



CITY OF MERIDIAN ORDINANCE NO. 16-1695

BY THE CITY COUNCIL:

BIRD, BORTON, CAVENER,
MILAM, PALMER, LITTLE ROBERTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPROVING THE URBAN RENEWAL PLAN FOR THE TEN MILE ROAD 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 THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Meridian Development Corporation (“MDC” or “Agency”) is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code, Title 50, Chapter 20, as amended and supplemented (“Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”);

WHEREAS, on December 2, 2002, the Meridian City Council adopted Ordinance No. 02-987 approving an urban renewal Revitalization Plan;

WHEREAS, based on inquiries and information presented, it has become apparent that additional property within the City may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

WHEREAS, the City and MDC commenced certain discussions concerning examination of the additional area as appropriate for an urban renewal project;

WHEREAS, during 2015, the City and MDC authorized the commencement of an eligibility study and preparation of an eligibility report of an area located between I-84 and the West Franklin Road east of Ten Mile Road;

WHEREAS, MDC has obtained an eligibility report (the “Report”), which examined an area in Meridian, Idaho, in an area known as the Ten Mile Area for the purpose of determining whether such area was a deteriorating area and deteriorated area as defined by Idaho Code Sections 50-2018(9) and 50-2903(8);

WHEREAS, the Report dated November 2015, found the existence of one or more of the statutory criteria for the area to be considered eligible for urban renewal activities;

WHEREAS, MDC recommended the Report to the Meridian City Council by way of MDC Resolution 15-061 on November 18, 2015;

WHEREAS, the City accepted the Report by way of Resolution 16-1119 on February 9, 2016;

WHEREAS, the Mayor and City Council considered the steps set forth by the Act and Law, accepting the Report finding the areas set forth in the Report to be “deteriorated” or “deteriorating” areas as defined by Idaho Code sections 50-2018 and 50-2903 declaring the areas as an urban renewal area, making additional findings regarding the characteristics of the areas, making the necessary findings as required by Idaho Code section 50-2008(a) and authorizing MDC to prepare an Urban Renewal Plan;

WHEREAS, MDC worked with Phil Kushlan with Kushlan Associates to gather the necessary information and prepare the proposed Ten Mile Road Urban Renewal Plan (the “Plan”) which contains the necessary components and analysis required under Idaho Code Title 50, Chapter 20 and 29 and such proposed Plan also contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, MDC, by way of MDC Resolution 16-018, approved and adopted the Plan and recommended that the City approve the Plan;

WHEREAS, MDC, by way of MDC Resolution 16-019 approved modifications to the Plan to include a section of the Kennedy Lateral and corresponding costs in the maps and charts of the Plan;

WHEREAS, MDC, the Mayor and the City Clerk have worked in good faith to take the necessary action to process the Plan;

WHEREAS, at a meeting held on May 19, 2016, the Meridian Planning and Zoning Commission considered the Plan and found by P& Z Resolution No 16-1141 that the Plan is in all respects in conformity with the City of Meridian Comprehensive Plan; a copy of this Finding is attached hereto as Exhibit 1;

WHEREAS, the notice of public hearing of the Plan was caused to be published by the Meridian City Clerk in *The Valley Times* on May 16 and 23, 2016, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of May 12, 2016, the Plan was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, the City Council during its regular workshop meeting of June 14, 2016, held such public hearing, said hearing being continued to June 21, 2016 for further testimony upon which date the public hearing was closed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Plan contains the following information which was made available to the general public and all taxing districts at least thirty (30) days prior to the public hearing on June 14, 2016, the regular workshop meeting of the City Council: (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. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets;

WHEREAS, the Plan authorizes certain projects to be financed by revenue allocation bonds, or loans and proceeds from revenue allocation;

WHEREAS, pursuant to Chapter 14, Title 40, Idaho Code, the Ada County Highway District (“ACHD”) is granted certain authority and jurisdiction over public rights of way within the Project Area, as that term is defined in the Plan;

WHEREAS, it is necessary and in the best interest of the citizens of the City, to adopt the Plan, including revenue allocation financing provisions because revenue allocation will help finance urban renewal projects to be completed in accordance with the Plan (as now or hereafter amended), in order to: encourage private development in the urban renewal area; 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 urban renewal 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 Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the 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, 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;

WHEREAS, under the Law and the Act, specifically sections 50-2018(9) and 50-2903(8)(f), a deteriorating area may not include an agricultural operation as defined in Idaho Code section 22-4502(1) 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 Agency has received written consent concerning certain properties within the urban renewal area, which may have been deemed an agricultural operation as stated above;

WHEREAS, the overall base assessment rolls for the various revenue allocation areas cannot exceed ten percent (10%) of the Base Assessment Value of the City of Meridian;

WHEREAS, the City at its regular meeting workshop meeting held on June 14, 2016, considered the Plan as proposed and made certain comprehensive findings.

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

SECTION 1: It is hereby found and determined that:

- (a) The Project Area as defined in the Plan is a deteriorated 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, and redevelopment of the urban renewal area pursuant to the Plan are necessary 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 Plan conforms to the City of Meridian Comprehensive Plan as a whole.
- (e) The 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 components of the Plan and the need for overall public improvements), 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 Plan.
- (f) The Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.
- (g) The Plan provides a feasible method for relocation of any displaced families residing within the Project Area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families.
- (h) The collective base assessment roll for the revenue allocation areas under the various revenue allocation areas does not exceed ten percent (10%) of the assessed value of the City.
- (i) The Plan includes the requirements set forth in Idaho Code § 50-2905.
- (j) The 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), does not include any agricultural operation for which the Agency has not received a written consent, or has not been used for agricultural purposes for three (3) consecutive years.

SECTION 2: The City Council finds that the Project Area consists of predominantly open land, that the Agency does not intend to acquire any open land on any widespread basis, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the City Council finds that for the portions of the 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 Plan meets the sound needs of the City and will provide opportunities in an area that does not now contain such opportunities, and residential and nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth

and development of the community in accordance with sound planning standards and local community objectives because of defective or unusual conditions of title, diversity of ownership, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for correlation of the area with other areas of the City by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

SECTION 4: The 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 June 14 and 21, 2016 hearing and incorporate changes or modifications, if any.

SECTION 5: The City Council declares that nothing within the Plan is intended or shall be interpreted to usurp the jurisdiction and authority of ACHD as defined in chapter 14, Title 40, Idaho Code. Further, pursuant to Section 40-1415, Idaho Code, ACHD has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights of way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, ACHD shall take into consideration the principles contained in the Plan.

SECTION 6: No direct or collateral action challenging the 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 Plan.

SECTION 7: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Ada County Assessor, Joint School District No 2, Ada County EMS, Meridian Cemetery District, Ada County Highway District, College of Western Idaho, Meridian Library District, Ada County Weed, Pest and Mosquito Abatement District, the Western Ada Recreation District, the Meridian Rural Fire District, 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 or plat indicating the boundaries of the Project Area.

SECTION 8: The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the 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 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, 2016, 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.

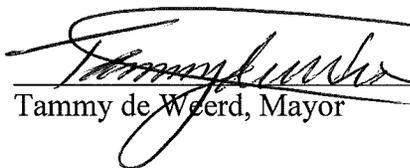
SECTION 14: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

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

PASSED by the City Council of the City of Meridian, Idaho, this 21st day of June, 2016.

APPROVED by the Mayor of the City of Meridian, Idaho, this 21st day of June, 2016.

APPROVED:


Tammy de Weerd, Mayor



ATTEST:

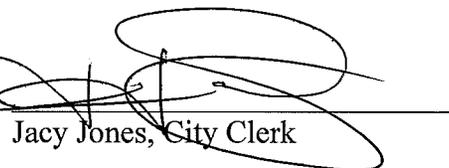

Jacy Jones, City Clerk

EXHIBIT 1

CITY OF MERIDIAN

Resolution No 16-1141

BY THE PLANNING AND
ZONING COMMISSION

FITZGERALD, McCARVEL,
OLIVER, WILSON, YEARSLEY

A RESOLUTION OF THE CITY OF MERIDIAN PLANNING AND ZONING COMMISSION RELATING TO THE URBAN RENEWAL PLAN FOR THE TEN MILE ROAD URBAN RENEWAL PROJECT OF THE MERIDIAN DEVELOPMENT CORPORATION; FINDING THAT THE URBAN RENEWAL PLAN IS IN CONFORMANCE WITH THE CITY OF MERIDIAN COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Meridian Development Corporation, the duly constituted and authorized urban renewal agency for the City of Meridian, Idaho (hereinafter, "Agency") has submitted a proposed urban renewal plan entitled "Urban Renewal Plan for the Ten Mile Road Urban Renewal Project" (the "Plan") to the City of Meridian; and,

WHEREAS, the City Council has referred the Plan to the Meridian Planning and Zoning Commission for review and recommendation concerning the conformity of said Plan with the City of Meridian Comprehensive Plan; and,

WHEREAS, the Meridian Planning and Zoning Commission met on May 19, 2016 to consider the Plan and determine its conformity to the Comprehensive Plan; and,

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MERIDIAN, IDAHO:

Section 1. That the Urban Renewal Plan submitted by the Meridian Development Corporation and referred to this Commission by the City Council for review, is in all respects in conformity with the Comprehensive Plan.

Section 2. That City Staff is hereby authorized and directed to provide the Meridian City Council with a signed copy of this Resolution relating to the Plan.

Section 3. That this Resolution shall be in full force and effect upon its adoption and approval.

ADOPTED AND APPROVED by the Planning and Zoning Commission of Meridian, Idaho this 19th day of May, 2016.

Planning and Zoning Commission

ATTEST:


Steven Yearsley, Chairman



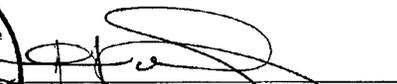

Jacy Jones, City Clerk

EXHIBIT 2, Page 1

NOTICE OF PUBLIC HEARING BY THE
CITY COUNCIL OF THE CITY MERIDIAN
TO CONSIDER THE
URBAN RENEWAL PLAN
FOR THE TEN MILE ROAD URBAN RENEWAL PROJECT
OF THE MERIDIAN DEVELOPMENT CORPORATION

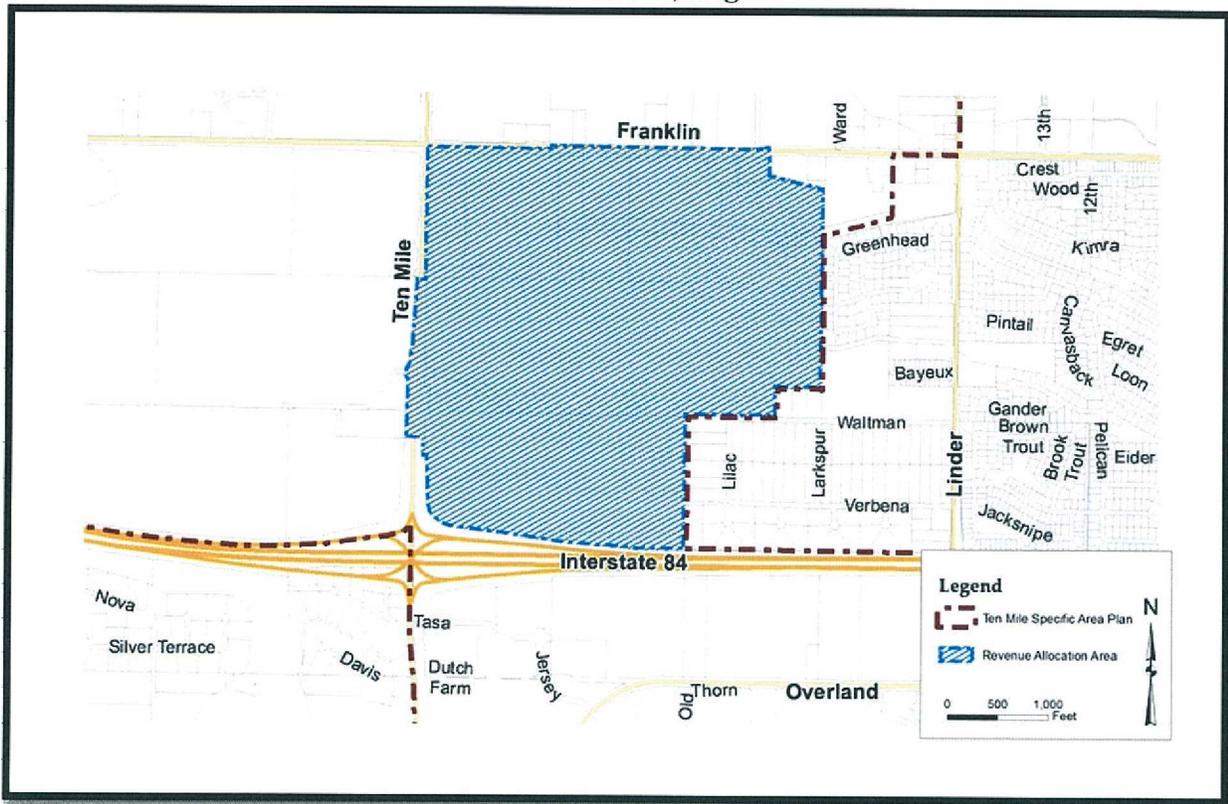
NOTICE IS HEREBY GIVEN that the City Council of the City of Meridian will hold during its regular workshop meeting, a public hearing in City Council Chambers at Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho, **on June 14, 2016, at 3:00 p.m.**, pursuant to Idaho Code Section 50-2008(c) to consider for adoption the proposed Urban Renewal Plan for the Ten Mile Road Urban Renewal Project (“Plan”) of the Meridian Development Corporation (“Agency”).

The Plan being considered for adoption contains a revenue allocation financing provision pursuant to the Local Economic Development Act, chapter 29, title 50, Idaho Code, as amended, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 2016, to be allocated to the Agency for urban renewal purposes. The Agency has adopted and recommended approval of the Plan.

The proposed public works or improvements in the Plan Area include but are not limited to full roadway improvements, sidewalks and pedestrian ways, drainage improvements, public and private utilities such as sewer and water, irrigation facility improvements, right-of-way acquisition, remediation of environmental issues, enhancement of open areas and public recreation facilities, and such other elements required for the project and authorized by Idaho Code Section 50-2007 and 50-2901(13). Any such land uses as described in the Plan will be in conformance with zoning for the City of Meridian and the Meridian Comprehensive Plan, as adopted by the City Council. On May 19, 2016 at its regularly scheduled meeting, the Meridian Planning and Zoning Commission will review the Plan for conformance with the approved Comprehensive Plan as required in Idaho Code Section 50-2008.

The boundaries of the Urban Renewal Project Area and Revenue Allocation Area consist of approximately 301.45 acres of real property in Meridian City Limits, bounded on the south by I-84, on the west by Ten Mile Road, on the north by Franklin road as more particularly described in Attachment 2 to the Plan and generally depicted in the map below.

EXHIBIT 2, Page 2



Copies of the proposed Plan are on file for public inspection and copying at the office of the City Clerk at 33 E. Broadway Avenue, Meridian, Idaho between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays. The Plan can also be accessed online at weblink.meridiancity.org/weblink8/0/doc/114788/Page1.aspx

The public hearing will be held in an accessible facility. Individuals desiring accommodation for disabilities related to documents and/or hearing may contact the office of the City Clerk at 208-888-4433 at least 48 hours prior to the public hearing.

At the hearing date, time, and place noted in the first paragraph above, all persons interested in the above matters may appear before the City Council and be heard. Written comments will also be accepted. Comments should be directed to the Meridian City Clerk. Written comments should be submitted prior to the hearing date. The date set for the final reading of the Ordinance regarding adoption of the Plan will be at the regular meeting of the Meridian City Council on the week following the above-noticed public hearing.

DATED this 12th day of May, 2016.

Jacy Jones, City Clerk

2 publication dates:

May 16, 2016, May 23, 2016

EXHIBIT 3

THE TEN MILE ROAD URBAN RENEWAL PLAN

ADOPTED BY MDC RESOLUTION 16-018

AND

MODIFIED BY MDC RESOLUTION 16-019

MERIDIAN DEVELOPMENT CORPORATION
THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN

RESOLUTION NO. 16-018

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY
OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION:

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE URBAN RENEWAL AGENCY OF MERIDIAN,
IDAHO, ADOPTING AND APPROVING THE PROPOSED
URBAN RENEWAL PLAN FOR THE TEN MILE ROAD
URBAN RENEWAL PROJECT (PLAN) AND
RECOMMENDING THAT THE CITY OF MERIDIAN
APPROVE SAID PLAN; AUTHORIZING THE CHAIRMAN
OR ADMINISTRATOR TO TRANSMIT THE PLAN AND
THIS RESOLUTION TO THE CITY COUNCIL OF THE CITY
OF MERIDIAN REQUESTING ITS APPROVAL OF THE
PROPOSED PLAN; AND PROVIDING AN EFFECTIVE
DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal MDC of the City of Meridian, Idaho, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal MDC of the City of Meridian, Idaho, hereinafter referred to as the "MDC."

WHEREAS, the MDC, an independent public body, corporate and politic, is an urban renewal MDC created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code title 50, chapter 20, as amended and supplemented, and the Local Economic Development Act of 1988, being Idaho Code, Title 50, Chapter 29; as amended and supplemented (collectively the "Act");

WHEREAS, the MDC was established by Resolution No. 01-367 of the City Council of the City of Meridian, Idaho (hereinafter the "City Council"), adopted July 24, 2001;

WHEREAS, the City Council of the City of Meridian, Idaho (the "City"), on October 8, 2002, after notice duly published, conducted a public hearing on the Meridian Revitalization Plan (the "Revitalization Plan");

WHEREAS, following said public hearing the City adopted its Ordinance No. 02-987 on December 3, 2002, approving the Revitalization Plan and making certain findings;

WHEREAS, based on inquiries and information presented, it has become apparent that additional property within the City may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

WHEREAS, the City and MDC commenced certain discussions concerning examination of the additional area as appropriate for an urban renewal project;

WHEREAS, during 2015, the City and MDC authorized the commencement of an eligibility study and preparation of an eligibility report of an area located between I-84 and the West Franklin Road east of Ten Mile Road;

WHEREAS, both MDC and the City approved the findings in the eligibility report dated November 2015 which noted that the proposed area met the criteria for the establishment of an Urban Renewal District with a revenue financing provision;

WHEREAS, based upon the eligibility report MDC worked with Phil Kushlan with Kushlan Associates to gather the necessary information and prepare the proposed Ten Mile Urban Renewal Plan which contains the necessary components and analysis required under Idaho Code Title 50, Chapter 20 and 29;

WHEREAS, the proposed Plan is attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL MDC OF MERFIDIAN, IDAHO, AS FOLLOWS:

- Section 1. That the above statements are true and correct.
- Section 2. That the Board approves and adopts the proposed Plan and recommends that the City approve the Plan.
- Section 3. That the Chair of the Board of Commissioners or Administrator is hereby authorized to transmit the Plan to the Meridian City Council requesting that the Council consider and approve the proposed Plan which includes a revenue allocation financing provision.
- Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Meridian, Idaho, a/k/a, the Meridian Development Corporation, on April 27th, 2016. Signed by the Chairman of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on this 27th day of April, 2016.

APPROVED:

By  _____
Jim Escobar, Chairman

ATTEST:

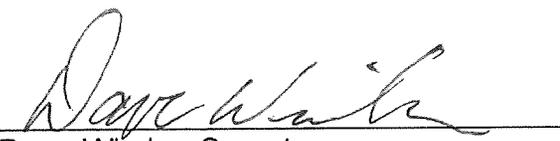
By  _____
Dave Winder, Secretary

Exhibit A
URBAN RENEWAL PLAN FOR THE
TEN MILE ROAD URBAN RENEWAL PROJECT

**MERIDIAN DEVELOPMENT CORPORATION
THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN**

RESOLUTION NO. 16-019

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY
OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION:

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE URBAN RENEWAL AGENCY OF MERIDIAN,
IDAHO, ADOPTING AND APPROVING THE PROPOSED
MODIFICATIONS TO ITS PREVIOUSLY APPROVED
URBAN RENEWAL PLAN FOR THE TEN MILE ROAD
URBAN RENEWAL PROJECT (PLAN) AND
RECOMMENDING THAT THE CITY OF MERIDIAN
APPROVE SAID PLAN INCLUDING THE ATTACHED
MODIFICATIONS; AUTHORIZING THE CHAIRMAN OR
ADMINISTRATOR TO TRANSMIT THE PLAN
MODIFICATIONS AND THIS RESOLUTION TO THE CITY
COUNCIL OF THE CITY OF MERIDIAN REQUESTING ITS
APPROVAL OF THE PROPOSED PLAN MODIFICATIONS;
AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal MDC of the City of Meridian, Idaho, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal MDC of the City of Meridian, Idaho, hereinafter referred to as the "MDC."

WHEREAS, the MDC, an independent public body, corporate and politic, is an urban renewal MDC created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code title 50, chapter 20, as amended and supplemented, and the Local Economic Development Act of 1988, being Idaho Code, Title 50, Chapter 29; as amended and supplemented (collectively the "Act");

WHEREAS, the MDC was established by Resolution No. 01-367 of the City Council of the City of Meridian, Idaho (hereinafter the "City Council"), adopted July 24, 2001;

WHEREAS, the City Council of the City of Meridian, Idaho (the "City"), on October 8, 2002, after notice duly published, conducted a public hearing on the Meridian Revitalization Plan (the "Revitalization Plan");

WHEREAS, following said public hearing the City adopted its Ordinance No. 02-987 on December 3, 2002, approving the Revitalization Plan and making certain

findings;

WHEREAS, MDC approved the proposed Plan at its meeting on April 27, 2016 and after that meeting one of the property owners that would be included in the proposed Ten Mile Urban Renewal District inquired about whether improvements to the Kennedy Lateral needed to be included in the specifically listed improvements attached to the proposed Plan:

WHEREAS, the MDC acknowledges that the current version of the Plan approved on April 27, 2016 already includes references to irrigation and drainage facilities and other public infrastructure and improvements as being part of what may be funded by MDC;

WHEREAS, MDC feels that although the current proposed plan covers the potential for reimbursement of irrigation and drainage facility improvements by MDC the Board desires to include a section of the Kennedy Lateral and corresponding costs in the maps and charts attached to the proposed plan;

WHEREAS, MDC desires that the City include the attached modifications as part of the Ten Mile Urban Renewal Plan that it is considering for approval;

WHEREAS, the proposed modifications to the Plan are attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL MDC OF MERIDIAN, IDAHO, AS FOLLOWS:

- Section 1. That the above statements are true and correct.
- Section 2. That the Board approves and adopts the proposed modifications to the Plan and recommends that the City approve the Plan with said modifications.
- Section 3. That the Chair of the Board of Commissioners or Administrator is hereby authorized to transmit the modifications to the Plan to the Meridian City Council requesting that the Council consider and approve the proposed Plan modifications.
- Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Meridian, Idaho, a/k/a, the Meridian Development Corporation, on May 10th, 2016. Signed by the Chairman of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on this 10th day of May, 2016.

APPROVED:

By  _____
Jim Escobar, Chairman

ATTEST:

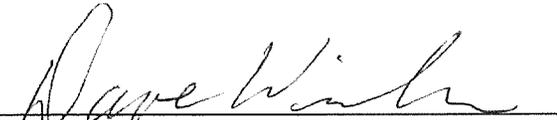
By  _____
Dave Winder, Secretary

Exhibit A
MODIFICATIONS TO URBAN RENEWAL PLAN FOR THE
TEN MILE ROAD URBAN RENEWAL PROJECT

Developer Projects: Ten Mile A Urban Renewal District	
Segment 1	\$462,308
Segment 2	\$690,685
Segment 3	\$1,160,586
Segment 4	\$1,967,642
Segment 5	\$1,094,947
Segment 6	\$1,645,222
Segment 7	\$4,284,734
Segment 8	\$3,442,813
Segment 9	\$2,223,384
Segment 10	\$959,575
Segment 11	\$905,984
Segment 12 Kennedy Lateral	\$3,000,000
Segment 13 (Street Lights on Ten Mile & Franklin Rd)	\$251,570
Segment 14 (Traffic Signals at 4 Intersections)	\$1,100,000
Segment 15 (Ten Mile and Franklin Street Frontage Improvements)	\$223,850
Total Project Costs (un-inflated dollars)	\$23,413,300

Cost of Operations and Improvements by Year (2017-2037)

Year	Secure Funding (TIF & City of Meridian Loan)	Potential Funding	District Operating Expenses	OPA Debt Service	City Loan Debt Service	Add'l Principal Payment	Total Project Liabilities
2017	\$50,000	\$0	\$25,000	\$0	\$0	\$0	\$25,000
2018	\$3,535	\$0	\$25,000	\$0	\$0	\$0	\$25,000
2019	\$358,006	\$0	\$35,901	\$287,205	\$11,000	\$0	\$334,105
2020	\$429,474	\$0	\$42,947	\$343,579	\$11,000	\$0	\$397,527
2021	\$685,569	\$0	\$50,000	\$548,455	\$11,000	\$0	\$609,455
2022	\$764,912	\$0	\$50,000	\$611,930	\$11,000	\$0	\$672,930
2023	\$1,037,504	\$0	\$50,000	\$830,003	\$11,000	\$0	\$891,003
2024	\$1,061,572	\$0	\$50,000	\$849,258	\$0	\$0	\$899,258
2025	\$1,924,457	\$0	\$50,000	\$1,539,566	\$0	\$500,000	\$2,089,566
2026	\$1,690,202	\$0	\$50,000	\$1,352,162	\$0	\$500,000	\$1,902,162
2027	\$1,967,722	\$0	\$50,000	\$1,574,178	\$0	\$100,000	\$1,724,178
2028	\$2,797,673	\$0	\$50,000	\$2,234,138	\$0	\$900,000	\$3,184,138
2029	\$2,577,728	\$0	\$50,000	\$2,062,182	\$0	\$250,000	\$2,362,182
2030	\$2,887,603	\$0	\$50,000	\$2,310,082	\$0	\$500,000	\$2,860,082
2031	\$3,592,793	\$0	\$50,000	\$2,874,234	\$0	\$500,000	\$3,424,234
2032	\$3,623,529	\$0	\$50,000	\$2,898,823	\$0	\$750,000	\$3,698,823
2033	\$3,737,660	\$0	\$50,000	\$2,990,128	\$0	\$1,000,000	\$4,040,128

2034	\$4,689,811	\$0	\$50,000	\$3,759,049	\$0	\$0	\$3,809,049
2035	\$4,526,256	\$0	\$50,000	\$3,621,005	0	\$0	\$50,000
2036	\$4,923,647	\$0	\$50,000	\$0	\$0	\$0	\$50,000
2037	\$4,807,043	\$0	\$50,000	\$0	\$0	\$0	\$50,000
2038	\$0	\$0	0	0	0		\$0
Total	\$48,141,969	\$0	\$978,848	\$30,685,977	\$55,000	\$5,000,000	\$36,719,825

Ten Mile Urban Renewal District Cash Flow Analysis -- April 2016

The Leaseholder for the City of Meridian will lease the new District \$50,000 to fund operations and tax receipts are available. The loan accrues interest at 5.5% with 5-year term. Payments to (from) capital, covering allocation for administrative and professional support. Capital at \$10,000 annually. Administrative expenses equals approximately 2% of total 2-year administrative cost @ \$25,000 for costs to establish District, then formula above thereafter.

Assumes Developer Installs Improvements in 2016. \$21,829,432 cost, repaid with 80% of annual Revenue Allocation until paid in full @ 5.0%.

Additional principal paid if surplus funds accrue at the discretion of the Agency. Note Assumes pay-out in 16 years.

Obligation satisfied earlier if pace of taxable investment exceeds conservative estimate (25% of Developed estimate).

Conservative Estimates

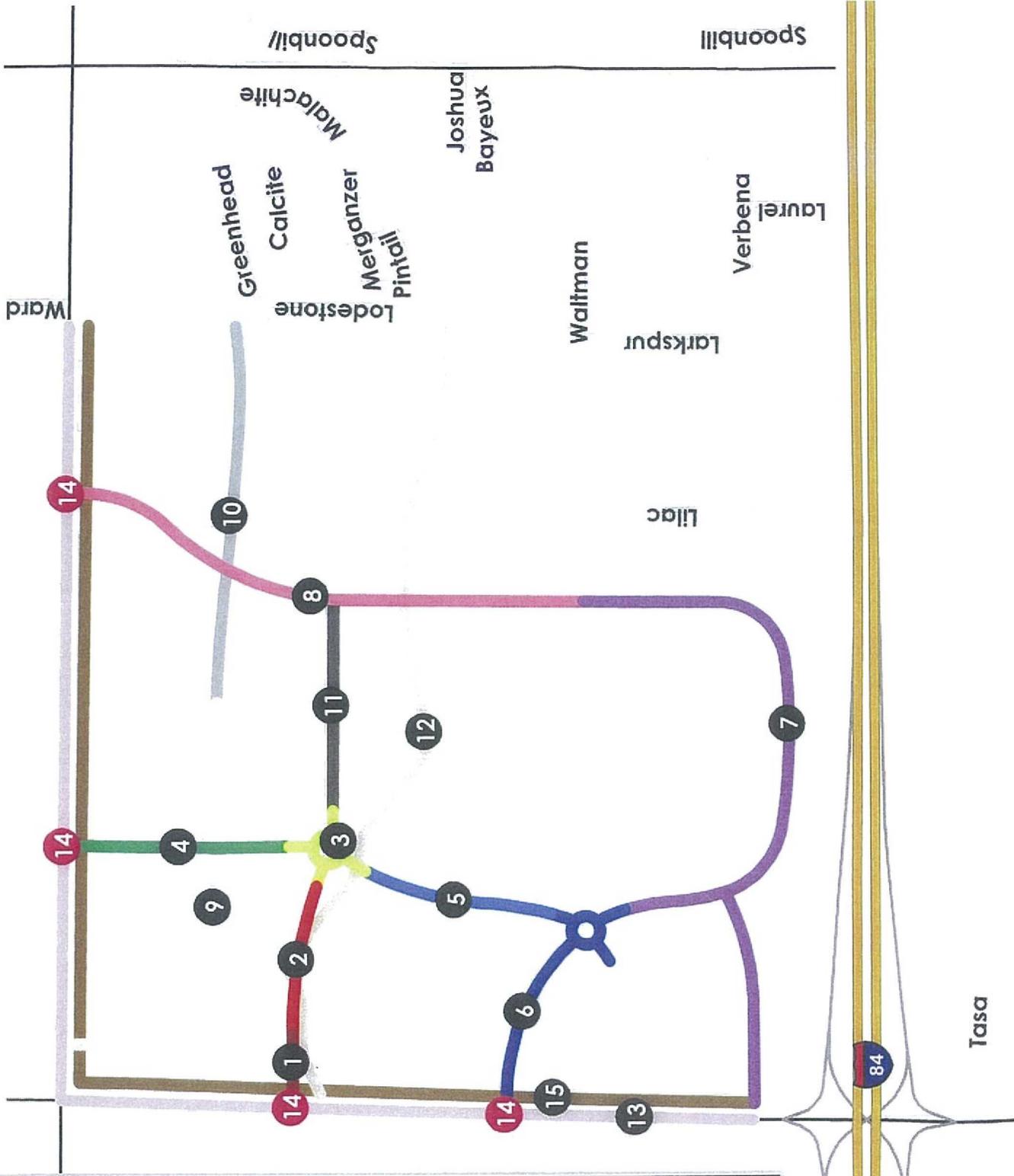
Expected value of projected taxable investment provided by developers reduced by 25%. Higher values will accelerate Revenue Allocation collection and shorten life of District. 100% of infrastructure cost assumed incurred in 2016 but will likely occur over 15-year period thereby reducing obligation.

