

EAST POST FALLS

URBAN

RENEWAL

PLAN

2002

EAST SELTICE URBAN RENEWAL PLAN 2002

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POST FALLS URBAN RENEWAL AGENCY 2002

CHAIR: JOHN RICHTER

VICE-CHAIR: RICHARD MOORE

SKIP HISSONG

DALE JAMES

RON JACOBSON

CHAPTER 1

INTRODUCTION

POST FALLS EAST SELTICE URBAN RENEWAL PLAN

INTRODUCTION:

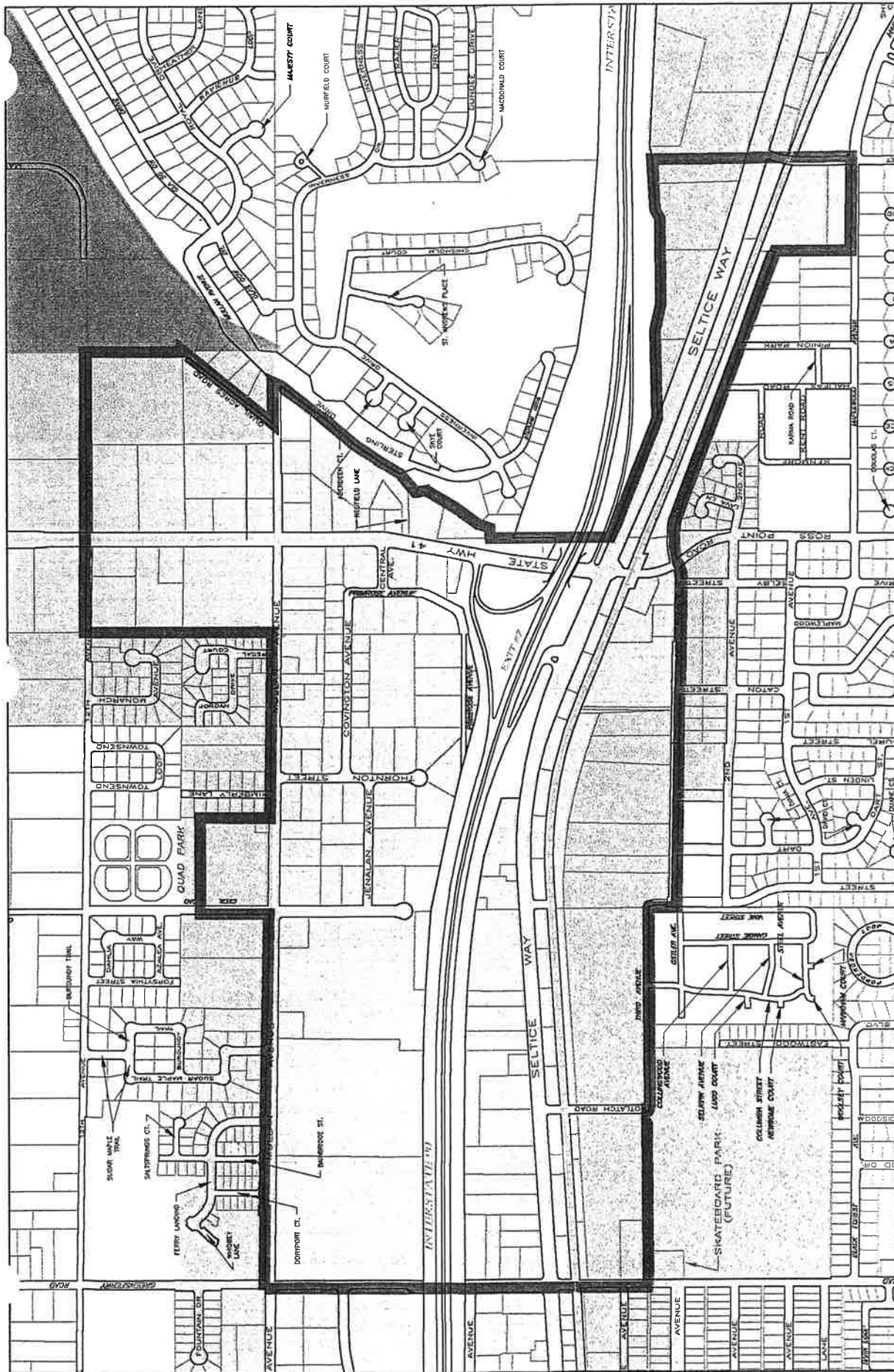
The City of Post Falls, a community with a population of approximately 17,800, is located in the panhandle of North Idaho within Kootenai County. The City's west boundary is the Idaho/Washington border. Post Falls is situated in a valley along the Spokane River and is adjacent to Interstate 90 with Spokane, Washington, approximately 20 miles to the west, and Coeur d'Alene, Idaho, approximately 3 miles to the east (city limits to city limits).

Post Falls has been identified as one of the fastest growing cities in Idaho during the 1990's and shows great potential for further growth and development. According to a recent study, Post Falls with its prime location, could serve as a hub of the largest market area of any city in the State of Idaho. Within a 35-mile radius, considered as a comfortable distance for reaching business, industry, education, medical, etc., there is in excess of a half a million people. Using the same yardstick, Boise has a market population of 400,000, Idaho Falls 150,000, and Pocatello 130,000, making Post Falls the largest trade center in the state.

This increase in growth and development has been partially realized, especially in the East Post Falls area. The East Post Falls area has absorbed a majority of the commercial development. Unfortunately, traffic improvements have not kept pace. This has led to the current sub-standard traffic and road conditions within the East Post Falls Area. Unsafe conditions exist for both motorists and pedestrians throughout the East Post Falls Area. The Post Falls Urban Renewal Agency has stated, and re-affirmed that their number one concern is safety. This policy was implemented in the West Seltice District improvements. In the East Post Falls area, 6 areas have been identified as needing traffic improvements due to the sub-standard conditions.

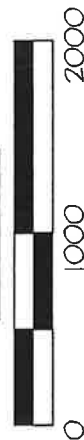
Since Interstate 90 was constructed through the City of Post Falls in 1977, effectively dividing the traditional commercial core of the city into two parts, many property and business owners, and city officials have recognized the need for stimulating urban redevelopment, and improving public right of ways on both sides of I-90. This plan deals with the East Post Falls section of town.

The East Post Falls Area contains a mixture of commercial development, vacant lots, and lots that are underused or contain unsightly conditions. Commercial development has mainly occurred along Mullan Ave., and parts of Seltice Way. Due to the ongoing development in parts of the East Seltice Area, the public infrastructure in this area has been greatly overburdened, especially streets. It is anticipated that with on-going commercial and industrial development in the East Post Falls area, traffic problems such as congestion, and a lack of signalization, roadways, lighting, sidewalks, curbing, will hamper future commercial and industrial development in this area, and create an unsafe situation for both motorists and pedestrians. As depicted on the following maps, the Comprehensive Plan projects this area to develop as industrial and commercial, and the zoning map classifies the land area as either industrial or commercial.



- Urban Renewal District
- Residential Urban, 1-5 DU/AC
- Residential Urban, 6-18 DU/AC
- Community Commercial
- Industrial

