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Fee Amt: \$0.00 Page 1 of 7
Jasper County, Iowa
Denise Allan County Recorder
File **2023-00004510**

Record an Ordinance

Recorder's Cover Sheet

Preparer Information:

Ahlers & Cooney, P.C.,
100 Court Avenue, Suite 600, Des Moines, IA 50309-2231

Return Document to:

Jasper County Auditor
101 1st St N, Newton, IA 50208

Description: Ordinance #74

An Ordinance Establishing the Newton Legacy Reinvestment District Pursuant to Iowa Code Section 15J.4(4)

No Fee
Auditor

ORDINANCE NO. 74

AN ORDINANCE ESTABLISHING THE NEWTON LEGACY REINVESTMENT DISTRICT PURSUANT TO IOWA CODE SECTION 15J.4(4)

WHEREAS, on March 17, 2023, the IEDA Board approved a maximum benefit amount of \$14,000,000 as described in the Newton Legacy Reinvestment District Plan submitted to the IEDA Board (“Plan”), and declared that the commencement date be established as October 1, 2024 for the Newton Legacy Reinvestment District described as follows:

The following described areas in the NW ¼ of Section 34, Township 80 North, Range 19 West:

- Lots 6 & 7 of Out Lot 23 of the Newton Original Town Plat;
- Lots 1, 2, 3, & 4 in Block 23 of the Newton Original Town Plat;
- Lots 1, 2, 3, 4, 5, 6, 7, and the vacated South 132 feet of the alley running North and South between Lots 6 and 7 in Block 22 of the Newton Original Town Plat;
- Lots 1, 2, 3, & 4 in Block 21 of the Newton Original Town Plat;
- Lots 1, 2, 3, 4, and the vacated North 132 feet of the alley running North and South between Lots 2 and 3 in Block 20 of the Newton Original Town Plat;
- Lots 5 & 6 and the vacated South 132 feet of the alley running North and South east of Lots 5 & 6 in Block 20 of the Newton Original Town Plat;
- Lots 1, 2, 3, & 4 in Block 19 of the Newton Original Town Plat;
- the West 50 feet of Lots 7 & 8 AND the full width of the South 132 feet of the alley running North and South between Lots 5-6 and 7-8, all in Block 19 of the Newton Original Town Plat;
- Lots 1, 2, 3, & 4 in Block 18 of the Newton Original Town Plat;
- Lots 1, 2, 3, 4, 5, 6, and the vacated North 132 feet of the alley between Lots 2 & 3 running North and South in Block 17 of the Newton Original Town Plat;
- the West 50 feet of Lot 7 and Lots A, B, & C in Block 17 of the Newton Original Town Plat;
- Lots 2, 5, & 6 in Block 16 of the Newton Original Town Plat;
- Plat of Lots A, B, C, D, E, F, G, H, K, L, N, O, P in Block 16 of the Newton Original Town Plat;

- The Courthouse Square of the Newton Original Town Plat;
- Plat of Lots A, B, & 4 in Block 15 of the Newton Original Town Plat;
- Lots 5, 6, 7, & 8 in Block 15 of the Newton Original Town Plat;
- Lots 5, 6, 7, & 8 in Block 14 of the Newton Original Town Plat;
- Plat of Lots F & G and the abandoned Chicago, Rock Island and Pacific Railroad Company right-of-way, Lots 6 & the West 65 feet of Lot 7, and the vacated South 132 feet of the alley running North and South adjacent to Lot 7 all in Block 13 of the Newton Original Town Plat;
- Plat of Lots A, B, C, D, E, 5, 6, 7, & 8 in Block 10 of the Newton Original Town Plat;
- Lots 1, 2, and the vacated East 55 feet of the alley running East and West adjacent to Lot 2 in Block 9 of the Newton Original Town Plat;
- Plat of Lots A, B, C, D, & E, M, 3, 4, 5, 6, & F in Block 9 of the Newton Original Town Plat;
- Plat of Lots A, B, C, D, E, F, G, 2, 3, 4, 5, 6, 7, and the vacated North 132 feet of the alley running North and South abutting the east side of Lots 3 & 4 all in Block 8 of the Newton Original Town Plat;
- Block 7 and all vacated alleys and vacated North 3rd Avenue West right-of-way of the Newton Original Town Plat;
- Plat of Lots 3, 4, 5, 6, 10, and the vacated 280.5 feet of the alley running North and South adjacent and to the east of Lots 3 & 6 in Block 5 of the Newton Original Town Plat;
- Plat of Lots 1, 2, 7, 8, & 9 in Block 5 of the Newton Original Town Plat, AND the vacated 66 feet by 280.5 feet of West 2nd Street North right-of-way between the North line of North 3rd Avenue West right-of-way and the South line of North 4th Avenue West right-of-way;
- Block 4 of the Newton Original Town Plat, and
- Out Lot 7 of the Newton Original Town Plan.

