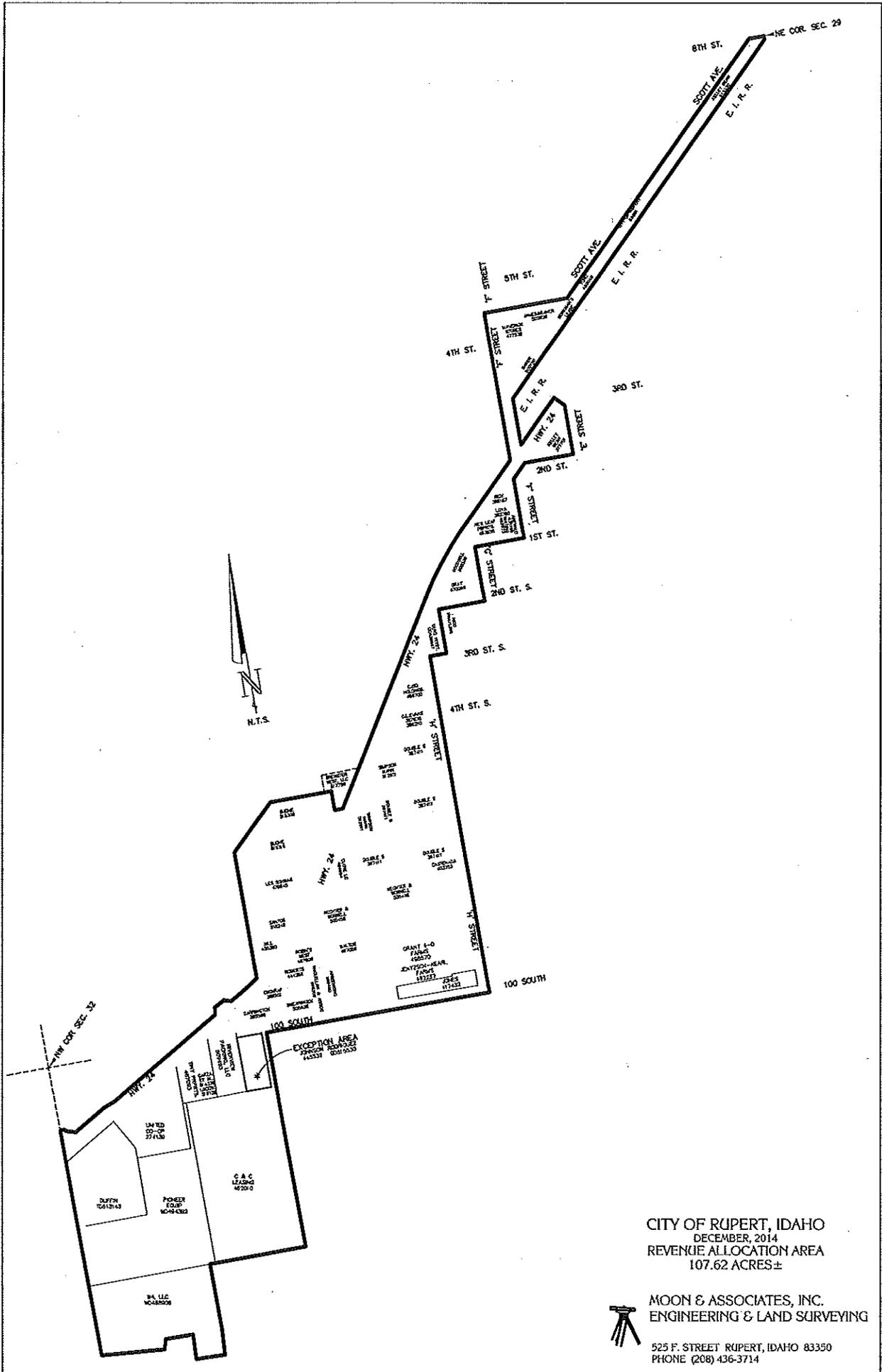
THENCE ALONG THE EAST LINE THEREOF NORTH $0^{\circ}28'55''$ WEST 324.05 FEET TO THE INTERSECTION THEREOF WITH SAID SOUTH LINE OF THE 100 SOUTH STREET RIGHT OF WAY;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH $89^{\circ}47'21''$ WEST 149.59 FEET TO THE TRUE POINT OF BEGINNING OF THIS EXCEPTION DESCRIPTION.

THE ABOVE DESCRIBED EXCEPTION CONTAINS 1.11 ACRES, MORE OR LESS

THE HEREINABOVE DESCRIBED TOTAL REVENUE ALLOCATION AREA CONTAINS 107.62 ACRES, MORE OR LESS.

EXHIBIT B



CITY OF RUPERT, IDAHO
 DECEMBER, 2014
 REVENUE ALLOCATION AREA
 107.62 ACRES±

MOON & ASSOCIATES, INC.
 ENGINEERING & LAND SURVEYING
 525 F. STREET RUPERT, IDAHO 83350
 PHONE (208) 436-3714