

DEC 13 10 59 AM '94

ORDINANCE NO. 789

1381278

TO: CLERK
S. Browning
DEPUTY
FEES 27.00

ORDINANCE APPROVING AMENDED TAX ALLOCATION DISTRICT BOUNDARIES FOR THE FOURTH AVENUE URBAN RENEWAL PLAN

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, MAKING FINDINGS REGARDING THE ADOPTION OF AMENDED BOUNDARIES FOR THE TAX ALLOCATION DISTRICT FOR THE FOURTH AVENUE URBAN RENEWAL PLAN; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY, SPECIAL DISTRICTS, AND STATE OFFICIALS; DECLARING THAT VALUATION IS LIKELY TO INCREASE AS A RESULT OF THE PROJECT; ADOPTING A POLICY STATEMENT REGARDING RETURN OF INCREMENTAL REVENUES TO OTHER TAXING DISTRICTS; PROVIDING THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION; PROVIDING SEVERABILITY; AND APPROVING A SUMMARY OF THIS ORDINANCE.

WHEREAS, the Post Falls Urban Renewal Commission (hereinafter "Agency") has embarked on an Urban Renewal Project to redevelop a portion of the City of Post Falls (hereinafter "the City") pursuant to the Idaho Urban Renewal Act, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code (the "Economic Development Act");

WHEREAS, by Resolution No. 91-11, dated May 7, 1991, the City of Post Falls created an Urban Renewal Agency, pursuant to Chapter 20, title 50, Idaho Code, and by the same Resolution appointed Commissioners of the Agency.

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 to be 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 City Council, on May 7, 1991, adopted a Resolution, that found and declared:

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a. that there exists one or more deteriorated or deteriorating areas in Post Falls, Idaho, as defined by Chapters 20, and 29, Title 50, Idaho Code, as amended; and

b. there is a need for the Agency, an urban renewal agency, to function in accordance with the provisions of said Chapter 20 and 29, Title 50, Idaho Code, as amended, within a designated area for the purpose of establishing an urban renewal plan; and

c. that one such deteriorated or deteriorating area, or a combination thereof, is the area identified in the Fourth Avenue Urban Renewal Plan and such area is designated as appropriate for an urban renewal project, such finding complying with the provisions of Idaho Code, Section 50-2008(a).

WHEREAS, On August 16, 1994, that in accordance with the above mentioned provisions, the City Council of the City of Post Falls adopted Ordinance No 774 establishing the Fourth Avenue Urban Renewal Plan;

WHEREAS, the Post Falls Urban Renewal Commission has considered the Amended Tax Allocation District Boundary and recommended that the City Council of the City of Post Falls give consideration to same;

WHEREAS, notice of the public hearing of the proposed amendment was caused to be published in the Post Falls Tribune on October 27, 1994, a copy of said notice being attached hereto as Exhibit A.

WHEREAS, the project area which is predominantly non-residential in character is to be redeveloped for predominantly non-residential uses under the Plan;

WHEREAS, the Legislature of the state of Idaho has enacted the Economic Development Act authorizing certain urban renewal agencies (including the Agency) to adopt revenue allocation financing provisions as part of their urban renewal plan;

WHEREAS, the Plan previously adopted by the City Council contains a revenue allocation financing provision;

WHEREAS, as required by Idaho Code Section 50-2905 and 50-2906, the 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 July 19, 1994, regular meeting of the City Council: (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 on the revenue allocation area; and (5) a description

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of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

WHEREAS, appropriate notice of the proposed Tax Allocation District Boundary changes, a copy of which is attached hereto as Exhibit B, and the 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 the City of Post Falls, Idaho, to adopt the amended tax allocation district boundary for the revenue allocation financing provisions since revenue allocation will help finance urban renewal projects to be completed in accordance with the Plan (as now or hereafter amended), in order: to encourage private development in the urban renewal area; to prevent and arrest decay of the Post Falls area due to the inability of existing financing methods to provide needed public improvements; to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the urban renewal area in order to facilitate the long-term growth of their common tax base; to encourage private investment within the City of Post Falls and to further public purposes of the Agency.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO:

Section 1: It is hereby found and determined that:

- (a) The amended Tax Allocation district boundary is wholly within the Urban Renewal District and is a deteriorated or a deteriorating area as defined in the Urban Renewal Law and the Economic Development Act and qualifies as an eligible urban renewal area under the Urban Renewal Act.
- (b) The expansion of the Tax Allocation District boundary is necessary for the rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the Plan in the interest of the public health, safety, and welfare of the residents of the City of Post Falls.
- (c) The amended Tax Allocation District Boundary does not change the projects identified in Plan.
- (d) The amended Tax Allocation District Boundary will aid the redevelopment of the Project Area for predominantly non-residential uses which are necessary for the proper development of the community in accordance with sound planning standards and local community objectives.

Section 2: Based upon the foregoing, the Amended Tax Allocation District boundary, a copy of which is attached hereto as Exhibit B, is hereby approved.

Section 3: No direct or collateral action attacking the boundary change 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 boundary change.

Section 4: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the county auditor and tax assessor of Kootenai County, and to the appropriate officials of the School District No. 273, Post Falls Highway District No. 1, Post Falls Fire District, North Idaho College, Kootenai Medical Center, Kootenai County EMS, Kootenai County and City, and to 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 5: The City Council finds and declares that the equalized assessed valuation of the revenue allocation area as defined in this amendment and included as being identical with the Urban Renewal Area (also defined as the Project Area in the Plan), is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

Section 6: The City Council hereby approves and adopts the following Statement of Policy relating to the rebate or return of revenue allocation funds by the Agency to any other taxing district identified in the Urban Renewal Plan during the period of time in which the Agency is receiving revenue allocation funds:

The City Council encourages the Post Falls Urban Renewal Commission to consider, from time to time during the period in which it is receiving revenue allocation funds, returning or rebating to the other taxing entities identified in the Urban Renewal Plan, any revenue allocation funds previously pledged or committed for the purposes identified in the Plan. The Council recognizes that under the Idaho Local Economic Development act the Commission must first apply all such revenues for payment of the projected costs of the urban renewal project identified, repayment of principal and interest on any moneys borrowed, indebtedness incurred, or bonds issued by the Commission and maintain any required reserve for payments of such obligation or indebtedness. Only to the extent revenues of the Commission exceed these obligations shall the Commission consider any rebate or return of revenue allocation funds to the other taxing entities. The Council also encourages the Commission to rebate such funds in a manner that corresponds to each taxing entity's relative share of tax revenues or on the basis of extraordinary service requirements generated by the redevelopment contemplated hereby. The City Council also states that all other taxing entities shall first receive any such rebate before any such rebate shall be disbursed to the City.

Section 7: This ordinance shall be in full force and effect from and after its passage, execution and publication in the manner required by law.

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Section 8: 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.

PASSED by the Council of the City of Post Falls, Idaho this 6 day of December, 1994.

APPROVED by the Mayor of the City of Post Falls, this 6 day of December, 1994.

James Hammer
Mayor

ATTEST:

Christine Lippas
City Clerk



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**NOTICE OF THE REGULAR MEETING AND PUBLIC HEARING BY THE
CITY COUNCIL OF THE CITY OF POST FALLS TO CONSIDER AN
AMENDMENT TO THE TAX ALLOCATION DISTRICT FOR THE FOURTH
AVENUE URBAN RENEWAL PLAN OF THE POST FALLS URBAN RENEWAL
COMMISSION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Post Falls, during its regular scheduled meeting, will conduct a public hearing in the City Council Chambers, 408 Spokane Street, Post Falls, Idaho, on the 15th day of November, 1994, at 7:00 P.M. to consider an amendment to the Tax Allocation District for the Fourth Avenue Urban Renewal Plan of the Post Falls Urban Renewal Commission of the City of Post Falls, the amended boundaries of which are hereinafter described. There are no changes proposed to the plan which has been adopted. It is proposed to expand the Tax Allocation District boundaries to conform to the Urban Renewal District boundaries. The revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, allows property taxes resulting from increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 1994, to be allocated to the Agency for Urban Renewal purposes and will continue to be used as outlined in the adopted plan.

The general scope of this amendment is as follows:

1. Expand the Tax Allocation District boundary such that it matches the Urban Renewal District Boundary.
2. The expansion will insure the completion of the Fourth Avenue Urban Renewal Plan.
3. Expanding the District boundary is expected to return increased tax increments to the appropriate taxing entities at an earlier date than originally anticipated.
4. The strengthening of the tax base by encouraging private development thus increasing the assessed valuation of properties within the Revenue Allocation Area and benefiting the various taxing districts in which the Urban Renewal Area is located.
5. The amendment will still be consistent with the Comprehensive Plan of the City of Post Falls and the Urban Renewal District Plan for the Fourth Avenue Urban Renewal Area.
6. The amended Tax Allocation District Area herein referred to is located as follows:

A District located in Section 3, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, State of Idaho, more particularly described as:

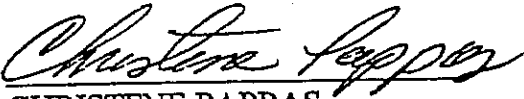
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Commencing at the Center Section Corner of Section 3, Township 50 North, Range 5 West, Boise Meridian, said Center Section Corner being on the West right-of-way line of Spokane Street and also being the Point of Beginning of this description; thence Southerly along said West right-of-way line of Spokane Street to a point opposite the Northwest corner of Tax No. 6086; thence Easterly along the South right-of-way line of First Avenue to a point opposite the Southwest corner of Lot 11, Block 39, Plat of Post Falls Town; thence Northerly along the East right-of-way line of Henry Street to the Southwest corner of Lot 10, Block 18 of said Plat; thence Easterly along the North right-of-way line of the alley in Blocks 18 and 17 to the Southwest corner of Lot 10, Block 16 of said Plat; thence Northerly along the East right-of-way line of Lincoln Street to the Northwest corner of Lot 11, Block 13 of said Plat; thence Westerly along the South right-of-way line of the alley in Blocks 12 and 11 to the Northwest corner of Lot 11, Block 11 of said Plat; thence Northerly along the East right-of-way line of Henry Street to a point on the South right-of-way line of Interstate 90; thence Westerly along said South right-of-way line of Interstate 90 to the east right-of-way line of the Burlington Northern Railroad; thence north, westerly, southerly, and westerly along the south right-of-way line of Interstate 90 to a point 100 feet West of the East boundary of Tax No. 1138; thence Southerly parallel to said East boundary of Tax No. 1138 to a point on the East side of the abandoned irrigation canal in said Tax No. 1138; thence Southeasterly along said East side of the abandoned irrigation canal to the Northwest corner of Tax No. 1790; thence Easterly along the North boundary of said Tax No. 1790 extended to a point on the West boundary of Assessor's No. 4-A; thence Northerly along the West boundary of said Assessor's No. 4-A to a point opposite the Northwest corner of Tax No. 1015; thence Easterly along the North boundary of said Tax No. 1015 extended to a point on the West right-of-way line of the Burlington Northern Railroad; thence Southeasterly along said West right-of-way line of the Burlington Northern Railroad to a point on the West right-of-way line of Spokane Street; thence Southerly along said West right-of-way line of Spokane Street to the Point of Beginning.

Copies of the proposed amendment to the Tax Allocation District are on file for public inspection and copying for the cost of duplication at the office of the City Clerk, City Hall, 408 Spokane Street, Post Falls, ID 83854.

At the time and place noted above, all persons interested in the above matters may appear and be heard.

DATED this 14th day of October, 1994.


