

ORDINANCE NO. 81

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, APPROVING THE DOVER URBAN RENEWAL PLAN; CONFIRMING THE DETERIORATED DECLARATION; ADOPTING A REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND PROVIDING FOR THIS ORDINANCE TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS the City of Dover did on April 14, 2005, by Resolution No. 38, declare that a specifically described portion of the city limits of the City of Dover was deteriorated and deteriorating, and in need of remediation by an urban renewal agency, and

WHEREAS the City Council of the City of Dover recommended that the Mayor of the City of Dover appoint an urban renewal commission, and

WHEREAS the Mayor of the City of Dover did on April 14, 2005, with the advice and consent of the City Council, establish by an Order of Appointment, the Dover Urban Renewal Agency, comprised of three commissioners, and

WHEREAS the appointed Board of Commissioners of the Dover Urban Renewal Agency has adopted By-Laws establishing its existence and has retained staff to assist it with its duties, and

WHEREAS the Dover Urban Renewal Agency has prepared an urban renewal plan pursuant to Title 50, Chapters 20 & 29, Idaho Code, for remediation of the deterioration found to exist, hereinafter referred to as the Dover Urban Renewal Plan, and

WHEREAS the Board of Commissioners of the Dover Urban Renewal Agency conducted a public hearings on August 3, 2005 and September 14, 2005, and have adopted Restated Resolution 2005-1, recommending approval of the Dover Urban Renewal Plan by the City Council of the City of Dover, and

WHEREAS the City Council of the City of Dover sitting as the Planning & Zoning Commission of the City of Dover has found that the Dover Urban Renewal Plan conforms with the general plan of the City of Dover.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER AS FOLLOWS:

Section 1: The City Council hereby makes the following findings of fact:

a. The area of the proposed plan has been previously declared by the City of Dover to be a deteriorated and deteriorating area, and the Agency finds that the deterioration described by the City Council does in fact exist.

b. The Dover Urban Renewal Plan provides for varying methods to remediate the described deterioration and prevent future deterioration, and contains the necessary elements required by Idaho law, including a tax allocation feasibility study which finds that the estimated tax increment revenue is sufficient to repay the debt to be incurred to provide the improvements described within the Plan.

c. The Dover Urban Renewal Plan indicates the type of improvements and rehabilitation projects that are proposed to be carried out, including land uses, densities, building requirements, methods of financing, and a revenue allocation provision.

d. The Dover Urban Renewal Plan describes a revenue allocation area by metes and bounds description that does not exceed the limitations of I.C. 50-2904.(13).

e. The Dover Urban Renewal Plan conforms to the general plan of the City of Dover, and is in conformance with the Comprehensive Plan.

f. The Dover Urban Renewal Plan does not anticipate the displacement of any families.

g. The Dover Urban Renewal Plan will enhance public recreational facilities and activities within the City, and encourage private sector participation.

h. That unless the afore-mentioned conditions are improved, they will substantially impair the sound growth potential of the City of Dover and will constitute an economic and social liability, and that further development in the area without such improvements will endanger the public health, safety and welfare.

i. That improvement of the property and the City services in the plan area are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 2: The Mayor and City Council of the City of Dover hereby adopts the Dover Urban Renewal and approves the revenue allocation area provided for in the Plan, and this Ordinance shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 10 day of November, 2005.

Joel W. "Randy" Curless,  
Mayor

Paul S. G. [unclear]  
Clerk

# 694081

## RESTATED ORDINANCE NO. 81

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, APPROVING THE DOVER URBAN RENEWAL PLAN; CONFIRMING THE DETERIORATED DECLARATION; ADOPTING A REVENUE ALLOCATION AREA; MAKING CERTAIN FINDINGS AND CONCLUSIONS IN SUPPORT THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND PROVIDING FOR THIS ORDINANCE TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS the City of Dover did on April 14, 2005, by Resolution No. 38, declare that a specifically described portion of the city limits of the City of Dover was deteriorated and deteriorating, and in need of remediation by an urban renewal agency, and

WHEREAS the City Council of the City of Dover recommended that the Mayor of the City of Dover appoint an urban renewal commission, and

WHEREAS the Mayor of the City of Dover did on April 14, 2005, with the advice and consent of the City Council, establish by an Order of Appointment, the Dover Urban Renewal Agency, comprised of three commissioners, and

WHEREAS the appointed Board of Commissioners of the Dover Urban Renewal Agency has adopted By-Laws establishing its existence and has retained staff to assist it with its duties, and

WHEREAS the Dover Urban Renewal Agency has prepared an urban renewal plan pursuant to Title 50, Chapters 20 & 29, Idaho Code, for remediation of the deterioration found to exist, hereinafter referred to as the Dover Urban Renewal Plan, and

WHEREAS the Board of Commissioners of the Dover Urban Renewal Agency conducted a public hearings on August 3, 2005 and September 14, 2005, and have adopted Restated Resolution 2005-1, recommending approval of the Dover Urban Renewal Plan by the City Council of the City of Dover, and

