

Instrument # 2105286
JEROME COUNTY, JEROME, IDAHO
12-8-2010 03:02:18 No. of Pages: 92
Recorded for : JEROME COUNTY COMMISSIONERS
MICHELLE EMERSON Fee: 0.00
Ex-Officio Recorder Deputy J. Wilson

ORDINANCE NO. 2010-12

BY THE COMMISSION:

ROEMER, DAVIDSON,
HOWELL

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO (APPROVING THE AMENDED AND RESTATED JEROME COUNTY URBAN RENEWAL PLAN FOR THE CROSSROADS URBAN RENEWAL PROJECT) WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS, WAIVING THE READING RULES; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Instrument # 2105512 *Re Record*
JEROME COUNTY, JEROME, IDAHO
12-21-2010 01:25:40 No. of Pages: 92
Recorded for : JEROME COUNTY COMMISSIONERS
MICHELLE EMERSON Fee: 0.00
Ex-Officio Recorder Deputy J. Wilson

WHEREAS, the Board of County Commissioners on April 28, 2008, appointed five members to the Board of Commissioners of the Jerome County Urban Renewal Agency (the "Agency") thus creating the Agency;

WHEREAS, on or about October 21, 2008, by Board of County Commissioners Resolution No. 2008-38, the Chairman and Board of County Commissioners of Jerome County authorized the Agency to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended (the "Law"), and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (the "Act"), finding one or more areas within the county of Jerome to be "deteriorated" or "deteriorating" as defined by Idaho Code Sections 50-2018(9) and 50-2903(8), finding one such area to include the 93 Corridor Tech Park Subdivision and Phase 1 and 2 of the Crossroads Point development, making additional findings regarding the characteristics of the area, and making the necessary findings as required by Idaho Code Section 50-2008(a);

WHEREAS, the County Commissioners of the county of Jerome, Idaho (hereinafter the "County Commissioners"), after notice duly published, conducted a public hearing on the Jerome County Crossroads Urban Renewal Project pursuant to the Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the "Plan") to redevelop a portion of Jerome County (hereinafter the "County"), pursuant to the Law and the Act;

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance No. 2008-10 on December 17, 2008, approving the Plan and making certain findings;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area

ORDINANCE 2010-12-1

to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the Agency had certain discussions concerning examination of an area adjacent to the Plan area for an expansion of the original urban renewal and revenue allocation area;

WHEREAS, the Agency Board determined Agency consultant should prepare a report on the eligibility of the proposed additional plan area;

WHEREAS, it has become apparent that additional property within the County may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

WHEREAS, the Agency, in March 2010, requested Harlan W. Mann, Real Estate Consultant ("Consultant"), review an area adjacent to the original plan area and prepare an eligibility report for the area;

WHEREAS, the Agency obtained the Crossroads Point, Phase 1 Urban Renewal Eligibility Report, as Amended (the "Amended Report"), dated March 18, 2010, which examined an area adjacent to the original plan area, for the purposes of determining whether such areas are deteriorating or deteriorated areas as defined by Idaho Code, Sections 50-2018(9) and 50-2903(8), thus making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Agency to prepare an amended and restated urban renewal plan;

WHEREAS, the Agency approved the Amended Report by way of Resolution No. 10-02 at the March 19, meeting of the Agency Board;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must made a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the County Commissioners considered the steps set forth by the Act and Law, accepting the Report finding the area set forth therein to be "deteriorated" or "deteriorating" areas as defined by Idaho Code Sections 50-2018(9), and 50-2903(8)(b) declaring such area as an 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 Agency to prepare an urban renewal plan;

WHEREAS, at its May 11, 2010, meeting the County Commissioners considered the Amended Report for designation of an urban renewal area;

WHEREAS, by approval of County Commissioners Resolution No. 2010-15, the County Commissioners directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, the Legislature of the State of Idaho enacted the Act, authorizing urban renewal agencies, including the Urban Renewal Agency of Jerome County, 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, Agency consultant and Agency counsel have undertaken the planning process during 2010;

WHEREAS, the Agency has prepared a proposed Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the "Amended Plan") and the urban renewal area referred to as the "Crossroads Urban Renewal Project Area (the "Amended Project Area") for the areas designated as eligible for urban renewal planning;

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

WHEREAS, the Amended Plan updates certain provisions and financial information from the prior version of the Plan adopted in 2008, the addition of property, changes in the Law and Act since 2008, and provides a projection concerning remaining improvements, projected expenses, and anticipated revenues through 2021;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several Board meetings during 2010;

WHEREAS, on August 26, 2010, the Agency Board passed Resolution No. 10-03 approving the Amended Plan;

WHEREAS, after the Agency Board approved the Amended Plan by Resolution No. 10-03, technical changes to the Amended Plan were deemed necessary;

WHEREAS, on October 7, 2010, the Agency Board passed Resolution No. 10-04, approving the Amended Plan containing the technical amendments.

WHEREAS, the Agency has, by letter of transmittal submitted the Amended Plan to the Chairman and County Commissioners of Jerome County;

WHEREAS, the Chairman and County Commissioners have taken the necessary action to process the Amended Plan;

WHEREAS, at its meeting held November 29, 2010, the Jerome County Planning and Zoning Commission considered the Amended Plan, and the Planning and Zoning Commission found that the Amended Plan is in all respects in conformity with the Comprehensive Land Use Plan; a copy of the Recommendation to the County Commissioners setting forth the Planning and Zoning Commission's findings is attached hereto as Exhibit 1;

WHEREAS, notice of the public hearing of the Amended Plan was caused to be published by the Jerome County Clerk of Jerome County, Idaho, in the *Times-News* on November 5, and 19, 2010, a copy of said notice being attached hereto as Exhibit 2;

WHEREAS, as of November 5, 2010, the Amended Plan was submitted to the affected taxing entities, available to the public, and under consideration by the County Commissioners;

WHEREAS, since the submission of the Amended Plan by the Agency to the County, the Agency has received the updated formal legal description of the area added by the amendment and the overall legal description (the "Legal Description"), a copy of which is attached hereto as Exhibit 3, and which will be inserted as Attachment No. 2 to the Amended Plan.

WHEREAS, as required by Idaho Code Sections 50-2905 and 50-2906, the Amended Plan contains the following information which was made available to the general public and all taxing districts at least thirty (30) days prior to the December 6, 2010, meeting of the County Commissioners: (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, the Amended Plan authorizes certain projects to be financed by revenue allocation bonds and proceeds from revenue allocation;

WHEREAS, appropriate notice of the Amended Plan and revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Section 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of Jerome County, Idaho, to adopt the Amended Plan, including revenue allocation financing provisions since revenue allocation will help finance urban renewal projects to be completed in accordance with the Amended Plan (as now or hereafter amended), in order to: encourage private development in the urban renewal area, as amended; prevent and arrest decay of Jerome County, Idaho, due to the inability of existing financing methods to provide needed public improvements; encourage taxing districts to cooperate in the allocation of future tax revenues arising in the urban renewal

area, as amended, in order to facilitate the long-term growth of their common tax base; encourage private investment within Jerome County, Idaho; and to further the public purposes of the Agency;

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

WHEREAS, under the Law and Act any such Amended Plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are 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 may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, under the Law, specifically Section 50-2018(9), a deteriorating area may not include an agricultural operation as defined in Idaho Code Section 22-4502(1) absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, based upon information provided to the Agency by property owners and others, such consent is not required as the Amended Project Area has not been used for agricultural operations for three (3) consecutive years;

WHEREAS, the overall base assessment roll for the revenue allocation area cannot exceed ten percent (10%) of the Base Assessment Value of the county of Jerome;

WHEREAS, the County Commissioners at its meeting held on December 6, 2010, considered the Amended Plan as proposed and made certain comprehensive findings.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: It is hereby found and determined that:

(a) The Amended Project Area as defined in the Amended Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.

(b) The rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the Amended Plan are necessary in the interests of public health, safety, and welfare of the residents of the County.

(c) There continues to be a need for the Agency to function in the County.

(d) The Amended Plan conforms to the Comprehensive Land Use Plan of the County.

(e) The Amended Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Amended Plan and the need for overall public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the Amended Plan.

(f) The Amended Plan affords maximum opportunity consistent with the sound needs of the County as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

(g) The Amended Plan provides a feasible method for relocation of any displaced families residing within the urban renewal area.

(h) The Amended Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Jerome County Comprehensive Land Use Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the County.

(i) The collective base assessment roll of the Amended Project Area does not exceed ten percent (10%) of the assessed value of the County.

(j) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code Section 50-2018(9), does not include any agricultural operation which has been used within the past three (3) consecutive years.

SECTION 2: The County Commissioners finds that the Amended Project Area and Revenue Allocation Area may contain certain open land, but the Agency does not intend to acquire any open land on any widespread basis, and that the Amended Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the County Commissioners finds that if portions of the Amended Project Area and Revenue Allocation Area are deemed "open land," the criteria set forth in the Law and Act has been met.

SECTION 3: The County Commissioners find that one of the Amended Plan objectives to increase the mixed use development opportunity meets the sound needs of the County and will provide opportunities in an area that does not now contain such opportunities, and nonresidential uses are necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Jerome County Comprehensive Land Use Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 4: The Amended Plan, a copy of which is attached hereto and marked as Exhibit 4 and made a part hereof by attachments, be and the same hereby is approved, along with the Legal Description attached hereto as Exhibit 3. As directed by the County Commissioners, the County Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the December 6, 2010, hearing, and incorporate changes or modifications, if any.

SECTION 5: No direct or collateral action challenging the Amended Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Amended Plan.

SECTION 6: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Jerome County and to the appropriate officials of Jerome County, Jerome Fire District, School District No. 261, Jerome County Ambulance, Jerome Highway District, Jerome Recreation District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Revenue Allocation Area.

SECTION 7: The County Commissioners hereby find and declares that the Revenue Allocation Area as defined in the Amended Plan (defined as the Amended Project Area in the Amended Plan), the equalized assessed valuation of which the County Commissioners hereby

determine is in and is part of the Amended Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Amended Plan.

SECTION 8: The County Commissioners hereby approve and adopt the following policy statement relating to the appointment of County Commissioners members as members of the Agency's Board of Commissioners: If any County Commissioners members are appointed to the Agency Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the County Commissioners, are exercising their independent judgment as private citizens when they sit on the Agency Board. Except for the powers to appoint and terminate Agency Board members and to adopt the Amended Plan, the County Commissioners recognize that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds are outstanding, the County Commissioners shall not exercise its power under Idaho Code Section 50-2006 to designate itself as the Agency Board.

SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2010, to the extent permitted by the Act.

SECTION 11: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 12: One-half, plus one of the County Commissioners members finding good cause, the County Commissioners hereby dispense with the rule that this Ordinance be read on three different days, and have hereby adopted this Ordinance, having considered it at one reading.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 5, is hereby approved.

SECTION 14: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 15: SAVINGS CLAUSE: This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

PASSED by the County Commissioners of Jerome County, Idaho, on this 6th day of December 2010.

APPROVED by the Chairman of the County Commissioners of Jerome County, Idaho, on this 6th day of December 2010.

Catherine M. Roemer
Catherine Roemer, Chairman



ATTEST:

Michelle Emerson
Michelle Emerson, County Clerk



Exhibit 1

PLANNING AND ZONING COMMISSION RECOMMENDATION
FINDING THE AMENDED PLAN IN CONFORMITY WITH
COMPREHENSIVE LAND USE PLAN

**RESOLUTION OF THE JEROME COUNTY
PLANNING AND ZONING COMMISSION
RELATING TO THE AMENDED AND RESTATED JEROME COUNTY
CROSSROADS URBAN RENEWAL PROJECT URBAN RENEWAL PLAN
FOR THE COUNTY OF JEROME**

WHEREAS, the Jerome County Urban Renewal Agency (hereinafter "Agency"), has submitted a proposed urban renewal plan entitled "Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan" (the "Plan") to the County of Jerome, and the County Commissioners, through the Chairman of the Board of County Commissioners, referred the Plan to the Jerome County Planning and Zoning Commission for review and recommendations concerning the conformity of said Plan with the Comprehensive Plan known as the Jerome County Comprehensive Plan;

WHEREAS, the staff of the Jerome County Planning and Zoning Commission has reviewed said Plan and has determined that it is in all respects in conformity with the County Comprehensive Plan;

WHEREAS, the Jerome County Planning and Zoning Commission met on November 29, 2010, to consider the Plan;

WHEREAS, the Jerome County Planning and Zoning Commission has reviewed said Plan in view of the Comprehensive Plan.

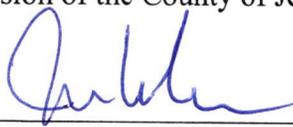
NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE COUNTY OF JEROME, IDAHO:

Section 1. That the Plan, submitted by the Jerome County Urban Renewal Agency and referred to this Commission by the County Commissioners for review, is in all respects in conformity with the County Comprehensive General Plan.

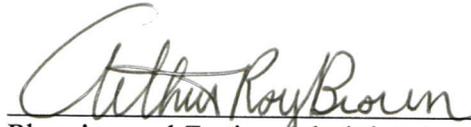
Section 2. That the Director of the Planning and Zoning Division be and hereby is authorized and directed to provide the Jerome County Commissioners with a certified copy of this Resolution relating to said Plan.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Planning and Zoning Commission of the County of Jerome, Idaho, this 29th day of NOVEMBER 2010.



