

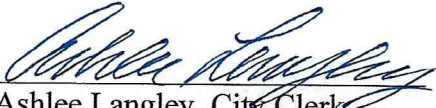
Heyburn Urban Renewal Agency

Urban Renewal Plan for the Northgate Urban Renewal Project for the City of Heyburn

These documents are the plan map and corrected legal description for the Urban Renewal Plan for the Northgate Urban Renewal Project Ordinance # 2024-699.

The scrivener's errors in recorded instrument #579541 recorded on December 19, 2024 were corrected as follows:

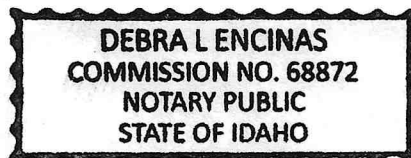
- On page 1 of the legal description, the fourth paragraph beginning with "Thence North 78°49'25" EAST..." was corrected to "Thence North 78°49'25" WEST..."
- On page 3 of the legal description, in the second paragraph, the measurement of 2087.72 was corrected to 208.72

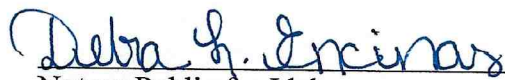

Ashlee Langley, City Clerk

STATE OF IDAHO)
) ss:
County of Minidoka)

On this 29th day of January, 2025, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ashlee Langley known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me they executed the same.

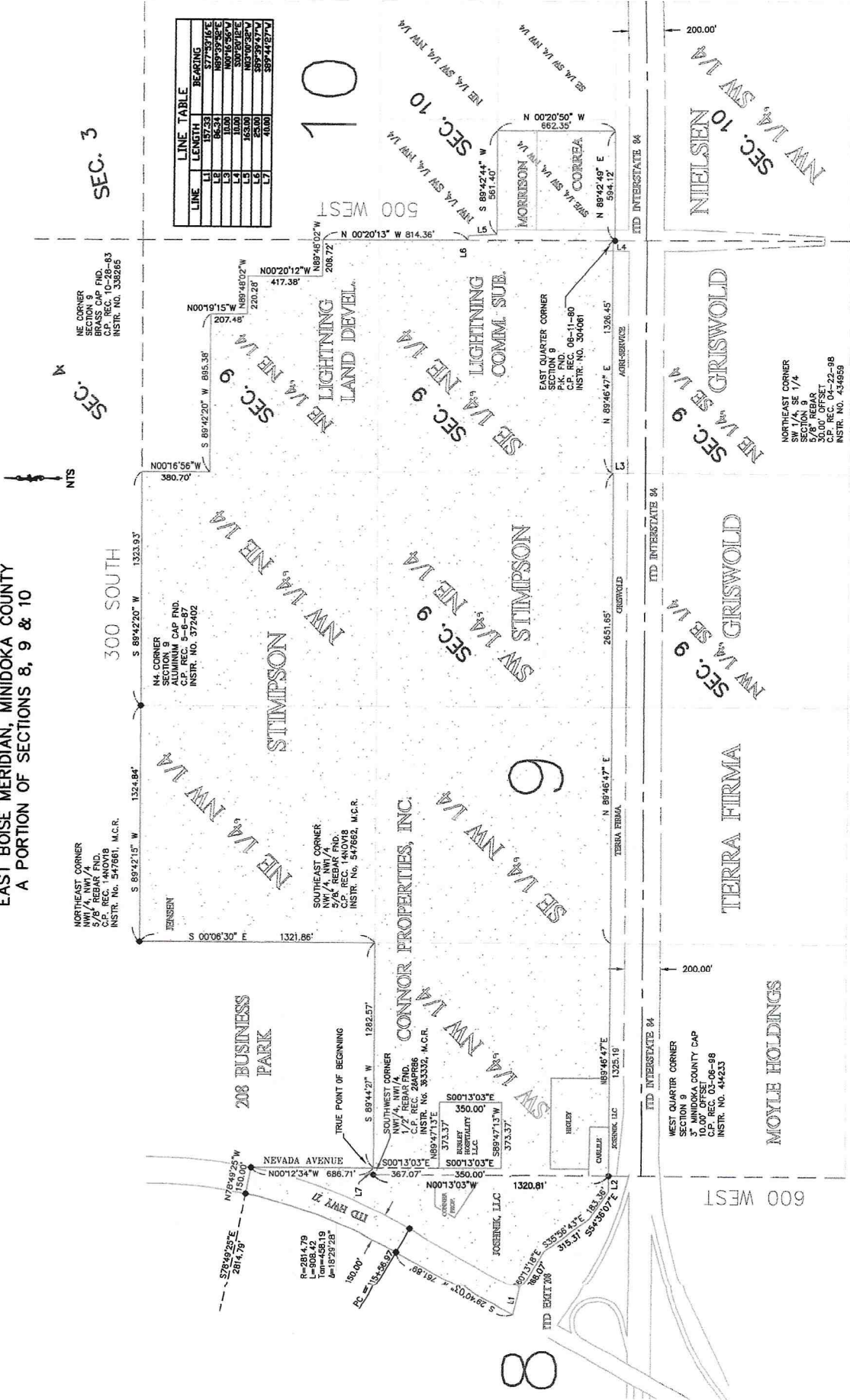
(Seal)




Notary Public for Idaho
My Commission Expires: 12/05/28

Instrument # 580078
MINIDOKA COUNTY, RUPERT, IDAHO
1-29-2025 10:33:30 AM No. of Pages: 6
Recorded for : CITY OF HEYBURN
TONYA PAGE Fee: 0.00
Ex-Officio Recorder Deputy 

NORTHGATE URBAN RENEWAL DISTRICT
TOWNSHIP 10 SOUTH, RANGE 23 EAST
EAST BOISE MERIDIAN, MINIDOKA COUNTY
A PORTION OF SECTIONS 8, 9 & 10



LINE	LENGTH	BEARING
1	10.00	N001°15'15" E
2	10.00	N001°15'15" E
3	10.00	N001°15'15" E
4	10.00	N001°15'15" E
5	10.00	N001°15'15" E
6	10.00	N001°15'15" E
7	10.00	N001°15'15" E
8	10.00	N001°15'15" E
9	10.00	N001°15'15" E
10	10.00	N001°15'15" E

DATE: 02DEC24

PROJECT #: 24-093

NORTHGATE URBAN RENEWAL DISTRICT

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CITY OF
HEYBURN, MINIDOKA COUNTY, IDAHO.

A PORTION OF SECTIONS 8, 9 AND 10, MORE PARTICULARLY DESCRIBED:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208
BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND
THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST
QUARTER AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WEST RIGHT-OF-WAY OF NEVADA AVENUE NORTH
0°12'34" WEST 686.71 FEET TO THE INTERSECTION WITH THE EAST RIGHT-
OF-WAY OF HIGHWAY 27;

THENCE NORTH 78°49'25" WEST 150.00 FEET TO THE WEST RIGHT-OF-WAY
OF HIGHWAY 27;

THENCE ALONG SAID WEST RIGHT-OF-WAY ALONG A NON-TANGENT
CURVE TO THE RIGHT, A BEARING TO THE CENTER NORTH 78°49'25" WEST,
WITH RADIUS OF 2814.79 FEET, LENGTH 908.42 FEET, TANGENT 458.19 FEET,
DELTA 18°29'28", CHORD BEARING SOUTH 20°25'19" WEST, CHORD 904.48
FEET TO AN ITD BRASS CAP AT STA: 115+56.97;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY SOUTH 29°40'03"
WEST 761.89 FEET TO 5/8" REBAR AND LS CAP;

THENCE SOUTH 77°53'16" EAST 157.33 FEET TO A 1/2" REBAR AND LS CAP ON
THE EAST RIGHT-OF-WAY OF HIGHWAY 27;

