

ORDINANCE NO. 458

AN ORDINANCE REPEALING ORDINANCE NO. 375 DESIGNATING THE EVANS HOME ASSISTED LIVING URBAN REVITALIZATION AREA IN THE CITY OF CRESCO, IOWA

WHEREAS, Chapter 404 of the Code of Iowa, authorizes cities by ordinance to designate revitalization areas if such areas meet the criteria of Chapter 404 and if the City completes the procedural requirements of Chapter 404; and

WHEREAS, pursuant to Chapter 404 of the Code of Iowa, the Council did adopt an urban revitalization plan for the City of Cresco, Iowa by Resolution No. 040408 on April 19, 2004; and

WHEREAS, pursuant to Chapter 404 of the Code of Iowa, the Council did designate the Evans Home Assisted Living Urban Revitalization Area by Ordinance No. 375 on May 17, 2004; and

WHEREAS, the City desires to repeal Ordinance No. 375 under Iowa Code Section 404.7 to confirm that the Evans Home Assisted Living Urban Revitalization Area no longer exists.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA, THAT:

Section 1. Ordinance No. 375 is hereby repealed and the Evans Home Assisted Living Urban Revitalization Plan and Area no longer exist. A copy of the Ordinance No. 375 is attached and marked Exhibit 1 and is available for review at City Hall.

Section 2. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Read First Time: \_\_\_\_\_, 2016

Read Second Time: \_\_\_\_\_, 2016

Read Third Time: \_\_\_\_\_, 2016

PASSED AND APPROVED: \_\_\_\_\_, 2016.

I, \_\_\_\_\_, City Clerk of the City of Cresco, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City at a meeting held \_\_\_\_\_, 2016, signed by the Mayor on \_\_\_\_\_, 2016, and published in the Times Plain Dealer on \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk, City of Cresco, State of Iowa

(SEAL)

01216288-1\10349-088

# Exhibit 1

ORDINANCE NO. 375

## AN ORDINANCE DESIGNATING THE EVANS HOME ASSISTED LIVING REVITALIZATION AREA IN THE CITY OF CRESCO, IOWA

WHEREAS, Chapter 404 of the Code of Iowa, the "Act", authorizes cities by ordinance to designate revitalization areas if such areas meet the criteria of the Act and if the City completes the procedural requirements of the Act; and

WHEREAS, pursuant to the Act, this Council did, by resolution, adopt an urban revitalization plan for the City of Cresco, Iowa, said area having been heretofore designated on April 19, 2004.

WHEREAS, the area so designated has heretofore been found to meet the criteria of Section I of the Act; and

WHEREAS, the revitalization of the area so described will enhance the rehabilitation and redevelopment of the area resulting in the improvement of public health, safety and welfare of the residents of the City; and

WHEREAS, pursuant to the Act, the City has caused to be prepared and adopted a plan for the revitalization of the area; and

WHEREAS, pursuant to the provisions of the Act, the City has held a public hearing on the proposed plan for said revitalization area; and

WHEREAS, notice of the public hearing was published at least 30 days prior to the date of the hearing and notice by ordinary mail was sent to the last known address of the owners of record within the revitalization area as well as to the "occupants" of the addresses located within the proposed area; and

WHEREAS, more than 30 days have passed from the first hearing and no petitions or requests have been made requesting a second public hearing; and

WHEREAS, pursuant to the provisions of the statute, the City has adopted the proposed plan for said revitalization area on April 19, 2004;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESCO, IOWA:

Section 1. That in accordance with Chapter 404 of the Code of Iowa, and in consideration of the restrictions set forth in the preamble hereof, the area described as:

Lots 8, 9, 10, 11 and 12, Block 3, McHughes Addition,  
Cresco, Iowa.

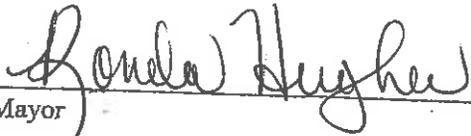
be and the same is hereby designated as a revitalization area under the Act, which shall be known as the Evans Home Assisted Living Revitalization Area of the City of Cresco, Iowa.