The following described areas in the SW ¼ of Section 27, Township 80 North, Range 19 West:

- Lots 1, 2, 3, 4, 5, & 6 in the Fractional Block 8 of Black & Ritter's Addition to Newton;

- Lots 1, 2, 3, 4, 5, 6, 7, 8, A, & B in Block 3 of Black & Ritter's Addition to Newton;
- Lot 2 of Railroad Addition, except the North 8 feet,
- Parcel "A" of the Maytag Plant 1 ALTA/ACSM survey, except the North 8 feet of Lot 2 of Railroad Addition, strictly between the east line of the West 4th Street North right-of-way and the west line, extended northerly of the West 3rd Street North right-of-way.

The following described areas in the NE ¼ of Section 33, Township 80 North, Range 19 West:

- Lot 2 in Synergy Addition to Newton
- A portion of Lot 1 in Synergy Addition to Newton described as follows: Beginning at the Northwest corner of Lot 2, Synergy Addition, City of Newton, Jasper County, Iowa, thence westerly 268 feet along the north line of Lot 1, Synergy Addition, thence south to a point on the south line of Lot 1 of Synergy Addition, thence easterly along said south line of Lot 1 of Synergy Addition to a point intersecting with a western line of Lot 2 Synergy Addition, thence north 48.57 feet, thence west 356.48 feet, thence north to the point of beginning.
- Plat of Parcel B, lying within Lots 23 through 26 and Lots 32 through 40 and abandoned North 3rd Avenue West EXCEPT the north 15 feet of said abandoned right-of-way within said Parcel B, all in West Newton Addition;
- Lots 41 & 42 in West Newton Addition; and
- Out Lot 10 of the Original Town Plat.

The following described areas in the SE ¼ of Section 28, Township 80 North, Range 19 West AND the NE ¼ of Section 33, Township 80 North, Range 19 West AND in the NW ¼ of Section 34, Township 80 North, Range 19 West:

- Lot 3 in Synergy Addition to Newton and the vacated South 3rd Avenue West right-of-way, EXCEPT a portion of the south half of Lot 4 of the Railroad Addition lying within said Lot 3 located southwest of the north line of Lot 11 of Synergy Addition to Newton extending westerly.

And all public or vacated rights-of-way and alleys adjacent to and part of the above referenced parcels EXCEPT:

- the full width of the North 2nd Avenue West right-of-way west of the centerline of West 4th Street North,
- the west half of the West 4th Street North right-of-way between the north line of the North 2nd Avenue West right-of-way and 1st Avenue West,