THENCE ALONG THE NORTH RIGHT-OF-WAY OF THE LANDS OF THE STATE
OF IDAHO TRANSPORTATION DEPARTMENT, EXIT 208 SOUTH 60°13'18"
EAST 268.07 FEET TO A 1/2" REBAR AND LS CAP;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 35°56'43" EAST
315.31 FEET TO AN ITD BRASS CAP;

THENCE CONTINUING SOUTH 54°36'07" EAST 183.36 FEET TO A 1/2" REBAR
AND LS CAP;

THENCE CONTINUING NORTH 89°39'52" EAST 86.34 FEET TO THE WEST QUARTER CORNER OF SECTION 9, AN ALUMINUM CAP REFERENCE TO THE CORNER BEING SOUTH 0°03'33" EAST 9.80 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9 NORTH 89°46'47" EAST 1325.19 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND EXTENDING ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER NORTH 89°46'47" EAST 2651.65 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER NORTH 0°16'56" WEST 10.00 FEET;

THENCE NORTH 89°46'47" EAST PARALLEL AND 10 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 1326.45 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE SOUTH 0°20'12" EAST 10.00 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER MONUMENTED BY A PK NAIL;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10 NORTH 89°42'49" EAST 594.12 FEET TO THE SOUTHEAST CORNER OF THE LANDS OF CORREA;

THENCE ALONG THE EAST BOUNDARY OF THE LANDS OF CORREA AND MORRISON NORTH 0°20'50" WEST 662.35 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID NORTH LINE SOUTH 89°42'44" WEST 561.40 FEET TO THE INTERSECTION WITH THE LANDS OF THE STATE OF IDAHO TRANSPORTATION DEPARTMENT;

THENCE ALONG SAID LANDS OF ITD NORTH 3°00'32" WEST 163.00 FEET TO THE EAST EASEMENT OF COUNTY ROAD 500 WEST;

THENCE SOUTH 89°39'47" WEST 25.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9;

THENCE ALONG SAID EAST LINE NORTH 0°20'13" WEST 814.36 FEET TO THE NORTHEAST CORNER OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH LINE NORTH 89°48'02" WEST 208.72 FEET TO THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID EAST LINE NORTH 0°20'12" WEST 417.38 FEET TO THE NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY NORTH 89°48'02" WEST 220.28 FEET TO THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID EAST BOUNDARY NORTH 0°19'15" WEST 207.48 FEET TO THE NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY SOUTH 89°42'20" WEST 895.38 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE NORTH 0°16'56" WEST 380.70 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SOUTH 89°42'20" WEST 1323.93 FEET TO THE NORTH QUARTER CORNER MONUMENTED BY AN ALUMINUM CAP;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER SOUTH 89°42'15" WEST 1324.84 FEET TO A 5/8" REBAR;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER SOUTH 0°06'30" EAST 1321.86 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER MONUMENTED BY A 5/8" REBAR AND LS CAP;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER SOUTH 89°44'27" WEST 1282.57 FEET TO THE TRUE POINT OF BEGINNING.

THE LANDS OF BURLEY HOSPITALITY, LLC ARE EXCLUDED FROM THIS URBAN RENEWAL DISTRICT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208 BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ALONG THE EAST RIGHT-OF-WAY OF NEVADA AVENUE SOUTH 0°13'03" EAST 367.07 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTH BOUNDARY OF THE LANDS OF BURLEY HOSPITALITY, LLC NORTH 89°47'13" EAST 373.37 FEET;

THENCE ALONG SAID EAST BOUNDARY SOUTH 0°13'03" EAST 350.00 FEET;

THENCE ALONG SAID SOUTH BOUNDARY SOUTH 89°47'13" WEST 373.37 FEET TO THE EAST RIGHT-OF-WAY OF NEVADA AVENUE;

THENCE ALONG SAID EAST RIGHT-OF-WAY NORTH 0°13'03" WEST 350.00 FEET TO THE TRUE POINT OF BEGINNING.

THE NORTHGATE URBAN RENEWAL DISTRICT CONTAINS 291.07 ACRES MORE OR LESS.

OLD

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. §50-901(A)**

CITY OF HEYBURN ORDINANCE NO. 2024-699

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEYBURN, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE NORTHGATE URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, AND PUBLICATION BY SUMMARY; PROVIDING FOR WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HEYBURN, IDAHO:

SECTION 1: It is hereby found and determined that:

- (a) The Northgate Project Area as defined in the Northgate Plan is a deteriorated area or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Northgate Plan are necessary and in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Northgate Plan conforms to the City of Heyburn Comprehensive Plan as a whole.
- (e) The Northgate Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement, recognizing the mixed-use, residential, retail and commercial components of the Northgate Plan and the need for public improvements to support the goals of the intended uses in the Northgate Project Area and shows consideration for the health, safety, and welfare of any children, residents, or businesses in the general vicinity of the urban renewal area covered by the Northgate Plan.
- (f) The Northgate Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the urban renewal area by private enterprises.

- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(l), the Northgate Plan provides a feasible method for relocation obligations of any displaced families residing within the Northgate Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The base assessment roll of the proposed Northgate Project Area, together with the base assessment roll values of the Existing Project Area and any proposed project areas, do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.
- (i) The Northgate Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Northgate Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any), land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8)(f), does include agricultural operations for which the Agency has received written consent, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Northgate Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Northgate Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Northgate Project Area includes open land, that the Agency may acquire any open land within the Northgate Project Area, and that the Northgate Project Area is planned to be developed and/or redeveloped in a manner that may include residential and nonresidential uses. Provided, however, the City Council finds that for the

portions of the Northgate Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The City Council finds that the portion of the Northgate Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of City's Comprehensive Plan, to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City. The City Council further finds that the portion of the Northgate Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 4: The Northgate Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the December 18, 2024, hearing and incorporate changes or modifications, if any.

SECTION 5: The boundaries of the Northgate Project Area overlap the boundaries of the Minidoka Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and the Northgate Project Area. Therefore, pursuant to Idaho Code Section 50-2908(2)(a)(iv) the revenues from the Minidoka Highway District levies will be allocated to the Agency without the need of a further agreement.

SECTION 6: No direct or collateral action challenging the Northgate Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Northgate Plan.

SECTION 7: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Minidoka County Assessor, and to the appropriate officials of Minidoka County Board of County Commissioners, Minidoka School District No. 331, West End Fire, City of Heyburn, Minidoka County Highway District, Heyburn No. 3 Cemetery and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Northgate Project Area.

SECTION 8: The City Council hereby finds and declares that the equalized assessed valuation of the Revenue Allocation Area as defined in the Northgate Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Northgate Plan.

SECTION 9: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Northgate Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 10: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 11: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2024, to the extent permitted by the Act.

SECTION 12: 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 determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

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

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

SECTION 16: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full City Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Heyburn, Idaho, this 18th day of December 2024.

APPROVED by the Mayor of the City of Heyburn, Idaho, this 18th day of December 2024.

EXHIBITS TO THE ORDINANCE

- Exhibit 1 A Resolution of the Planning and Zoning Commission for the City of Heyburn, Idaho, Validating Conformity of the Urban Renewal Plan for the Northgate Urban Renewal Project with the City of Heyburn's Comprehensive Plan
- Exhibit 2 Notice Published in the *Times News*
- Exhibit 3 Urban Renewal Plan for the Northgate Urban Renewal Project
- Exhibit 4 Ordinance Summary

SUMMARY OF NORTHGATE PLAN

The Urban Renewal Plan for the Northgate Urban Renewal Project ("Northgate Plan") was prepared by the Urban Renewal Agency of the City of Heyburn ("Agency") pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), and all applicable laws and ordinances and was approved by the Agency. The Northgate Plan provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Northgate Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2024, to be allocated to the Agency for the urban renewal purposes. The duration of the Northgate Plan is twenty (20) years and includes a termination process for the Northgate Plan.