SCALE IN FEET

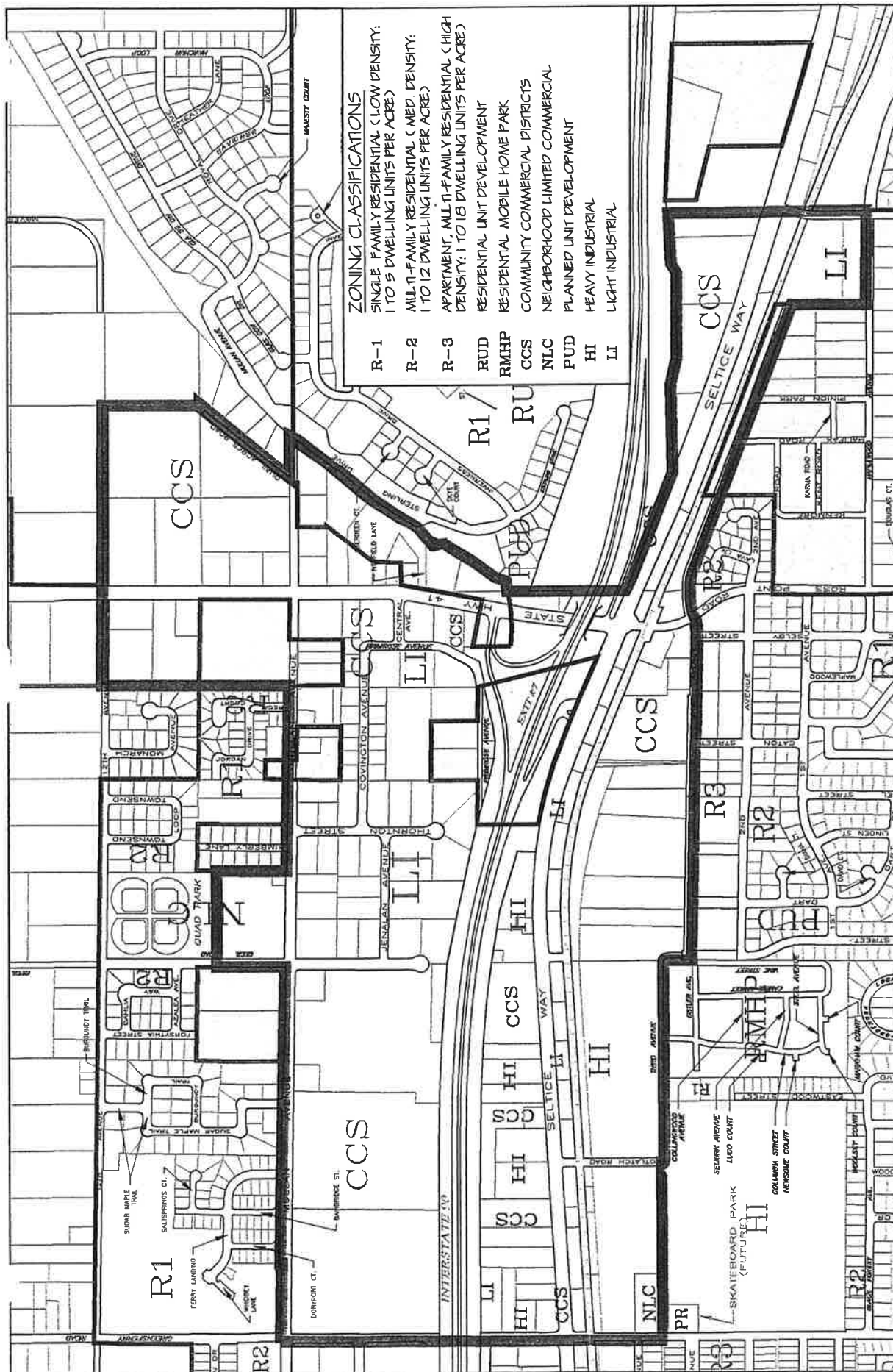


408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 773-3511

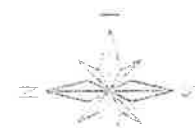


Comprehensive Plan Map

DWG No.	N/A	SCALE: 1" = 1000'	SHEET	1 of 1
FILE:	East Sellice Urban Renewal DWG			
DATE:	August 8, 2002			



SCALE IN FEET



Urban Renewal District
 City Limits
 Current Zoning
 Unincorporated Areas Within City Limits

408 SPOKANE STREET
 POST FALLS, IDAHO 83854
 (208) 773-3511



Zoning Map

DWG No. N/A SCALE: 1" = 1000 SHEET 1 of 1
 FILE: East Selkirk Urban Renewal DWG DATE: August 8, 2002

This Urban Renewal Plan describes the project area and improvements, how those improvements will be funded and outlines the powers, duties and obligations of the Post Falls Urban Renewal Agency (the Agency). This plan, by way of adopted ordinance, establishes the East Post Falls Urban Renewal Area and Tax Allocation District, approximately 349 acres. The City has commissioned an economic feasibility study, which includes a fiscal impact statement. The economic feasibility study focuses on all aspects of the entire East Seltice District, and aspects directly related to the project area. It is the intention of the Agency for much of the costs incurred by this plan to be funded by tax allocation financing, for a period not to exceed ~~twenty (20) years~~ ten (10) years.

The East Post Falls Urban Renewal district is being proposed under the deteriorated urban renewal law. Whereas, most of the previous districts the Agency has worked with were formed under the disadvantaged border community section, of the urban renewal law. There are two distinct differences that influence how an urban renewal district is proposed. A district formed under the disadvantaged border community offers much more control to how the district is going to develop, and to forecasting the financing issues for the district. The Agency has much more control on the phasing of the projects, the increment area, bonding, and borrowing issues. These types of districts also give the ability to better predict the success of the district.

Whereas, a district formed under the deteriorated urban renewal law does not generally give such a concrete ability to draw and predict such conclusions. For instance, a phasing plan, and resulted measured successes in these types of districts, are usually unfeasible and unpredictable, as improvements made in one part of the district may provide benefits to another area of the district, by reducing traffic congestion, improving safety, and reducing unfavorable items such as vacant lots, crime, and poor public utilities, as examples. Success are hard to measure in just one section of an urban renewal district in a "deteriorated" urban renewal area. This generally is not the case in a "disadvantaged border community". This situation generally requires that an entire urban renewal district being formed under the "deteriorated" designation, be adopted as a tax increment district because of the interrelation of improvements, and benefits within a deteriorated urban renewal district, and the inability to predict what areas exactly will benefit from a improvement made in a deteriorated urban renewal district.

DETERIORATION DEFINED

Under Idaho Local Economic Development Act (Municipal Corporations Code, Sec. 50-290 et. seq.) the city council must find and determine, on the basis of substantial evidence in the record, the project area as a "deteriorated area" (when adopting an ordinance approving and adopting Urban Renewal plan for a project area). The purpose of this chapter is to present the conditions of deterioration as set forth in the Local Economic Development Act (LEDA), to show how such conditions relate to categories of being deteriorated, and to provide examples of the types of data to illustrate and substantiate the various conditions of deterioration.

The LEDA defines a deteriorated area as an area which is characterized by one or more of the conditions set forth in Sections 50-2903(7), which conditions cause a reduction or lack of, proper utilization of the area and place a burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone. Section 50-2903(7) of the LEDA reads as follows:

“(7)(a) Any area, including slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

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

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

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

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

Information presented in the deteriorated section of the plan is divided in two divisions, which address the broad categories prescribed by the law. Appropriate headings for these major divisions are: “Existing Social Conditions”, and “Existing Economic Conditions”. Within these major divisions, subheadings are used, to the extent applicable to the particular project area.

IDENTIFYING DETERIORATED AREAS

1. Existing Social Conditions

A. Unsafe and hazardous traffic and pedestrian conditions exist which endanger life, buildings and structures having conditions which are unfit or unsafe to occupy, resulting from,

I. Inadequate and Unsafe Public Rights of Way

- Surfacing of roadways in deterioration
- Narrow roadways
- Partially paved streets
- Partially completed rights-of-way
- Unpaved streets
- Uncompleted (dead end) rights of way

II. Dilapidation or Deterioration

- Structural conditions of buildings and poor site conditions in comparison to remainder of City

III. Age or Obsolescence

- Age of buildings
- Obsolescence is mainly applicable to industrial and commercial buildings where size, layout, or other original design features may no longer be appropriate to current uses.

2. Existing Economic Conditions

A. Public Rights of Way, Buildings, Structures, and Conditions as described previously which result in economic underdevelopment of the area.

I. Inadequate and sub-standard traffic movements and flow

- Streets, sidewalks, curbs, gutters non existent or in disrepair
- Poor traffic circulation
- Street lighting non existent or in disrepair

II.. Substantially impairs or arrests the sound growth of a municipality.

a. Inadequate public improvements

- Public improvements should be surveyed to determine adequacy/inadequacy by using the following factors:
 - ✓ poor physical condition
 - ✓ age
 - ✓ deterioration
 - ✓ improper design
 - ✓ lack of sufficient capacity
 - ✓ total absence of improvement in face of demonstrable need.

b. Inadequate Public Facilities -

Need to be evaluated as in "a" (above)

- Parks
 - Parking Facilities
- c. Inadequate Utilities -
Should be evaluated as in “a” (above)
- Water processing and distribution facilities
 - Gas
 - Electrical (above ground/underground)
 - Cable television
 - Telephone
 - Sewerage treatment facilities
 - Sewers, storm drains

III.. Retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

- a. Shifting of uses
- Rapid changes in tenants within commercial structures (this week a thrift store, used furniture the next week)
 - Conversions to uses other than the original use (service station converted to fast food operation)
- b. Prevalence of depreciated values
- c. Prevalence of impaired investments

An “impaired investment” is a rented or leased commercial, industrial or residential property on which the values or the return on the owner’s equity are diminished or have stopped altogether, and/or the equity itself is in danger of being partially or totally lost. These conditions are evidenced by:

- Decline in gross sales or gross rents.
- Inordinate increases in expenses due to circumstances existing in the area (such as higher insurance costs, inability to obtain insurance at all or higher costs for security protection)
- Increasing vacancy rates
- Inability to sell properties at reasonable prices

- Inability to obtain loans to maintain, rehabilitate or expand
 - Increased public safety related issues
- d. Prevalence of economic maladjustment
- Business failures and move-outs
 - Declining employment figures
 - Increasing unemployment
 - Vacant stores, and buildings
 - Declining business registrations.
 - Declining property tax revenues and increasing police and fire services
 - Declining sales taxes or stagnation of same
 - Inability of property owners to bear special assessments
 - Low incomes of residents
- f. Existing land uses inappropriate to needs of businesses, industries and residents of city.
- The existence of vacant or partially vacant buildings of recent construction
 - The existence of unused or unique facilities of marginal need or usefulness
 - Lack of expansion area
 - Lack of proper access for customers & deliveries
 - Lack of transportation facilities
 - Lack of adequate parking
 - Lack of necessary utilities (water, power)
 - Improper zoning

3. Other Factors

The conditions of deterioration affect the entire project area. Non-blighted properties have been included because their inclusion is necessary for effective redevelopment.