CHRISTENE PAPPAS
CITY CLERK
POST FALLS, IDAHO

Published October 20, 1994

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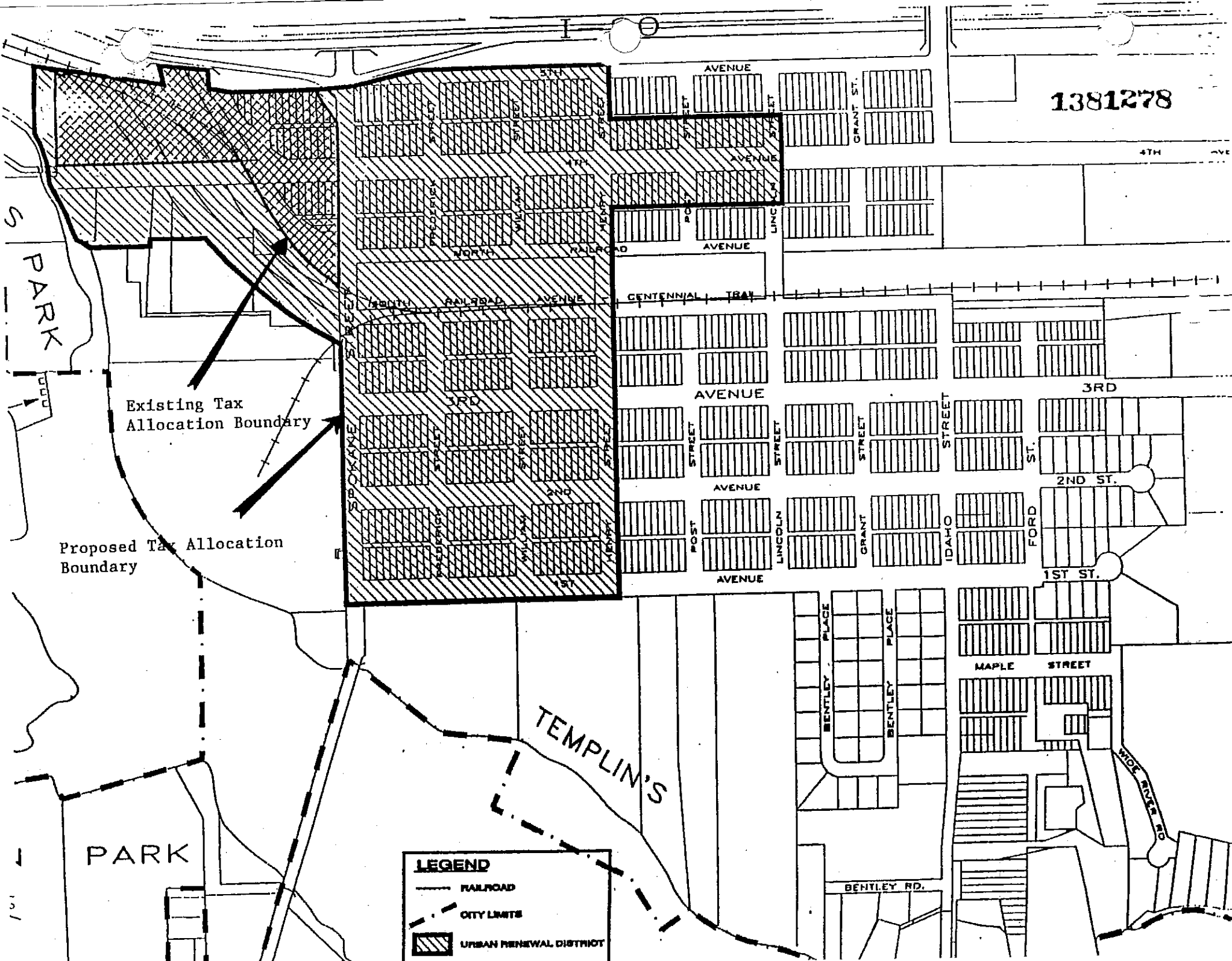
S PARK

Existing Tax Allocation Boundary

Proposed Tax Allocation Boundary

LEGEND

-  RAILROAD
-  CITY LIMITS
-  URBAN RENEWAL DISTRICT



ORDINANCE NO. 992

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, APPROVING THE MODIFICATION AND GEOGRAPHICAL EXPANSION OF THE FOURTH STREET URBAN RENEWAL PLAN; MAKING CERTAIN FINDINGS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS the City of Post Falls, Kootenai County, Idaho (the City), is a duly incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by Idaho Code, Title 50, Chapters 20 and 29, to adopt and to modify urban renewal plans upon the recommendation of the Post Falls Urban Renewal Agency, and

WHEREAS the City of Post Falls did in 1994 adopt Ordinance No. 774, establishing the Fourth Street Urban Renewal Plan (the Plan), and did in February of 1996, adopt Resolution No. 96-6 establishing the geographical boundaries of the Downtown Urban Renewal District (the District) as a deteriorating area pursuant to I.C. 50-2018(h) and I.C. 50-2903(7)(b), and

WHEREAS a contiguous collection of land parcels known commonly as the Louisiana Pacific Mill Site (the L/P Site) was included within the boundaries of the District but specifically excluded from inclusion within the boundaries of the Plan area at the request of the then property owner, and

WHEREAS the L/P Site, described in Exhibit A, attached hereto and incorporated by reference herein, hereinafter referred to as the Subject Property, is now owned by the POINT AT POST FALLS, an Idaho limited liability company (the Applicant), and

WHEREAS the Applicant has formerly applied to the Post Falls Urban Renewal Agency for inclusion of the Subject Property within the geographical boundaries of the Fourth Street Urban Renewal Plan area, and

WHEREAS the Board of Commissioners of the Post Falls Urban Renewal Agency did adopt Resolution No. 2001-03 on October 11, 2001, recommending to the City of Post Falls the adoption of an ordinance modifying the Fourth Street Urban Renewal Plan to include the Subject Property within the geographical boundaries of the Plan Area, effective on January 1, 2001.

STATE OF IDAHO }
COUNTY OF KOOTENAI } ss
AT THE REQUEST OF }
CITY OF POST FALLS }

DEC 20 10 08 AM '01

DANIEL J ENGLISH
DEPUTY 33.00

FEES

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, as follows:

Section 1: The City hereby modifies the Fourth Street Urban Renewal Plan to include the real property described in Exhibit A, and by reference made a part hereof, based on the following findings:

- A. The Subject Property is included in the Downtown Urban Renewal District, an area previously determined to be a deteriorating area in need of urban renewal.
- B. The Subject Property would have been included in the initial boundaries of the Fourth Street Urban Renewal Plan Area except for the specific request of the then property owner to be excluded.
- C. The current owner of the Subject Property has specifically requested that the Subject Property be included within the geographical boundaries of the Fourth Street Urban Renewal Plan Area, and has demonstrated a desire to effectuate improvements to the property that will be consistent with the general plan for the development of the City of Post Falls and in conformance with the Comprehensive Plan.
- D. The Subject Property is adjacent to and contiguous with the current boundaries of the Plan Area.
- E. The inclusion of this property in the Plan Area conforms to the City of Post Falls comprehensive Plan.
- F. The development of this property will not displace any families.
- G. The inclusion of this property in the Plan Area is in conformance with state and local planning and zoning requirements.
- H. The proposal has received the recommendation of the Post Falls Urban Renewal Agency.

Section 2: The City of Post Falls, Kootenai County, Idaho, hereby approves the modification of the Fourth Street Urban Renewal Plan to include the Subject Property described in Exhibit A to be included within the geographical boundaries of the Plan Area.

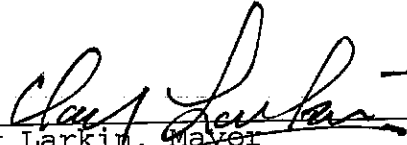
Section 3: This Ordinance shall be effective upon its passage and publication according to law.

Enacted by the city council as an ordinance of the City of Post Falls on the 4th day of December 2001.

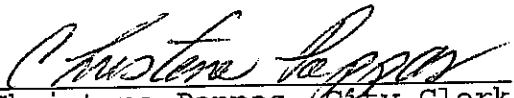
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Approved by the Mayor on the 4 day of December 2001.

CITY OF POST FALLS


Clay Larkin, Mayor

ATTEST:


Christene Pappas, City Clerk



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**LEGAL DESCRIPTION
PARCELS TO BE ADDED TO THE CITY OF POST FALLS
REVENUE ALLOCATION AREA**

PARCEL "A"

A portion of Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Town of Post Falls, Kootenai County, Idaho.

Commencing at a point S 0°02'30" E 100.00 feet and S 89°57'30" W 80.00 feet from the southwest corner of Block 36, TOWN OF POST FALLS, thence S 89°57'30" W 229.50 feet to the POINT OF BEGINNING, thence N 89°57'30" E 179.50 feet, thence N 48°58'31" E 32.90 feet, thence N 6°49'02" E 209.92 feet, thence S 89°57'30" W 39.91 feet, thence N 0°02'30" W 40.00 feet, thence N 89°57'30" E 40.00 feet to a point on the westerly right of way of Spokane Street, thence N 0°02'30" W along said westerly line 1028.07 feet to a point on the southerly right of way line of the Coeur d'Alene and Spokane Railroad (now Great Northern) said point being a non-tangent curve whose center of radius bears N 26°12'11" E 1102.14 feet, thence northwesterly along said curve and right of way line through a central angle of 8°54'33" an arc length of 171.38 feet, thence leaving said right of way S 89°59'54" W 152.79 feet, thence N 0°02'30" W 129.81 feet to a point on the southerly right of way line of the Coeur d'Alene and Spokane Railroad (now Great Northern) said point being on a non-tangent curve whose center of radius bears N 45°33'09" E 1102.14 feet, thence northwesterly along said curve and right of way line through a central angle of 6°18'39" an arc length of 121.39 feet, thence N 0°02'30" W along said right of way line 49.79 feet to a point on a 1072.14 foot radius curve whose center of radius bears N 53°57'28" E, thence northwesterly along said curve and right of way line through a central angle of 3°14'51" an arc length of 60.77 feet, thence N 32°47'42" W along said right of way 134.56 feet to a point on the south line of Fourth Street, extended westerly, thence S 89°59'54" W along said south line extended 432.89 feet, thence S 0°02'30" E 246.00 feet, thence N 89°59'54" E 4.90 feet to a point on a 965.37 foot radius curve whose center of radius bears N 88°16'55" E, thence southeasterly along said curve through a central angle of 4°18'51" an arc length of 72.69 feet, thence S 6°01'56" E 115.31 feet, thence S 89°59'54" W 60.00 feet, thence N 6°01'56" W 150.01 feet, thence S 89°59'54" W 191.89 feet, thence southeasterly along the westerly high water line of a canal to a point which is S 7°08'14" E 382.89 feet, thence S 14°44'49" E 189.77 feet to a point on the high water line of the right bank of the Spokane River, north channel, thence southeasterly along said high water line to a point which bears S 89°57'30" W from the POINT OF BEGINNING, thence N 89°57'30" E 46 feet, more or less, to the POINT OF BEGINNING.

AND

PARCEL "B"

A portion of government lot 5, Section 3, T50N, R5W, B.M., Kootenai County, Idaho, more particularly described as follows:

Beginning at the intersection of the west line of Spokane Street and the southerly right-of-way line of the Coeur d'Alene and Spokane railway as shown on the record of survey recorded at book 21, page 114, Kootenai County records;

Thence along said southerly right-of-way being a curve to the right with a radius of 1102.14 feet, a central angle of $08^{\circ}54'33''$, and whose chord bears $N59^{\circ}20'33''W$, a distance of 171.20 feet to the TRUE POINT OF BEGINNING of the herein described parcel of land;

Thence $S89^{\circ}59'54''W$ along the north line of parcel 5 as shown on said record of survey, a distance of 152.79 feet to the east line of parcel 7 as shown on said record of survey;

Thence $N00^{\circ}02'30''W$ along the east line of said parcel 7, a distance of 129.81 feet to the southerly right-of-way line of the Coeur d'Alene and Spokane railway;

Thence 200.83 feet along said southerly right-of-way line being a curve to the left with a radius of 1102.14 feet, a central angle of $10^{\circ}26'25''$, and whose chord bears $S49^{\circ}40'03''E$, a distance of 200.55 feet to the TRUE POINT OF BEGINNING of the herein described parcel of land;

AND

PARCEL "C"

That portion of Government Lot 5, of Section 3, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho, described as follows:

Beginning at the Northwest corner of Parcel 6, as shown on the Record of Survey filed in Book 21, Pages 114 and 114A, being a point on the boundary of the parcel shown on the Record of Survey filed in Book 10, Page 118 and 118A, and being a point on the Southerly right-of-way line of 4th Street, 1,000 feet West of the Northwest corner of Block 21 of the plat of the City of Post Falls, according to the plat recorded in Book "C", Page 208, and being a point on the West line of Lot 4-A, of the plat of the HEIRS OF MARGARET POST ESTATE, according to the plat recorded in Book "C", Page 111; thence

Along the boundary of the parcel surveyed on said Records of Survey, the following (7) calls:

- 1) South $00^{\circ}02'30''$ East, parallel with the West line of Spokane Street, 246.00 feet;
- 2) North $89^{\circ}59'54''$ East, parallel with said Southerly right-of-way line of 4th Street, 4.90 feet to a point on a 965.37 foot radius non-tangent curve to the left lying ten feet (10') Westerly of the centerline of the spur track described in Warranty Deed from Frederick Post and wife to the Spokane Falls and Idaho Railroad Company filed for record June 17, 1895 in Book "M" of Deeds, on Page 247, the center of circle of which bears North $88^{\circ}16'55''$ East;
- 3) Southeasterly along the arc of said curve through a central angle of $4^{\circ}18'51''$, 72.69 feet to the point of tangency, (long chord=South $03^{\circ}52'31''$ East 72.67');
- 4) South $06^{\circ}01'56''$ East 115.31 feet;
- 5) South $89^{\circ}59'54''$ West 60.00 feet;