The general scope and objectives of the Plan include are:

- a. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge and to support private development;
- b. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- c. The engineering, design, installation, construction, and/or reconstruction of the transportation network within the Project Area, including all streets and streetscapes within the Project Area, and related pedestrian facilities, curb and gutter, and intersection improvements, and traffic signals (if needed);
- d. The engineering, design, installation, construction and/or reconstruction of sidewalks and related pedestrian facilities, curb and gutter and streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, way-finding, bike racks, public art, and similar

amenities between the curb and right-of-way line; and other public improvements, including multi-use pathways with landscape buffers and public open spaces;

- e. The engineering, design, installation, construction, and/or reconstruction of utilities including but not limited to improvements and upgrades to the water distribution system, including extension of the water distribution system, water capacity improvements, water storage upgrades, wastewater system improvements and upgrades, including extension of the wastewater collection system, lift station, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities;
- f. The engineering, design, installation, construction, and/or reconstruction of public parking facilities, including structured parking facilities;
- g. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation canals and drainage ditches and laterals; undergrounding or piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, floodway and flood zone mitigation; and other public improvements that may be deemed appropriate by the Board;
- h. The acquisition of real property for public right-of-way and streetscape improvements, utility undergrounding, extension, upgrades, public parks and trails, pedestrian facilities, pathways and trails, recreational access points and to encourage and enhance housing affordability and housing diversity, enhance transportation and mobility options, create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers for qualified developments;
- i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;
- j. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, pedestrian facilities, utility undergrounding extension and upgrades, public parks and trails, public facilities, and to encourage and enhance housing affordability and housing diversity, enhance transportation and mobility options, decrease underutilized parcels and surface parking lots, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- k. The management of any property acquired by and under the ownership and control of the Agency;

- l. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- m. The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
- n. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code § 50-2905A;
- o. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- p. The provision of financial and other assistance to encourage greater density and a diverse mix of rental rates and housing options, including affordable and workforce housing;
- q. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- r. The preservation and/or restoration of historic and/or cultural assets as amenities, including but not limited to façade restoration;
- s. The preparation and assembly of adequate sites for the development and construction of facilities for housing, retail areas, cultural centers, commercial, and governmental use;
- t. City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, festival streets, multi-use pathways, parks, trails, plazas and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- u. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- v. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- w. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;

- x. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area;
- y. Agency participation in the environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to development and/or redevelopment exist within the Project Area;
- z. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Northgate Plan will be in conformance with zoning for the City and the City's Comprehensive Plan as adopted by the City Council, or as may be applicable, zoning for Minidoka County. Land made available will be developed by private enterprises or public agencies as authorized by law. The Northgate Plan identifies various public and private improvements which may be made within the Northgate Project Area.

The Northgate Project Area and Revenue Allocation Area herein referred to is described as follows:

An area in the City consisting of 21 parcels of property totaling approximately 291 acres with parcels ranging in size from 0.05 to 120.6 acres, generally located between 500 W and Highway 27, and between 300 S and Interstate 84 including outer boundaries of rights-of-way and as more particularly described below:

DATE: 02DEC24

PROJECT #: 24-093

NORTHGATE URBAN RENEWAL DISTRICT

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CITY OF HEYBURN, MINIDOKA COUNTY, IDAHO.

A PORTION OF SECTIONS 8, 9 AND 10, MORE PARTICULARLY DESCRIBED:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208 BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WEST RIGHT-OF-WAY OF NEVADA AVENUE NORTH 0°12'34" WEST 686.71 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY OF HIGHWAY 27;

THENCE NORTH 78°49'25" EAST 150.00 FEET TO THE WEST RIGHT-OF-WAY OF HIGHWAY 27;

THENCE ALONG SAID WEST RIGHT-OF-WAY ALONG A NON-TANGENT CURVE TO THE RIGHT, A BEARING TO THE CENTER NORTH 78°49'25" WEST, WITH RADIUS OF 2814.79 FEET, LENGTH 908.42 FEET, TANGENT 458.19 FEET, DELTA 18°29'28", CHORD BEARING SOUTH 20°25'19" WEST, CHORD 904.48 FEET TO AN ITD BRASS CAP AT STA: 115+56.97;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY SOUTH 29°40'03" WEST 761.89 FEET TO 5/8" REBAR AND LS CAP;

THENCE SOUTH 77°53'16" EAST 157.33 FEET TO A 1/2" REBAR AND LS CAP ON THE EAST RIGHT-OF-WAY OF HIGHWAY 27;

THENCE ALONG THE NORTH RIGHT-OF-WAY OF THE LANDS OF THE STATE OF IDAHO TRANSPORTATION DEPARTMENT, EXIT 208 SOUTH 60°13'18" EAST 268.07 FEET TO A 1/2" REBAR AND LS CAP;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 35°56'43" EAST 315.31 FEET TO AN ITD BRASS CAP;

THENCE CONTINUING SOUTH 54°36'07" EAST 183.36 FEET TO A 1/2" REBAR AND LS CAP;

THENCE CONTINUING NORTH 89°39'52" EAST 86.34 FEET TO THE WEST QUARTER CORNER OF SECTION 9, AN ALUMINUM CAP REFERENCE TO THE CORNER BEING SOUTH 0°03'33" EAST 9.80 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9 NORTH 89°46'47" EAST 1325.19 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND EXTENDING ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER NORTH 89°46'47" EAST 2651.65 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER NORTH 0°16'56" WEST 10.00 FEET;

THENCE NORTH 89°46'47" EAST PARALLEL AND 10 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 1326.45 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE SOUTH 0°20'12" EAST 10.00 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER MONUMENTED BY A PK NAIL;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10 NORTH 89°42'49" EAST 594.12 FEET TO THE SOUTHEAST CORNER OF THE LANDS OF CORREA;

THENCE ALONG THE EAST BOUNDARY OF THE LANDS OF CORREA AND MORRISON NORTH 0°20'50" WEST 662.35 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID NORTH LINE SOUTH 89°42'44" WEST 561.40 FEET TO THE INTERSECTION WITH THE LANDS OF THE STATE OF IDAHO TRANSPORTATION DEPARTMENT;

THENCE ALONG SAID LANDS OF ITD NORTH 3°00'32" WEST 163.00 FEET TO THE EAST EASEMENT OF COUNTY ROAD 500 WEST;

THENCE SOUTH 89°39'47" WEST 25.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9;

THENCE ALONG SAID EAST LINE NORTH 0°20'13" WEST 814.36 FEET TO THE NORTHEAST CORNER OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH LINE NORTH 89°48'02" WEST 2087.72 FEET TO THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID EAST LINE NORTH 0°20'12" WEST 417.38 FEET TO THE NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY NORTH 89°48'02" WEST 220.28 FEET TO THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID EAST BOUNDARY NORTH 0°19'15" WEST 207.48 FEET TO THE NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY SOUTH 89°42'20" WEST 895.38 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE NORTH 0°16'56" WEST 380.70 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SOUTH 89°42'20" WEST 1323.93 FEET TO THE NORTH QUARTER CORNER MONUMENTED BY AN ALUMINUM CAP;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER SOUTH 89°42'15" WEST 1324.84 FEET TO A 5/8" REBAR;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER SOUTH 0°06'30" EAST 1321.86 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER MONUMENTED BY A 5/8" REBAR AND LS CAP;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER SOUTH 89°44'27" WEST 1282.57 FEET TO THE TRUE POINT OF BEGINNING.