CHAPTER 2

BOUNDARY DESCRIPTION

LEGAL DESCRIPTION
EAST SELTICE TAX ALLOCATION DISTRICT
ORDINANCE NO. _____

PORTIONS OF SECTIONS 35 AND 36, T51N, R5W, B.M., SECTION 31 T51N, R4W, B.M., SECTIONS 1 AND 2, T50N, R5W, B.M., AND SECTION 6, T50N, R4W, B.M., KOOTENAI COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS BASED ON AVAILABLE INFORMATION AND NOT AN ACTUAL FIELD SURVEY:

- BEGINNING** AT THE NORTHWEST CORNER OF SAID SECTION 1, T50N, R5W, B.M., KOOTENAI COUNTY, IDAHO;
- THENCE N44°20'04"W, A DISTANCE OF 42.65 FEET, MORE OR LESS TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD AND THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE AND THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED EAST SELTICE TAX ALLOCATION DISTRICT;
- THENCE ALONG THE FOLLOWING 80 CALLS;
1. THENCE N82°27'26"E ALONG THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE, A DISTANCE OF 70.62 FEET MORE OR LESS TO THE EAST LINE OF GREENFERRY ROAD;
 2. THENCE S88°47'14"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 305.04 FEET MORE OR LESS;
 3. THENCE S00°44'04"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 9.75 FEET MORE OR LESS;
 4. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 214.72 FEET MORE OR LESS;
 5. THENCE N00°44'04"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 9.78 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF GREENSFERRY LANDING AS RECORDED AT BOOK I, PAGE 269 KOOTENAI COUNTY RECORDS;
 6. THENCE S88°47'14"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 759.89 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID GREENSFERRY LANDING AND THE SOUTHWEST CORNER OF MAPLE GROVE MANOR AS RECORDED AT BOOK I, PAGE 226 KOOTENAI COUNTY RECORDS;
 7. THENCE S88°48'58"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 500.88 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID MAPLE GROVE MANOR;
 8. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 159.00 FEET MORE OR LESS TO THE WEST LINE OF TRACT 60, POST FALLS IRRIGATED TRACTS AS RECORDED AT BOOK C, PAGE 78 KOOTENAI COUNTY RECORDS;
 9. THENCE S00°49'56"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.24 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT 60;
 10. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 639.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF CECIL STREET AND THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
 11. THENCE N00°52'44"E ALONG THE WEST RIGHT-OF-WAY LINE OF CECIL STREET, A DISTANCE OF 362.59 FEET MORE OR LESS TO THE INTERSECTION OF THE NORTH LINE OF ASSESSORS TAX PARCEL NUMBER 19148 EXTENDED AND THE WEST RIGHT-OF-WAY LINE OF CECIL STREET;
 12. THENCE S88°51'48"E ALONG SAID NORTH LINE OF ASSESSORS TAX PARCEL NUMBER 19148 EXTENDED, A DISTANCE OF 680.41 FEET MORE OR LESS TO THE

WEST BOUNDARY OF WILLIAMSON'S SUBDIVISION AS RECORDED AT BOOK E, PAGE 57 KOOTENAI COUNTY RECORDS;

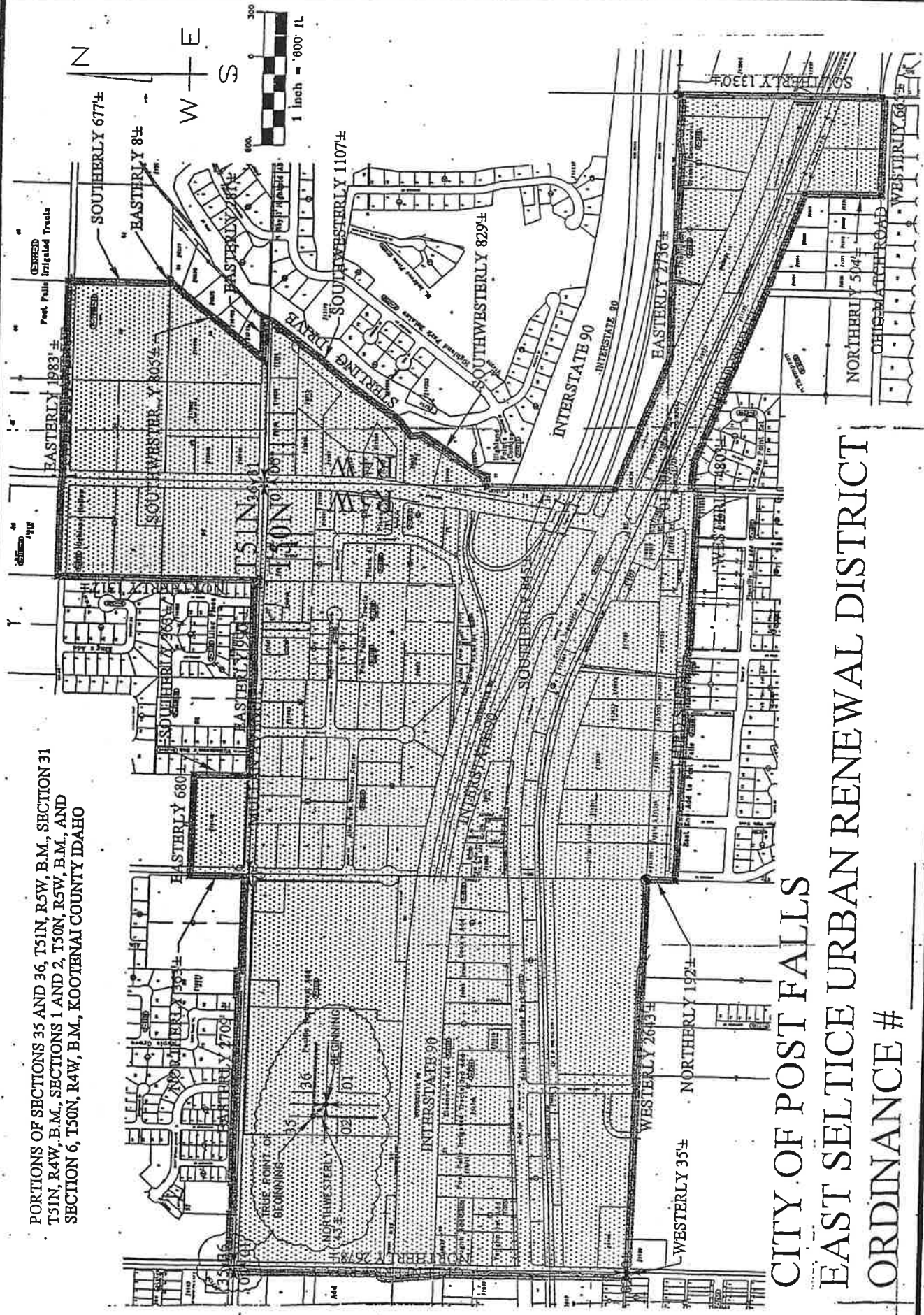
13. THENCE S00°51'55"W ALONG SAID WEST BOUNDARY OF WILLIAMSON'S SUBDIVISION, A DISTANCE OF 362.99 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
14. THENCE S89°10'36"E ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 330.13 FEET MORE OR LESS TO SOUTHEAST CORNER OF SAID WILLIAMSON'S SUBDIVISION;
15. THENCE N00°51'55"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
16. THENCE S88°46'11"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 329.79 FEET MORE OR LESS;
17. THENCE S00°57'46"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
18. THENCE S88°46'11"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 132.47 FEET MORE OR LESS;
19. THENCE N00°50'22"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
20. THENCE S88°40'51"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 527.66 FEET MORE OR LESS TO THE EAST BOUNDARY OF LILAC PLACE AS RECORDED AT BOOK I, PAGE 170 KOOTENAI COUNTY RECORDS;
21. THENCE N00°52'26"E ALONG SAID EAST BOUNDARY OF LILAC PLACE AND THE BOUNDARY COMMON TO KINGS ADDITION AS RECORDED AT BOOK E, PAGE 178 KOOTENAI COUNTY RECORDS AND HIGHLAND HOLLOW AS RECORDED AT BOOK G, PAGE 190 KOOTENAI COUNTY RECORDS EXTENDED, A DISTANCE OF 1312.14 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE;
22. THENCE S88°45'33"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 595.30 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 41;
23. THENCE S83°49'22"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 115.62 FEET MORE OR LESS TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 41;
24. THENCE S89°02'58"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 1272.49 FEET MORE OR LESS TO THE SOUTHERLY CORNER COMMON TO TRACTS 42 AND 43, BLOCK 31 POST FALLS IRRIGATED TRACTS;
25. THENCE S00°49'22"W ALONG THE LINE COMMON TO TRACTS 55 AND 54, BLOCK 31 POST FALLS IRRIGATED TRACTS EXTENDED, A DISTANCE OF 677.26 FEET MORE OR LESS TO THE SOUTHERLY CORNER COMMON TO TRACTS 55 AND 54, BLOCK 31 POST FALLS IRRIGATED TRACTS;
26. THENCE S89°11'27"E ALONG THE SOUTH LINE OF SAID TRACT 54, A DISTANCE OF 8.44 FEET MORE OR LESS TO THE NORTHWEST CORNER OF ASSESSORS TAX PARCEL NUMBER 8577;
27. THENCE S39°31'14"W ALONG THE NORTHWESTERLY BOUNDARIES OF ASSESSORS TAX PARCEL NUMBERS 8577, 8578, 8575, 16485 AND 8713, A DISTANCE OF 805.42 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
28. THENCE S89°19'56"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE, A DISTANCE OF 280.73 FEET MORE OR LESS TO THE WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE;
29. THENCE S26°12'12"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 60.76 FEET MORE OR LESS;
30. THENCE S37°46'55"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 397.41 FEET MORE OR LESS;
31. THENCE S42°45'46"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 111.00 FEET MORE OR LESS;