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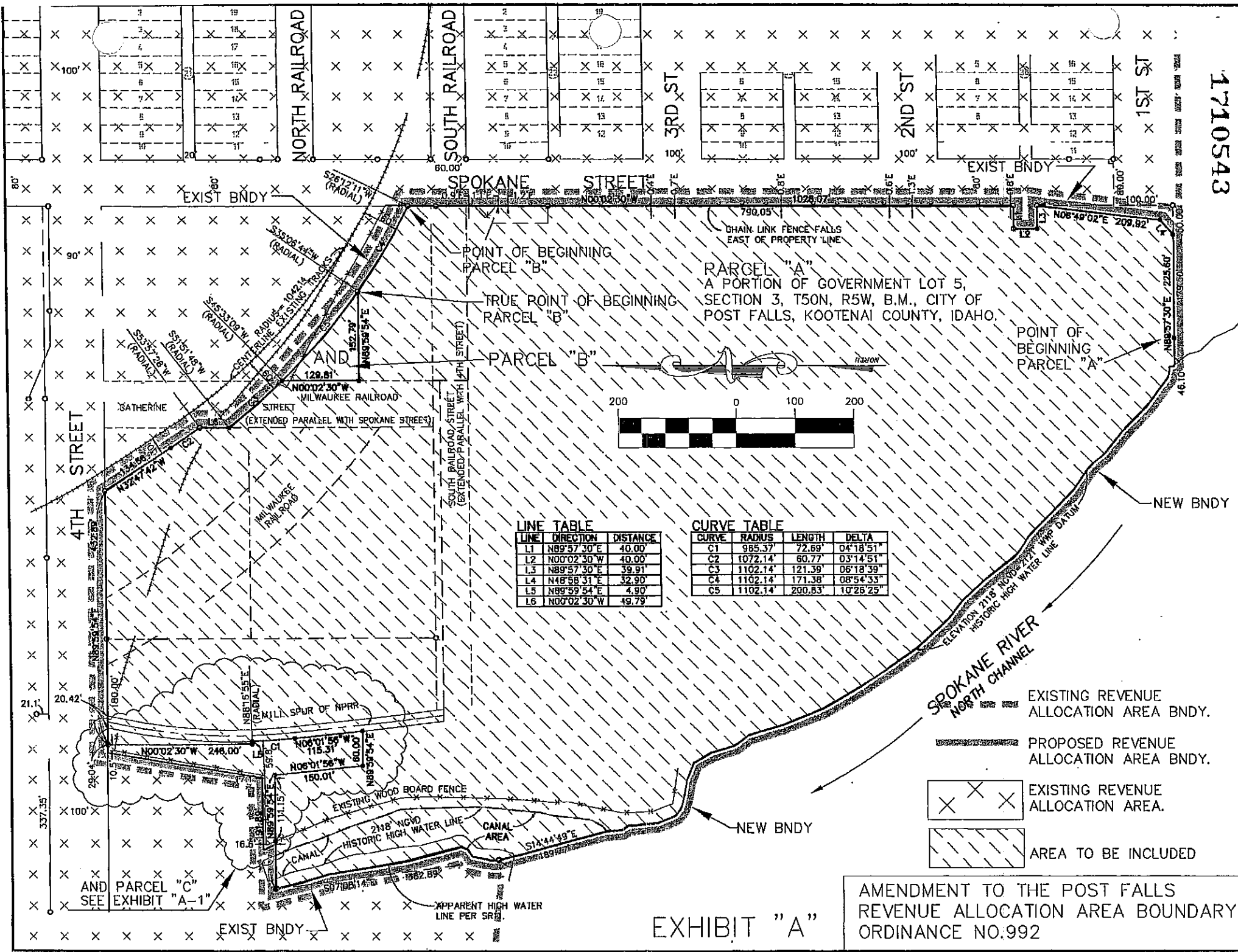
- 6) North $06^{\circ}01'56''$ West 150.01 feet;
- 7) South $89^{\circ}59'54''$ West 110.84 feet to a point on a line parallel with and 0.5 feet East of, measured at a right angle, the existing fence line shown on the Record of Survey filed in Book 21, Pages 114 and 114A; thence
- 8) Leaving said boundary, and along said parallel line North $21^{\circ}31'55''$ West 17.24 feet to a point on a line parallel with and 0.5 feet South of, measured at a right angle, said existing fence line; thence

North $89^{\circ}44'17''$ East, along said parallel line, 117.31 feet to a point on a line parallel with and 0.5 feet Southeasterly of, measured at a right angle, said existing fence line; thence

North $09^{\circ}38'54''$ East, along said parallel line and said line extended, 271.27 feet to a point on said Southerly right-of-way line of 4th Street; thence

North $89^{\circ}59'54''$ East, along said Southerly right-of-way line, 8.05 feet to the POINT OF BEGINNING.

END OF DESCRIPTION



LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N89°57'30" E	40.00'
L2	N00°02'30" W	40.00'
L3	N89°57'30" E	39.91'
L4	N48°58'31" E	32.90'
L5	N89°59'54" E	4.90'
L6	N00°02'30" W	49.79'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	985.37'	72.69'	04°18'51"
C2	1072.14'	60.77'	03°14'51"
C3	1102.14'	121.39'	06°18'39"
C4	1102.14'	171.38'	08°54'33"
C5	1102.14'	260.83'	10°28'25"

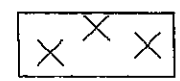
- EXISTING REVENUE ALLOCATION AREA BNDY.
- PROPOSED REVENUE ALLOCATION AREA BNDY.
- EXISTING REVENUE ALLOCATION AREA.
- AREA TO BE INCLUDED

AMENDMENT TO THE POST FALLS REVENUE ALLOCATION AREA BOUNDARY ORDINANCE NO.992

EXHIBIT "A"

1710543

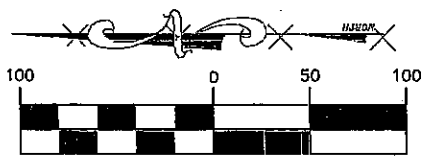
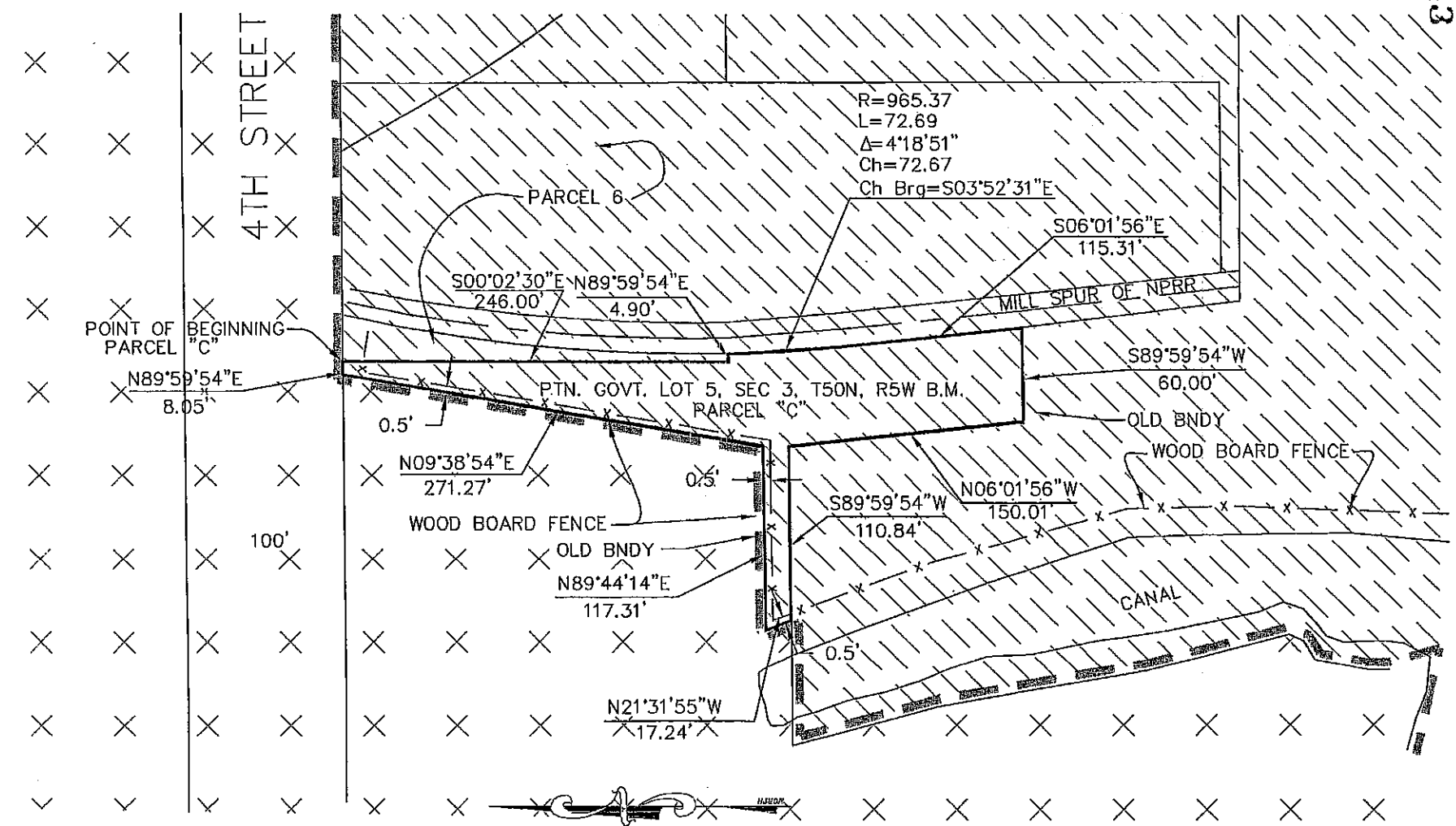
EXISTING REVENUE ALLOCATION AREA BNDY.



EXISTING REVENUE ALLOCATION AREA.



AREA TO BE INCLUDED

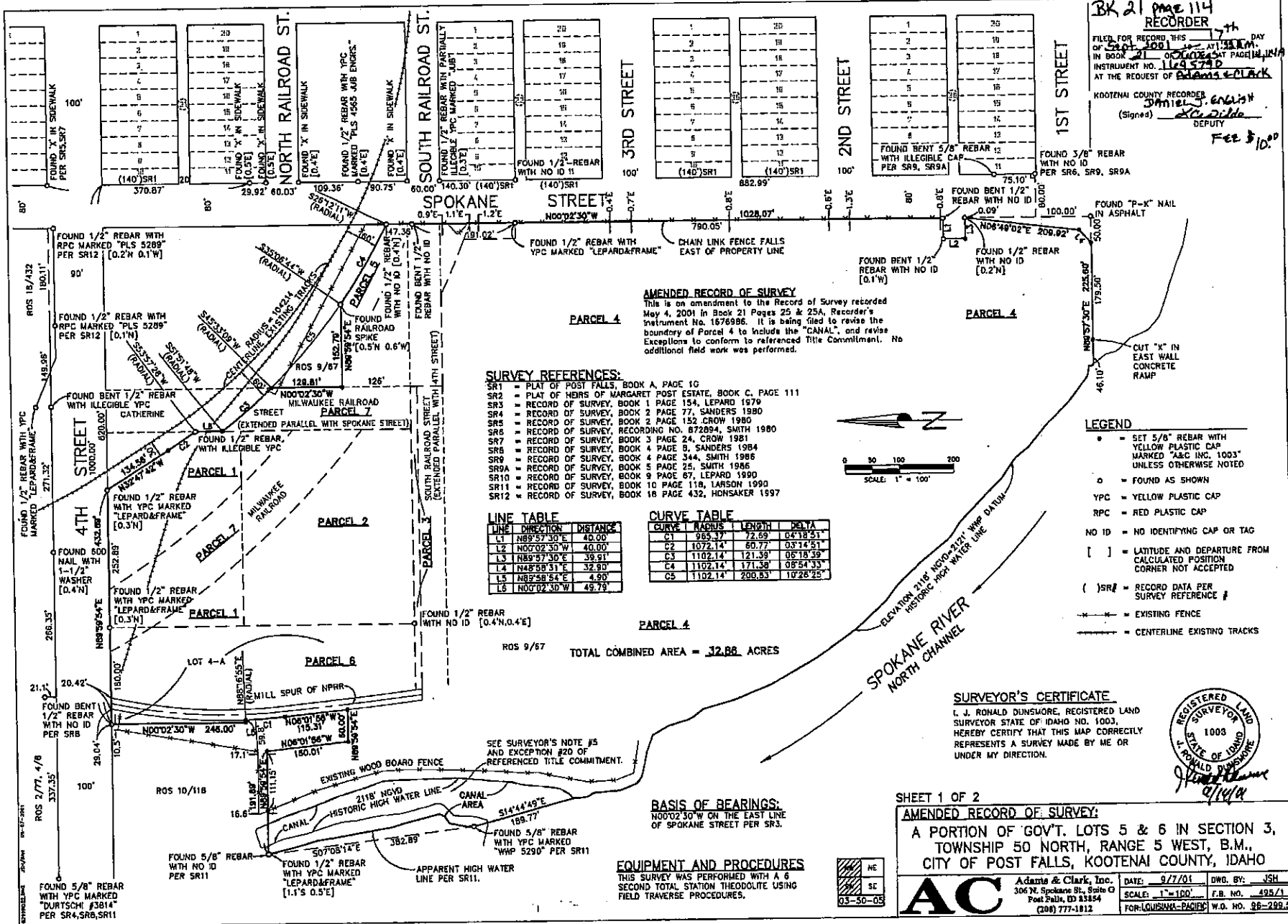


1 inch = 100 ft.