Chairman, Planning and Zoning Commission



Planning and Zoning Administrator

**REVISED
PROPERTY DESCRIPTION
FOR
JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT**

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 10, THE NORTH 1/2 OF SECTION 15 AND THE NORTH 1/2 OF SECTION 16 ALL IN T.9 S., R. 17 E., B.M. JEROME COUNTY, IDAHO GENERALLY DESCRIBED AS THE CROSSROADS POINT BUSINESS CENTER PUD PHASE 1 SUBDIVISIONS AND THE UNDEVELOPED PHASE 2 PROPERTY ADJACENT TO AND WEST OF SAID PHASE 1 PLAT AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, T.9 S., R. 17 E., B.M. ON A BEARING OF NORTH 89° 23' 33" WEST A DISTANCE 363.72 FEET ALONG THE SOUTHERLY BOUNDARY OF SECTION 10 TO THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 AND THE **REAL POINT OF BEGINNING**;

THENCE FROM THIS **REAL POINT OF BEGINNING** AND ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 IDAHO TRANSPORTATION DEPARTMENT (ITD) PROJECT F2391 ON A BEARING NORTH 7° 38' 16" EAST A DISTANCE OF 612.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE CONTINUING ALONG SAID CURVE AND THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 HAVING A RADIUS OF 11,309.16 FEET, A CENTRAL ANGLE OF 8° 24' 44", AN ARC LENGTH OF 1660.42 FEET, A TANGENT LENGTH OF 831.71 FEET AND A LONG CHORD OF 1658.93 FEET ON A BEARING OF NORTH 3° 26' 01" EAST;

THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 0° 49' 52" WEST A DISTANCE OF 375.20 FEET TO THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10

THENCE ALONG THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10 ON A BEARING OF NORTH 89° 22' 56" WEST A DISTANCE OF 3740.78 FEET;

THENCE ON A BEARING OF SOUTH 0° 30' 00" WEST A DISTANCE OF 422.83 FEET;

THENCE ON A BEARING OF SOUTH 82° 16' 00" WEST A DISTANCE OF 1339.20 FEET TO THE WEST BOUNDARY OF SECTION 10;

THENCE ALONG THE WEST BOUNDARY OF SECTION 10 ON A BEARING OF SOUTH 0° 56' 53" EAST A DISTANCE OF 2023.91 FEET TO THE SECTION CORNER COMMON TO SECTIONS 9, 10, 15 AND 16;

THENCE FROM SAID SECTION CORNER AND ALONG THE NORTH BOUNDARY OF SECTION 16 ON A BEARING OF SOUTH 89° 43' 07" WEST A DISTANCE OF 2038.50 FEET TO THE NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164;

THENCE ALONG NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164 THE FOLLOWING COURSES:

SOUTH 61° 36' 38" EAST A DISTANCE OF 129.40 FEET;
SOUTH 63° 43' 35" EAST A DISTANCE OF 487.74 FEET;
SOUTH 64° 28' 10" EAST A DISTANCE OF 3903.75 FEET;
NORTH 88° 12' 24" EAST A DISTANCE OF 1013.02 FEET;
NORTH 61° 31' 50" EAST A DISTANCE OF 991.65 FEET;
NORTH 0° 00' 16" EAST A DISTANCE OF 103.73 FEET;
SOUTH 89° 23' 19" EAST A DISTANCE OF 463.69 FEET;

NORTH 50° 23' 50" EAST A DISTANCE OF 368.90 FEET TO THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 12° 35' 15" EAST A DISTANCE OF 577.09 FEET;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 7° 38' 16" EAST A DISTANCE OF 521.42 FEET TO THE **REAL POINT OF BEGINNING**.

EXCLUDING THE FOLLOWING BLOCK AND LOTS AS SHOWN ON THE CROSS ROADS POINT BUSINESS CENTER PUD PHASE 1 PLATS AS RECORDED IN THE OFFICE OF THE RECORDER FOR JEROME COUNTY.

BLOCK 1, LOTS 4, 8, 9, 13, 14 AND 15;

BLOCK 2, LOTS 1 AND 2;

BLOCK 3, LOTS 2, 3 AND 4;

BLOCK 8, LOTS 9, 11, 12 AND 13;

BLOCK 14, LOTS 5 AND 6;

BLOCK 15, LOTS 1 THROUGH 3;

BLOCK 16, LOTS 3 THROUGH 5 AND

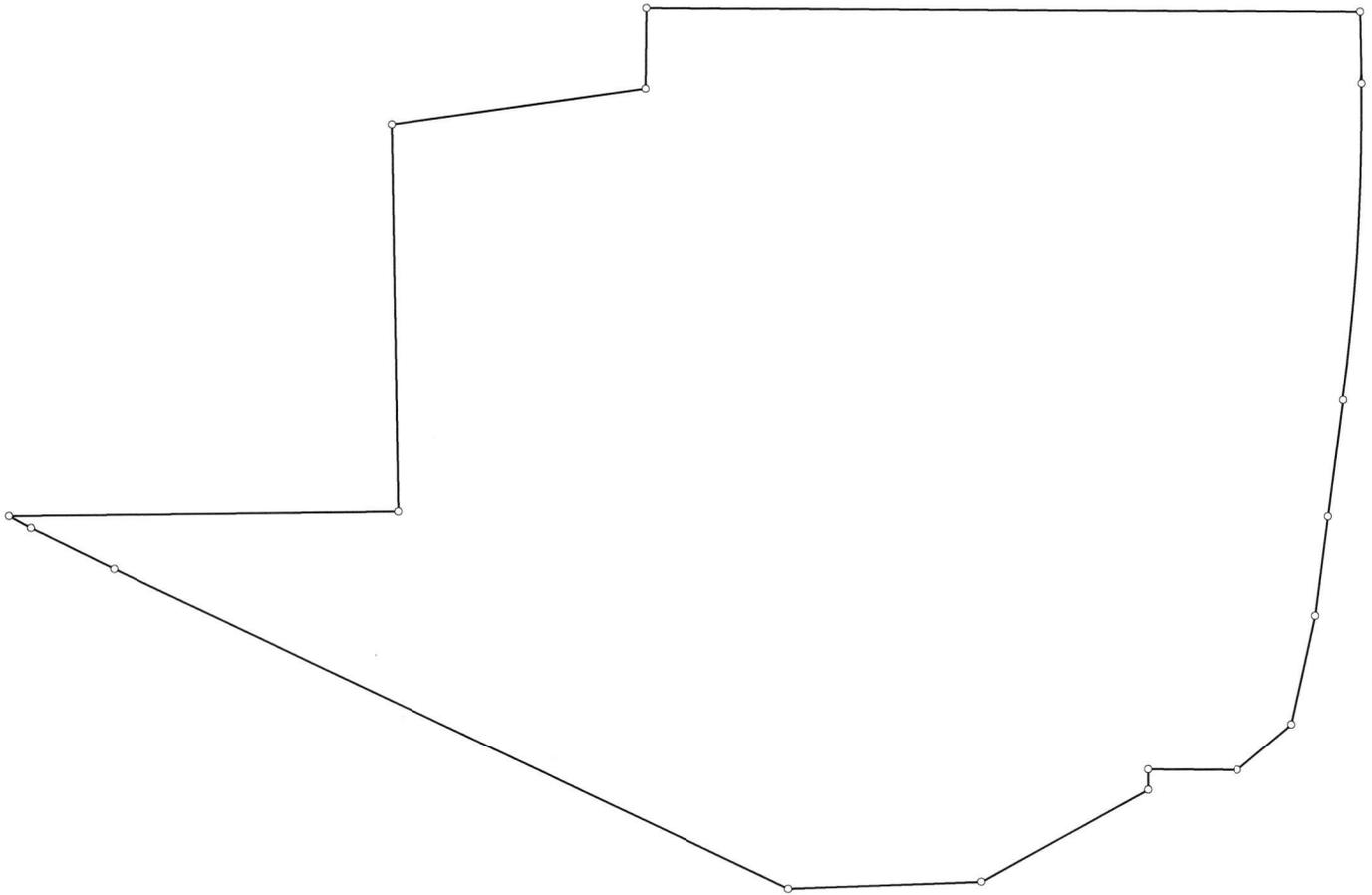
BLOCK 17, LOTS 8 THROUGH 10.

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT BUSINESS CENTER PUD #2

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT BUSINESS CENTER PUD #1

THE ABOVE DESCRIBED PARCEL CONTAINS A GROSS AREA OF 483.14 ACRES MORE OR LESS AND NET AREA OF 432.14 ACRES MORE OR LESS WITHOUT THE EXCLUSION AREAS LISTED ABOVE.

REVISED NOVEMBER 23, 2010



Title:		Date: 11-24-2010
Scale: 1 inch = 1000 feet	File:	
Tract 1: 483.138 Acres: 21045475 Sq Feet: Closure = s65.1147w 0.01 Feet: Precision >1/999999: Perimeter = 20773 Feet		
001=n07.3816e 612.20	008=s89.4307w 2038.50	015=s89.2319e 463.69
002: Lt, R=11309.16 Bng=n03.2601e, Chd=1658.93	009=s61.3638e 129.40	016=n50.2350e 368.90
003=n0.4952w 375.20	010=s63.4335e 487.74	017=n12.3515e 577.09
004=n89.2256w 3740.78	011=s64.2810e 3903.75	018=n07.3816e 521.42
005=s0.3000w 422.83	012=n88.1224e 1013.02	
006=s82.1600w 1339.20	013=n61.3150e 991.65	
007=s0.5653e 2023.91	014=n0.0016e 103.73	

Exhibit 2

NOTICE PUBLISHED IN THE *TIMES-NEWS*

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two ~~consecutive~~ weeks, commencing with the issue dated 5th day of November, 2010 and ending with the issue dated 19th day of November, 2010

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

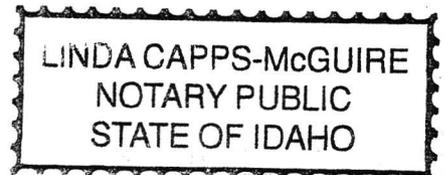
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 19th day of November, 2010, before me,

a Notary Public, personally appeared Ruby Aufdeheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commision expires: 5-19-15



received
11-29-2010
me

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE COUNTY COMMISSIONERS OF THE COUNTY OF JEROME TO CONSIDER THE AMENDED AND RESTATED JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT URBAN RENEWAL PLAN OF THE JEROME COUNTY URBAN RENEWAL AGENCY OF THE COUNTY OF JEROME

NOTICE IS HEREBY GIVEN that the County Commissioners of the County of Jerome will hold during its regular meeting, a public hearing in County Commissioner Chambers, 300 N. Lincoln, Room 300, Jerome, Idaho, 83338 on December 6, 2010, at 9:30 a.m., to consider the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan ("Plan"), of the Jerome County Urban Renewal Agency. The boundaries of the Plan Area are hereinafter described. The boundaries include both urban renewal and revenue allocation areas. The Plan proposes that the Jerome County Urban Renewal Agency (the "Agency") undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965, as amended. The Plan proposes to create an urban renewal area commonly referred to as the Amended and Restated Jerome County Crossroads Urban Renewal Project Area. The Plan being considered for adoption contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll, as of January 2008, and the additional area base assessment roll, as of January 2010, to be allocated to the Agency for urban renewal purposes, subject to certain exceptions as allowed by Idaho Code, Section 50-2908. The boundaries of the revenue allocation area are co-terminus with the urban renewal area. The Agency has adopted and recommended approval of the Plan. The County Commissioners will also be considering a final reading of an Ordinance to adopt the Plan.

The general scope and objectives of the Plan are:

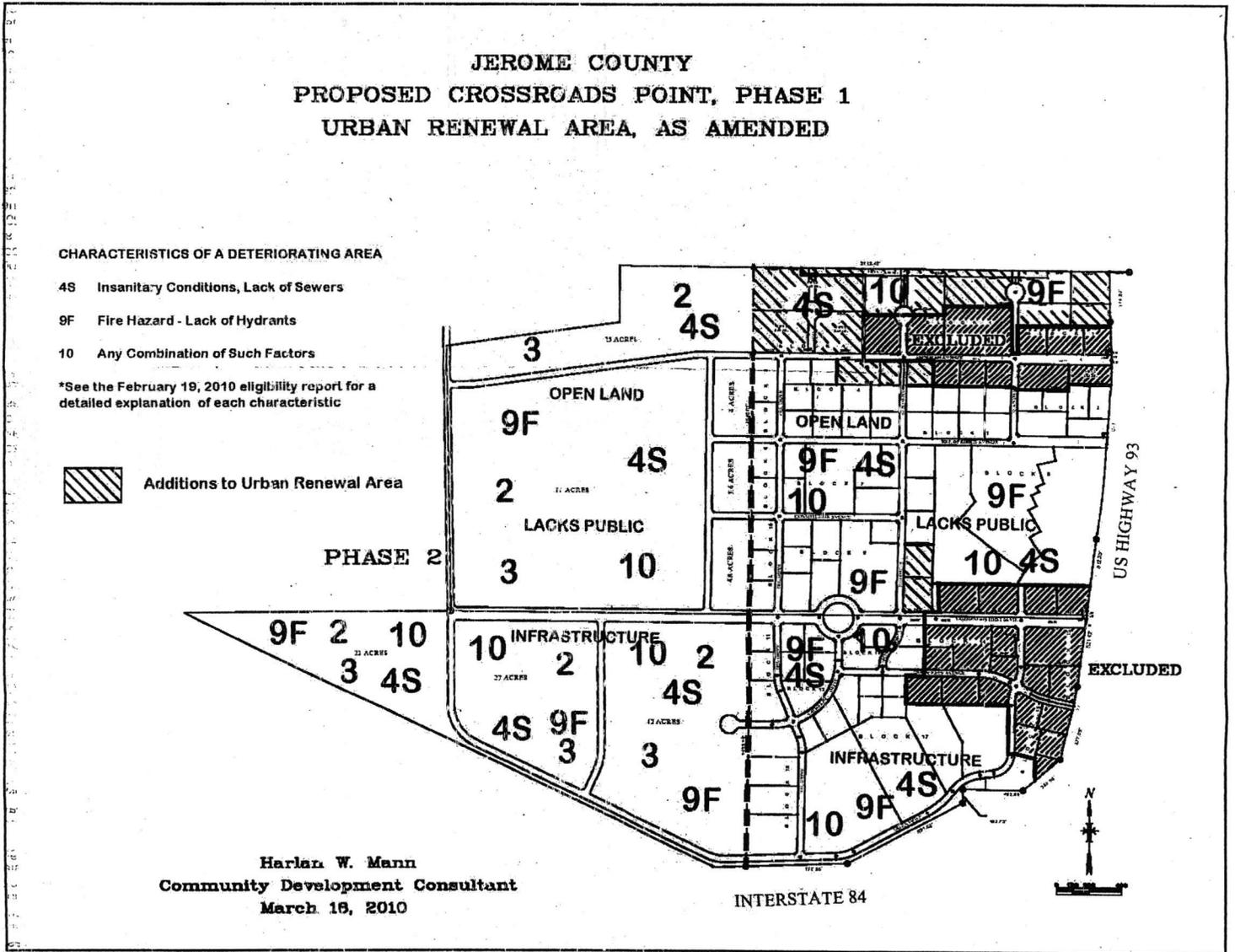
1. The elimination of environmental deficiencies in the Project Area, including among others, substandard or lack of streets and deteriorated and inadequate public improvements including certain streets, improvements, and extensions to connect major traffic corridors; improvements to public utilities including water and sewer improvements, fire protection systems, railroad crossings; other public improvements; removal, burying, or relocation of overhead utilities; and improvement of irrigation and drainage ditches and laterals;
2. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
3. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of excessive rock, limited traffic access, underserved utilities, and other site conditions;
4. The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new private development providing, employment, and economic growth;
5. The provision of adequate land for street rights-of-way;
6. The construction and improvement of a major street corridor to allow traffic flows to move through the development along with the accompanying utility connections, through the Project Area;
7. The provision of public service utilities such as water system improvements, main sewer system improvements (which may be located outside the Project Area), and certain pretreatment improvements within the Project Area;
8. 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, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
9. 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 benefiting the various taxing districts in which the urban renewal area is located; and
10. The funding of necessary public infrastructure to accommodate both public and private development.