THE LANDS OF BURLEY HOSPITALITY, LLC ARE EXCLUDED FROM THIS URBAN RENEWAL DISTRICT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208 BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ALONG THE EAST RIGHT-OF-WAY OF NEVADA AVENUE SOUTH 0°13'03" EAST 367.07 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTH BOUNDARY OF THE LANDS OF BURLEY HOSPITALITY, LLC NORTH 89°47'13" EAST 373.37 FEET;

THENCE ALONG SAID EAST BOUNDARY SOUTH 0°13'03" EAST 350.00 FEET;

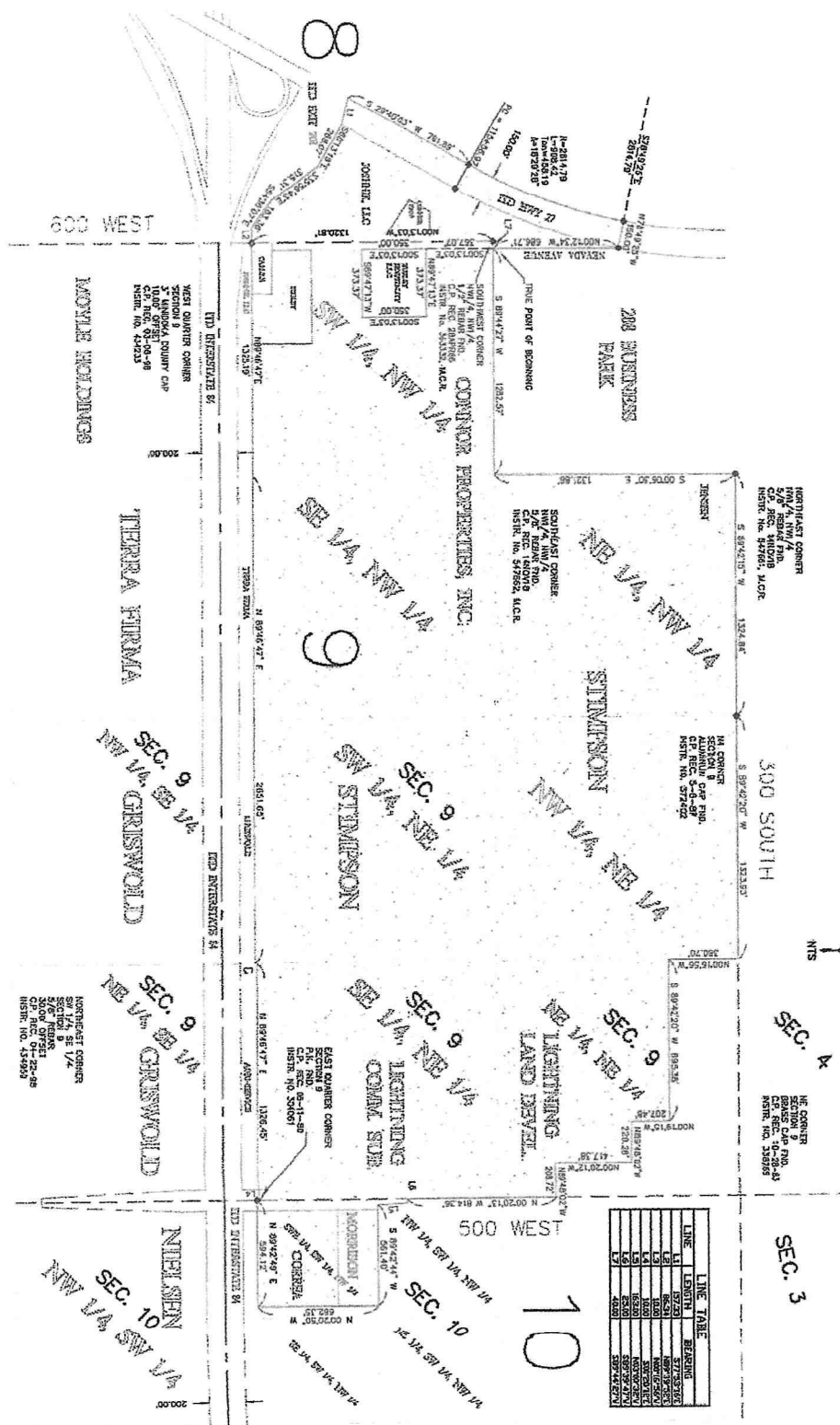
THENCE ALONG SAID SOUTH BOUNDARY SOUTH 89°47'13" WEST 373.37 FEET TO THE EAST RIGHT-OF-WAY OF NEVADA AVENUE;

THENCE ALONG SAID EAST RIGHT-OF-WAY NORTH 0°13'03" WEST 350.00 FEET TO THE TRUE POINT OF BEGINNING.

THE NORTHGATE URBAN RENEWAL DISTRICT CONTAINS 291.07 ACRES MORE OR LESS.

The Project Area is depicted in the map below:

NORTHGATE URBAN RENEWAL DISTRICT
TOWNSHIP 10 SOUTH, RANGE 23 EAST
EAST BOISE MERIDIAN, MINIDOKA COUNTY
A PORTION OF SECTIONS 8, 9 & 10



LINE TABLE

LINE	LENGTH	BEARING
1	10.00	S 89°42'00" W 66.25'
2	10.00	S 89°42'00" W 66.25'
3	10.00	S 89°42'00" W 66.25'
4	10.00	S 89°42'00" W 66.25'
5	10.00	S 89°42'00" W 66.25'
6	10.00	S 89°42'00" W 66.25'
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19	10.00	S 89°42'00" W 66.25'
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31	10.00	S 89°42'00" W 66.25'
32	10.00	S 89°42'00" W 66.25'
33	10.00	S 89°42'00" W 66.25'
34	10.00	S 89°42'00" W 66.25'
35	10.00	S 89°42'00" W 66.25'
36	10.00	S 89°42'00" W 66.25'
37	10.00	S 89°42'00" W 66.25'
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89	10.00	S 89°42'00" W 66.25'
90	10.00	S 89°42'00" W 66.25'
91	10.00	S 89°42'00" W 66.25'
92	10.00	S 89°42'00" W 66.25'
93	10.00	S 89°42'00" W 66.25'
94	10.00	S 89°42'00" W 66.25'
95	10.00	S 89°42'00" W 66.25'
96	10.00	S 89°42'00" W 66.25'
97	10.00	S 89°42'00" W 66.25'
98	10.00	S 89°42'00" W 66.25'
99	10.00	S 89°42'00" W 66.25'
100	10.00	S 89°42'00" W 66.25'

Section 100 includes an introduction, general procedures of the Agency, necessary statutory procedures, the history and current conditions of the Northgate Project Area, as well as the purpose of activities, and open land criteria.

Section 200 references the boundaries of the Northgate Project Area.

Sections 300 through 315 discuss the proposed redevelopment actions, Northgate Plan objectives, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, property management, relocation, demolition, and property disposition, development, and participation with others.

Sections 400 through 409 discuss the type of land uses authorized in the Northgate Project Area, public rights-of-way, development in the Northgate Project Area, construction requirements, nonconforming uses, and design guidelines.

The Northgate Plan also contains a significant section on financing. Among other sources, the Northgate Plan will utilize revenue allocation financing, authorized by the Act. This statute was approved in 1988 by the Idaho Legislature. Section 502 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Northgate Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Northgate Project Area that occur after January 1, 2024, will generate revenue for the Agency to pay project costs as set forth in the Northgate Plan. The assessed valuation of real and personal property on the base assessment roll is still available for use by the overlapping taxing districts, the Minidoka County Board of County Commissioners, Minidoka School District No. 331, West End Fire, City of Heyburn, Minidoka County Highway District, and Heyburn No. 3 Cemetery to finance their operations. The Northgate Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service. Additionally, the Agency is authorized to fund projects on a pay-as-you-go basis, through participation agreements, and other methods as further set forth in the Northgate Plan.

The program outlined in the Northgate Plan emphasizes the installation of needed public improvements, including but not limited to street improvements, utility work, and other costs to encourage private development.