EXHIBIT "A-1"

AMENDMENT TO THE POST FALLS REVENUE ALLOCATION AREA BOUNDARY ORDINANCE NO.992

BK 21 page 114
RECORDER
 FILED FOR RECORD THIS 17th DAY OF Sept. 2001 AT 10:30 AM. INSTRUMENT NO. 11695740 AT THE REQUEST OF Adams & Clark
 KOOTENAI COUNTY RECORDER
 Daniel J. English
 (Signed) DEPUTY
 Fee \$10.00



AMENDED RECORD OF SURVEY
 This is an amendment to the Record of Survey recorded May 4, 2001 in Book 21 Pages 25 & 25A, Recorder's Instrument No. 1676996. It is being filed to revise the boundary of Parcel 4 to include the "CANAL", and revise Exceptions to conform to referenced Title Commitment. No additional field work was performed.

- SURVEY REFERENCES:**
- SRT1 - PLAT OF POST FALLS, BOOK A, PAGE 10
 - SRT2 - PLAT OF HERBS OF MARGARET POST ESTATE, BOOK C, PAGE 111
 - SRT3 - RECORD OF SURVEY, BOOK 1 PAGE 154, LEPARD 1979
 - SRT4 - RECORD OF SURVEY, BOOK 2 PAGE 77, SANDERS 1980
 - SRT5 - RECORD OF SURVEY, BOOK 2 PAGE 152, CROW 1980
 - SRT6 - RECORD OF SURVEY, RECORDING NO. 872894, SMITH 1980
 - SRT7 - RECORD OF SURVEY, BOOK 3 PAGE 24, CROW 1981
 - SRT8 - RECORD OF SURVEY, BOOK 4 PAGE B, SANDERS 1984
 - SRT9 - RECORD OF SURVEY, BOOK 4 PAGE 344, SMITH 1986
 - SRT9A - RECORD OF SURVEY, BOOK 5 PAGE 25, SMITH 1986
 - SRT10 - RECORD OF SURVEY, BOOK 9 PAGE 87, LEPARD 1990
 - SRT11 - RECORD OF SURVEY, BOOK 10 PAGE 118, LARSON 1990
 - SRT12 - RECORD OF SURVEY, BOOK 18 PAGE 432, HDNSAKER 1997

LINE TABLE

LINE	DIRECTION	CURVE	RADIUS	LENGTH	DELTA
L1	N89°57'30"E			40.00	
L2	N00°02'30"W			40.00	
L3	N89°57'30"E			39.91	
L4	N48°58'31"E			32.90	
L5	N89°58'54"E			4.90	
L6	N00°02'30"W			49.79	

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	985.37'	72.69'	04°18'51"
C2	1072.14'	60.77'	03°14'51"
C3	1102.14'	121.39'	06°18'59"
C4	1102.14'	171.38'	08°54'33"
C5	1102.14'	200.63'	10°28'25"

LINE TABLE

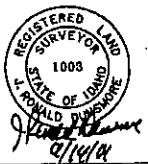
L1 N89°57'30"E 40.00
 L2 N00°02'30"W 40.00
 L3 N89°57'30"E 39.91
 L4 N48°58'31"E 32.90
 L5 N89°58'54"E 4.90
 L6 N00°02'30"W 49.79

BASIS OF BEARINGS:
 N00°02'30"W ON THE EAST LINE OF SPOKANE STREET PER SR3.

EQUIPMENT AND PROCEDURES
 THIS SURVEY WAS PERFORMED WITH A 6 SECOND TOTAL STATION THEODOLITE USING FIELD TRAVERSE PROCEDURES.



SURVEYOR'S CERTIFICATE
 I, J. RONALD DUNSMORE, REGISTERED LAND SURVEYOR STATE OF IDAHO NO. 1003, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION.



SHEET 1 OF 2
AMENDED RECORD OF SURVEY:
 A PORTION OF GOV'T. LOTS 5 & 6 IN SECTION 3, TOWNSHIP 50 NORTH, RANGE 5 WEST, B.M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO

AC Adams & Clark, Inc.
 306 N. Spokane St., Suite G
 Post Falls, ID 83854
 (208) 771-1812

DATE: 9/7/01 DWG. BY: JSH
 SCALE: 1"=100' F.B. NO. 495/1
 FOR: GUISAR-PACIFIC W.D. NO. 98-289.5

1710543

1710543

3K 21 pg 114A

RECORDER

LEGAL DESCRIPTIONS

(Descriptions for Parcels 1 through 7 are as shown in Commitment for Title Insurance issued by First American Title Insurance Company, Fourth Revised Commitment No. C43329, effective date August 8, 2001.)

PARCEL 1

A part of Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, commencing at a point on the South line of the extension of Fourth Street, West 820 feet from the Northwest corner of Block 21 of TOWN OF POST FALLS; thence South a distance of 245 feet; thence East 363 feet to the South line of Colverine Street, 95 feet; thence Northwesterly to a stake on the extension of the South line of Fourth Street, 195 feet; thence West following the South line of extension of Fourth Street, 353 feet to the PLACE OF BEGINNING.

PARCEL 2

A part of Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, commencing at the intersection of the North line of South Railroad Street extended West with the West line of Colverine Street, extended South; thence West 363 feet; thence North 314 feet, more or less, to the Southwest corner of the tract described in Parcel No. 1 above; thence East 353 feet to the West line of Colverine Street extended North; thence South on said extended West line, 314 feet to the PLACE OF BEGINNING.

PARCEL 3

A part of Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, commencing at the intersection of the North line of South Railroad Street extended West to the East line of Colverine Street, extended South; thence West to the right of way of the Northern Pacific Railway spur thence South 12 feet; thence East to a point directly South of the PLACE OF BEGINNING; thence North 12 feet to the PLACE OF BEGINNING.

PARCEL 4

Part of Government Lots 5 and 6, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:
BEGINNING of a point 100 feet South and 80 feet West of the Southwest corner of Block 35, TDWH OF POST FALLS; thence North along the West line of Spokane Avenue, 230 feet; thence West 40 feet; thence North 40 feet; thence East 40 feet; thence North along the West line of Spokane Avenue, 760 feet, more or less, to the center of said Section 3; thence West 30 feet; thence North 93 feet to the South side of the right of way of the Chicago, Milwaukee & St. Paul Railway; thence Northwesterly along said right of way, 113 feet, more or less, to its intersection with the South side of South Railroad Street extended West; thence West along the South side of South Railroad Street extended, 188 feet; thence North 48 feet; thence West 576.9 feet to a point 10 feet Westerly of the center line of Spokane Falls Idaho Railroad spur track; thence Northwesterly parallel and 10 feet from the center line of said spur track, 144 feet; thence West 50 feet; thence North 150 feet; thence West 170 feet to the West bank of canal extended North and South; thence Southerly along the West bank of said canal to the Spokane River; thence Southwesterly along the Spokane River to a point West of the PLACE OF BEGINNING; thence East 245.2 feet, more or less, to the PLACE OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion thereof conveyed by Georgia-Pacific Corporation to Post Falls Highway District by Deed dated March 23, 1971, more particularly described as follows:
BEGINNING at a point on the West right of way line of Spokane Street which is 100 feet South and 80 feet West of the Southwest corner of Block 36, TDWH OF POST FALLS, according to the recorded Plat thereof, said point being 11.01 feet West of the proposed highway centerline, Station 24+82.89, Federal Aid Project Number S-5735(1); thence North along the West line of Spokane Street 230 feet to a point which is 39.91 feet West of the said proposed highway centerline, Station 22+30.60; thence West 0.09 feet; thence Southwesterly, 40 feet distant from and parallel to the said proposed highway centerline, to a point which is 40 feet Westerly from and at right angles to the said proposed highway centerline, Station 24+50, said point is 78.42 feet, South 0°00' East and 105.16 feet, South 90°00' West of said Southwest corner of Block 36; thence Southwesterly to a point which is 100 feet South and 130 feet West of the Southwest corner of said Block 35; thence East 50 feet, more or less, to the POINT OF BEGINNING.

PARCEL 5

A portion of Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:
BEGINNING at a point where the West line of Spokane Street intersects the South line of the right of way to the Coeur d'Alene & Spokane Railroad (now Great Northern); thence Westerly following the South line of said right of way to the South line of a certain triangular tract formerly deeded to said railroad company; thence West on said South line to its intersection with the North line of the right of way of the Idaho & Western Railway (Milwaukee); thence Easterly along the Northern right of way of said railroad to the West line of Spokane Street; thence North along the West line of Spokane Street to the PLACE OF BEGINNING.

EXCEPTING THEREFROM that portion thereof conveyed by Georgia-Pacific Corporation to Post Falls Highway District by Deed dated March 23, 1971, more particularly described as follows:
BEGINNING at a point on the West right of way line of Spokane Street which is 100 feet South and 80 feet West of the Southwest corner of Block 36, TDWH OF POST FALLS, according to the recorded Plat thereof, said point being 11.01 feet West of the proposed highway centerline, Station 24+82.89, Federal Aid Project Number S-5735(1); thence North along the West line of Spokane Street 230 feet to a point which is 39.91 feet West of the said proposed highway centerline, Station 22+30.60; thence West 0.09 feet; thence Southwesterly, 40 feet distant from and parallel to the said proposed highway centerline, to a point which is 40 feet Westerly from and at right angles to the said proposed highway centerline, Station 24+50, said point is 78.42 feet, South 0°00' East and 105.16 feet, South 90°00' West of said Southwest corner of Block 36; thence Southwesterly to a point which is 100 feet South and 130 feet West of the Southwest corner of said Block 35; thence East 50 feet, more or less, to the POINT OF BEGINNING.

PARCEL 6

Lot 4-A in Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, according to the Plat of the HEIRS OF MARGARET POST ESTATE, according to the Plat recorded in Book "C" of Plats, page 111, records of Kootenai County, Idaho.

And
A 20.0 foot wide strip of land situated in Government Lot 5 of Section 3, Township 50 North, Range 5 West, B.M., Kootenai County, Idaho, being 10.0 feet wide on each side of the old spur track centerline, running in a generally North-South section through said Government Lot 5, removed in 1937, being a portion of the same strip of land described in Warranty Deed from Frederick Post and wife to the Spokane Falls and Idaho Railroad Company filed for record June 17, 1895 in Book M of Deeds, on page 247 in and for Kootenai County, Idaho, bounded on the North by the record June 17, 1895 in Book M of Deeds, on page 247 in and for Kootenai County, Idaho, and Western extension of the North line of 4th Street, according to the plat of the Original Town of Post Falls, Idaho, and bounded on the South by the North line of the South 500.0 feet of said Government Lot 5.

PARCEL 7

All that portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 100 foot wide right of way and extra width right of way lying West of the West line of Spokane Street and South of the South line of Fourth Street, extended Westerly, according to the Plat of POST FALLS, in Section 3, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

EXCEPTIONS:

The Commitment for Title Insurance issued by First American Title Insurance Company, Fourth Revised Commitment No. C43329, effective date August 8, 2001, lists the following exceptions under Schedule B - Section 2.

8. Easement granted to The Washington Water Power Company, recorded August 2, 1916 in Book 63 of Deeds, page 25.
9. Easement granted to Christina Strother, recorded July 19, 1921 in Book 74 of Deeds, page 75.
10. Provisions in deed to Rubadew Lumber Company recorded April 24, 1924 in Book 81 of Deeds, Page 608.
11. Provisions in deed to Grant Dixon recorded April 24, 1924 in Book 94 of Deeds, page 432.
12. Easement granted to The Washington Water Power Company, recorded April 5, 1954 in Book 157 of Deeds, page 455.
13. Easement granted to The Washington Water Power Company, recorded November 8, 1957 in Book 170 of Deeds, page 471.
14. Provisions in Deed to Louisiana-Pacific Corporation, recorded April 5, 1984, as Instrument No. 968420.
15. Matters as shown on survey recorded July 13, 1996, as Instrument No. 1545872.
16. Any claim arising from the difference in the mean high water line of the Spokane River and the meander line as shown by the Original Government Survey.
17. Right, title and interest of the State of Idaho within the natural bed of the Spokane River below the ordinary high water line, and also excepting any artificial accretions waterward of said ordinary high water line.
18. The title to a portion of this land may have been lost due to changes in the mean high water line of the Spokane River.
19. Easement or right to overflow, flood or submerge a portion of said land by reason of the operation of the dam controlling the level of the Spokane River.
20. Right of way for canal and other matters as shown on survey recorded May 4, 2001, Instrument No. 1676986.

