

ORDINANCE #67870
Board Bill No. 422
Floor Substitute

An ordinance approving a Redevelopment Plan for the N. Broadway St./Carrie Ave./ Bulwer Ave./Harris Ave. Area ("Area") after finding that the Area is blighted as defined in Sections 100.310 (2), (11), (18) of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 100.300 to 100.620 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 27, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B",; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that **any** property in the Area may be acquired by the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") through the exercise of eminent domain or otherwise; finding that the property within the Area is **partially occupied**, and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A"; and

WHEREAS the St. Louis Board of Aldermen ("Board") has considered "Blighting Study and Plan for N. Broadway St./Carrie Ave./Bulwer Ave./Harris Ave. Area," dated November 27, 2007 consisting of a title page, table of contents page, seven (7) numbered pages and five (5) exhibits attached hereto and incorporated herein as Exhibit "B" pursuant to Section 8 hereof ("Plan") and based on the information in the Plan, specifically the Blighting Study in Exhibit "F" to the Plan, considered each individual parcel of property in the Area and found the predominance of the Area to be blighted; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the PIEA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the PIEA under Section 100.300 to 100.620; and

WHEREAS, the PIEA has, after considering each individual parcel of property in the Area and finding the preponderance of the Area to be blighted, recommended such a Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and the Board, and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the PIEA, undertake and administer the Plan in the Area; and

WHEREAS, the PIEA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 100.400 and this Board has been fully apprised by the PIEA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by PIEA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the PIEA and the Planning Commission; and

WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 100.400 of the Statute, this Board advertised that a public

hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There exists within the City of St. Louis ("City") a blighted, insanitary, or undeveloped industrial area, as defined by Sections 100.310 (2), (11), and (18) of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 100.300 to 100.620 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the N. Broadway St./Carrie Ave./ Bulwer Ave./Harris Ave. Area ("Area"). The existence of a preponderance of deteriorated property and other conditions constitutes both an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. These conditions therefore, qualify the Area as blighted within the meaning of Section 100.310 (2), (11), (18) of the Revised Statutes of Missouri, 2000 as amended, as evidenced by the Blighting Report attached to Exhibit "B" hereto, and labeled Exhibit "F" incorporated herein by reference.

SECTION TWO. Industrial development of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City of St. Louis ("City").

SECTION THREE. The Area qualifies as an industrial development area in need of industrial development under the provisions of the Statute, and the Area is blighted as defined in Sections 100.310 (2), (11), (18) of the Statute..

SECTION FOUR. The Blighting Study and Plan for the Area, dated November 27, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

SECTION FIVE. The Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan for the Area provides that the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") **may acquire any property in the Area by the exercise of eminent domain or otherwise.**

SECTION NINE. In the event that the PIEA acquires property within the Area through the use of eminent domain, the occupant(s) of such property, in addition to receiving the benefits of the applicable municipal relocation ordinances, shall be provided a period of time to vacate such property of not less than six (6) months from the date of the filing of the condemnation petition.

SECTION TEN. The property within the Area is **partially occupied**. All eligible occupants displaced by the developer ("Developer" being defined in Section Twelve, below) shall be given relocation assistance by the Developer at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION ELEVEN. The Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION TWELVE. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION THIRTEEN. All parties participating as owners or purchasers of property in the Area for development shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Developer is a party, and shall be enforceable by the PIEA, the City and the United States of America.

SECTION FOURTEEN. In all contracts with private and public parties for development of any portion of the Area, all Developers shall agree:

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the PIEA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;
- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997.
- (e) To comply with the requirements of Ordinance No. 60275 of the City;
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and
- (g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Developer.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Developer" as used in this Section shall include its successors in interest and assigns.

SECTION FIFTEEN. A Developer shall hereby be entitled to the ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement district, Commercial District, or any other single local taxing district created in accordance with Missouri Law, whether now existing or later created, for a period of ten (10) years from the commencement of such tax abatement. If property is sold by the PIEA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if such corporation shall own property within the Area, then for up to ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the PIEA and leased to any such corporation then such corporation for up to the first ten 10 years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property, and when paid to the Collector of Revenue of the City of St. Louis, shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the PIEA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION SIXTEEN. Any proposed modification which will substantially change the Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan.

The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the PIEA, provided that such revisions shall be effective only upon the consent of the Planning Commission changes which are not substantial are those that do not go to the crux of the Plan.

SECTION SEVENTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

EXHIBIT "A"

N. BROADWAY ST./CARRIE AVE./BULWER AVE./HARRIS AVE. AREA
LEGAL DESCRIPTION

All of City Blocks 3430, 3433, 3444, 3447, 3458, 3463, 3431, 3432, 3445, 3446, and a portion of City Block 3460 and 3461 in the City of St. Louis, more specifically described as follows:

Beginning at the part of intersection of the westward prolongation of the south line of E. Harris Avenue (60' wide) and the west line of N. Broadway Street (80' wide); thence northwardly along said west line of N. Broadway to its point of intersection with the westward prolongation of the north line of E. Clarence Avenue (60' wide); thence eastwardly along said westward prolongation and said north line of E. Clarence Avenue to its point of intersection with the southward prolongation of the west line of Quida Avenue (50' wide); thence northwardly along said southward prolongation and said west line of Quida Avenue to its point of intersection with the south line of E. Pope Avenue (60' wide); thence westwardly along said south line of E. Pope Avenue to its point of intersection with the southward prolongation of the west line of a north-south 10 foot wide alley in City Block 3461; thence northwardly along said west alley line to its point of intersection with the north line of E. Carrie Avenue; thence eastwardly along said north line of E. Carrie Avenue across all intersecting streets and alleys to its point of intersection with the east line of Bulwer Avenue (80' wide); thence southwardly along said east line of Bulwer Avenue across all intersecting streets to its point of intersection with the south line of E. Harris Avenue; thence westwardly along said south line of E. Harris Avenue across all intersecting streets and its westward prolongation to its point of intersection with the west line of N. Broadway, the point of beginning.

EXHIBIT "B"
Form: 11/27/07

BLIGHTING STUDY AND PLAN
FOR THE
N. BROADWAY ST./CARRIE AVE./BULWER AVE./HARRIS AVE. AREA
PROJECT #5110
PLANNED INDUSTRIAL EXPANSION AUTHORITY
OF THE CITY OF ST. LOUIS
November 27, 2007

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
N. BROADWAY ST./CARRIE AVE./BULWER AVE./HARRIS AVE. AREA

PAGE

A.	EXISTING CONDITIONS AND FINDING OF BLIGHT	1
1.	DELINEATION OF BOUNDARIES	1
2.	GENERAL CONDITION OF THE AREA	1
3.	PRESENT LAND USE OF THE AREA	1
4.	PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES	1
5.	CURRENT ZONING	1
6.	FINDING OF BLIGHT	2
B.	PROPOSED DEVELOPMENT AND REGULATIONS	2
1.	DEVELOPMENT OBJECTIVES	2
2.	PROPOSED LAND USE OF THE AREA	2
3.	PROPOSED ZONING	2
4.	RELATIONSHIP TO LOCAL OBJECTIVES	2
5.	PROPOSED EMPLOYMENT FOR THIS AREA	3
6.	CIRCULATION	3
7.	BUILDING AND SITE REGULATIONS	3
8.	URBAN DESIGN	3
9.	PARKING REGULATIONS	4
10.	SIGN REGULATIONS	4