32. THENCE S40°37'54"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 183.27 FEET MORE OR LESS;
33. THENCE S35°43'24"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 202.00 FEET MORE OR LESS;
34. THENCE S31°19'54"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 154.97 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES RECORDED AT BOOK F, PAGE 264 KOOTENAI COUNTY RECORDS;
35. THENCE S51°36'54"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 170.72 FEET MORE OR LESS;
36. THENCE S06°47'46"E ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 78.36 FEET MORE OR LESS;
37. THENCE S32°41'34"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 192.91 FEET MORE OR LESS;
38. THENCE S37°01'24"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 232.28 FEET MORE OR LESS;
39. THENCE S21°32'54"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 82.87 FEET MORE OR LESS;
40. THENCE S84°57'24"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 70.79 FEET MORE OR LESS TO THE WEST LINE OF SECTION 6, T50N, R4W, B.M., KOOTENAI COUNTY;
41. THENCE S00°54'52"W ALONG SAID WEST LINE OF SECTION 6, A DISTANCE OF 844.72 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90;
42. THENCE S68°56'49"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 942.75 FEET MORE OR LESS;
43. THENCE S89°30'18"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 625.22 FEET MORE OR LESS;
44. THENCE S80°50'16"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 142.69 FEET MORE OR LESS;
45. THENCE S87°41'23"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 386.40 FEET MORE OR LESS;
46. THENCE S87°40'23"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 223.05 FEET MORE OR LESS;
47. THENCE N80°59'26"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 101.92 FEET MORE OR LESS;
48. THENCE S87°37'16"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 279.67 FEET MORE OR LESS;
49. THENCE N71°30'47"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 34.43 FEET MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 6, T50N, R4W, B.M.;
50. THENCE S00°02'54"W ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 1330.07 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD;
51. THENCE S63°51'07"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD, A DISTANCE OF 30.63 FEET MORE OR LESS;
52. THENCE N88°59'55"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD, A DISTANCE OF 634.68 FEET MORE OR LESS TO THE WEST LINE OF LOT 2, BLOCK C OF THOMPSON ADDITION AS RECORDED AT BOOK B, PAGE 101 KOOTENAI COUNTY RECORDS;
53. THENCE N00°08'10"E ALONG SAID WEST LINE OF LOT 2, BLOCK C, A DISTANCE OF 503.55 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET;
54. THENCE N68°38'59"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1436.53 FEET MORE OR LESS;
55. THENCE S00°50'39"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 9.94 FEET MORE OR LESS;

56. THENCE N69°08'53"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 499.94 FEET MORE OR LESS;
57. THENCE 74.65 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET ALSO BEING A CURVE TO THE LEFT WITH A RADIUS OF 220.00, A CENTRAL ANGLE OF 19°26'29", AND WHOSE CHORD BEARS N78°52'07"W, A DISTANCE OF 74.29 FEET MORE OR LESS;
58. THENCE N88°35'16"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 110.32 FEET MORE OR LESS;
59. THENCE S31°43'20"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 47.60 FEET MORE OR LESS;
60. THENCE N88°36'14"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1059.59 FEET MORE OR LESS;
61. THENCE N69°47'59"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 56.10 FEET MORE OR LESS;
62. THENCE N88°29'00"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 347.63 FEET MORE OR LESS;
63. THENCE S75°52'23"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 41.15 FEET MORE OR LESS;
64. THENCE N88°04'13"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1060.10 FEET MORE OR LESS;
65. THENCE N89°31'00"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 60.52 FEET MORE OR LESS TO EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, T50N, R5W, B.M.;
66. THENCE N00°28'50"E ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, A DISTANCE OF 192.10 FEET MORE OR LESS TO THE CENTER OF SAID SECTION 1;
67. THENCE N88°33'53"W ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 1, A DISTANCE OF 2642.79 FEET MORE OR LESS TO THE WEST QUARTER CORNER OF SAID SECTION 1;
68. THENCE N89°42'39"W, A DISTANCE OF 35.09 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD;
69. THENCE N00°34'10"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 534.48 FEET MORE OR LESS;
70. THENCE S87°14'22"W ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 5.04 FEET MORE OR LESS;
71. THENCE N00°33'36"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 74.88 FEET MORE OR LESS;
72. THENCE N02°54'54"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 122.04 FEET MORE OR LESS;
73. THENCE N00°33'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 454.17 FEET MORE OR LESS;
74. THENCE N04°53'43"W ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 373.52 FEET MORE OR LESS;
75. THENCE N01°00'22"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 60.00 FEET MORE OR LESS;
76. THENCE 44.40 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD ALSO BEING A CURVE TO THE RIGHT WITH A RADIUS OF 50.00, A CENTRAL ANGLE OF 50°52'28", AND WHOSE CHORD BEARS N26°26'36"E, A DISTANCE OF 42.95 FEET MORE OR LESS;
77. THENCE 26.87 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD ALSO BEING A CURVE TO THE LEFT WITH A RADIUS OF 30.00, A CENTRAL ANGLE OF 51°19'04", AND WHOSE CHORD BEARS N26°13'18"E, A DISTANCE OF 25.98 FEET MORE OR LESS;
78. THENCE N00°33'34"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 887.97 FEET MORE OR LESS;

79. THENCE N06°17'19"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 99.70 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE AND THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED EAST SELTICE TAX ALLOCATION DISTRICT.

PORTIONS OF SECTIONS 35 AND 36, T51N, R5W, B.M., SECTION 31
T51N, R4W, B.M., SECTIONS 1 AND 2, T50N, R5W, B.M., AND
SECTION 6, T50N, R4W, B.M., KOOTENAI COUNTY IDAHO



CITY OF POST FALLS
EAST SELTICE URBAN RENEWAL DISTRICT
ORDINANCE # _____

CHAPTER 3

PROPOSED DEVELOPMENT ACTIONS

PROPOSED DEVELOPMENT ACTIONS:

General

The major objective of this urban renewal plan is to provide traffic improvements and other public improvements, which implement the goals of the Post Falls Urban Renewal Agency (URA), and the City. The URA has established goals for the proposed East Post Falls area, which are as follows:

- A. Re-design and improve existing streets in the district, including redesigning intersections, turn off ramps from Interstate-90, widening of roadways, signalization, and pedestrian access
- B. Encourage and assist the development of new businesses within the East Post Falls Area.
- C. Provide the necessary infrastructure support for the attraction of new business.
- D. Rehabilitate existing vacant lots that have become collection points for junk.

The infrastructure improvements provided in Phase I will have a positive impact for the City of Post Falls by adding about 90 new jobs with the first proposed commercial user. This user has provided an obligation to create these jobs as a part of the grant procurement process. It is estimated that an additional 40 to 50 jobs will be created with development following the first commercial building.