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

The Northgate Plan follows the underlying zoning classifications of the City.

Sections 600 and 700 describe cooperative activities by the Agency with the City and other entities.

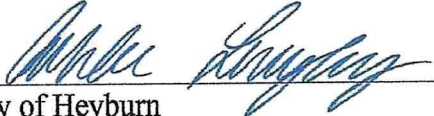
The duration of the Northgate Plan is twenty (20) years. A termination process is described in Section 800 of the Northgate Plan.

Sections 900-1200 include procedures for amendments, severability, reporting requirements and incorporation of attachments.

ATTACHMENTS TO THE NORTHGATE PLAN

- Attachment 1 Boundary Map of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2 Legal Description of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 3 Private Properties Which May be Acquired by the Agency
- Attachment 4 Map Depicting Expected Land Use and Current Zoning Map of the Project Area
- Attachment 5 Economic Feasibility Study
 - Appendix A Public Improvements Within the Revenue Allocation Area
 - Appendix B Zoning Map with draft boundaries
 - Appendix C Estimated Tax Increment Revenues
 - Appendix D Sources and Uses of Funds
- Attachment 6 Agricultural Operation Consents

A full text of the Ordinance and the Northgate Plan are available for inspection at City Hall, City of Heyburn, 941 18th Street, Heyburn, Idaho 83336.



City of Heyburn
Mayor and City Council
By: City Clerk

Public Hearing: 12/18/2024; First Reading 12/11/2024, Consolidated 2nd & 3rd Readings
12/18/2024

**STATEMENT OF HEYBURN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 2024-699**

The undersigned, Paul Ross, legal counsel for the City of Heyburn, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 2024-699 of the City of Heyburn, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A (3).

DATED this 18th day of December 2024.



Paul Ross, Attorney for the City

ORDINANCE NO. 2024-699

AN ORDINANCE OF THE CITY OF HEYBURN, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE NORTHGATE URBAN RENEWAL PROJECT AREA, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, AND PUBLICATION BY SUMMARY; PROVIDING FOR WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council ("City Council") of Heyburn, Idaho ("City"), respectively, on or about July 14, 2010, adopted and approved Resolution No. 2010-6 creating the Heyburn Urban Renewal Agency (the "Agency"), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, as amended (hereinafter the "Act") upon making the findings of necessity required for creating said Agency;

WHEREAS, the City Council, on October 26, 2011, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Northwest Heyburn Industrial Urban Renewal Project (the "NW Heyburn Industrial Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 541 on October 26, 2011, approving the NW Heyburn Industrial Plan and making certain findings;

WHEREAS, the City Council, on November 14, 2018, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the 208 Business Park Urban Renewal Project (the "208 Business Park Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance 2018-604 on November 28, 2018, approving the 208 Business Park Plan and making certain findings;

WHEREAS, the City Council, on December 12, 2018, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Boulevard Urban Renewal Project (the "Boulevard Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance 2018-605 on December 12, 2018, approving the Boulevard Plan and making certain findings;

ORDINANCE NO. 2024-699

Instrument # 579540

MINIDOKA COUNTY, RUPERT, IDAHO

12-19-2024 12:16:28 PM No. of Pages: 114

Recorded for : CITY OF HEYBURN

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Ex-Officio Recorder Deputy



WHEREAS, the City Council, on November 13, 2019, after notice duly published, conducted a public hearing on the First Amendment to the Urban Renewal Plan for the Boulevard Urban Renewal Project (the "First Amendment");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2019-619 on November 13, 2019, approving the First Amendment and making certain findings;

WHEREAS, the City Council, on April 10, 2024, after notice duly published, conducted a public hearing on the INH-Heyburn District Urban Renewal Plan ("INH Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance 2024-687 on April 10, 2024, approving the INH Plan;

WHEREAS, the above referenced urban renewal plans and their project areas are referred to as the "Existing Project Areas"; and

WHEREAS, pursuant to Idaho Code § 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 a deteriorated area or a deteriorating area, or a combination thereof, and designated such area as appropriate for an urban renewal project; and

WHEREAS, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in Section 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions; and

WHEREAS, Idaho Code § 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 a deteriorating area, or a combination thereof; and

WHEREAS, based on inquiries and information presented, the City and Agency commenced certain discussions concerning examination of an additional area within the City as appropriate for an urban renewal project; and

WHEREAS, in the of summer 2022, Outwest Policy Advisors commenced an eligibility study and preparation of an eligibility report for an area generally located between 500 W and Highway 27, and between 300 S and Interstate 84 (the "Study Area"). The Study Area consisted of 18 parcels of property totaling approximately 371 acres with parcels ranging in size from 0.05 to 120.6 acres;

WHEREAS, the Agency obtained the Northgate Project Area Urban Renewal Eligibility Report, dated August 2022 (the "Report"), which examined the Study Area for the purpose of

determining whether such area is a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Study Area is located entirely within the City;

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define "deteriorating area" and "deteriorated area," many of the qualifying conditions necessary to be present in such an area are found in the Study Area, including:

- a. predominance of defective or inadequate street layout;
- b. faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting;
- c. insanitary or unsafe conditions;
- d. deterioration of site and other improvements;
- e. conditions which endanger life or property by fire and other causes.

WHEREAS, the Study Area included open space or open land;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly 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. *See* Idaho Code Section 50-2903(8)(c);

WHEREAS, Idaho Code Sections 50-2018(9), 50-2903(8) and 50-2008(d) list the additional conditions applicable to open land or open areas, including open land areas to be acquired by the Agency, which are the same or similar to the conditions set forth in the definitions of "deteriorating area" and "deteriorated area;"

WHEREAS, the Report addresses the necessary findings concerning the eligibility of open land within the Study Area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency on August 8, 2022 adopted Resolution No. 2022-05 accepting the Report and authorizing the Chair of the Agency to transmit the Report to the City Council requesting its consideration for the designation of an urban renewal area, and requesting the City Council direct the Agency to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the City Council, by Resolution No. 2022-04, dated August 24, 2022, declared the Study Area described in the Report to be a deteriorated area or a deteriorating area,

or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, under the Law and the Act, Idaho Code Sections 50-2903(8)(f) and 50-2018 (8) and (9), the definition of a deteriorated area and a deteriorating area shall not apply to any agricultural operation as defined in Idaho Code Section 22-4502(2), absent the consent of the owner of the agricultural operation, except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Study Area includes parcels subject to such consent;

WHEREAS, in order to implement the provisions of the Act and the Law either Agency may prepare a plan, or any person, public or private, may submit such plan to Agency;

WHEREAS, the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Northgate Urban Renewal Project ("Northgate Plan") to develop and/or redevelop a portion of the City pursuant to the Law and the Act, as amended;

WHEREAS, pursuant to the Law and the Act, as amended, the Agency and its consultants prepared the Urban Renewal Plan for the Northgate Urban Renewal Project Area (the "Northgate Plan"), as set forth in Exhibit 3 attached hereto, and the corresponding urban renewal/revenue allocation area referred to as the Northgate Project Area (the "Northgate Project Area," the "Project Area," or "Revenue Allocation Area"), to develop and/or redevelop a portion of the City, pursuant to the Law and the Act, as amended;

WHEREAS, the Northgate Project Area is shown on the "Boundary Map of the Urban Renewal Project Area and Revenue Allocation Area" and described in the "Legal Description of the Urban Renewal Project Area and Revenue Allocation Area," which are attached to the Northgate Plan as Attachments 1 and 2, respectively;

WHEREAS, the Northgate Project Area is the smaller in size than the area assessed in the Report, approximately containing only 290 acres of the originally acreage evaluated;

WHEREAS, the Act authorizes Agency to adopt revenue allocation financing provisions as part of an urban renewal plan;