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS 4

12. PUBLIC IMPROVEMENTS 4

C. PROPOSED SCHEDULE OF DEVELOPMENT 4

D. EXECUTION OF PROJECT 5

1. ADMINISTRATION AND FINANCING 5

2. PROPERTY ACQUISITION 5

3. PROPERTY DISPOSITION 5

4. RELOCATION ASSISTANCE 5

E. COOPERATION OF THE CITY 5

F. TAX ABATEMENT 5

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS 6

1. LAND USE 6

2. CONSTRUCTION AND OPERATIONS 6

3. LAWS AND REGULATIONS 6

4. ENFORCEMENT 7

H. MODIFICATIONS OF THIS PLAN 7

I. DURATION OF REGULATION AND CONTROLS 7

J. EXHIBITS 7

K. SEVERABILITY 7

EXHIBITS

- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
- "F " BLIGHTING REPORT

CITIZENS' SERVICE BUREAU - WORKORDER SUMMARY REPORT

CASE FILES - WHEN AVAILABLE

PHOTOS OF PROPERTY

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The N. Broadway St./Carrie Ave./Bulwer Ave./Harris Ave. Area ("Area") encompasses approximately 49 acres in the North Riverfront neighborhood of the City of St. Louis ("City") including rights of way, and includes the area bounded generally by N. Broadway Street to the west, Bulwer Avenue on the east, and Harris Avenue on the south, and Carrie Avenue to the north

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises all of City Blocks 3430, 3433, 3444, 3447, 3458, 3463, 3431, 3432, 3445, 3446 and portions of City Blocks 3460 and 3461, and includes the following addresses: 600-714 & 601-715 Red Bud Avenue, 601-57 Harris Avenue, 5600-6130 &5601-6131 Prescott Avenue, 5600-6130 N. Broadway Street, 600-726 & 601-727 Athlone Avenue, 600-52 & 601-51 Holly Avenue, 600-746 & 601-747 Clarence Avenue, 600-750 & 601-751 Pope Avenue, 600-824 Carrie Avenue and 5601-6131 Bulwer Avenue. The parcel by parcel building

conditions in the Area are shown in Exhibit "B" (Project Area Plan).

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.6 % unemployment rate for the City as of August, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently 50-100 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include residential, industrial, commercial, institutional, utility, and vacant land.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential, commercial and industrial purposes.

Residential density for the surrounding neighborhoods is approximately 0.68 persons per acre

5. CURRENT ZONING

The Area is zoned "J" Industrial District and "K" Unrestricted District, pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is partially occupied and in the conditions outlined in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 100.300 et seq. of the Revised Statutes of Missouri (the Planned Industrial Expansion Authority Law) as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan are to eliminate blight within the area and to facilitate the development of the Area into approximately 500,000 to 1 million square feet of productive commercial and industrial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial and industrial uses permitted in Areas designated δJö Industrial and "K" Unrestricted District by the City of St.áLouis Zoning Code. The Developer(s) contracting with the Planned Industrial Expansion Authority of the City of St. Louis (δPIEAö) to develop property in the Area (hereafter referred to as öRedeveloperö) shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), pinball arcades, pool halls, secondhand or junk shops, tattoo parlors, blood donor facilities, free standing package liquor stores, check cashing centers.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area can remain δJö Industrial District and "K" Unrestricted District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the Strategic land Use plan (2005). Any specific proposal to the PIEA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

Two hundred to three hundred new jobs may be created in this Area as a result of this development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Developer shall develop the Area in accordance with this Plan and the Development Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Developer in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. Urban Design Objectives

The properties shall be developed such that they are attractive commercial and industrial assets to the surrounding neighborhood.

b. Urban Design Regulations

Rehabilitation shall respect the original exterior and the exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design.

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, material, set back, profile and site layout.

c. Landscaping

The property shall be well landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and Development Agreement (s) between the PIEA and the Developer (s). A uniform signage plan must be prepared by the Developer (s) for each project within the Area. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the PIEA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Developer.

If funds are available to the PIEA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately two (2) years of approval of this Plan by ordinance and completed within approximately five (5) years of approval of this Plan by ordinance.

The PIEA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The PIEA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Planned Industrial Expansion Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Developer (s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Developer.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all of the property located in the Area. **The PIEA may acquire any property in the Area by the exercise of eminent domain or otherwise.**

3. PROPERTY DISPOSITION

If the PIEA acquires property in the Area, it may sell or lease the property to a Developer (s) who shall agree to develop such property in accordance with this Plan and the Development Agreement between such Developer (s) and the PIEA. Any property acquired by the PIEA and sold to Developer (s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 100.410, R.S. Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently partially occupied. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Developer which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

If property in the Area is sold by the PIEA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment

of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax exempt because it is owned by the PIEA and leased to any such corporation, then such corporation for ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the PIEA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

A Developer shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Developer shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Developer shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Development Agreement between the PIEA and a Developer, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Developer, its heirs, successors or assigns, by the PIEA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the PIEA, provided that such revisions shall be effective only upon the consent of the Planning and Urban Design Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

**N. BROADWAY ST./CARRIE AVE./BULWER AVE./HARRIS AVE. AREA
LEGAL DESCRIPTION**

All of City Blocks 3430, 3433, 3444, 3447, 3458, 3463, 3431, 3432, 3445, 3446, and a portion of City Block 3460 and 3461 in the City of St. Louis, more specifically described as follows:

Beginning at the part of intersection of the westward prolongation of the south line of E. Harris Avenue (60' wide) and the west line of N. Broadway Street (80' wide); thence northwardly along said west line of N. Broadway to its point of intersection with the westward prolongation of the north line of E. Clarence Avenue (60' wide); thence eastwardly along said westward prolongation and said north line of E. Clarence Avenue to its point of intersection with the southward prolongation of the west line of Quida Avenue (50' wide); thence northwardly along said southward prolongation and said west line of Quida Avenue to its point of intersection with the south line of E. Pope Avenue (60' wide); thence westwardly along said south line of E. Pope Avenue to its point of intersection with the southward prolongation of the west line of a north-south 10 foot wide alley in City Block 3461; thence northwardly along said west alley line to its point of intersection with the north line of E. Carrie Avenue; thence eastwardly along said north line of E. Carrie Avenue across all intersecting streets and alleys to its point of intersection with the east line of Bulwer Avenue (80' wide); thence southwardly along said east line of Bulwer Avenue across all intersecting streets to its point of intersection with the south line of E. Harris Avenue; thence westwardly along said south line of E. Harris Avenue across all intersecting streets and its westward prolongation to its point of intersection with the west line of N. Broadway, the point of beginning.