Legend

Parcels

Segments

- Segment #1
- Segment #2
- Segment #3
- Segment #4
- Segment #5
- Segment #6
- Segment #7
- Segment #8
- Segment #9
- Segment #10
- Segment #11
- Segment #12
- Segment #13
- Segment #14
- Segment #15



MDC APPROVED

(4/27/2016 MDC Resolution 16-018 and 5/10/2016 MDC Resolution 16-019)

**URBAN RENEWAL PLAN FOR THE
TEN MILE ROAD –A URBAN RENEWAL PROJECT**

**THE URBAN RENEWAL AGENCY FOR THE CITY OF MERIDIAN
A/K/A THE MERIDIAN DEVELOPMENT CORPORATION CITY OF
MERIDIAN, IDAHO**

Ordinance No. _____

Adopted _____

Effective _____

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Attachments

- Attachment 1 Map of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2 Description of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 3 Private Properties Which May be Acquired by the Agency (Limited to Public Improvements and Facilities)
- Attachment 4 Map Depicting Expected Land Use and Current Zoning Map of the Project Area
- Attachment 5.1 Public Improvements within the Revenue Allocation Area
- Attachment 5.2 Economic Feasibility Study
- Attachment 5.3 Estimated Net Taxable Value of Growth and New Private Development and Annual Revenue Allocation in the Ten Road -A Urban Renewal Project
- Attachment 5.4 Estimated Annual Revenues and Costs in the Ten Mile Road – A Urban Renewal Project
- Attachment 6 Ten Mile Urban Renewal District Eligibility Report – September 2015
- Attachment 7 Agricultural Consent

**URBAN RENEWAL PLAN FOR THE
TEN MILE ROAD-A URBAN RENEWAL PROJECT
THE URBAN RENEWAL AGENCY FOR THE CITY OF MERIDIAN A/K/A THE
MERIDIAN DEVELOPMENT CORPORATION
CITY OF MERIDIAN, IDAHO**

100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Ten Mile Road –A Urban Renewal Project (the “Project”) in the city of Meridian (the “City”), state of Idaho, and consists of the text contained herein and the following attachments:

Map of the Urban Renewal Project Area and Revenue Allocation Area Map (Attachment 1),

The Description of the Urban Renewal Project Area Boundaries and Revenue Allocation Area (Attachment 2),

Private Properties Which May be Acquired by Agency (Limited to Public Improvements and Facilities) (Attachment 3),

Map Depicting Expected Land Uses and Current Zoning within Project Area (Attachment 4),

Public Improvements within the Revenue Allocation Area (Attachment 5.1),

Economic Feasibility Study (Attachment 5.2),

Net Estimated Taxable Value of Growth and New Private Development and Annual Revenue Allocation in the Ten Mile Road – A Urban Renewal Project (Attachment 5.3),

Estimated Annual Revenues and Costs in the Ten Mile Road - A Urban Renewal Project (Attachment 5.4),

Agricultural Consent (Attachment 6).

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code Sections 50-2018(10) and 50-2903(13) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the urban renewal area. The term “Project” is not meant to refer to a specific

activity or development scheme. The Ten Mile Road – A Project Area is also referred to as the Project Area.

This Plan was prepared by the Board of Commissioners, consultants, and staff of the Urban Renewal Agency for the City of Meridian, also known as the Meridian Development Corporation (the “Agency”) and reviewed and recommended by the 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 local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to The City of Meridian 2013 Comprehensive Plan, as amended (the “Comprehensive Plan”), and adopted by the City Council (the “City Council”). The Project Area is part of the Ten Mile Interchange Specific Area Plan within the Comprehensive Plan. The application of the Comprehensive Plan is contained in the eligibility report included as Attachment 6. Development activities within the Project Area are to conform with the Comprehensive Plan.

The Agency may create several planning and implementation documents that generally describe the overall Project and identify certain specific public and private capital improvement projects. Because of the changing nature of the Project, these documents, by necessity, must be dynamic and flexible. The Agency anticipates that these documents will be refined as circumstances warrant. Any refinement, however, shall not be deemed as an amendment or modification of this Plan. No refinement will be deemed effective if it is in conflict with this Plan. The planning and implementation documents are purposely flexible and do not constitute specific portions of the Plan. Provided, however, prior to the adoption of any planning or implementation document or proposed refinement to any planning or implementation document, the Agency shall notify the City and publish a public notice of such proposed refinement at least thirty (30) days prior to the consideration of such proposed refinement, thus providing the City and any other interested person or entity an opportunity to comment on said proposed refinement. The Board of Commissioners of the Agency (the “Board”) shall consider any such comments and determine whether to adopt the refinement. The planning and implementation documents apply to redevelopment activity within the Project Area as described herein. In the event of any conflict between this Plan and the appended documents, the provisions of this Plan shall control. The Agency intends to rely heavily on any applicable City design standards which may cover all or part of the Project Area.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. Because of the long-term nature of this Plan, and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the

community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific sub-plans will be presented, specific sub-projects will be established, and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop, and proceed with such specific sub-plans, sub-projects, and solutions. Sub-plans and sub-projects and narrower more defined plans and projects within the Plan and Project.

Implementation of this Plan will require public co-investment to help stimulate desired private development. Typically, the public will fund enhanced public improvements such as utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment for residential, industrial, office, and commercial facilities.

The particular projects or redevelopment projects by private entities described herein are not intended to be an exclusive or exhaustive list of potential redevelopment activity. Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful redevelopment of the Project Area.

The purpose of the Urban Renewal Law will be attained through and the major goals of this Plan are:

- a. The elimination of environmental deficiencies in the Project Area, including, among others, inadequate public improvements including certain streets and improvements; improvements to public utilities including water and sewer improvements and fire protection systems; streetlights; other public improvements (including public buildings and facilities); removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; improvement of storm drainage facilities; and environmental remediation of Brownfield sites;
- b. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area;
- c. The re-planning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions;
- d. The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new private development providing, employment, and economic growth;
- e. The provision of adequate land for parks, open space, street rights-of-way and pedestrian/bicycle facility rights-of-way;

- f. The reconstruction and improvement of street corridors to allow traffic flows to move through and around the Project Area along with the accompanying utility connections, through the Project Area;
- g. The provision of public service utilities such as water system improvements, sewer system improvements and improvements to storm drainage facilities (as part of larger City systems, much of which may be located outside the Project Area);
- h. 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;
- i. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Revenue Allocation Area and the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located; and
- j. The funding of necessary public infrastructure to accommodate both public and private development.

101 General Procedures of the Agency

The Agency is an established public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law, the Public Records Act, the Ethics in Government Act, financial reporting requirements, and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code.

Generally, the Agency conducts its business in open session and allows meaningful public input as needed by the issue considered or by any statutory or regulatory provision. Whenever in this Plan it is stated that the Agency may refine, modify, change, or adopt certain policy statements or contents of this Plan not requiring a formal amendment to the Plan as required by the Law or the Act, it shall be deemed to mean a consideration by the Board of such policy or procedure, duly noticed upon the Agency meeting agenda and considered by the Agency at an open public meeting and adopted by a majority of the Board members present, constituting a quorum, unless any bylaw, provision of law, or provision herein provides otherwise.

102 Provisions Necessary to Meet State and Local Requirements

102.1 Conformance with the Idaho Urban Renewal Law of 1965, as Amended

- a. The laws of the state of Idaho require that an urban renewal plan be prepared for an area certified as an urban renewal area by the City Council. The Project Area was originally certified by the City Council by Resolution No. 16-1119 on February 9, 2016.
- b. With the adoption of Resolution No. 16-1119, the City Council found the Project Area a deteriorated and deteriorating area existing in the City as defined by the Law and Act, and authorized the preparation of an urban renewal plan.
- c. In accordance with the Law and Act, the necessary agricultural consents were obtained from owners of any agricultural operations within the Project Area that have been used as an agricultural operation for three consecutive years. A copy of the agricultural consent is attached hereto as Attachment 6
- d. In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission reported to the City Council stating that this Plan is in conformity with the Comprehensive Plan of the City of Meridian.
- e. Pursuant to the Law, and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted this Plan on _____, 2016, by Ordinance No. _____.

103 History and Current Conditions of the Area

This Project Area is located north of Interstate 84, east of Ten Mile Road and south of Franklin Road. The area is part of a larger planning area designated as the Ten Mile Interchange Specific Area Plan adopted by the Meridian City Council in June of 2007. The area consists of approximately 301 acres, included in 16 tax parcels under three separate ownerships. The Plan calls for inclusion of adjacent public rights-of-way not included in the totals above. While the Ten Mile Interchange Specific Area Plan calls for intense residential and commercial development consistent with proximity to major transportation access, the implementation of that Plan has not materialized due to the high cost of infrastructure development and the lack of public and private funding mechanisms to support the cost burden. Therefore, the implementation of the Plan and thus the normal growth of the city has been impeded.

The Project Area remains in agricultural use with no urban level infrastructure existing within the area except for the area improvements made within the adjacent arterial rights-of-way (Ten Mile and Franklin Roads). Thus the current development pattern remains inconsistent with the established vision for the area as expressed in both the Ten Mile Interchange Specific Area Plan and the City of Meridian Comprehensive Plan, of which it is a part. Implementation activities as provided for in this Plan will allow for development consistent with the adopted plans.

What development does exist within the Project Area relates to the historic agricultural uses, and while perhaps appropriate for the continuation of that use, is functionally obsolete when considered in the context of the adopted plans of the City of Meridian.

Part of the original Study Area considered for this Project Area was located within unincorporated Ada County. Including such properties is permissible under State Law with an intergovernmental agreement between the City and the County. However, most of the properties included with the Study Area were annexed into the city limits resulting in the final boundaries of the Project Area fully under the jurisdiction of the City of Meridian obviating any need for an intergovernmental agreement.

The Plan primarily includes improvements to public infrastructure, creating the framework for the development of residential and commercial property and the provision of public parks, open spaces and/or other public recreation areas. The Plan also includes remediation of environmental conditions that may exist in the Project Area. Most of the Project Area is underdeveloped or vacant and is not being used to its highest and best use due to deteriorating structures, the age and obsolescence of infrastructure, the predominance of defective or inadequate street layout, outmoded street patterns, need for modern traffic requirements, insanitary and unsafe conditions, faulty lot layout and inadequate utility infrastructure needed for a larger development. The foregoing conditions have arrested or impaired growth in the Project Area.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the community additional resources to solve the public infrastructure problems in this area. Revenue allocation financing will help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, the new developments will also generate new jobs in the community that will, in turn, benefit the Project Area, city and county residents.

Additional history of the Project Area is contained in the Eligibility Report which is included as Attachment 6.

104 Purpose of Activities

The description of activities, public improvements, and the estimated costs of those items are intended to define the limit of the Agency's activity. The Agency reserves the right to change amounts from one category to another. The aforementioned costs are estimated and may

fluctuate based on market conditions and the passage of time. The Agency does not anticipate that the overall total amount estimated will substantially exceeded but projections are based on current information and conditions. The items and amounts are not intended to relate to any one particular development, developer, or owner. Rather, the Agency intends to discuss and negotiate with any owner or developer who seeks Agency assistance. During such negotiation, the Agency will determine, on an individual basis, the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish by way of policy, its funding percentage or participation, which would apply to all developers and owners.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. In some respects, the activities listed in Attachments 5.1-5.4 are concepts which will be determined or prioritized as the overall Project Area develops.

The Agency reserves the right to prioritize the projects described in this Plan. The Agency also reserves the right to retain its flexibility in funding the various activities. The Agency also reserves its discretion and flexibility in deciding which improvements should be funded and what level, whether using its own funds or funds generated by other sources. One of the purposes of this Plan is to facilitate the creation of family wage jobs as defined by the State of Idaho.

The activities listed in Attachments 5.1-5.4 are also prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long-term goals, and commitments. As required by the Law and Act, the Agency will adopt more specific budgets annually.

105 Open Land Criteria

Such open land areas may be acquired by the Agency and developed if such acquisition is needed to solve various problems, associated with the land or the public infrastructure, that have retarded its development. These problems may include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the Section 50-2903(8)(b) definition of deteriorated area. The problems that are listed only in Section 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "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."

Such areas qualify if any of the standard 50-2018(8), (9) and 50-2903(8) characteristics apply. But such areas also qualify if any of the problems listed only in 50-2008(d)(4)(2) apply. Clearly, lack of water and sewer facilities, a deficient street system and lack of fire protection facilities are all conditions which retard development of the open land areas.

200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Project Area and Revenue Allocation Boundary Map, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Description of the Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way located within the corporate limits of the City of Meridian or other natural boundary unless otherwise stated.

300 PROPOSED REDEVELOPMENT ACTIONS

301 General

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by any of the following means:

- a. The acquisition of certain real property (if needed);
- b. The demolition or removal of certain buildings and improvements for public rights-of-way for streets, utilities, walkways, and other improvements, for public facility building sites, to eliminate unhealthful, unsanitary, or unsafe conditions, enhance density, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- c. The provision for participation by property owners within the Project Area to achieve the objectives of this Plan;
- d. The management of any property acquired by and under the ownership and control of the Agency;
- e. The provision for relocation assistance to displaced Project Area occupants, as needed and required by law;
- f. The installation, construction, or reconstruction of streets, utilities, including electrical distribution and transmission lines in underground configuration, if needed to encourage new developments, fiber optic or other communication systems, parking facilities, and other public improvements, including, but not limited to, irrigation and drainage laterals and ditches, canal crossings, storm

drain systems, water and sewer improvements, fire protection systems, traffic signals, streetlights, sidewalks, curbs, gutters, and other public improvements, including public or other community facilities or buildings owned or occupied by the Agency or other public agencies, including the City's walkways, public open spaces, community centers, cultural centers and visitors or information centers as may be deemed appropriate by the Board;

- g. The disposition of property for uses in accordance with this Plan;
- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- i. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- j. The preparation and assembly of adequate sites for the development and construction of facilities for industrial, commercial, retail, residential and governmental use;
- k. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment; and
- l. The construction of foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights, sites for buildings to be used for residential, commercial, industrial, and other uses contemplated by the Plan, and to provide utilities to the development site.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

302 Urban Renewal Plan Objectives

Urban renewal action is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions.

The Project Area and revenue allocation area consist of approximately 301.45 acres of property. The Project Area boundaries are specifically identified on Attachments 1 and 2. As set forth in greater detail in Section 103, the Project Area has a history of a slow-growing tax base primarily attributed to undeveloped or underdeveloped properties, a number of deteriorating and/or deteriorated structures, deteriorated and vacant lots, faulty lot layout, lack of adequate public infrastructure, potential environmental issues and other deteriorating factors.

Site preparation, remediation of any environmental issues, enhancement of open areas and public recreation facilities, enhancement of infrastructure, including sidewalk, curb, gutter,

improvements to water and sewer facilities, as well as, remediating any drainage issues will enhance the overall development of the Project Area.

Hence, the Plan for the Project Area is a proposal for street and utility improvements to provide an improved environment for new retail, residential and commercial facilities, public improvements or facilities, including but not limited to construction of public facilities or buildings, the elimination of unsafe conditions, and to otherwise prevent the extension of deterioration and reverse the deteriorating action of the area.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

Less than fee acquisition may be utilized by the Agency when and if necessary to promote redevelopment in accordance with the objectives of the Plan.

Temporary project improvements may be provided to facilitate adequate vehicular and pedestrian circulation.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new development, the Agency plans a key role in creating the necessary momentum.
- b. Develop new residential and commercial opportunities encouraging economic development.

Without direct public intervention, much of the Project Area could conceivably remain unchanged for the next several years. It is anticipated that success will come through public-private partnerships as appropriate to accomplish Plan goals. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development.

Land use in the Project Area will be modified to the extent that obsolete buildings and land now devoted to inconsistent uses will be converted to professional offices, residential housing, commercial structures, public and private parking, and/or public/semi-public uses. In

implementing the activities described in this Plan, the Agency shall 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 residents in the general vicinity of the site covered by the Plan.

303 Participation Opportunities and Agreement

303.1 Participation Agreements

The Agency may enter into an owner participation agreement with any existing or future owner of property, in the event the property owner seeks and/or receives assistance from the Agency in the redevelopment of the property. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure subject to such an agreement from future Agency acquisition.

Each structure, infrastructure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the rehabilitated or new structure or infrastructure meets the following standards through an executed owner participation agreement to meet conditions described below.

- a. Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated in conformity with all applicable codes and ordinances of the City.
- c. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan.
- d. Any new construction shall also conform to all applicable codes and ordinances of the City of Meridian as well as other applicable local, state and federal laws and regulations.

All such agreements will address phasing issues (as needed), justification and eligibility of project costs, and achievement of the objectives of the Plan. Agency shall retain its discretion in the funding level of its participation.

In such participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area as those owning said property seek any form of assistance, cooperation or support from the Agency.

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging established businesses to revitalize any deteriorating areas of their parcels to accelerate the enhancement of the street environment in the Plan area.
- b. Subject to the limitations of the Law and the Act, providing incentives to existing business owners to encourage continued utilization and expansion of existing permitted uses to prevent properties from falling into disuse, a proliferation of vacant and deteriorated parcels and a reduction in area employment.
- c. Recognizing the right of existing nonconforming uses to continue in accordance with applicable law and to accommodate improvements and expansions as allowed by applicable law.
- d. Subject to the limitations of the Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses over the next twenty (20) years.
- e. Provide reimbursement for previously constructed public infrastructure improvements if the Agency determines that said improvements were completed recently enough to be sufficiently connected to the purposes, goals and objectives of the Plan and otherwise meet the criteria and requirements of the Plan.

303.2 Public Agency Fees

For any development covered by an owner participation agreement or disposition and development agreement, the Agency shall have the authority, but not the obligation, to consider the payment of all or part of any public agency fee assessed on the development from revenue allocation proceeds to the extent allowed by law.

304 Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that development or redevelopment of property within the Project Area owned by public bodies will conform to the requirements of this Plan. Subject to applicable law, the Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area.

The Agency specifically intends to cooperate to the extent allowable with the City of Meridian and the Ada County Highway District (ACHD) (as the case may be) for the construction of street and utility improvements. The Agency shall also cooperate with the City of Meridian and ACHD on various relocation, screening, or underground projects, the providing of fiber optic capability, and the funding of water and sewer improvements. To the extent any public entity, including the City of Meridian, has funded certain improvements such as water and sewer facilities, the Agency may, at the discretion of the Agency Board, reimburse those entities for those expenses should funding be available. The Agency shall also cooperate with any public entity having jurisdiction over rights-of-way for the improvement of roads within the Project Area and with the public bodies responsible for water and sewer improvements. The Agency also intends to cooperate and seek available assistance from state and federal sources for economic development.

In the event the Agency is participating in public development, by way of financial incentive or otherwise, the public body receiving assistance from the Agency shall enter into a participation agreement with the Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

305 Property Acquisition

305.1 Real Property

Generally, the Agency intends to acquire any real property or interests in real property through voluntary measures; however, the Agency is not required to acquire any real property located in the Project Area. Any acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the Idaho Eminent Domain laws set forth in Title 7, Chapter 7, Idaho Code. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property without acquiring the land upon which those structures and fixtures are located.

The Agency may, in considerations of the obligations of the developer or owner in any development agreement, waive its rights to acquire the real property covered by the development agreement, if the developer or owner fully performed under the development agreement.

Idaho Code Section 7-701A specifically limits the Agency's ability to exercise eminent domain to involuntarily acquire real property in the Project Area for purposes of conveying property for non-public uses:

7-701A. Limitation on eminent domain for private parties, urban renewal or economic development purposes.

(1) This section limits and restricts the use of eminent domain under the laws of this state or local ordinance by the state of Idaho, its instrumentalities, political subdivisions, public agencies, or bodies corporate and politic of the state to condemn any interest in property in order to convey the condemned interest to a private interest or person as provided herein.

(2) Eminent domain shall not be used to acquire private property:

(a) For any alleged public use which is merely a pretext for the transfer of the condemned property or any interest in that property to a private party; or

(b) For the purpose of promoting or effectuating economic development; provided however, that nothing herein shall affect the exercise of eminent domain:

(i) Pursuant to chapter 15, title 70, Idaho Code, and title 42, Idaho Code; or

(ii) Pursuant to chapters 19, 20 or 29, title 50, Idaho Code, except that no private property shall be taken through exercise of eminent domain within the area of operation of a housing authority or within an urban renewal area or within a deteriorated or deteriorating area or within a competitively disadvantaged border community area unless the specific property to be condemned is proven by clear and convincing evidence to be in such condition that it meets all of the requirements:

1. The property, due to general dilapidation, compromised structural integrity, or failed mechanical systems, endangers life or endangers property by fire or by other perils that pose an actual identifiable threat to building occupants; and

2. The property contains specifically identifiable conditions that pose an actual risk to human health, transmission of disease, juvenile delinquency or criminal content; and
 3. The property presents an actual risk of harm to the public health, safety, morals or general welfare; or
- (iii) For those public and private uses for which eminent domain is expressly provided in the constitution of the state of Idaho.
- (3) This section shall not affect the authority of a governmental entity to condemn a leasehold estate on property owned by the governmental entity.
 - (4) The rationale for condemnation by the governmental entity proposing to condemn property shall be freely reviewable in the course of judicial proceedings involving exercise of the power of eminent domain.

It is in the public interest and is necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be retained by the Agency to acquire real property in the Project Area, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method, for a public purpose or for private redevelopment within the limits described above. However, the Agency's authority to invoke eminent domain to acquire real property for disposition to private parties for economic development is limited by Idaho Code § 7-701A.

Under the provisions of the Act, the urban renewal plan "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." Idaho Code § 50-2018(12). At the present time the Agency has not identified any particular parcel for acquisition for the construction of public improvements or for private redevelopment. These activities are generally described in Attachment 3. Properties which may be subject to acquisition are those parcels which may be vacant or abandoned, parcels which are currently limited in use such as small parcels that could be assembled for redevelopment and those which are significantly deteriorated, parcels which may be adjacent to right-of-way to improve configuration and enlarge parcels for redevelopment, adapt and possibly enlarge an existing building for a new use, reconfigure sites for development and possible extension street or pathway. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the Plan strategy.

Generally, the Agency reserves the right to determine which properties, if any, should be acquired. The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of any public improvements identified in this Plan, for the assembly of properties for the purpose of redevelopment of those properties to achieve the objectives of this Plan, and/or for purposes of redevelopment and reuse as identified in the Plan. Such properties may include properties

owned by private parties or public entities. The Agency shall coordinate any voluntary property acquisition with any other public entity, as may be necessary.

305.2 Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain. For purposes of this Plan, acquisition of certain permanent fixtures or improvements upon real property shall be governed by this section. The Agency retains the right to purchase those fixtures or improvements (including buildings) for the purpose of eliminating certain deteriorated or deteriorated structures to facilitate the redevelopment the real property upon which the buildings and structures are located. Such acquisition shall be based upon appraised value of the structures and negotiation with the owner of the structures. The Agency shall take into account, before committing to such acquisition, any environmental or other liability present or potentially present in such structures. In the event, the Agency determines to acquire such property; it shall do so upon the successful negotiation of an owner participation agreement in compliance with the terms of Section 303.1 of this Plan. In addition, such owner shall commit to the redevelopment of the real property and to maintain the real property in a safe and clean manner. The Agency shall acquire such property by way of any acceptable conveyance.

306 Property Management

During such time such property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Subject to applicable law, such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may also undertake relocation activities for those not entitled to benefit under federal law, as the Agency may deem appropriate for which funds are available. The Agency's activities should not result in the displacement of families within the area. In the event the Agency's activities result in displacement, the Agency shall compensate such residents by providing reasonable moving expenses into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families. The Agency will not participate in any private redevelopment activity which will result in displacement of families unless a method exists for the relocation of displaced families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families. For any other activity, the Agency will comply with the provisions of the Law regarding relocation.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

For displacement of families, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits. If such a program is considered, it shall be adopted by resolution of the Agency Board.

308 Demolition, Clearance, and Building and Site Preparation

308.1 Demolition and Clearance

The Agency is authorized (but not required) to lawfully demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

308.2 Preparation of Building Sites

The Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites, any real property in the Project Area owned by the Agency, including rock removal and site preparation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, storm drainage facilities, and other public improvements necessary to carry out this Plan. The Agency is also authorized (but not required) to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for industrial, commercial, private, public, and other uses provided in this Plan. To the extent allowed by the Law and Act, the Agency may assist in the preparation of building sites by way of reclamation, remediation, or elimination of deteriorated conditions. The Agency is also authorized (but not required) to purchase certain site or building improvements for purpose of site preparation and development.

309 Property Disposition and Development

309.1 Real Property Disposition and Development

309.1.1 General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in the Law. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time, if any, which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

The Agency shall 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 residents residing in the general vicinity of the site covered by the Plan.

309.1.2 Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Ada County.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

The land and/or air rights and subterranean rights acquired by the Agency will be disposed of subject to an agreement between the Agency and the developers. The developers (including owner/participants) will be required by the contractual agreement to observe the Land Use and Building Requirements provision of this Plan and to submit a redevelopment schedule satisfactory to the Agency. Schedule revisions will be made only at the option of the Agency.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the agreement.

That the developers, their successors, and assigns agree:

- a. That a plan and time schedule for the proposed development shall be submitted to the Agency.
- b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).
- d. That there will be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of the premises or any improvements erected or to be erected thereon, therein conveyed; nor will the Developer himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, sublessees, or vendees in the premises or any improvements erected, or to be erected thereon, therein conveyed. The above provision will be perpetual and will be appended to the land disposed of within the Project Area by the Agency.
- e. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan.

- f. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- g. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- h. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- i. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- j. All disposition and development documents shall be governed by the provisions of Section 408 and 412 of this Plan.

The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan

309.1.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any publicly-owned building, facility, structure, or other improvement within the Project Area for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and other improvements identified in Attachments 5.1-5.4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

The Agency may also prepare properties for development by renovation or other means as allowed by law. The Agency may also, as allowed by law, assist in the development of private projects.

In addition to the public improvements authorized under Idaho Code Section 50-2007, 50-2018, and 50-2903(9), (13), and (14), the Agency is authorized to install and construct, or to cause to be installed and constructed, within the Project Area for itself or for any public body or entity, public improvements and public facilities, including, but not limited to, the following: (1) utilities; (2) telecommunications (including fiber-optic) facilities; (3) parks, plazas, open space, recreational facilities and pedestrian paths; (4) landscaped areas; (5) street improvements; (6) sanitary sewers; (7) flood control facilities and storm drains; (8) water mains; (9) canal crossings; (10) fire prevention; (11) community facilities; (12) remediation of environmental conditions; and (13) other public infrastructure or improvements, including but not limited to construction of public buildings and facilities as authorized by law.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City, County or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Act and Section 504 to this Plan or out of any other available funds.

309.1.4 Development Plans

All development plans (whether public or private) prepared pursuant or related to assistance or support received from the Agency or owner participation agreements, shall be submitted to the Agency for approval and architectural review. All such development in the Project Area must conform to those standards specified in Sections 408 and 412, *infra*.

310 Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

311 Rehabilitation and Conservation

The Agency is authorized to rehabilitate, renovate, and conserve, or to cause to be rehabilitated, renovated, and conserved, any building or structure in the Project Area owned by the Agency for preparation of redevelopment and disposition. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency.

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any substandard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

312 Participation with Private Development or Public Development

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program (“CDBG”), the Economic Development Administration, the Small Business

Administration, or other federal agencies. In order to enhance such grants, the Agency's use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision 2(b) of Section 50-2908 of the Local Economic Development Act and Section 504 to this Plan or out of any other available funds.

313 Conforming Owners

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

314 Arts Funding

The Agency encourages public art and performing arts through joint ventures with private developers and in cooperation with the City. Whenever possible, any Agency arts funding will be used to leverage additional contributions from developers, other private sources, and public or quasi-public entities.

400 USES PERMITTED IN THE PROJECT AREA

401 Redevelopment Plan Map and Development Strategy

The Urban Renewal Project Area Map, the Revenue Allocation Map, and the Description of the Urban Renewal Project Area Boundaries, are attached hereto as Attachments 1 and 2, and are incorporated by reference. The proposed land uses and permitted land uses in the Project Area for all land, public and private, are described in Attachment 4.

402 Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of the City of Meridian, as depicted on Attachment 4 and as set forth in the City Comprehensive Plan, including the future land use map and zoning classifications. For the most part, the Project Area is proposed as residential, retail, office, and commercial development. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

403 [Reserved]

404 Public Rights-of-Way

The major public streets currently within the Project Area are portions of Ten Mile Road, and Franklin Road, and any others not listed, but within the boundaries of the Project Area as more specifically set forth in Attachment 1.

Additional improvements to existing streets and easements may be created, improved, or extended in the Project Area as needed for development. Existing streets, easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project Area, in conjunction with any applicable policies and standards of the City regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any changes in the existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the City's and ACHD's design standards; shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

405 Other Public, Semi-Public, Institutional, and Nonprofit Uses

The Agency is also authorized to support, subject to applicable law, the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and recreational facilities; educational, fraternal, employee; philanthropic and charitable institutions; utilities; governmental facilities; equipment; and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions on those seeking its assistance or support as the Agency determines may be necessary to protect the development and use of the Project Area.

406 Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code.

407 General Controls and Limitations

All real property in the Project Area, under the provisions of either a disposition and development agreement or owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

407.1 Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

407.2 Rehabilitation and Retention of Properties

Any existing structure within the Project Area, subject to either a disposition and development agreement or owner participation agreement, approved by the Agency for retention and rehabilitation, shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

407.3 Limitation on Type, Size, and Height of Buildings

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances, and regulations.

407.4 Open Spaces, Landscaping, Light, Air, and Privacy

The issues of open space, landscaping, light, air, and privacy shall be governed by applicable federal, state, and local laws and ordinances.

407.5 Signs

All signs shall conform to City of Meridian sign ordinances as they now exist or are hereafter amended.

407.6 Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

407.7 Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors which would be incompatible with the surrounding areas or structures shall receive any support or assistance from the Agency in any part of the Project Area.

407.8 Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, marital status, disability/handicap, national origin, or ancestry permitted in the sale, lease sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

407.9 Subdivision of Parcels

Any parcel in the Project Area shall be subdivided only in compliance with the City of Meridian subdivision ordinance.

407.10 Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this Plan.

No variation shall be granted which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency may impose such conditions as it deems necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

408 Design for Development

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any individual or entity seeking the Agency's assistance, support or cooperation must comply with Agency standards and must also comply with the City's zoning ordinance regarding heights, setbacks, and other like standards.

In the case of property which is the subject of a disposition and development or participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under those agreements the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc, case-by-case basis through the approval process of the owner participation agreement or disposition and development agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. Those controls and standards

will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinance.

409 Off-Street Loading

Any development and improvements shall provide for off-street loading as required by the City ordinances as they now exist or are hereafter amended.

410 Off-Street Parking

All new construction in the area shall provide off-street parking as required by the City ordinances as they now exist or are hereafter amended. The off-street parking requirement may be met by a public parking facility, including a parking garage and/or parking lot within proximity to the new construction.

411 Nonconforming Uses

As part of the Agency's development, redevelopment and rehabilitation efforts, the Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. If the owner of such a property is retaining said property, then they must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may assist with or support additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding compliant uses and development.

All nonconforming uses shall also comply with applicable law.

412 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Under an owner participation agreement or a development and disposition agreement the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under Section 407.10 of this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls will be implemented through the provisions of any development and disposition agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

500 METHODS OF FINANCING THE PROJECT

501 General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, state of Idaho, federal government, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project.

502 Revenue Bond Funds

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

503 Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the state of Idaho CDBG funds, or any other public or private source will be utilized if available. The Agency may consider funding sources through Local Improvement Districts as authorized by state law. Neither the members of the Agency nor any persons executing such loans or grants shall be liable on the loans or grants by reason of their issuance.

The Agency also intends to seek appropriate private contributions, where applicable, to assist in the funding of the activities described herein.

504 Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2016. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions or agreements, as applicable, adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code Section 50-2903(14)) of one or more urban renewal projects.

Upon enactment of an ordinance by the governing body of the City of Meridian finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code Section 50-2908. The Agency shall use such funds solely in accordance with Idaho Code Section 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code Section 50-2905 is included in Attachments 5.1-5.4 to this Plan. This statement necessarily incorporates estimates and projections based on the Agency's present knowledge and expectations. The Agency is hereby authorized to refine the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs if the Board deems such refinement necessary or convenient to effectuate the general objectives of the Plan.

The Agency may also appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of bonds. The Agency has also provided for obtaining advances or loans from the City or Agency, or from the Agency's other revenue allocation area, or pursuant to the terms of an owner participation agreement, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Revenues will continue to be allocated to the Agency until the improvements identified in Attachments 5.1-5.4 are completely constructed or until any obligation to the City or

any other public entity, other revenue allocation area, or private entity are fulfilled. Attachments 5.1-5.4 incorporate estimates and projections based on the Agency's present knowledge and expectations concerning the length of time to complete the improvements. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds.

The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The Agency reserves the right to either pay for Project Costs from available revenue (pay as you go basis) or borrow funds by incurring debt through notes or other obligations.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

504.1 Economic Feasibility Study

Attachment 5.2 constitutes the Economic Feasibility Study ("Study") as supported by Attachments 5.1, 5.3 and 5.4, for the urban renewal area prepared by Phil Kushlan, Kushlan and Associates. The Study constitutes the financial analysis required by the Act and is based upon existing information from the Agency, City and developers. Projections are based upon input from the Agency, property owners, developers, and others.