WHEREAS, the Northgate Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, the Agency Board, at several Agency Board meetings in 2023/2024, has considered public improvements and projects within the Northgate Project Area;

WHEREAS, as required by the Law and the Act, the Agency reviewed the project information within the Northgate Plan concerning the use of revenue allocation funds and considered the Northgate Plan at the Agency Board meeting on October 28, 2024;

WHEREAS, on October 28, 2024, the Agency Board passed Resolution No. 2024-04 proposing and recommending the approval of the Northgate Plan, and directing Agency staff to finalize certain Attachments to the Northgate Plan and to make other ministerial and technical revisions to the Northgate Plan;

WHEREAS, the Agency submitted the Northgate Plan to the Mayor and City Council;

WHEREAS, the Mayor and City Clerk have taken the necessary action in good faith to process the Northgate Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on November 19, 2024, the Heyburn Planning and Zoning Commission considered the Northgate Plan and resolution found, that the Northgate Plan is in all respects in conformity with the City of Heyburn Comprehensive Plan, as may be amended (the "Comprehensive Plan") and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 1;

WHEREAS, the notice of the public hearing of the Northgate Plan was caused to be published by the *Times News* on November 16, and November 30, 2024, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of November 14, 2024, the Northgate Plan was submitted to the affected taxing entities, made available to the public, and is under consideration by the City Council;

WHEREAS, following publication of the notice of the public hearing for the Northgate Plan and following distribution of the Northgate Plan to the affected taxing entities, it was determined that a portion of the proposed Northgate Project Area would not be included in the final legal description and map of the boundary area of the Northgate Project Area ("Excluded Area");

WHEREAS, based on the exclusion of this Excluded Area, the Agency prepared an amended Boundary Map of Urban Renewal Project Area and Revenue Allocation Area ("amended Boundary Map") and amended Legal Description of Urban Renewal Project Area and Revenue Allocation Area ("amended Legal Description") which are attached as Attachments 1 and 2 to the Northgate Plan, respectively;

WHEREAS, the amended Boundary Map and Legal Description will be recirculated to the affected taxing districts post adoption of this Ordinance, and will be recorded with this Ordinance as the final approved and adopted Boundary Map and Legal Description for the Northgate Plan;

WHEREAS, the City Council during its special meeting of December 18, 2024, held such public hearing on the Northgate Plan as noticed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Northgate Plan contains the following information with specificity which was made available to the general

public and all affected taxing districts prior to the public hearing on December 18, 2024, the special meeting of the City Council and at least thirty (30) days but no more than sixty (60) days prior to the date set forth final reading of the Ordinance: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

WHEREAS, the Northgate Plan authorizes certain projects to be financed by owner/developer participation agreements and proceeds from revenue allocation. Revenue allocation bonds or loans are permissible;

WHEREAS, appropriate notice of the Northgate Plan and revenue allocation provision contained therein has been given to the affected taxing districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the City, to adopt the Northgate Plan and to adopt, as part of the Northgate Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Northgate Plan, in order to: encourage private development in the urban renewal area; prevent and arrest decay of the City due to the inability of existing financing methods to provide needed public improvements; encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Northgate Project Area in order to facilitate the long-term growth of their common tax base; encourage private investment within the City; and to further the public purposes of the Agency;

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the revenue allocation area as shown and described in Attachments 1 and 2 of the Northgate Plan is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Northgate Plan;

WHEREAS, under the Law and Act any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement,

with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

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

WHEREAS, the base assessment roll of the proposed Northgate Project Area, together with the base assessment roll values of the Existing Project Areas and any additional proposed project areas, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, the boundaries of the Northgate Project Area overlap the boundaries of the Minidoka Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and within the Northgate Project Area, and therefore, the allocation of taxes shall be governed by Idaho Code Sections 50-2908(2)(a)(ii), (b) for the Northgate Project Area;

WHEREAS, the Agency obtained written consent concerning certain property owners within the Northgate Project Area, which may have been deemed an agricultural operation, as stated above. A true and correct copy of the agricultural operation consents are included as Attachment 6 to the Northgate Plan;

WHEREAS, it is necessary, and in the best interests of the citizens of the City to adopt the Northgate Plan;

WHEREAS, the City Council at its special meeting held on December 18, 2024, considered the Northgate Plan as proposed and made certain comprehensive findings.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF HEYBURN IDAHO:**

SECTION 1: It is hereby found and determined that:

- (a) The Northgate Project Area as defined in the Northgate Plan is a deteriorated area or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Northgate Plan are necessary and in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Northgate Plan conforms to the City of Heyburn Comprehensive Plan as a whole.
- (e) The Northgate Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement, recognizing the mixed-use, residential, retail and commercial components of the Northgate Plan and the need for public improvements to support the goals of the intended uses in the Northgate Project Area and shows consideration for the health, safety, and welfare of any children, residents, or businesses in the general vicinity of the urban renewal area covered by the Northgate Plan.
- (f) The Northgate Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(l), the Northgate Plan provides a feasible method for relocation obligations of any displaced families residing within the Northgate Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The base assessment roll of the proposed Northgate Project Area, together with the base assessment roll values of the Existing Project Area and any proposed project areas, do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.
- (i) The Northgate Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Northgate Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and

rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any), land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.

- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8)(f), does include agricultural operations for which the Agency has received written consent, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Northgate Project Area, which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Northgate Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Northgate Project Area includes open land, that the Agency may acquire any open land within the Northgate Project Area, and that the Northgate Project Area is planned to be developed and/or redeveloped in a manner that may include residential and nonresidential uses. Provided, however, the City Council finds that for the portions of the Northgate Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The City Council finds that the portion of the Northgate Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of City's Comprehensive Plan, to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City. The City Council further finds that the portion of the Northgate Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and

that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 4: The Northgate Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the December 18, 2024, hearing and incorporate changes or modifications, if any.

SECTION 5: The boundaries of the Northgate Project Area overlap the boundaries of the Minidoka Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and the Northgate Project Area. Therefore, pursuant to Idaho Code Section 50-2908(2)(a)(iv) the revenues from the Minidoka Highway District levies will be allocated to the Agency without the need of a further agreement.

SECTION 6: No direct or collateral action challenging the Northgate Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Northgate Plan.

SECTION 7: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Minidoka County Assessor, and to the appropriate officials of Minidoka County Board of County Commissioners, Minidoka School District No. 331, West End Fire, City of Heyburn, Minidoka County Highway District, Heyburn No. 3 Cemetery and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Northgate Project Area.

SECTION 8: The City Council hereby finds and declares that the equalized assessed valuation of the Revenue Allocation Area as defined in the Northgate Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Northgate Plan.

SECTION 9: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Northgate Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 10: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 11: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2024, to the extent permitted by the Act.

SECTION 12: 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 determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

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

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

SECTION 16: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full City Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Heyburn, Idaho, this 18th day of December 2024.

APPROVED by the Mayor of the City of Heyburn, Idaho, this 18th day of December 2024.

APPROVED:



Dick Galbraith, Mayor

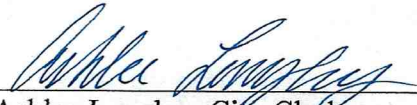
ATTEST:



Ashlee Langley, City Clerk

Heyburn Urban Renewal Agency
Urban Renewal Plan for the Northgate Urban Renewal Project

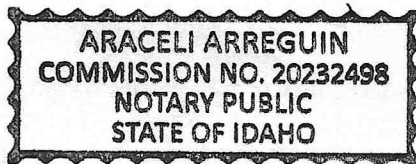
These documents are the plan map and legal description for the Urban Renewal Plan for the Northgate Urban Renewal Project Ordinance # 2024-699.

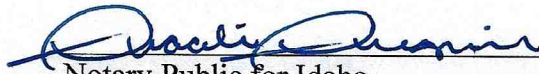

Ashlee Langley, City Clerk

STATE OF IDAHO)
) ss:
County of Minidoka)

On this 19th day of December, 2024, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ashlee Langley known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me they executed the same.