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 08/02/99**

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

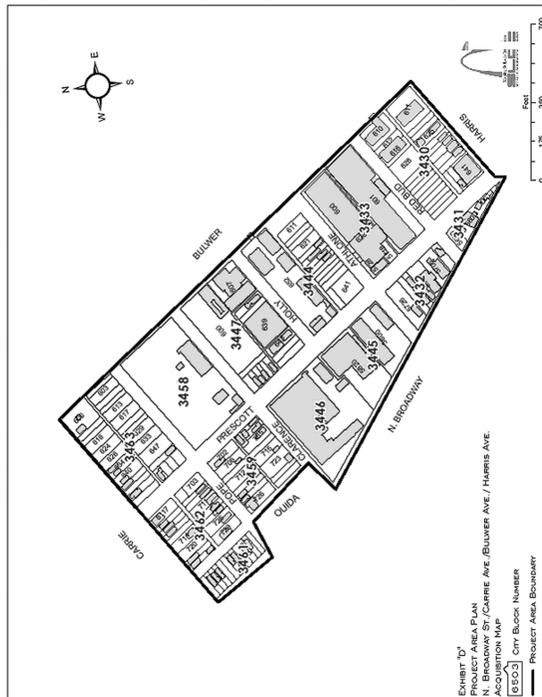
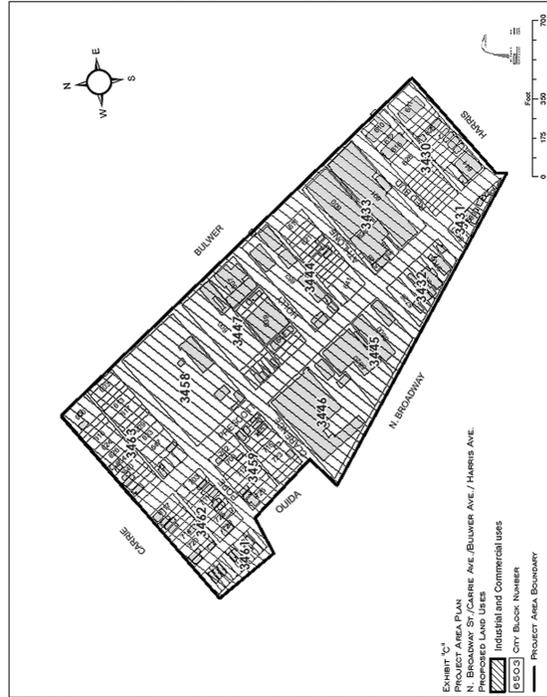
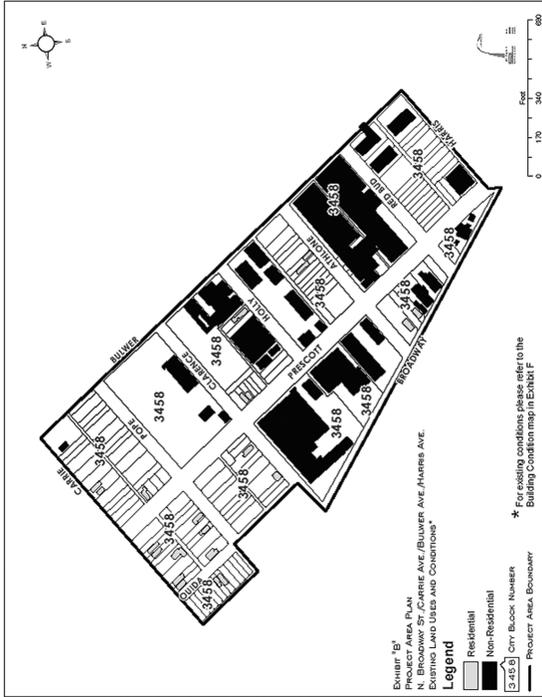
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

**EXHIBIT "F"
DATA AND ANALYSIS OF CONDITIONS REPRESENTING A "BLIGHTED AREA"
Is on file in the Register Office.**

Approved: February 4, 2008

ORDINANCE NO. 67870 - EXHIBITS B, C & D



ORDINANCE #67871
Board Bill No. 38
Committee Substitute

An ordinance recommended by the Planning Commission approving a Blighting Study and Plan dated October 23, 2007 ("Plan") for the McRee Town West Redevelopment Area ("Area") finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 et seq.), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan attached hereto and incorporated herein as Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that **certain** property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis, a public body corporate and politic created under Missouri law, ("LCRA") through the exercise of eminent domain or otherwise; finding that some property within the Area is **occupied**, and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, the provision of housing accommodations and other development generally has been retarded within the Area and such causes and constitute and economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A";

WHEREAS, the St. Louis Board of Aldermen ("Board") has considered the "Blighting Study and Plan for the McRee Town West Redevelopment Area" dated October 23, 2007 consisting of a Title Page, a Table of Contents Page, fourteen (14) numbered pages and six exhibits attached hereto and incorporated herein as "Exhibit B" as amended pursuant to Section 8 hereof ("Plan"), and based on the information in the Plan, specifically the Blighting Study in Exhibit F to the Plan, considered each individual parcel of property in the Area and found the preponderance of the Area to be blighted, and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA to undertake the development of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, has approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and the Board; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

WHEREAS, under the provisions of the Statute it is required that the Board take such actions as may be required to approve the Plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 *et seq.*, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the McRee Town West Redevelopment Area. The existence of deteriorated property and other conditions constitutes both an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. These conditions therefore, qualify the Area as blighted within the meaning of Section 99.320 (3) of the Revised Statutes of Missouri, 2000 as amended, as is evidenced by the Blighting Report attached as Exhibit "F" to the Plan which is attached hereto, and labeled Exhibit "B" and incorporated herein by reference ("Blighting Report").

SECTION TWO. The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Plan (including the Blighting Report), having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") **may acquire certain property in the Area by the exercise of eminent domain or otherwise**, with the limitation that LCRA may not acquire any owner occupied single family, two family or four family residential structures within the portion of the Project Plan Area that is east of Tower Grove Avenue and west of Thurman Avenue by use of eminent domain so long as such structures are maintained by the owner-occupant in a safe and sound condition in compliance with all city codes, ordinances, and regulations.

SECTION NINE. Some of the property within the Area is **occupied**. All eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;

- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;
- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997.
- (e) To comply with the applicable requirements of Ordinance No. 60275 of the City; (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and
- (g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for up to the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by the Board in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area,

or to other items which alter the nature or intent of the Plan. The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

EXHIBIT "A"

**MCCREE TOWN WEST REDEVELOPMENT AREA
LEGAL DESCRIPTION**

A tract of land containing approximately 50 acres (including rights-of-way) incorporating the northern half of City Block 4964 and all of City Blocks 4969, 4970, 4971, 4972, 4974, 5197, 5442, and 5445 located in the City of St Louis; and specifically described as follows.

Beginning at the intersection of the centerline of Thurman Avenue with the southern line of Lafayette Avenue, west along the southern line of Lafayette Avenue to the centerline of Vandeventer Avenue, generally northeast along the centerline of Vandeventer Avenue to the centerline of Tower Grove Avenue, south along the centerline of Tower Grove Avenue to the centerline of Folsom Avenue, east along the centerline of Folsom Avenue to the centerline of Lawrence Avenue, south along the centerline of Lawrence Avenue to its intersection with the centerline of the alley of City Block 4964, west along the centerline of the alley to its intersection with the centerline of Thurman Avenue, then south to its intersection with the centerline of Lafayette Avenue, the point of origin.