Funding for the Phase I project is from multiple sources. These include a grant received from Commerce Department for \$450,000 (net), an Economic Development Agency grant for \$480,000 (net), Idaho Transportation Department matching dollars in the amount of \$780,000, a Local Improvement District contributing about \$940,000, and Wal-Mart contributions of \$150,000. Wal-Mart previously constructed several hundred thousand dollars in off-site improvements to the overall area identified in the East Seltice Urban Renewal plan along Mullan Avenue. The Urban Renewal Agency is being asked to participate with the Phase I improvements in an amount of about \$350,000 to \$500,000, depending upon final construction costs. The participation would be in the form of re-imbursement by increment generated in the District. The Agency will receive the first 15% or \$10,000 dollars annually from the increment for administrative costs.

Construction of the Phase I improvements would not have been successful without the contribution and cooperation of all funding Agencies.

Phase II improvements total between \$8,065,000 and \$9,610,000 of agency contribution dispersed throughout the East Seltice Urban Renewal District. The Agency has the ability to complete these projects dependent on the available tax increment available and the current financial status of the district.

The proposed projects include:

- **East Seltice/Highway 41 Improvement Projects**
Construct improvements to the area along Seltice Way from exit 7 to Highway 41 and along Highway 41 from Seltice to Mullan Avenue. Construct roadway and utility improvements to the undeveloped area south of Seltice near exit 7.
- **Greensferry Overpass**
Construct an Interstate-90 overpass at Greensferry Road to connect Seltice Way to Mullan Avenue.
- **Spencer Street and Third Avenue Improvements**
Construct utility and roadway improvements to connect Third Avenue to Spencer Street and to connect Spencer Street from Second Avenue to Seltice Way.
- **Centennial Trail Relocation and Cedar Street Signalization**
Relocation of the existing Centennial Trail connection from the intersection of Seltice Way, Ross Point Road and Highway 41 to the intersection of Seltice Way and Cedar Street.
- **Mullan Avenue/Highway 41 Improvements**
Construct improvements to the intersection of Mullan Ave. and Highway 41.

As shown, the East Post Falls area of the City of Post Falls is also confronted by several major impediments in generating economic vitality. In promoting the East Post Falls Area to corporations and businesses (within the city itself as well as to those entities who are looking to relocate, expand or startup) the URA and the City recognize that these impediments do exist and where possible, eliminate or mitigate them. These impediments include but are not limited to the following:

- A. Inadequate and unsafe public rights-of-way
- B. Lack of traffic circulation
- C. Lack of infrastructure
- D. Lack of maintenance of public & private property - blight
- E. Lack of amenities
- F. Business closures
- G. Physical separation by I-90
- H. Inaccessible to pedestrians - unfriendly
- I. Low development densities
- J. Lack of identity
- K. Lack of commercial diversity

This plan cannot overcome all the impediments listed above, but if the aforementioned goals are achieved the economic vitality of the East Post Falls Area will be greatly enhanced and will eliminate or minimize most of them. Given the lack of infrastructure and amenities in the East

Post Falls area it is financially feasible to achieve all the objectives within a twenty (20) year time frame. The plan is therefore broken down into a one (1) phase description.

Phase One (1) (E. Seltice/Highway 41 Improvement Project)

The boundaries of the first phase are near the intersection of Highway 41 and Seltice Way, and are an important part of the development of this area. The boundaries of Phase 1 are generally described as follows:

- North boundary Mullan Avenue
- East boundary A line running north/south approximately ½ of a mile from the Hwy. 41 Seltice intersection
- South boundary 3rd Avenue
- West boundary A line running north/south parallel with Laurel Street

Below are the overall costs with this project as identified in appendix A of the East Post Falls Urban Renewal Plan.

Phase I Site Improvement Costs	\$350,000 - \$500,000
Phase II Site Improvement Costs	\$8,065,000 - \$9,610,000
OVERALL PROJECT GRAND TOTAL:	\$8,415,000 - \$10,110,000

Conformance With State And Local Requirements

The proposed redevelopment as proposed in this plan conforms to the Comprehensive Plan for the City of Post Falls which was adopted by City Council Resolution No. 95-09 on May 16, 1995 and as amended by Resolution No.96-10 on May 7, 1996 This plan was reviewed by the Post

Falls Planning and Zoning Commission, stating that this plan is in conformity with the Post Falls Comprehensive Plan.

Property Acquisition

Pursuant to State Code Section 50-2007 the URA may acquire (by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise) real property to hold, improve, renovate, rehabilitate, clear, or prepare such property for redevelopment. Absent the consent of the property owner, the URA will not acquire any property, which will not require modification or the imposition of restrictions. In conjunction with the acquisition of a site, the URA shall accomplish the relocation of existing businesses and tenants.

Property Management

The URA may convey property it has acquired for less than market value. The URA may clear or move buildings, structures or improvements from any real property acquired, and the URA may develop a building site by constructing streets, utilities, parks, playgrounds and other public improvements in order to carry out the urban renewal plan. The URA may acquire land or other public improvements and construct facilities within and/or outside the plan area if it can determine that the improvements are of benefit to the plan area. However, the URA shall not pay for maintenance or operation of said improvement.

Relocation Of Businesses, Persons And Others

If as a result of pursuing this plan individuals, families, businesses, non-profit organizations or others are required to relocate, the URA shall prepare a plan for the relocation of same. The URA shall be responsible to assist those individuals and entities in full accordance with state and federal statutes, including finding a new location and providing relocation payments.

Disposition And Development Agreements

The Disposition and Development Agreements (DDA) are the legal documents that form Public/Private partnerships. They are used by the URA when entering into an agreement with a private developer for a specific project. The list below is merely illustrative and not all inclusive and does not prevent the Agency from including, or excluding any or some of the commitments below.

1. The Agency's Commitments
 - a) What it will do:
 - site acquisition
 - site improvements
 - clearing
 - parking
 - off site improvements, etc.
 - b) Determines how much the public investment is, and

how it will be financed

2. The Developer's Commitments

- a) A specific development concept:
 - mix of uses
 - building size
 - number of parking spaces
 - quality of development, etc.
- b) Payments to the Agency, which can be in the form of :
 - payment for fee simple sale of land
 - land payment for ground lease
 - lease payments for public facilities
 - commitments towards paying other sources of public financing, such as special assessment bonds
 - participation - percentage of future cash flows
 - loans and advances
 - tax increment guarantees
- c) Firm time schedules and contingencies affecting the timing
- d) Agreement to operate (e.g. Hotel) for a minimum number of years

CHAPTER 4

USES PERMITTED IN PROJECT AREA

USES PERMITTED IN PROJECT AREA:

Comprehensive And Urban Renewal Plans

The primary objectives for the Urban Renewal Agency are to improve the quality of life, bring economic vitality and improve the aesthetics of the East Post Falls Area through development and redevelopment. There are two (2) differing sets of land use issues involved in this plan. The first set of issues deal with the designated or planned land uses of the comprehensive plan and the second set of issues revolve around existing non-conforming land uses, meaning uses which don't conform to the planned uses in the comprehensive plan.

Designated Land Uses Of The Comprehensive Plan

The Urban Renewal District land uses are consistent with the Generalized Land Use Map of the Post Falls Comprehensive Plan. If the necessary resources are available, the Urban Renewal Agency will assist any project that desires support, but that project must be consistent with this urban renewal plan and the comprehensive plan of the city. The following is a list of the land uses in the Urban Renewal Plan as it is described in the comprehensive plan. All proposed uses must comply with the appropriate land use designation in which it will be located.

Regional / Community Commercial / Office:

The commercial designation is found in most of the urban renewal plan area along Seltice Way, Mullan Road, and Highway 41. The function of this designation is to provide regional, local and tourist needs in readily accessible locations. Existing compatible land uses within the plan area consists of a mixture of office, retail and service commercial uses as well as vacant properties. There are non-conforming industrial land uses within the urban renewal planning area as well. For the sake of brevity and clarification, this designation will be referred to as the "Commercial District" in this document.

Public Rights-Of-Way:

With few exceptions, most of the public rights-of-way in the area are deficient in terms of development and are poorly maintained. Curbs, gutters and sidewalks are practically non-existent. Street infrastructure is inadequate and is a major drawback to most kinds of beneficial development. The Urban Renewal Agency deems these infrastructure needs as being most critical to the attraction of new business and development. The Agency intends to use its resources, plus any additional assistance, which may be derived from any other public or private source for the completion of this critical component.

Interim Uses:

There may be a need for the temporary use of vacant properties and/or structures within the plan area. If these uses are to be supported and/or assisted by the Urban Renewal Agency, they shall be compatible with the current zoning and land use designations of the comprehensive plan.