- the west half of the West 4th Street South right-of-way between 1st Avenue West and the south line of Lot 4 in Block 18 of the Newton Original Town Plat,
- the full width of the alley right-of-way running East and West between the centerline of West 4th Street South and the east line of Lots 5-6 in Block 19 of the Newton Original Town Plat,
- the south half of the South 2nd Avenue West right-of-way located south of Parcel "A" of Lots 7 & 8 AND the south 132 feet of the alley right-of-way in Block 19 of the Newton Original Town Plat,
- the full width of the alley right-of-way running East and West between the east line of the West 50 feet of Lots 7 & 8 in Block 19 of the Newton Original Town Plat and the centerline of West 2nd Street South,
- the west half of West 2nd Street South between the south line of Lot 4 in Block 20 of the Newton Original Town Plat and the centerline of South 2nd Avenue West,
- the south half of the South 2nd Avenue West right-of-way between the centerline of West 2nd Street South and the east line of the vacated South 132 feet of the alley right-of-way running North and South in Block 20 of the Newton Original Town Plat,
- the full width of the alley right-of-way running East and West between the east line of the vacated South 132 feet of the alley right-of-way running North and South in Block 20 of the Newton Original Town Plat and the centerline of East 2nd Street South,
- the west half of East 2nd Street South between the south line of Lot 4 in Block 22 of the Newton Original Town Plat and the centerline of South 2nd Avenue East,
- the south half of the South 2nd Avenue East right-of-way between the centerline of East 2nd Street South and the east line of the Lot 7 in Block 22 of the Newton Original Town Plat,
- the full width of the alley right-of-way running East and West between the east line of Lot 7 in Block 22 and the east line of Lot 7 of Out Lot 23 of the Newton Original Town Plat,
- the north half of the 1st Avenue East right-of-way between the east line of Lot 7 of Out Lot 23 and the east line of the West 65 feet of Lot 7 of Block 13 of the Newton Original Town Plat,
- the full width of the alley right-of-way running East and West between the east line of the West 65 feet of Lot 7 in Block 13 and the west line of Lot 2 in Block 15 of the Newton Original Town Plat,

- the south half of North 2nd Avenue East between the west line of Lot 2 in Block 15 of the Newton Original Town Plat and the centerline of East 2nd Street North,
- the east half of East 2nd Street North between the centerline of North 2nd Avenue East and the centerline of North 3rd Avenue East,
- the full width of the alley right-of-way running East and West between the centerline of East 2nd Street North and the east line of Lots C, D, and E in Block 10 of the Newton Original Town Plat,
- the full width of the West 3rd Street North right-of-way north of the north line of North 4th Avenue West right-of-way, and
- the full width of West 4th Street North north of the Iowa Interstate Railroad right-of-way.

With all the above-described areas lying within the City of Newton, Jasper County, Iowa.

("Reinvestment District"); and

WHEREAS, this Board hereby finds and determines that the Reinvestment District described in the Plan and above should be established pursuant to Iowa Code section 15J.4(4).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JASPER COUNTY, STATE OF IOWA:


Section 1. That the Newton Legacy Reinvestment District as described in the Plan and above is established as of April 1, 2023.

Section 2. That the IEDA Board identified October 1, 2024 as the Commencement Date for the Reinvestment District, as that term is defined in Iowa Code section 15J.2(2).

Section 3. That the detailed statement of the manner in which the approved projects to be undertaken in the Reinvestment District will be financed, as required by Iowa Code section 15J.4(4)(c), is set forth in Exhibit 1 attached hereto, and such statement includes but is not limited to the information required by Iowa Code section 15J.4(4)(b); and (ii) the financial information included in the Plan as required by Iowa Code section 15J.4(2)(d).

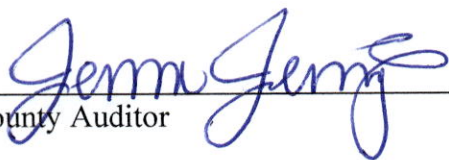
Section 4. That the Chairperson or County Auditor is hereby authorized, empowered and directed to submit this Ordinance, the Commencement Date, and the information required by Iowa Code 15J.4(4)(b) to the director of revenue within thirty (30) days form the date of this Ordinance, and the Chairperson or County Auditor is hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to establish the Reinvestment District.

PASSED AND APPROVED this 19th day of September, 2023.



Chairperson, Board of Supervisors

ATTEST:



County Auditor

Read First Time: 9:00 AM, 2023

Read Second Time: NA, 2023

Read Third Time: NA, 2023


PASSED AND APPROVED: September 19, 2023.