**EXHIBIT "B"
Form: 10/08/07**

**BLIGHTING STUDY AND PLAN
FOR THE
MCCREE TOWN WEST REDEVELOPMENT AREA
PROJECT # 1255
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
OCTOBER 23, 2007**

**MAYOR
FRANCIS G. SLAY**

**BLIGHTING STUDY AND PLAN FOR
MCCREE TOWN WEST REDEVELOPMENT AREA**

	<u>PAGE</u>
A. EXISTING CONDITIONS AND FINDING OF BLIGHT	1
1. DELINEATION OF BOUNDARIES	1
2. GENERAL CONDITION OF THE AREA	1
3. PRESENT LAND USE OF THE AREA	1
4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES	1
5. CURRENT ZONING	2
6. BLIGHTING STUDY	2
7. FINDING OF BLIGHT	2
B. PROPOSED DEVELOPMENT AND REGULATIONS	2
1. DEVELOPMENT OBJECTIVES	2
2. PROPOSED LAND USE OF THE AREA	2
3. PROPOSED ZONING	3
4. RELATIONSHIP TO LOCAL OBJECTIVES	3
5. PROPOSED EMPLOYMENT FOR THIS AREA	3
6. CIRCULATION	3
7. BUILDING AND SITE REGULATIONS	3
8. URBAN DESIGN	4
9. PARKING REGULATIONS	4
10. SIGN REGULATIONS	5
11. BUILDING, CONDITIONAL USE AND SIGN PERMITS	6

12. PUBLIC IMPROVEMENTS 6

C. PROPOSED SCHEDULE OF DEVELOPMENT 6

D. EXECUTION OF PROJECT 6

1. ADMINISTRATION AND FINANCING 6

2. PROPERTY ACQUISITION 7

3. PROPERTY DISPOSITION 7

4. RELOCATION ASSISTANCE 7

E. COOPERATION OF THE CITY 7

F. TAX ABATEMENT 8

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS 8

1. LAND USE 8

2. CONSTRUCTION AND OPERATIONS 8

3. LAWS AND REGULATIONS 8

4. ENFORCEMENT 9

H. MODIFICATIONS OF THIS PLAN 9

I. DURATION OF REGULATION AND CONTROLS 9

J. EXHIBITS 9

K. SEVERABILITY 9

EXHIBITS

- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
- "F " BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The McRee Town West Area ("Area") encompasses approximately 50 acres in the Botanical Heights neighborhood of the City of St. Louis ("City") and is generally located between Folsom Avenue on the north, Lawrence Street and Thurman Avenue on the east, Lafayette Avenue on the south, and Vandeventer Avenue on the west.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises the northern half of City Block 4964 and all of City Blocks 4969, 4970, 4971, 4972, 4974, 5197, 5442, and 5445. The following addresses are included in the Area: 4000-4244 Folsom Ave., 4101-4269 and 4100-4256 Blaine Ave., 4101-4343 and 4100-4356 McRee Ave., 4101-4333 Lafayette Ave., 1532, 1533-1633 Thurman Ave., 1532, & 1613-33 Klemm Ave., 1532-1654, 1501-1643 Tower Grove Ave., 1508-1612 S. Vandeventer. The Area is in poor to fair condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.4% unemployment

rate for the City as of June, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently approximately 85 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include single family and multi-family residential, industrial, commercial, institutional, utility, and vacant land.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential development to the east and south and industrial development to the west and north.

Residential density for the surrounding neighborhoods is approximately 20 persons per acre.

5. CURRENT ZONING

The Area is zoned "C" Multiple-Family Dwelling, "D" Multiple-Family, "F" Neighborhood Commercial, "G" Local Commercial and Office, and "J" Industrial Districts pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. BLIGHTING STUDY

A detailed Blighting Study is attached as Exhibit F and incorporated herein by this reference.

7. FINDING OF BLIGHT

The property within the Area is partially occupied and in fair to poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.320 (3) of the Revised Statutes of Missouri, 2000, as amended, (the Land Clearance for Redevelopment Authority Law) as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential commercial and industrial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential, commercial, and industrial uses permitted in Areas designated "A" Single Family, "D" Multiple Family, "F" Neighborhood Commercial, "G" Local Commercial and Office, and "J" Industrial Districts by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the following:

pawn shops, adult bookstores, X-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), pinball arcades, pool halls, secondhand or junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, blood donor facilities, free standing package liquor stores, check cashing centers, any use (except for financial institutions or pharmacies) that utilizes a sales or service window or facility for customers who are in cars, or restaurants that sell products to customers who are in cars or who consume the sold products in cars parked on the restaurant premises, or sell products through a sales window to customers who are in cars or to pedestrians outside the building for immediate consumption by the customer either on or off the premises, automobile service or stations.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the commercial and industrial development along Tower Grove Avenue in the Area can remain

"F" Neighborhood Commercial, "G" Local Commercial and Office, and "J" Industrial Districts. All land coverage and building intensities shall be governed thereby.

It is proposed that all other zoning districts to the west of Tower Grove Avenue be changed to "J" Industrial. All land coverage and building intensities shall be governed thereby.

It is proposed that the basic underlying zoning for all residential zoning to the east of Tower Grove Avenue be changed to a modified "A" Single Family District that would also accommodate attached single family housing. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Strategic Land Use Plan" (2005). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately 400 to 600 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

A combination of rehabilitation of existing residential development, where appropriate, and new infill residential development to compliment the new residential development to the east of the Area.

Existing commercial and new commercial development along and to the west of Tower Grove Avenue shall provide an attractive asset and convenient services for neighboring residential development.

b. **Urban Design Regulations**

With respect to rehabilitation, efforts shall be made to retain consistency with original exterior design and materials. Window and door shapes and detailing shall, as practicable, be compatible with the original design.

New residential construction shall be compatible in design with neighboring residential development in terms of scale, materials, set backs, profiles and site layout.

c. **Landscaping**

Appropriate attractive landscaping is important to the revitalization of the Area. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall, where practicable, be

provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

d. Fencing

New fencing, behind the building line and not facing a street only, may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. The above fencing may also be used along a street in a "J" Industrial provided it is not across from residential property. In no case shall the fencing have razor or brushed wire on top if it is visible from any street. In residential or commercial zoning districts new fencing in front yards or along streets shall be limited to ornamental metal with black matte finish.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: **Upper Level** signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5')). **Pedestrian level** signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

One ground or monument sign per use may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, roof signs, pole signs, monument signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

Development pursuant to this Plan shall not be phased and shall be initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately ten (10) years of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA **may** acquire any property in the Area by the exercise of eminent domain **or otherwise**, except that LCRA may not acquire any owner occupied single family, two family or four family residential structures within the Project Plan Area to the east of Tower Grove Avenue and west of Thurman Avenue by use of eminent domain so long as such structures are maintained by the owner-occupant in a safe and sound condition in compliance with all city codes, ordinances, and regulations.

3. PROPERTY DISPOSITION

Properties acquired by LCRA may be sold or leased to Redeveloper(s) who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

Some properties within the Area are currently **occupied**. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement, which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan.

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for up to the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

No Redeveloper shall discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

No Redeveloper shall discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction nor in the operation of any project in the Area. All Redeveloper(s) shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

All Redeveloper(s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and the Redeveloper(s), which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against any Redeveloper(s), its respective heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

**MCREE TOWN WEST REDEVELOPMENT AREA
LEGAL DESCRIPTION**

A tract of land containing approximately 50 acres (including rights-of-way) incorporating the northern half of City Block 4964 and all of City Blocks 4969, 4970, 4971, 4972, 4974, 5197, 5442, and 5445 located in the City of St Louis; and specifically described as follows.

Beginning at the intersection of the centerline of Thurman Avenue with the southern line of Lafayette Avenue, west along the southern line of Lafayette Avenue to the centerline of Vandeventer Avenue, generally northeast along the centerline of Vandeventer Avenue to the centerline of Tower Grove Avenue, south along the centerline of Tower Grove Avenue to the centerline of Folsom Avenue, east along the centerline of Folsom Avenue to the centerline of Lawrence Avenue, south along the centerline of Lawrence Avenue to its intersection with the centerline of the alley of City Block 4964, west along the centerline of the alley to its intersection with the centerline of Thurman Avenue, then south to its intersection with the centerline of Lafayette Avenue, the point of origin.