Non-Conforming Uses:

Uses which do not conform to the East Post Falls Urban Renewal Plan and/or the City of Post Falls Comprehensive Plan and/or zoning map are not eligible for support or assistance from the Urban Renewal Agency.

General Controls And Limitations

Construction:

All construction which is funded or partially funded by the Urban Renewal Agency as a part of this plan will be required to meet all applicable city and state specifications. In addition, each project must meet any requirements made by the URA as a condition of assistance. Such requirements may be in the form of additional performance and development standards. Construction may be by the Agency independently, or in conjunction with any other public agency.

Rehabilitation And Retention Of Property:

Rehabilitation of dilapidated commercial structures is an objective of the URA, in as much as the use of the structure complies with the plan and revenues available for assistance. Except in extenuating circumstances, ownership retention will always be a priority for most projects undertaken by the URA.

CHAPTER 5

PROJECT FINANCING METHODS

PROJECT FINANCING METHODS:

General Description Of Financing Methodology

State law provides that urban renewal agencies have the power to finance urban renewal (redevelopment) activities and related costs. Agencies can issue both short and long term debt with existing and projected revenues. The debt of an urban renewal agency can be it's own, or, it can include any assignments of revenues from others. For the most part, urban renewal agencies utilize tax increment financing (TIF) as the financing tool. However, Government Code Section 50-2007(f) allows other financing mechanisms, as well. The following are merely illustrative, and is not an all inclusive list, nor do they bind the Urban Renewal Agency to use one or any of the following financing mechanisms:

1. advances
2. loans
3. grants
4. contributions
5. any other form of financial assistance from public or private sources

Bond Anticipation Notes

Bond Anticipation Notes (BANs) are utilized when an agency needs to raise higher levels of financing than possible with a standard financing mechanism. The basic assumption of BAN financing is that tax increments will grow substantially over several years, due in part or whole to the application of the BANs funding to agency programs, and the agency will subsequently be able to afford a standard financing to refinance the BANs when the whole principal balance becomes due. BANs will typically have interest only payments for the short duration of the financing term, with all principal coming due in anticipation of a fully amortized standard bond financing that will refinance or take out the BANs.

BANs can raise substantial capital in advance of tax increment generation and project development. These notes can provide funding which can encourage private development in the early stages of the project when "seed" capital is needed most.

The customary BAN structure calls for the forecasting of tax increment revenues several years into the future, making an assumption about what interest rates will be at the end of the forecast / finance period, and then issuing short (two to three year) to medium (four to six year) notes. The financing program anticipates that the notes will be fully amortized standard bonds when the notes mature. Ban financing often includes a large component of capitalized (prepaid from note proceeds) interest, as the agency can typically not support full interest payments on the notes with tax increment funds. Thus, for \$100.00 of program funding, a BAN financing will require two sets of costs of issuance (both the BAN and permanent bond financing) totaling approximately \$7.00 per hundred, plus at least \$20.00 per hundred of capitalized interest. When the takeout bonds are issued, the agency will be borrowing over \$127.00 (plus reserves) to pay for \$100.00 of initial project funding.

Despite the higher financing costs, in a relatively stable legal, political and financial climate BANs can prove to be quite effective. The URA can borrow substantial additional funds compared to a standard financing mechanism and after investing these funds in project improvements, cause further tax increment revenue growth. The concept is an attractive and convenient one that answers the problems facing any project area. Subsidies and public investment are needed up front to spur development that generates tax increment within twelve to eighteen months following construction.

The risk is straight forward - if the tax increment does not grow as projected and is not adequate to support a standard financing to take out the BAN when it comes due, the agency faces a number of unpleasant choices, including borrowing funds from the city to help retire the note debt, rolling the BAN with a second BAN issue, or default. The typical option utilized is to roll the BAN in the hope that revenues will be high enough when the second issue of BAN matures to take out the note permanently.

The accuracy of the tax increment forecast is absolutely critical to the success of the program, market / interest rate fluctuations are also a significant variable, and the ability to "take-out" the BAN with bonds is subject to legal and political factors which are beyond the control of the URA. A successful BAN financing must take these variables fully into account.

A taxable BAN which is to be taken out with taxable bonds make more sense than tax-exempt notes because one of the primary risks, alterations of the tax law, is essentially removed. Because taxable financing is typically utilized as bridge financing, waiting for private repayments, the short term nature of a BAN can be most effective.

Tax Increment Funds

Tax increment financing is the principal method of financing the public costs of redevelopment. "Ad Valorem" property taxes generated from the increase in assessed valuation of property values, created by new development within a specified project area, is the major source of tax increment revenue. The assessed valuation at the time of adoption of the urban renewal plan becomes the base year value and is frozen at that level for the purpose of distribution of taxes to the various affected taxing entities (excepting schools). Each fiscal year, following the adoption of an urban renewal plan, the taxes generated by the assessed valuation that exceeds the base year level (known as tax increment) is paid to the urban renewal agency. The URA in turn utilizes these funds for the repayment of debt incurred by the URA in connection with redeveloping the project area.

When an urban renewal project is approved, there isn't any tax increment immediately available to the agency. The fiscal year following the adoption of the project there is an opportunity for some tax increment to be generated, but only if the assessed valuation of the area has increased from the prior year.

Normally very little funding is available within the first few years of a project. Therefore, funding for the initial cost of a project and the costs of implementation must be provided from other sources. Many times the city will loan funds to the URA, or provide the capital improvements in the project area with the URA agreeing to reimburse the city when the agency receives its revenues.

In other situations, a developer may loan the agency the necessary startup funds. If there is a property owner or a developer who desires to build a project in an urban renewal area, the developer may loan the agency funds for both the startup costs as well as the capital improvements. A portion, or all of the funds advanced would be repaid by the agency pursuant to an agreement with the developer.

Loans And Grants

Community Development Block Grants:

The Community Development Block Grants (CDBG) program replaced a number of specific aid programs (such as the former federal Urban Renewal program) to allow local communities broader discretion in the administration of community development funds. Eligible activities include acquisition of property, clearance and demolition, relocation, public facilities and historic preservation. The funds must be targeted to specific areas to benefit low and moderate income persons or to eliminate slums and blight. CDBG funds are widely used throughout the state for economic development and senior facilities.

Local Improvement Districts:

Local Improvement Districts (LID) have been used to fund public improvements that benefit private development. LID's place upon the benefited property the costs which are not borne by the urban renewal agency (or city). The State of Idaho has determined that LID's are a legal means for the city to fund such improvements. Formation of an LID requires the approval of a majority of the property owners in the affected area. The costs of the improvements are determined, and each property is assigned its prorata share. The LID expenses are paid off via the tax rolls over a predetermined period of time (usually 15 to 20 years).

Loans and Advances:

The URA may borrow funds for a project from the city or a lending institution. The drawback being the rate of interest. In addition, developers may advance or loan working capital to urban renewal agencies for preliminary redevelopment activities. Generally the developer is at risk with these advances and will be repaid only if the project goes forward.

Tax Increment Guarantees:

The willingness, or ability, of an urban renewal agency to incur project financial obligations for a specific development may be based on a projection that the development will produce tax increments in a certain amount, within a definite period of time. As an inducement to the urban renewal agency to proceed with its part of the development activities, such as paying for the costs of public facilities to serve the development, a developer may agree to guarantee to the URA the receipt of tax increments from the development in the amount and by the time projected.

Certificates Of Participation:

Certificates of Participation (COP's) provide long term financing through a lease with an option to purchase, (also called a conditional sale agreement). This financing method is used for long term financing of major projects such as public facilities, parking garages, and recreational activities. Where applicable, this financing method can also be used to

finance the acquisition of motorized equipment, communications equipment, computers, and other major items of equipment.

When a public sale of a lease, or COP's in a lease, is planned the principle parties include:

1. The public agency
2. A bank, financial institution or lender (buys the present value of future lease payments)
3. Purchasers or investors (purchase the COP's)
4. A trustee (holds security for payment of lease - if any)
5. An escrow agency (the trustee may also be the escrow agency)

Lease agreements are for one year at a time resulting in the COP's commanding a higher interest rate. The URA would also have to comply with state public bidding for construction laws, usury and legal interest rate laws authorizing the lease and disclosure requirements.

Joint Powers Authority:

By agreement multiple public entities with common powers may form a Joint Powers Authority (J.P.A.) when it is to the advantage of those agencies to consolidate their forces to construct a public use facility or issue debt for public purposes that when done separately would be less advantageous. A joint exercise of power agreement must be approved by the participating entities in order to utilize a J.P.A. The security of any issue of a J.P.A. will depend upon the existing or projected cash flows, reserves, and other capital resources of the participating agencies and the approved obligations of each agency. In some cases it may be advantageous for the URA to form a J.P.A. before debt obligations are approved by the individual agencies.