Any such land uses as described in the Plan will be in conformance with zoning for the County of Jerome and the Comprehensive Land Use Plan as adopted by the County Commissioners. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Urban Renewal Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is located generally as follows:

An area consisting of approximately 429.68 acres at the northwest quadrant of Interstate Highway 84 and United States Highway 93.

The project area is also depicted in the map below.



Copies of the proposed Plan are on file for public inspection and copying. Copies of the proposed Plan are on file for public inspection and copying for the cost of duplication at the office of the County Clerk, Jerome County, 300 N. Lincoln, Room 301, Jerome, Idaho, 83338, between the hours of 8:30 o'clock a.m. and 4:30 o'clock p.m., Monday through Friday, exclusive of holidays.

The hearing will be held in a handicapped accessible facility. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments, individuals with other disabilities may receive assistance by contacting the County 24 hours prior to the hearing.

At the time and place noted above, all persons interested in the above matters may appear and be heard. Written comments will also be accepted. Comments should be directed to the Jerome County Clerk, 300 North Lincoln, Room 301, Jerome, ID 83338. Written comments should be submitted prior to the hearing date.

DATED this 2nd day of November, 2010.

/s/Michelle Emerson, County Clerk

PUBLISH: November 5 and 19, 2010

Exhibit 3
LEGAL DESCRIPTION

REVISED
PROPERTY DESCRIPTION FOR
JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 10, THE NORTH 1/2 OF SECTION 15 AND THE NORTH 1/2 OF SECTION 16 ALL IN T.9 S., R. 17 E., B.M. JEROME COUNTY, IDAHO GENERALLY DESCRIBED AS THE CROSSROADS POINT BUSINESS CENTER PUD PHASE 1 SUBDIVISIONS AND THE UNDEVELOPED PHASE 2 PROPERTY ADJACENT TO AND WEST OF SAID PHASE 1 PLAT AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, T.9 S., R. 17 E., B.M. ON A BEARING OF NORTH 89° 23' 33" WEST A DISTANCE 363.72 FEET ALONG THE SOUTHERLY BOUNDARY OF SECTION 10 TO THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 AND THE **REAL POINT OF BEGINNING**;

THENCE FROM THIS **REAL POINT OF BEGINNING** AND ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 IDAHO TRANSPORTATION DEPARTMENT (ITD) PROJECT F2391 ON A BEARING NORTH 7° 38' 16" EAST A DISTANCE OF 612.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE CONTINUING ALONG SAID CURVE AND THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 HAVING A RADIUS OF 11,309.16 FEET, A CENTRAL ANGLE OF 8° 24' 44", AN ARC LENGTH OF 1660.42 FEET, A TANGENT LENGTH OF 831.71 FEET AND A LONG CHORD OF 1658.93 FEET ON A BEARING OF NORTH 3° 26' 01" EAST;

THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 0° 49' 52" WEST A DISTANCE OF 375.20 FEET TO THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10

THENCE ALONG THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10 ON A BEARING OF NORTH 89° 22' 56" WEST A DISTANCE OF 3740.78 FEET;

THENCE ON A BEARING OF SOUTH 0° 30' 00" WEST A DISTANCE OF 422.83 FEET;

THENCE ON A BEARING OF SOUTH 82° 16' 00" WEST A DISTANCE OF 1339.20 FEET TO THE WEST BOUNDARY OF SECTION 10;

THENCE ALONG THE WEST BOUNDARY OF SECTION 10 ON A BEARING OF SOUTH 0° 56' 53" EAST A DISTANCE OF 2023.91 FEET TO THE SECTION CORNER COMMON TO SECTIONS 9, 10, 15 AND 16;

THENCE FROM SAID SECTION CORNER AND ALONG THE NORTH BOUNDARY OF SECTION 16 ON A BEARING OF SOUTH 89° 43' 07" WEST A DISTANCE OF 2038.50 FEET TO THE NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164;

THENCE ALONG NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164 THE FOLLOWING COURSES:

SOUTH 61° 36' 38" EAST A DISTANCE OF 129.40 FEET;
SOUTH 63° 43' 35" EAST A DISTANCE OF 487.74 FEET;
SOUTH 64° 28' 10" EAST A DISTANCE OF 3903.75 FEET;
NORTH 88° 12' 24" EAST A DISTANCE OF 1013.02 FEET;
NORTH 61° 31' 50" EAST A DISTANCE OF 991.65 FEET;
NORTH 0° 00' 16" EAST A DISTANCE OF 103.73 FEET;
SOUTH 89° 23' 19" EAST A DISTANCE OF 463.69 FEET;
NORTH 50° 23' 50" EAST A DISTANCE OF 368.90 FEET TO THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 12° 35' 15" EAST A DISTANCE OF 577.09 FEET;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 7° 38' 16" EAST A DISTANCE OF 521.42 FEET TO THE **REAL POINT OF BEGINNING**.

EXCLUDING THE FOLLOWING BLOCK AND LOTS AS SHOWN ON THE CROSSROADS POINT BUSINESS CENTER PUD PHASE 1 PLATS AS RECORDED IN THE OFFICE OF THE RECORDER FOR JEROME COUNTY.

BLOCK 1, LOTS 4, 8, 9, 13, 14 AND 15;
BLOCK 2, LOTS 1 AND 2;
BLOCK 3, LOTS 2, 3 AND 4;
BLOCK 8, LOTS 9, 11, 12 AND 13;
BLOCK 14, LOTS 5 AND 6;
BLOCK 15, LOTS 1 THROUGH 3;
BLOCK 16, LOTS 3 THROUGH 5 AND
BLOCK 17, LOTS 8 THROUGH 10.

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT BUSINESS CENTER PUD #2

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT BUSINESS CENTER PUD #1

THE ABOVE DESCRIBED PARCEL CONTAINS A GROSS AREA OF 483.14 ACRES MORE OR LESS AND NET AREA OF 432.14 ACRES MORE OR LESS WITHOUT THE EXCLUSION AREAS LISTED ABOVE.

REVISED NOVEMBER 23, 2010

ORDINANCE *2010-12* - 13

Exhibit 4

AMENDED AND RESTATED JEROME COUNTY CROSSROADS URBAN RENEWAL
PROJECT
URBAN RENEWAL PLAN

AMENDED AND RESTATED

JEROME COUNTY CROSSROADS

URBAN RENEWAL PROJECT

URBAN RENEWAL PLAN

COUNTY OF JEROME

Ordinance No. 2008-10
Adopted December 17, 2008
Effective December 25, 2008, Publication

Amended
Ordinance No.
Adopted, 2010
Effective, 2010, Publication

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G:\CLIENT\0604\Crossroads Point Plan\Plan Amendment 2010\URP - Amended and Restated_Compared to 2008.doc

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Attachment 1	Map of Urban Renewal <u>Amended and Restated</u> Project Area and Revenue Allocation Area <u>Boundary Map</u>
Attachment 2	Description of Urban Renewal <u>Amended and Restated</u> Project Area and Revenue Allocation Area
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Attachment 5	Statement of Proposed Public Improvements, Costs, Revenue, Tax Impacts, and Financing Methods, <u>as amended</u>
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Attachment 5C	Estimated Annual Revenues and Costs in Jerome County Crossroads Urban Renewal Project, <u>as amended</u>
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**AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE
JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT
JEROME COUNTY URBAN RENEWAL AGENCY**

I. [§100] INTRODUCTION

This is the Amended and Restated Urban Renewal Plan (the “Plan”) for the Jerome County Crossroads Urban Renewal Project (the “Project Area” or the “Crossroads Project Area”) in the County of Jerome (the “County”), State of Idaho, and consists of the text contained herein and the following attachments:

Map of the Urban Renewal Amended and Restated Project Area and Revenue Allocation Area Boundary Map (Attachment 1),

The Description of the Urban Renewal Amended and Restated Project Area Boundaries and Revenue Allocation Area (Attachment 2),

Private Properties Which May be Acquired by Agency (Limited to Public Improvements and Facilities) (Attachment 3),

Map Depicting Expected Land Uses and Current Zoning within Amended and Restated Revenue Allocation Area and Project Area (Attachment 4),

Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts and Financing Methods, as amended (Attachment 5),

Net Estimated Taxable Value of New Private Development in Jerome County Crossroads Urban Renewal Project, as amended (Attachment 5A),

Estimated Annual Tax Revenue Allocation in Jerome County Crossroads Urban Renewal Project, as amended (Attachment 5B),

Estimated Annual Revenues and Costs in Jerome County Crossroads Urban Renewal Project, as amended (Attachment 5C), and

Preliminary Cost Estimates, October 2008, Phase 1 and Phase 2, Road and Utility Costs in Jerome County Crossroads Urban Renewal Project, as amended (Attachment 5C-1).

References to the Plan and Attachments 1 through 5C-1 throughout this document mean the Plan and the Attachments as amended.

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms with the statutory definition ~~of~~ urban renewal project. Reference is specifically made to Idaho Code Section 50-218(10) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the

~~Urban Renewal Project~~ Area. The term “Project” is not meant to refer to a specific activity or development scheme. ~~The Project Area is also referred to as the Crossroads Project Area.~~

This Plan was prepared by the Board of Commissioners, consultants, and staff of the Jerome County Urban Renewal Agency (the “Agency”) and reviewed and recommended by the Agency pursuant to the ~~Statestate~~ of Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code, as amended) (the “Law”), the Local Economic Development Act (Chapter 29, Title 50, Idaho Code, as amended) (the “Act”), and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to the Comprehensive Land Use Plan for the County ~~of Jerome~~, as amended (the “Comprehensive Plan”), adopted by the Board of Commissioners (the “Commissioners”).

The Agency may create several planning documents that generally describe the overall Project and identify certain specific public and private capital improvement projects. Because of the changing nature of the Project, these documents, by necessity, must be dynamic and flexible. The Agency anticipates that these documents will be modified as circumstances warrant. Any modification, however, shall not be deemed as an amendment of this Plan. No modification will be deemed effective if it is in conflict with this Plan. The planning documents are purposely flexible and do not constitute specific portions of the Plan. Provided, however, prior to the adoption of any planning document or proposed modification to any planning document, the Agency shall notify the County and publish a public notice of such proposed modification at least thirty (30) days prior to the consideration of such proposed modification, thus providing the County and any other interested person or entity an opportunity to comment on said proposed modification. The Board of Directors of the Agency (the “Board”) shall consider any such comments and determine whether to adopt the modification. The planning documents apply to redevelopment activity within the Project Area as described herein. In the event of any conflict between this Plan and the appended documents, the provisions of this Plan shall control. The Agency intends to rely heavily on any applicable County design standards which may cover all or part of the Project Area.

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 the Law and Act. 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.

Implementation of this Plan will require public co-investment to help stimulate desired private development. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment for industrial, office, and commercial facilities.

The particular projects or redevelopment projects by private entities described herein are not intended to be an exclusive or exhaustive list of potential redevelopment activity. Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful redevelopment of the Project Area.

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

- (a) The elimination of environmental deficiencies in the Project Area, including, among others, substandard or lack of streets and deteriorated and inadequate public improvements including certain streets, improvements, and extensions to connect major traffic corridors; improvements to public utilities including water and sewer improvements, fire protection systems, railroad crossings; other public improvements; removal, burying, or relocation of overhead utilities; and improvement of irrigation and drainage ditches and laterals;
- (b) The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
- (c) The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of excessive rock, limited traffic access, underserved utilities, and other site conditions;
- (d) The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new private development providing, employment, and economic growth;
- (e) The provision of adequate land for street rights-of-way;
- (f) The construction and improvement of a major street corridor to allow traffic flows to move through the development along with the accompanying utility connections, through the Project Area;
- (g) The provision of public service utilities such as water system improvements, main sewer system improvements (which may be located outside the Project Area), and certain pretreatment improvements within the Project Area;
- (h) 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, including commitment of funds for planning

studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;

(i) 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 benefiting the various taxing districts in which the ~~Urban Renewal Area~~urban renewal area is located; and

(j) The funding of necessary public infrastructure to accommodate both public and private development.

A. [§101] General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law, the Public Records Act, the Ethics in Government Act, financial reporting requirements, and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code.

Generally, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision. Whenever in this Plan it is stated that the Agency may modify, change, or adopt certain policy statements or contents of this Plan not requiring a formal amendment to the Plan as required by the Law or the Act, it shall be deemed to mean a consideration by the Board of such policy or procedure, duly noticed upon the Agency meeting agenda and considered by the Agency at an open public meeting and adopted by a majority of the Board members present, constituting a quorum, unless any provision herein provides otherwise.