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 08/02/99**

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

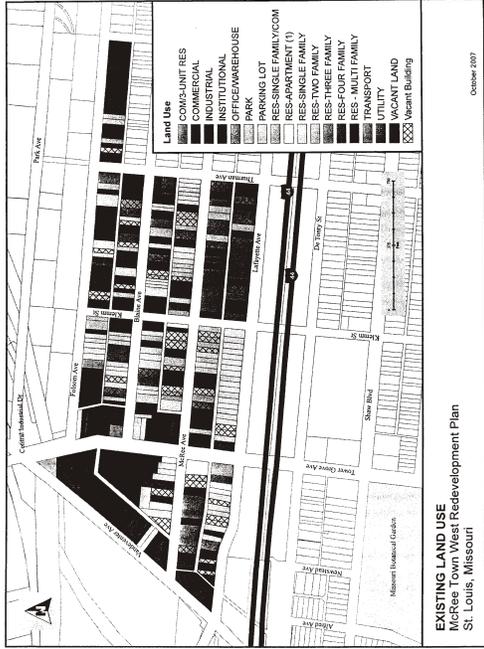
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

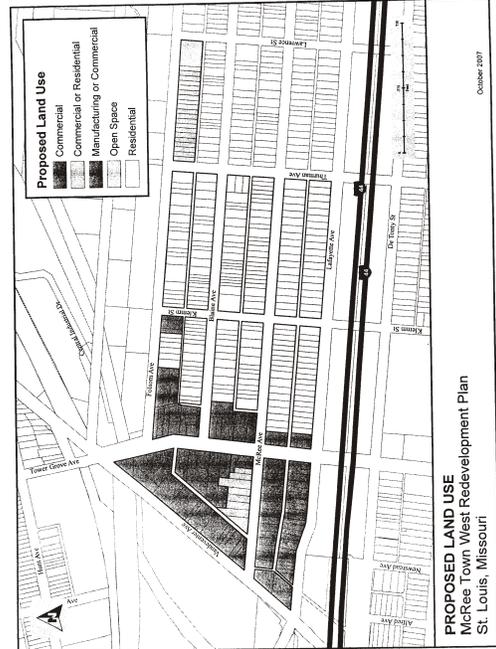
Approved: February 11, 2008

ORDINANCE NO. 67871 - EXHIBITS B, C & D

67871 III



67871 III



67871 III



ORDINANCE #67872
Board Bill No. 434

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in 1) Papin from Gratiot south to Papin (vacated Ord. 46915), and Papin from Grand west to Papin (vacated Ord. 46915). 2) The 15' wide north/south alley and the remaining 165' of the 20' wide east/west alley in City Block 2184 as bounded by Papin, Grand, Chouteau and Prospect (vacated Ord. 46915) in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A parcel of ground in City Block 2184 in the City of St. Louis, Missouri, described as follows:

Commencing at the point of intersection of the southern right-of-way line of Papin Street, 60 feet wide with the western right-of-way line of Grand Boulevard, 80 feet wide; thence north 75 degrees 00 minutes 00 seconds west 150.00 feet along the southern right-of-way line of Papin Street, to eastern line of an alley 15 feet wide to the point of beginning; thence south 15 degrees 29 minutes 30 seconds west 135.00 feet, along the eastern line of alley, 15 feet wide to the point of intersection of the northern line of alley 20 feet wide; thence south 75 degrees 00 minutes 00 seconds east 150 feet, along the northern line of alley 20 feet wide to the point of intersection of the western right-of-way line of Grand Boulevard; thence south 15 degrees 29 minutes 30 seconds west 20.00 feet, along the western right-of-way line of Grand Boulevard to the point of intersection of the southern line of alley 20 feet wide; thence north 75 degrees 00 minutes 00 seconds west 165.00 feet, along the southern line of alley 20 feet wide to the point of intersection of the western line of alley 15 feet wide; thence north 15 degrees 29 minutes 30 seconds east 155.00 feet, along the western line of alley 15 feet wide to the point of intersection of the southern right-of-way line of Papin Street; thence south 75 degrees 00 minutes 00 seconds east 15.00 feet along the southern right-of-way line of Papin Street to the point of beginning and containing 5,325 square feet more or less, as prepared by Pitzman Company of Surveyors and Engineers.

A parcel of ground in City Blocks 2184, 2187-E and 2187-W, in the City of St. Louis, Missouri, described as follows:

Beginning at the point of intersection of the southern right-of-way line of Gratiot Street, 60 feet wide with the western right-of-way line of the north/south Papin Street, 60 feet wide; thence south 75 degrees 00 minutes 00 seconds east 60.00 feet to the point of intersection of the eastern right-of-way line of the north/south Papin Street and the southern right-of-way line of Gratiot Street; thence south 15 degrees 29 minutes 30 seconds west 290.23 feet, along the eastern right-of-way line of the north/south Papin Street to point of intersection of the northern right-of-way line of the east/west Papin Street, 60 feet wide; thence south 75 degrees 00 minutes 00 seconds east 150.00 feet, along the northern right-of-way line of the east/west Papin Street, to the point of intersection of the western right-of-way line of Grand Boulevard, 80 feet wide; thence south 15 degrees 29 minutes 30 seconds west 60.00 feet, along the western right-of-way line of Grand Boulevard to the point of intersection of the southern right-of-way line of the east/west Papin Street; thence north 75 degrees 00 minutes 00 seconds west 210.00 feet, along the southern right-of-way line of the east/west Papin Street, to the point of intersection of the western right-of-way line of the north/south Papin Street; thence north 15 degrees 29 minutes 30 seconds east 350.23 feet, along the western right-of-way line of the north/south Papin Street to the point of beginning and containing 29,998 square feet more or less, as prepared by Pitzman Company of Surveyors and Engineers.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: The vacation petitioners are SLLC real Estate II, LLC, SLLC Real Estate III, LLC and St. Louis University. The vacated areas will be used to consolidate property.

SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alleys and street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

SECTION FOUR: The owners of the land may, at their election and expense remove the surface pavement of said so vacated alleys and street provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

SECTION FIVE: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION SIX: The owner(s) shall not place any improvement upon, over or in the area(s) vacated without: 1) lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

SECTION SEVEN: The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION EIGHT: In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must have curbing cobblestones returned to the Department of Streets in good condition.

SECTION NINE: This ordinance shall be ineffective unless within three hundred sixty (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the affidavit submittal date as specified in the last section of this ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be deposited by these agencies with the Comptroller of the City of St. Louis.

- 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of Water facilities, if any.
- 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.
- 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as specified in Sections Two and Eight of the Ordinance.

SECTION TEN: An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. Once the Board of Public Service has accepted the affidavit, the Director of Streets will give notice to have the affidavit and mylar recorded. If the affidavit is not recorded within the prescribed time, the ordinance will be null and void.

Approved: February 11, 2008

**ORDINANCE #67873
Board Bill No. 429**

An Ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment authorizing a First Supplemental Appropriation in the amount of One Million One Hundred Thousand Dollars (\$1,100,000) from the Airport Development Fund established and authorized pursuant to Ordinance 59286, Section 13, approved October 26, 1984, into the Airport Engineering Assistance Program Ordinance 67100 approved June 5, 2006, for the payment of costs for work and services authorized therein, and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There is hereby authorized a First Supplemental Appropriation in the amount of One Million One Hundred Thousand Dollars (\$1,100,000) from the Airport Development Fund established and authorized pursuant to Ordinance 59286, Section 13, approved October 26, 1984, into the Airport Engineering Assistance Program Ordinance 67100 approved June 5, 2006, for the payment of costs for work and services authorized therein.