Section 2. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

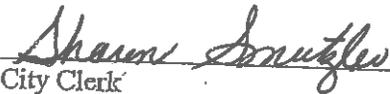
Section 3. That if any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 17<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
Mayor

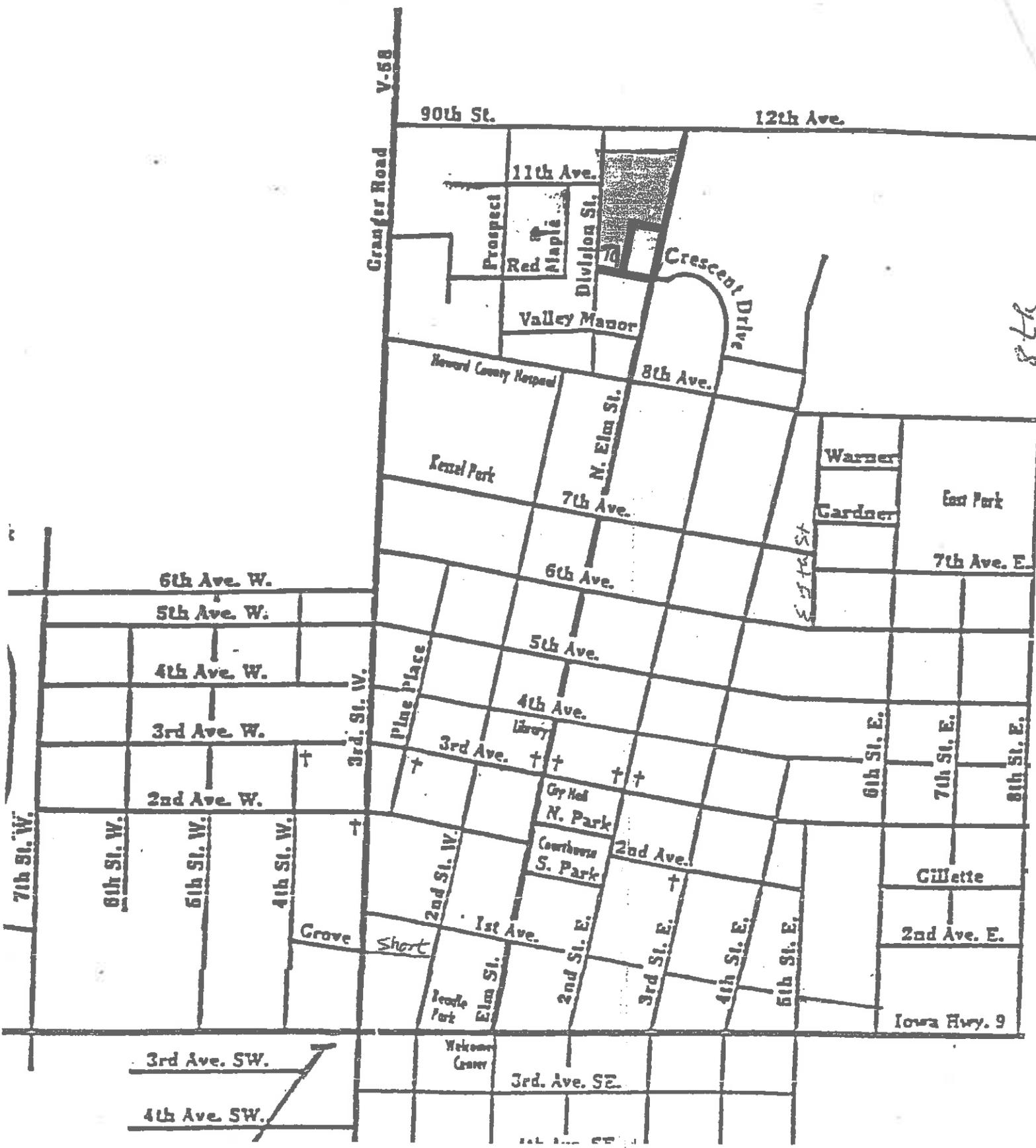
ATTEST:

  
\_\_\_\_\_  
City Clerk

DLILLEBOM406812\1\10349.068

EVANS HOME ASSISTED LIVING  
REVITALIZATION AREA

Exhibit



8th