SURVEYOR'S NOTES:

- 1) The alignment of the east line Spokane Street was established from found points at the southwest corner of Block B, and of the southwest corner of Block 36, plat of Post Falls.
- 2) The alignment of the north line 4th Street was established from found points at the southwest corner of Block 8, plat of Post Falls, and of the southwest corner of the parcel surveyed on SR4 the Record of Survey filed in Book 2 Page 77.
- 3) SR11, the Record of Survey filed in Book 10 Page 11B was used for: a) The alignment of the "Spokane & Idaho Railroad Spur", shown as "Mill Spur of Northern Pacific Railroad" on the plat of "The Heirs of Margaret Post Estate". b) The alignment of the westerly line of the property from 4th street to the west bank of the canal.
- 4) The alignment of the Burlington Northern Santa Fe Railroad was based on the centerline of the existing tracks as located at the time of this survey using the curve radius of 1042.14 feet shown on the Great Northern Railroad plans.
- 5) The elevation of 2118 NOVO (2121 WWP Datum) was used as the natural and ordinary high water mark for Lake Coeur d'Alene based on the Judgment in case no. 91-85186. In the District Court of the First Judicial District of the State of Idaho in and for the County of Kootenai and Benewah Counties, Idaho, of the natural or ordinary high water mark of Lake Coeur d'Alene, Kootenai and Benewah Counties, Idaho, on the day of the admission of the State of Idaho into the United States of America, being July 3, 1890, is 2121 feet above sea level, WWP Datum". It also states elsewhere "The "WWP Datum" is, however, three feet higher than the current official National Geodetic and Vertical Datum". WWP Bench Mark No. 1 of the Post Falls Dam was used as the vertical datum for this survey.
- 6) The north line of the extension of South Railroad Street was calculated parallel to and 560 feet south of the south line of 4th Street.
- 7) The east line of the extension of Colverine Street was calculated parallel to and 380 feet west of the east line of Spokane Street.
- 8) Adams & Clark, Inc. performed this survey and prepared this Record of Survey to illustrate the Legal Descriptions shown in the referenced title commitment provided by our client.

AMENDED RECORD OF SURVEY

This is an amendment to the Record of Survey recorded May 4, 2001 in Book 21 Pages 25 & 25A, Recorder's Instrument No. 1676986. It is being filed to revise the boundary of Parcel 4 to include the "CANAL", and revise Exceptions to conform to referenced title Commitment. No additional field work was performed.

SHEET 2 OF 2

AMENDED RECORD OF SURVEY:
A PORTION OF GOV'T. LOTS 5 & 6 IN SECTION 3, TOWNSHIP 50 NORTH, RANGE 5 WEST, B.M., CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO

AC	Adams & Clark, Inc. 306 N. Spokane St., Suite C Post Falls, ID 83854 (208) 777-1812	DATE: 9/7/01	DWG. BY: JSH/RAH
		SCALE: F.B. NO. 495/1	FOR: LOUISIANA-PACIFIC W.O. NO. 95-299.5



C:\PROJECTS\95-299\AC\95-299\AC.dwg, 09/07/01 09:45:33 AM, Plotted by JPH



STATE TAX COMMISSION

800 Park Blvd., Plaza IV • Boise, ID • 83722

July 5, 2002

Jerry Blaser
Post Falls Urban Planner
408 Spokane Street
Post Falls ID 83854

Subject: Proposed annexation of real property into the City of Post Falls
Ordinance No. 992

Dear Mr. Blaser :

The Idaho State Tax Commission has completed the review of the following action(s)

Proposed annexation of real property into the City of Post Falls
Ordinance No. 992

The proposed annexation of real property into the City of Post Falls will be approved upon receipt of the final Ordinance. Please forward a signed copy of the Ordinance, with the legal description and related map(s), so we may process this action.

When this annexation has been finalized, any changes dictated by this action(s) will appear on the 2003 tax code maps.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Talbot", written in a cursive style.

Jason Talbot
GIS Analyst, Sr.
Technical Support Bureau
Idaho State Tax Commission

PC: County Assessor
County Clerk

SUMMARY OF ORDINANCE NO. 992

The city of Post Falls, Kootenai County, Idaho, hereby gives notice of the adoption of Post Falls Ordinance No. 992, approving the modification and geographical expansion of the Fourth Street Urban Renewal Plan to incorporate the following described lands:

PARCEL "A"

A portion of Government Lot 5, Section 3, Township 50 North, Range 5 West, Boise Meridian, Town of Post Falls, Kootenai County, Idaho.

Commencing at a point S 0°02'30" E 100.00 feet and S 89°57'30" W 80.00 feet from the southwest corner of Block 36, TOWN OF POST FALLS, thence S 89°57'30" W 229.50 feet to the POINT OF BEGINNING, thence N 89°57'30" E 179.50 feet, thence N 48°58'31" E 32.90 feet, thence N 6°49'02" E 209.92 feet, thence S 89°57'30" W 39.91 feet, thence N 0°02'30" W 40.00 feet, thence N 89°57'30" E 40.00 feet to a point on the westerly right of way of Spokane Street, thence N 0°02'30" W along said westerly line 1028.07 feet to a point on the southerly right of way line of the Coeur d'Alene and Spokane Railroad (now Great Northern) said point being a non-tangent curve whose center of radius bears N 26°12'11" E 1102.14 feet, thence northwesterly along said curve and right of way line through a central angle of 8°54'33" an arc length of 171.38 feet, thence leaving said right of way S 89°59'54" W 152.79 feet, thence N 0°02'30" W 129.81 feet to a point on the southerly right of way line of the Coeur d'Alene and Spokane Railroad (now Great Northern) said point being on a non-tangent curve whose center of radius bears N 45°33'09" E 1102.14 feet, thence northwesterly along said curve and right of way line through a central angle of 6°18'39" an arc length of 121.39 feet, thence N 0°02'30" W along said right of way line 49.79 feet to a point on a 1072.14 foot radius curve whose center of radius bears N 53°57'28" E, thence northwesterly along said curve and right of way line through a central angle of 3°14'51" an arc length of 60.77 feet, thence N 32°47'42" W along said right of way 134.56 feet to a point on the south line of Fourth Street, extended westerly, thence S 89°59'54" W along said south line extended 432.89 feet, thence S 0°02'30" E 246.00 feet, thence N 89°59'54" E 4.90 feet to a point on a 965.37 foot radius curve whose center of radius bears N 88°16'55" E, thence southeasterly along said curve through a central angle of 4°18'51" an arc length of 72.69 feet, thence S 6°01'56" E 115.31 feet, thence S 89°59'54" W 60.00 feet, thence N 6°01'56" W 150.01 feet, thence S 89°59'54" W 191.89 feet, thence southeasterly along the westerly high water line of a canal to a point which is S 7°08'14" E 382.89 feet, thence S 14°44'49" E 189.77 feet to a point on the high water line of the right bank of the Spokane River, north channel, thence southeasterly along said high water line to a point which bears S 89°57'30" W from the POINT OF BEGINNING, thence N 89°57'30" E 46 feet, more or less, to the POINT OF BEGINNING.

AND

PARCEL "B"

A portion of government lot 5, Section 3, T50N, R5W, B.M., Kootenai County, Idaho, more particularly described as follows:

Beginning at the intersection of the west line of Spokane Street and the southerly right-of-way line of the Coeur d'Alene and Spokane railway as shown on the record of survey recorded at book 21, page 114, Kootenai County records;

Thence along said southerly right-of-way being a curve to the right with a radius of 1102.14 feet, a central angle of $08^{\circ}54'33''$, and whose chord bears $N59^{\circ}20'33''W$, a distance of 171.20 feet to the TRUE POINT OF BEGINNING of the herein described parcel of land;

Thence $S89^{\circ}59'54''W$ along the north line of parcel 5 as shown on said record of survey, a distance of 152.79 feet to the east line of parcel 7 as shown on said record of survey;

Thence $N00^{\circ}02'30''W$ along the east line of said parcel 7, a distance of 129.81 feet to the southerly right-of-way line of the Coeur d'Alene and Spokane railway;

Thence 200.83 feet along said southerly right-of-way line being a curve to the left with a radius of 1102.14 feet, a central angle of $10^{\circ}26'25''$, and whose chord bears $S49^{\circ}40'03''E$, a distance of 200.55 feet to the TRUE POINT OF BEGINNING of the herein described parcel of land;

AND

PARCEL "C"

That portion of Government Lot 5, of Section 3, Township 50 North, Range 5 West, Boise Meridian, City of Post Falls, Kootenai County, Idaho, described as follows:

Beginning at the Northwest corner of Parcel 6, as shown on the Record of Survey filed in Book 21, Pages 114 and 114A, being a point on the boundary of the parcel shown on the Record of Survey filed in Book 10, Page 118 and 118A, and being a point on the Southerly right-of-way line of 4th Street, 1,000 feet West of the Northwest corner of Block 21 of the plat of the City of Post Falls, according to the plat recorded in Book "C", Page 208, and being a point on the West line of Lot 4-A, of the plat of the HEIRS OF MARGARET POST ESTATE, according to the plat recorded in Book "C", Page 111; thence

Along the boundary of the parcel surveyed on said Records of Survey, the following (7) calls:

- 1) South $00^{\circ}02'30''$ East, parallel with the West line of Spokane Street, 246.00 feet;
- 2) North $89^{\circ}59'54''$ East, parallel with said Southerly right-of-way line of 4th Street, 4.90 feet to a point on a 965.37 foot radius non-tangent curve to the left lying ten feet (10') Westerly of the centerline of the spur track described in Warranty Deed

from Frederick Post and wife to the Spokane Falls and Idaho Railroad Company filed for record June 17, 1895 in Book "M" of Deeds, on Page 247, the center of circle of which bears North 88°16'55" East;

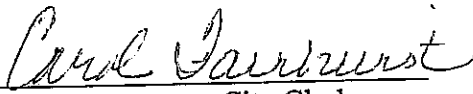
- 3) Southeasterly along the arc of said curve through a central angle of 4°18'51", 72.69 feet to the point of tangency, (long chord=South 03°52'31" East 72.67');
- 4) South 06°01'56" East 115.31 feet;
- 5) South 89°59'54" West 60.00 feet;
- 6) North 06°01'56" West 150.01 feet;
- 7) South 89°59'54" West 110.84 feet to a point on a line parallel with and 0.5 feet East of, measured at a right angle, the existing fence line shown on the Record of Survey filed in Book 21, Pages 114 and 114A; thence
- 8) Leaving said boundary, and along said parallel line North 21°31'55" West 17.24 feet to a point on a line parallel with and 0.5 feet South of, measured at a right angle, said existing fence line; thence

North 89°44'17" East, along said parallel line, 117.31 feet to a point on a line parallel with and 0.5 feet Southeasterly of, measured at a right angle, said existing fence line; thence

North 09°38'54" East, along said parallel line and said line extended, 271.27 feet to a point on said Southerly right-of-way line of 4th Street; thence

North 89°59'54" East, along said Southerly right-of-way line, 8.05 feet to the POINT OF BEGINNING.

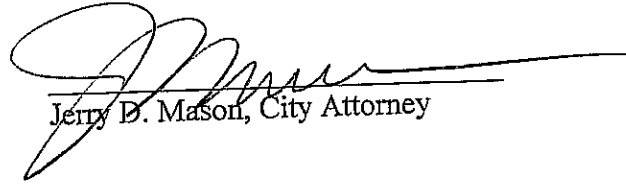
making certain findings in support thereof; providing for other matters properly relating thereto and providing that the Ordinance be effective upon the publication of this Summary. The full text of the summarized Ordinance No. 992 is available at Post Falls City Hall, 408 N. Spokane Street, Post Falls, Idaho 83854 in the office of the City Clerk.


Christene Pappas, City Clerk
CAROL FAIRHURST, Deputy City Clerk

Publish once in the City's official newspaper.

STATEMENT OF LEGAL ADVISER

I, Jerry D. Mason, am the City Attorney for the city of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No. 992 and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.