B. [§102] Provisions Necessary to Meet State and Local Requirements

1. [§103] Conformance with State of Idaho Urban Renewal Law of 1965, as Amended

a. The laws of the ~~State~~state of Idaho require that ~~an Urban Renewal~~the Plan be prepared by the Jerome County Urban Renewal Agency for an area certified as an ~~Urban Renewal Area~~urban renewal area by the Jerome County Board of Commissioners. The Crossroads Project Area was certified by the County Commission by Resolution No. 2008-38 on October 21, 2008.

b. With the adoption of Resolution 2008-38, the County Commissioners found the Crossroads Project Area a deteriorated and deteriorating area existing in Jerome County as defined by the Law and Act, and authorized the preparation of an urban renewal plan.

- c. In accordance with the ~~Idaho Urban Renewal Law of 1965~~, this Plan was submitted to the Planning Commission of the ~~County~~county of Jerome. After consideration of the Plan, the Commission reported to the County Commissioners stating that this Plan is in conformity with the ~~County's~~ Comprehensive Plan, ~~County of Jerome~~.
- d. Pursuant to the Law, and Act, the County Commissioners having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in a newspaper having general circulation. The Board of County Commissioners adopted this Plan on _____, December 17, 2008, by Ordinance No. _____, 2008-10, deemed effective upon publication on December 25, 2008.
- e. The proposed amendment to the Plan to add area to the Crossroads Project Area was certified by the County Commission on or about May 11, 2010, by adoption of Resolution No. 2010-15.
- f. With the adoption of Resolution 2010-15, the County Commissioners found the area to be added to the Crossroads Project Area to be a deteriorated and deteriorating area existing in Jerome County as defined by the Law and Act, and authorized the preparation of the amendment to the existing Plan.
- g. On August 26, 2010, the Agency formally recommended adoption of the amendment to the existing urban renewal Plan by passage of Agency Resolution No. 2010-03. The amendment to the Plan was then formally submitted to the County Commissioners.
- h. The Jerome County Planning and Zoning Commission considered the amendment to the existing Plan at its meeting of _____, 2010, and forwarded its findings and conclusions concerning compliance of the amendment to the Plan with the County's Comprehensive Plan to the County Commission.
- i. In accordance with the Law, the County Commission having published due notice thereof, a public hearing was held on the amendment to the Plan on _____, 2010. Notice of the hearing was duly published in a newspaper of general circulation on _____, 2010. The County Commission adopted the amendment to the Plan on _____, 2010, by passing Ordinance _____, deemed effective upon publication on _____, 2010.

C. [§104] **History and Current Conditions of the Area**

_____ The original Project Area was the subject of an initial Eligibility Report dated August 28, 2008. The Project Area is a deteriorating area because of the presence of various

conditions, most of which are related to lack of public infrastructure. In 2009, the Agency began to examine the need for an expansion of the original Project Area. This additional area is predominantly open land. The public infrastructure is limited and, therefore, does not serve the needs of planned future development. The area is also hindered by excessive lava rock. The Plan will include the development of excess industrial property and adjacent land. The majority of the property is currently either undeveloped or underdeveloped. The property is underdeveloped and is not being used to its highest and best use due to the limited traffic access along with the inadequate utility infrastructure needed for a larger development.

The preparation and approval of ~~an urban renewal plan~~ the Plan, including a revenue allocation financing provision, gives the County additional resources to solve the public infrastructure problems in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the area may be used by the County's urban renewal agency to finance a variety of needed public improvements and facilities. Finally, some of the new developments may also generate new jobs in the community that would, in turn, benefit area residents.

D. [§105] Purpose of Activities

The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. The Agency reserves the right to change amounts from one category to another, as long as the overall total amount estimated is not substantially exceeded. The items and amounts are not intended to relate to any one particular development, developer, or owner. Rather, the Agency intends to discuss and negotiate with any owner or developer who seeks Agency assistance. During such negotiation, the Agency will determine, on an individual basis, the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish by way of policy, its funding percentage or participation, which would apply to all developers and owners.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. In some respects the activities listed in Attachment 5 are concepts which will be determined or prioritized as the overall Project Area develops.

The Agency reserves the right to prioritize the projects described in this Plan. The Agency also reserves the right to retain its flexibility in funding the various activities. The Agency also reserves its discretion and flexibility in deciding which improvements should be funded and what level, whether using its own funds or funds generated by other sources.

The activities listed in Attachment 5 are also prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long term goals, and commitments. As required by the Law and Act, the Agency will adopt more specific budgets annually.

E. [§106] Open Land Criteria

Such open land areas may be acquired by the Agency and developed for nonresidential uses if such acquisition is needed to solve various problems, associated with the land or the public infrastructure, that have retarded its development. These problems include defective or ~~usual~~unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the Section 50-2903(8)(b) definition of deteriorated area. The problems that are listed only in Section 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and “the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.”

Such areas qualify if any of the standard 50-2018(9) and ~~5950~~-2903(8)(b) characteristics apply. But such areas also qualify if any of the problems listed only in 50-2008(d)(4)(2) apply. Clearly, lack of water and sewer facilities, a nonexistent street system, and lack of fire protection facilities, are all conditions which retard development of the area.

F. [§107] Agricultural Land Consent

In 2006, the Idaho Legislature approved amendments to certain definitions of the ~~Idaho Urban Renewal~~ Law which do not allow the inclusion of property which has been used for agricultural operation with the past three years within the definition of a deteriorating area, without the consent of the owner of the agricultural operation. If such property is not within a deteriorating area, then by definition the property would not be included within an urban renewal area. Based upon the best information obtained by the Agency, its consultants, and property owners, the area described in Attachments 1 and 2 has not been used for agricultural operations within the last three years.

II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Amended and Restated Project Area and the Revenue Allocation Area are shown on the Amended and Restated Project Area and Revenue Allocation Boundary Map, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Amended and Restated Description of the Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. Attachments 1 and 2 include the additional area as a result of the 2010 amendments. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary except for 300 East Road where the boundary has been pulled back to the middle of the right-of-way to avoid unintended consequences to property owners along 300 East Road.

III. [§300] PROPOSED REDEVELOPMENT ACTIONS

A. [§301] General

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

1. The acquisition of certain real property (if needed);
2. The demolition or removal of certain buildings and improvements for public rights-of-way for streets, utilities, walkways, and other improvements, for public facility building sites, to eliminate unhealthful, unsanitary, or unsafe conditions, enhance density, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of blight or deterioration;
3. The provision for participation by property owners within the Project Area to achieve the objectives of this Plan;
4. The management of any property acquired by and under the ownership and control of the Agency;
5. The provision for relocation assistance to displaced Project Area occupants, as required by law;
6. The installation, construction, or reconstruction of streets, utilities, including electrical distribution and transmission lines in underground configuration, if needed to encourage new developments, fiber optic or other communication systems, parking facilities, and other public improvements, including, but not limited to, irrigation and drainage laterals and ditches, canal crossings, storm drain systems, water and sewer improvements, fire protection systems, and other public improvements;
7. The disposition of property for uses in accordance with this Plan;
8. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
9. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
10. The preparation and assembly of adequate sites for the development and construction of facilities for commercial, retail, and governmental use;
11. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment; and

12. The construction of foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights, sites for buildings to be used for residential, commercial, industrial, and other uses contemplated by the Plan, and to provide utilities to the development site.

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.

B. [§302] Urban Renewal Plan Objectives

Urban ~~Renewal~~renewal action is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions.

The original Urban Renewal Project Area and Revenue Allocation Area consist of approximately 399 acres at the northwest quadrant of Interstate 84 and U.S. Highway 93. The amended area adds approximately 30.68 acres and adds parcels along the northern edge of the Project from Highway 93 to the western edge, adding the unimproved rights-of-way from Alan Drive north of American Avenue and Del Circle north of American Avenue and adding the remaining sections of Ben Drive between American Avenue and Crossroads Point Boulevard. The amended area also includes four parcels fronting on Ben Drive, Lot 4 of Block 4, Lot 1 of Block 3, and Lots 4 and 5 of Block 8 and Heritage Drive north of Crossroads Point Boulevard. Lot 3 of Block 4, the city well and storage tank site, is also included to assure possible additional improvement of that site in conjunction with adjacent street improvements. The area has a history of a slow-growing tax base primarily attributed to undeveloped areas, lack of modern public improvements, and lack of public infrastructure.

This environment contrasts sharply with the growing economic and cultural strength of the Jerome County region. The construction of connecting utilities and streets will aid, assist, and enhance traffic flow and provide more adequate utility service to the property to enhance the overall development of said property. The opportunity for assistance in eliminating adverse site conditions including lava rock will also aid in the development of the Project Area.

Hence, the Plan for the Project Area is a proposal for street, utilities, and site improvements to provide an improved environment for new commercial and industrial facilities, eliminate unsafe conditions, and to otherwise prevent the extension of deterioration and reverse the deteriorating action of the area.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

Less than fee acquisition may be utilized by the ~~Jerome County Urban Renewal~~ Agency when and if necessary to promote redevelopment in accordance with the objectives of the Plan.

Temporary project improvements shall be provided to facilitate adequate vehicular and pedestrian circulation.

Agency participation in the cost of removal of extraordinary site conditions such as topographical land variance and lava rock removal.

A further objective of the Plan is to provide for the acquisition and clearance of property to be used for other public facilities.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 304 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort.

1. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new development, the Agency ~~plans~~plays a key role in creating the necessary momentum to get and keep things going.
2. Develop new commercial and industrial facilities opportunities.
3. Pursue development across all land-use sectors simultaneously.

Without direct public intervention, much of the Project Area could conceivably remain unchanged for the next several years. It is anticipated success will come through several public-private partnerships. The Plan creates the necessary flexible framework for the Project Area to capture a share of ~~Jerome's~~the County's growing industrial economy.

C. [§303] Participation Opportunities and Agreement

1. [§304] 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 through an executed owner participation agreement ~~to meet conditions~~as described below.

- a. Any such property within the Project shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances. 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 that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. 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 County ~~of Jerome~~.
- c. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan.
- d. Any new construction shall also conform to all applicable codes and ordinances of the County ~~of Jerome~~.

All such agreements will address phasing issues, justification and eligibility of project costs, and achievement of the objectives of the ~~Urban Renewal Plan~~. Agency shall retain its discretion in the funding level of its participation.

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.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging established businesses to revitalize deteriorating areas of their parcels to accelerate the enhancement of the street environment in the Plan area.
- b. Subject to the limitations of the Law and the Act, providing incentives to existing business owners to encourage continued utilization and expansion of existing

permitted uses to prevent properties from falling into disuse, a proliferation of vacant and deteriorated parcels and a reduction in area employment.

- c. Allowing existing nonconforming uses to continue in accordance with County regulations and to accommodate improvements and expansions allowed by County regulations.
- d. Subject to the limitations of the Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses over the next twenty-four (24) years.

D. [§305] 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, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, 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 of the Project Area.

The Agency specifically intends to cooperate to the extent allowable with the County of ~~Jerome~~ for the construction of street and utility improvements. The Agency shall also cooperate with the County of ~~Jerome~~ on various relocation, screening, or underground projects, the providing of fiber optic capability, and the funding of water and sewer improvements. To the extent any public entity, including the County of ~~Jerome~~, has funded certain improvements such as water and sewer facilities, the Agency may reimburse those entities for those expenses. The Agency shall also cooperate with the Jerome Highway District in the improvement of roads within the Project Area and with the public bodies responsible for water and sewer improvements. The Agency also intends to cooperate and seek available assistance from state and federal sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the

Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 304 of this Plan.

E. [§306] Property Acquisition

1. [§307] Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized herein. 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, without acquiring the land upon which those structures and fixtures are located.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performed under the agreement.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan or for the assembly of properties for the redevelopment of those properties to achieve the objectives of this Plan. Such properties may include properties owned by private parties or public entities. This Plan does not anticipate the Agency's widespread use of its resources for property acquisition, except for the construction of public improvements and any ability to engage in certain demonstration projects and other major objectives outlined in this Plan and to assemble certain critical or strategic parcels to dispose to the private sector to assist in the redevelopment of the Project Area.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the County, the ~~State~~ of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority without an express amendment to this Plan, properly approved by the County Commissioners.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Idaho Code § 50-2018(12). The Agency has not identified any particular parcel for acquisition for the construction of public improvements. These activities are generally described in Attachment 3. The Agency may also acquire property for the purpose of developing public

parking facilities, providing public open space, and enhancing the opportunity for other uses. At the present time, the Agency cannot specifically identify which parcels may be necessary for acquisition. The Agency reserves the right to determine which properties, if any, should be acquired. Generally, the Agency will invoke its acquisition authority only for the elimination or mitigation of deteriorated or deteriorating buildings, structures, or properties in order to enhance public open space in the Project Area or to assist or participate in site reclamation, remediation, or elimination of blighted or deteriorated areas, and then only by voluntary means. However, the Agency's authority to invoke eminent domain to acquire real property for disposition to private parties for economic development is limited by House Bill 555 adopted by the 58th Idaho Legislature, Second Session, 2006, Session Law Chapter 96, codified at Idaho Code § 7-701A.

2. [§308] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain. For purposes of this Plan, acquisition of certain permanent fixtures or improvements upon real property shall be governed by this section. The Agency retains the right to purchase those fixtures or improvements (including buildings) for the purpose of eliminating certain deteriorated or deteriorated structures to facilitate the redevelopment of the real property upon which the buildings and structures are located. Such acquisition shall be based upon appraised value of the structures and negotiation with the owner of the structures. The Agency shall take into account, before committing to such acquisition, any environmental or other liability present or potentially present in such structures. In the event, the Agency determines to acquire such property; it shall do so upon the successful negotiation of an owner participation agreement in compliance with the terms of Section 304 of this Plan. In addition, such owner shall commit to the redeployment/redevelopment of the real property and to maintain the real property in a safe and clean manner. The Agency shall acquire such property by way of any acceptable conveyance.

F. [§309] Property Management

During such time ~~such any~~ 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.