I, Jenna Jennings, County Auditor of Jasper County, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 74 passed and approved by the Board of Supervisors of the County at a meeting held September 19, 2023, signed by the Chairperson on September 19, 2023, and published in the:

Newton Daily News on September 26, 2023

Jasper County Tribune on September 28, 2023

Hometown Press on September 28, 2023



County Auditor, Jasper County, State of Iowa



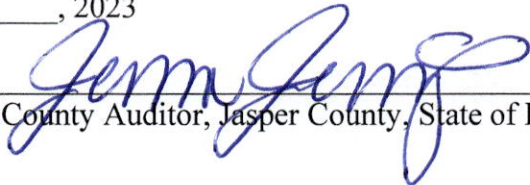
PASSED AND APPROVED: September 19, 2023.

I, Jenna Jennings, County Auditor of Jasper County, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. 74 passed and approved by the Board of Supervisors of the County at a meeting held September 19, 2023, signed by the Chairperson on September 19, 2023, and published in the:

Newton Daily News on October 13, 2023

Jasper County Tribune on October 19, 2023

Hometown Press on October 12, 2023



County Auditor, Jasper County, State of Iowa



Not Recorded w/ordinance # 74

EXHIBIT 1- DETAILED STATEMENT OF THE MANNER IN WHICH THE APPROVED PROJECTS TO BE UNDERTAKEN IN THE DISTRICT WILL BE FINANCED.

*The financial information required by Iowa Code section 15J.4(4)(b) available to the City as of the date of this Ordinance is as follows:

The quarterly amount of sales subject to the state sales tax from the most recently available twelve-month period preceding the establishment of the district for the new retail establishments under section 15J.2, subsection 9, paragraph "b", that were in operation before the establishment of the district is as follows:

Quarter Ending June 30, 2022	=	\$3,129,695
Quarter Ending September 30, 2022	=	\$3,055,959
Quarter Ending December 31, 2022	=	\$3,832,182
Quarter Ending March 31, 2023	=	\$2,982,518

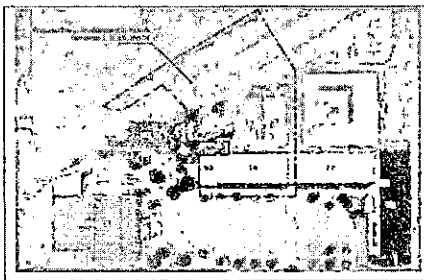
The quarterly amount of sales subject to the state hotel and motel tax from the most recently available twelve-month period preceding the establishment of the district for the new lessors under section 15J.2, subsection 8, paragraph "b", that were in operation before the establishment of the district is as follows:

Quarter Ending June 30, 2022	=	\$228,684
Quarter Ending September 30, 2022	=	\$298,942
Quarter Ending December 31, 2022	=	\$190,682
Quarter Ending March 31, 2023	=	\$157,273

**The financial information included in the Plan under section 15J.4, subsection 2, paragraph “d” is as follows:

Project #1 Summary – Christensen Development: Residential Adaptive Use

Use of Funds	Amount	Source of Funds	Amount
Building Acquisition	\$50,000	Historic State Tax Credits	\$3,400,958
Construction Hard Costs	\$12,522,300	Federal Historic Tax Credits	\$2,496,082
Construction Soft Costs	\$1,112,351	Workforce Housing Tax Credit	\$540,000
Site Costs	\$236,250	NVP IRA Fundraising	\$3,660,862
Financing Costs	\$517,420	Long Term Loan	\$5,203,718
Development Fee	\$863,299		
Total	\$15,301,620	Total	\$15,301,620

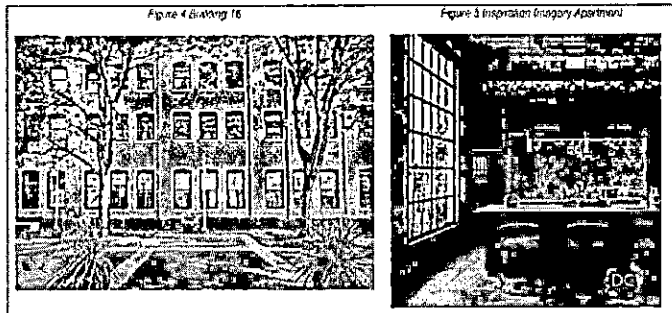


This project will re-purpose the historic 1900s Maytag building 16 into 72 new, market-rate apartments. Building 50 will be used as a mechanical space for building 16.