SECTION TWO. This being an ordinance providing for public work and improvement program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City of St. Louis' Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

Approved: February 11, 2008

**ORDINANCE #67874
Board Bill No. 430**

AN ORDINANCE APPROVING THE PETITION OF 100 N. EUCLID COMMUNITY IMPROVEMENT DISTRICT AND ESTABLISHING THE 100 N. EUCLID COMMUNITY IMPROVEMENT DISTRICT,

FINDING BLIGHTED AREA AND A PUBLIC PURPOSE, AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. § 67.1401 et seq. (the "Act") authorizes the Board of Aldermen to approve the petitions of property owners to establish community improvement districts; and

WHEREAS, a Petition signed by the owner of more than fifty percent by assessed value of the real property and more than fifty percent per capita of all owners of real property within the boundaries of the proposed district at 100 North Euclid, as hereinafter described, has been filed with the City, requesting establishment of a community improvement district (the "Petition," a copy of which is attached hereto as Exhibit 1); and

WHEREAS, the Register of the City of St. Louis did review and determine that the Petition substantially complies with the requirements of the Act; and

WHEREAS, a public hearing, duly noticed, was held at 9:00 a.m. on January 30, 2008, by the [Neighborhood Development Committee] of the Board of Aldermen; and

WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the property owners and residents of, and persons engaging in business on or visiting said portion of Euclid Avenue and Pine Street, and the public in general will benefit by the establishment of said community improvement district and elimination of the blighted conditions therein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE.

(a) The Petition is hereby approved and a community improvement district, to be known as the "100 N. Euclid Community Improvement District" (hereinafter referred to as the "District"), is hereby established as set forth in the Petition, which is attached hereto as Exhibit 1 and incorporated herein by reference.

(b) The District boundaries are shown on the map attached as Appendix B to the Petition and are described in Appendix A to the Petition:

SECTION TWO.

(a) The District is authorized by the Act to use any one or more of the assessments or other funding methods specifically authorized by the Act to provide funds to accomplish any power, duty or purpose of the District; pursuant to the authority of Mo. Rev. Stat. § 67.1501, the St. Louis Board of Aldermen, as governing body of a special business district authorized pursuant to Mo. Rev. Stat. § 71.790 et seq., and pursuant to Resolution No. __ ("Resolution"), has repealed all taxes and special assessments of said special business district.

(b) The District is authorized by the Act to establish different classes of real property within the District for purposes of special assessments. The levy rate for special assessments may vary for each class or subclass based on the level of benefit derived from services or improvements funded, provided, or caused to be provided by the District.

(c) The District is authorized by the Act and the Petition to levy by resolution annual taxes or special assessments against real property within the boundaries of the District for the purpose of providing revenue for specific services and improvements (with the net costs thereof estimated not to exceed \$10,000,000) in the District ("Assessment") as generally described in special assessment petition(s) substantially in the form set forth in Mo. Rev. Stat. § 67.1521.2. ("Special Assessment Petition")

(d) The method of assessment that may be proposed in a Special Assessment Petition is by assessed valuation, at a rate equal to the combined general tax rate for all real estate taxes which are applicable to the parcel, with a maximum rate of \$15 per \$100 of assessed valuation subject to adjustment as set forth below.

(e) It is anticipated that the real property within the District will become subject to real property tax abatement pursuant to Section 99.300 et seq. RSMo ("Tax Abatement"). The Assessment shall be made in lieu of the abated generally applicable real property taxes, and shall not be levied during the time (if any) that the Tax Abatement is not in effect. If, as a condition to the Tax Abatement, the property owners are required to make payments in lieu of taxes (other than the Assessment referenced herein) ("PILOTS"), or are required to pay real estate taxes on a portion of property or a portion of its value ("Base Taxes"), then the Assessment shall be reduced by an amount equal to the PILOTS or Base Taxes on a dollar-for-dollar basis. If the real property is subject to Tax Abatement pursuant to Section 99.300 et seq. RSMo, thus capping the maximum assessed value of the real property covered by the approved plans in accordance with Section 99.710 RSMo, the Assessment shall be made based upon the combined general tax rate for generally applicable taxes, multiplied by the total assessed valuation which would have been applicable to the real property, but for the Tax Abatement. In all cases, the total of the Assessment, the Base Taxes if any, and the PILOTS if any, shall equal the total real estate taxes which would have been applicable to the real property, but for the Tax Abatement. In the event that the property within the District is subdivided pursuant to the subdivision or condominium laws of the State of Missouri, the Special Assessment shall be assessed against each subdivided parcel or unit in accordance with the value of each subdivided parcel or unit.

(f) The Assessor, Collector of Revenue, and Treasurer of the City are hereby authorized and directed to assess, collect, account for, and distribute to the District the Assessment in the manner set forth herein and in Section 67.1541 of the Act.

SECTION THREE. The District is authorized by the Act, at any time, to issue obligations, or to enter into agreements with other entities with authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes, including refunding, in whole or in part, previously issued obligations. Such obligations shall be payable out of all, part or any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District, shall bear such date or dates, and shall mature at such time or times, but not more than 20 years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Mo. Rev. Stat. § 108.170. The District is also authorized to issue such obligations to refund, in whole or in part, obligations previously issued by the District.

SECTION FOUR.

(a) Pursuant to the Petition and the Act, the District shall be a political subdivision of the State of Missouri.

(b) Pursuant to the Act, the fiscal year for the District shall begin on July 1.

(c) No earlier than 180 days and no later than 90 days prior to the first day of each fiscal year, the 100 N. Euclid Community Improvement District shall submit to the Board of Aldermen a proposed annual budget for the District, setting forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than 60 days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements but shall only be recommendations.

(d) The 100 N. Euclid Improvement District shall hold an annual meeting for the District and adopt an annual budget no later than 30 days prior to the first day of each fiscal year.

SECTION FIVE. The District is authorized by the Act to use the funds of the District for any of the improvements and activities authorized by the Act.

SECTION SIX. Pursuant to the Act, the District shall have all the powers necessary to carry out and effectuate the purposes of this ordinance as set forth in the Act.

SECTION SEVEN. The City of St. Louis hereby finds that the District is a blighted area as defined in Mo. Rev. Stat. § 67.1401.2.3(a) in that the District is an area which by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.

The City of St. Louis further finds and confirms that the District is a portion of the City which has been found blighted pursuant to the Blighting Study and Plan for the 100 N. Euclid Area dated December 19, 2006, approved by the LCRA on December 19, 2006, and approved by Ordinance No. 67751 and Chapter 99.300 et seq. RSMo, and thus is a "blighted area" within the meaning of Section 67.1401.2.3(b) of the Act.

The City of St. Louis also hereby finds that the action to be taken pursuant to the contract(s) with the property owners named in the Petition to acquire, demolish and remove buildings and structures within the boundaries of the District owned by the property owners (or contract(s) with any other private property owner to acquire, demolish and remove buildings or structures owned by such other private property owner) in order to assist in the clearance of blight and establishment of a multi-use residential and commercial project is reasonably anticipated to remediate the blighting conditions within the boundaries of the District, and will serve a public purpose by remediating such blight, providing economic development, providing necessary public improvements and necessary modern housing and commercial public conveniences within the District.

SECTION EIGHT. Within 120 days after the end of each fiscal year, the District shall submit a report to the Register of the City and the Missouri Department of Economic Development stating the services provided, revenues collected and expenditures made by the District during such fiscal year, and copies of written resolutions approved by the board of the District during the fiscal year. The Register shall retain this report as part of the official records of the City and shall also cause this report to be spread upon the records of the Board of Aldermen.