G. [§310] 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. The Agency's activities should not result in the displacement of families within the area. In the event the Agency's activities result in displacement, the Agency shall compensate such residents by providing reasonable moving

expenses into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families. The Agency will not participate in any private redevelopment activity which will result in displacement of families unless a method exists for the relocation of displaced families in decent, safe, and sanitary dwelling accommodations within their means and 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.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

For displacement of families, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits. If such a program is considered, it shall be adopted by resolution of the Agency Board.

H. [§311] Demolition, Clearance, and Building and Site Preparation

1. [§312] 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.

2. [§313] 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, and other public improvements necessary to carry out this Plan. The Agency is also authorized (but not required) to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for industrial, commercial, private, public, and other uses provided in this Plan. To the extent allowed by the Law and Act, the Agency may assist in the preparation of building sites by way of reclamation, remediation, or elimination of deteriorated conditions. The Agency is also authorized (but not required) to purchase certain site or building improvements for purpose of site preparation and development.

I. [§314] **Property Disposition and Development**

1. [§315] **Real Property Disposition and Development**

a. [§316] **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. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

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.

b. [§317] **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 Jerome 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, disability/handicap, 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 land and/or air rights and subterranean rights acquired by the ~~Jerome County Urban Renewal~~ Agency will be disposed of subject to an agreement between the Agency and the Developers. 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 ~~Jerome County Urban Renewal~~ Agency.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, 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 ~~Jerome County Urban Renewal~~ 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 ~~Jerome County Urban Renewal~~ Agency and the Developer(s).
- (4) That there will be no discrimination against any person or group of persons because of disability/handicap, age, race, sex, creed, color, national origin, disability, 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 erected, or to be erected thereon, 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 ~~Jerome County Urban Renewal~~ 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) All new construction shall have a minimum estimated life of no less than twenty (20) years.
- (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.

- (8) That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- (9) 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 County ~~of Jerome~~.
- (10) All disposition and development documents shall be governed by the provisions of Section 419 and 423 of this Plan.

The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan

c. [§318] 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, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and other improvements identified in Attachment 5, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

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, 50-2018, and 50-2903(9), (13), and (14), 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) telecommunications (including fiber-optic) facilities; (3) parks, plazas, and pedestrian paths; (4) landscaped areas; (5) street improvements; (6) sanitary sewers; (7) flood control facilities and storm drains; (8) water mains; (9) canal crossings; (10) fire prevention; (11) railroad crossings; and (12) other public infrastructure.

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 County, 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 Act and Section 504 to this Plan or out of any other available funds.

d. [§319] 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. All development in the Project Area must conform to those standards specified in Sections 419 and 423, *infra*.

2. [§320] 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.

J. [§321] 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.

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.

K. [§322] Participation with Private Development or Public 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~~ 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 Idaho Community Development Block Grant Program (“ICDBG”), the Economic Development Administration, the Small Business Administration, or other federal agencies. The Feasibility Study, Attachment 5C, assumes the successful award of ICDBG and other grants. In order to enhance such grants, the Agency’s use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that 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 to 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 or Act.

The Agency may enter into contracts, leases, and agreements with the County, 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.

L. [§323] Conforming Owners

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

IV. [§400] USES PERMITTED IN THE PROJECT AREA

A. [§401] Redevelopment Plan Map and Development Strategy

The ~~Urban Renewal~~ Amended and Restated Project Area ~~Map, the~~ and Revenue Allocation Area Boundary Map, and the Description of ~~the Urban Renewal~~ Amended and Restated Project Area Boundaries and Revenue Allocation Area, attached hereto as Attachments 1 and 2, incorporated by reference, describe the proposed land uses to be permitted in the Project Area for all land—public and private. The proposed land uses and permitted land uses are described in Attachment 4.

B. [§402] Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of ~~Jerome~~ the County, as depicted on Attachment 4 and as set forth in the County Comprehensive Plan, including the future land use map and zoning classifications. For the most part, the Project Area is proposed as industrial and commercial development. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

C. [§404] Other Land Uses

1. [§405] Public Rights-of-Way

The major public streets within the Project Area include U.S. Highway 93 and Interstate 84, ~~and new rights-of-way to be established~~ Alan Drive, American Avenue, Del Circle, Ben Drive, Crossroad Points Boulevard, Heritage Drive and other rights-of-way, which may be developed in the Project Area.

Additional public streets or improvements to existing or newly planned streets (including, but not limited to Del Drive, Constitution Avenue, Bill of Rights Drive, and a portion of Arlen Avenue), and easements may be created, improved, or extended in the Project Area as need for development. Existing streets, easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project, in conjunction with any applicable policies and standards of the County ~~of Jerome~~ regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any changes in the existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the County'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 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 found in public rights-of-way.

2. [§406] 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, including park and recreational facilities; educational, fraternal, employee; philanthropic and charitable institutions; utilities; governmental facilities; railroad rights-of-way and equipment; and facilities of other similar associations or

organizations. 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.

3. [§407] 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 ~~Jerome~~ County Code.

D. [§408] 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.

1. [§409] 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.

2. [§410] 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.

3. [§411] Limitation on Type, Size, and Height of Buildings

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.

4. [§412] 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 laws and ordinances.

5. [§413] Signs

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

6. [§414] Utilities

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

7. [§415] 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.

8. [§416] Nondiscrimination and Nonsegregation

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

9. [§417] Subdivision of Parcels

Any parcel in the Project Area shall be subdivided only in compliance with the County subdivision ordinance.

10. [§418] 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. 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 County codes and ordinances.

E. [§419] Design for Development

Within the limits, restrictions, and controls established in this Plan, 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 County of Jerome's County's 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, open space, 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. The Agency reserves the right to impose such design standards on an ad hoc, case by case basis through the approval process of the Owner Participation Agreement or owner participation agreement or disposition and development agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

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 County building or zoning ordinances; provided, however, each and every development shall comply with all applicable County zoning and building ordinance.

F. [§420] Off-Street Loading

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

G. [§421] Off-Street Parking

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

H. [§422] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the ~~Jerome~~ County Code.

I. [§423] Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Under an owner participation agreement or a disposition and development agreement the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under Section 418 of this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls 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 standard and provisions of any applicable County building or zoning ordinances; provided, however, each and every development shall comply with all applicable County zoning and building ordinances.

V. [§500] **METHODS OF FINANCING THE PROJECT**

A. [§501] **General Description of the Proposed Financing Method**

The Agency is authorized to finance this Project with financial assistance from the County, ~~Statestate~~ 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 County, as it is able, may also supply additional assistance through County loans and grants for various public facilities.

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

B. [§502] **Revenue Bond Funds**

As allowed by law and subject to 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 are liable personally on the bonds by reason of their issuance.

C. [§503] **Other Loans and Grants**

Any other loans, grants, guarantees, or financial assistance from the United States, the ~~Statestate~~ of Idaho, including ICDBG funds, or any other public or private source will be utilized if available. The Agency may consider funding sources through Local Improvement Districts as authorized by state law. Neither the members of the Agency nor any persons executing such loans or grants shall be liable on the loans or grants by reason of their issuance. The Feasibility Study, Attachment 5C, has assumed the successful award of various grants.

The Agency also intends to seek appropriate private contributions, where applicable, to assist in the funding of the activities described herein.

D. [§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, 2008-, for the original revenue allocation area, and January 1, 2010, for the amended area. These revenue allocation provisions shall apply to all taxing districts ~~in~~ which ~~is~~are located in the Revenue Allocation Area described on Attachments 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 as costs 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(14)) of one or more ~~urban-renewal-projects~~ Projects.

Upon enactment of an ordinance by the governing body of the County ~~of Jerome, 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~~ 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 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~~ 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 may also appropriate funds consisting 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 County 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 5 are completely constructed or until any obligation to the County or other public entity or private entity are fulfilled. Attachment 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.

The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The Agency reserves the right to either pay for Project Costs from available revenue (pay as you go basis) or borrow funds by incurring debt through notes or other obligations.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

1. [§504A] Economic Feasibility Study

~~Attachment~~Attachments 5, 5A, 5B, 5C, and 5C-1 ~~constitutes~~constitute the Economic Feasibility Study, as amended (“Study”) for the ~~Urban Renewal~~Project Area prepared by Harlan W. Mann, Community Development Consultant and Scott Bybee, Engineer. The Study constitutes the financial analysis required by the Act and is based upon existing information from the Agency and ~~Jerome~~the County. Projections are based upon input from the Agency, property owners, developers, and others.

2. [§504B] Assumptions and Conditions/Economic Feasibility Statement

The information contained in Attachment 5 assumes certain completed and projected actions. Under the provisions of the Act, the revenue allocation shall continue until the debt or other obligations or other project activity is completed or satisfied. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of bonded indebtedness (and all other loans or indebtedness) and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or other legal obligations. 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 debt may continue for its full term.

The 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 Commissioners deems such modifications necessary to effectuate the Plan. The Plan proposes certain public improvements, including utility and street improvements, property acquisition, and relocation costs, which will facilitate development in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency through public sources or discussions with property owners, developers, and others.

The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a “pay as you go” basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The assumptions concerning revenue allocation proceeds are based upon certain assessed value increases and assumed tax levy rates.

House Bill 1 adopted by the 58th Idaho Legislature convening in Special Session in August 2006 ~~repeals~~repealed the operation and maintenance property tax levy imposed by school districts. House Bill 1 also repealed Idaho Code Section 50-2908(2)(a)(iii) which required certain revenue allocation funds to be disbursed to school districts. The financial analysis set forth in Attachment 5B has taken into account the provisions of House Bill 1, Idaho Code § 33-802.

3. **[§504C] Ten Percent Limitation**

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed valuation for the entire County. The adjusted base assessment roll, including utilities and less any homeowner’s exemption, for the original Crossroads ~~Development area~~Project Area as of January 1, ~~2008~~2010, is \$1,922,460. ~~The total assessed value for the County of Jerome as of January 1, 2008, less homeowner’s exemptions, is \$1,089,912,159. The base assessment roll for both Revenue Allocation Areas does not exceed ten percent (10%) of the assessed value for the County of Jerome~~2,020,506.

The base assessment roll, including utilities and less any homeowner’s exemption, for the added amended area as of January 1, 2010, is \$541,409. The total assessed value for the County as of January 1, 2010, less homeowner’s exemptions, is \$1,106,872,808. The base assessment roll for the revenue allocation area, as amended, does not exceed ten percent (10%) of the assessed value for the County.

4. **[§504D] Financial Limitation**

The Study identifies several capital improvement projects. Use of any particular financing source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limiting authority. For example, the Study identifies facade easements and facade improvements as capital projects. Use of revenue allocation funds for that purpose will be limited by the authority of the Act. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area.

Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and ~~New-Development-Value~~new development value. Increases have been assumed based upon the projected value of new development as those developments occur along with possible land reassessment based on 2008 land sales and construction starts: for the original Project Area and the base value for the additional property in 2010. No additional valuation increases are projected after ~~2018~~2020.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes and bonds, annual revenue allocations, developer contributions, developer loans (tax exempt and taxable), and other funds are shown. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when ~~relate~~related costs or monetary obligations are to be incurred. See Idaho Code § 50-2905. Based on these funding sources, the conclusion is that the project is feasible.

The information contained in the Study assumes certain projected actions. First, the Agency has projected several bond terms and note issues. The term will be finally determined by the marketability of the notes. Under the provisions of the Act, the revenue allocation may continue until the end of the Plan term. Second, the total amount of indebtedness and 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, indebtedness would be extinguished earlier, dependent upon the bond sale documents and legal obligations therein. 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 bonds may continue for their full term.

The proposed timing for the public improvements may very well have to be modified depending upon the availability of some of the funds and the Agency's ability to sell an initial issue of notes or bonds.

Attachment 5C and 5C-1 list those public improvements which Agency intends to construct through the term of the Plan. Attachment 5C also shows certain improvements to be constructed by private developers or private owners in conjunction with the public improvements through developer contributions. The costs of improvements are estimates only. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and Agency.

The listing of public improvements does not commit the Agency to any particular improvement, any particular cost, or any particular order of construction. The Agency reserves its discretion and flexibility in deciding which improvements are more critical for redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. The Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachment 5C first, in conjunction with commercial or industrial private development generating the increment as identified in Attachment 5A.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

5. [§504E] Rebate of Revenue Allocation Funds

In any year during which the Agency receives revenue allocation proceeds, the Agency, as allowed by law, is authorized (but not required) to return or rebate to the other taxing entities identified in Attachment 5 of this Plan any revenue allocation funds not previously pledged or committed for the purposes identified in the Plan. Under the Act, the Agency must first apply all such revenues for the payment of the projected costs of the urban renewal project identified and repayment of principal and interest on any moneys borrowed, indebtedness incurred, or bonds issued by the Agency and maintain any required reserve for payments of such obligation or indebtedness. Only to the extent revenues of the Agency exceed these obligations shall the Agency consider any rebate or return of revenue allocation funds to the other taxing entities. The Agency shall rebate such funds in a manner that corresponds to each taxing entity's relative share of the revenue allocation proceeds or on the basis of extraordinary service requirements generated by the Project or particular circumstances which the Agency may determine. All other taxing entities shall first receive any such rebate before such rebate shall be disbursed to the County.

Attachment 5 describes the Agency's financing plan for the Project. The Project will be financed, in part, through tax increment financing, using revenue allocation funds as allowed by the Act. The Agency anticipates that on an annual basis, tax increment, and other funds may be sufficient to satisfy the obligations incurred by the Agency, even though the entire amount of revenue allocation funds must be pledged for the term of any bonds or other debts incurred by the Agency. Therefore, on an annual basis, the Agency will consider the rebate of funds, which funds may not be revenue allocation funds, but other funds available to the Agency.

6. [§504F] Participation with Local Improvement Districts

Under the Idaho Local Improvement District Code, Chapter 17, Title 50, Idaho Code, the County has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project.

7. [§504G] Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenues identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan.