Catalyst Development Newton, LLC will enter into a purchase agreement with DMACC to purchase the four buildings. Christensen Development will purchase building 16 from Catalyst Development to complete this project. Construction work on building renovations and apartment construction will begin soon after the plan is

approved with an expected start date of October 2023, with an operational start date of October 1, 2024.

This project will not generate sales tax revenues in the district.

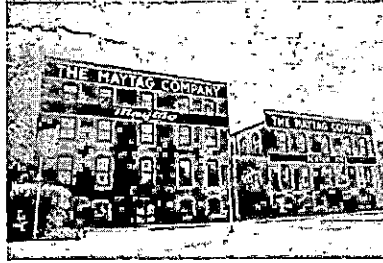
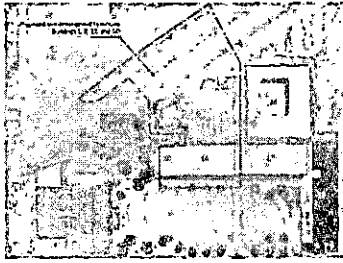


Project #2 Summary – Christensen Development: Hospitality Adaptive Reuse

Use of Funds	Amount	Source of Funds	Amount
Building Acquisition	\$50,000	NVP IRA Funds	\$3,660,862
Construction Hard Costs	\$9,146,150	Tax Increment Financing	\$1,265,000
Soft Costs	\$2,050,000	Loan on Hotel/Motel Tax	\$1,011,249
Furniture Fixtures Equipment	\$1,500,000	Historic Tax Credits	\$4,534,441
Opening & Working Capital	\$1,000,000	Investor cash & Deferred Development Fee	\$235,460
		Longterm debt	\$3,039,138
Total	\$13,746,150	Total	\$13,746,150

This project will re-purpose the historic 1900s Maytag buildings 1 and 2 into a 58-room boutique hotel with a lobby bar and restaurant. Christensen Development will enter into a purchase agreement with DMACC to purchase the four buildings. Catalyst Development Newton, LLC will operate the hotel and lease the event center in building 17 from DMACC. The project is expected to begin construction in October 2023 and be operational in October 2024.

Total sales and hotel/motel tax projections over 20 years total \$3,931,257, of which \$2,633,739 is eligible under the Reinvestment District Program.



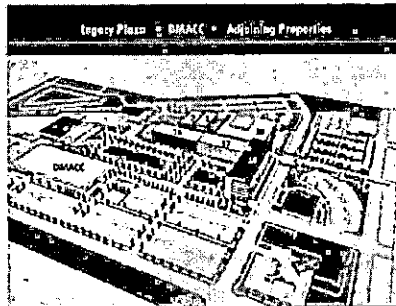
Project #3 Summary – DMACC: Legacy Plaza Infrastructure, Legacy Ballroom, and Retail Build Out

Use of Funds	Amount	Source of Funds	Amount
Building 17 Level 1	\$742,203	DMACC	\$7,712,557
Building 17 Level 4	\$1,322,640	Reinvestment District	\$1,825,000
Improvements Building 1	\$1,059,184		
Improvements Building 2	\$3,192,243		
Improvements Bldgs 13, 16, 20, & 82	\$3,221,287		
Total	\$9,537,557	Total	\$9,537,557

A portion of the original Maytag campus was repurposed to become the DMACC Newton Campus in 1993, which has provided post-secondary educational opportunities to residents for over 25 years. In August of 2020, all of the buildings at Legacy Plaza were damaged by the derecho storm, some severely. Since August 2020, these repairs have been underway, include rebuilding several collapsed walls, securing materials to match the historic period of the buildings, and replacing five roofs on the campus.