WHEREAS the City Council of the City of Dover sitting as the Planning & Zoning Commission of the City of Dover has found that the Dover Urban Renewal Plan conforms with the general plan of the City of Dover, and

WHEREAS the City Council of the City of Dover held a public hearing on November 10, 2005, and under a suspension of rules adopted Ordinance No. 81, approving the Dover Urban Renewal Plan and creating an revenue allocation area, effective November 10 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER AS FOLLOWS:

Section 1: The City Council hereby makes the following findings of fact:

a. The area of the proposed plan has been previously declared by the City of Dover to be a deteriorated and deteriorating area, and the Agency finds that the deterioration described by the City Council does in fact exist.

b. The Dover Urban Renewal Plan provides for varying methods to remediate the described deterioration and prevent future deterioration, and contains the necessary elements required by Idaho law, including a tax allocation feasibility study which finds that the estimated tax increment revenue is sufficient to repay the debt to be incurred to provide the improvements described within the Plan.

c. The Dover Urban Renewal Plan indicates the type of improvements and rehabilitation projects that are proposed to be carried out, including land uses, densities, building requirements, methods of financing, and a revenue allocation provision.

d. The Dover Urban Renewal Plan describes a revenue allocation area by metes and bounds description that does not exceed the limitations of I.C. 50-2904.(13).

e. The Dover Urban Renewal Plan conforms to the general plan of the City of Dover, and is in conformance with the Comprehensive Plan.

f. The Dover Urban Renewal Plan does not anticipate the displacement of any families.

g. The Dover Urban Renewal Plan will enhance public recreational facilities and activities within the City, and encourage private sector participation.

h. That unless the afore-mentioned conditions are improved, they will substantially impair the sound growth potential of the City of Dover and will constitute an economic and social liability, and that further development in the area without such improvements will endanger the public health, safety and welfare.

i. That improvement of the property and the City services in the plan area are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 2: The Mayor and City Council of the City of Dover hereby adopts the Dover Urban Renewal and approves the revenue allocation area provided for in the Plan, as described in Exhibit A, attached hereto and incorporated by reference herein, and depicted in Exhibit B, attached hereto and incorporated by reference herein, and this Ordinance shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED the 10th day of November, 2005, and restated to include exhibits on the 8<sup>th</sup> day of December, 2005.

Paul Bandy Curles  
Mayor

ATTEST:

Ruth S. Butcher  
City Clerk

(SEAL)

FILED BY  
*Marie Scott*  
2005 DEC 12 P 1:35  
MARIE SCOTT  
DONNER COUNTY RECORDER  
*MS* DEPUTY

**Legal Description for the City of Dover**  
**Revenue Allocation Area**  
**November 9, 2005**

A tract of land in Sections 29,30,31 and 32, Township 57 North, Range 2 West, Boise Meridian, City of Dover, Bonner County, Idaho, more particularly described as follows:

All that land lying within the plat of "Dover Bay Planned Unit Development".

Together with all that land lying between the following described line and the plat of "Dover Bay Planned Unit Development":

Beginning at the intersection of the Southerly Right-of-Way of the Spokane International Railroad and the end of Railroad Avenue, as shown on said plat of "Dover Bay Planned Unit Development"; thence Easterly, along said Southerly Right-of-Way, to its intersection with the line between said Sections 29 and 30; thence N80°35'51"E, 1919.17 feet, to a point that is N0°17'01"E, 479.31 feet, from the line between said Sections 29 and 32; thence S0°17'01"W, 479.31 feet, perpendicular to said line, to its intersection with said line; thence Westerly, along said line to its intersection with the Northerly projection of the West Line of Block 3 of the "Town of Welty"; thence Southerly, along the projection of said West Line, to the Southwest Corner of Block 8 of said "Town of Welty"; thence Easterly, along the South Line of said Block 8, to the Southeast Corner of said Block 8; thence Northerly, along the East Line of said Block 8, to the Northeast Corner of said Block 8 and the Southerly Right-of-Way of McKinley Avenue; thence Easterly, along said Southerly Right-of-Way, to the Easterly Right-of-Way of Second Avenue; thence Southerly, along said Easterly Right-of-Way, to the Southerly Right-of-Way of Lakeshore Avenue; thence Westerly, along said Southerly Right-of-Way, to the Easterly Right-of-Way of Short Street; thence Southerly, along said Easterly Right-of-Way, to its intersection with said plat of "Dover Bay Planned Unit Development", being the terminus of this line.

Also together with all that land lying between the following described line and said plat of "Dover Bay Planned Unit Development":

Beginning at the Northeast Corner of Block 1-A of the plat of "Dover Bay Planned Unit Development"; thence Easterly, along the Southerly Right-of-Way of the Spokane International Railroad, to the Northwest Corner of Block 1-C of said plat of "Dover Bay Planned Unit Development", being the terminus of this line.

Less the East Half of Blocks 5 and 6 and the portion of McKinley Avenue lying between them, Blocks 4 and 7 and the portion of McKinley Avenue lying between them and all lots in "Welty Addition Number 3".