Jerry D. Mason, City Attorney

Date 1/2/02

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, TO REPLACE ORDINANCE 992 AS THE ORDINANCE APPROVING OF THE MODIFICATION AND GEOGRAPHICAL EXPANSION OF THE FOURTH STREET URBAN RENEWAL PLAN; MAKING CERTAIN FINDINGS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, IN ORDER TO CORRECT THE LEGAL DESCRIPTION OF THE BOUNDARY OF THE PLAN AREA

WHEREAS the City of Post Falls, Kootenai County, Idaho (the City), is a duly incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by Idaho Code, Title 50, Chapters 20 and 29, to adopt and to modify urban renewal plans upon the recommendation of the Post Falls Urban Renewal Agency, and

WHEREAS the City of Post Falls did in 1994 adopt Ordinance No. 774, establishing the Fourth Street Urban Renewal Plan (the Plan), and did in February of 1996, adopt Resolution No. 96-6 establishing the geographical boundaries of the Downtown Urban Renewal District (the District) as a deteriorating area pursuant to I.C. 50-2018(h) and I.C. 50-2903(7)(b), and

WHEREAS a contiguous collection of land parcels known commonly as the Louisiana Pacific Mill Site (the L/P Site) was included within the boundaries of the District but specifically excluded from inclusion within the boundaries of the Plan area at the request of the then property owner, and

WHEREAS the L/P Site, described in Exhibit A, attached hereto and incorporated by reference herein, hereinafter referred to as the Subject Property, is now owned by the POINT AT POST FALLS, an Idaho limited liability company (the Applicant), and

WHEREAS the Applicant has formerly applied to the Post Falls Urban Renewal Agency for inclusion of the Subject Property within the geographical boundaries of the Fourth Street Urban Renewal Plan area, and

WHEREAS the Board of Commissioners of the Post Falls Urban Renewal Agency did adopt Resolution No. 2001-03 on October 11, 2001, recommending to the City of Post Falls the adoption of an ordinance modifying the Fourth Street Urban Renewal Plan to include the Subject Property within the geographical boundaries of the Plan Area, effective on January 1, 2001, and

WHEREAS, the City Council of Post Falls did adopt Ordinance 992 on December 4, 2001, modifying the geographical boundaries of the Fourth Street Urban Renewal Plan area, and

WHEREAS, Ordinance 992 contained an error in the legal description of the boundary of the amended Fourth Street Urban Renewal Plan Area; and

WHEREAS, the City Council of Post Falls adopts this Ordinance 1012, to replace Ordinance 992 as the ordinance amending the boundaries of the Plan Area, in order to correct the legal description contained in Ordinance 992, and provide a new Ordinance number with the correct legal description,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, as follows:

Section 1: The City hereby modifies the Fourth Street Urban Renewal Plan to include the real property described in Exhibit A, and by reference made a part hereof, based on the following findings:

- A. The Subject Property is included in the Downtown Urban Renewal District, an area previously determined to be a deteriorating area in need of urban renewal.
- B. The Subject Property would have been included in the initial boundaries of the Fourth Street Urban Renewal Plan Area except for the specific request of the then property owner to be excluded.
- C. The current owner of the Subject Property has specifically requested that the Subject Property be included within the geographical boundaries of the Fourth Street Urban Renewal Plan Area, and has demonstrated a desire to effectuate improvements to the property that will be consistent with the general plan for the development of the City of Post Falls and in conformance with the Comprehensive Plan.
- D. The Subject Property is adjacent to and contiguous with the current boundaries of the Plan Area.
- E. The inclusion of this property in the Plan Area conforms to the City of Post Falls comprehensive Plan.
- F. The development of this property will not displace any families.
- G. The inclusion of this property in the Plan Area is in conformance with state and local planning and zoning requirements.
- H. The proposal has received the recommendation of the Post Falls Urban Renewal Agency.

Section 2: The City of Post Falls, Kootenai County, Idaho, hereby replaces Ordinance 992 and the legal description which approves the modification of the Fourth Street Urban

1763779

Renewal Plan to include the Subject Property described in Exhibit A to be included within the geographical boundaries of the Plan Area.

Section 3: This Ordinance shall be effective upon its passage and publication according to law.

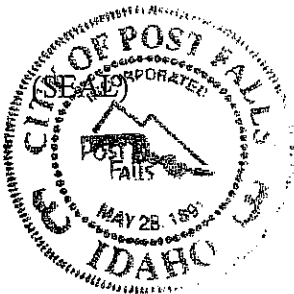
Dated this 5 day of November, 2002.

CITY OF POST FALLS
KOOTENAI COUNTY, IDAHO

By: *Clay Larkin*
CLAY LARKIN, Mayor

ATTEST:

Christene Pappas
Clerk, Christene Pappas



STATE OF IDAHO } ss
COUNTY OF KOOTENAI }
AT THE REQUEST OF City of Post Falls
Nov 14 10 42 AM '02
DANIEL J. ENGLISH
DJE
DEPUTY *NIC*
FEE\$ _____
Jpgg.

1763779**LEGAL DESCRIPTION
PARCELS TO BE ADDED TO THE CITY OF POST FALLS
REVENUE ALLOCATION AREA**

A portion of Government Lots 5 and 6, Section 3, Township 50 North, Range 5 West, Boise Meridian, Town of Post Falls, Kootenai County, Idaho.

BEGINNING at the center quarter corner of said section 3, thence S89°57'30"W, a distance of 40.00 feet, thence S00°02'30"E, a distance of 1060.00 feet to a point S 0°02'30" E 100.00 feet and S 89°57'30" W 80.00 feet from the southwest corner of Block 36, TOWN OF POST FALLS, thence S 89°57'30" W 229.50 feet to the TRUE POINT OF BEGINNING, thence N 89°57'30" E 179.50 feet, thence N 48°58'31" E 32.90 feet, thence N 6°49'02" E 209.92 feet, thence S 89°57'30" W 39.91 feet, thence N 0°02'30" W 40.00 feet, thence N 89°57'30" E 40.00 feet to a point on the westerly right of way of Spokane Street, thence N 0°02'30" W along said westerly line 874 feet more or less to a point on the southerly right of way line of the abandoned Milwaukee railroad; thence northwesterly along said southerly right of way line also being a non-tangent curve to the right, a distance of 758 feet more or less to the north line of assessors tax number 1015; thence westerly 278 feet more or less along said north line and said north line extended to the west line of lot 4A as shown on that plat of Heirs of the Margaret Post Estate recorded at book C, page 111 Kootenai County Recorders office; thence southerly along said west line, a distance of 37 feet more or less to intersection of the north line of assessors tax number 1790 extended to the east; thence westerly along said north line of and assessors tax number 1790 extended to the east and west, a distance of 273 feet more or less to the westerly high water line of an abandoned irrigation canal; thence southeasterly along the said westerly high water line to a point which bears S 7°08'14" E 382.89 feet, thence S 14°44'49" E 189.77 feet to a point on the high water line of the right bank of the Spokane River, north channel, thence southeasterly along said high water line to a point which bears S 89°57'30" W from the POINT OF BEGINNING, thence N 89°57'30" E 46 feet, more or less, to the TRUE POINT OF BEGINNING.

END OF DESCRIPTION



STATE TAX COMMISSION

800 Park Blvd., Plaza IV • Boise, ID • 83722

November 27, 2002

Christene Pappas
Post Falls City Clerk
408 North Spokane Street
Post Falls, ID 83854

Subject: Ordinance No. 1012 POST FALLS (CITY)

Dear Ms. Pappas:

The Idaho State Tax Commission received the documentation that was provided for the annexation of real property in POST FALLS (CITY), for tax year 2003. The Idaho State Tax Commission approves the map and legal description. This approval is limited to the acknowledgement that the map and legal description meets the requirements of Section 63-215 Idaho Code, and Idaho State Tax Commission Rule 225.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Talbot', is written over the typed name.

Jason Talbot
GIS Analyst, Sr.
Technical Support Bureau
Idaho State Tax Commission

CC:
Ray Lee, Kootenai County Assessor
Dan English, Kootenai County Clerk
Harley Hinshaw, Property Appraisal Section Manager
Gary Houde, Technical Records Specialist

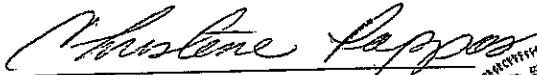
SUMMARY OF ORDINANCE NO. 1012

The city of Post Falls, Kootenai County, Idaho, hereby gives notice of the adoption of Post Falls Ordinance No.1012 an ordinance of the city of Post Falls, Kootenai County, Idaho, to replace Ordinance 992 as the ordinance approving of the modification and geographical expansion of the Fourth Street Urban Renewal Plan Area, in order to correct the legal description of the Fourth Street Urban Renewal Plan Area; and to provide a corrected Fourth Street Renewal Plan Area, more particularly described as:

A portion of Government Lots 5 and 6, Section 3, Township 50 North, Range 5 West, Boise Meridian, Town of Post Falls, Kootenai County, Idaho.

BEGINNING at the center quarter corner of said section 3, thence S89°57'30"W, a distance of 40.00 feet, thence S00°02'30"E, a distance of 1060.00 feet to a point S 00°02'30" E 100.00 feet and S 89°57'30" W 80.00 feet from the southwest corner of Block 36, TOWN OF POST FALLS, thence S 89°57'30" W 229.50 feet to the TRUE POINT OF BEGINNING, thence N 89°57'30" E 179.50 feet, thence N 48°58'31" E 32.90 feet, thence N 6°49'02" E 209.92 feet, thence S 89°57'30" W 39.91 feet, thence N 0°02'30" W 40.00 feet, thence N 89°57'30" E 40.00 feet to a point on the westerly right of way of Spokane Street, thence N 0°02'30" W along said westerly line 874 feet more or less to a point on the southerly right of way line of the abandoned Milwaukee railroad; thence northwesterly along said southerly right of way line also being a non tangent curve to the right, a distance of 758 feet more or less to the north line of assessors tax number 1015; thence westerly 278 feet more or less along said north line and said north line extended to the west line of lot 4A as shown on that plat of Heirs of the Margaret Post Estate recorded at book C, page 111 Kootenai County Recorders office; thence southerly along said west line, a distance of 37 feet more or less to intersection of the north line of assessors tax number 1790 extended to the east; thence westerly along said north line of and assessors tax number 1790 extended to the east and west, a distance of 273 feet more or less to the westerly high water line of an abandoned irrigation canal; thence southeasterly along the said westerly high water line to a point which bears S 7°08'14" E 382.89 feet, thence S 14°44'49" E 189.77 feet to a point on the high water line of the right bank of the Spokane River, north channel, thence southeasterly along said high water line to a point which bears S 89°57'30" W from the POINT OF BEGINNING, thence N 89°57'30" E 46 feet, more or less, to the TRUE POINT OF BEGINNING.

The ordinance further provides certain findings and conclusions in support thereof, and providing for other matters properly relating thereto, in order to correct the legal description; and providing that the Ordinance be effective upon the publication of this Summary. The full text of the summarized Ordinance No. 1012 is available at Post Falls City Hall, 408 N. Spokane Street, Post Falls, Idaho 83854 in the office of the City Clerk.

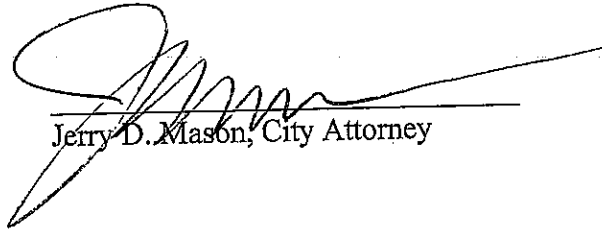

Christene Pappas, City Clerk

Publish once in the City's official newspaper.



STATEMENT OF LEGAL ADVISER

I, Jerry D. Mason, am the City Attorney for the city of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No. 1012 and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.



Jerry D. Mason, City Attorney

Date 11/19/02

ORDINANCE NO. 1044

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY IDAHO, APPROVING AMENDMENT OF THE DOWNTOWN POST FALLS URBAN RENEWAL PLAN; ADOPTING A SECOND AMENDMENT TO THE REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE: AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a dully incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt deteriorated area declarations, to adopt revenue allocation areas, and to provide improvements and betterments within an urban renewal area, as designated by the Plan; and

WHEREAS, the City designated portions of the area included in the Downtown Post Falls Urban Renewal District a deteriorated area by Resolution NO. 91-11, dated May 7, 1991 and

WHEREAS, the City of Post Falls did on the 16th day of August 1994 adopt Ordinance No. 774, establishing the Fourth Street Urban Renewal Plan for a portion of the Downtown Post Falls Urban Renewal District, and is currently scheduled to terminate in August of 2004, and

WHEREAS, the Post Falls City Council by Ordinance 992 dated December 4, 2001 modified the legal description of the Fourth Street Urban Renewal Plan area to include what was commonly known as the Louisiana Pacific Mill Site (L/P Site), which was included in the deteriorated area found to exist in 1991 and 1996, and

WHEREAS the Post Falls Urban Renewal Agency adopted Resolution 2003-01 on July 16, 2003, making findings concerning the need to amend and extend the Fourth Street Urban Renewal Plan past its termination date, and advising the Idaho State Tax Commission and the Kootenai County Assessor that the Agency would not be adopting a closeout by September 1, 2003, as required by Idaho law, and

WHEREAS during the period March 2004 to May 2004, the Post Falls Urban Renewal Agency, in conjunction with the City of Post Falls, conducted public workshops and studies to determine citizen input as to the future needs of the Downtown Area (City Center Area) described in Ordinance No. 774, hereinafter referred to as the Study, and

WHEREAS the Study demonstrated that deterioration continues to exist in the Downtown Post Falls Urban Renewal District, and that the citizens of Post Falls want the Post Falls Urban Renewal Agency to continue to remediate said deterioration in order to increase economic development and establish a viable and healthy city center for the City of Post Falls; and

WHEREAS, an amended Fourth Street Urban Renewal Plan was submitted to the Post Falls Planning and Zoning Commission and found to be in comformance with the Comprehensive Plan of the City of Post Falls on June 7, 2004, and,