63-20 Debt:

States and political subdivisions are authorized, under federal tax law, to issue obligations, the interest on which is exempt from federal income taxation ("Tax-exempt bond"). Each state has statutes and administrative rules that outline the terms under which tax-exempt bonds may be issued. There are circumstances, however, when a political subdivision would prefer not to issue bonds for a project. These reasons may be legal, practical or political. A facility may qualify for tax-exempt financing, because of its use by a governmental entity; nevertheless, the governmental entity elects not to finance the project with its own tax-exempt bonds. An alternative method of obtaining tax-exempt financing is available under the Internal Revenue Code. This method of financing is commonly referred to as "63-20" financing. The term "63-20" comes from the Department of Treasury Revenue Ruling which first described and authorized this type of tax-exempt financing (in 1963).

In a 63-20 financing, a nonprofit corporation may issue tax-exempt debt for the purpose of financing facilities as long as certain requirements are met. The most well-known requirement is that title to the facilities must be transferred to a governmental entity when the debt is retired. Interest on 63-20 debt is exempt from federal income taxation. Therefore, the cost of capital is, lower than it would be in the conventional capital markets.

Historically, 63-20 debt was primarily used for nonprofit corporations, qualified under Section 501(c)(3) of the Internal Revenue Code, to access the tax-exempt bond market. 63-20 debt is sold as tax-exempt bonds generally in the same financial markets as governmental tax exempt bonds. The interest rates may be comparable, depending upon the credit strength of the collateral security.

If the financed facility is leased to an entity other than the nonprofit issuer of the debt, the tenant is required to be either a governmental entity or a charitable organization. An underwriter may underwrite long term (20 years or more) bonds issued by the nonprofit corporation. The credit support of the bonds may derive from the lease of the facility to the governmental agency. The bonds may be issued on a non-recourse basis to the nonprofit corporation, i.e., the bonds would be secured solely by lease revenues. In a non-recourse financing, the owners of the bonds would have no recourse against any other assets of the corporation.

CHAPTER 6

TAX ALLOCATION DISTRICT

LEGAL DESCRIPTION.

URBAN RENEWAL DISTRICT

**THE TAX ALLOCATION DISTRICT FOR THE EAST SELTICE URBAN RENEWAL
PROJECT AREA AS DEFINED BY THE FOLLOWING DESCRIBED BOUNDARY:**

LEGAL DESCRIPTION
EAST SELTICE TAX ALLOCATION DISTRICT
ORDINANCE NO. _____

PORTIONS OF SECTIONS 35 AND 36, T51N, R5W, B.M., SECTION 31 T51N, R4W, B.M., SECTIONS 1 AND 2, T50N, R5W, B.M., AND SECTION 6, T50N, R4W, B.M., KOOTENAI COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS BASED ON AVAILABLE INFORMATION AND NOT AN ACTUAL FIELD SURVEY:

- BEGINNING** AT THE NORTHWEST CORNER OF SAID SECTION 1, T50N, R5W, B.M., KOOTENAI COUNTY, IDAHO;
THENCE N44°20'04"W, A DISTANCE OF 42.65 FEET, MORE OR LESS TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD AND THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE AND THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED EAST SELTICE TAX ALLOCATION DISTRICT;
THENCE ALONG THE FOLLOWING 80 CALLS;
1. THENCE N82°27'26"E ALONG THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE, A DISTANCE OF 70.62 FEET MORE OR LESS TO THE EAST LINE OF GREENFERRY ROAD;
 2. THENCE S88°47'14"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 305.04 FEET MORE OR LESS;
 3. THENCE S00°44'04"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 9.75 FEET MORE OR LESS;
 4. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 214.72 FEET MORE OR LESS;
 5. THENCE N00°44'04"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 9.78 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF GREENSFERRY LANDING AS RECORDED AT BOOK I, PAGE 269 KOOTENAI COUNTY RECORDS;
 6. THENCE S88°47'14"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 759.89 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID GREENSFERRY LANDING AND THE SOUTHWEST CORNER OF MAPLE GROVE MANOR AS RECORDED AT BOOK I, PAGE 226 KOOTENAI COUNTY RECORDS;
 7. THENCE S88°48'58"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 500.88 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID MAPLE GROVE MANOR;
 8. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 159.00 FEET MORE OR LESS TO THE WEST LINE OF TRACT 60, POST FALLS IRRIGATED TRACTS AS RECORDED AT BOOK C, PAGE 78 KOOTENAI COUNTY RECORDS;
 9. THENCE S00°49'56"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.24 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT 60;
 10. THENCE S88°46'40"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 639.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF CECIL STREET AND THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
 11. THENCE N00°52'44"E ALONG THE WEST RIGHT-OF-WAY LINE OF CECIL STREET, A DISTANCE OF 362.59 FEET MORE OR LESS TO THE INTERSECTION OF THE NORTH LINE OF ASSESSORS TAX PARCEL NUMBER 19148 EXTENDED AND THE WEST RIGHT-OF-WAY LINE OF CECIL STREET;
 12. THENCE S88°51'48"E ALONG SAID NORTH LINE OF ASSESSORS TAX PARCEL NUMBER 19148 EXTENDED, A DISTANCE OF 680.41 FEET MORE OR LESS TO THE

WEST BOUNDARY OF WILLIAMSON'S SUBDIVISION AS RECORDED AT BOOK E, PAGE 57 KOOTENAI COUNTY RECORDS;

13. THENCE S00°51'55"W ALONG SAID WEST BOUNDARY OF WILLIAMSON'S SUBDIVISION, A DISTANCE OF 362.99 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
14. THENCE S89°10'36"E ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 330.13 FEET MORE OR LESS TO SOUTHEAST CORNER OF SAID WILLIAMSON'S SUBDIVISION;
15. THENCE N00°51'55"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
16. THENCE S88°46'11"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 329.79 FEET MORE OR LESS;
17. THENCE S00°57'46"W CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
18. THENCE S88°46'11"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 132.47 FEET MORE OR LESS;
19. THENCE N00°50'22"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET MORE OR LESS;
20. THENCE S88°40'51"E CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 527.66 FEET MORE OR LESS TO THE EAST BOUNDARY OF LILAC PLACE AS RECORDED AT BOOK I, PAGE 170 KOOTENAI COUNTY RECORDS;
21. THENCE N00°52'26"E ALONG SAID EAST BOUNDARY OF LILAC PLACE AND THE BOUNDARY COMMON TO KINGS ADDITION AS RECORDED AT BOOK E, PAGE 178 KOOTENAI COUNTY RECORDS AND HIGHLAND HOLLOW AS RECORDED AT BOOK G, PAGE 190 KOOTENAI COUNTY RECORDS EXTENDED, A DISTANCE OF 1312.14 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE;
22. THENCE S88°45'33"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 595.30 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 41;
23. THENCE S83°49'22"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 115.62 FEET MORE OR LESS TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 41;
24. THENCE S89°02'58"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF TWELFTH AVENUE, A DISTANCE OF 1272.49 FEET MORE OR LESS TO THE SOUTHERLY CORNER COMMON TO TRACTS 42 AND 43, BLOCK 31 POST FALLS IRRIGATED TRACTS;
25. THENCE S00°49'22"W ALONG THE LINE COMMON TO TRACTS 55 AND 54, BLOCK 31 POST FALLS IRRIGATED TRACTS EXTENDED, A DISTANCE OF 677.26 FEET MORE OR LESS TO THE SOUTHERLY CORNER COMMON TO TRACTS 55 AND 54, BLOCK 31 POST FALLS IRRIGATED TRACTS;
26. THENCE S89°11'27"E ALONG THE SOUTH LINE OF SAID TRACT 54, A DISTANCE OF 8.44 FEET MORE OR LESS TO THE NORTHWEST CORNER OF ASSESSORS TAX PARCEL NUMBER 8577;
27. THENCE S39°31'14"W ALONG THE NORTHWESTERLY BOUNDARIES OF ASSESSORS TAX PARCEL NUMBERS 8577, 8578, 8575, 16485 AND 8713, A DISTANCE OF 805.42 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE;
28. THENCE S89°19'56"E ALONG SAID NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE, A DISTANCE OF 280.73 FEET MORE OR LESS TO THE WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE;
29. THENCE S26°12'12"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 60.76 FEET MORE OR LESS;
30. THENCE S37°46'55"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 397.41 FEET MORE OR LESS;
31. THENCE S42°45'46"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 111.00 FEET MORE OR LESS;