504.2 Assumptions and Conditions/Economic Feasibility Statement

The information contained in Attachments 5.1-5.4 assumes certain completed and projected actions. Under the provisions of the Act, the revenue allocation shall continue until the debt or other obligations or other project activity is completed or satisfied. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of bonded indebtedness (and all other loans or indebtedness) and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or other legal obligations. Should private

development take longer to materialize or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and attachments incorporate estimates and projections based on the Agency's present knowledge and expectations. The Agency may refine the project if the Board deems such refinements necessary to effectuate the Plan. The Plan proposes certain public improvements, including utility and street improvements, which will facilitate development in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency through public sources or discussions with property owners, developers, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay as you go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The assumptions concerning revenue allocation proceeds are based upon certain assessed value increases and assumed tax levy rates.

House Bill 1 adopted by the 58th Idaho Legislature convening in Special Session in August 2006 (codified at Idaho Code Section 33-802) repealed the operation and maintenance property tax levy imposed by school districts. House Bill 1 also repealed Idaho Code Section 50-2908(2)(a)(iii) which required certain revenue allocation funds to be disbursed to school districts. The financial analysis set forth in Attachments 5.1-5.4 has taken into account the provisions of Idaho Code § 33-802.

House Bill 315 adopted by the 62nd Idaho Legislature amends Idaho Code Section 63-602KK, and provides for personal property tax exemption to businesses. Application of the exemption may have the effect of reducing the increment value and the base value. The Agency, for this Project Area, will not receive any backfill funds from the State to replace revenue lost by the imposition of the personal property tax exemption. The feasibility study has taken HB315 into account.

504.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed valuation for the entire City. According to the Ada County Assessor, the base assessment roll for the Project Area as of January 1, 2015, is \$39,539,125. The total assessed value for the City as of January 1, 2015, is \$6,848,682,967. Therefore, the 10% limit is \$684,868,297. The estimated adjusted base value for the existing

Downtown Meridian URD, is \$146,334,050; The base values for the combined revenue allocation areas total \$185,873,125, which is 2.714% of the City's 2015 value, which is significantly below the 10% maximum.

504.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular financing source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limiting authority. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes and bonds, annual revenue allocations, developer contributions, city contributions, and other funds are shown. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred. See Idaho Code § 50-2905. Based on these funding sources, the conclusion is that the project is feasible.

The information contained in the Study assumes certain projected actions. First, the Agency has projected an advance from the City and owner participation agreements. Under the provisions of the Act, the revenue allocation may continue until the end of the Plan term. Second, the total amount of indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. Should the development take place as projected, indebtedness would be extinguished earlier, dependent upon the note documents and legal obligations therein. Should private development take longer to materialize or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and bonds or other legal obligations may continue for their full term.

The proposed timing for the public improvements may very well have to be refined depending upon the availability of some of the funds and the Agency's ability to sell an initial issue of notes or bonds, or the ability to execute an owner participation agreement.

Attachments 5.1-5.4 list those public improvements the Agency intends to be constructed through the term of the Plan. The costs of improvements are estimates only. Final costs will be

determined by way of construction contract, public bidding or by an agreement between the developer/owner and Agency.

The listing of public improvements does not commit the Agency to any particular improvement, any particular cost, or any particular order of construction. The Agency reserves its discretion and flexibility in deciding which improvements are more critical for redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners.

Generally, the Agency expects to develop those improvements identified in Attachments 5.1-5.4 first, in conjunction with private development within the Project Area generating the increment as identified in Attachments 5.1-5.4.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

504.5 [Reserved]

504.6 Participation with Local Improvement Districts

Under the Idaho Local Improvement District Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project.

504.7 Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenues identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

504.8 Impact on Other Taxing Districts and Levy Rate

A specific delineation of tax dollars generated by revenue allocation upon each taxing district has not been prepared. The overall impact of the revenue allocation project is shown in the Study. Pursuant to Idaho Code, Section 63-802, taxing entities are constrained in establishing levy rates by a function of the amount each budget of each taxing district can increase on an annual basis. The amounts set forth in the Study would constitute the amounts distributed to other taxing entities from the Revenue Allocation Area if there were no urban renewal project. Each individual district's share of that amount would be determined by its particular levy rate as compared to the other districts in any given year. Therefore, the impact of

revenue allocation is more of a product of the imposition of Section 63-802. In addition, without the revenue allocation district and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected in the next five to ten years, hence there would be lower increases in assessed valuation to be used by the taxing entities.

If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation. The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho state code. The increment value is the difference between the base assessed value and current assessed value in any given year while the property is in a revenue allocation area. Under Section § 63-802, Idaho Code, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Section 63-802, Idaho Code.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the property values in the urban renewal districts that are not subject to revenue allocation and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected in the next five to ten years; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. If the overall levy rate is less than as assumed, the Agency shall receive fewer funds from revenue allocation.

One result of Section 63-802, Idaho Code and Section 63-301A, Idaho Code is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. If the overall levy rate is less than as assumed, the Agency shall receive fewer funds from revenue allocation. Section 63-301A, Idaho Code, prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area will no longer be available for inclusion by the taxing entities to increase their budgets. Less tax revenue will be available to those taxing entities. Upon termination of this Plan, the taxing entities will be able to include the accumulated new

construction roll value in setting the following year's budget and revenue from such value is not limited to the three percent increase allowed in Section 63-802(1)(a).

Section 63-802, Idaho Code, may have the effect of reducing the levy rate as assessed values increase for property within each taxing entity's jurisdiction; however, it is unclear how Section 63-602KK may impact the levy rate. The Study has made certain assumptions concerning the levy rate. The levy rate is estimated to stay level for the life of the revenue allocation area. The annual increment value is expected to increase by approximately 3% (1% increase in land values and 2% increase in improvement values) a year with larger increases expected throughout the life of the District due to probable commercial and residential developments. If the overall levy rate is less than projected, the Agency shall receive fewer funds from revenue allocation.

The 2008 Idaho Legislature passed and Governor Otter signed House Bill 470 as amended in the Idaho Senate, which bill became effective retroactive to January 1, 2008 (Session Laws, Chapter 253). The bill amended Idaho Code Sections 50-2908, 63-803, and 63-811. In brief, the bill provided that an urban renewal agency shall not be entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election held after January 1, 2008, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. Additionally, as this Plan has been adopted after January 1, 2008, any voter approved levy adopted prior to January 1, 2008, will not be available for use by the Agency. The Study which is attached as Attachments 5.1-5.4 has taken this statute into account. The levy rates for the West Ada School District and the County shown above are the aggregate levy rates for the school district and County as of 2016 less voter approved levies. The Study has assumed the impact of House Bill 470.

Generally, the impact on the taxing entities would be to determine the Agency's projected revenue and disburse those funds in the same ratio as the respective levy rates in the Revenue Allocation Area of each taxing district. For Tax Year 2015, those districts and rates are as follows for properties located within the City:

Taxing District	Total Levy Rate	Exempt From Urban Renewal	Urban Renewal Applicable
Ada County			
Current Expense	0.002278652	0	0.002278652
Tort	0	0	0
Bond	0	0	0
Charity / Indigent	0.000308508	0	0.000308508
District Court	0.00026101	0	0.00026101
Health	0.000059924	0	0.000059924
Noxious Weeds	0.000015996	0	0.000015996
Parks and Recreation	0.000005486	0	0.000005486
Revaluation	0.000094225	0	0.000094225
Veterans' Memorial	0.000000631		0.000000631

Total Ada County	0.003024432	0	0.003024432
City of Meridian			
General Fund	0.004005842	0	0.004005842
Total City of Meridian	0.004005842	0	0.004005842
West Ada School District #2			
M&O	0	0	0
Tort	0.000018532	0.000018532	0
Bond	0.001573513	0.001573513	0
Emergency	0.000078696	0.000078696	0
Plant Facility	0.001425011	0.001425011	0
Permanent Override	0	0	0
Supplemental	0.000991475	0.000991475	0
63-1035 Judgment	0.000000193	0.000000193	0
Total West Ada #2	0.00408742	0.00408742	0
Ada County EMS			
M&O	0.000157028	0	0.000157028
Total EMS	0.000157028	0	0.000157028
Meridian Cemetery			
M&O	0.000072285	0	0.000072285
Total Cemetery	0.000072285	0	0.000072285
Ada County Highway			
M&O	0.001083315	0	0.001083315
Total ACHD	0.001083315	0	0.001083315
CWI			
M&O	0.00016628	0	0.00016628
Total CWI	0.00016628	0	0.00016628
Meridian Free Library			
M&O	0.000559958	0	0.000559958
Total Library	0.000559958	0	0.000559958
Mosquito Abatement			
M & O	0.000030348	0	0.000030348
Total Mosquito Abatement	0.000030348	0	0.000030348
West Ada Recreation			
M & O	0.000086663	0	0.000086663
Total West Ada Recreation	0.000086663	0	0.000086663

Total Levy	0.013273571	0.00408742	0.00918615

505 Phasing and Other Fund Sources

The Agency anticipates funding a major portion of the cost of the public improvements shown on Attachments 5.1-5.4. Other sources of funds shall include developer contributions and City and other public agency participation. Agency participation shall be determined by the amount of revenue allocation funds generated.

506 Lease Revenue, Parking Revenue, and Bonds

Under the Law, the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually, which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and may not be particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code Section 50-2905(8) as those resources involve funds not related to revenue allocation funds.

507 Capital Improvement Contribution Policy

The Agency does hereby establish and fix the following policy for the Agency supported design, acquisition, and construction costs of the development of new utilities, streets or bridges or the extension of any existing street within the Project Area as described and defined in the Plan.

507.1 Streets

All streets constructed within the boundaries of the Ten Mile Urban Renewal District shall be developed in accordance with the adopted standards of the Ada County Highway District. Design of all streets will be subject to review and approval of the ACHD and the Agency.

507.2 Utilities

All public and private utilities constructed within the boundaries of the Ten Mile Urban Renewal District shall be developed in accordance with the adopted standards of the entity who will ultimately assume responsibility for on-going operations and maintenance of such facility. Design of such utilities will be subject to the review and approval of the City of Meridian, the applicable private utility provider and the Agency

507.3 Pedestrian and Bicycle Facilities

All sidewalks and bicycle lanes constructed in conjunction with streets within the Ten Mile Urban Renewal District shall be developed in accordance with the adopted standards of the Ada County Highway District. Off-street pedestrian and bicycle facilities shall be developed in accordance with the adopted standards of the City of Meridian. Design of such facilities shall be subject to the review and approval of ACHD or the City of Meridian as appropriate and the Agency.

508 Improvement Design and Construction

It is anticipated that the public improvements to be installed in the District will be designed and constructed by the Developer in accordance with the design requirements of the City of Meridian, the Ada County Highway District, the Idaho Department of Transportation (“ITD”) and relevant utility providers in the area, as applicable. The terms and conditions of reimbursement for the design and construction costs will be set forth in the agreement between the Developer and the Agency.

509 Engineer’s Estimate

The Developer’s obligation shall be calculated based upon an engineer’s estimate of the costs described above. Upon completion of construction, the actual costs shall be determined by the project engineer. If the actual costs are less than the engineer’s estimate, the difference shall be reimbursed to the Developer.

510 Time of Payment

The Developer shall pay such amount no later than the commencement of construction of the street project; provided, however, the Agency, in its sole discretion, may agree to defer the Developer’s payment until completion of the project or until the time the Developer actually commences improvements on the Developer’s property. In the event the payment is deferred, the Developer’s contribution shall be based upon the actual cost of construction for the improvements described above. Additionally, in the event the payment is deferred, the Developer’s obligation to pay shall be contained within the agreement referenced below, and an appropriate memorandum of agreement shall be filed against the property through the County Recorder’s office. The Agency shall request that the City not issue a building permit until the payment is made.

511 Sidewalks

The Developer shall be solely responsible for the design and construction of sidewalks adjacent to the street along the property frontage of the Developer. The sidewalk shall be constructed upon commencement of construction of improvements to the Developer's property. The design shall be approved by the Agency and must meet Agency standards. This obligation by the Developer shall be contained within the agreement and subject to the other provisions of Section 507.5 above.

512 Memorialization of Agreement

The obligations of the Developer as described herein shall be memorialized in either an owner-participation agreement or a disposition and development agreement as defined in the Plan. Such agreement shall also commit the Developer to a specific scope of development for the Developer's property in compliance with the Plan, which agreement or memorandum of agreement shall be recorded.

513 Meanings

Words and phrases used in Section 507 shall have the meanings ascribed in the City of Meridian and Ada County Highways District ordinances

514 Retained Authority

The Agency retains its authority to decide in its sole discretion not to proceed with the construction of any new street, street extension, or bridge in the event a Developer does not voluntarily agree to contribute to the cost of construction as described herein.

515 Developer/Owner Initiated Improvements

The Agency recognizes the right and possible interest of Developers/Owners to initiate the construction of designated new streets and utilities in the Project Area through such methods:

- (a) One or more Local Improvement Districts ("LID");
- (b) Private financing; or
- (c) Direct payment of construction costs.

Any LID would be established by the City of Meridian or the Ada County Highway District. Any of the three alternatives listed above would provide a means of financing necessary public improvements before the Agency would have the necessary funds to pay for such improvements. As an incentive for such Developer/Owner financed improvements, the Agency may establish

provisions for reimbursement from available annual revenue allocation funds in an owner reimbursement agreement between the Agency and said Developer/Owner.

For purposes of this section, "available annual revenue allocation funds" shall mean those incremental tax (revenue allocation) revenues received by the Agency after all necessary payments have been made to:

- (a) Pay the obligations of the Agency as described in Section 504G or any other obligations of the Agency;
- (b) Fund the Administration Fund;
- (c) Fund any Debt Service Reserve Fund deposits; and
- (d) Fund any other pre-existing obligations of the Agency.

516 Variance

The Agency reserves the right to grant minor variations from these standards under the guidelines established under Section 407.10 of this Plan.

517 Agency Contribution

The Agency reserves the discretion to provide additional contributions which may deviate from the above sections to more closely achieve the important objectives of the Plan, including increased or more desirable private development and land use in the Plan area. In those circumstances, the Agency may achieve the objectives of this Plan (such as greater open areas, more pedestrian-friendly environments, and the like) by funding the greater percentages of the street and utility contributions required herein. In those circumstances, the Agency shall provide an amount determined in an agreement with project participants. Provided, however, the private development under any circumstances must be completed no later than the termination date of this Plan as set forth in Section 800. The Agency reserves the right to adopt, by resolution, more detailed policies to implement this Section 507. Additionally, this commitment by the Agency and developer shall be included in an owner participation agreement as described in Section 303 of this Plan.

600 ACTIONS BY THE CITY

The City has agreed to aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City will include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned utilities within or affecting the Project Area.

- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- c. Imposition wherever necessary of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Building Code enforcement.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- g. Institutional and completion of proceedings necessary for the establishment of local improvement districts under Chapter 17, Title 50, Idaho Code as appropriate.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. Imposition, whenever necessary of controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- l. Joint funding of certain public improvements, including but not limited to improvements to sewer treatment facilities as needed.
- m. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan, if required.
- n. Preservation of historical sites (if possible).

The foregoing actions to be taken by the City do not constitute any commitment for financial outlays by the City.

601 Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement.

700 ENFORCEMENT

The administration and efforts to assure compliance with this Plan, including the preparation and execution of any documents implementing this Plan, will be performed by the Agency and/or the City, as applicable.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to modifications and/or extensions set forth in Idaho Code § 50-2904. The revenue allocation authority will expire on December 31, 2036, except for any revenue allocation proceeds received in calendar year 2037.

This Plan shall terminate no later than December 31, 2036, except for revenues which may be received in 2037. In order to provide sufficient notice of termination to the affected taxing districts, either on May 1, 2036, or if the Agency determines an earlier terminate date:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Section 50-2908, Idaho Code, shall thereupon cease; any moneys in such fund or funds in excess of

the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Section 50-2909, Idaho Code, shall thereupon terminate.

- b. 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 Plan.
- c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Section 50-2909(4), Idaho Code. In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Section 50-2909, Idaho Code, should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Section 63-215, Idaho Code.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the appropriate public entity.

As allowed by Idaho Code Section 50-2905(8), the Agency may retain assets or revenues generated from such assets as loans; the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility.

For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City or other public entity, depending on the nature of the asset.

Upon termination of the revenue allocation authority of the Plan, to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the City or other public entity.

900 PROCEDURE FOR AMENDMENT

The Plan may be further refined at any time by the Agency provided that, if refined after disposition of real property in the Project Area, the modifications must be consented to by the developer or developers or his successor or successors of such real property whose interest is substantially affected by the proposed refinement to be effective against such persons or entities. Where the proposed refinement will substantially change the Plan, the refinements must be approved by the City Council in the same manner as the original Plan. Substantial changes for City Council approval purposes shall be regarded as revisions in project boundaries, land uses permitted, land acquisition, and other changes which will violate the objectives of this Plan. Amendments are subject to certain limitations as set forth in Idaho Code § 50-2033; however, amendments that do not seek to increase the geographic area of the plan, or do not seek to extend the years of the plan beyond the maximum term allowed are permissible, and include amendments to add additional substantially different sub-projects that were not originally anticipated and included in the Plan.

1000 SEVERABILITY

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

1100 ANNUAL REPORT

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

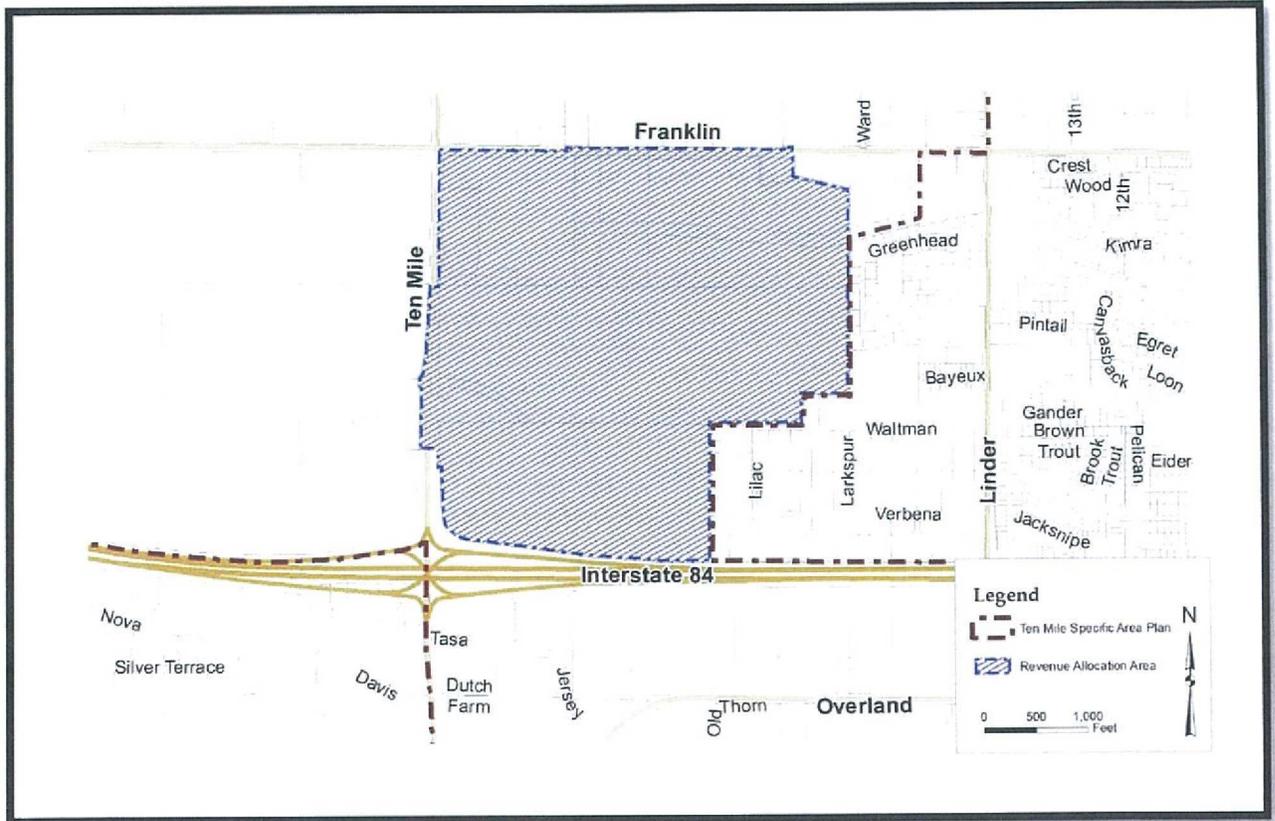
Additionally, House Bill 560 adopted by the 62nd Idaho Legislature, Second Regular Session, codified at Idaho Code Section 67-450E, requires the Agency to comply with certain reporting requirements. On or before December 1 of each year, the Agency must submit to the online central registry certain administrative information and financial information, including information regarding bonds or other indebtedness. Failure to comply with the mandatory reporting requirements may result in compliance measures imposed by the Ada County Board of County Commissioners.

1101 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Project Area and Revenue Allocation Area Boundary Map



Attachment 2

Description of Project Area and Revenue Allocation Area

This Project Area is located within the City of Meridian between I-84 and Franklin Road east of Ten Mile Road.

The Project Area consists of approximately 301.45 acres (Excluding public rights-of-way) as more particularly described as follows:

THE LAND GROUP, INC.

April 29, 2016
Project No. 115055

Exhibit "A"

TEN MILE URBAN RENEWAL DISTRICT DESCRIPTION

A parcel of land located in the North One Half, and the Southwest One Quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northwest Corner of Section 14 of said Township 3 North, Range 1 West, said point being the POINT OF BEGINNING;

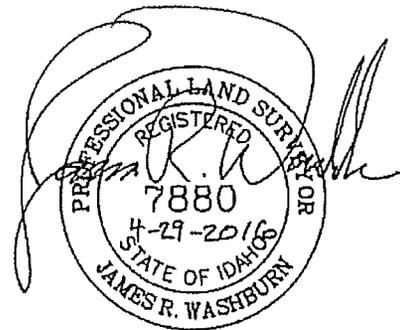
Thence South 89°09'27" East, a distance of 2657.99 feet on the northerly line of said Section 14 to the North One Quarter Corner of said Section 14;
Thence South 89°13'26" East, a distance of 786.90 feet on the northerly line of said Section 14 to the Northwest corner of the "Parcel 2" as described in Record of Survey Number 5870, recorded as Instrument Number 102077543, Ada County Records;
Thence South 00°33'13" West, a distance of 234.03 feet to the Southwest corner of said "Parcel 2";
Thence South 76°26'48" East, a distance of 556.62 feet to the Southeast corner of said "Parcel 2", said point being on the north-south 1/16th Section line of the NE 1/4 of said Section 14;
Thence South 00°34'59" West, a distance of 2009.77 feet on said 1/16th line to an angle point in the southerly boundary line of the parcel described in Record of Survey Number 8353, recorded as Instrument Number 108074837, Ada County Records;
Thence North 89°13'39" West, a distance of 450.00 feet on the boundary line described in said Record of Survey Number 8353;
Thence South 00°35'31" West, a distance of 290.40 feet on the boundary line described in said Record of Survey Number 8353;
Thence North 89°11'30" West, a distance of 879.81 feet on the boundary line described in said Record of Survey Number 8353 to the Northeast corner of the parcel described in Record of Survey Number 10438, recorded as Instrument Number 2016-024674, said point also being the Center One Quarter Corner of said Section 14;
Thence South 00°35'32" West, a distance of 1344.58 feet on the easterly boundary of the parcel described in said Record of Survey Number 10438 to a point on the Southerly boundary of the parcel described in said Record of Survey Number 10438, said point being on the northerly right-of-way line of Interstate Highway I-84;
Thence on the southerly boundary of the parcel described in said Record of Survey Number 10438 and the northerly right-of-way line of Interstate Highway I-84 for the following courses and distances;
Thence North 89°34'03" West, a distance of 501.32 feet;
Thence North 81°01'33" West, a distance of 83.12 feet;
Thence North 85°34'01" West, a distance of 670.00 feet;
Thence North 04°25'59" East, a distance of 25.00 feet;
Thence North 85°34'01" West, a distance of 110.00 feet;
Thence South 04°25'59" West, a distance of 15.00 feet;
Thence North 81°28'53" West, a distance of 421.07 feet;

Thence North 82°36'22" West, a distance of 580.78 feet;
Thence North 73°55'01" West, a distance of 104.00 feet;
Thence North 46°58'34" West, a distance of 166.76 feet;
Thence North 12°05'45" West, a distance of 92.20 feet;
Thence leaving the northerly right-of-way line of Interstate Highway I-84 and on the easterly right-of-way line of South Ten Mile Road for the following courses and distances:
Thence North 01°31'40" West, a distance of 468.03 feet;
Thence North 89°42'50" West, a distance of 4.00 feet;
Thence North 00°30'10" East, a distance of 177.37 feet to a point on the westerly boundary of the parcel described in said Record of Survey Number 10438;
Thence North 89°29'57" West, a distance of 35.97 feet to a point on the section line common to said Section 14 and Section 15 of said Township 3 North, Range 1 West;
Thence North 00°29'59" East, a distance of 279.65 feet on said section line to the West One Quarter Corner of said Section 14;
Thence North 00°33'32" East, a distance of 2658.34 feet on said Section line to the point of beginning.

The above described parcel contains 312.23 acres more or less.

PREPARED BY:
THE LAND GROUP, INC.

James R. Washburn



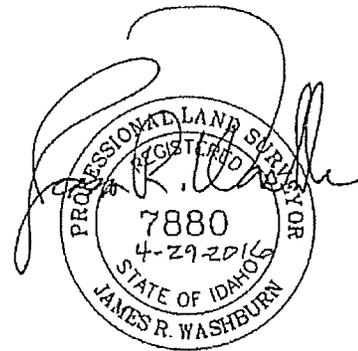
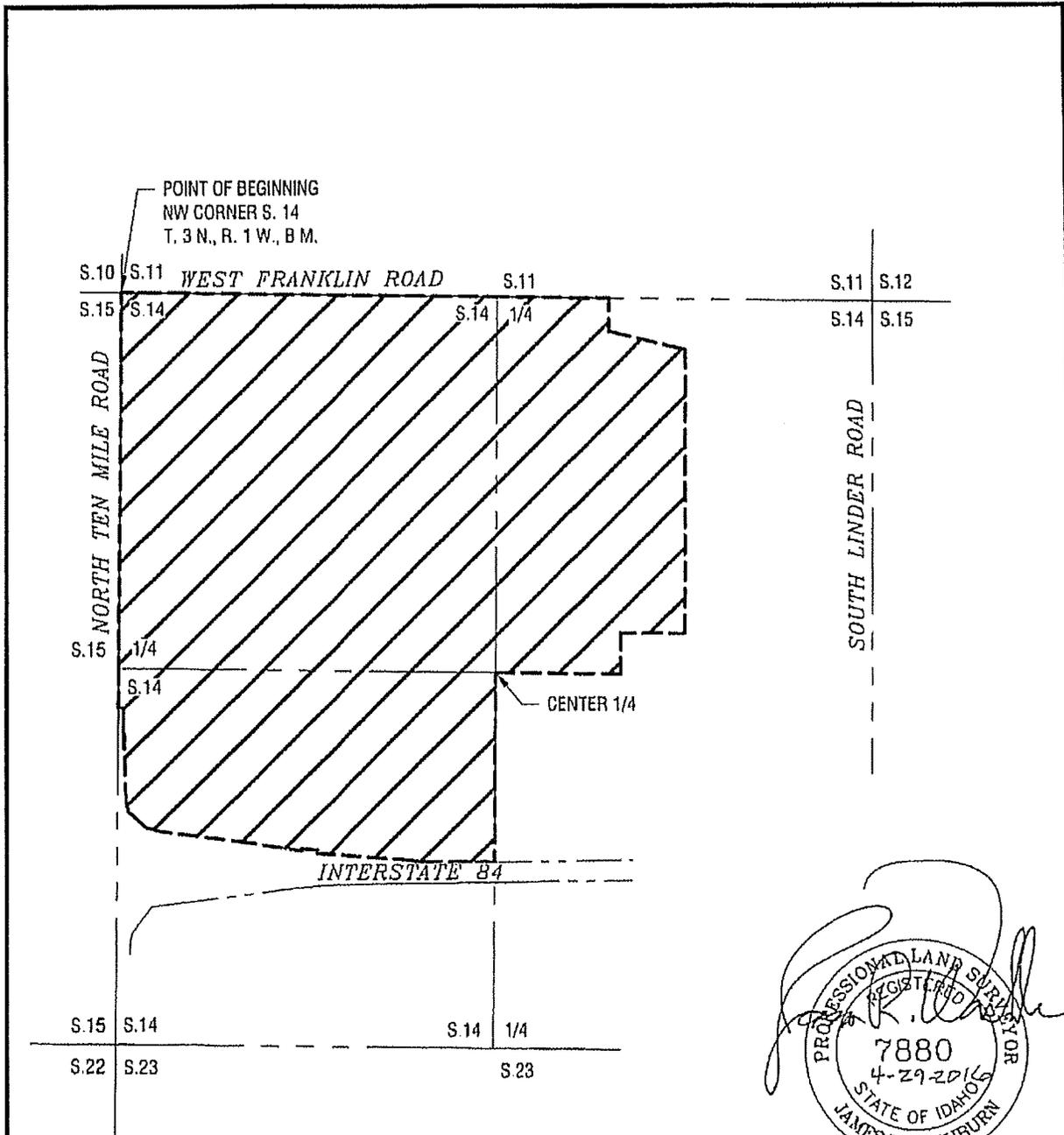
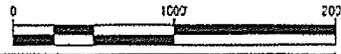


Exhibit "B"

HORIZONTAL SCALE: 1" = 1000'



File Location: E:\3116\115005\115005.dwg
 User: jwashburn
 Date Plotted: Monday, May 2, 2016, 11:52:27 AM



**THE LAND GROUP
INCORPORATED**
 402 East Eldre Drive, Suite 100
 Eagle, Idaho 83616
 Phone 208 939 4041 • Fax 208 939 4445

THE LAND GROUP AND THE LAND GROUP INCORPORATED ARE NOT AFFILIATED WITH THE LAND GROUP INCORPORATED. THE LAND GROUP INCORPORATED IS A SEPARATE ENTITY.

Sheet No.

Exhibit "B"
**Ten Mile Urban Renewal
 District Description**

Meridian

Idaho

Project No.	11423
Date of issuance	3/27/16
Designed by	JW
Checked by	JW
Sheet No.	