WHEREAS, the City Council held one dully noticed Public Hearing on July 6, 2004 to review and consider adoption of the amended Fourth Street Urban Renewal Plan and second amendment to the Fourth Street Urban Renewal Plan area; and,

WHEREAS, the City Council has completed a review of the proposed amended Fourth Street Urban Renewal Plan, which includes a second amendment to the revenue allocation area provision;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, as follows:

Section 1: The City hereby approves the amended Fourth Street Urban Renewal Plan, now renamed as the 2004 City Center Urban Renewal Plan consisting of 29 pages and appendices A through H, and amends the plan area to the following legal description:

A PORTION OF SECTIONS 2 AND 3, TOWNSHIP 50 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 50 NORTH, RANGE 5 WEST; THENCE APPROXIMATELY S88°58'46"E, A DISTANCE OF 40.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF IDAHO AVENUE AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED CITY CENTER URBAN RENEWAL DISTRICT;

THENCE APPROXIMATELY S01°01'11"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1050.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 1ST STREET;

THENCE APPROXIMATELY S82°58'51"W, A DISTANCE OF 66.11 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 1ST STREET AND THE WEST RIGHT-OF-WAY LINE OF IDAHO STREET;

THENCE APPROXIMATELY N88°58'46"W ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 677.60 FEET;

THENCE APPROXIMATELY N01°24'50"E CONTINUING ALONG SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 19.23 FEET;

THENCE APPROXIMATELY N88°58'43"W CONTINUING ALONG SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 1867.08 FEET;

THENCE APPROXIMATELY S69°15'29"W, A DISTANCE OF 53.82 FEET TO INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SPOKANE STREET AND THE SOUTH RIGHT-OF-WAY LINE OF 1ST STREET;

THENCE APPROXIMATELY S00°59'12"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 195.84 FEET TO THE MEAN HIGH WATER LINE OF THE NORTH BANK OF THE SPOKANE RIVER;

THENCE NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE OF THE NORTH BANK TO A POINT WHERE SAID NORTH BANK CROSSES THE EAST-WEST CENTERLINE OF SAID SECTION 3, SAID POINT BEARING N40°23'05"W, A DISTANCE OF 1682.87 FEET FROM THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SPOKANE STREET AND THE MEAN HIGH WATER LINE OF THE NORTH BANK OF THE SPOKANE RIVER;

THENCE APPROXIMATELY N88°37'28"W ALONG SAID EAST-WEST CENTERLINE ACROSS AN ABANDONED IRRIGATION CANAL INLET, A DISTANCE OF 375.77 FEET TO THE MEAN HIGH WATER LINE OF THE NORTH BANK OF THE NORTH CHANNEL OF THE SPOKANE RIVER;

THENCE NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE OF THE NORTH BANK TO A POINT WHERE SAID MEAN HIGH WATER LINE OF THE NORTH BANK CROSSES THE WEST LINE OF SAID SECTION 3, APPROXIMATELY N36°47'51"W, A DISTANCE OF 1931.18 FEET FROM THE POINT LAST DESCRIBED;

THENCE APPROXIMATELY N01°09'24"E ALONG SAID WEST LINE, A DISTANCE OF 375.54 FEET TO A POINT HALFWAY BETWEEN THE EASTBOUND AND WESTBOUND LANES OF INTERSTATE 90;

THENCE APPROXIMATELY 549.22 FEET ALONG A CURVE TO THE RIGHT HALFWAY BETWEEN THE EASTBOUND AND WESTBOUND LANES OF INTERSTATE 90, WITH A RADUIS OF 3352.92 FEET, A CENTRAL ANGLE OF 9°23'07" AND A CHORD WHICH BEARS S74°56'58"E, A DISTANCE OF 548.60 FEET;

THENCE APPROXIMATELY S70°15'25"E CONTINUING HALFWAY BETWEEN THE EASTBOUND AND WESTBOUND LANES OF INTERSTATE 90, A DISTANCE OF 645.20 FEET;
 THENCE APPROXIMATELY 982.74 FEET ALONG A CURVE TO THE LEFT CONTINUING HALFWAY BETWEEN THE EASTBOUND AND WESTBOUND LANES OF INTERSTATE 90, WITH A RADIUS OF 3000.00 FEET, A CENTRAL ANGLE OF 18°46'08" AND A CHORD WHICH BEARS S79°38'29"E, A DISTANCE OF 978.36 FEET;
 THENCE APPROXIMATELY S89°01'33"E CONTINUING HALFWAY BETWEEN THE EASTBOUND AND WESTBOUND LANES OF INTERSTATE 90, A DISTANCE OF 3219.52 FEET TO THE EAST RIGHT OF WAY LINE OF IDAHO STREET;
 THENCE APPROXIMATELY S01°00'35"W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 174.90 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 5TH STREET;
 THENCE APPROXIMATELY S88°43'01"E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 21.41 FEET TO THE EAST RIGHT OF WAY LINE OF IDAHO STREET;
 THENCE APPROXIMATELY S01°21'11"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 377.40 FEET TO THE NORTH LINE OF 4TH STREET;
 THENCE APPROXIMATELY S50°20'47"W, A DISTANCE OF 130.70 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF IDAHO STREET AND THE SOUTH RIGHT-OF-WAY LINE OF 4TH STREET;
 THENCE APPROXIMATELY N88°59'25"W ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 380.00 FEET;
 THENCE APPROXIMATELY S01°00'35"W CONTINUING SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET;
 THENCE APPROXIMATELY N88°59'25"W CONTINUING SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 310.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF LINCOLN STREET;
 THENCE APPROXIMATELY S01°00'35"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NORTH RAILROAD STREET;
 THENCE APPROXIMATELY S88°59'25"E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED BY INSTRUMENT #1585097, KOOTENAI COUNTY RECORDS;
 THENCE APPROXIMATELY S01°00'35"W ALONG SAID WEST LINE, A DISTANCE OF 136.50 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL;
 THENCE APPROXIMATELY S88°59'25"E ALONG THE SOUTH LINE OF SAID PARCEL EXTENDED, A DISTANCE OF 761.37 FEET TO THE EAST RIGHT-OF-WAY LINE OF IDAHO STREET;
 THENCE APPROXIMATELY S00°38'52"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 319.59 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED CITY CENTER URBAN RENEWAL DISTRICT;

END OF DESCRIPTION.

The area included in said description encompasses most of downtown Post Falls lying south of I-90, bounded by the Spokane River on the southwest, 1st Avenue on the south and Idaho Street on the east.

Section 2: The amendment is based upon the following findings:

- A. That the deterioration found to exist in 1991 and 1996 by the Post Falls City Council continues to exist and has not been completely remediated during the ten year term of the 4th Street Urban Renewal Plan.
- B. That the boundaries of the deteriorated area found to exist in 1991 and 1996 exceed the boundaries of the 4th Street Urban Renewal Plan area as modified in 2001, and that the boundaries of an amended 4th Street Urban Renewal Plan need to be expanded to include the entire area found to be deteriorating, and
- C. That the Post Falls Urban Renewal Agency and the City of Post Falls need to fully develop a proper and comprehensive plan for the City Center Area of Post Falls, and

D. That the visions and goals provided for in the original 4th Street Urban Renewal Plan need to be updated and restated to fit with a comprehensive plan for the City Center Area of Post Falls, and

E. That under Idaho law the 4th Street Urban Renewal Plan can be amended to extend the term of the plan for an additional fourteen years, which is warranted by the increment feasibility study for the area, and

F. That a more appropriate and informative name for the amended 4th Street Urban Renewal Plan would be the City Center Urban Renewal Plan, and

G. That the plan term should be extended fourteen years to August 2018 in order to develop the increment revenue to fund the projects necessary to remediate the deterioration previously found to exist; and

H. That the boundaries of the amended 4th Street Urban Renewal Plan should be modified to include the entire area of what is commonly know as the Downtown Urban Renewal District.

Section 2: The City of Post Falls, Kootenai County, Idaho, hereby approves the amended City Center Urban Renewal Plan.

Section 3: This Ordinance shall be effective upon its passage and publication in accordance with law.

Dated this 20 day of July, 2004.

CITY OF POST FALLS

By: *Clay Larkin*
CLAY LARKIN Mayor

ATTEST:

Christene Pappas
Christene Pappas, City Clerk



STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
CITY OF POST FALLS

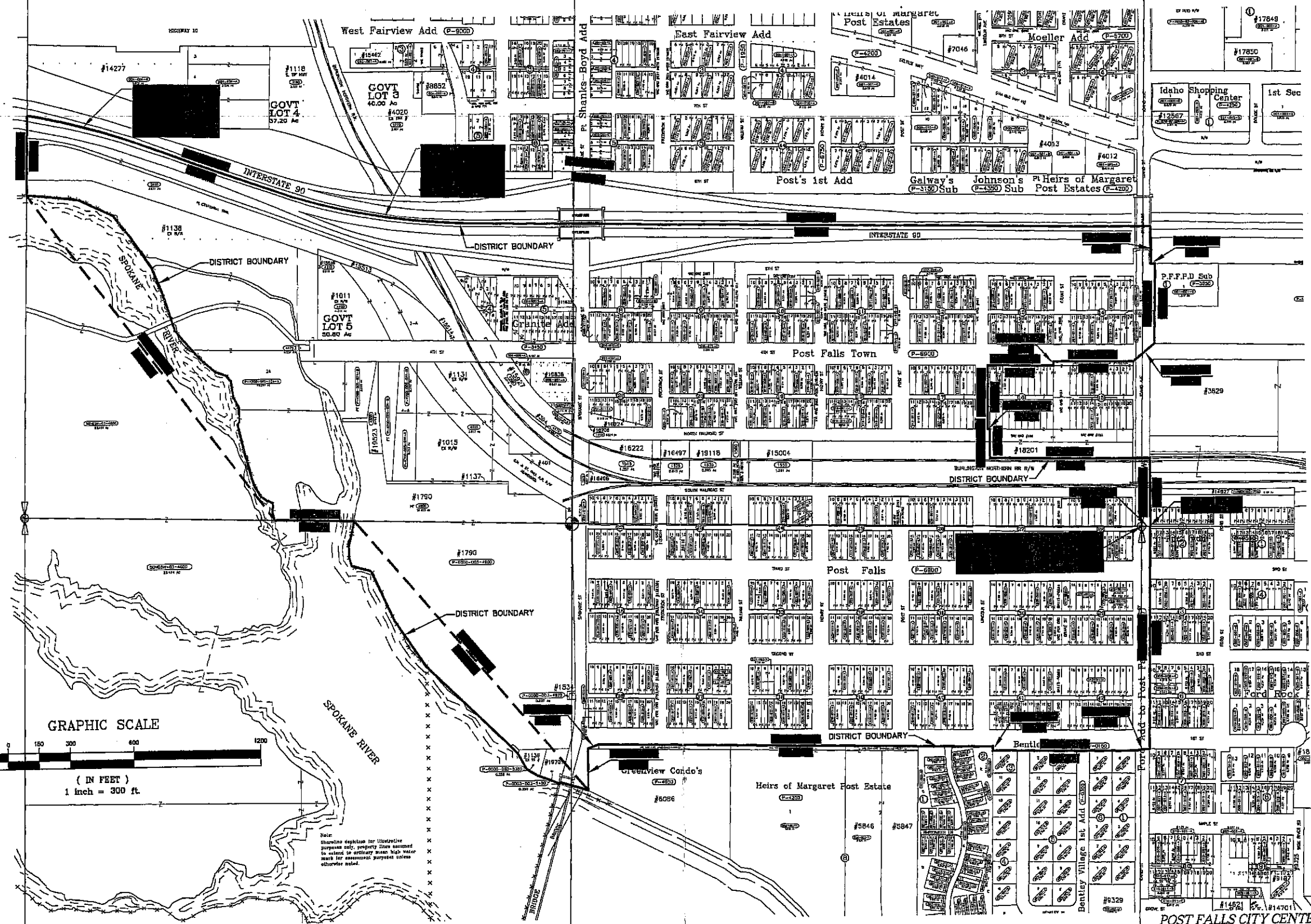
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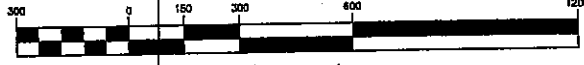
TOWNSHIP 51 NORTH, RANGE 5 WEST
TOWNSHIP 50 NORTH, RANGE 5 WEST

33 34
4 3

34 35
3 2



GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

Note:
Shoreline depiction for illustrative
purpose only, property lines assumed
to extend to ordinary mean high water
mark for assessment purposes unless
otherwise noted.

4 3
9 10

3 2
10 11

POST FALLS CITY CENTER URBAN
RENEWAL AREA
LOCATED IN SECTIONS 2 AND 3
T.50N., R.5W., B.M., CITY OF POST
FALLS KOOTENAI COUNTY, IDAHO
ORDINANCE # 1044 6/23/04

RESOLUTION NO. 2004-01

A RESOLUTION OF THE POST FALLS URBAN RENEWAL AGENCY, MAKING FINDINGS CONCERNING THE NEED TO AMEND THE 4TH STREET URBAN RENEWAL PLAN, EXTENDING THE TERM OF THE PLAN, EXPANDING THE BOUNDARIES OF THE PLAN AREA, RESTATING THE GOALS AND OBJECTIVES OF THE PLAN, AND RENAMING THE PLAN, AND MAKING RECOMMENDATIONS TO THE POST FALLS CITY COUNCIL FOR ADOPTION OF A AMENDED PLAN.