SECTION TEN. The term for the existence of the District begins on the date this ordinance is enacted by the Board of Aldermen, and ends twenty five years thereafter, unless earlier terminated as provided by the Act.

SECTION ELEVEN. Pursuant to the Act, the Board of Aldermen shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the financial burden of providing the services to the District unless the services at the same time are decreased throughout the City of St. Louis, nor shall the Board of Aldermen discriminate

in the provision of the publicly funded services between areas included in the District and areas not so included.

SECTION TWELVE. The Register of the City of St. Louis shall report in writing the creation of the 100 N. Euclid Community Improvement District to the Missouri Department of Economic Development.

SECTION THIRTEEN. The Petition provides that the District shall be governed by a Board of Directors consisting of five (5) individual directors ("Directors"), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the Act. By his approval of this Ordinance, the Mayor does hereby appoint the following named individuals as Directors of the District for the terms set forth in parentheses below, and by adoption of this Ordinance, the Board of Aldermen hereby consents to such appointments:

1. O. Bruce Mills (4 years)
2. Kirk Mills (4 years)
3. Hank Pieper (2 years)
4. Sheila Mills (2 years), and
5. James Fenwick (2 years).

SECTION FOURTEEN. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this ordinance.

SECTION FIFTEEN. This ordinance, being necessary for the immediate preservation of the health safety and welfare of the City, is hereby declared to be an emergency ordinance, and shall be effective immediately upon passage and approval by the Mayor.

APPENDIX A

PETITION FOR ESTABLISHMENT OF A COMMUNITY IMPROVEMENT DISTRICT

Is on file the Register Office.

Approved: February 11, 2008

ORDINANCE #67875 Board Bill No. 432

An Ordinance recommended by the Planning Commission on December 5, 2007, to change the zoning of property as indicated on the District Map, from "A" Single-Family Dwelling District to the "F" Neighborhood Commercial District, in City Block 6124 (6427R Chippewa), so as to include the described tract of land in City Block 6124; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

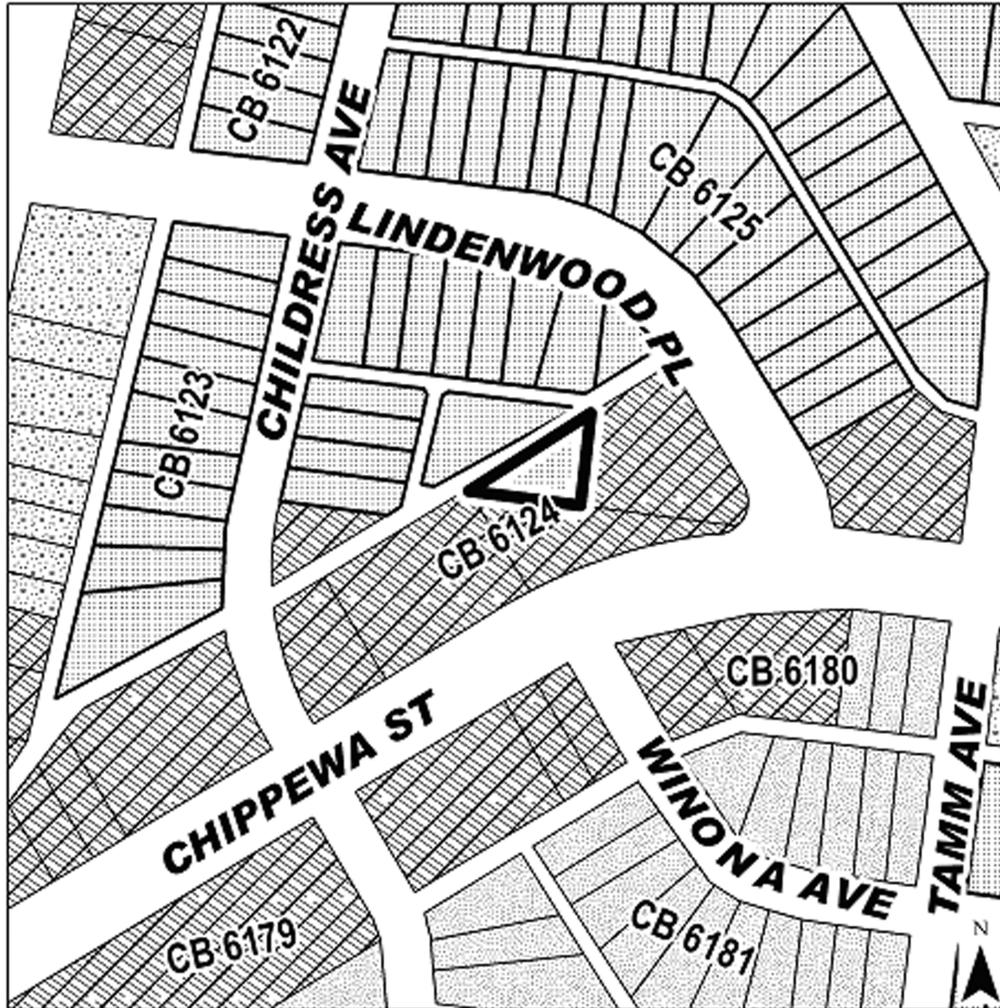
SECTION ONE. The zoning designation of certain real property located in City Block 6124 is hereby changed to the "F" Neighborhood Commercial District, real property being particularly described as follows:

A tract of land being all of Lot 13 in Block 4 of Somerset Park in City Block 6124 of the City of St. Louis, as recorded in plat book 22 page 28 of the City of St. Louis land records office in the City of St. Louis, Missouri, more particularly described as follows:

Beginning at the western corner of said Lot 13, on the Southern line of an alley (20' wide); thence eastwardly along the southern line of said alley; 148.68 feet to a point, said point being the northeast corner of lot 13, and the northwest corner of Lot 2 in block 3 of Wenzlick Park; thence leaving said alley along the eastern line of Lot 13 and the western line of aforesaid Lot 2, turning an angle to the left of 51 degrees 55 minutes 00 seconds a distance of 93.17 feet to the southeast corner of said Lot 13, said point beginning on the northeast line of Lot 14 in Block 2 of Watson-Chippewa Subdivision; thence northwestwardly along the southern line of said lot 13 and the northeastern line of aforesaid Lot 14, turning an angle to the left of 89 degrees 17 minutes 00 seconds a distance of 117.04 feet to the point of beginning containing 5,452 square feet or 0.125 acres more or less.