1 of 1

Ten Mile URA Ownerships

SCS Brighton LLC

12601 W EXPLORER DR STE 200
BOISE, ID 83713

Parcel Number: S1214314810

Parcel description: PAR #4810 @ NE COR NW4SW4 SEC 14 3N 1W #314807-C, #325415-C, #325505-C

Parcel Number: S1214223260

Parcel description: PAR #3260 @ SE COR NW4NW4 SEC 14 3N 1W #223250-C, #223015-C

Parcel Number: S1214212560

Parcel description: PAR #2560 @ W SIDE NE4NW4 SEC 14 3N 1W #223207-B

Parcel Number: S1214212800

Parcel description: PAR #2800 @ SW COR NE4NW4 SEC 14 3N 1W #223405-B

Parcel Number: S1214212580

Parcel description: PAR #2580 NR N SIDE NE 4NW4 SEC 14 3N 1W #212620S

Parcel Number: S1214212820

Parcel description: PAR #2820 @ S SIDE NE4NW4 SEC 14 3N 1W #212620S

Parcel Number: S1214212740

Parcel description: PAR #2740 POR NE4NW4 TEN MILE STUB DRAIN SEC 14 3N 1W #121170S

Parcel Number: S1214212720

Parcel description: PAR #2720 @ W SIDE NE4NW4 TEN MILE STUB DRAIN SEC 14 3N 1W #121170S

Treasure Valley Investments

4313 Mansville Dr.
Danville, CA 94506

Parcel Number: S1214233665

Parcel Description: PAR #36665 OF S2N2 SEC 14 3N 1W

Parcel Number: S1214234020

Parcel Description: PAR #4020 @ SW COR SW4NW4 SEC 14 3N 1W

Parcel Number: S1214223567

Parcel Description: PAR #3567 NW4NW4 S OF KENNEDY LATERAL EXC R/W SEC 14 3N 1W #223565-B

Kostka and Calnon, LLC
2215 W. Franklin Road
Meridian, Idaho 83642

Parcel Number: S1214120710

Parcel Description: PAR #0710 @N SIDE NW4NE4 SEC 14 3N 1W #120700-B

Parcel Number: S1214121172

Parcel Description: PAR #1172 POR N2 NWNE4 NE4NW TEN MILE STUB DRAIN SEC 14 3N
1W #121170-B

Parcel Number: S1214121133

Parcel Description: PAR #1130 S'LY POR NW4NE4 & NE4NW4 SEC 14 3N 1W #121130-B

Parcel Number: S1214212622

Parcel Description: PAR #2622 POR NW4NE4 & NE4NW4 SEC 14 3N 1W #212620-B

Parcel Number: S1214121134

Parcel Description: PAR #1134 POR NW4NE4 SEC 14 3N 1W PARCEL B R/S 8885 #121132-
S

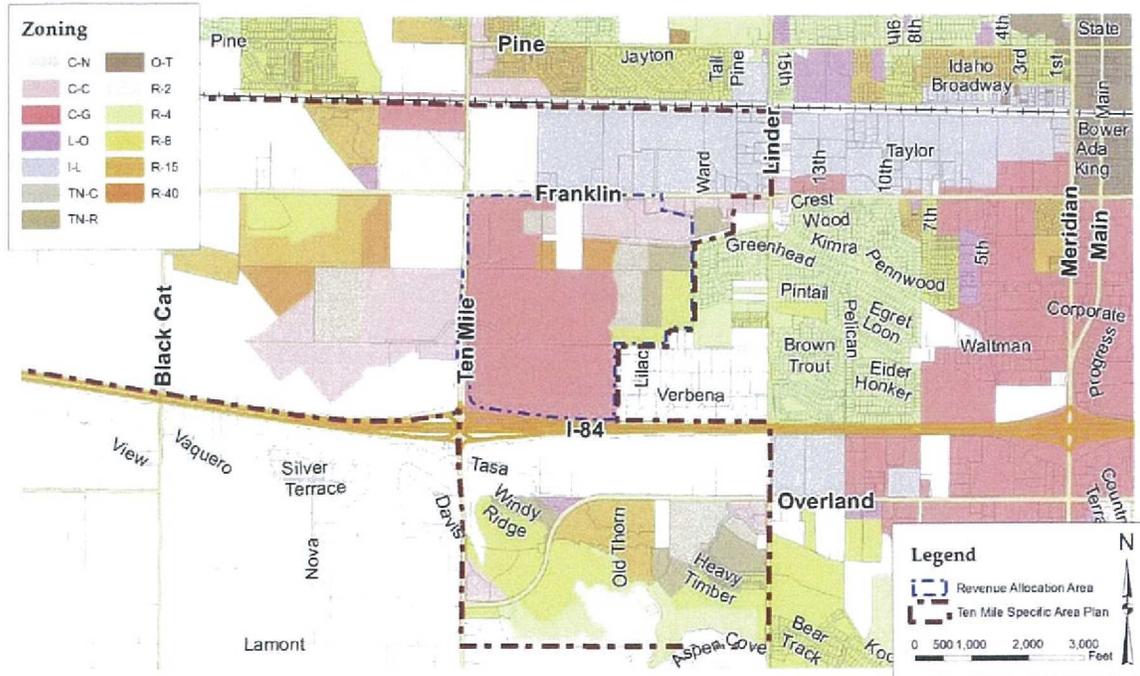
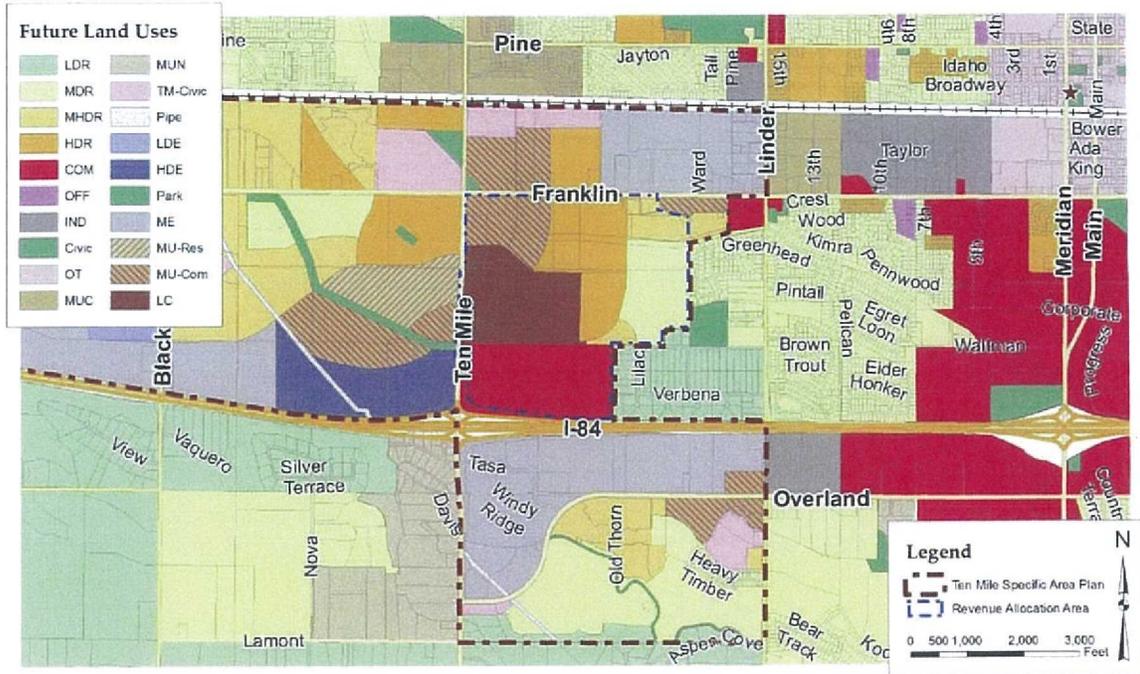
Attachment 3

Private Properties Which May Be Acquired by Agency

1. Property is intended to be acquired that is necessary for the extension or expansion of certain rights-of-way for streets, utilities and pedestrian / bicycle trails. No other particular properties have been identified for acquisition by the Agency. The Agency does not intend to purchase property for future development by private persons.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed for the development of public improvements and public facilities and/or to further remediation of environmental conditions that may exist on private property.
4. The Agency reserves the right to acquire deteriorated or deteriorating property in the Project Area for subsequent public use or other lawful disposition as part of its efforts to clean up, revitalize, rehabilitate, develop and/or redevelop property in the Project Area.

Attachment 4

Maps Depicting Expected Land Uses and Current Zoning Within Revenue Allocation Area and Project Area



Attachments 5.1-5.4

ATTACHMENT 5.1

Public Improvements within the Revenue Allocation Area

This attachment includes a projected list of proposed public works or improvements within the Project area. The Project area includes streets and other public rights-of-way.

The Meridian Development Corporation (MDC) Improvement List identifies needed investments in capital facilities. Capital facilities generally have long useful lives and significant costs. Some of the improvement projects contained in the MDC Public Improvement List are also contained in the Ten Mile Interchange Specific Area Plan. Some improvement projects included in the MDC Public Improvement List have evolved upon consideration of these and various other City plans and policies, including the Comprehensive Plan, and may have potential grant funding. The project list is not an appropriation or approval of any specific project. The identification of projects needs to be flexible and updated periodically to respond to changing circumstances. The Ten Mile Urban Renewal Plan covers the 20-year period 2017 to 2037.

The Ten Mile A URD is estimated to generate \$48,091,696 in tax increment revenue between 2018 and 2037 in addition to the initial \$50,000 loan from the City of Meridian to activate the program. The total from both sources is estimated to be \$48,141,696. There is presently \$20,413,300 of project costs identified in the Public Improvement List for public improvement costs provided by the developer. Interest on the debt incurred through the anticipated Owner Participation Agreement (OPA) and City loan is estimated at \$5,240,540. Administrative costs over the 20-year life of the district are estimated at \$978,848. Total estimated expenditures therefore, equal \$33,098,820 leaving a positive program balance of \$15,042,876 at the end of the 20-year term. See attached cash flow analysis for detailed estimates.

Secure funding includes revenue allocation funds and is money the MDC is highly likely to receive. The funds may not be in the MDC's possession at the beginning of the Plan period, but it is virtually certain that the Agency will receive the funds. The MDC may need to take specific actions to generate the funding, but those actions are within their powers. Despite the high probability of secure funding, no project can proceed until a specific, enforceable funding plan is in place.

Potential funding is money that might be received by the MDC. In every case the MDC is eligible for the funding, and the source of funding exists under current law. However, each potential funding source requires one or more additional steps or decisions before the MDC can obtain the resources, and the ultimate decision is outside of the MDC's independent control. Grant funds are an example of potential funding. Thus potential funding is not assumed in determining financial feasibility.

Unfunded projects, or portions of projects lack secure or potential funding.

The amount of tax increment contributed to each project will vary. These projects may be funded in part from a variety of other revenue sources. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

The plan proposes certain public improvements that will facilitate development and support rehabilitation in the Project area. The investments will be funded from a variety of financing methods and sources. The primary method of financing will be through the use of tax increment revenue (i.e., incremental property taxes from the revenue allocation area). This plan anticipates that the tax increment revenue may be used to pay for improvements through an Owner Participation Agreements with developers of property located within the district. The issuance of bonds is not anticipated in this analysis of financial feasibility but may be an option to be pursued during the life of the district.

Other sources of funding for project may include, but are not limited to:

- Local Improvement District (LID)
- Business Improvement District (BID)
- Development Impact Fees
- Franchise Fees
- Grants from federal, state, local, regional agencies and/or private entities
- Other bonds, notes and/or loans
- Improvements and/or payments by developers

The total project costs and the amount of tax increment contributed to each project are estimates. The estimated project costs and revenues are based on the MDC's present knowledge and expectations supported by detailed information from development interests associated with the properties in the District. The MDC may modify the projects and/or the plan if the Board deems such modifications necessary to effectuate the plan. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

Assuming the Ten Mile Urban Renewal Plan is adopted and in force before July 1, 2016, such modifications to the Plan will be permissible. If the Plan is adopted after July 1, 2016, the provisions of legislation adopted by the Idaho Legislature in 2016 may cause any modification to the Plan to trigger the resetting of the base value to the then-current market value thus eliminating any incremental value accrued to that date.

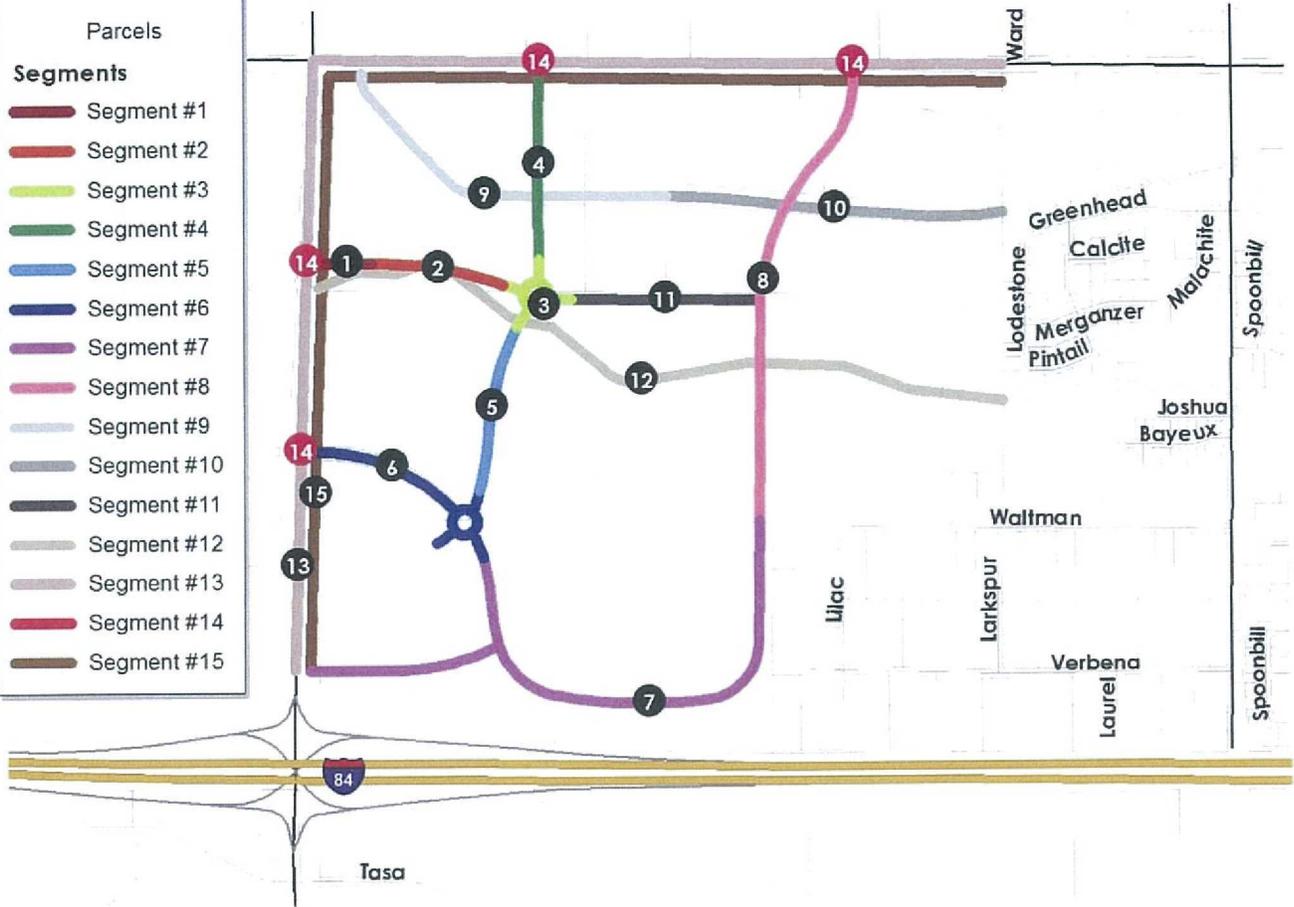
Summary of Projects

The following tables summarize the estimated total costs for each project category. Specific project funding will be reviewed by the MDC Board during the development of the Owner Participation Agreements, the execution of and any up-dates to such agreements. The numbers displayed below represent the full public improvement costs including right-of way acquisition and full roadway improvements, sidewalks and pedestrian ways, drainage improvements as well as public and private utilities. The improvements and estimated costs are listed by street segment as reflected in the attached map of the District. The costs presented are in 2016 dollars and are not inflated over time.

Developer Projects: Ten Mile Urban Renewal District	
Segment 1	\$462,308
Segment 2	\$690,685
Segment 3	\$1,160,586
Segment 4	\$1,967,642
Segment 5	\$1,094,947
Segment 6	\$1,645,222
Segment 7	\$4,284,734
Segment 8	\$3,442,813
Segment 9	\$2,223,384
Segment 10	\$959,575
Segment 11	\$905,984
Segment 12 (Kennedy Lateral)	\$3,000,000
Segment 13 (Street Lights on Ten Mile & Franklin Rd)	\$251,570
Segment 14 (Traffic Signals at 4 Intersections)	\$1,100,000
Segment 15 (Ten Mile and Franklin Street Frontage Improvements)	\$223,850
Total Project Costs (un-inflated dollars)	\$23,413,300

Legend

- Parcels
- Segments
- Segment #1
 - Segment #2
 - Segment #3
 - Segment #4
 - Segment #5
 - Segment #6
 - Segment #7
 - Segment #8
 - Segment #9
 - Segment #10
 - Segment #11
 - Segment #12
 - Segment #13
 - Segment #14
 - Segment #15



Cost of Operations and Improvements by Year (2017-2037)

Year	Secure Funding (TIF & City of Meridian Loan)	Potential Funding	District Operating Expenses	OPA Debt Service	City Loan Debt Service	Add'l Principal Payment	Total Project Liabilities
2017	\$50,000	\$0	\$25,000	\$0	\$0	\$0	\$25,000
2018	\$3,535	\$0	\$25,000	\$0	\$0	\$0	\$25,000
2019	\$358,006	\$0	\$35,901	\$287,205	\$11,000	\$0	\$334,105
2020	\$429,474	\$0	\$42,947	\$343,579	\$11,000	\$0	\$397,527
2021	\$685,569	\$0	\$50,000	\$548,455	\$11,000	\$0	\$609,455
2022	\$764,912	\$0	\$50,000	\$611,930	\$11,000	\$0	\$672,930
2023	\$1,037,504	\$0	\$50,000	\$830,003	\$11,000	\$0	\$891,003
2024	\$1,061,572	\$0	\$50,000	\$849,258	\$0	\$0	\$899,258
2025	\$1,924,457	\$0	\$50,000	\$1,539,566	\$0	\$500,000	\$2,089,566
2026	\$1,690,202	\$0	\$50,000	\$1,352,162	\$0	\$500,000	\$1,902,162
2027	\$1,967,722	\$0	\$50,000	\$1,574,178	\$0	\$100,000	\$1,724,178
2028	\$2,797,673	\$0	\$50,000	\$2,234,138	\$0	\$900,000	\$3,184,138
2029	\$2,577,728	\$0	\$50,000	\$2,062,182	\$0	\$250,000	\$2,362,182
2030	\$2,887,603	\$0	\$50,000	\$2,310,082	\$0	\$500,000	\$2,860,082
2031	\$3,592,793	\$0	\$50,000	\$2,874,234	\$0	\$500,000	\$3,424,234
2032	\$3,623,529	\$0	\$50,000	\$2,898,823	\$0	\$750,000	\$3,698,823
2033	\$3,737,660	\$0	\$50,000	\$2,990,128	\$0	\$1,000,000	\$4,040,128
2034	\$4,689,811	\$0	\$50,000	\$3,759,049	\$0	\$0	\$3,809,049
2035	\$4,526,256	\$0	\$50,000	\$3,621,005	0	\$0	\$50,000
2036	\$4,923,647	\$0	\$50,000	\$0	\$0	\$0	\$50,000
2037	\$4,807,043	\$0	\$50,000	\$0	\$0	\$0	\$50,000
2038	\$0	\$0	0	0	0		\$0
Total	\$48,141,969	\$0	\$978,848	\$30,685,977	\$55,000	\$5,000,000	\$36,719,825

Note: This analysis anticipates a positive fund balance of \$15,042,876 the end of the project. If Revenue Allocation funding exceeds the forecast amounts, earlier termination of the may be possible

ATTACHMENT 5.2

Economic Feasibility Study

The Meridian Development Corporation (MDC) Ten Mile Urban Renewal Plan is economically feasible because the proposed development is consistent with the City's Comprehensive Plan, the amount of growth in the area is consistent with the growth projected in the Comprehensive Plan and the revenue from the MDC Ten Mile Urban Renewal District equals or exceeds the estimated costs of the projects to be funded by the District.

The economic feasibility of the MDC Ten Mile Urban Renewal Plan is based on the following factors:

- The amount of development proposed in the Project area
- The amount of tax revenue to be generated by the proposed development
- The amount of other revenue to be received for MDC public improvement projects
- The cost of public improvement projects is to be funded by the MDC's tax increment revenue.
- If revenue equals or exceeds project costs, the URA Plan is economically feasible.

The following is a summary of the analysis and estimates of the factors used to determine the economic feasibility of Meridian's Ten Mile Urban Renewal Plan.

Meridian Development Corporation Ten Mile Urban Renewal Plan Financial Feasibility Analysis

Summary:

It is estimated that over the course of the Revenue Allocation District, \$48,091,696 of Tax Increment Revenue will be generated. It is also estimated that ten percent (10%) will be used annually for administration of the Urban Renewal District (capped at \$50,000 / year for a total of \$978,848 for administration costs over the 20-year lifespan of the District.

At this time, no Revenue bonds are planned for the Project Area; however, debt scenarios may be feasible as ultimate costs are determined and the cash flow refined should these estimates prove conservative.

At the conclusion of the Ten Mile Urban Renewal District in 2037, the termination plan will submit any unspent funds by September 2038 to the County Treasurer to distribute to the taxing districts according to their levy percentages. The Cash Flow analysis indicates that there may be potential to terminate the district at an earlier point than suggested by the conservative estimates.

The graph entitled "Ten Mile Urban Renewal District Cash Flow Analysis 2016" gives a more detailed outlook on the revenues and expenses of the MDC Ten Mile Urban Renewal District.

The following assumptions were made in the formulation of the Financial Feasibility Analysis:

- Land Value Increase @ 1% / Yr
- Improvement Value Increase @ 2% / Yr.
- Tax Rate remains constant
- Total Cost (inflated) of Improvements over the life of the project: \$21,829,432
- Developer installed improvements would be subject to an Owner Participation Agreement with MDC repaying the developer for such costs from the tax increment revenue generated by the project.
- The Cash Flow Analysis assumes 80% Of the annual Revenue Allocation funds will be committed to repayment of the debt created through the OPA.
- Additional principal payments are assumed as excess cash accumulates in the Ten Mile URD A Fund at the discretion of the MDC Board.
- 10% of annual tax increment revenue would be allocated for District operational expenses, however that amount would be capped at \$50,000 per year.
- Tax rate does not include debt service for bonds issued after 2007, judgment levies or the School District Plant or supplemental levies excluded by law.

The Financial Feasibility Analysis shows that the project is 100% financially feasible and will generate adequate funds within the project area to fund the necessary capital improvements. The Agency is committed to closing the district as soon as the project is deemed complete and all infrastructure improvements are made and financial obligations satisfied. This would result in a benefit to the taxing districts and taxpayers supporting those districts.

Ten Mile Urban Renewal District Cash Flow Analysis -- April 2016

It is anticipated that the City of Meridian will loan the new District \$50,000 to fund operations until tax receipts are available. The loan accrues interest at 3.5% with 5 year term. Provides for 10% of annual revenue allocation for administration and professional support. Capped at \$50,000 annually. Administrative expenses equals approximately 2% of revenues

Initial 2 years administrative cost @ \$25,000 for costs to establish District, then formula above thereafter

Assumes Developer Initials, improvements in 2016, \$21,829,432 cost repaid with 80% of annual Revenue Allocation until paid in full @ 5.0%.

Additional principal paid if surplus funds accrue at the discretion of the Agency. Model assumes pay-out in 16 years

Obligation satisfied earlier if pace of taxable investment exceeds conservative estimate (75% of Developer estimate)

Conservative Estimates

Expected value of projected taxable investment provided by developers reduced by 25%. Higher values will accelerate Revenue Allocation collection and shorten life of District

100% of infrastructure cost assumed incurred in 2016 but will likely occur over 8-year period thereby reducing obligation

Ten Mile URD Revenue Allocation Estimates April 2016

Conservative Scenario: Constrained Private Investment at 75% of Developer projections and low inflation.

Year	Land Value (1% annually) w/ad ex	Initial Improvement Value	Total Assessed Value w/ag ex	Est. AV/w/o ag ex	Annual New Const. Value	Cum. New Const Value + Inflation @ 2%	Homeowner exemption	Taxable Value	Increment Value (1- Base)	Levy Rate (.0%)	Tax Increment Yield	Admin Costs (10%)	Funding for Capital Projects / Debt Service
2017	\$ 3,379,300	\$ 71,300	\$ 3,450,600	\$ 38,428,153	\$ -	\$ -	\$ -	\$ 38,428,153	\$ -	0.0092	\$ 3,535	\$ 354	\$ 3,182
2018	\$ 3,413,093	\$ -	\$ 3,413,093	\$ 38,812,435	\$ -	\$ -	\$ -	\$ 38,812,435	\$ 394,282	0.0092	\$ 3,555	\$ 354	\$ 3,182
2019	\$ 3,447,224	\$ -	\$ 3,447,224	\$ 39,200,559	\$ 19,125,000	\$ 19,125,000	\$ -	\$ 77,450,559	\$ 39,022,406	0.0092	\$ 359,006	\$ 35,901	\$ 323,106
2020	\$ 3,481,696	\$ -	\$ 3,481,696	\$ 39,592,564	\$ 13,005,000	\$ 32,512,500	\$ -	\$ 85,110,064	\$ 46,681,911	0.0092	\$ 429,474	\$ 42,947	\$ 386,526
2021	\$ 3,516,513	\$ -	\$ 3,516,513	\$ 39,988,490	\$ 19,897,650	\$ 53,060,400	\$ -	\$ 112,946,540	\$ 74,518,387	0.0092	\$ 685,569	\$ 68,557	\$ 617,012
2022	\$ 3,551,678	\$ -	\$ 3,551,678	\$ 40,388,375	\$ 13,530,402	\$ 67,552,010	\$ -	\$ 121,570,787	\$ 83,142,634	0.0092	\$ 764,912	\$ 50,000	\$ 714,912
2023	\$ 3,587,195	\$ -	\$ 3,587,195	\$ 40,792,259	\$ 20,701,515	\$ 89,706,565	\$ -	\$ 151,200,339	\$ 112,772,186	0.0092	\$ 1,037,504	\$ 50,000	\$ 987,504
2024	\$ 3,623,067	\$ -	\$ 3,623,067	\$ 41,200,181	\$ 10,557,773	\$ 102,058,470	\$ -	\$ 153,816,424	\$ 115,388,271	0.0092	\$ 1,061,572	\$ 50,000	\$ 1,011,572
2025	\$ 3,659,298	\$ -	\$ 3,659,298	\$ 41,612,183	\$ 50,948,214	\$ 155,047,853	\$ -	\$ 247,608,250	\$ 209,180,097	0.0092	\$ 1,924,457	\$ 50,000	\$ 1,874,457
2026	\$ 3,695,891	\$ -	\$ 3,695,891	\$ 42,028,305	\$ 10,984,307	\$ 169,133,117	\$ -	\$ 222,145,729	\$ 183,717,576	0.0092	\$ 1,690,202	\$ 50,000	\$ 1,640,202
2027	\$ 3,732,850	\$ -	\$ 3,732,850	\$ 42,448,588	\$ 18,673,321	\$ 191,189,100	\$ -	\$ 252,311,009	\$ 213,882,856	0.0092	\$ 1,967,722	\$ 50,000	\$ 1,917,722
2028	\$ 3,770,178	\$ -	\$ 3,770,178	\$ 42,873,074	\$ 52,046,788	\$ 247,059,670	\$ -	\$ 341,979,532	\$ 303,551,379	0.0092	\$ 2,792,673	\$ 50,000	\$ 2,742,673
2029	\$ 3,807,880	\$ -	\$ 3,807,880	\$ 43,301,805	\$ 11,656,634	\$ 263,657,498	\$ -	\$ 318,615,936	\$ 280,187,783	0.0092	\$ 2,577,728	\$ 50,000	\$ 2,527,728
2030	\$ 3,845,959	\$ -	\$ 3,845,959	\$ 43,724,823	\$ 19,816,278	\$ 288,746,926	\$ -	\$ 352,298,026	\$ 313,869,873	0.0092	\$ 2,887,603	\$ 50,000	\$ 2,837,603
2031	\$ 3,884,418	\$ -	\$ 3,884,418	\$ 44,172,171	\$ 45,127,562	\$ 339,649,426	\$ -	\$ 428,949,159	\$ 390,521,006	0.0092	\$ 3,592,793	\$ 50,000	\$ 3,542,793
2032	\$ 3,923,262	\$ -	\$ 3,923,262	\$ 44,613,893	\$ 20,616,856	\$ 367,059,271	\$ -	\$ 432,290,019	\$ 393,861,866	0.0092	\$ 3,623,529	\$ 50,000	\$ 3,573,529
2033	\$ 3,962,495	\$ -	\$ 3,962,495	\$ 45,060,032	\$ 12,617,516	\$ 387,017,972	\$ -	\$ 444,695,520	\$ 406,267,367	0.0092	\$ 3,737,660	\$ 50,000	\$ 3,687,660
2034	\$ 4,002,120	\$ -	\$ 4,002,120	\$ 45,510,632	\$ 54,449,777	\$ 449,208,109	\$ -	\$ 549,168,517	\$ 510,740,364	0.0092	\$ 4,698,811	\$ 50,000	\$ 4,648,811
2035	\$ 4,042,141	\$ -	\$ 4,042,141	\$ 45,965,738	\$ 13,127,263	\$ 471,319,534	\$ -	\$ 530,412,535	\$ 491,984,382	0.0092	\$ 4,526,256	\$ 50,000	\$ 4,476,256
2036	\$ 4,082,563	\$ -	\$ 4,082,563	\$ 46,425,396	\$ 23,217,928	\$ 503,963,852	\$ -	\$ 573,607,176	\$ 535,179,023	0.0092	\$ 4,923,647	\$ 50,000	\$ 4,873,647
2037	\$ 4,123,388	\$ -	\$ 4,123,388	\$ 46,889,650	\$ -	\$ 514,043,129	\$ -	\$ 560,932,779	\$ 522,504,626	0.0092	\$ 4,807,043	\$ 50,000	\$ 4,757,043
						\$ 430,999,784							\$ 47,143,938

Assumptions:
 Land Values inflate at 1% per year
 Improvement Values inflate at 2% per year
 Homeowner Exemption goes to zero with demolition of existing structures
 Private investment occurs as per schedule in column F (75% of Developer's Schedule)
 Treasure Valley Investment construction spread evenly over 2023, 2026, 2029 & 2032
 Property tax income available 2 years after completion of construction
 New construction values inflate on same basis as original improvement values (2%)
 Tax rate remains constant
 Administrative costs at 10% capped at \$50,000 per year

Attachment 6

Ten Mile Urban Renewal District Eligibility Report – September 2015



Ten Mile
Urban Renewal District
(Proposed)

Eligibility Report

Prepared for

The City of Meridian
and
The Meridian Development Corporation
November 2015



Kushlan | Associates
Boise, Idaho

Introduction: Kushlan | Associates was retained by the City of Meridian to assist in their consideration of establishing a new urban renewal district in the City of Meridian, Idaho.

Elected Officials serving the City of Meridian are:

Mayor:	Tammy de Weerd
Council President:	Charles Rountree
Council Vice President:	Keith Bird
Council Members:	Joe Borton
	Luke Cavener
	Genesis Milam
	David Zarembo

City Staff

Community Development Director:	Bruce Chatterton
Planning Division Manager:	Caleb Hood
Economic Development Administrator:	Brenda Sherwood

Idaho statutes, at Title 50-2006 states: "URBAN RENEWAL AGENCY. (a) There is hereby created in each municipality an independent public body corporate and politic to be known as the "urban renewal agency" that was created by resolution as provided in section 50-2005" to carry out the powers enumerated in the statutes." The Meridian City Council adopted Resolution 01-397 on July 24, 2001 bringing forth those powers within the City of Meridian.