WHEREAS the City of Post Falls did in Ordinance No. 774, in August of 1994, establish the 4TH Street Urban Renewal Plan (the Plan), to remediate deterioration found to exist in the Downtown Area of Post Falls by the Post Falls City Council in 1991, and reaffirmed by Resolution 96-6, dated February 20, 1996, which resolution set forth described boundaries for the area found to be deteriorating, and

WHEREAS the 4th Street Urban Renewal Plan as adopted in August of 1994 is currently scheduled to terminate in August of 2004, and

WHEREAS the Post Falls City Council by Ordinance 992 dated December 4, 2001, modified the legal description of the 4th Street Urban Renewal Plan area to include what was commonly known as the Louisiana Pacific Mill Site (L/P Site), which was included in the deteriorated area found to exist in 1991 and 1996, and

WHEREAS the Post Falls Urban Renewal Agency adopted Resolution 2003-01 on July 16, 2003, making findings concerning the need to amend and extend the 4th Street Urban Renewal Plan past its termination date, and advising the Idaho State Tax Commission and the Kootenai County Assessor that the Agency would not be adopting a closeout by September 1, 2003, as required by Idaho law, and

WHEREAS during the period March 2004 to May 2004, the Post Falls Urban Renewal Agency in conjunction with the City of Post Falls conducted public workshops and studies to determine citizen input as to the future needs of the Downtown Area as described in Ordinance No. 774, hereinafter referred to as the Study, and

WHEREAS the Study demonstrated that deterioration continues to exist in the Downtown District, and that the citizens of Post Falls want the Post Falls Urban Renewal Agency to continue to remediate said deterioration in order to increase economic development and establish a viable and healthy city center for the City of Post Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE POST FALLS URBAN RENEWAL AGENCY AS FOLLOWS:

Section 1. That the Agency makes the following findings of fact:

a. That the deterioration found to exist in 1991 and 1996 by the Post Falls City Council continue to exist and have not been remediated during the ten year term of the 4th Street Urban Renewal Plan.

b. That the boundaries of the deteriorated area found to exist in 1991 and 1996 exceed the boundaries of the 4th Street Urban Renewal Plan area as modified in 2001, and that the boundaries of an amended 4th Street Urban Renewal Plan need to be expanded to include the entire area found to be deteriorating, and

c. That neither the Post Falls Urban Renewal Agency nor the City of Post Falls has had the time to fully develop a proper and comprehensive plan for the City Center area of Post Falls, and

d. That the visions and goals provided for in the original 4th Street Urban Renewal Plan need to be updated and restated to fit with a comprehensive plan for the city center area of Post Falls, and

e. That under Idaho law the 4th Street Urban Renewal Plan can be amended to extend the term of the plan for an additional fourteen years, which is warranted by the increment feasibility study for the area, and

f. That a more appropriate and informative name for the amended 4th Street Urban Renewal Plan would be the City Center Urban Renewal Plan.

Section 2. Based upon the above-described findings, the Agency does hereby recommend to the City of Post Falls that the existing 4th Street Urban Renewal Plan be amended to accomplish the following:

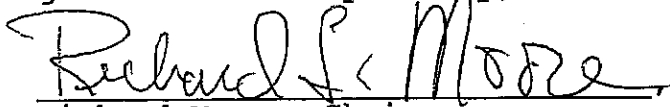
a. Extend its term fourteen years to August 2018 in order to develop the increment revenue to fund the projects necessary to remediate the deterioration previously found to exist.

b. That the boundaries of the 4th Street Urban Renewal Plan be amended to include the entire area of what is commonly know as the Downtown Urban Renewal District.

c. That a proper and comprehensive plan for urban renewal remediation of the Downtown Urban Renewal District be developed jointly by the Agency and the City.

d. That the Post Falls City Council adopt by ordinance the amended 4th Street Urban Renewal Plan as drafted and submitted with this Resolution, as the City Center Urban Renewal Plan, with an extended term of fourteen years, and enlarged plan area, and restated goals, visions, and potential projects.

PASSED by the Post Falls Urban Renewal Agency at its regularly scheduled meeting on the 20th day of May, 2004.


Richard Moore, Chairman

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM made and entered into this 30 day of November, 2004, by and between the CITY OF POST FALLS, an Idaho municipal corporation, 408 Spokane Street, Post Falls, ID, 83854, hereinafter referred to as the City, and the POST FALLS URBAN RENEWAL AGENCY, an independent public body corporate and politic, P.O. Box 236, Post Falls, ID 83877-0236, hereinafter referred to as the Agency.

WITNESSETH:

WHEREAS the City owns the majority of two square blocks in the city center area of the City of Post Falls, hereinafter referred to as the City Campus, and

WHEREAS the City desires to acquire ownership of the two remaining unowned parcels, hereinafter referred to as the Martin Parcel and the Sweitzer Parcel, and

WHEREAS the Martin Parcel and the Sweitzer Parcel are located within the boundaries of the City Center Urban Renewal Plan, hereinafter referred to as the Plan, and

WHEREAS the Plan authorizes the Agency to acquire title to real property within the plan area for the purposes of fostering the development of the plan area by both private and public entities, and

WHEREAS the Agency has a proposed project for the renovation and improvement of Fourth Avenue from Spokane Street to Idaho Street, hereinafter referred to as the Project, that is partially funded, and

WHEREAS the City and the Agency have worked together to develop a master plan for the development of both the City Center and the City Campus.

NOW, THEREFORE, in consideration of the mutual benefits to be derived herefrom, the Parties have developed the following understandings:

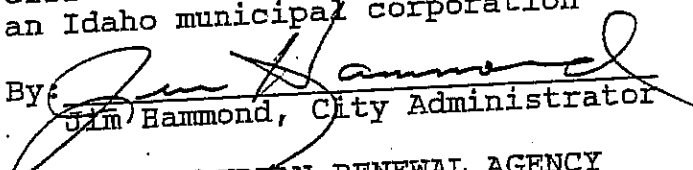
1. That the Agency will use some of its current funding for the Project to attempt to acquire the Martin Parcel and the Sweitzer Parcel as publicly owned property. Provided, however, that said parcels can be acquired at reasonable market values, and under reasonable terms.
2. That the City will apply for a \$500,000.00 EDA Block Grant for the improvement of 4th Avenue as part of the Project.

3. That in the event that both the Agency and the City are successful, the Parties agree to exchange title to the real properties for the block grant funds. In the event that the Agency and/or the City are only partially successful, the City shall purchase the acquired property or properties from the Agency based upon the Agency's total acquisition costs.

IN WITNESS WHEREOF, the Parties have set their hands effective the date first above-written.

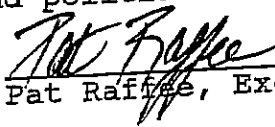
CITY OF POST FALLS
an Idaho municipal corporation

By:


Jim Hammond, City Administrator

POST FALLS URBAN RENEWAL AGENCY
an Independent public body corporate
and politic

By:


Pat Raffae, Executive Director

MEMORANDUM OF UNDERSTANDING

CITY CENTER URBAN RENEWAL DISTRICT

THIS MEMORANDUM made and entered into this 30th day of April, 2006, by and between the POST FALLS URBAN RENEWAL AGENCY, an Idaho urban renewal agency, P.O. Box 236, Post Falls, Idaho 83877, hereinafter referred to as the Agency, and the CITY OF POST FALLS, an Idaho municipal corporation, 408 North Spokane Street, Post Falls, Idaho 83854, hereinafter referred to as the City.

WITNESSETH:

WHEREAS the Agency in conjunction with the City has formed an urban renewal district known as the City Center Urban Renewal District, and has adopted an urban renewal plan for the District, and

WHEREAS the City Center Urban Renewal Plan provides for the improvement of Fourth Avenue from Spokane Street to Idaho Street to foster the development and economic growth of the city center of Post Falls, and

WHEREAS the City owns property on the north side of the Fourth Avenue from Spokane Street to approximately the mid block between Frederick Street and William Street, an area commonly referred to as the City Campus, and

WHEREAS the City proposes to invest approximately \$7,000,000.00 in the improvement of the City Campus as the governmental center of one of the fastest growing cities in the State of Idaho and in the Inland Empire, and

WHEREAS it is the charter of the Agency pursuant to the City Center Urban Renewal Plan, hereinafter referred to as the Plan, to encourage the development and rehabilitation of the city center of Post Falls, and

WHEREAS it is in the best interest of the residents of the City of Post Falls and the public for the city center of Post Falls to become a vibrant destination for both governmental and commercial services.

NOW, THEREFORE, in consideration of the mutual goals and consideration to be derived herefrom, the Parties enter into the following understandings with reference to jointly and cooperatively improving Fourth Avenue from Spokane Street to Idaho Street, hereinafter referred to as the Project.

1. DESIGN OF THE FOURTH AVENUE PROJECT: The Parties have agreed to equally share the consulting and third party costs associated with the design of the Project as depicted in Exhibit A, attached hereto and incorporated by reference herein.

The consulting and third party costs associated with the design of the Project are estimated to be \$100,000. The Project shall include full urban improvements (i.e. curb, gutter, sidewalk, repaving) from Spokane Street to Williams Street, and pavement rehabilitation from William Street to Idaho Street along Fourth Avenue.

City agrees to oversee the design effort, and City staff involved in the Project shall involve and engage URA staff in the planning of the Project, as is appropriate in a joint venture of this type. Each Party shall be responsible for its own staff costs associated with the Project.

The Parties agree to give the design of the Project a high priority. Contracts with consultants and third party service providers are to be reviewed and approved by both Parties in a timely manner, and consulting and third party costs associated with the design contracts are to be jointly shared as they are presented for payment, following review and timely approval by both Parties.

As part of the design process, the third party consultants shall develop cost estimates and bid documents for the Project. These estimates shall be jointly reviewed by the Parties, who shall agree on the appropriateness of the estimates.

2. **DOWNTOWN REVITALIZATION GRANT:** On or before November of 2006, the City agrees, at its own expense, to apply for a \$500,000.00 Downtown Revitalization Grant, hereinafter referred to as the Grant, for the purposes of completing a portion of the costs associated with the planned Project improvement of Fourth Avenue from Spokane Street to Idaho Street.

City agrees to keep the Urban Renewal Agency informed on the status of the grant application and City's progress in developing the application and securing the grant. As the application is developed, and prior to submission of the Grant to the City Council for approval, City agrees to provide a working draft of the application to Agency staff for review.

The Urban Renewal Agency agrees to provide funds sufficient to meet the matching dollars required by the grant, up to a total of \$725,000 (including funds allocated to the initial design of the improvements). The Agency agrees to prepare a letter of commitment regarding the matching dollars.

Should the grant application be successful, the City agrees to administer the grant at no cost to the Project so as to maximize the utilization of the grant funds for the proposed improvements to Fourth Street.

3. **CONSTRUCTION PHASE:** Subject to the receipt of a Downtown Revitalization Grant, the Agency agrees to fund up to \$725,000 (including costs associated with the initial design work) representing a portion of the design and construction costs associated with the construction Project (improvements to Fourth Street from Spokane Street to Williams Street). Estimated improvements associated with the Project are set forth in Exhibit A, attached hereto and incorporated by reference herein. The City agrees to manage the design and construction of the Project with the costs of management being absorbed by the City as part of its in-kind contribution.

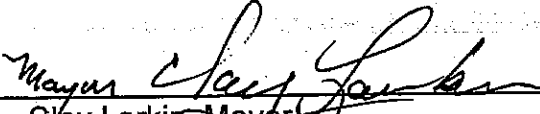
To the extent that grant funds are not available, the City and the Agency agree that the work contemplated by this Memorandum of Understanding is so vital to the

revitalization of the center city area and the circulation of traffic within that area, that both the City and the Agency shall work cooperatively to explore all potential options and sources of funding for the improvements contemplated by the Project.

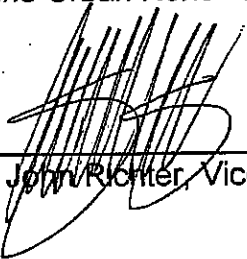
4. DEVELOPMENT CONTRACT: The purpose of this Memorandum is to formally document the understanding and the relationship between the Parties as to the Project. It is the intent of both parties to design the Project in 2006 and work to construct the Project improvements in 2007.

IN WITNESS WHEREOF, the Parties have set their hands effective the date first above-written.

CITY OF POST FALLS
An Idaho municipal corporation

By: 
Clay Larkin, Mayor

POST FALLS URBAN RENEWAL AGENCY
An Idaho Urban Renewal Agency

By: 
John Richter, Vice Chairman