This project includes the development of Legacy Plaza in the following ways:

DMACC will work with start-up, Gezellig Brewing Company to expand their manufacturing space with a buildout of new brewing space in Building 17. The plan is to attract a craft beer pub to the former brewing space once Gezellig moves into their new manufacturing space. DMACC will also transform the former executive suites of the Maytag Corporation into a new event space called Legacy Ballroom. The space will be stripped down to its original materials with an exposed ceiling and exposed brick walls to create a unique event space. The event space will then be leased by Catalyst Development to be operated and managed in conjunction with the hotel.



Total sales tax projections over 20 years total \$2,721,055, of which \$1,554,889 is eligible under the Reinvestment District Program.

Project #4 Summary – DMACC Legacy Commons, Legacy Greenspace, and High Demand Academic Program Expansion

Use of Funds	Amount	Source of Funds	Amount
Building 18 - Level 1	\$653,979	DMACC	\$3,766,238
Courtyard	\$1,480,527	Private Fundraising	\$4,040,000
Greenspace	\$4,021,991		
Academic Expansion	\$1,649,741		
Total	\$7,806,238	Total	\$7,806,238

This project will include the development of retail space finished in Maytag building 18. A co-op marketplace (indoor artisan/farmers market) will allow micro enterprises small, affordable spaces from which to sell their products.

This project will also include a courtyard featuring permanent food "trucks" and retail kiosks constructed from rail storage containers. These containers will be rented out to food/beverage/retail entrepreneurs to provide additional food options. Other improvements will include outdoor seating, fire pits, public art/sculptures, and trellises to make the space appealing through all seasons. The courtyard will include an open-air walking history exhibit using new media forms to tell the story of entrepreneurship in Newton, including the story of F.L.

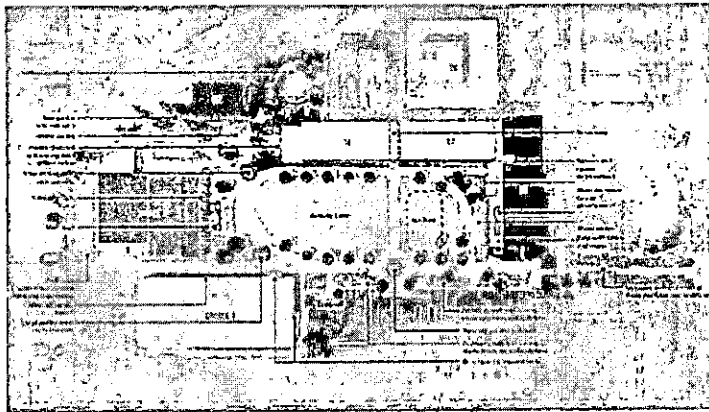
Maytag. A bike repair stand will be located on the east end of the courtyard to encourage bikers to make Legacy Plaza a destination. Funding has been identified to purchase and install a Zero Emission Vehicle Supply Type 2 recharging station at the Plaza, the first in Jasper County.

The historic Legacy Plaza campus includes an expansive 5 acres of greenspace. This project includes the development of Legacy Greenspace to include a central art sculpture, shade structures, landscaping, an open activity lawn, a six-story mural, and an ice rink. The academic building will be updated with a new entrance and floor-to-ceiling windows to connect the interior with the green space. An intentional connection with paved sidewalk and attractive landscaping will support the movement of students between the academic portion of their studies and work-based learning opportunities with tenants of Legacy Plaza and the connection between Legacy Commons and Downtown Newton.



Lastly, this project will include high-demand Academic Programming Expansion. This project includes growth in Cyber Security and Applied Engineering programming. The High-demand Project by DMACC includes the build-out of computer labs and equipment for both new academic programs, plus the remodel and refitting of an existing auto tech lab. Additional improvements to the campus library and academic learning center will further support the success of students at the campus.