(Seal)




Notary Public for Idaho
My Commission Expires: 6/01/2029

Instrument # 579541

MINIDOKA COUNTY, RUPERT, IDAHO
12-19-2024 12:42:53 PM No. of Pages: 6
Recorded for : CITY OF HEYBURN
TONYA PAGE Fee: 0.00
Ex-Officio Recorder Deputy 

DATE: 02DEC24

PROJECT #: 24-093

NORTHGATE URBAN RENEWAL DISTRICT

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CITY OF
HEYBURN, MINIDOKA COUNTY, IDAHO.

A PORTION OF SECTIONS 8, 9 AND 10, MORE PARTICULARLY DESCRIBED:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208
BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND
THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST
QUARTER AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WEST RIGHT-OF-WAY OF NEVADA AVENUE NORTH
0°12'34" WEST 686.71 FEET TO THE INTERSECTION WITH THE EAST RIGHT-
OF-WAY OF HIGHWAY 27;

THENCE NORTH 78°49'25" EAST 150.00 FEET TO THE WEST RIGHT-OF-WAY
OF HIGHWAY 27;

THENCE ALONG SAID WEST RIGHT-OF-WAY ALONG A NON-TANGENT
CURVE TO THE RIGHT, A BEARING TO THE CENTER NORTH 78°49'25" WEST,
WITH RADIUS OF 2814.79 FEET, LENGTH 908.42 FEET, TANGENT 458.19 FEET,
DELTA 18°29'28", CHORD BEARING SOUTH 20°25'19" WEST, CHORD 904.48
FEET TO AN ITD BRASS CAP AT STA: 115+56.97;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY SOUTH 29°40'03"
WEST 761.89 FEET TO 5/8" REBAR AND LS CAP;

THENCE SOUTH 77°53'16" EAST 157.33 FEET TO A 1/2" REBAR AND LS CAP ON
THE EAST RIGHT-OF-WAY OF HIGHWAY 27;

THENCE ALONG THE NORTH RIGHT-OF-WAY OF THE LANDS OF THE STATE
OF IDAHO TRANSPORTATION DEPARTMENT, EXIT 208 SOUTH 60°13'18"
EAST 268.07 FEET TO A 1/2" REBAR AND LS CAP;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 35°56'43" EAST
315.31 FEET TO AN ITD BRASS CAP;

THENCE CONTINUING SOUTH 54°36'07" EAST 183.36 FEET TO A 1/2" REBAR
AND LS CAP;

THENCE CONTINUING NORTH 89°39'52" EAST 86.34 FEET TO THE WEST QUARTER CORNER OF SECTION 9, AN ALUMINUM CAP REFERENCE TO THE CORNER BEING SOUTH 0°03'33" EAST 9.80 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9 NORTH 89°46'47" EAST 1325.19 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND EXTENDING ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER NORTH 89°46'47" EAST 2651.65 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER NORTH 0°16'56" WEST 10.00 FEET;

THENCE NORTH 89°46'47" EAST PARALLEL AND 10 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 1326.45 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE SOUTH 0°20'12" EAST 10.00 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER MONUMENTED BY A PK NAIL;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10 NORTH 89°42'49" EAST 594.12 FEET TO THE SOUTHEAST CORNER OF THE LANDS OF CORREA;

THENCE ALONG THE EAST BOUNDARY OF THE LANDS OF CORREA AND MORRISON NORTH 0°20'50" WEST 662.35 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID NORTH LINE SOUTH 89°42'44" WEST 561.40 FEET TO THE INTERSECTION WITH THE LANDS OF THE STATE OF IDAHO TRANSPORTATION DEPARTMENT;

THENCE ALONG SAID LANDS OF ITD NORTH 3°00'32" WEST 163.00 FEET TO THE EAST EASEMENT OF COUNTY ROAD 500 WEST;

THENCE SOUTH 89°39'47" WEST 25.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9;

THENCE ALONG SAID EAST LINE NORTH $0^{\circ}20'13''$ WEST 814.36 FEET TO THE
NORTHEAST CORNER OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH LINE NORTH $89^{\circ}48'02''$ WEST 2087.72 FEET TO
THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND
DEVELOPMENT;

THENCE ALONG SAID EAST LINE NORTH $0^{\circ}20'12''$ WEST 417.38 FEET TO THE
NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY NORTH $89^{\circ}48'02''$ WEST 220.28
FEET TO THE EAST BOUNDARY OF THE LANDS OF LIGHTNING LAND
DEVELOPMENT;

THENCE ALONG SAID EAST BOUNDARY NORTH $0^{\circ}19'15''$ WEST 207.48 FEET
TO THE NORTH BOUNDARY OF THE LANDS OF LIGHTNING LAND
DEVELOPMENT;

THENCE ALONG SAID NORTH BOUNDARY SOUTH $89^{\circ}42'20''$ WEST 895.38
FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE NORTH $0^{\circ}16'56''$ WEST 380.70 FEET TO THE
NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST
QUARTER;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER SOUTH $89^{\circ}42'20''$ WEST 1323.93 FEET TO THE NORTH
QUARTER CORNER MONUMENTED BY AN ALUMINUM CAP;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE
NORTHWEST QUARTER SOUTH $89^{\circ}42'15''$ WEST 1324.84 FEET TO A $5/8''$
REBAR;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE
NORTHWEST QUARTER SOUTH $0^{\circ}06'30''$ EAST 1321.86 FEET TO THE
SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST
QUARTER MONUMENTED BY A $5/8''$ REBAR AND LS CAP;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER SOUTH $89^{\circ}44'27''$ WEST 1282.57 FEET TO THE TRUE
POINT OF BEGINNING.

THE LANDS OF BURLEY HOSPITALITY, LLC ARE EXCLUDED FROM THIS URBAN RENEWAL DISTRICT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9:

COMMENCING AT A 5/8" REBAR AT THE SOUTHWEST CORNER OF THE 208 BUSINESS PARK BEING AT THE INTERSECTION OF NEVADA AVENUE AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ALONG THE EAST RIGHT-OF-WAY OF NEVADA AVENUE SOUTH 0°13'03" EAST 367.07 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTH BOUNDARY OF THE LANDS OF BURLEY HOSPITALITY, LLC NORTH 89°47'13" EAST 373.37 FEET;

THENCE ALONG SAID EAST BOUNDARY SOUTH 0°13'03" EAST 350.00 FEET;

THENCE ALONG SAID SOUTH BOUNDARY SOUTH 89°47'13" WEST 373.37 FEET TO THE EAST RIGHT-OF-WAY OF NEVADA AVENUE;