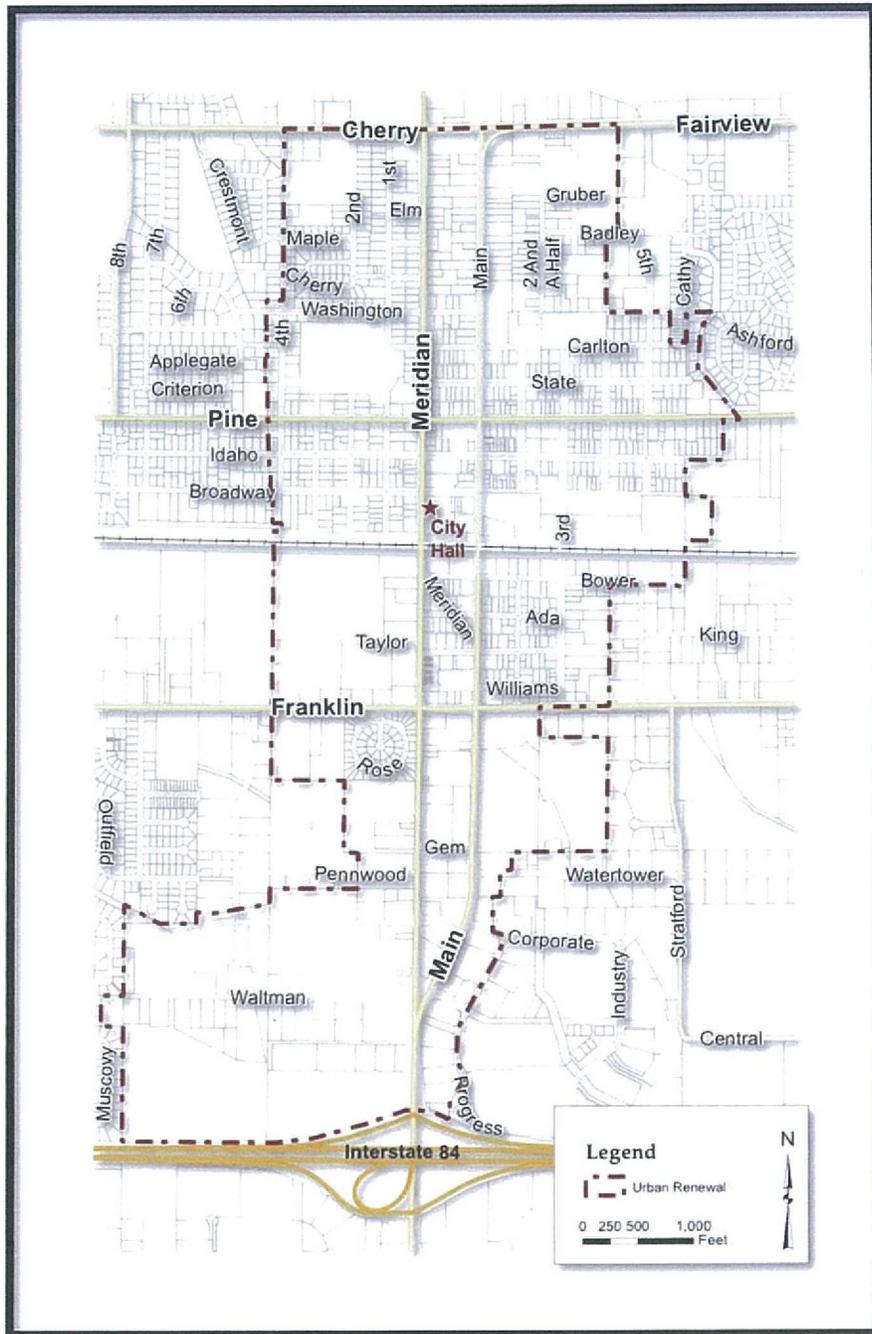
The Mayor, with the confirmation of the City Council, has appointed nine members to the Urban Renewal Agency of the City of Meridian, also doing business as the Meridian Development Corporation (MDC). The MDC currently oversees the implementation of one urban renewal district focused on the revitalization of downtown Meridian that was established by the City Council's adoption of Ordinance No. 02-987 on December 3, 2002. The current membership of the Commission is as follows:

Chair:	Jim Escobar
Vice Chairman	Dan Basalone
Secretary	David Winder
Commissioners	Calvin Barrett
	Keith Bird
	Tammy de Weerd
	Kit Fitzgerald
	Eric Jensen
	Callie Zamzow
Staff:	
Urban Renewal Administrator:	Ashley Squyres

Legal Counsel:

Todd Lakey

Map of Existing Downtown Meridian Urban Renewal District



Background:

While Native Americans inhabited the area for centuries, the development of the community of Meridian, as we know it today, evolved through the late nineteenth century. European settlement started in the 1880s and was originally located on a farm owned by the Onweiler family. A school was opened in 1885. The U.S. Postal Service established a mail drop along the Oregon Short Line Railroad and the site was named Hunter after its superintendent. Community activity grew around this mail stop focused on the railroad. In 1893 an Odd Fellows lodge was organized and called itself Meridian, acknowledging that it was located on the Boise Meridian the primary North-South survey benchmark for Idaho. That name grew in primary use as the name of the settlement and the Village of Meridian was incorporated in 1903 with a population of approximately 200.

The economy had traditionally been focused on the support of the surrounding agricultural activities. A major creamery was established in the community in 1897 to support the nearby dairies. Fruit orchards were located throughout the area.

Meridian was a significant stop on the Interurban electric railway from 1908 to 1928. This service provided convenient access for passengers and freight in both easterly and westerly directions.

Throughout most of the 20th century, Meridian remained a relatively quiet community focused on its agricultural roots. US Census Bureau data, reflects a 1910 population of 619 people growing to 2,616 by 1970. However, starting in 1970 the pace of growth in Southwest Idaho quickened and Meridian's growth initially reflected, and then exceeded the regional rates by significant margins. Over the past twenty-five years the rate of growth has been startling by any reasonable standard. The following table reflects that population growth over the city's history.

1903 (Incorporation Estimate)	200
1910	619
1920	1,013
1930	1,004
1940	1,465
1950	2,081
1960	2,616
1970	6,658
1990	9,596
2000	34,919
2010	75,092
2014 (Estimate)	85,000

When income statistics are compared to statewide numbers, the population of Meridian compares favorably with the rest of Idaho in these categories. The median household income in

Meridian is \$63,571, approximately 37% above the statewide figure of \$46,767. Per capita money income for the Meridian population is \$26,377 as compared to the statewide number of \$22,568. The percentage of the Meridian population below poverty level is 8.4% as compared to the statewide number of 15.5%.

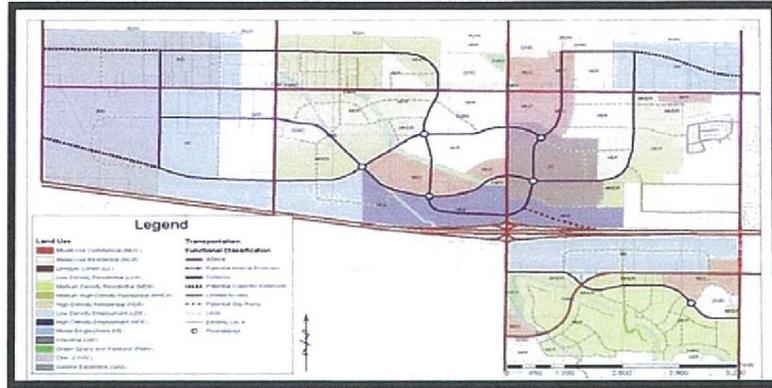
Investment Capacity: Cities across the nation actively participate in the economic vitality of their communities through investment in infrastructure. Water and sewer facilities as well as transportation, communication, electrical distribution and other systems are all integral elements of an economically viable community. Idaho cities have a significant challenge in responding to these demands along with the on-going need to reinvest in their general physical plant to ensure it does not deteriorate to the point of system failure. They face stringent statutory and constitutional limitations on revenue generation and debt as well as near total dependence upon state legislative action to provide funding options. These strictures severely constrain capital investment strategies.

The tools made available to cities in Title 50, Chapters 20 and 29, the Urban Renewal Law and Economic Development Act are some of the few that are available to assist communities in their efforts to support economic vitality. New sources of State support are unlikely to become available in the foreseeable future, thus the City of Meridian's interest in exploring the potential for establishing their second urban renewal district is an appropriate public policy consideration.

The City of Meridian initially established its Urban Renewal Agency in 2001. As noted above, its exclusive focus, limited by the boundaries of the district, is on the traditional downtown area of Meridian.

Ten Mile Interchange Specific Area Plan

The Idaho Transportation Department initiated planning for the development of a new interchange with Interstate 84 at Ten Mile Road in the 1990s. Construction of the interchange was completed in 2012. In support of the State's investment and in anticipation of the resultant development pressure from the opening of the new interchange on the area immediately west of the Meridian City limits, the City initiated a broad-based planning effort for the general area. The Plan that was produced was the Ten Mile Interchange Specific Area Plan and was adopted by the City Council on June 19, 2007. The Plan remains in effect and is intended to guide development decisions within the study area. A map of the Ten Mile Interchange Specific Area Plan is provided below:



As indicated in the Plan map, substantial public infrastructure is called for in implementing the development patterned envisioned. Thus far, development opportunities considered for the area covered by the Plan have been insufficient in scale to support the required public facility investment. This imbalance has thwarted the orderly implementation of the planning undertaken by the City and the property owners. This lack of progress has stimulated the current interest in exercising the powers granted under State Law in the establishment of a second urban renewal district in Meridian.

Steps in Consideration of an Urban Renewal District:

The first step in consideration of establishing an urban renewal district in Idaho is to define a potential area for analysis as to whether conditions exist within it to qualify for redevelopment activities under the statute. In this report, the lands evaluated are called the “Study Area”.

The next step in the process is to review the conditions within the Study Area to determine whether the area is eligible for creating a district. The State Law governing urban renewal sets out the following criteria, at least one of which must be found, for an area to be considered eligible for urban renewal activities.

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site; [50-2018(9); and 50-2903(8)(b) and (8)(c); and 52008(d)(4)(2)
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and
 - a. 50-2903(8)
4. Outmoded Street Patterns [50-2008(d)(4)(2)]
5. Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements [50-2008(d)(4)(2)].
6. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness [50-2018(9) and 50-2903(8)(b)]
7. Unsuitable Topography or Faulty Lot Layouts [50-2008(d)(4)(2)]

8. Insanitary or Unsafe Conditions [50-2018(9)] and [50-2903(8)(b)]
9. Diversity of Ownership [50-2018(9); [50-2903(8)(b) and (8)(c)]; and [50-2008(d)(4)(2)]
 - a. 2008(d)(4)(2)]
10. Tax or Special Assessment Delinquency; [50-2018(9)]
11. Defective or unusual condition of title; [50-2018(9)]
12. Substantially Impairs or Arrests the Sound Growth of a Municipality
 - a. [50-2018(9) and [50-2903(8)(b)]
13. Conditions Which Retard Development of the Area [50-2008(d)(4)(2)]
14. Results in Economic Underdevelopment of the Area [50-2903(8)(b)]; and Economic Disuse [50-2008(d)(4)(2)]

If the Eligibility Report finds that one or more of the conditions noted above exist within the Study Area, then the Urban Renewal Agency may adopt it and forward it to the City Council for their consideration. If the City Council concurs with the determination of the Urban Renewal Agency, they may direct that an Urban Renewal Plan be developed for the area that addresses the issues raised in the Eligibility Report.

The Urban Renewal Agency, then acts to prepare the Urban Renewal Plan for the new District and determines whether to also recommend the establishment of a Revenue Allocation Area to fund improvements called for in the Plan. Once the Plan for the District and Revenue Allocation Area are completed, the Urban Renewal Board of Commissioners forwards it, along with their recommendation, to the City Council for their formal consideration.

The City Council must refer the proposed Urban Renewal Plan to the Planning and Zoning Commission for a finding that the Plan, as presented, is consistent with the City's Comprehensive Plan. The Planning and Zoning Commission has 60 days to complete their review. At the same time, other taxing entities levying property taxes within the boundaries of the proposed Urban Renewal District are provided a thirty-day opportunity to comment on the Plan to the City Council. While the taxing entities are invited to comment on the Plan, their concurrence is not required for the City Council to proceed with their consideration. In the case of the Ten Mile Study Area, the effected taxing districts for those properties located within the city limits of Meridian are:

- The City of Meridian
- The West Ada School District (School District No. 2)
- Ada County
- Emergency Medical District
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District

- Western Ada Recreation District
- College of Western Idaho

For those properties located in unincorporated Ada County, the effected taxing districts are:

- The West Ada School District (Joint School District No. 2)
- Ada County
- Emergency Medical District
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho
- Meridian Fire District
- Pest Extermination District

Once/If the Planning and Zoning Commission makes their finding of consistency and the thirty-day comment period for the various taxing entities has passed, the City Council is permitted to hold a public hearing and formally consider the Adoption of the Plan creating the new Urban Renewal District and Revenue Allocation Area.

The City Council also must find that the taxable value within the district to be created, plus the Base Assessed Value of any existing Urban Renewal / Revenue Allocation areas do not exceed the statutory maximum of 10% of the citywide assessed valuation.

If the City Council, in their discretion, chooses to proceed, they will officially adopt the Urban Renewal Plan and Revenue Allocation Area and provide official notification of that action to the County Assessor and Idaho State Tax Commission.

The Urban Renewal Agency then proceeds to implement the Plan.

Description of the Ten Mile Study Area:

The Study Area subject to the current review is located on the east side of Ten Mile Road, north of the Interstate 84 right-of-way and south of Franklin Road. All properties included are within the boundaries of the Ten Mile Interchange Specific Area Plan. The Study Area consists of twenty (20), relatively large, tax parcels. To provide the Agency and the City maximum flexibility in considering the ultimate extent of the District, the Study Area has been divided into sub-districts, defined primarily by ownership, for analysis. This will allow convenient decision-making by the Agency and City on which properties to include in the formation of a District should that be their determination.

The Study Area has been divided into four Sub-districts designated as TM-1 through TM-4 as noted in the following map and table. The size and value information presented in Table 1 was derived from the Ada County Assessor's on-line parcel information system. The current taxable value of the Study Area is \$4,482,400. However, a substantial portion of that area maintains an agricultural property tax exemption. This is important because State Law requires that when such properties transition from this exemption, the resultant increase in taxable value accrues to

the Base Assessed Value instead of the Incremental Value. This requires estimating the impact of this transition. In reviewing the values ascribed to the various parcels, values range from \$.04 to \$.08 per square foot for agricultural exempt land. The consultant met with the staff of the Ada County Assessor to determine the value they place on the subject parcels before the exemption is applied. They indicated that a per square foot value of between \$2.00 and \$3.00 would be consistent with values they place on similarly zoned properties within the immediate area. They indicated that value, absent other information, is what should be used in considering the non-exempt values. Therefore, the taxable values have been adjusted to reflect this higher number as a basis for making the 10% calculation. Using the higher value (\$3.00) to be conservative, we calculate that the Base Assessed Value of the Ten Mile URD moves from the \$4,482,400 amount with the agricultural exemptions to \$39,539,125 with those exemptions removed. It should be noted that the mere inclusion of a parcel within an urban renewal district does not have any effect on the agricultural exemption. That status would change only upon a change of use away from agricultural

Ten Mile Urban Renewal District Study Area & Sub-Districts

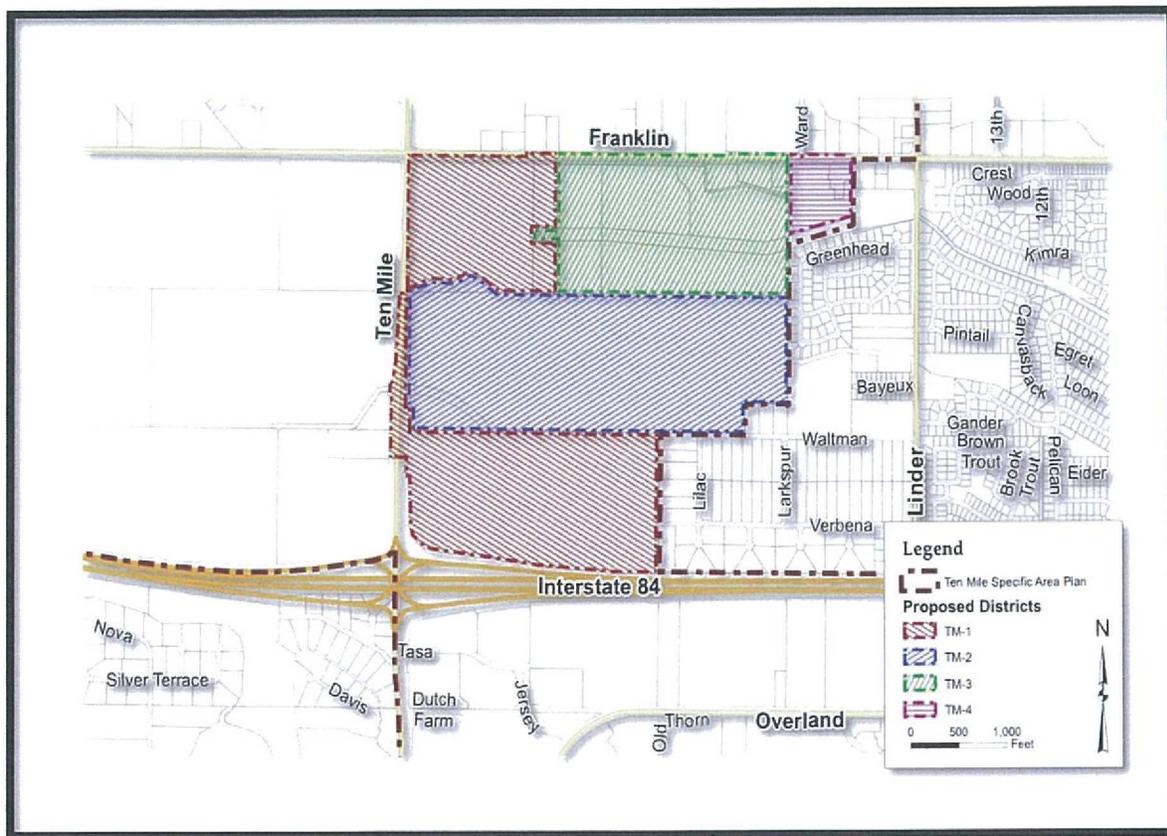


Table 1

Sub-District	Ownership	Parcel #	Acreage	2015 Taxable AV	Est. 2015 Base AV w/o ag. Exemption
TM-1	SCS Brighton LLC				
	South Parcel				
		S1214314810	75.52	\$265,600	\$9,868,954

	North Parcels				
		S1214223260	34.63	\$2,494,200	\$4,525,448
		S1214212560	3.631	\$138,500	\$474,499
		S1214212800	2.875	\$4,600	\$375,705
	Sub-District TM-1 Total		116.656	\$2,902,900	\$15,244,606
TM-2	Treasure Valley Investments LLC				
		S1214233665	111.572	\$235,300	\$14,580,229
		S1214234020	4.211	\$9,500	\$550,293
		S1214223567	2.131	\$4,800	\$278,479
	Sub-District TM-2 Total		117.914	\$249,600	\$15,409,002
TM-3	SCS Brighton LLC				
		S1214212580	6.557	\$10,700	\$856,869
		S1214212820	5.443	\$8,900	\$711,291
		S1214212740	1.286	0	0
		S1214212720	0.686	0	0
	SCS Brighton LLC Sub-total		13.972	\$19,600	\$1,568,160
	Kostka Calnon Enterprises Limited Partnership				
		S1214120710	2.201	\$163,100	\$287,1627
		S1214121133	20.18	\$32,600	\$2,637,122
		S1214212622	12.912	\$21,000	\$1,687,340
		S1214121134	12.2	\$47,700	\$1,594,296
		S1214121172	5.41	0	0
	Sub-total Kostka Calnon		52.903	\$264,400	\$6,206,385
	Bainbridge				
		S1214120631	0.972	\$167,300	\$127,021
		S1214120331	2.104	\$169,600	\$274,951
	Sub-total Bainbridge		3.076	\$336,900	\$401,972
	Sub-District TM-3 Total		69.951	\$620,900	\$8,176,561
TM-4	Twelve Oakes LLC				
		R8580480010	1.438	\$108,174	\$108,174
		R8580480020	7.987	\$600,826	\$600,826
	Sub-District TM-4 Total		9.425	\$709,000	\$709,000
Consolidated			313.946	\$4,482,400	\$39,539,125

- Note: These acreages are exclusive of adjacent public rights-of-way for Ten Mile and Franklin Roads that should be included in the ultimate boundaries of any district established. Publicly owned properties are assigned no value in Idaho assessments, so including them makes no difference to the value calculation, but will slightly increase the ultimate acreage. Only half of the right-of way for Ten Mile Road and Franklin Road adjacent to TM-1 (northern portion) are included as only half of the right-of way has been annexed into the City.

Description of the sub-districts:

Sub-District TM-1; As noted in the table above, Sub-District TM-1 consists of four tax parcels. The largest parcel (75.25 acres) is located at the southern limits of the Sub-district immediately adjacent to the freeway interchange. It remains primarily in agricultural use. Of the total acreage, 4.0 acres has been designated by the Assessor as the homesite and thus not subject to the agricultural exemption accruing to the balance of the property. The homesite is assessed at \$143,100. Associated with the homesite, there was a residence constructed in 1969 with an assessed value of \$14,100. However, that residence has been removed from the property, but a large equipment shed remains on the property and in use. The balance of the property (67.8 acres) carries a valuation of \$108,400. The relatively low taxable value of the majority of the land is a result of the agricultural land property tax exemption available to owners of property dedicated to agricultural uses under Idaho law.

When the improvement value assigned to a parcel is less than the land value, a deteriorated or deteriorating condition is present. National real estate appraisal standards suggest that in an economically viable property, land value should contribute approximately 30% of the total value leaving 70% to the improvements. As that ratio shifts, with improvement value declining as a proportion of the total, a condition of disinvestment is determined to be present. At a point when the improvement value represents less than 50% of the total (i.e. improvement value is less than land value) such condition represents a "deteriorating condition" for the purposes of this analysis.

A random survey of Ada County Assessor property records of parcels in the immediate proximity of the proposed Ten Mile Urban Renewal District Study Area reflects these ratios. Sample residential properties constructed within the past 20 years reflect a land value of between 27% and 39% of the total values. Commercial properties, where appraisals are determined on an income basis instead of cost or comparable properties, reflected land values of between 20% and 29% of total value.

When the homesite in Subdistrict TM-1 is analyzed, an improvement value was found that is less than 10% (9.85%) of the land value. However, the residence and various outbuildings on the property have been removed, even though they are still recognized on Ada County Assessor records.

The Ten Mile Road frontage has been improved to current urban standards but the balance of the property has no public infrastructure to support the development pattern envisioned in the Ten Mile Interchange Specific Area Plan.

A short portion of the Ten Mile Drain extends from the east into the northern Brighton properties, but is not part of that ownership and various maps show this small parcel remains outside the incorporated area of the City of Meridian. Since this small parcel is not in the city limits, it is included in TM-3, not TM-1. The drain physically continues in a northwesterly direction cross the Brighton parcels, but it is not recognized as a separate parcel in this area.

The parcels located within the northerly portion of the sub-district have recently been platted for commercial development, but no investment has been made. Some preliminary planning has been conducted on potential development consistent with the Specific Area Plan, but no formal process implementing the Plan has been pursued.

One lot (S1214212800) containing 2.875 acres has no access to a public street.

While the parcels included in Sub-District TM-1 are under one ownership, they are not all contiguous. The statute does not require contiguity in the establishment of a district, however, the State Tax Commission maintains a policy that does. This contiguity can be achieved by including the Ten Mile Road right-of-way that is adjacent to the intervening parcel to establish one contiguous district boundary should the City determine to not include the TM-2 Sub-District.

Sub-District TM-2: This Sub-District consists of three (3) parcels, all of which remain in active agricultural use. One parcel contains 111.572 acres, one contains 4.211 acres and one contains 2.131 acres for a total of 117.914 areas. As in TM-1, the properties located in TM-2 have no infrastructure installed other than the improvements to Ten Mile Road. No structures or other improvements are located within the boundaries of Sub-District TM-2.

One lot (S1214223567) has no access to a public street. A dedicated but unimproved right-of-way separates the larger parcel from the 4-acre lot. Questions exist with regard to the sufficiency of the right-of-way, both in terms of width and alignment.

According to representatives of the property owner, a low spot exists at the extreme southeast corner of the larger parcel allowing for the ponding of run-off from neighboring properties.

The Kennedy Lateral extends in an east-west direction across most of the site.

These properties are annexed and a general concept for development of the sub-district exists but no active progress has been made toward implementation.

Sub-District TM-3: Sub-District TM-3 contains eleven (11) parcels under three ownerships. SCS Brighton LLC owns four parcels consisting of 6.065 acres located along the westerly edge of the sub-district and adjacent to their holdings in TM-1. The lot located south of the Ten Mile Drain has no access to a public street. One of the parcels is the extension of the Ten Mile Drain and another is designated as "wasteland" by the County Assessor, and thus carry no value.

Steven J. Bainbridge owns two residential parcels located at the easterly end of the sub-district fronting on West Franklin Road and consisting of 3.076 acres. One parcel (S1214120631) consists of 0.972 acres and carries a land value of \$93,200 and improvement value of \$74,100 (80% of land value) thus suggesting disinvestment. The other parcel (S1214120661) is 2.104 acres in size and has a land value of \$117,700 and improvement value of \$51,900 (44% of land value) also suggesting a condition of disinvestment.

The majority of the sub-district is held in the ownership of Kostka-Calnon Limited Partnership. This ownership is made up of five (5) parcels containing 52.903 acres. The Ten Mile drainage facility consisting of 5.41 acres traverses the Kostka-Calnon ownership and is classified as "wasteland" by the Ada County Assessor and therefore has been assigned no assessed value for taxation purposes. The total area of Sub-District TM-3, including the three ownerships and the "waste" parcels is 69.951 acres.

The Kostka – Calnon parcels also remain in active agricultural usage, but 1.5 acres have been designated as the homesite (S1214121134), with an assessed value of \$20,000. The residential improvement on the homesite includes a residence constructed in 1916 and carries a valuation of \$10,300 or 51.5% of the associated land value. The remaining value on the homesite parcel (\$17,400) and the values of the other two parcels (\$53,600) used for agricultural purposes are

subject to the agricultural exemption. An additional residential parcel (S1214120710) consists of 2.201 acres and has an assessed value of \$163,100 for both land and improvement values. In this case the improvement value is assessed at 40% of the land value, suggesting disinvestment.

An open irrigation lateral runs through the properties.

The Brighton parcels remain fully in agricultural usage and no structures are present on the properties. The Ten Mile drain separates the two Brighton parcels creating a land-locked parcel.

One lot under Kostka – Calnon ownership (S1214121133) consisting of 20.18 acres is situated south of the Ten Mile Drain and, like the Brighton parcel, has no access to a public street.

No active development planning is evident on the properties located within the sub-district.

The entire extent of Sub-District TM-3 remains in unincorporated Ada County. Should the Agency and City conclude that the properties located within this area be included in an urban renewal district, the parcels to be included would need to be either annexed into the City of Meridian prior to the effective date of the creation of the district, or be subject to an agreement between the City of Meridian and Ada County permitting the unincorporated parcels to be included. The Brighton and Kostka / Calnon properties have petitioned for annexation and that process is currently underway. The Bainbridge properties are not part of the annexation petition.

Sub-District TM-4: Sub-District TM-4 consists of two tax parcels under the ownership of Twelve Oakes LLC, according to the records of the Ada County Assessor. The ownership is divided between a commercial tract located along the Franklin Road frontage and the majority (7.987 acres) designated for mixed-use development. There are no improvements or structures on the property.

As noted above, the property has received initial entitlements for development but no schedule for installation of improvements has been established. The only public infrastructure serving the site, at this time, is the fully improved frontage of Franklin Road and an irrigation lateral located along the west property line. The north-south portion of the irrigation lateral separating TM-4 from TM-3 has been piped as required by City approvals.

Analysis of the Study Area:

A review of the Study Area reflects a pattern of delayed investment or an area in transition. This is particularly notable given the area's proximity to substantial public investment in the Ten Mile interchange and street and utility improvements to both Ten Mile Road and Franklin Road. The Ten Mile Interchange Specific Area Plan provides a clearly articulated vision for a high-density mixed-use development pattern in this area that would capitalize on the access and utility investments already made by public entities. To date, however, while some planning has been done consistent with the Plan, little progress has been made to implement the vision. The Plan calls for substantial investment in public infrastructure but the market to date has proven incapable of supporting the capital costs. It appears as though meaningful progress may depend upon some level of public intervention to support the desired private investment to bring the Plan to reality. The individual sub-districts will be analyzed in the context of the adopted

Specific Area Plan, and then the Study Area as a whole will be looked at to determine a final recommendation.

For the convenience of the reader, the statutory criteria are reiterated, at least one of which must be found to qualify an area for urban renewal activities. Those conditions are:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site; [50-2018(9); and 50-2903(8)(b) and (8)(c); and 52008(d)(4)(2)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)]
4. Outmoded Street Patterns [50-2008(d)(4)(2)]
5. Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements [50-2008(d)(4)(2)].
6. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness [50-2018(9) and 50-2903(8)(b)]
7. Unsuitable Topography or Faulty Lot Layouts [50-2008(d)(4)(2)]
8. Insanitary or Unsafe Conditions [50-2018(9)] and [50-2903(8)(b)]
9. Diversity of Ownership [50-2018(9)]; [50-2903(8)(b) and (8)(c)]; and [50-2008(d)(4)(2)]
10. Tax or Special Assessment Delinquency; [50-2018(9)]
11. Defective or unusual condition of title; [50-2018(9)]
12. Substantially Impairs or Arrests the Sound Growth of a Municipality
 - a. [50-2018(9) and [50-2903(8)(b)]
13. Conditions Which Retard Development of the Area [50-2008(d)(4)(2)]
14. Results in Economic Underdevelopment of the Area [50-2903(8)(b)]; and Economic Disuse [50-2008(d)(4)(2)]

Analysis: Sub-District TM-1

Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site: The structures associated with these properties are located at the extreme south end of the Study Area and are adjacent to the recently constructed interchange. As noted above, the house and other outbuildings on the homesite have been removed, leaving only a large equipment shed on the property. That structure is relatively new and is appropriate to support a continued agricultural use but is inconsistent with the vision inherent in the Specific Area Plan. Since the majority of the structures previously located on the

property have been removed, no deteriorated or deteriorating structures remain. Therefore, criterion #1 is not met.

Criterion #2: Age or Obsolescence: Again, as noted above the structures were built to serve the historic agricultural use. While the remaining structure is not old, it is not of a nature to support the high-density mixed-use envisioned in the Plan. Additionally a significantly large and open drainage channel traverses the northerly parcels. This remains a common method of providing drainage to agricultural lands, but is inconsistent with high-density urban uses envisioned for the area. Therefore the remaining equipment shed and the open drainage channel are obsolete in this context and as such, criterion #2 is met.

Criterion #3: Predominance of Defective or Inadequate Street Layout: As noted above, it is recommended to include the Ten Mile Road and Franklin Road rights-of-way within the boundaries of the sub-district. As such, the improvements made to these facilities in recent years appear adequate to serve the anticipated development. However, there are no streets in place to serve the internal development of these relatively large parcels. Implementation of the Specific Area Plan requires circulation throughout the planning area and since no streets currently exist to serve the anticipated interior development, criterion #3 is met.

Criterion #4: Outmoded Street Patterns: This criterion is addressed in the same manner as the previous one and since there is no interior circulation pattern in place, criterion #4 is met.

Criterion #5: Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements: While the Ten Mile Interchange and the Ten Mile Road and Franklin Road improvements provide good access to the area for the broader Meridian and regional community, the internal circulation system is non-existent at this point in time. The Specific Area Plan calls-out specific locations for access points into the sub-district so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #5 is met.

Criterion #6: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness: The parcels in the sub-district are of a size and configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region have developed around these properties, the large lots in the sub-district are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. Also, as noted above, one of the lots in the northerly section of TM-1 has no access to a public right-of-way. Therefore criterion #6 is met.

Criterion #7: Unsuitable Topography or Faulty Lot Layouts: While the topography of the sub-district presents no difficulty for implementation of the Plan the lot layout as noted above is inappropriate for the uses envisioned and one parcel is land-locked. Thus criterion #7 is met.

Criterion #8: Insanitary or Unsafe Conditions: Again, given the current agricultural use "insanitary and unsafe conditions" are not present. However, when considering the anticipated development pattern, the sub-area is completely devoid of public water supply and distribution facilities. No provision for required fire flows nor any provision of sanitary sewer or storm drainage facilities adequate to the demand has been made. Therefore, criterion #8 is met.

Criterion #9: Diversity of Ownership: There are four parcels included in Sub-District TM-1. All of these parcels are under the ownership of a single entity. Therefore, criterion # 9 is not met.

Criterion #10: Tax or Special Assessment Delinquency: According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #10 is not met

Criterion #11: Defective or unusual condition of title: The two smaller parcels in the northern section of TM-1 appear to have been created by an informal "Lot split" and not through formal subdivision. Therefore they do not represent a legal lot of record, but merely a separate parcel for taxation purposes. While this is a legal process in the State of Idaho such tax parcels may not comply with zoning and other site requirements. This can be viewed as an unusual condition of title. Therefore, criterion #11 is met.

Criterion #12: Substantially Impairs or Arrests the Sound Growth of a Municipality: The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. The City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide public infrastructure, the Study Area will remain an under-utilized area in the midst of the fastest growing area in the State of Idaho. Criterion #12 is met.

Criterion #13: Conditions Which Retard Development of the Area: See discussion of Criterion #12 above. Criterion #13 is met.

Criterion #14: Results in Economic Underdevelopment of the Area: See discussion of Criterion #12 above. Criterion #14 is met.

Findings: Sub-District TM-1: Conditions exist within the sub-district to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.

Analysis: Sub-District TM-2

Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site: Sub-District TM-2 consists of approximately 118 acres of undeveloped farmland. The entire acreage is used for agricultural purposes with no structures present on the properties. Therefore, criterion #1 is not met.

Criterion #2: Age or Obsolescence: Again, no structures are present on the property and the only infrastructure serving the property is the recently improved Ten Mile Road which meets current standards. The Kennedy Lateral serves the current agricultural uses, but the open nature of the facility is not compatible with the development pattern envisioned in the Specific Area Plan and thus can be considered obsolete. Therefore, criterion #2 is met.

Criterion #3: Predominance of Defective or Inadequate Street Layout: The only street serving this sub-district is Ten Mile Road which fronts the westerly edge of the sub-district. An unimproved right-of-way exists in the Southwest corner of the Sub-district This dedicated right-of-way extending into the property in a curvilinear fashion is viewed by the property owner as inadequate both in terms of width and alignment to support development plans for the property.