8. [§504H] Impact on Other Taxing Districts and Levy Rate

A specific delineation of tax dollars generated by revenue allocation upon each taxing district has not been prepared. The overall impact of the revenue allocation project is shown in the Study. Since the passage of House Bill 156 in 1995, now codified in Section 63-802, Idaho Code, taxing entities are constrained in establishing levy rates by a function of the amount each budget of each taxing district can increase on an annual basis. The amounts set forth in the Study would constitute the amounts distributed to other taxing entities from the Revenue Allocation Area if there were no urban renewal project. Each individual district's share of that amount would be determined by its particular levy rate as compared to the other districts in any given year. Therefore, the impact of revenue allocation is more of a product of the imposition of Section 63-802. In addition, without the revenue allocation district and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected in the next five to ten years, hence there would be lower increases in assessed valuation to be used by the taxing entities.

If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation. The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho state code. The increment value is the difference between the base assessed value and current assessed value in any given year while the property is in a revenue allocation area. Under Section § 63-802, Idaho Code, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Section 63-802, Idaho Code.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the property values in the urban renewal districts that are not subject to revenue allocation and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue

Allocation Area would be expected in the next five to ten years; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. If the overall levy rate is less than as assumed, the Agency shall receive fewer funds from revenue allocation.

One result of Section 63-802, Idaho Code, and House Bill 79 (2007), codified as Idaho Code § 63-301A, is the likely reduction of the levy rate as assessed values increase for property within each taxing entity’s jurisdiction. If the overall levy rate is less than as assumed, the Agency shall receive fewer funds from revenue allocation. House Bill 79 became effective retroactively to January 1, 2007, upon Governor Otter’s signature on March 21, 2007. Section 63-301A, Idaho Code, prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area will no longer be available for inclusion by the taxing entities to increase their budgets. Less tax revenue will be available to those taxing entities. Generally, the impact on the taxing entities would be to determine the Agency’s projected revenue and disburse those funds in the same ratio as the respective levy rates in the Revenue Allocation Area of each taxing district. For Tax Year 2008, those districts and rates ~~are were~~ as follows:

Taxing Districts Levies:

Jerome County	0.004332471
Jerome Fire District	0.000495643
School District No. 261 ¹	0.001782518
Jerome County Ambulance	0.000339025
Jerome Highway District	0.001279550
Jerome Recreation District	0.000503977
College of Southern Idaho	0.000804922
TOTAL LEVY	0.010797196

For Tax Year 2010, those districts and rates are as follows:

Taxing Districts Levies:

Jerome County	0.004656685
Jerome Fire District	0.000602471
School District No. 261 ²	0.000014846
Jerome County Ambulance	0.000371433
Jerome Highway District	0.001385133
Jerome Recreation District	0.000545586
College of Southern Idaho	0.000872809
TOTAL LEVY	0.008448963

¹ The 2008 School District No. 261 levy rate includes a voter approved general obligation bond passed prior to January 1, 2008, but excludes a voter approved school supplemental levy and a school plant facilities levy passed after January 1, 2008. A State Tax Commission directive indicates the Agency is not entitled to the general obligation bond levy.

² The 2010 School District No. 261 levy rate excludes the general obligation bond levy, a school plant facilities levy and a school supplemental levy.

One result of Section 63-802, Idaho Code, is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. The Study, as amended, has made certain assumptions concerning the ~~reduction in the modification of~~ levy rates over the next several years, by ~~lowering~~ estimating the levy rate ~~1% each~~ to increase 2% per year from 2008, except 2010 through 2012, remain level for three years and decrease 1% per year for the reduction of remaining years. According to a State Tax Commission directive, ~~the School District levy rate by virtue~~ Agency will not receive revenue allocation funds for voter-approved levies regardless of when those levies were passed because the expiration of the previously (prior to original plan was adopted after January 1, 2008.) voter-approved plant facilities levy and bond levy. If the overall levy rate is less than projected, the Agency shall receive fewer funds from revenue allocation.

The 2008 Idaho Legislature passed and Governor Otter signed House Bill 470 as amended in the Idaho Senate, which bill became effective retroactive to January 1, 2008 (Session Laws, Chapter 253). The bill amended Idaho Code Sections 50-2908, 63-803, and 63-811. In brief, the bill provides that an urban renewal agency shall not be entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election held after January 1, 2008, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Crossroads Project Area. The Study which is attached as Attachment 5B has taken this new statute into account. The levy rate for School District No. 261 shown above ~~is the aggregate levy rate for the school district as 2010, does not include any voter-approved levies regardless of 2008 the date of passage.~~ The Study has assumed the impact of House Bill 470 and reduced the school district levy rate accordingly. ~~Levy elections approved prior to January 1, 2008, continue to be available for the Agency until those levies expire. Certain elected levies will not expire during the time frame (through 2017) of the analysis set forth in Attachment 5B~~ Attachment 5B also sets forth certain assumptions on the modification of levy rates over the next several years.

E. [§505] Phasing and Other Fund Sources

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds shall include developer contributions, grant funds, and County ~~of Jerome~~ participation. Agency participation shall be determined by the amount of revenue allocation funds generated.

F. [§506] Lease Revenue, Parking Revenue, and Bonds

Under the Law, the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and may not be particularly noted in the

Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 24-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code Section 50-2905(7) as those resources involve funds not related to revenue allocation funds.

VI. [§600] ACTIONS BY THE COUNTY

The County 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 County 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 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 County after development. The County 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) Building Code enforcement.
- (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 Idaho Community Development Block Grant funds that may be made available for this Project.
- (j) Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- (k) Imposition, whenever necessary (by conditional use permits or other means as appropriate), of controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- (l) The waiver of any hookup or installation fee for sewer, water, or other utility services for any facility owned by any public agency, including any Agency facility.
- (m) Joint funding of certain public improvements, including but not limited to improvements to sewer treatment facilities.
- (n) Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.

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

A. [§601] Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement.

VII. [§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 County.

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 County. 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.

VIII. [§800] DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

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 twenty-four (24) years from the date of

adoption of the Plan by the Board of County Commissioners in 2008, which period shall expire on December 31, 2032, except for any revenue allocation proceeds received in calendar year 2033.

This Plan shall terminate no later than December 31, 2032, except for revenues which may be received in 2033. Either on January 1, 2032, or if the Agency determines an earlier ~~terminat~~termination date:

- (a) When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Section 50-2908, Idaho Code, shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Section 50-2909, Idaho Code, shall thereupon terminate.
- (b) In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.
- (c) For the fiscal year that immediately predates the ~~terminat~~termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Section 50-2909(4), Idaho Code. In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the ~~county~~County auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Section 50-2909, Idaho Code, should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the ~~county~~County recorder and the Idaho State Tax Commission as provided in Section 63-215, Idaho Code.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the County ~~of Jerome~~.

As allowed by Idaho Code Section 50-2905(7), the Agency may retain assets or revenues generated from such assets as loans; the Agency shall have resources other than revenue allocation funds to operate and manage such assets. The Agency may retain ownership of any parking facilities which may be constructed in the Project Area, as parking revenues may be sufficient to provide the resources necessary for the Agency to retain those assets. Similarly, facilities which provide a-leastan income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility.

For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the County ~~of Jerome~~, depending on the nature of the asset.

Upon termination of the revenue allocation authority of the Plan, to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the County ~~of Jerome~~.

IX. [§900] PROCEDURE FOR AMENDMENT

The Plan may be further modified at any time by the ~~Jerome County Urban Renewal~~ Agency provided that, if modified after disposition of real property in the Project Area, 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 Board of County Commissioners in the same manner as the original Plan. Substantial changes for Board of County Commissioners 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.

X. [§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.

XI. [§1100] ANNUAL REPORT

Under the ~~Idaho Urban Renewal~~ Law, the Agency is required to file with the County, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year.

XII. [§1101] APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

| Amended and Restated Project Area and Revenue Allocation Area Boundary Map

| ~~[To be distributed]~~

JEROME COUNTY
 PROPOSED CROSSROADS POINT, PHASE 1
 URBAN RENEWAL AREA, AS AMENDED

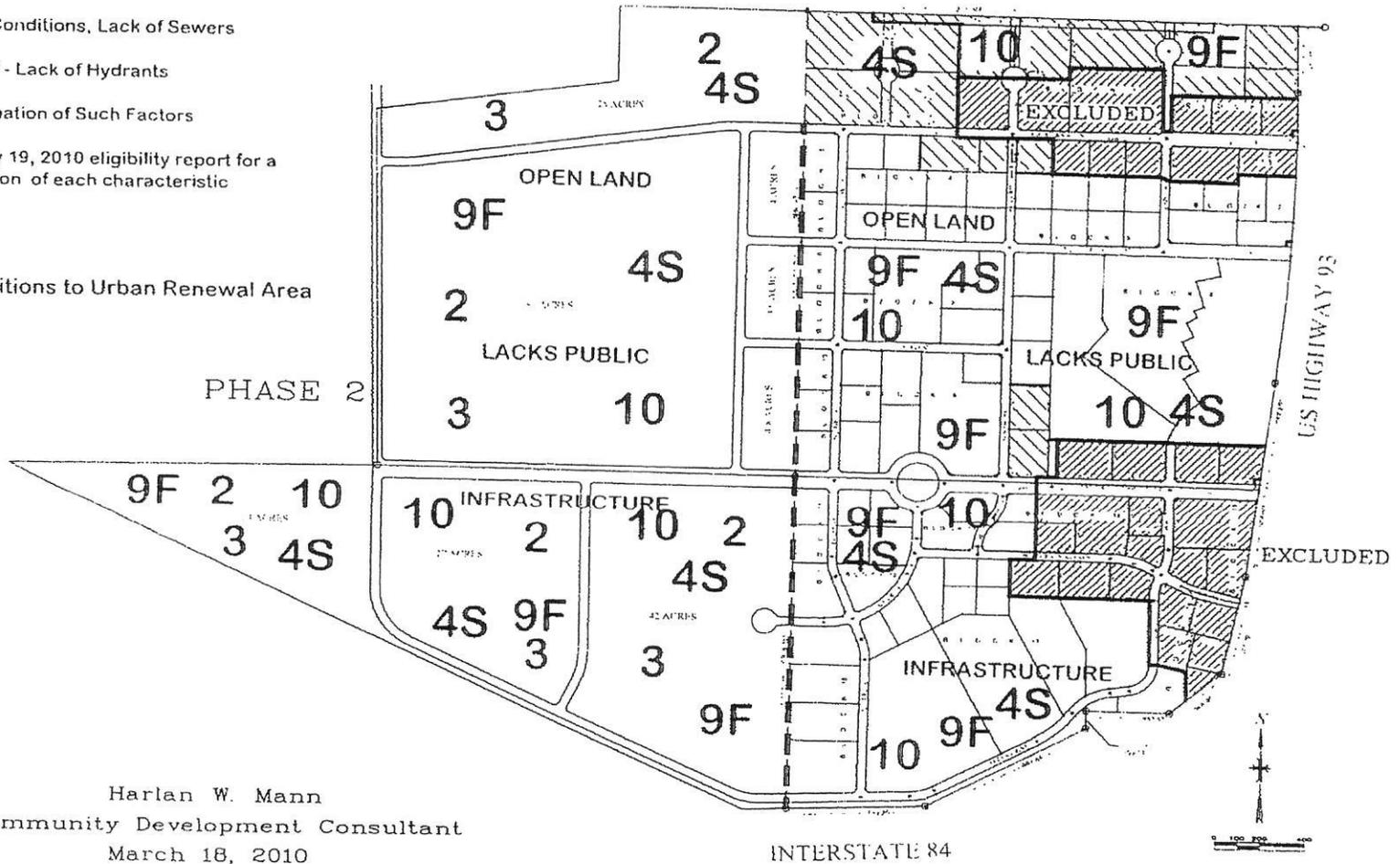
CHARACTERISTICS OF A DETERIORATING AREA

- 4S Insanitary Conditions, Lack of Sewers
- 9F Fire Hazard - Lack of Hydrants
- 10 Any Combination of Such Factors

*See the February 19, 2010 eligibility report for a detailed explanation of each characteristic



Additions to Urban Renewal Area



Harlan W. Mann
 Community Development Consultant
 March 18, 2010

Attachment 2

Description of Amended and Restated Project Area and Revenue Allocation Area

An area consisting of approximately 399429.68 acres at the northwest quadrant of Interstate Highway 84 and United States Highway 93 and as more particularly described as follows:

[Formal Legal Description to Be Inserted]

Attachment 3

Private Properties Which May Be Acquired by Agency

1. Property is intended to be acquired that is necessary for the extension or expansion of certain rights-of-way. No other particular properties have been identified for acquisition by the Agency. The Agency does not intend to purchase property for future development by private persons.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed for the development of public improvements and public facilities.

Attachment 4

Map Depicting Expected Land Uses and Current Zoning
Within Amended and Restated Revenue Allocation Area and Project Area

5/5/2008

APPROVED USES FOR CROSSROADS POINT BUSINESS CENTER PUD

- Amphitheater
- Animal Hospital
- Auditorium
- Automotive Dealerships
- Bank / Financial Services Complex
- Bicycle Paths
- Business Office Buildings
- Business Office Complexes
- Call Centers
- Car Wash
- Central Park
- Church / Religious Center
- Concessions
- Convenience Stores
- Day Care Facilities
- Department Stores
- Discount Retailers
- Distribution Center
- Education and Technology Complex
- Equestrian Facility
- Exhibition Halls
- Exposition and Convention Center
- Fast Food Restaurants with drive thru windows
- Fire / Emergency Station
- Freight Transfer
- Furniture Store
- Government Facilities
- Health Club / Fitness Center
- Home Improvement Centers
- Hospital / Helipad
- Hospital Center
- Hotels / Motels
- Mail Services
- Manufacturing and Technology Campus
- Medical Long-Term Care Center
- Medical Office Buildings
- Mixed Use Office and Civic Complex
- Multiuse Trail Corridor
- Nursery
- Packaging Services
- Public Parks and Playgrounds

5/5/2008

- Public Utility Buildings and Structures (excluding power production services)
- Recreational Complexes
- Rental Centers
- Restaurants
- Retail Outlet Mall
- Retail Stores
- Service Stations with Fuel Sales
- Sports Athletic Complex
- Storage and Warehouse
- Theaters
- Transmitting Towers
- Tourist Center
- Veterinarian Complex

Attachment 5

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

Introduction

Expenditure of funds for projects is anticipated through ~~2018~~2021 with the project as a whole continuing in order to meet debt service.