32. THENCE S40°37'54"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 183.27 FEET MORE OR LESS;
33. THENCE S35°43'24"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 202.00 FEET MORE OR LESS;
34. THENCE S31°19'54"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STERLING DRIVE, A DISTANCE OF 154.97 FEET MORE OR LESS TO THE WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES RECORDED AT BOOK F, PAGE 264 KOOTENAI COUNTY RECORDS;
35. THENCE S51°36'54"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 170.72 FEET MORE OR LESS;
36. THENCE S06°47'46"E ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 78.36 FEET MORE OR LESS;
37. THENCE S32°41'34"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 192.91 FEET MORE OR LESS;
38. THENCE S37°01'24"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 232.28 FEET MORE OR LESS;
39. THENCE S21°32'54"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 82.87 FEET MORE OR LESS;
40. THENCE S84°57'24"W ALONG SAID WESTERLY BOUNDARY OF HIGHLAND PARK ESTATES, A DISTANCE OF 70.79 FEET MORE OR LESS TO THE WEST LINE OF SECTION 6, T50N, R4W, B.M., KOOTENAI COUNTY;
41. THENCE S00°54'52"W ALONG SAID WEST LINE OF SECTION 6, A DISTANCE OF 844.72 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90;
42. THENCE S68°56'49"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 942.75 FEET MORE OR LESS;
43. THENCE S89°30'18"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 625.22 FEET MORE OR LESS;
44. THENCE S80°50'16"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 142.69 FEET MORE OR LESS;
45. THENCE S87°41'23"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 386.40 FEET MORE OR LESS;
46. THENCE S87°40'23"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 223.05 FEET MORE OR LESS;
47. THENCE N80°59'26"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 101.92 FEET MORE OR LESS;
48. THENCE S87°37'16"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 279.67 FEET MORE OR LESS;
49. THENCE N71°30'47"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90, A DISTANCE OF 34.43 FEET MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 6, T50N, R4W, B.M.;
50. THENCE S00°02'54"W ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 1330.07 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD;
51. THENCE S63°51'07"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD, A DISTANCE OF 30.63 FEET MORE OR LESS;
52. THENCE N88°59'55"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF OHIO MATCH ROAD, A DISTANCE OF 634.68 FEET MORE OR LESS TO THE WEST LINE OF LOT 2, BLOCK C OF THOMPSON ADDITION AS RECORDED AT BOOK B, PAGE 101 KOOTENAI COUNTY RECORDS;
53. THENCE N00°08'10"E ALONG SAID WEST LINE OF LOT 2, BLOCK C, A DISTANCE OF 503.55 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET;
54. THENCE N68°38'59"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1436.53 FEET MORE OR LESS;
55. THENCE S00°50'39"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 9.94 FEET MORE OR LESS;

56. THENCE N69°08'53"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 499.94 FEET MORE OR LESS;
57. THENCE 74.65 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET ALSO BEING A CURVE TO THE LEFT WITH A RADIUS OF 220.00, A CENTRAL ANGLE OF 19°26'29", AND WHOSE CHORD BEARS N78°52'07"W, A DISTANCE OF 74.29 FEET MORE OR LESS;
58. THENCE N88°35'16"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 110.32 FEET MORE OR LESS;
59. THENCE S31°43'20"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 47.60 FEET MORE OR LESS;
60. THENCE N88°36'14"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1059.59 FEET MORE OR LESS;
61. THENCE N69°47'59"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 56.10 FEET MORE OR LESS;
62. THENCE N88°29'00"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 347.63 FEET MORE OR LESS;
63. THENCE S75°52'23"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 41.15 FEET MORE OR LESS;
64. THENCE N88°04'13"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 1060.10 FEET MORE OR LESS;
65. THENCE N89°31'00"W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF THIRD STREET, A DISTANCE OF 60.52 FEET MORE OR LESS TO EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, T50N, R5W, B.M.;
66. THENCE N00°28'50"E ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, A DISTANCE OF 192.10 FEET MORE OR LESS TO THE CENTER OF SAID SECTION 1;
67. THENCE N88°33'53"W ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 1, A DISTANCE OF 2642.79 FEET MORE OR LESS TO THE WEST QUARTER CORNER OF SAID SECTION 1;
68. THENCE N89°42'39"W, A DISTANCE OF 35.09 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD;
69. THENCE N00°34'10"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 534.48 FEET MORE OR LESS;
70. THENCE S87°14'22"W ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 5.04 FEET MORE OR LESS;
71. THENCE N00°33'36"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 74.88 FEET MORE OR LESS;
72. THENCE N02°54'54"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 122.04 FEET MORE OR LESS;
73. THENCE N00°33'35"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 454.17 FEET MORE OR LESS;
74. THENCE N04°53'43"W ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 373.52 FEET MORE OR LESS;
75. THENCE N01°00'22"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 60.00 FEET MORE OR LESS;
76. THENCE 44.40 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD ALSO BEING A CURVE TO THE RIGHT WITH A RADIUS OF 50.00, A CENTRAL ANGLE OF 50°52'28", AND WHOSE CHORD BEARS N26°26'36"E, A DISTANCE OF 42.95 FEET MORE OR LESS;
77. THENCE 26.87 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD ALSO BEING A CURVE TO THE LEFT WITH A RADIUS OF 30.00, A CENTRAL ANGLE OF 51°19'04", AND WHOSE CHORD BEARS N26°13'18"E, A DISTANCE OF 25.98 FEET MORE OR LESS;
78. THENCE N00°33'34"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 887.97 FEET MORE OR LESS;

79. THENCE N06°17'19"E ALONG SAID WEST RIGHT-OF-WAY LINE OF GREENFERRY ROAD, A DISTANCE OF 99.70 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF MULLAN AVENUE AND THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED EAST SELTICE TAX ALLOCATION DISTRICT.

[illegible]

CITY OF POST FALLS TAX ALLOCATION DISTRICT ORDINANCE

Affected Agencies

The following is a list of agencies which are affected by the “East Seltice Urban Renewal Plan”.

1. City Of Post Falls
2. Post Falls School District
3. Kootenai County
4. North Idaho College
5. Kootenai Fire Protection District
6. Post Falls Highway District
7. Kootenai Hospital District
8. Kootenai Emergency Management Services District

Recent changes in Idaho tax law have (excepting urban renewal agencies and school districts) neutralized the benefits and drawbacks to the creation of Tax Allocation Districts and Urban Renewal Districts. Currently, public agencies budgets are restricted to 3% annual growth from property taxes. At the end of a projects life, the tax increment generated was divided among the above mentioned agencies in accordance to their respective agency’s property tax levy rates. With the current laws in effect, the tax increment is now used to lower property tax rates resulting in benefiting the property tax payers with no provision for assisting the impacted agencies. Public agency budgets are not benefited by property taxes generated from new development; but neither are they hurt by the formation of a Tax Allocation District for an Urban Renewal Agency.

CHAPTER 7

ACTIONS BY THE CITY COUNCIL

ACTIONS BY THE CITY COUNCIL:

The City shall aid and cooperate with the URA in carrying out this plan and shall take all actions necessary to ensure the continued fulfillment of the purposes and objectives of this plan. The City shall assist and support the URA in preventing and eliminating the spread and/or recurrence of conditions causing blight in the plan area. Actions by the City shall include, but are not limited to, the following:

1. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned utilities within or affecting the project area.
2. Revising of zoning or other standards (if necessary) within the project area to permit the development authorized by this plan.
3. Imposition, wherever necessary, through the use of special use permits or other means of appropriate controls within the limits of this plan upon parcels of land within the project area to ensure their proper development and use.
4. Where possible, preservation of historical sites shall have a high priority in achieving development objectives.
5. Performance of the above actions and all other functions and services relating to public health, safety, and physical development normally rendered in accordance with the schedule which will permit the redevelopment of the project area to be commenced and carried to completion without unnecessary delays.
6. If necessary, institution and completion of proceedings for the establishment of a Local Improvement District, or districts under Chapter 17, Title 50, Idaho Code.
7. Administration of Community Development Block Grants and / or other state / federal funds that may be available and are used for the purposes of this plan.
8. The undertaking and completion of any other proceedings necessary to carry out the plan.
9. Appropriate agreements with the URA for administration, supporting services, funding sources, and other similar needs.
10. The actions listed above which are to be taken by the City do not constitute any commitment of financial outlay by the City.

CHAPTER 8

ENFORCEMENT

ENFORCEMENT

The enforcement and administration of this plan, including the preparation and execution of all the documents used for the implementation of the East Seltice Plan, shall be performed by the URA and/or the City of Post Falls. The provisions of the East Seltice Plan and other documents used pursuant to this plan may also be enforced by court litigation instituted by either the City or the URA. Remedies include, but are not limited to the following:

1. Specific performance
2. Damages
3. Injunctions
4. Other appropriate remedies