No mechanism is in place to install required infrastructure. Effective development of the 118 acres requires public street access to the full extent of the property. Such street network does not exist at this time. Therefore, criterion # 3 is met.

Criterion #4: Outmoded Street Patterns: This criterion is addressed in the same manner as the previous one and since there is no interior circulation pattern in place, criterion #4 is met.

Criterion #5: Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements: While the Ten Mile Interchange and the Ten Mile Road and Franklin Road improvements provide good access to the area for the broader Meridian and regional community, the internal circulation system is non-existent at this point in time. The Specific Area Plan calls out specific locations for access points into the sub-district so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place. The right-of-way extending into the property is viewed as inadequate by the property owner. Therefore, criterion #5 is met.

Criterion #6: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness: The parcels in the sub-district are of a size and configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region has developed around these properties, the large lots in the sub-district are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. One land-locked lot has no access to public right-of-way. Therefore, criterion #6 is met.

Criterion #7: Unsuitable Topography or Faulty Lot Layouts: A low area at the southeast corner of the largest parcel acts as an informal drainage basin, receiving run-off from adjacent residential properties. The topography of the rest of the sub-district presents no difficulty for implementation of the Specific Area Plan. The lot layout as noted above is inappropriate for the uses envisioned. Again, one lot has no access to a public street. Thus, criterion # 7 is met.

Criterion #8: Insanitary or Unsafe Conditions: Again, given the current agricultural use "insanitary and unsafe conditions" are not present. However, when considering the anticipated development pattern, the sub-district is completely devoid of public water supply and distribution facilities. No provision for required fire flows nor any provision of sanitary sewer or storm drainage facilities adequate to the demand has been made. The open configuration of the Kennedy Lateral would create an unsafe condition under the development pattern envisioned in the Specific Area Plan. Therefore, criterion #8 is met.

Criterion #9: Diversity of Ownership: There are three parcels included in Sub-District TM-2. All of these parcels are under the ownership of a single entity. Therefore, criterion # 9 is not met.

Criterion #10: Tax or Special Assessment Delinquency: According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #10 is not met.

Criterion #11: Defective or unusual condition of title: No defective or unusual conditions of title exist. Therefore, criterion #11 is not met.

Criterion #12: Substantially Impairs or Arrests the Sound Growth of a Municipality: The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide public infrastructure, the Study Area will remain and under-utilized area in the midst of the fastest growing areas in the State of Idaho. Criterion #12 is met.

Criterion #13: Conditions Which Retard Development of the Area: See discussion of Criterion #12 above. Criterion #13 is met.

Criterion #14: Results in Economic Underdevelopment of the Area: See discussion of Criterion #12 above. Criterion #14 is met.

Findings: Sub-District TM-2: Conditions exist within the sub-district to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.

Analysis: Sub-District TM-3

Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site: As with the other sub-districts previously reviewed, the properties included within Sub-District TM-3 have been dedicated to agricultural pursuits for many decades. Structures, both residences and outbuildings were developed on the properties fronting on West Franklin Road to support that use. The Ada County Assessor recognizes four residential structures and several outbuildings in this sub-district, all of which reflect improvement values less than the values assigned to the parcels on which they are located. These residences reflect values ranging from 28% to 80% of the land value. This situation suggests a deteriorating condition of the improvements. While the condition of many of the structures remains serviceable for their historic use, the higher intensity uses envisioned in the Specific Area Plan are incompatible with the older buildings. Therefore, criterion #1 is met.

Criterion #2: Age or Obsolescence: The County Assessor recognizes four residential structures in the sub-district two of which approach 100 years of age and one being 85 years old. The other dwelling was constructed in 1980. A variety of out buildings exist on the properties. The age of the majority of the buildings suggests that the structures on the properties are functionally obsolete. It is most likely that implementation of the City's plans for the area will require demolition or relocation of most of the structures currently in place.

Another infrastructure element located in the sub-district is the Ten Mile Drainage facility. It is an open ditch that traverses the sub-district actually separating the southerly lot from those fronting on Franklin Road and thus creating a relatively large parcel with no public access.

The ditch may be adequate for the current use of the property, but the higher density uses envisioned in the planning documents render this facility obsolete in the more urban context that has evolved around this property.

Finally, the property is served by an irrigation lateral (Vaughan Lateral) that runs along the east boundary of the sub-district then traverses the area in an east-west configuration before returning to the north boundary at Franklin Road. As long as the properties remain in

agricultural use the open facility functions adequately. However, as the development on the properties intensifies, the open nature of the lateral will present a potentially hazardous condition and therefore would be rendered obsolete. The lateral has been piped along the easterly boundary of TM-3 suggesting that a similar treatment of the east-west section will be required as a condition of development at some time in the future. Therefore, criterion #2 is met.

Criterion #3: Predominance of Defective or Inadequate Street Layout: West Franklin Road has been improved to full urban standards across the northerly frontage of this sub-district. An unimproved private roadway provides the only access to the interior part of the sub-district. To fully respond to the vision expressed in the Specific Area Plan, a more robust system of public streets will be required. The southerly lot has no access to a public street. Since those streets do not exist at this time, criterion #3 is met.

Criterion #4: Outmoded Street Patterns: This criterion is addressed in the same manner as the previous one and since there is no interior circulation pattern in place, criterion #4 is met.

Criterion #5: Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements: While the Ten Mile Interchange and the Ten Mile Road and Franklin Road improvements provide good access to the area for the broader Meridian and regional community, the internal circulation system is non-existent at this point in time. The Plan called out specific locations for access points into the sub-district so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #5 is met.

Criterion #6: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness: The parcels in the sub-district are of a size and configuration appropriate for the historic agricultural use for which they have been deployed for several decades. Three parcels fronting West Franklin Road have been divided off from the original property but even these lots range from approximately one acre to 2.2 acres making them ill-suited for the type of development envisioned in the adopted plans. A more fine-grained and high-density development pattern is represented in the adopted Plan. The largest lot in TM-3 (20.13 acres) has no public access. Therefore, criterion #6 is met.

Criterion #7: Unsuitable Topography or Faulty Lot Layouts: While the topography of the sub-district presents no difficulty for implementation of the Specific Area Plan the lot layout as noted above is inappropriate for the uses envisioned. The largest lot has no access to a public right-of-way. Thus, criterion # 7 is met.

Criterion #8: Insanitary or Unsafe Conditions: While public water and sewer facilities are available to the site in the recently improved Franklin Road, City policy precludes providing utility service to properties outside the city limits. Therefore the existing residences located in Sub-District TM-3 do not currently have access to public water and sewer service. This condition will be rectified if the current annexation petition ultimately results in their inclusion within the city limits.

The property is served by an open irrigation channel (Vaughan Lateral). That portion of the Lateral running along the east property line of Sub-District TM-3 has recently been piped. The

portion traversing the area in an east-west direction remains open and unprotected creating a potentially hazardous condition as activities intensify in the area. Criterion #8 is met.

Criterion #9: Diversity of Ownership: The 62.485 acres included within Sub-District TM-3 are held under three separate ownerships: (Brighton, Kostka / Calnon and Bainbridge) with the majority (53 acres) being controlled by Kostka / Calnon. A large number of small parcels with diverse ownerships make reinvestment difficult. However, the properties located here are relatively large and one can expect three sophisticated property owners to work together. Therefore, it is determined that criterion#9 is not met.

Criterion #10: Tax or Special Assessment Delinquency: According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #10 is not met.

Criterion #11: Defective or unusual condition of title: The two smaller parcels at the westerly end of TM-3 appear to have been created by an informal "Lot split" and not through formal subdivision. Therefore they do not represent a legal lot of record, but merely a separate parcel for taxation purposes. The larger 20 acre parcel appears to be created in a similar manner. While this is a legal process in the State of Idaho such tax parcels may not comply with zoning and other site requirements. This can be viewed as an unusual condition of title. Therefore, criterion #11 is met.

Criterion #12: Substantially Impairs or Arrests the Sound Growth of a Municipality: The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide public infrastructure, the Study Area will remain and under-utilized area in the midst of the fastest growing areas in the State of Idaho. Criterion #12 is met.

Criterion #13: Conditions Which Retard Development of the Area: See discussion of Criterion #12 above. Criterion #13 is met.

Criterion #14: Results in Economic Underdevelopment of the Area: See discussion of Criterion #12 above. Criterion #14 is met.

Findings: Sub-District TM-3: Conditions exist within the sub-district to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.

While the entire area of Sub-District TM-3 currently remains in unincorporated Ada County a petition for annexation to the City of Meridian has been filed for the Brighton and Kostka / Calnon properties. Should that annexation become effective prior to the creation of an urban renewal district in this area, the inclusion of these parcels could occur without hindrance.

The Bainbridge parcels were not included in the annexation petition. And while statute allows for inclusion of unincorporated areas in an urban renewal district created by a city in Idaho, that can only be accomplished by way of an intergovernmental agreement between the city and the county permitting such inclusion. This option would create complexity and potential delay, especially if any opposition surfaces. We are unaware of any interest of this ownership to be included.

Analysis: Sub-District TM-4

Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site: The properties located within this sub-district have no structures on them; therefore, criterion #1 is not met.

Criterion #2: Age or Obsolescence: Again, given the fact that no structures exist on the properties, age and obsolescence are not an issue. The irrigation lateral, previously existing in an open-ditch condition has been enclosed in a piped system. Therefore, criterion #2 is not met.

Criterion #3: Predominance of Defective or Inadequate Street Layout: While the property fronts on a street improved to full urban standards, no internal circulation is currently in place. However, this sub-district is relatively small and current plans call for the property to be served by private streets. Given that this development is planned in isolation from the surrounding properties and the relatively small traffic demand anticipated, the private streets should be adequate. Therefore, criterion #3 is not met.

Criterion #4: Outmoded Street Patterns: The analysis for this criterion is essentially the same as for criterion #3 and thus, criterion #4 is not met.

Criterion #5: Need for Correlation of Area with Other Areas of a Municipality by Streets; and Modern Traffic Requirements: Again, Sub-District TM-4 is relatively small (9.425 acres) and the proposed development does not negatively impact development potential around it. The Ten Mile Interchange Specific Area Plan that covers this property does not call for street extensions through this area. Therefore, criterion #5 is not met.

Criterion #6: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness: The property within this sub-district has recently been divided to accommodate a specific development scheme; therefore the lot layout is appropriate for the anticipated uses. Criterion #6 is not met.

Criterion #7: Unsuitable Topography or Faulty Lot Layouts: As noted above, the lot configuration is suitable for the proposed development having recently been divided and the site is relatively flat allowing services to be extended. Therefore, criterion #7 is not met.

Criterion #8: Insanitary or Unsafe Conditions: No insanitary conditions exist on the site and public sewers will be extended throughout the property with the proposed development. The Vaughan Lateral has been piped thereby eliminating that potentially unsafe condition. Criterion #8 is not met.

Criterion #9: Diversity of Ownership: The entire sub-district is under one ownership; therefore Criterion #9 is not met.

Criterion #10: Tax or Special Assessment Delinquency: According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #10 is not met.

Criterion #11: Defective or unusual condition of title: No defective or unusual conditions of title exist. Therefore, criterion #11 is not met.

Criterion #12: Substantially Impairs or Arrests the Sound Growth of a Municipality: The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan. The proposed development is consistent with the Plan. The relatively small area and isolation from the rest of the Specific Area Plan properties suggest no substantial impact on the development of nearby areas or the community as a whole. The sub-district is separated from the other in-city sub-districts by the unincorporated areas included in Sub-District TM-3. Criterion #12 is not met.

Criterion #13: Conditions Which Retard Development of the Area: See discussion of Criterion #12 above. Criterion #13 is not met.

Criterion #14: Results in Economic Underdevelopment of the Area: See discussion of Criterion #12 above. Criterion #14 is not met.

Findings: Sub-District TM-4: Conditions do not exist within the sub-district to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law. Should the Agency and City Council want to bring urban renewal tools to assist in the development of this sub-district, appending it to Sub-District TM-3 may be a better option than a stand-alone, geographically isolated district.

Consolidated Sub-District Analysis: Having reviewed the existing conditions in the four sub-districts separately, the Study Area as a whole will be evaluated. Conditions exist in Sub-Districts TM-1, TM-2 and TM-3 that warrant a finding that these areas may be included in an urban renewal district. Sub-District TM-4, in a stand-alone condition, would prove difficult to justify. However, it could legitimately be included in a larger district, associated with an area or areas where the conditions/findings were met.

A significant issue in determining what areas to include is the timing of potential development. Recent amendments to the Urban Renewal Law and Economic Development Act have limited the maximum life of a district to 20 years. The longer development is delayed after creation of an urban renewal district, the fewer years of incremental revenue are thus available to support required infrastructure investments. Should the City Council direct the creation of an urban renewal plan in this area, one of the required elements of that Plan is a financial feasibility analysis. In that analysis, one will need to consider the cost of installation of public facilities against the anticipated revenue produced by the private, taxable investment. This suggests that a district wherein development is not foreseen in the very near future may prove financially infeasible.

Another significant factor is the type of development anticipated in the area under consideration. Of particular concern is the proportion of owner-occupied residential properties. These uses enjoy a substantial property tax exemption prescribed by State Law, thereby reducing the revenue yield needed to support infrastructure investment. Such residential uses need properties carrying their full tax burden to supplement their limited yields.

CONCLUSION:

Based upon the data and the conditions that exist within the Study Area as noted above, the Meridian Development Corporation Board and Meridian City Council may determine that Sub-

Districts TM-1, TM-2 and TM-3 are eligible for the establishment of an urban renewal district and could be combined into a single urban renewal district. Sub-District TM-4 appears ineligible as a stand-alone district but could be included in a larger district. A variety of configurations are available at the discretion of the City Council.

10% Analysis: In addition to the findings reported above, verification that the assessed value of the proposed Study Area is within the statutory limits is needed. As noted above, State Law limits the percentage of assessed value that can be included in urban renewal / revenue allocation districts to 10% of the total valuation of the City. According to Ada County Assessor records, the most recent total certified value for the City of Meridian is \$ 8,890,841,600. This number does not reflect exemptions. Therefore taking a more conservative approach, the net taxable value for this calculation is used. That number is \$6,848,682,967. As shown in the analysis in Table 1 the current taxable value of the entire Study Area after the agricultural exemptions are lifted is estimated to be \$39,539,125. This value then must be added to the Base Assessed Value of the Downtown Meridian Urban Renewal District to test for the 10% limitation. The Base Assessed Value of the Downtown District established at the time of its creation, is \$146,334,050. The analysis for these purposes is presented in Table 2, below. The combined amounts are well below the statutory limit. Reducing the area to be included in the new district would reduce the percentage.

Table 2

Statutory 10% Limitation Analysis		
Area	Taxable Value	Percentage
Total City	\$6,848,682,967	100%
Downtown Meridian URA Base Value	\$146,334,050	2.14%
Proposed Ten Mile URA	\$ 39,539,125	0.58%
Total UR Base Assessed Value Percentage	\$185,873,175	2.714%

The effect of creating this district on the capacity of the City and MDC to consider future districts should they choose to do so is also explored. The table below shows that even if a new district similar to the Ten Mile URD were to be established, approximately 7.66% of the citywide taxable value would remain uncommitted.

Remaining Urban Renewal Capacity		
• Maximum 10% Limitation	\$684,868,297	10%
• Downtown Meridian URA	\$146,334,779	(2.14%)
• Proposed Ten Mile URA	\$ 39,539,125	(0.58%)
Available AV within limitation	\$498,994,393	7.286%

Images: Sub-District #1



Images: Sub-District #2



Images: Sub-District #3



Images: Sub-District #4



Attachment 7

Agricultural Consent Forms

CONSENT FORM

COME NOW Kostka and Calnon, LLC, and states that it owns certain property generally described as Parcel S1214121133, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviewed the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, Kostka and Calnon, LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 22 day of April, 2016

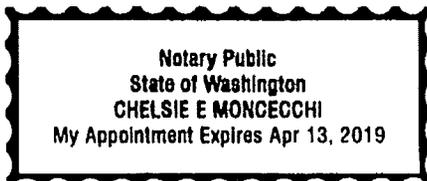
Kostka and Calnon, LLC

By: Kathleen A. Kostka
Kathleen A. Kostka, Manager

STATE OF WASHINGTON)
County of Pierce) ss:

On this 22 day of April, 2016, before me, a notary public in and for said state, personally appeared Kathleen A. Kostka, known or identified to me to be the Manager of Kostka and Calnon, LLC, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Chelsie E Moncecchi
Notary Public for Washington
Residing at 710 Simon Eighth Ave WA 98335
My Commission Expires April 13 2019

EXHIBIT A

LEGAL DESCRIPTION

PAR #1130 S'LY POR NW4NE4 &NE4NW4 SEC 14 3N 1W #121130-B



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Road, Boise, ID 83705
Telephone 208+343+3381 Facsimile 208+342+5792

Calnon Enterprises, Limited Partnership Tax Parcel S1214121133 Land South of the Ten Mile Stub Drain

15 June 2016

A parcel of land situate in the northwest quarter of the northeast quarter and in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at northwest corner of the northeast quarter of the northwest quarter of said Section 14, which bears N89°37'56"W, 1,328.98 feet from the north quarter corner of said Section 14; thence S00°06'37"W, 828.98 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary the Ten Mile Stub Drain; thence N89°23'03"E, 249.02 feet along the southerly boundary of the Ten Mile Stub Drain; thence continuing N89°23'03"E, 466.97 feet along the southerly boundary of the Ten Mile Stub Drain to the **Point of Beginning**:

Thence the following courses and distances along the southerly boundary of the Ten Mile Stub Drain:

N89°23'03"E, 21.08 feet;

S85°36'57"E, 1,651.08 feet;

117.09 feet along a tangent curve deflecting to the left with a radius of 346.50 feet, a central angle of 19°21'43", a long chord of 116.54 feet on a bearing of N84°42'11"E;

N75°03'03"E, 164.04 feet to the easterly boundary of the northwest quarter of the northeast quarter of said Section 14;

Thence S00°06'24"W, 449.98 feet along the easterly boundary of the northwest quarter of the northeast quarter of said Section 14 to the southeast corner of the northwest quarter of the northeast quarter of said Section 14;

Thence N89°40'48"W, 1,329.35 feet along the southerly boundary of the northwest quarter of the northeast quarter of said Section 14 to the southwest corner of the northwest quarter of the northeast quarter of said Section 14;

Thence N89°39'03"W, 612.67 feet along the southerly boundary of the northeast quarter of the northwest quarter of said Section 14;

Thence N00°06'37"E, 511.74 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the **Point of Beginning**.

Comprising 20.01 acres, more or less.

Subject to easements or right-of-ways of record or apparent.

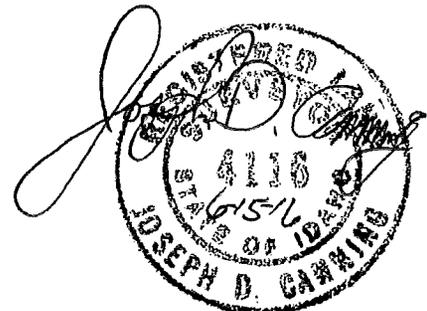


EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

EXHIBIT A

LEGAL DESCRIPTION

PAR #2622 POR NW4NE4 & NE4NW4 SEC 14 3N 1W #212620-B



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Road, Boise, ID 83705
Telephone 208+343+3381 Facsimile 208+342+5792

Calnon Enterprises, Limited Partnership Tax Parcel S1214212622

15 June 2016

A parcel of land situate in the northwest quarter of the northeast quarter and in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at northwest corner of the northeast quarter of the northwest quarter of said Section 14, which bears $N89^{\circ}37'56''W$, 1,328.98 feet from the north quarter corner of said Section 14; thence $S00^{\circ}06'37''W$, 89.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14; thence $S89^{\circ}37'56''E$, 249.00 feet along a line parallel to the northerly boundary of the northeast quarter of the northwest quarter of said Section 14; thence continuing $S89^{\circ}37'56''E$, 466.93 feet along a line parallel to the northerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the **Point of Beginning**:

Thence continuing $S89^{\circ}37'56''E$, 613.17 feet along a line parallel to the northerly boundary of the northeast quarter of the northwest quarter of said Section 14 to a point that bears $S00^{\circ}01'40''W$, 89.00 feet from the north quarter corner of said Section 14;

Thence $S89^{\circ}41'43''E$, 157.95 feet along a line parallel to the northerly boundary of the northwest quarter of the northeast quarter of said Section 14;

Thence $S00^{\circ}16'38''E$, 115.49 feet;

Thence $S48^{\circ}21'35''E$, 182.51 feet;

Thence $S00^{\circ}00'00''W$, 433.70 feet to the northerly boundary of the Ten Mile Stub Drain;

Thence the following courses and distances along the northerly boundary of the Ten Mile Stub Drain:

$N85^{\circ}36'57''W$, 887.04 feet;

$S89^{\circ}23'03''W$, 24.80 feet;

Thence $N00^{\circ}06'37''E$, 607.69 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the **Point of Beginning**.

Comprising 12.75 acres, more or less.

Subject to easements or right-of-ways of record or apparent.

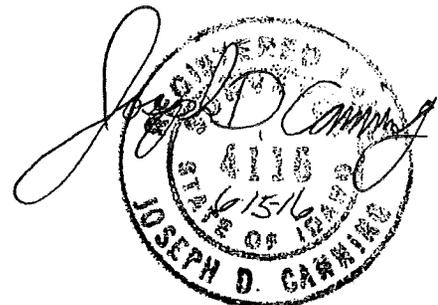


EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW Kostka and Calnon, LLC, and states that it owns certain property generally described as Parcel S1214121172, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviewed the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, Kostka and Calnon, LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 22 day of April, 2016

Kostka and Calnon, LLC

By: Kathleen Kostka
Kathleen A. Kostka, Manager

STATE OF WASHINGTON)
County of Perce) ss:

On this 22 day of April, 2016, before me, a notary public in and for said state, personally appeared Kathleen A. Kostka, known or identified to me to be the Manager of Kostka and Calnon, LLC, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Chelsie E Moncecchi
Notary Public for Washington
Residing at 710 Jensen Gifford WA 98335
My Commission Expires April 13, 2019

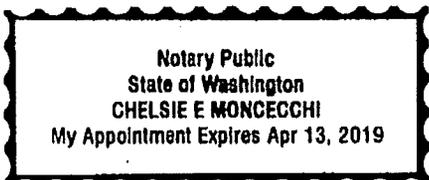


EXHIBIT A

LEGAL DESCRIPTION

PAR #1172 POR N2 NWN4 NE4NW TEN MILE STUB DRAIN SEC 14 3N 1W #121170-B



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Road, Boise, ID 83705
Telephone 208+343+3381 Facsimile 208+342+5792

Calnon Enterprises, Limited Partnership Ten Mile Stub Drain

28 September 2015

A parcel of land situate in the northwest quarter of the northeast quarter and in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the northwest corner of the northeast quarter of the northwest quarter of said Section 14, which bears N89°37'56"W, 1,328.98 feet from the north quarter corner of said Section 14; thence S00°06'37"W, 828.98 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary the Ten Mile Stub Drain; thence N89°23'03"E, 715.99 feet along the southerly boundary of the Ten Mile Stub Drain to the **Point of Beginning**:

Thence N00°06'37"E, 120.00 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the northerly boundary of the Ten Mile Stub Drain;

Thence the following courses and distances along the northerly boundary of the Ten Mile Stub Drain:

N89°23'03"E, 24.79 feet;

S85°36'57"E, 1,656.32 feet;

76.54 feet along a tangent curve deflecting to the left with a radius of 226.50 feet, a central angle of 19°21'43", a long chord of 76.18 feet on a bearing of N84°42'11"E;

N75°03'03"E, 196.38 feet to the easterly boundary of the northwest quarter of the northeast quarter of said Section 14;

Thence S00°06'24"W, 124.26 feet along the easterly boundary of the northwest quarter of the northeast quarter of said Section 14 to the southerly boundary of the Ten Mile Stub Drain;

Thence the following courses and distances along the southerly boundary of the Ten Mile Stub Drain:

S75°03'03"W, 164.04 feet;

117.09 feet along a tangent curve deflecting to the right with a radius of 346.50 feet, a central angle of 19°21'43", a long chord of 116.54 feet on a bearing of S84°42'11"W;

N85°36'57"W, 1,651.08 feet

S89°23'03"W, 21.06 feet to the **Point of Beginning**.

Comprising 5.38 acres, more or less.

Subject to easements or right-of-ways of record or apparent.

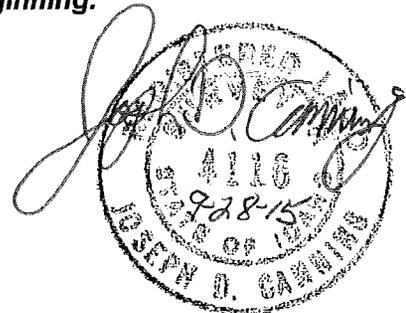


EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW Kostka and Calnon, LLC, and states that it owns certain property generally described as Parcel S1214120710, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviewed the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, Kostka and Calnon, LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 22 day of April, 2016

Kostka and Calnon, LLC

By: Kathleen A. Kostka
Kathleen A. Kostka, Manager

STATE OF WASHINGTON)
County of Pierce) ss:

On this 22 day of April, 2016, before me, a notary public in and for said state, personally appeared Kathleen A. Kostka, known or identified to me to be the Manager of Kostka and Calnon, LLC, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Chelsie E. Moncecchi
Notary Public for Washington
Residing at 710 Stinson Eighth Avenue WA 98535
My Commission Expires April 13 2019

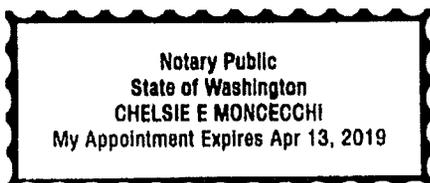


EXHIBIT A

LEGAL DESCRIPTION

PAR #0710 @N SIDE NW4NE4 SEC 14 3N 1W #120700-B



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Road, Boise, ID 83705
Telephone 208+343+3381 Facsimile 208+342+5792

Calnon Enterprises, Limited Partnership Parcel After ACHD R/W Take East and North of the Von Lateral

22 August 2011

A parcel of land situate in the northwest quarter of the northeast quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at northeast corner of the northwest quarter of the northeast quarter of said Section 14, which bears $S89^{\circ}41'26''E$, 1,328.89 feet from the north quarter corner of said Section 14; thence $S00^{\circ}06'24''W$, 357.00 feet along the easterly boundary of the northwest quarter of the northeast quarter of said Section 14 to the northerly boundary of the Von Lateral; thence $N76^{\circ}54'53''W$, 10.26 feet along the northeasterly boundary of the Von Lateral to the **Point of Beginning**:

Thence the following courses and distances along the northerly and easterly boundary of the Von Lateral:

$S00^{\circ}06'24''W$, 29.09 feet;

$N74^{\circ}21'24''W$, 463.88 feet;

$S80^{\circ}17'35''W$, 385.39 feet;

34.71 feet along a tangent curve deflecting to the right, with a radius of 20.00 feet, a central angle of $99^{\circ}25'47''$, a long chord of 30.51 feet and a chord bearing of $N49^{\circ}59'31''W$;

$N00^{\circ}16'38''W$, 221.62 feet;

19.44 feet along a tangent curve deflecting to the left, with a radius of 60.00 feet, a central angle of $18^{\circ}34'00''$, a long chord of 19.36 feet and a chord bearing of $N09^{\circ}33'38''W$;

Thence $S89^{\circ}41'26''E$, 322.83 feet along a line 68.00 feet southerly of and parallel to the northerly boundary of the northwest quarter of the northeast quarter of said Section 14;

Thence $S00^{\circ}06'24''W$, 166.00 feet;

Thence $S76^{\circ}54'53''E$, 545.95 feet to the **Point of Beginning**.

Comprising 1.97 acres, more or less.

Subject to easements or right-of-ways of record or apparent.



EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW Kostka and Calnon, LLC, and states that it owns certain property generally described as Parcel S1214121134, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviewed the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, Kostka and Calnon, LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 22 day of April, 2016

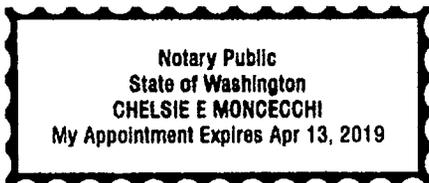
Kostka and Calnon, LLC

By: Kathleen A. Kostka
Kathleen A. Kostka, Manager

STATE OF WASHINGTON)
County of Pierce) ss:

On this 22 day of April, 2016, before me, a notary public in and for said state, personally appeared Kathleen A. Kostka, known or identified to me to be the Manager of Kostka and Calnon, LLC, and acknowledged to me that she executed the same on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

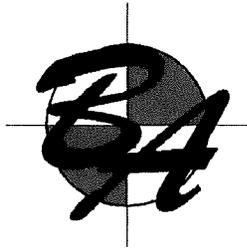


Chelsie E Moncecchi
Notary Public for Washington
Residing at 1107 Stinson Enatai Bldg WA 98335
My Commission Expires April 13 2019

EXHIBIT A

LEGAL DESCRIPTION

PAR #1134 POR NW4NE4 SEC 14 3N 1W PARCEL B R/S 8885 #121132-S



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Road, Boise, ID 83705
Telephone 208+343+3381 Facsimile 208+342+5792

Calnon Enterprises, Limited Partnership Parcel B – Record of Survey #8885 After ACHD R/W Take

25 November 2013

A parcel of land situate in the northwest quarter of the northeast quarter and in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at northwest corner of the northeast quarter of the northwest quarter of said Section 14, which bears N89°37'56"W, 1,328.98 feet from the north quarter corner of said Section 14; thence S00°06'37"W, 89.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14; thence S89°37'56"E, 1,329.10 feet along a line parallel to the northerly boundary of the northeast quarter of the northwest quarter of said Section 14 to a point that bears S00°01'40"W, 89.00 feet from the north quarter corner of said Section 14; thence S89°41'43"E, 157.95 feet along a line parallel to the northerly boundary of the northwest quarter of the northeast quarter of said Section 14 to the **Point of Beginning**:

Thence continuing S89°41'43"E, 289.26 feet along a line parallel to the northerly boundary of the northwest quarter of the northeast quarter of said Section 14 to the westerly boundary of the Von Lateral;

Thence the following courses and distances along the westerly and southerly boundary of the Von Lateral:

S00°16'38"E, 219.94 feet;

69.42 feet along a tangent curve deflecting to the left, with a radius of 40.00 feet, a central angle of 99°25'47", a long chord of 61.03 feet and a chord bearing of S49°59'31"E;

N80°17'35"E, 380.89 feet;

S74°21'24"E, 475.32 feet to the easterly boundary of the northwest quarter of the northeast quarter of said Section 14;

Thence S00°06'24"W, 346.92 feet along the easterly boundary of the northwest quarter of the northeast quarter of said Section 14 to the northerly boundary of the Ten Mile Stub Drain;

Thence the following courses and distances along the northerly boundary of the Ten Mile Stub Drain:

S75°03'03"W, 196.38 feet;

76.54 feet along a tangent curve deflecting to the right, with a radius of 226.50 feet, a central angle of 19°21'43", a long chord of 76.18 feet and a chord bearing of S84°42'11"W;

N85°36'57"W, 769.28 feet;

Thence N00°00'00"E, 433.70 feet;

Thence N48°21'35"W, 182.51 feet;

Thence N00°16'38"W, 115.49 feet to the **Point of Beginning**.

Comprising 12.20 acres, more or less.

Subject to easements or right-of-ways of record or apparent.

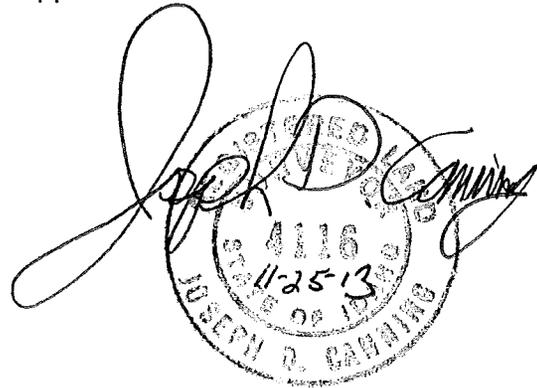
A handwritten signature in black ink is written over a circular notary seal. The seal contains the text "NOTARY PUBLIC STATE OF ILLINOIS" around the perimeter, "JOSEPH R. CAHAINO" at the bottom, and the number "4116" in the center. The date "11-25-13" is handwritten in the center of the seal.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COMES NOW Mirazim Shakoori, Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, and states that Treasure Valley Investments, LLC owns certain property in the city of Meridian, Ada County, Idaho, generally described as Parcel Number: S1214233665, and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation;

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C; and

(3) that the undersigned has been advised that the urban renewal agency of the city of Meridian doing business as the Meridian Development Corporation ("MDC") would be unable to invoke eminent domain to purchase the property described above and on Exhibit A for the purpose of disposing of the property for economic development.