Anticipated costs of the urban renewal project, revenue sources, estimated revenue allocations, and the amount of indebtedness required to complete the project are shown in Attachment 5. Attachment 5 necessarily incorporates estimates and projections based on the Agency's completed activities, present knowledge, and expectations. The Agency may modify the presently anticipated urban renewal projects and use of revenue allocation financing or 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. Any future modification will affect the estimate.

Attachment 5A also depicts estimated tax assessments through ~~2018~~2020 and anticipated increases in tax assessments through the development process.

Attachment 5 also demonstrates the overall estimated impact of revenue allocation financing on all taxing districts in which the revenue allocation area is located. The impact on individual taxing districts would be determined by those districts' then-current levies and the projected addition of private investment within the Revenue Allocation Area.

The information contained in Attachment 5 assumes certain completed and projected actions. Under the provisions of the Act, the revenue allocation shall continue until ~~the~~ any obligation is satisfied. All debt is projected to be repaid no later than the duration period of the Plan. Second, the total amount of bonded indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development.

Attachment 5C projects expenditures from ~~2009~~2008 through ~~2018~~2021. Should all of the development take place as projected, bonded or other indebtedness could be extinguished earlier, dependent upon the bond sale documents or other legal obligations. 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 bonds may continue for their full term.

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. The Plan proposes certain public improvements, including utility improvements, streetscapes, street

improvements, and other infrastructure cost, which will facilitate development in the Revenue Allocation Area.

Economic Feasibility Statement

The attachments, with their various estimates and projections, constitute an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need from public capital funds during the project. Multiple financing sources including proposed revenue allocation notes and bonds, annual revenue allocations, developer contributions, grant funds, in-kind services, and other funds are shown. This attachment identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred (see Idaho Code § 50-2905). Based on these funding sources, the conclusion is that the project is feasible.

The proposed timing for the public improvements may very well have to be modified depending upon the availability of some of the funds and the Agency's ability to sell an initial issue of notes or bonds, including a developer note.

Attachment 5A, ~~as amended~~, Estimated Net Taxable Value of New Private Development, as amended, lists estimated increases in tax assessments resulting from new development in the Revenue Allocation Area beginning in 2009.

Attachment 5B, ~~as amended~~, Estimated Annual Tax Revenue Allocations, as amended, illustrates how the project's new development would generate net revenue to the Agency.

Attachment 5C, ~~as amended~~, Estimated Annual Revenues and Costs, as amended, shows the estimated sources and uses of funds through ~~2014~~2021.

Attachment 5C-1, ~~as amended~~, Preliminary Cost Estimates, as amended, shows in some detail the proposed improvement costs.

The analysis has assumed certain changes in the levy rates as a result of current statutory provisions.

Description of Public Financing Sources

Revenue Allocation—Revenue allocation financing (sometimes referred to as tax increment financing) applies the increase in property taxes within a defined area to public infrastructure improvements. The improvements are designed to enhance the private development potential, thus creating the additional assessed valuation. The process is initiated upon action of a municipality, whereupon the County assessor will establish the assessed valuation within the Revenue Allocation Area for a base year. The incremental revenue may be applied directly as it is received by the authorized redevelopment agency or, more commonly, applied as a long-term revenue stream for the issuance of bonds or other debt obligations. Once

the Plan has been fully implemented and/or the bonds or debt obligations have been retired, the incremental revenue flows back to the appropriate taxing districts in the same proportion as the base revenue. Revenue ~~Allocation~~ allocation has been available in Idaho since 1988 and is anticipated to be the major, and thus most essential, component for Plan financing.

Loans and Notes—Problematic with ~~Revenue~~ revenue ~~Allocation~~ allocation financing is the time delay from initiation of Plan implementation and establishment of the base assessment roll. Several years may elapse before the incremental tax revenue stream can adequately demonstrate the strength necessary to issue bonds. Short-term notes or loans issued by local lenders or others are a means of providing the bridge financing necessary to begin development work. Bond proceeds can then be used to “take out” the notes. The Agency may borrow other funds from other sources as needed and authorized under the ~~Urban Renewal~~ Plan.

Local Improvement Districts (LIDs)—This financing mechanism is used to fund capital improvements and distribute the cost among a number of property owners. Counties and highway districts often use LIDs for local street and sewer projects. A series of ordinances are adopted to create the district, approve the assessment roll, and issue construction warrants and long-term bonds. The tax-exempt bonds are issued through bid or negotiated sale with revenue collection tied to the property tax system. Bond terms are usually ten years.

SBA 504 Program—This program uses the public sale of reduced interest debentures to write-down commercial loans for commercial and limited industrial projects.

Community Reinvestment—Local lenders are making funds available at below-market interest rates in order to meet their Community Reinvestment Act obligations.

Community Development Block Grant (CDBG)—In order to achieve the objectives set forth in this Plan, the ~~City~~ County may submit an application from time to time for Idaho Community Development Block Grant funding. Such application must meet certain eligibility objectives. The grant is constrained to a specific list of eligible activities. However, Community Development Block Grant funding may be of some assistance in portions of the Agency's funding objectives.

Developer Advances—Given the delayed flow of revenue under ~~tax increment~~ revenue allocation financing, developer advances may be a desirable approach to initiate development projects. The terms of the advance would be negotiable on a project-by-project basis, but possible uses could be master planning, project administrations, necessary legal work, and even preliminary public infrastructure work.

County Advances—County may provide advances or contributions for certain public improvements.

Conduit Financing—The Agency reserves the right to participate as a conduit financing vehicle for those projects described in this ~~Urban Renewal~~ Plan, using lease or revenue proceeds, rather than revenue allocation proceeds.

Financing Conclusion

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the ~~Urban Renewal~~ Plan is likely to increase as a result of the initiation and completion of ~~urban renewal projects~~ Projects pursuant to the ~~Urban Renewal~~ Plan.

Attachment 5A
 Estimated Net Taxable Value¹ of New Private Development
 in Jerome County Crossroads Urban Renewal Project, as Amended
 (09-28-10)

Year ²	Commercial	Year Total	Cumulative Total
2008 -2010	13,538	13,538	
2010-2011	4,638,000 ³	4,638,000	4,652,000 ⁴
2011-2012	4,300,000 ⁵	4,300,000	8,952,000
2012-2013	1,500,000 ⁶	1,500,000	10,452,000
2013-2014	37,178,000 ⁷	37,178,000	47,630,000
2014-2015	40,000,000	40,000,000	87,630,000
2015-2016	10,000,000	10,000,000	97,630,000
2016-2017	10,000,000	10,000,000	107,630,000
2017-2018	10,000,000	10,000,000	117,630,000
2018-2019	10,000,000	10,000,000	127,630,000
2019-2020	5,000,000	5,000,000	132,630,000

¹ Cumulative estimated increases of assessed value for land, improvements, personal property, and utilities above the base value in 2008 and the base value for the additional property in 2010.

² Generally reflects value of construction completed in the first year indicated and assessed in the following year but can include occupancy roll (buildings) and subsequent/missed roll (personal property) values for buildings completed in the following year.

³ Reflects recent land sale, planned modular building estimated 100% completion by 12/31/10, and partial year personal property for XRG, estimated completion of Heritage Building partially constructed in 2009, and completion of the B. & N. Machine Building.

⁴ Includes previous property year total rounded to nearest \$1,000.

⁵ Includes \$3,500,000 development, land at \$1,000,000 in 2011, building and personal property at \$2,800,000 in 2012, XRG Phase I building at \$1,500,000 in 2012.

⁶ Includes XRG Phase II building and personal property totaling \$1,500,000.

⁷ Reflects possible distribution center development on a 50-acre site in the Phase II area. Land and 50% of improvements estimated at \$32,178,000 in 2013 and \$30,000,000 for balance of improvements in 2014.

Includes possible 60-acre, \$50 million, mixed use development starting in 2013 at \$5 million, with the balance of \$55 million over the next 6 years.

Attachment 5B
 Estimated Annual Revenue Allocations
 Jerome County Crossroads Urban Renewal Project, as Amended
 (09-28-10)

Year Assessed	Year Taxes Received	Estimated Valuation ¹	Tax Levy Rate ²	Agency Revenue
2010	2011	13,538	0.008448963	114
2011	2012	4,652,000	0.008617942	40,091
2012	2013	8,952,000	0.008790301	78,691
2013	2014	10,452,000	0.008790301	91,876
2014	2015	47,630,000	0.008790301	418,682
2015	2016	87,630,000	0.008790301	770,294
2016	2017	97,630,000	0.008702398	849,615
2017	2018	107,630,000	0.008615374	927,273
2018	2019	117,630,000	0.008529220	1,003,292
2019	2020	127,630,000	0.008443928	1,077,690
2020	2021	132,630,000	0.008359489	1,108,719
Total				6,366,348

¹ Estimated valuation to nearest (000) is based on cumulative net values from Attachment 5A, rounded.

² The tax levy rate is estimated to increase two percent (2%) per year from 2010 through 2012, remain level for three years and decrease one percent (1%) per year for the remaining years. The rate for 2010 excludes school district voter-approved levies: a general obligation bond levy, a school plant facilities levy, and a school supplemental levy. According to a State Tax Commission directive those levies cannot be used to generate revenue for the urban renewal agency because of House Bill 470 passed by the 2008 Idaho Legislature.

Attachment 5C
 Estimated Annual Revenues and Costs (Figures Shown in 000)
 Jerome County Crossroads Urban Renewal Project, as Amended
 (09-28-10)

	2008-11 ¹	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
Beginning Balance	0	8	18	47	39	102	92	85	127	100	48	
Sources of Funds:												
Revenue Allocation ²		40	79	92	419	770	850	927	1003	1078	1109	6367
County Advance	35											35
Developer Contribution	360	100		500	400							1360
Grants ³			500			500						1000
Total Sources of Funds	395	140	579	592	819	1270	850	927	1003	1078	1109	8762
Total Funds Available	395	148	597	639	858	1372	942	1012	1130	1178	1157	
Uses of Funds:												
Street Improvements	288 ⁴	80 ⁵	400	400	500	600	400	400	750	750	750	5318
Utility Improvements	72	20 ⁵	100	100	125	150	125	100	150	250	250	1442
Site Preparation						200	100	100	100	100	100	700
Repay County Advance/Dev. Cont.		10	25	75	100	300	200	255				965
Admin./Prof. Services	27	20	25	25	31	30	32	30	30	30	30	310
Total Uses of Funds	387	130	550	600	756	1280	857	885	1030	1130	1130	8735
END BALANCE⁶	8	18	47	39	102	92	85	127	100	48	27	

¹ Fiscal Year ending September 30 of year indicated.

² Revenue Allocations: See Attachment 5B, rounded to the nearest thousand.

³ Community Development Block Grants (CDBG).

⁴ Street and utility improvements for north end of Alan Drive and two sections of Ben Drive

⁵ Culdesac improvements at end of Alan Drive

⁶ Any remaining funds at closeout will be returned to the taxing districts.

Attachment 5C-1
Jerome County Crossroads Urban Renewal Project

JEROME COUNTY URA - CRP¹
PRELIMINARY COST ESTIMATE
October 31, 2008
PHASE 1 ROAD AND UTILITY COSTS

Reference	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" Water Main	8,980	LF	\$39.00	\$350,220.00
2	8" Water Main	7,685	LF	\$33.00	\$253,605.00
3	6" Water Main	2,160	LF	\$28.00	\$60,480.00
4	Water Valves	44	Each	\$1,350.00	\$59,400.00
5	Misc. Fittings	1	LS	\$91,200.00	\$91,200.00
6	Fire Hydrants	53	Each	\$2,400.00	\$127,200.00
7	8" Gravity Sewer Main	14,480	LF	\$23.00	\$333,040.00
8	Sewer Manholes	56	Each	\$2,000.00	\$112,000.00
9	Utility Rock Removal	17,920	LF	\$34.00	\$609,280.00
10	6" Vertical Curb and Gutter	38,260	LF	\$24.00	\$918,240.00
11	Arterial Approaches	39	Each	\$6,000.00	\$234,000.00
12	5' Sidewalk	38,260	LF	\$28.00	\$1,071,280.00
13	Pedestrian Ramps	72	Each	\$750.00	\$54,000.00
14	Plant Mix Pavement	73,270	SY	\$19.00	\$1,392,130.00
15	Base Gravel	90,080	SY	\$7.50	\$675,600.00
16	Sub-Base Gravel	98,120	SY	\$8.00	\$784,960.00
17	Power, Gas, Phone, Cable	1	LS	\$861,000.00	\$861,000.00
ESTIMATE SUMMARY:				TOTAL	\$7,987,635.00

¹ The October 2008 cost estimate includes \$13,400,000 of roadway, utility, and site preparation costs. All of these costs were included under the Attachment 5C dated 10/24/08. A combination of an Agency bank loan, developer contributions, and grants were the funding sources for these improvements.

The August 25, 2010, Attachment 5C projects \$7,960,000 of public improvements and site preparation costs, and the same three funding sources. If the same level of public improvements/site preparation costs is required, additional developer contributions will be needed because the urban renewal agency's funds are limited to future tax increment.

Exhibit 5

SUMMARY OF ORDINANCE NO. _____

Exhibit 5
COUNTY OF JEROME

SUMMARY OF ORDINANCE NO. 2010-12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO, APPROVING THE AMENDED AND RESTATED JEROME COUNTY URBAN RENEWAL PLAN FOR THE CROSSROADS URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS, WAIVING THE READING RULES; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: It is hereby found and determined that:

- (a) The Crossroads Urban Renewal Project Area (the "Amended Project Area") as defined in the Amended Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the Amended Plan are necessary in the interests of public health, safety, and welfare of the residents of the county of Jerome (the "County").
- (c) There continues to be a need for the Jerome County Urban Renewal Agency ("Agency") to function in the County.
- (d) The Amended Plan conforms to the Comprehensive Land Use Plan of the County.
- (e) The Amended Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Amended Plan and the need for overall public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the Amended Plan.