Total sales tax projections over 20 years total \$3,564,001, of which \$2,036,572 is eligible under the Reinvestment District Program.

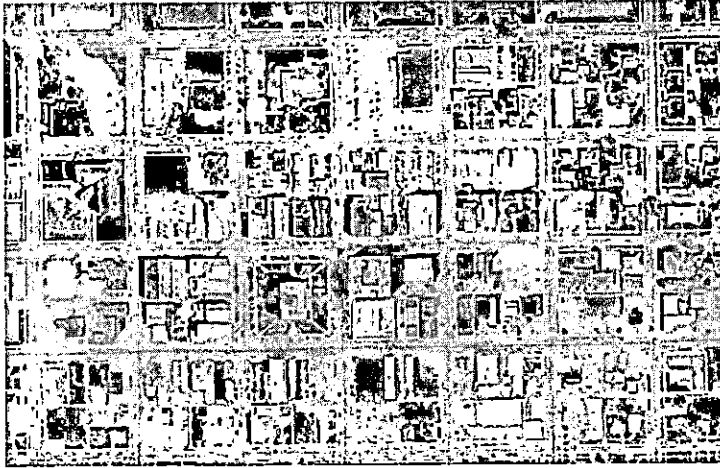


Project #5 Summary – City of Newton: Resiliency Zone

Use of Funds	Amount	Source of Funds	Amount
Downtown Improvement Grants	\$300,000	TIF	\$740,000
Newton Downtown Community Gathering Place Park	\$500,000	Other funds	\$340,000
Vacancies Initiative Tax Rebates	\$50,000	Main Street Community Gathering	\$400,000
Downtown Infrastructure	\$630,000		
Total	\$1,480,000	Total	\$1,480,000

The Resiliency Zone is an important civic area because it serves as a gathering place, employment center, and location for growth opportunities for the city. This project includes multiple components. The first is the Vacant Building Initiative. Filling vacancies in The Resiliency Zone is a high-priority goal for the city. The city proposes to be intentional about filling and improving vacant buildings by utilizing TIF incentives, such as tax rebates or forgivable loans. The city currently has 20 vacancies and estimates approximately 105,000 square feet in vacant retail space or under-utilized upper stories in the Resiliency Zone. Figure below shows these properties highlighted in yellow.

Figure 20 Identified Vacancies

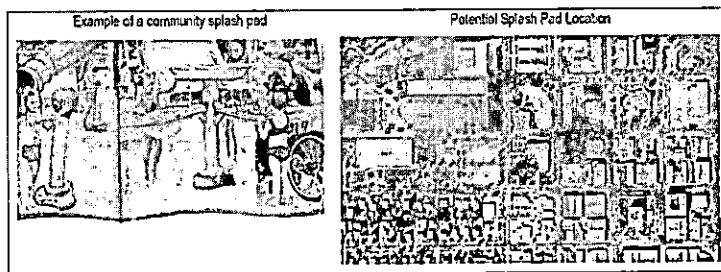


Another component of this project is the Downtown Community Gathering Place Park. Out of the Newton Main Street program, a group of volunteers emerged with the desire to establish a centrally located splash pad. A city-owned parcel, located at the intersection of North 3rd Avenue West and West 3rd Street North has been identified as an ideal site for the splash pad feature. A splash pad or interactive water feature will serve as the central focus in the quarter-block green space, but the community gathering space will also feature seating, functional art, an edible landscape, and shade structures.

In addition, the city has been incrementally constructing a hike and bike loop around the perimeter of the city. The loop is 3/4 of the way complete with funding identified to complete the loop in 2022. This project proposes a connector into and across Legacy Plaza, leading into the historic downtown. The city also plans to complete several significant infrastructure projects. These investments will

include street reconstruction and overlay projects, as well as streetscape lighting and LED conversion projects.

Total sales tax projections over 20 years total \$23,843,307, of which \$13,624,747 is eligible under the Reinvestment District Program.



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