Further, Mirazim Shakoori, as Manager of Treasure Valley

Investments, LLC hereby provides consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility. Provided, however, consent may be withdrawn if the Urban Renewal Plan for the Ten Mile Road – A Urban Renewal Project, including the attachments thereto (the “Plan”), is amended, revised, or otherwise modified by the Meridian City Council prior to the third and final reading of the ordinance approving the plan on June 21, 2016, to remove references to certain improvements, including but not limited to, irrigation and drainage facilities, improvements to the Kennedy Lateral, street lights, traffic signals, frontage improvements in an around Ten Mile and Franklin Road, and all costs related to the foregoing improvements. Such a withdrawal of consent may only be exercised at or before the June 21, 2016 meeting of the Meridian City Council.

DATED this 3 day of June, 2016

TREASURE VALLEY
INVESTMENTS, LLC

Mirazim Shakoori
Name: Mirazim Shakoori
Title: Manager

6/3/2016

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY

**PLEASE SEE
ATTACHED NOTARY**

PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

) ss:

County of Contra Costa

On this 3rd day of June, 2016, before me, ^{Notary Public} B. M. PATEL Mirazim Shakoori, the Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, personally appeared, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

B. Patel

Signature of Notary Public

[NOTARIAL SEAL]

My commission expires:

June 15th 2017

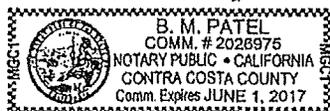


EXHIBIT A

LEGAL DESCRIPTION

**LEGAL DESCRIPTION FOR
PARCEL NO. S1214233665
TREASURE VALLEY INVESTMENTS LLC**

A parcel of land located in the S1/2 of the NW 1/4 of Section 14, T.3N., R.1W., B.M., Meridian, Ada County; Idaho more particularly described as follows:

Commencing W1/4 corner of said Section 14 from which the NE corner of said Section 14 bears North 00°33'27" East, 2658.31 feet;

thence along the West boundary line of said Section 14 North 00°33'27" East, 1,329.11 feet to the N1/16 corner of said Section 14;

thence along the North boundary line of the S1/2 of the NW 1/4 of said Section 14 South 89°10'51" East, 39.31 feet to the **REAL POINT OF BEGINNING**;

thence continuing along said North boundary line South 89°10'51" East, 2,617.88 feet to the NW1/16 corner of said Section 14;

thence continuing along said North boundary line South 89°14'27" East, 1,329.40 feet to the C-N 1/16 corner of said Section 14;

thence along the North-South centerline of said Section 14 South 00°34'20" West, 1,038.91 feet;

thence leaving said North-South centerline North 89°12'27" West, 449.80 feet;

thence South 00°36'42" West, 290.71 feet to a point on the East-West centerline of said Section 14;

thence along said East-West centerline North 89°11'30" West, 2,616.90 feet to a point on the northeasterly right-of-way line of that roadway designated as East Access Road per that Warranty Deed recorded as Instrument No. 113049411, records of Ada County, Idaho;

thence along said northeasterly right-of-way line the following 6 courses and distances:

thence North 39°25'54" West, 66.49 feet;

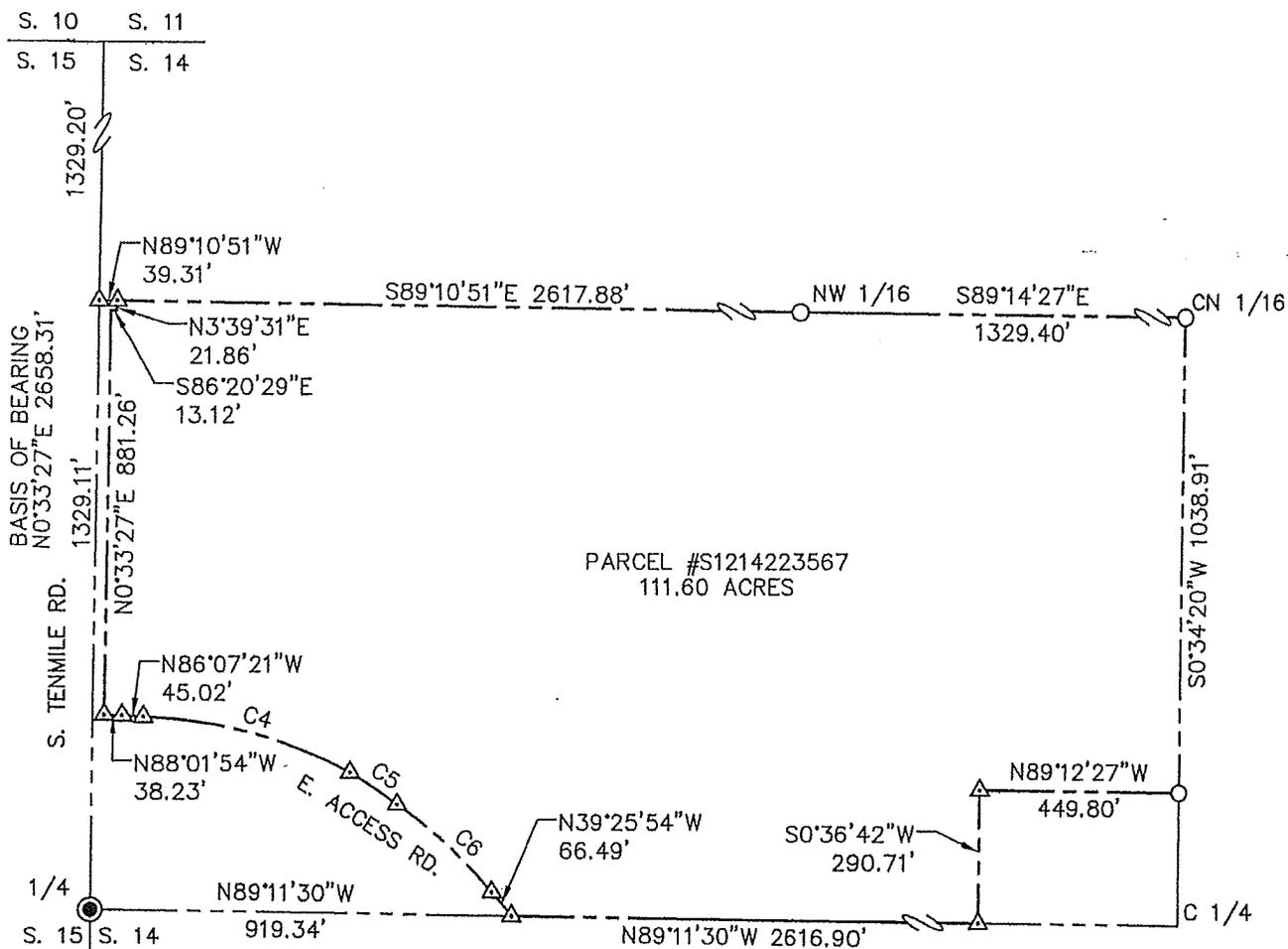
thence 283.15 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,036.50 feet, a central angle of 15°39'07" and a long chord of 282.27 feet which bears North 47°15'28" West;

thence 124.89 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,038.31 feet, a central angle of 06°53'29" and a long chord of 124.81 feet which bears North 55°46'15" West;

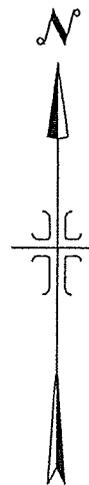
thence 474.34 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,042.50 feet, a central angle of 26°04'11" and a long chord of 470.26 feet which bears North 74°59'38" West;

thence North 86°07'21" West, 45.02 feet;
thence North 88°01'54" West, 38.23 feet to a point on the East right-of-way line of S. Ten Mile Road;
thence along said East right-of-way line the following 3 courses and distances:
thence North 00°33'27" East, 881.26 feet;
thence South 86°20'29" East, 13.12 feet;
thence North 03°39'31" East, 21.86 feet to the REAL POINT OF BEGINNING.
Containing 111.60 acres, more or less.

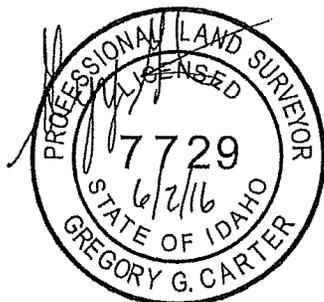




CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C4	1042.50	474.34	470.26	N74°59'38"W	26°04'11"
C5	1038.31	124.89	124.81	N55°46'15"W	6°53'29"
C6	1036.50	283.15	282.27	N47°15'28"W	15°39'07"



SCALE: 1" = 200'



S:\ISG Projects\Ten Mile 120 acre Topo 14-137\dwg\Parcel Exhib.dwg 6/2/2016 4:28:57 PM


IDAHO SURVEY GROUP, P.C.
 1450 E. WATERTOWER ST.
 SUITE 130
 MERIDIAN, IDAHO 83642
 (208) 846-8570

EXHIBIT DRAWING FOR
PARCEL S1214233665
 TREASURE VALLEY INVESTMENTS LLC
 LOCATED IN THE S1/2 OF THE NW 1/4 OF SECTION 14, T.3N., R.1W., B.M.,
 MERIDIAN, ADA COUNTY, IDAHO

JOB NO. 14-137
SHEET NO. 1
DWG. DATE 6/2/2016

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The definition of deteriorating area, Idaho Code Section 50-2018(9), lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

... provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply;

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

...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.

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Section 50-2903(8)(c). Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(f) require consent of any property owner whose property has been used for an

agricultural operation anytime within the last three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

See also, Idaho Code §§ 50-2018(8) and (9)

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

Idaho Code § 50-2008:

50-2008. Preparation and approval of plan for urban renewal project. (a) An urban renewal project for an urban renewal area shall 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.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists 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 conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives 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 children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will 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: Provided, that 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 this act, 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.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section 50-2905, Idaho Code.

Idaho Code § 50-2903(8):

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property

by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

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

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

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

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

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

CONSENT FORM

COMES NOW Mirazim Shakoori, Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, and states that Treasure Valley Investments, LLC owns certain property in the city of Meridian, Ada County, Idaho, generally described as Parcel Number: S1214234020, and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation;

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C; and

(3) that the undersigned has been advised that the urban renewal agency of the city of Meridian doing business as the Meridian Development Corporation ("MDC") would be unable to invoke eminent domain to purchase the property described above and on Exhibit A for the purpose of disposing of the property for economic development.

Further, Mirazim Shakoori, as Manager of Treasure Valley

Investments, LLC hereby provides consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility. Provided, however, consent may be withdrawn if the Urban Renewal Plan for the Ten Mile Road – A Urban Renewal Project, including the attachments thereto (the “Plan”), is amended, revised, or otherwise modified by the Meridian City Council prior to the third and final reading of the ordinance approving the plan on June 21, 2016, to remove references to certain improvements, including but not limited to, irrigation and drainage facilities, improvements to the Kennedy Lateral, street lights, traffic signals, frontage improvements in an around Ten Mile and Franklin Road, and all costs related to the foregoing improvements. Such a withdrawal of consent may only be exercised at or before the June 21, 2016 meeting of the Meridian City Council.

DATED this 3 day of JUNE, 2016

TREASURE VALLEY
INVESTMENTS, LLC

TREASURE VALLEY



Name: Mirazim Shakoori

6/3/2016

Title: MANAGER

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY

**PLEASE SEE
ATTACHED NOTARY**

PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

) ss:

County of Contra Costa

Notary Public

On this 3rd day of June, 2016, before me, B.M. PATEL Mirazim Shakoori, the Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, personally appeared, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

B.M. Patel

Signature of Notary Public

[NOTARIAL SEAL]

My commission expires:

June 1st 2017

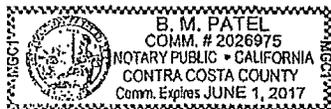


EXHIBIT A

LEGAL DESCRIPTION

**LEGAL DESCRIPTION FOR
PARCEL NO. S1214234020
TREASURE VALLEY INVESTMENTS LLC**

A parcel of land located in the SW 1/4 of the NW 1/4 of Section 14, T.3N., R.1W., B.M., Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the W 1/4 corner of said Section 14 from which the NE corner of said Section 14 bears North 00°33'27" West, 2,658.31 feet;

thence along the East-West centerline of said Section 14 South 89°11'30" East, 71.20 feet to a point on the East right-of-way line of S. Ten Mile Road, said point also being the **REAL POINT OF BEGINNING**;

thence along said East right-of-way line the following 3 courses and distances:

thence North 00°31'28" East, 236.35 feet;

thence North 89°26'33" West, 46.04 feet;

thence North 00°33'27" East, 102.48 feet to a point on the southwesterly right-of-way line of that roadway designated as E. Access Road per that Warranty Deed recorded as Instrument No. 113049411, records of Ada County, Idaho;

thence along said southwesterly right-of-way line the following 6 courses and distances:

thence South 88°01'54" East, 36.07 feet;

thence South 89°56'27" East, 45.02 feet;

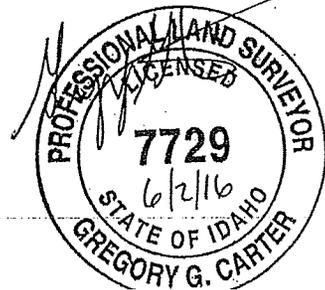
thence 435.66 feet along the arc of a non-tangent curve to the right, said curve having a radius of 957.50 feet, a central angle of 26°04'10" and a long chord of 431.91 feet which bears South 74°59'38" East;

thence 115.42 feet along the arc of a non-tangent curve to the right, said curve having a radius of 959.21 feet, a central angle of 06°53'39" and a long chord of 115.35 feet which bears South 61°29'52" East;

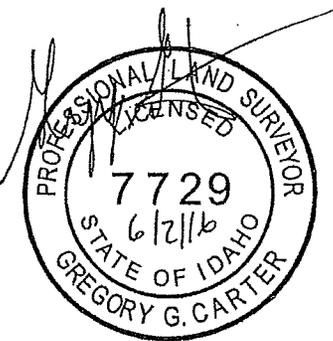
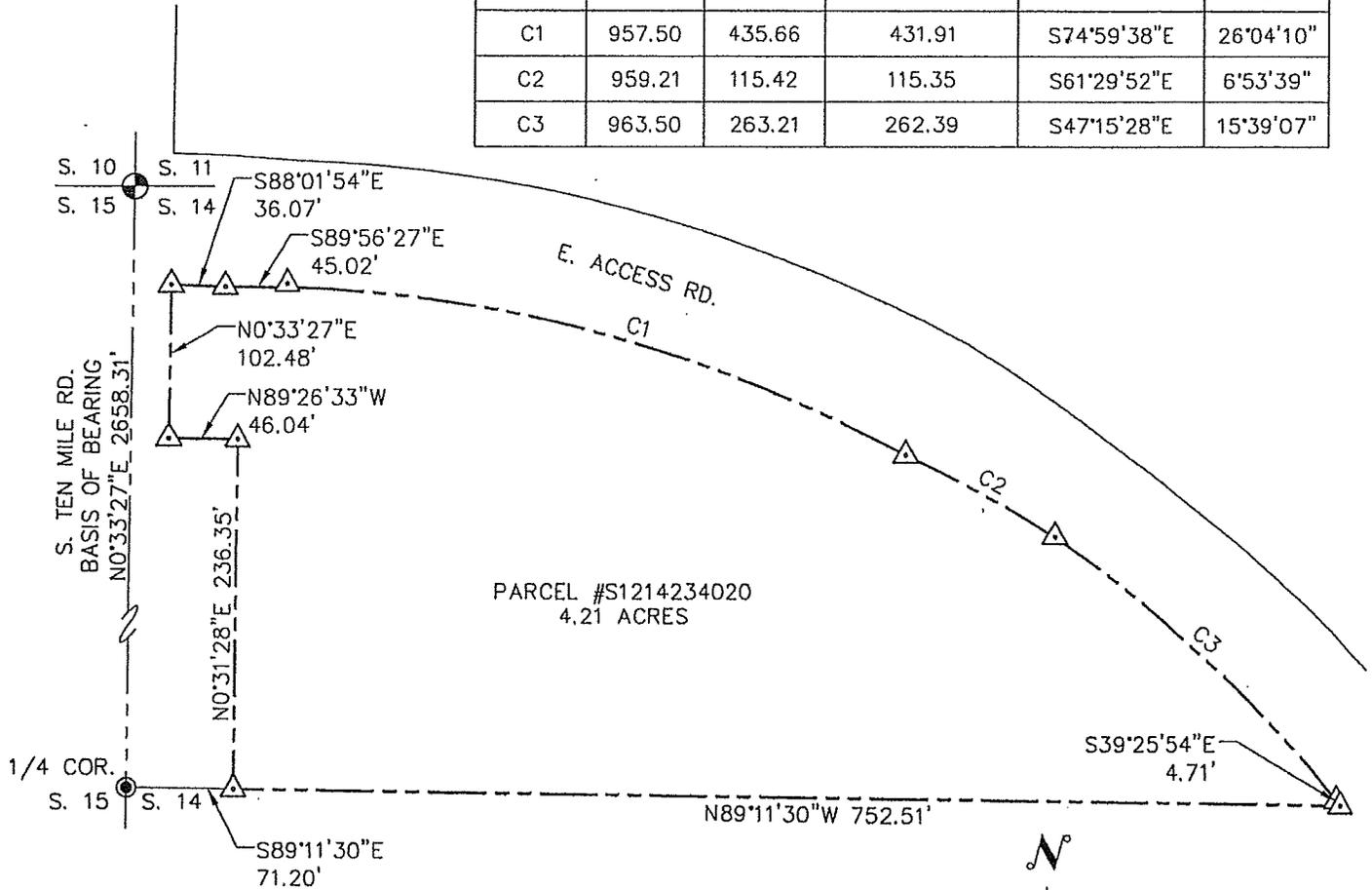
thence 263.21 feet along the arc of a non-tangent curve to the right, said curve having a radius of 963.50 feet, a central angle of 15°39'07" and a long chord of 262.39 feet which bears South 47°15'28" East;

thence South 39°25'54" East, 4.71 feet to a point on the East-West centerline of said Section 14;

thence along said East-West centerline North 89°11'30" West, 752.51 feet to the **REAL POINT OF BEGINNING**. Containing 4.21 acres, more or less.



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	957.50	435.66	431.91	S74°59'38"E	26°04'10"
C2	959.21	115.42	115.35	S61°29'52"E	6°53'39"
C3	963.50	263.21	262.39	S47°15'28"E	15°39'07"



SCALE: 1" = 120'

3:\ISG Projects\Ten Mile 120 acre Topo 14-137\dwg\SE Corner Parcel Exhibit.dwg 6/2/2016 4:30:28 PM

ISG IDAHO SURVEY GROUP, P.C.
1450 E. WATERTOWER ST. SUITE 130 MERIDIAN, IDAHO 83642 (208) 846-8570

EXHIBIT DRAWING FOR
PARCEL S1214234020
TREASURE VALLEY INVESTMENTS LLC
LOCATED IN THE SW 1/4 OF THE NW 1/4 SECTION 14, T.3N., R.1W., B.M., MERIDIAN, ADA COUNTY, IDAHO

JOB NO. 14-137
SHEET NO. 1
DWG. DATE 6/2/2016

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The definition of deteriorating area, Idaho Code Section 50-2018(9), lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

. . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply;

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

...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.

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Section 50-2903(8)(c). Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(f) require consent of any property owner whose property has been used for an

agricultural operation anytime within the last three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

See also, Idaho Code §§ 50-2018(8) and (9)

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

Idaho Code § 50-2008:

50-2008. Preparation and approval of plan for urban renewal project. (a) An urban renewal project for an urban renewal area shall 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.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists 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 conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives 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 children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will 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: Provided, that 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 this act, 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.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section 50-2905, Idaho Code.

Idaho Code § 50-2903(8):

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property

by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

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

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

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

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

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

CONSENT FORM

COMES NOW Mirazim Shakoori, Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, and states that Treasure Valley Investments, LLC owns certain property in the city of Meridian, Ada County, Idaho, generally described as Parcel Number: S1214223567, and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation;

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated November 2015, entitled Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C; and

(3) that the undersigned has been advised that the urban renewal agency of the city of Meridian doing business as the Meridian Development Corporation ("MDC") would be unable to invoke eminent domain to purchase the property described above and on Exhibit A for the purpose of disposing of the property for economic development.

Further, Mirazim Shakoori, as Manager of Treasure Valley

Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility. Provided, however, consent may be withdrawn if the Urban Renewal Plan for the Ten Mile Road – A Urban Renewal Project, including the attachments thereto (the “Plan”), is amended, revised, or otherwise modified by the Meridian City Council prior to the third and final reading of the ordinance approving the plan on June 21, 2016, to remove references to certain improvements, including but not limited to, irrigation and drainage facilities, improvements to the Kennedy Lateral, street lights, traffic signals, frontage improvements in an around Ten Mile and Franklin Road, and all costs related to the foregoing improvements. Such a withdrawal of consent may only be exercised at or before the June 21, 2016 meeting of the Meridian City Council.

DATED this 3 day of JUNE, 2016

TREASURE VALLEY
INVESTMENTS, LLC



Name: MIRAZIM SHAKOORI

6/3/2016

Title: MANAGER

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY

**PLEASE SEE
ATTACHED NOTARY**

PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

) ss:

County of Contra Costa

Notary Public

On this 3rd day of June, 2016, before me, B. M. PATEL Mirazim Shakoori, the Manager of Treasure Valley Investments, LLC, an Idaho limited liability company, personally appeared, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

B. Patel

Signature of Notary Public

[NOTARIAL SEAL]

My commission expires:

June 15th 2017

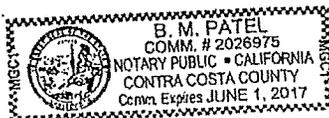


EXHIBIT A

LEGAL DESCRIPTION

**LEGAL DESCRIPTION FOR
PARCEL NO. S1214223567
TREASURE VALLEY INVESTMENTS LLC**

A parcel of land located in the NW 1/4 of the NW1/4 of Section 14, T.3N., R.1W., B.M., Meridian, Ada County, Idaho more particularly described as follows:

Commencing W1/4 corner of said Section 14 from which the NE corner of said Section 14 bears North 00°33'27" East, 2658.31 feet;

thence along the West boundary line of said Section 14 North 00°33'27" East, 1,329.11 feet to the N1/16 corner of said Section 14;

thence along the South boundary line of the NW 1/4 of the NW 1/4 of said Section 14 South 89°10'51" East, 39.31 feet to the **REAL POINT OF BEGINNING**;

thence leaving said South boundary line North 03°39'31" East, 14.33 feet to a point on the centerline of the Kennedy Lateral;

thence along said centerline the following 9 courses and distances:

thence North 66°50'27" East, 186.41 feet;

thence 92.42 feet along the arc of a curve to the right, said curve having a radius of 199.99 feet, a central angle of 26°28'40" and a long chord of 91.60 feet which bears North 80°04'47" East;

thence South 86°40'09" East, 156.20 feet;

thence 107.70 feet along the arc of a curve to the left, said curve having a radius of 199.99 feet, a central angle of 30°51'16" and a long chord of 106.40 feet which bears North 77°54'13" East;

thence North 62°27'51" East, 91.30 feet;

thence 68.61 feet along the arc of a curve to the right, said curve having a radius of 69.99 feet, a central angle of 56°10'12" and a long chord of 65.90 feet which bears South 89°27'03" East;

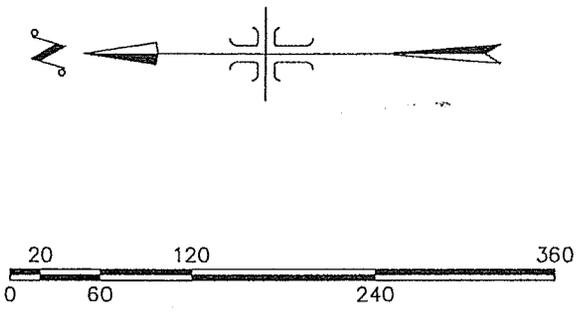
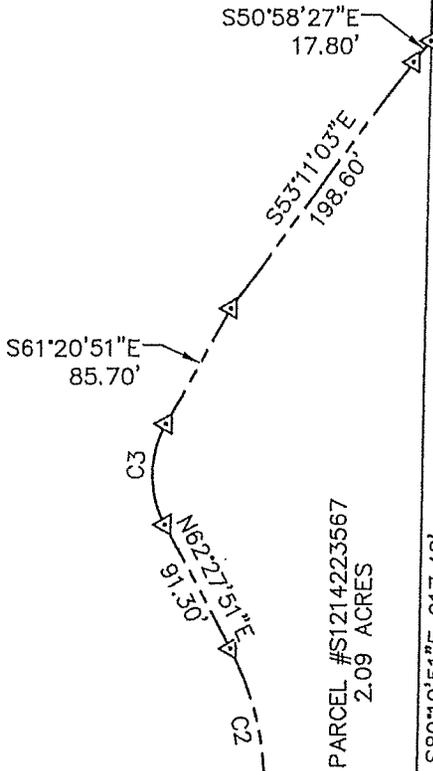
thence South 61°20'51" East, 85.70 feet;

thence South 53°11'03" East, 198.60 feet;

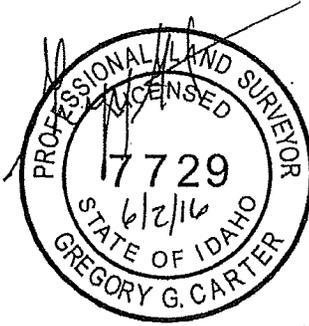
thence South 50°58'27" East, 17.80 feet to a point on the South boundary line of the NW 1/4 of the NW 1/4 of said Section 14;

thence along said South Boundary line North 89°10'51" West, 917.48 feet to the **REAL POINT OF BEGINNING**. Containing 2.09 acres, more or less.



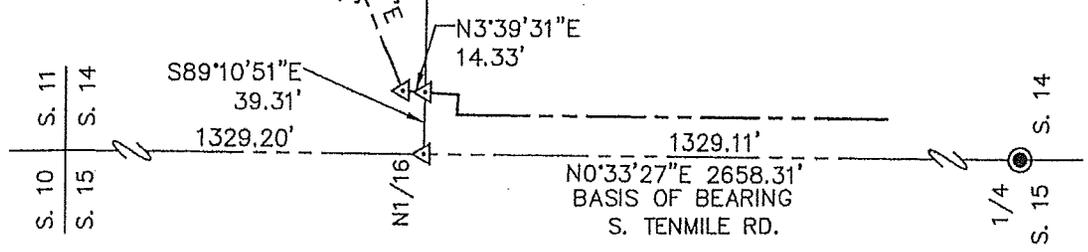


SCALE: 1" = 120'



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	199.99	92.42	91.60	N80°04'47"E	26°28'40"
C2	199.99	107.70	106.40	N77°54'13"E	30°51'16"
C3	69.99	68.61	65.90	S89°27'03"E	56°10'12"

☉ KENNEDY LATERAL



S:\ISG Projects\Ten Mile 120 acre Topo 14-137\dwg\Parcel Exhibit.dwg 6/2/2016 4:20:33 PM

ISG IDAHO SURVEY GROUP, P.C.
 1450 E. WATERTOWER ST. SUITE 130
 MERIDIAN, IDAHO 83642
 (208) 846-9570

EXHIBIT DRAWING FOR
PARCEL S1214223567
TREASURE VALLEY INVESTMENTS LLC
 LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 14, T.3N., R.1W., B.M.,
 MERIDIAN, ADA COUNTY, IDAHO

JOB NO. 14-137
SHEET NO. 1
DWG. DATE 6/2/2016

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The definition of deteriorating area, Idaho Code Section 50-2018(9), lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

. . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply;

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act.." The list includes:

...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.

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Section 50-2903(8)(c). Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(f) require consent of any property owner whose property has been used for an

agricultural operation anytime within the last three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

See also, Idaho Code §§ 50-2018(8) and (9)

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

Idaho Code § 50-2008:

50-2008. Preparation and approval of plan for urban renewal project. (a) An urban renewal project for an urban renewal area shall 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.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists 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 conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives 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 children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will 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: Provided, that 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 this act, 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.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section 50-2905, Idaho Code.

Idaho Code § 50-2903(8):

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property

by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

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

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

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

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

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of Section 14, of said Township 3 North, Range 1 West;
Thence South 00°33'33" West, a distance of 392.01 feet on the Westerly line of said Section 14;
Thence South 89°26'50" East, a distance of 48.00 feet to a point on the easterly right-of-way line of South Ten Mile Road, said point being the POINT OF BEGINNING;

Thence South 89°26'50" East, a distance of 353.35 feet;
Thence South 00°33'10" West, a distance of 667.72 feet to a point of curve;
Thence 8.35 feet on the arc of a curve to the right, said curve having a radius of 49.50 feet, a central angle of 09°40'03", a chord bearing of South 05°23'12" West, and a chord length of 8.34 feet;
Thence South 10°13'14" West, a distance of 161.11 feet to the centerline of the Kennedy Lateral;
Thence on the centerline of the Kennedy Lateral for the following courses and distances:
Thence North 86°40'15" West, a distance of 73.07 feet to a point of curve;
Thence 92.42 feet on the arc of a curve to the left, said curve having a radius of 199.99 feet, a central angle of 26°28'40", a chord bearing of South 80°05'03" West, and a chord length of 91.60 feet;
Thence South 66°50'21" West, a distance of 186.29 feet to a point on the easterly right-of-way line of South Ten Mile Road;
Thence leaving the centerline of the Kennedy Lateral and on the easterly right-of-way line of South Ten Mile Road for the following courses and distances:
Thence North 03°39'37" East, a distance of 20.72 feet;
Thence North 86°20'23" West, a distance of 16.21 feet;
Thence North 00°33'51" East, a distance of 4.41 feet;
Thence North 10°47'07" East, a distance of 43.38 feet;
Thence North 53°31'44" East, a distance of 54.14 feet;
Thence North 03°31'44" East, a distance of 66.88 feet;
Thence North 49°26'27" West, a distance of 43.98 feet;
Thence North 03°39'37" East, a distance of 45.01 feet;
Thence North 01°43'37" West, a distance of 132.83 feet to a point of curve;
Thence 19.74 feet on the arc of a curve to the left, said curve having a radius of 7272.00 feet, a central angle of 00°09'20", a chord bearing of North 02°55'55" East, and a chord length of 19.74 feet;
Thence North 89°41'52" East, a distance of 4.35 feet;
Thence North 00°33'33" East, a distance of 529.09 feet to the point of beginning.

The above described parcel contains 6.88 acres more or less.

PREPARED BY:
THE LAND GROUP, INC.

