

RESOLUTION NO. 23-08-A

RESOLUTION NUNC PRO TUNC CORRECTING AND AMENDING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF THE LEGACY PLAZA URBAN RENEWAL AREA IN THE URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 23-08 adopted February 7, 2023 (the "Authorizing Resolution"), this Board adopted the Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Legacy Plaza Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein; and

WHEREAS, the Plan contained a scrivener's error in the legal description of the property included in the Urban Renewal Area; and

WHEREAS, the Board has determined to adopt this resolution nunc pro tunc, correcting the scrivener's error for the legal description of the Urban Renewal Area.

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

Section 1. That the legal description for the Urban Renewal Area contained in the Urban Renewal Plan approved and adopted by the Authorizing Resolution on February 7, 2023, is hereby corrected, nunc pro tunc, and the following legal description shall be substituted as Exhibit A to the Plan and shall constitute the legal description of the Urban Renewal Area:

PARCEL "B" LOCATED ENTIRELY WITHIN LOT 3 OF SYNERGY ADDITION, CITY OF NEWTON, JASPER COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "A" AND RECORDED IN INSTRUMENT NO. 2010-00002900 IN THE OFFICE OF THE RECORDER, JASPER COUNTY, IOWA, SAID POINT ALSO BEING A SOUTHWESTERLY CORNER LOT 3 OF SYNERGY ADDITION AND RECORDED IN INSTRUMENT NO. 2007-00000939 IN THE OFFICE OF THE RECORDER, CITY OF NEWTON, JASPER COUNTY, IOWA; THENCE, N0°26'16"W 24.96' ALONG A EAST LINE OF SAID PARCEL "A" TO THE POINT OF BEGINNING; THENCE, CONTINUING N0°26'16"W 74.04' ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE, S89°16'12"W 8.41' ALONG THE NORTH LINE OF SAID PARCEL "A"; THENCE, N0°12'40"W 133.18'; THENCE, NORTHEASTERLY 46.43' ALONG THE ARC OF A 42.61' RADIUS CURVE, CONCAVE SOUTHEASTERLY AND HAVING A CHORD BEARING OF N31°00'17"E AND A CHORD DISTANCE OF 44.17'; THENCE, N64°19'56"W 41.57'; THENCE, N66°41'11"W 38.34'; THENCE, N52°33'20"W 26.16'; THENCE, S60°21'34"W 116.37'; THENCE, N30°22'22"W 15.35'; THENCE,

NORTHWESTERLY 7.39' ALONG THE ARC OF A 5.00' RADIUS CURVE, CONCAVE SOUTHWESTERLY AND HAVING A CHORD BEARING OF N72°42'43"W AND A CHORD DISTANCE OF 6.74', THENCE, WESTERLY 75.56' ALONG THE ARC OF A 86.71' RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CHORD BEARING OF N88°42'09"W AND A CHORD DISTANCE OF 73.19' TO THE NORTHERLY LINE OF SAID LOT 3; THENCE, NORTHEASTERLY 32.12' ALONG THE ARC OF A 2844.82' RADIUS CURVE, CONCAVE SOUTHEASTERLY AND HAVING A CHORD BEARING OF N54°32'26"E AND A CHORD DISTANCE OF 32.12', ALONG THE NORTHERLY LINE OF SAID LOT 3; THENCE, NORTHEASTERLY 52.46' ALONG THE ARC OF A 50.12' RADIUS CURVE, CONCAVE NORTHWESTERLY AND HAVING A CHORD BEARING OF N77°39'39"E AND A CHORD DISTANCE OF 50.09'; THENCE, NORTHERLY 6.66' ALONG THE ARC OF A 5.00' RADIUS CURVE, CONCAVE WESTERLY AND HAVING A CHORD BEARING OF N9°27'48"E AND A CHORD DISTANCE OF 6.18'; THENCE, N28°42'58"W 11.63'; THENCE, N55°14'48"E 28.10'; THENCE N60°02'31"E 96.48'; THENCE, N59°50'55"E 108.39'; THENCE, N59°46'03"E 124.41'; THENCE, N60°04'29"E 66.76'; THENCE, S28°08'21"E 20.11'; THENCE, N60°06'49"E 60.70'; THENCE, S30°32'25"E 178.03'; THENCE, S0°24'47"E 273.82'; THENCE, S89°35'13"W 12.58'; THENCE, S0°12'46"E 94.97'; THENCE, S89°16'29"W 309.98' TO THE POINT OF BEGINNING, CONTAINING 3.90 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Section 2. That the findings and conclusions set forth or contained in the Plan and the Authorizing Resolution concerning the area of Jasper County, State of Iowa, that comprises the Urban Renewal Area, as corrected hereby, be and the same are hereby ratified and confirmed in all respects as the findings of this Board for this Area.

Section 3. That all other provisions of the Authorizing Resolution and the Urban Renewal Plan not affected or otherwise revised by this resolution, be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 14<sup>th</sup> day of February, 2023.

  
Chairperson, Board of Supervisors

*Vice Chair*

ATTEST:

  
County Auditor

February 14, 2023

The Board of Supervisors of Jasper County, State of Iowa, met in regular session, in the Supervisors Room, County Courthouse, 101 1st Street N, Newton, Iowa, at 9:30 A.M., on the above date. There were present Chairperson Cupples, in the chair, and the following named Board Members:

Denny Stevenson ; Brandon Talsma

Absent: N/A

Vacant: N/A

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Board Member Stevenson then introduced the following Resolution entitled "RESOLUTION NUNC PRO TUNC CORRECTING AND AMENDING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF THE LEGACY PLAZA URBAN RENEWAL AREA IN THE URBAN RENEWAL PLAN" and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at this place.

Board Member Talsma seconded the motion. The roll was called, and the vote was:

AYES: /// (3)

NAYS: ∅

Whereupon, the Chairperson declared the measure duly adopted.