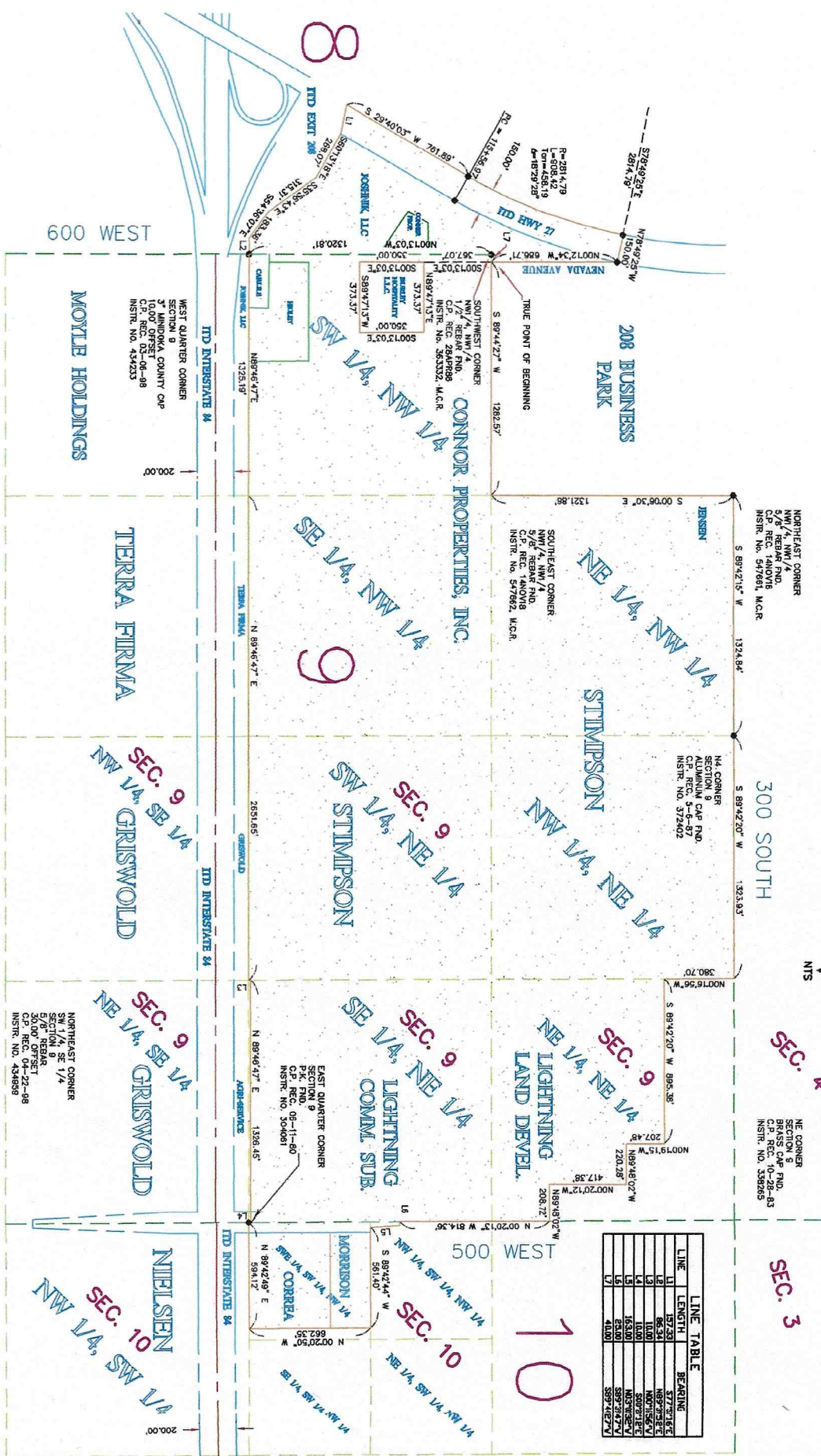
THENCE ALONG SAID EAST RIGHT-OF-WAY NORTH 0°13'03" WEST 350.00 FEET TO THE TRUE POINT OF BEGINNING.

THE NORTHGATE URBAN RENEWAL DISTRICT CONTAINS 291.07 ACRES MORE OR LESS.

NORTHGATE URBAN RENEWAL DISTRICT
TOWNSHIP 10 SOUTH, RANGE 23 EAST
EAST BOISE MERIDIAN, MINIDOKA COUNTY
A PORTION OF SECTIONS 8, 9 & 10



LINE	LENGTH	BEARING
1	157.33	S 77° 51' 15" E
2	66.34	N 89° 42' 20" W
3	10.00	N 00° 20' 12" W
4	163.00	N 89° 42' 20" W
5	65.00	S 89° 42' 20" W
6	40.00	S 89° 42' 20" W



SEC. 4

SEC. 3

10

9

8

MOYLE HOLDINGS

TIERA FIRMA

SEC. 9
NW 1/4, SE 1/4
GRISWOLD

SEC. 6
NE 1/4, SE 1/4
GRISWOLD

SEC. 10
NW 1/4, SW 1/4
NIELSEN

CONNOR PROPERTIES, INC.

208 BUSINESS PARK

SEC. 9
NW 1/4, NE 1/4
STIMPSON

SEC. 9
NE 1/4, NE 1/4
LIGHTNING LAND DEVEL.

SEC. 9
SE 1/4, NE 1/4
LIGHTNING COMM. SUB.

SEC. 9
SW 1/4, NE 1/4
STIMPSON

SEC. 9
SW 1/4, NW 1/4
STIMPSON

SEC. 10
NE 1/4, SW 1/4
MORRISON

SEC. 10
SE 1/4, SW 1/4
CORREA

WEST QUARTER CORNER
SECTION 9
TOWNSHIP 10 SOUTH
C.P. REC. 03-08-88
INSTR. NO. 434233

NORTHEAST CORNER
SECTION 6
TOWNSHIP 10 SOUTH
C.P. REC. 05-22-88
INSTR. NO. 434698

NORTHEAST CORNER
SECTION 4
TOWNSHIP 10 SOUTH
C.P. REC. 14-09-85
INSTR. NO. 547661, M.C.R.

NE CORNER
SECTION 3
TOWNSHIP 10 SOUTH
C.P. REC. 10-28-83
INSTR. NO. 138285

SOUTHWEST CORNER
NW 1/4, NW 1/4
1/2 REBAR FND.
C.P. REC. 25-08-88
INSTR. NO. 553324, M.C.R.

EAST QUARTER CORNER
SECTION 9
TOWNSHIP 10 SOUTH
C.P. REC. 05-11-80
INSTR. NO. 30-0081



December 19, 2024

Alan Dornfest
State Tax Commission
PO Box 36
Boise, ID 83722
Alan.dornfest@tax.idaho.gov

☐ Mail
☐ Email **If email, please
confirm receipt and follow up
telephonically

Ben Seloske
State Tax Commission
PO Box 36
Boise, ID 83722
Ben.seloske@tax.idaho.gov

☐ Mail
☐ Email **If email, please
confirm receipt and follow up
telephonically

GIS State Tax Commission
State Tax Commission
PO Box 36
Boise, ID 83722
gis@tax.idaho.gov

☐ Mail
☐ Email **If email, please
confirm receipt and follow up
telephonically

Attn: Tonya Page
Minidoka County Auditor

☐ Hand Delivery

Attn: Tonya Page
Minidoka County Recorder

☐ Hand Delivery

Attn: Janice West
Minidoka County Assessor

☐ Hand Delivery

RE: Urban Renewal Plan for The Northgate Urban Renewal Project

As provided for under Idaho Code Sections 50-2907 and 63-215, and Rule 225 of the Property Tax Administrative Rules IDAPA 35.01.03.225.02, you are being provided copies of the following recorded documents for filing:

1. Heyburn Ordinance No. 2024-699 and Summary of Ordinance No. 2024-699 (without exhibits or attachments) approving the Urban Renewal Plan for The Northgate Urban Renewal Project ("The Northgate Plan"), which plan contains a revenue allocation area. The City Council approved the Ordinance at its meeting on December 18, 2024. The Mayor signed the Ordinance on December 18, 2024. Publication of the Ordinance Summary in the *Times News* will occur/occurred on December 26, 2024.

2. A legal description of The Northgate Area and Revenue Allocation Area, which areas are coterminous.

3. A map showing the boundaries of The Northgate Plan Area and Revenue Allocation Area.

Please file these documents in your official records.

Please be advised that the contact person for the Heyburn Urban Renewal Agency is Brent Tolman, 225 S 30 W, Burley, Idaho, 83318, 208-431-7356 or brentj.tolman@gmail.com

Should you desire a copy of the entire the Northgate Plan and its attachments, copies can be obtained from Brent Tolman at heyburnidura@gmail.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashlee Langley".

Ashlee Langley, City Clerk

Enclosures

cc: Chris James
Brent Tolman
Abbey Germaine