James R. Washburn

Site Planning • Landscape Architecture • Civil Engineering • Golf Course Irrigation & Engineering •
462 E. Shore Drive, Suite 100 • Eagle, Idaho 83616 • P 208.939.4041 • www.thelandj

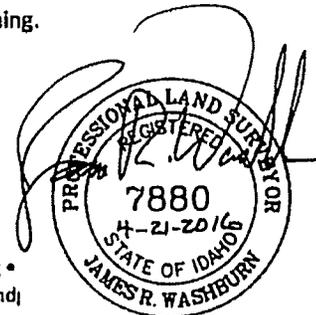


EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEM MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW **SCS Brighton LLC**, and states that it owns certain property generally described as Parcel S1214212560, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, **SCS Brighton LLC** hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this ___ day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

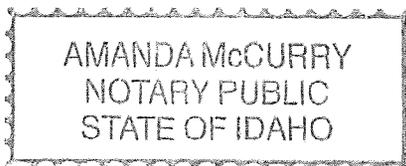
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



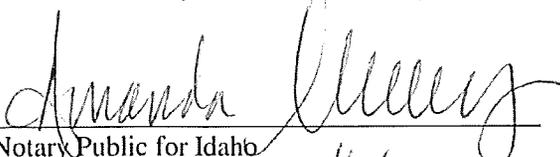

Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NORTHEAST OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 14; THENCE
NORTH 89°37'56" WEST, 1,328.98 FEET ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 14 TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE
SOUTH 00°06'37" WEST, 69.50 FEET ALONG THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE POINT OF BEGINNING;
THENCE
SOUTH 89°37'56" EAST, 249.00 FEET ALONG A LINE PARALLEL TO THE NORTHERLY BOUNDARY OF SAID SECTION 14; THENCE
SOUTH 00°06'37" WEST, 635.21 FEET ALONG A LINE PARALLEL TO THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE NORTHERLY BOUNDARY OF THE TEN MILE STUB DRAIN; THENCE
SOUTH 89°23'03" WEST, 249.02 FEET ALONG THE NORTHERLY BOUNDARY OF THE TEN MILE STUB DRAIN TO THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE
NORTH 00°06'37" EAST, 639.49 FEET ALONG THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE POINT OF BEGINNING.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(sent under separate cover due to file size)

CONSENT FORM

COME NOW SCS Brighton LLC, and states that it owns certain property generally described as Parcel S1214212720, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, SCS Brighton LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

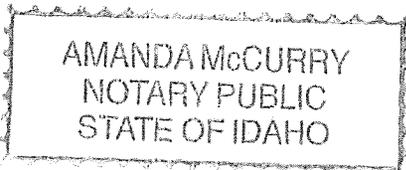
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



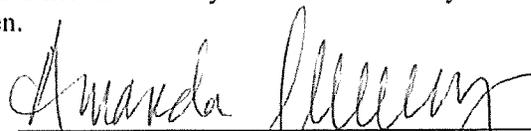

Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situate in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at north quarter corner of said Section 14; thence N89°37'56"W, 1,328.98 feet along the northerly boundary of said Section 14 to the northwest corner of the northeast quarter of the northwest quarter of said Section 14; thence S00°06'37"W, 708.99 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to northerly boundary of the Ten Mile Drain and to the *Point of Beginning*:

Thence N89°23'03"E, 249.02 feet along the northerly boundary of the Ten Mile Drain;

Thence S00°06'37"W, 120.00 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary of the Ten Mile Drain;

Thence S89°23'03"W, 249.01 feet along the southerly boundary of the Ten Mile Drain to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14;

Thence N00°06'37"E, 120.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the *Point of Beginning*.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW SCS Brighton LLC, and states that it owns certain property generally described as Parcel S1214212800, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, SCS Brighton LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

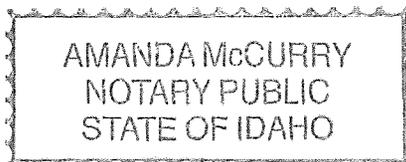
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NORTHEAST OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 14; THENCE NORTH 89°37'56" WEST, 1,328.98 FEET ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 14 TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE SOUTH 00°06'37" WEST, 828.99 FEET ALONG THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE SOUTHERLY BOUNDARY OF THE TEN MILE STUB DRAIN AND TO THE POINT OF BEGINNING; THENCE NORTH 89°23'03" EAST, 249.02 FEET ALONG THE SOUTHERLY BOUNDARY OF THE TEN MILE STUB DRAIN; THENCE SOUTH 00°06'37" WEST, 503.86 FEET ALONG A LINE PARALLEL TO THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE SOUTHERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 89°39'03" WEST, 249.00 FEET ALONG THE SOUTHERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 00°06'37" EAST, 499.67 FEET ALONG THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO THE POINT OF BEGINNING.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW **SCS Brighton LLC**, and states that it owns certain property generally described as Parcel S1214212580, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, **SCS Brighton LLC** hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

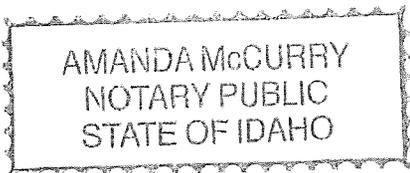
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



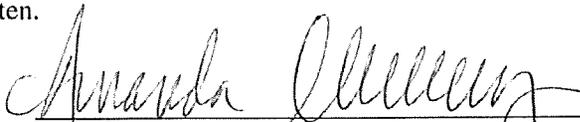

Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situate in the northeast of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at north quarter corner of said Section 14; thence N89°37'56"W, 1,328.98 feet along the northerly boundary of said Section 14 to the northwest corner of the northeast quarter of the northwest quarter of said Section 14; thence S00°06'37"W, 89.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly right-of-way of the Von Lateral; thence S89°37'56"E, 249.00 feet along the southerly right-of-way of the Von Lateral to the ***Point of Beginning***:

Thence continuing S89°37'56"E, 466.93 feet along the southerly right-of-way of the Von Lateral;

Thence S00°06'37"W, 607.69 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the northerly boundary of the Ten Mile Drain;

Thence S89°23'03"W, 466.96 feet along the northerly boundary of the Ten Mile Drain;

Thence N00°06'37"E, 615.71 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the ***Point of Beginning***.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW **SCS Brighton LLC**, and states that it owns certain property generally described as Parcel S1214212740, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, **SCS Brighton LLC** hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

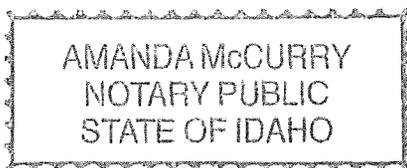
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situate in the northeast quarter of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at north quarter corner of said Section 14; thence N89°37'56"W, 1,328.98 feet along the northerly boundary of said Section 14 to the northwest corner of the northeast quarter of the northwest quarter of said Section 14; thence S00°06'37"W, 89.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly right-of-way of the Von Lateral; thence S89°37'56"E, 715.93 feet along the southerly right-of-way of the Von Lateral; thence S00°06'37"W, 607.69 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the northerly boundary of the Ten Mile Drain and to the ***Point of Beginning***:

Thence S00°06'37"W, 120.00 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary of the Ten Mile Drain;

Thence S89°23'03"W, 466.97 feet along the southerly boundary of the Ten Mile Drain;

Thence N00°06'37"E, 120.00 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the northerly boundary of the Ten Mile Drain;

Thence N89°23'03"E, 466.96 feet along the northerly boundary of the Ten Mile Drain to the ***Point of Beginning***.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW SCS Brighton LLC, and states that it owns certain property generally described as Parcel S1214212820, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, SCS Brighton LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016

SCS BRIGHTON LLC, an Idaho limited liability company

By: Brighton Corporation, an Idaho corporation,
Manager

By: *Blake R. Alder*
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Amanda McCurry

Notary Public for Idaho
My Commission expires 4/15/2017

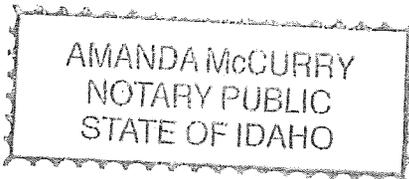


EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situate in the northeast of the northwest quarter of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at north quarter corner of said Section 14; thence N89°37'56"W, 1,328.98 feet along the northerly boundary of said Section 14 to the northwest corner of the northeast quarter of the northwest quarter of said Section 14; thence S00°06'37"W, 89.00 feet along the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly right-of-way of the Von Lateral; thence S89°37'56"E, 249.00 feet along the southerly right-of-way of the Von Lateral; thence S00°06'37"W, 735.71 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary of Ten Mile Drain and to the **Point of Beginning**:

Thence N89°23'03"E, 466.97 feet along the southerly boundary of the Ten Mile Drain;

Thence S00°06'37"W, 511.74 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the southerly boundary of the northeast quarter of the northwest quarter of said Section 14;

Thence N89°39'03"W, 466.94 feet along the southerly boundary of the northeast quarter of the northwest quarter of said Section 14;

Thence N00°06'37"E, 503.87 feet along a line parallel to the westerly boundary of the northeast quarter of the northwest quarter of said Section 14 to the **Point of Beginning**.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEN MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW SCS Brighton LLC, and states that it owns certain property generally described as Parcel S1214325416, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, SCS Brighton LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 14 day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

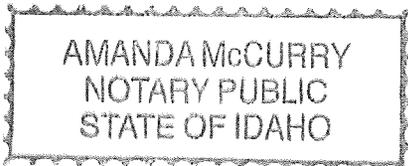
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



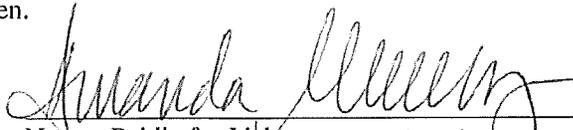

Notary Public for Idaho
My Commission expires 4/13/2017

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The North line of the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°11'34" East with the distance between monuments found to be 2,656.39.

Beginning at a point on the East Right-of-Way of Ten mile Road from which the West 1/4 corner of Section 14, Township 3 North, Range 1 West, Boise Meridian bears, North 11°41'27" West a distance of 170.44 feet;
Thence leaving said Right-of-Way, South 88°33'15" East a distance of 224.03 feet;
thence South 00°30'19" West, to a point on the Northerly right-of-Way of the Ten Mile Road Interstate 84 interchange, a distance of 973.91 feet;
thence along said Right-of-Way the Following six (6) courses:
North 73°55'01" West a distance of 62.65 feet;
North 46°58'34" West a distance of 166.76 feet;
North 12°05'45" West a distance of 92.20 feet;
North 01°31'40" West a distance of 468.03 feet;
North 89°42'50" West a distance of 4.00 feet;
North 00°30'10" East a distance of 290.36 feet to the POINT OF BEGINNING.

Said Parcel containing 195,260 square feet or 4.48 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687



EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

". . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEM MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW **SCS Brighton LLC**, and states that it owns certain property generally described as Parcel S1214325506, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, **SCS Brighton LLC** hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 14 day of June, 2016

SCS BRIGHTON LLC
an Idaho limited liability company

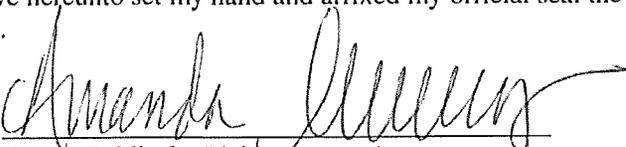
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
My Commission expires 4/15/2017

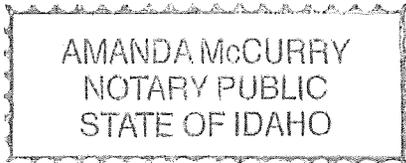


EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The North line of the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°11'34" East with the distance between monuments found to be 2,656.39.

Beginning at a point on the East Right-of-Way of Ten mile Road from which the West 1/4 corner of Section 14 Township 3 North, Range 1 West, Boise Meridian bears, North 64°45'28" West a distance of 39.64 feet

thence leaving said Right of Way South 88°33'15" East a distance of 281.14 feet;

thence South 39°38'38" East a distance of 352.80 feet;

thence South 40°44'57" East a distance of 183.51 feet;

thence South 55°13'21" East a distance of 837.82 feet;

thence South 59°40'21" East a distance of 883.45 feet;

thence South 00°46'45" East, to a point on the Northerly Right-of-Way of Interstate 84, a distance of 15.10 feet;

thence along said Right-of-Way the following eight (8) courses:

North 81°01'33" West a distance of 54.47 feet;

North 85°34'01" West a distance of 670.00 feet;

North 04°25'59" East a distance of 25.00 feet;

North 85°34'01" West a distance of 110.00 feet;

South 04°25'59" West a distance of 15.00 feet;

North 81°28'53" West a distance of 421.07 feet;

North 82°36'22" West a distance of 580.78 feet;

North 73°55'01" West a distance of 41.34 feet;

thence leaving said Right-of-Way, North 00°30'19" East a distance of 973.92 feet;

thence North 88°33'16" West, to a point on the Easterly Right-of-Way of Ten Mile Road, a distance of 224.03 feet;

thence along said Right-of-Way, North 00°30'10" East a distance of 150.00 feet, to the POINT OF BEGINNING.

Said Parcel containing 985,615 square feet or 22.63 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687



EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEM MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW SCS Brighton LLC, and states that it owns certain property generally described as Parcel S1214314808, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, SCS Brighton LLC hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 2nd day of June, 2016.

SCS BRIGHTON LLC, an Idaho limited liability company

By: Brighton Corporation, an Idaho corporation,
Manager

By: [Signature]
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
My Commission expires 4/15/2017

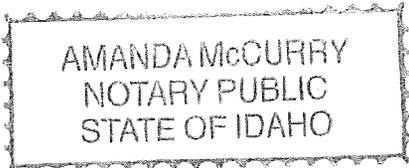


EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The North line of the Southwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°11'34" East with the distance between monuments found to be 2,656.39.

Beginning at a point on the North line of said Southwest ¼ of Section 14, Township 3 North, Range 1 West, Boise Meridian from which the West ¼ corner of said Section 14 bears North 89°11'34" West a distance of 36.00 Feet
thence along said North Line, South 89°11'34" East to the Center ¼ corner of said Section 14 a distance of 2,620.39 feet ;
thence leaving said North Line and along the East line of said Southwest ¼, South 00°35'28" West to a point on the Northerly Right-of-Way on Interstate 84 a distance of 1,344.66 feet;
thence along said Right-of-Way, North 89°34'03" West a distance of 501.27 feet;
thence continuing along said Right-of-Way, North 81°01'33" West a distance of 28.65 feet;
thence leaving said Right-of-Way, North 00°46'45" West a distance of 15.10 feet;
thence North 59°40'21" West a distance of 883.45 feet;
thence North 55°13'21" West a distance of 837.82 feet;
thence North 40°44'57" West a distance of 183.51 feet;
thence North 39°38'38" West a distance of 352.80 feet;
thence North 88°33'15" West to a point on the Easterly Right-of-Way of Ten Mile Road, a distance of 281.14 feet;
thence along said Right-of-Way, North 00°30'10" East a distance of 16.40 feet to the POINT OF BEGINNING.

Said Parcel containing 2,106,164 square feet or 48.35 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687

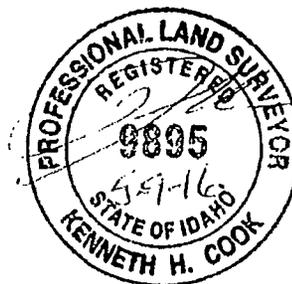


EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

The Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), also addresses open land in the Act's definition of deteriorated area:

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes:50-2018(8) and (9),50-2008, and S0-2903(8).

EXHIBIT C

TEM MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

CONSENT FORM

COME NOW **SCS Brighton LLC**, and states that it owns certain property generally described as Parcel S1214223270, and more particularly described as Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1). that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2). that the undersigned has reviews the applicable Idaho Code provisions and the materials provided in Exhibit B [OPEN LAND INFORMATION SHEET/STATUSES], and has had an opportunity to review the urban renewal eligibility report, dated November , entitled 2015Ten Mile Urban Renewal District Eligibility Report, prepared by Phil Kushlan of Kushlan Associates, and as attached hereto as Exhibit C [ELIGIBILITY REPORT].

Further, **SCS Brighton LLC** hereby provides its consent and approval that the Property may be included within a proposed urban renewal area, and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act of 1988, Title 50, Chapter 29, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 14 day of June, 2016.

SCS BRIGHTON LLC
an Idaho limited liability company

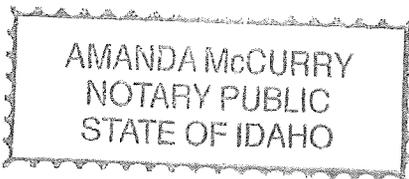
By: Brighton Corporation, an Idaho corporation,
Manager

By: 
Blake R. Alder, President

STATE OF IDAHO)
 : ss.
County of Ada)

On this 2nd day of June, in the year of 2016, before me a Notary Public of said State, personally appeared Blake R. Alder, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



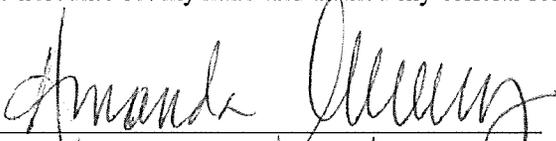
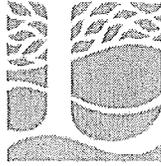

Notary Public for Idaho
My Commission expires 4/15/2017

EXHIBIT A

LEGAL DESCRIPTION



THE LAND GROUP, INC.

June 20, 2016
Project No. 115056

TM CREEK SUBDIVISION
REMAINDER PARCEL DESCRIPTION

A parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Section 14, (from which point the West 1/4 corner of said Section 14 bears on the west line of said Northwest 1/4 of the Northwest 1/4, South 00°33'33" West, 2658.39 feet);
Thence from said Section corner, on said west line South 00°33'33" West, 392.01 feet;
Thence leaving said west line, South 89°26'50" East, 48.00 feet to a point on the easterly right-of-way line of South Ten Mile Road, said point being the POINT OF BEGINNING;

Thence on said easterly right-of-way line for the following courses and distances:

Thence North 00°33'33" East, 123.31 feet;

Thence North 07°37'31" East, 80.50 feet (formerly described as 80.62 feet);

Thence North 00°33'20" East, 100.00 feet;

Thence North 45°09'55" East, 23.06 feet to the southerly right-of-way line of West Franklin Road;

Thence on said southerly right-of-way line for the following courses and distances:

Thence South 89°09'27" East, 176.45 feet;

Thence South 00°50'33" West, 10.00 feet;

Thence South 89°09'27" East, 70.00 feet;

Thence North 00°50'33" East, 10.00 feet;

Thence South 89°09'27" East, 44.37 feet;

Thence North 88°23'22" East, 9.64 feet;

Thence South 00°50'33" West, 7.41 feet;

Thence South 89°09'27" East, 61.72 feet;

Thence South 84°34'43" East, 113.53 feet;

Thence South 88°42'21" East, 128.76 feet;

Thence North 84°21'40" East, 94.58 feet;

Thence North 87°36'44" East, 180.08 feet;

Thence South 83°19'54" East, 144.49 feet;

Thence South 89°06'53" East, 158.24 feet;

Thence North 00°35'03" East, 12.05 feet;

Thence South 89°09'27" East, 75.09 feet (formerly described as 75.00 feet) to the east line of said Northwest 1/4 of the Northwest 1/4;

Thence leaving said southerly right-of-way line and on said east line, South 00°34'31" West, 1257.80 feet to the Southeast corner of said Northwest 1/4 of the Northwest 1/4;

Thence along the south line of said Northwest 1/4 of the Northwest 1/4, North 89°10'27" West, 371.62 feet (formerly described as 371.69 feet) to the centerline of the Kennedy Lateral;

Thence leaving said south line and on said centerline for the following courses and distances:

Thence North 50°58'33" West, 18.22 feet (formerly described as 17.95 feet);

Thence North 53°11'09" West, 198.60 feet;

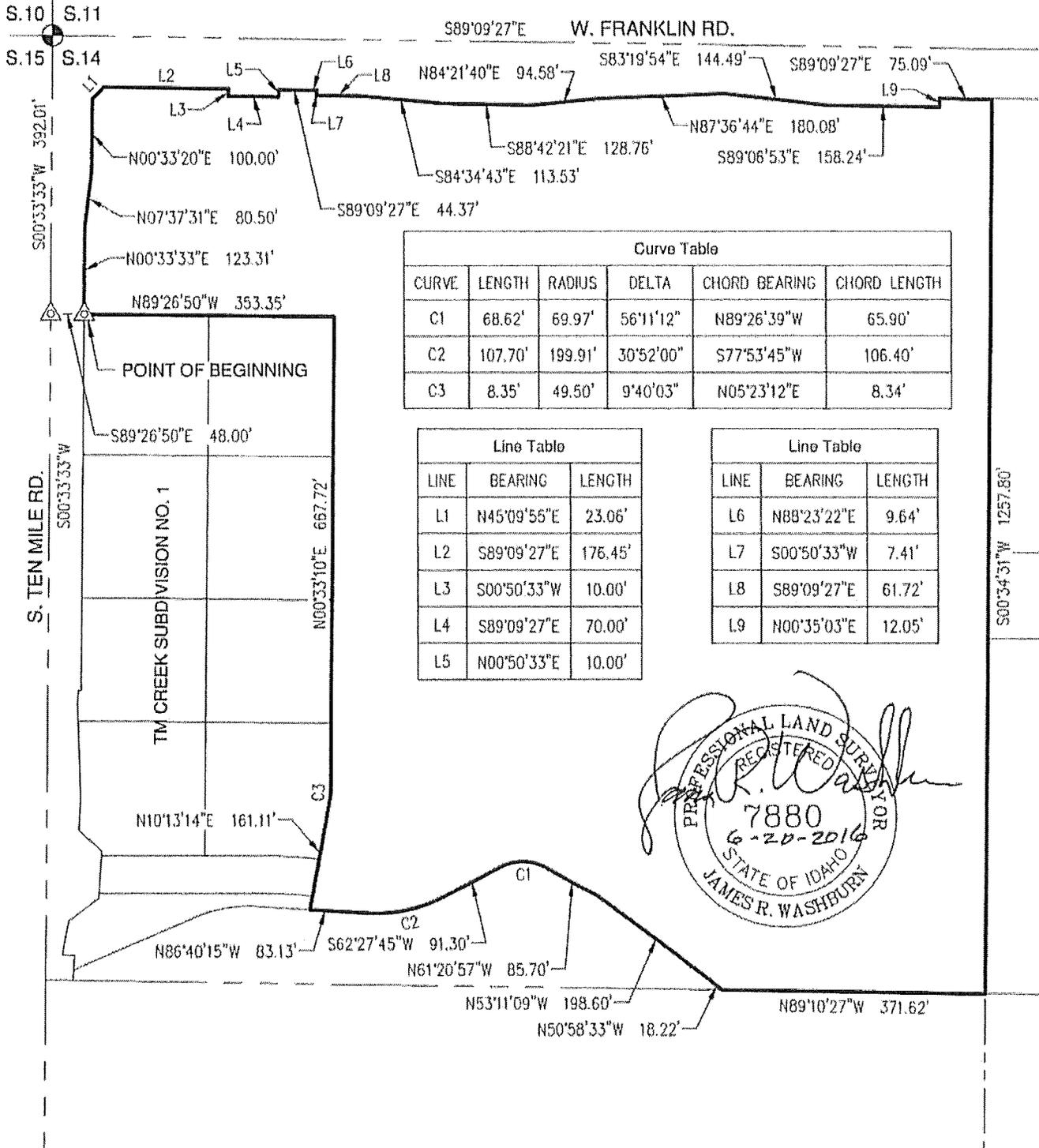
Thence North 61°20'57" West, 85.70 feet to the beginning of a curve;
Thence 68.62 feet on the arc of a curve to the left, having a radius of 69.97 feet, through a central angle of 56°11'12", having a chord bearing of North 89°26'39" West, and a chord length of 65.90 feet;
Thence South 62°27'45" West, 91.30 feet to the beginning of a curve;
Thence 107.70 feet on the arc of a curve to the right, having a radius of 199.91 feet, through a central angle of 30°52'00", having a chord bearing of South 77°53'45" West, and a chord length of 106.40 feet;
Thence North 86°40'15" West, 83.13 feet;
Thence leaving said centerline, North 10°13'14" East, 161.11 feet to the beginning of a curve;
Thence 8.35 feet on the arc of a curve to the left, having a radius of 49.50 feet, through a central angle of 09°40'03", having a chord bearing of North 05°23'12" East, and a chord length of 8.34 feet;
Thence North 00°33'10" East, 667.72 feet;
Thence North 89°26'50" West, 353.35 feet to the point of beginning.

Said parcel contains 27.74 acres more or less.

PREPARED BY:
THE LAND GROUP, INC.

James R. Washburn

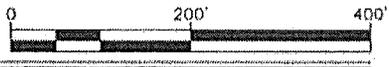




Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	68.62'	69.97'	56°11'12"	N89°26'39"W	65.90'
C2	107.70'	199.91'	30°52'00"	S77°53'45"W	106.40'
C3	8.35'	49.50'	9°40'03"	N05°23'12"E	8.34'

Line Table		
LINE	BEARING	LENGTH
L1	N45°09'55"E	23.06'
L2	S89°09'27"E	176.45'
L3	S00°50'33"W	10.00'
L4	S89°09'27"E	70.00'
L5	N00°50'33"E	10.00'

Line Table		
LINE	BEARING	LENGTH
L6	N88°23'22"E	9.64'
L7	S00°50'33"W	7.41'
L8	S89°09'27"E	61.72'
L9	N00°35'03"E	12.05'



Parcel Remainder Exhibit
 HORIZONTAL SCALE: 1" = 200'

THE LAND GROUP INCORPORATED
 462 East Shore Drive, Suite 100
 Eagle, Idaho 83616
 Phone 208.933.4041 • Fax 208.939.4445

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Sheet Title: **TM Creek Subdivision Parcel Remainder Exhibit**
 Meridian: **Idaho**

Project No.: 115055
 Date of Issuance: June 2016
 Designed by: KAM
 Checked by: JRW
 Sheet No.: **1 of 1**

The location of the monument and boundary lines shown on this plan were determined by a traverse survey conducted on June 21, 2016 at 10:55 AM. The plan was prepared by James R. Washburn, Registered Professional Land Surveyor, No. 7880, State of Idaho.

EXHIBIT B

INFO SHEET

Open Land Areas under the Idaho Urban Renewal Law and the Local Economic Development Act

To plan or initiate an urban renewal project for an urban renewal area, the local governing body must determine that such an area is a deteriorated area or a deteriorating area or a combination thereof. The attached definition of deteriorating area, Idaho Code Section 50-2018(9) lists ten characteristics that may be present in a deteriorating area. In addition, the definition includes a reference to open land areas:

" . . . provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply."

The statute recognizes the possibility that a deteriorating area may consist of open land. Pursuant to Idaho Code Section 50-2008(d), an urban renewal agency cannot acquire an area of open land for residential or nonresidential uses unless the local governing body makes certain findings. The proviso also lists justifications why such acquisition "may require the exercise of governmental actions, as provided in this act..." The list includes:

"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"

In effect, to the extent the list includes characteristics not found in the standard deteriorating area definition, it provides other defining characteristics of an open land area.

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

Idaho Code Sections 50-2018(8) and (9) and 50-2903(8)(0) require consent of any property owner whose property has been used for an agricultural operation anytime within the last

three (3) consecutive years in order to allow that property to be included within a proposed urban renewal area. Consent of the property owner is not required for property that has not been used as an agricultural operation within the last three consecutive years.

Attached hereto, please find copies of the following statutes: 50-2018(8) and (9), 50-2008, and S0-2903(8).

EXHIBIT C

TEM MILE URBAN RENEWAL DISTRICT ELIGIBILITY REPORT

(Sent under separate cover due to file size)

EXHIBIT 4

Summary of Ordinance

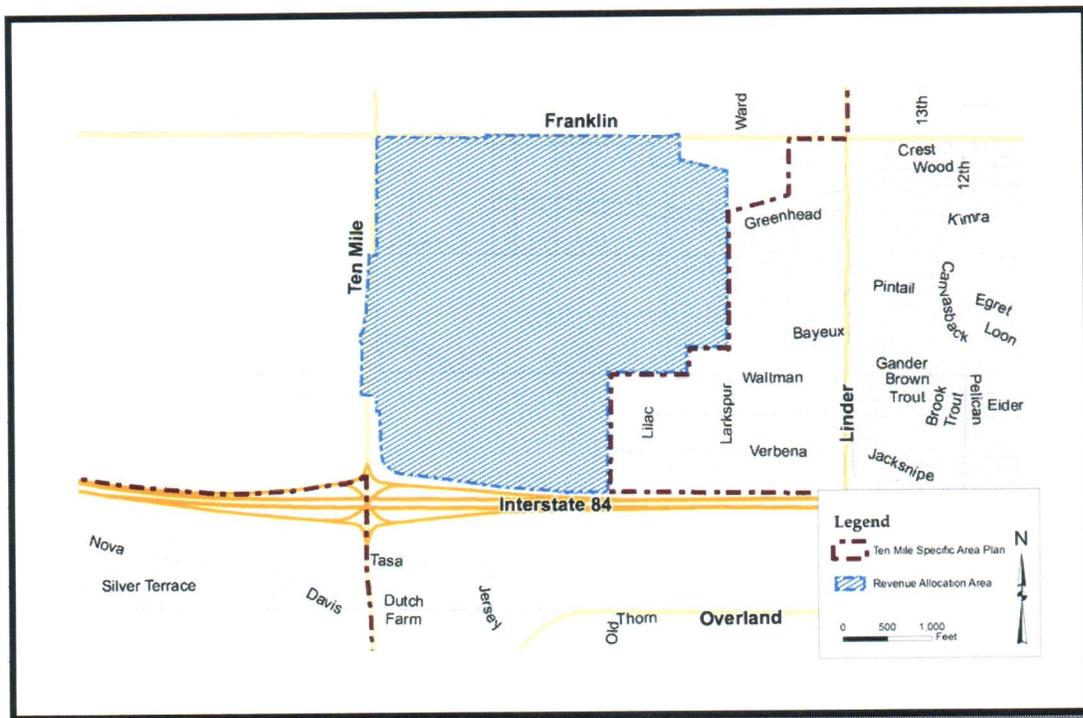
**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF MERIDIAN ORDINANCE NO. 16- 1695

An Ordinance of the City Council of the City of Meridian Approving the Urban Renewal Plan for the Ten Mile Road Urban Renewal Project, Which Plan includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of the Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Approving the Summary of the Ordinance; and Providing an Effective Date.

The proposed public works or improvements in the Plan Area include but are not limited to full roadway improvements, sidewalks and pedestrian ways, drainage improvements, public and private utilities such as sewer and water, irrigation facility improvements, right-of-way acquisition, remediation of environmental issues, enhancement of open areas and public recreation facilities, and such other elements required for the project and authorized by Idaho Code Section 50-2007 and 50-2901(13). Any such land uses as described in the Plan will be in conformance with zoning for the City of Meridian and the Meridian Comprehensive Plan.

The boundaries of the Urban Renewal Project Area and Revenue Allocation Area consist of approximately 301.45 acres of real property in Meridian City Limits, bounded on the south by I-84, on the west by Ten Mile Road, on the north by Franklin road as more particularly described in Attachment 2 to the Plan and generally depicted in the map below.



This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2016, to the extent permitted by the Act.

Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Ada County Assessor, Joint School District No 2, Ada County EMS, Meridian Cemetery District, Ada County Highway District, College of Western Idaho, Meridian Library District, Ada County Weed, Pest and Mosquito Abatement District, the Western Ada Recreation District, the Meridian Rural Fire District, 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 or plat indicating the boundaries of the Project Area.

A full text of this ordinance and the Plan are available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall become effective upon the passage and publication.



City of Meridian
Mayor and City Council
By: Jacy Jones, City Clerk

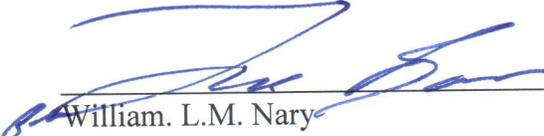


First Reading: 6/7/2016
Second Reading: 6/14/2016
Third Reading: 6/21/2016

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 16-1695**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 16-1695 of the City of Meridian, 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 23rd day of June, 2016.



William. L.M. Nary
City Attorney

June 27, 2016

Legal Notices

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

CITY OF MERIDIAN ORDINANCE NO. 16-1695

An Ordinance of the City Council of the City of Meridian Approving the Urban Renewal Plan for the Ten Mile Road Urban Renewal Project, Which Plan includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of the Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Approving the Summary of the Ordinance; and Providing an Effective Date.

The proposed public works or improvements in the Plan Area include but are not limited to full roadway improvements, sidewalks and pedestrian ways, drainage improvements, public and private utilities such as sewer and water, irrigation facility improvements, right-of-way acquisition, remediation of environmental issues, enhancement of open areas and public recreation facilities, and such other elements required for the project and authorized by Idaho Code Section 50-2007 and 50-2901(13). Any such land uses as described in the Plan will be in conformance with zoning for the City of Meridian and the Meridian Comprehensive Plan.

The boundaries of the Urban Renewal Project Area and Revenue Allocation Area consist of approximately 301.45 acres of real property in Meridian City Limits, bounded on the south by I-84, on the west by Ten Mile Road, on the north by Franklin road as more particularly described in Attachment 2 to the Plan and generally depicted in the map at the top of the next page, above at right.

This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2016, to the extent permitted by the Act.

Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Ada County Assessor, Joint School District No 2, Ada County EMS, Meridian Cemetery District, Ada County Highway District, College of Western Idaho, Meridian Library District, Ada County Weed, Pest and Mosquito Abatement District, the Western Ada Recreation District, the Meridian Rural Fire District, 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 or plat indicating the boundaries of the Project Area.

A full text of this ordinance and the Plan are available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall become effective upon the passage and publication.


City of Meridian
Mayor and City Council
By: Jacy Jones, City Clerk



First Reading: 6/7/2016
Second Reading: 6/14/2016
Third Reading: 6/21/2016

STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY OF ORDINANCE NO. 16-1695

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 16-1695 of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(4).

DATED this 23rd day of June, 2016.


William L.M. Nary
City Attorney