(f) The Amended Plan affords maximum opportunity consistent with the sound needs of the County as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

(g) The Amended Plan provides a feasible method for relocation of any displaced families residing within the urban renewal area.

(h) The Crossroads Project Area (the "Amended Project Area") which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Jerome County Comprehensive Land Use Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the County.

(i) The collective base assessment roll of the Amended Project Area does not exceed ten percent (10%) of the assessed value of the County.

(j) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code Section 50-2018(9), does not include any agricultural operation which has been used within the past three (3) consecutive years.

SECTION 2: The Board of County Commissioners ("County Commissioners") finds that the Amended Project Area and Revenue Allocation Area may contain certain open land, but the Agency does not intend to acquire any open land on any widespread basis, and that the Amended Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the County Commissioners find that if portions of the Amended Project Area and Revenue Allocation Area are deemed "open land," the criteria set forth in the Law and Act has been met.

SECTION 3: The County Commissioners find that one of the Amended Plan objectives to increase the mixed use development opportunity meets the sound needs of the County and will provide opportunities in an area that does not now contain such opportunities, and nonresidential uses are necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Jerome County Comprehensive Land Use Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 4: The Amended Plan, a copy of which is attached hereto and marked as Exhibit 4 and made a part hereof by attachments, be and the same hereby is approved, along with the Legal Description attached hereto as Exhibit 3. As directed by the County Commissioners, the County Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the December 6, 2010, hearing, and incorporate changes or modifications, if any.

SECTION 5: No direct or collateral action challenging the Amended Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Amended Plan.

SECTION 6: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Jerome County and to the appropriate officials of Jerome County, Jerome Fire District, School District No. 261, Jerome County Ambulance, Jerome Highway District, Jerome Recreation District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Revenue Allocation Area.

SECTION 7: The County Commissioners hereby find and declares that the Revenue Allocation Area as defined in the Amended Plan (defined as the Amended Project Area in the Amended Plan), the equalized assessed valuation of which the County Commissioners hereby determine is in and is part of the Amended Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Amended Plan.

SECTION 8: The County Commissioners hereby approve and adopt the following policy statement relating to the appointment of County Commissioners members as members of the Agency's Board of Commissioners: If any County Commissioners members are appointed to the Agency Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the County Commissioners, are exercising their independent judgment as private citizens when they sit on the Agency Board. Except for the powers to appoint and terminate Agency Board members and to adopt the Amended Plan, the County Commissioners recognize that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds are outstanding, the County Commissioners shall not exercise its power under Idaho Code Section 50-2006 to designate itself as the Agency Board.

SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2010, to the extent permitted by the Act.

SECTION 11: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 12: One-half, plus one of the County Commissioners members finding good cause, the County Commissioners hereby dispense with the rule that this Ordinance be read on three different days, and have hereby adopted this Ordinance, having considered it at one reading.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 5, is hereby approved.

SECTION 14: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 15: SAVINGS CLAUSE: This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

PASSED by the County Commissioners of the county of Jerome, Idaho, on this 6th day of December 2010.

APPROVED by the Chairman of the County Commissioners of Jerome County, Idaho, on this 6th day of December 2010.

EXHIBITS TO THE ORDINANCE

- Exhibit 1 Planning and Zoning Commission Recommendation Finding the Amended Plan in Conformity With Comprehensive Land Use Plan
- Exhibit 2 Notice Published in the *Times-News*
- Exhibit 3 Legal Description
- Exhibit 4 Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan
- Exhibit 5 Ordinance Summary

SUMMARY OF AMENDED PLAN

The Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan ("Amended Plan") was prepared by the urban renewal agency of the county of Jerome, the Jerome County Urban Renewal Agency ("Agency") pursuant to the state of Idaho Urban Renewal Law, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), the Idaho Constitution, and all applicable laws and ordinances and was approved by the Agency. The Amended Plan provides for the Agency to undertake urban renewal projects pursuant to the Law. The Amended Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2010, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Amended Plan are:

1. The elimination of environmental deficiencies in the Amended Project Area, including, among others, substandard or lack of streets and deteriorated and inadequate public improvements including certain streets, improvements, and extensions to connect major traffic corridors; improvements to public utilities

- including water and sewer improvements, fire protection systems, railroad crossings; other public improvements; removal, burying, or relocation of overhead utilities; and improvement of irrigation and drainage ditches and laterals;
2. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Amended Project Area;
 3. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of excessive rock, limited traffic access, underserved utilities, and other site conditions;
 4. The strengthening of the economic base of the Amended Project Area and the community by the installation of needed site improvements to stimulate new private development providing, employment, and economic growth;
 5. The provision of adequate land for street rights-of-way;
 6. The construction and improvement of a major street corridor to allow traffic flows to move through the development along with the accompanying utility connections, through the Amended Project Area;
 7. The provision of public service utilities such as water system improvements, main sewer system improvements (which may be located outside the Amended Project Area), and certain pretreatment improvements within the Amended Project Area;
 8. 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, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
 9. 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 benefiting the various taxing districts in which the urban renewal area is located; and
 10. The funding of necessary public infrastructure to accommodate both public and private development.

Any such land uses as described in the Amended Plan will be in conformance with zoning for the county of Jerome and the Comprehensive Land Use Plan as adopted by the County Commissioners. Land made available will be developed by private enterprises or public agencies as authorized by law. The Amended Plan identifies various public and private improvements which may be made within the Amended Project Area.

The Amended Project Area and Revenue Allocation Area herein referred to is located generally as follows:

An area consisting of approximately 429.68 acres at the northwest quadrant of Interstate Highway 84 and United States Highway 93 and as more particularly described as follows

**REVISED
PROPERTY DESCRIPTION
FOR
JEROME COUNTY CROSSROADS URBAN RENEWAL PROJECT**

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 10, THE NORTH 1/2 OF SECTION 15 AND THE NORTH 1/2 OF SECTION 16 ALL IN T.9 S., R. 17 E., B.M. JEROME COUNTY, IDAHO GENERALLY DESCRIBED AS THE CROSSROADS POINT BUSINESS CENTER PUD PHASE 1 SUBDIVISIONS AND THE UNDEVELOPED PHASE 2 PROPERTY ADJACENT TO AND WEST OF SAID PHASE 1 PLAT AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, T.9 S., R. 17 E., B.M. ON A BEARING OF NORTH 89° 23' 33" WEST A DISTANCE 363.72 FEET ALONG THE SOUTHERLY BOUNDARY OF SECTION 10 TO THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 AND THE **REAL POINT OF BEGINNING**;

THENCE FROM THIS **REAL POINT OF BEGINNING** AND ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 IDAHO TRANSPORTATION DEPARTMENT (ITD) PROJECT F2391 ON A BEARING NORTH 7° 38' 16" EAST A DISTANCE OF 612.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE CONTINUING ALONG SAID CURVE AND THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 HAVING A RADIUS OF 11,309.16 FEET, A CENTRAL ANGLE OF 8° 24' 44", AN ARC LENGTH OF 1660.42 FEET, A TANGENT LENGTH OF 831.71 FEET AND A LONG CHORD OF 1658.93 FEET ON A BEARING OF NORTH 3° 26' 01" EAST;

THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A

BEARING OF NORTH 0° 49' 52" WEST A DISTANCE OF 375.20 FEET TO THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10

THENCE ALONG THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 10 ON A BEARING OF NORTH 89° 22' 56" WEST A DISTANCE OF 3740.78 FEET;

THENCE ON A BEARING OF SOUTH 0° 30' 00" WEST A DISTANCE OF 422.83 FEET;

THENCE ON A BEARING OF SOUTH 82° 16' 00" WEST A DISTANCE OF 1339.20 FEET TO THE WEST BOUNDARY OF SECTION 10;

THENCE ALONG THE WEST BOUNDARY OF SECTION 10 ON A BEARING OF SOUTH 0° 56' 53" EAST A DISTANCE OF 2023.91 FEET TO THE SECTION CORNER COMMON TO SECTIONS 9, 10, 15 AND 16;

THENCE FROM SAID SECTION CORNER AND ALONG THE NORTH BOUNDARY OF SECTION 16 ON A BEARING OF SOUTH 89° 43' 07" WEST A DISTANCE OF 2038.50 FEET TO THE NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164;

THENCE ALONG NORTH BOUNDARY OF INTERSTATE HIGHWAY 84 PROJECT I-80N-3 (11) 164 THE FOLLOWING COURSES:

SOUTH 61° 36' 38" EAST A DISTANCE OF 129.40 FEET;
SOUTH 63° 43' 35" EAST A DISTANCE OF 487.74 FEET;
SOUTH 64° 28' 10" EAST A DISTANCE OF 3903.75 FEET;
NORTH 88° 12' 24" EAST A DISTANCE OF 1013.02 FEET;
NORTH 61° 31' 50" EAST A DISTANCE OF 991.65 FEET;
NORTH 0° 00' 16" EAST A DISTANCE OF 103.73 FEET;
SOUTH 89° 23' 19" EAST A DISTANCE OF 463.69 FEET;
NORTH 50° 23' 50" EAST A DISTANCE OF 368.90 FEET TO THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93 ITD PROJECT F2391 ON A BEARING OF NORTH 12° 35' 15" EAST A DISTANCE OF 577.09 FEET;

THENCE ALONG THE WEST BOUNDARY OF HIGHWAY 93

ITD PROJECT F2391 ON A BEARING OF NORTH 7° 38' 16"
EAST A DISTANCE OF 521.42 FEET TO THE **REAL POINT**
~~EXCLUSION~~ FOLLOWING BLOCK AND LOTS AS
SHOWN ON THE CROSS ROADS POINT BUSINESS CENTER
PUD PHASE 1 PLATS AS RECORDED IN THE OFFICE OF
THE RECORDER FOR JEROME COUNTY.

BLOCK 1, LOTS 4, 8, 9, 13, 14 AND 15;
BLOCK 2, LOTS 1 AND 2;
BLOCK 3, LOTS 2, 3 AND 4;
BLOCK 8, LOTS 9, 11, 12 AND 13;
BLOCK 14, LOTS 5 AND 6;
BLOCK 15, LOTS 1 THROUGH 3;
BLOCK 16, LOTS 3 THROUGH 5 AND
BLOCK 17, LOTS 8 THROUGH 10.

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT
BUSINESS CENTER PUD #2

BLOCK 1, LOTS 1 AND 2 OF CROSSROADS POINT
BUSINESS CENTER PUD #1

THE ABOVE DESCRIBED PARCEL CONTAINS A GROSS
AREA OF 483.14 ACRES MORE OR LESS AND NET AREA
OF 432.14 ACRES MORE OR LESS WITHOUT THE
EXCLUSION AREAS LISTED ABOVE.

REVISED NOVEMBER 23, 2010

The Amended Project Area is also depicted in the map below.

Sections 300 through 323 discuss the proposed redevelopment actions, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, relocation, demolition, and property disposition.

Sections 402 through 407 discuss the type of land uses authorized in the Amended Project Area and list other controls by referencing the applicable County ordinances.

Section 408 describes design guidelines for development.

The Amended Plan also contains a section on financing. Among other sources, the Amended Plan will utilize revenue allocation financing, authorized by the Act adopted in 1988 by the Idaho Legislature. Section 504 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Amended Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the original Project Area that occur after January 1, 2008, will continue to generate revenue for the Agency to pay project costs. For the additional property included by the Amended Plan, increases in assessed valuation of real and personal property that occur after January 1, 2010, will generate revenue for the Agency to pay project costs. Project costs include street improvements, parking facilities, and other public improvement costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, Jerome County, Jerome Fire District, School District No. 261, Jerome County Ambulance, Jerome Highway District, Jerome Recreation District, and College of Southern Idaho to finance their operations. The Amended Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service.

The program outlined in the Amended Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment 5 describes in detail the cost and financing methods for complete repayment of the debt incurred used to finance the Project and to also fund the additional described activities.

No change in the land use designation or the potential uses in the area have been proposed. The Amended Plan follows the underlying zoning classifications of the County. Proposals for certain zone changes, if any, are made in the Amended Plan.

Sections 600 and 700 describe cooperative activities by the Agency with the County.

The duration of the Amended Plan is for twenty-four (24) years from the date of adoption of the original Plan. A termination process is described in Section 800 of the Amended Plan. The Agency is required to prepare an annual report each year describing its activities during the previous year.

ATTACHMENTS TO THE AMENDED PLAN

- Attachment 1 Amended and Restated Project Area and Revenue Allocation Area Boundary Map
- Attachment 2 Description of Amended and Restated Project Area and Revenue Allocation Area
- Attachment 3 Private Properties Which May be Acquired by Agency (Limited to Public Improvements and Facilities)
- Attachment 4 Map Depicting Expected Land Uses and Current Zoning within Amended and Restated Revenue Allocation Area and Project Area
- Attachment 5 Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts and Financing Methods, as amended
- Attachment 5A Estimated Net Taxable Value of New Private Development in Jerome County Crossroads Urban Renewal Project, as amended
- Attachment 5B Estimated Annual Tax Revenue Allocation in Jerome County Crossroads Urban Renewal Project, as amended
- Attachment 5C Estimated Annual Revenues and Costs in Jerome County Crossroads Urban Renewal Project, as amended
- Attachment 5C-1 Preliminary Cost Estimates October 2008 Phase 1 and Phase 2 Road and Utility Costs in Jerome County Crossroads Urban Renewal Project, as amended

The full text of Ordinance 2010-12 is available at the offices of the County Clerk, Jerome County, 300 N. Lincoln, Jerome, Idaho, 83338.

This summary is approved by the Jerome County Board of County Commissioners at its meeting of December 6, 2010.


Catherine Roemer, Chairman



ATTEST:


Michelle Emerson, County Clerk

I, Michelle Emerson, County Clerk for the County of Jerome, Idaho, hereby declare and certify that in my capacity as County Clerk of the County of Jerome, pursuant to Idaho Code Section 31-715A of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 2010-12

DATED this 6th day of December 2010.


Michelle Emerson, County Clerk