SECTION 2. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

EXHIBIT A



Current Zone

- | | | | |
|--|---------------------------------|--|-------------------------------|
| | A Single-Family Dwelling Dist | | G Local Commercial District |
| | B Two-Family Dwelling Dist | | H Area Commercial District |
| | C Multiple-Family Dwelling Dist | | I Central Business District |
| | D Multiple-Family Dwelling Dist | | J Industrial District |
| | E Multiple-Family Dwelling Dist | | K Unrestricted District |
| | F Neighborhood Commercial Dist | | L Jefferson Memorial District |

Planning Area

Rezoning from "A" to "F"

PDA-228-07-REZ



Approved: February 11, 2008

ORDINANCE #67876
Board Bill No. 433

An Ordinance recommended by the Planning Commission on December 5, 2007, to change the zoning of property as indicated on the District Map, from "C" Multiple-Family Dwelling District and "G" Local Commercial and Office District to the "G" Local Commercial and Office District only, in City Block 6493 (1231 Blumeyer), so as to include the described tract of land in City Block 6493; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The zoning designation of certain real property located in City Block 6493 is hereby changed to the "G" Local Commercial and Office District, real property being particularly described as follows:

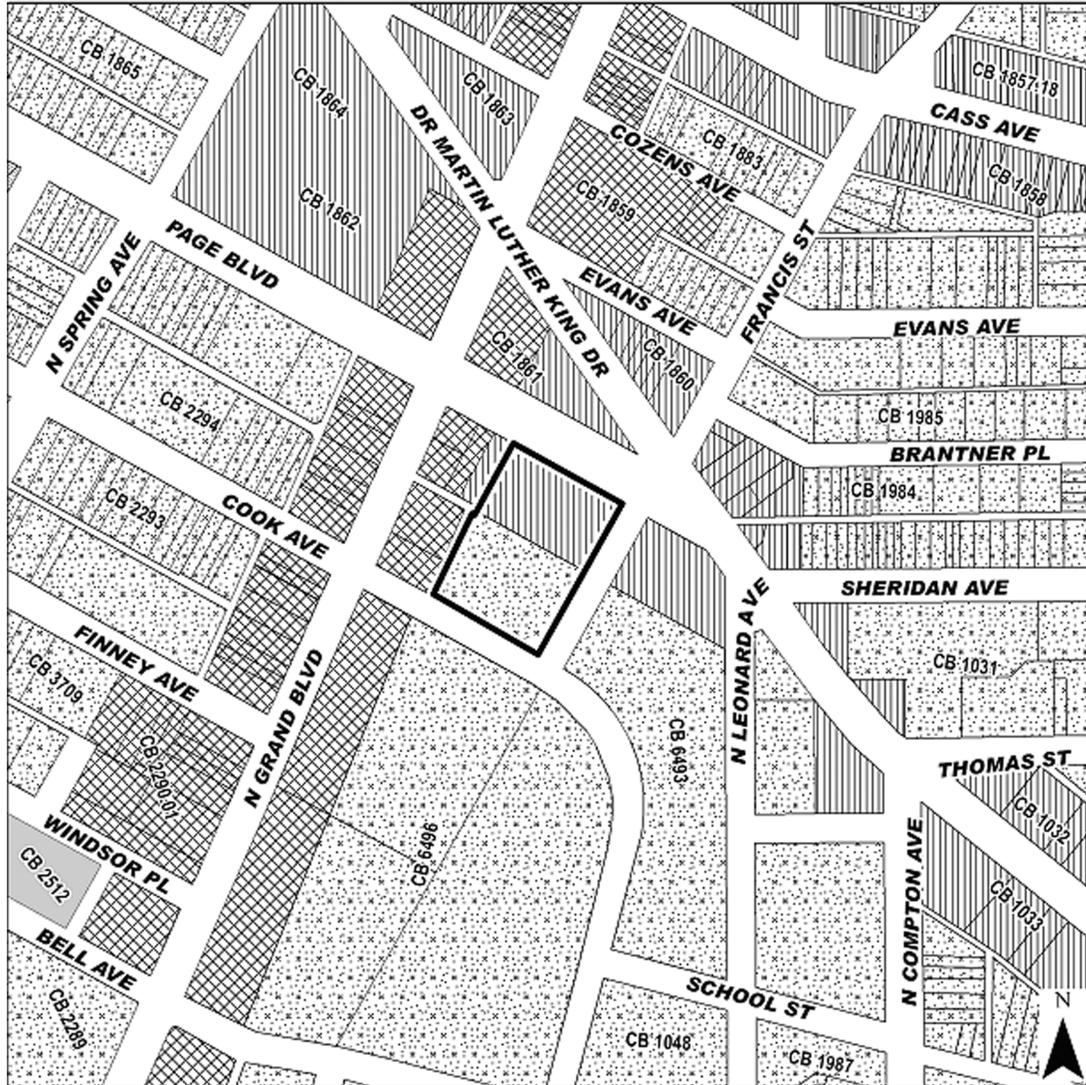
A tract of land situated in the City of St. Louis, and the State of Missouri, being part of Tract 3 in City Block 6493 of Blumeyer Subdivision, a subdivision filed for record in Plat Book 37 pages 16 and 17 of the land records of said City of St. Louis, Missouri, also being all of Outlot "A" of Blumeyer IV, a subdivision filed for record in Plat Book 02202007 page 0179 of said Land records of the City of St. Louis, and being more particularly described as follows:

Commencing at the intersection of the southwestern right-of-way line of Dr. Martin Luther King rive, formerly Easton Avenue, 80 feet wide, and the West right-of-way line of Compton Avenue, 70 feet wide; thence along said West right-of-way line. South 00 degrees 32 minutes 39 seconds East, a distance of 512.21 feet to the intersection of said West right-of-way line of Compton Avenue and the Northern right-of-way line of the proposed Easterly extension of School Street, 60 feet wide; thence leaving said West right-of-way line along said Northern right-of-way line of School Street extended, and along the Northern right-of-way line of existing School Street, 60 feet wide, North 75 degrees 08 minutes 24 seconds West, a distance of 581.94 feet to the intersection of said Northern right-of-way line of School Street and the Eastern right-of-way line of Channing avenue, 60 feet wide; thence along said Eastern right-of-way line of Channing Avenue, North 14 degrees 48 minutes 29 seconds East, a distance of 222.74 feet to a point of curvature; thence 422.80 feet along the arc of a curve to the left, with a radius of 320.00 feet, through a central angle of 75 degrees 42 minutes 08 seconds, with a chord that bears North 23 degrees 02 minutes 35 seconds West, a distance of 392.71 feet to a point of tangency on the Northern right-of-way line of Cook Avenue, 60 feet wide; thence along said Northern right-of-way line, North 60 degrees 53 minutes 39 seconds West, a distance of 60.00 feet to the intersection of said Northern right-of-way line of Cook Avenue and the Western right-of-way line of Blumeyer Street, 60 feet wide, said intersection being the True Point of Beginning of the tract herein described; thence continuing along said Northern right-of-way line, North 60 degrees 53 minutes 39 seconds West, a distance of 241.83 feet; thence leaving said Northern right-of-way line along the Northwestern line of said Tract 3 of Blumeyer Subdivision as follows: North 18 degrees 28 minutes 54 seconds West, a distance of 7.38 feet; North 23 degrees 55 minutes 36 seconds East, a distance of 178.54 feet; North 71 degrees 30 minutes 21 seconds East, a distance of 6.74 feet; South 60 degrees 54 minutes 54 seconds East, a distance of 5.72 feet; North 28 degrees 29 minutes 51 seconds East, a distance of 167.50 feet to the Northernmost corner of said Tract 3 of Blumeyer Subdivision, said Northernmost corner being on the Southern right-of-way line of Page Boulevard, 100 feet wide; thence along said Southern right-of-way line of Page Boulevard, South 60 degrees 53 minutes 20 seconds East, a distance of 254.95 feet to the intersection of said Southern right-of-way line of Page Boulevard and said Western right-of-way line of Blumeyer Street; thence along said Western right-of-way line, South 29 degrees 06 minutes 40 seconds West, a distance of 355.23 feet to the point of beginning.

Containing 2.077 Acres (90,470 square feet), according to survey by Grimes Consulting, Inc. dated October, 2006.

SECTION 2. This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

EXHIBIT A



Current Zone

- | | |
|---------------------------------|-------------------------------|
| A Single-Family Dwelling Dist | G Local Commercial District |
| B Two-Family Dwelling Dist | H Area Commercial District |
| C Multiple-Family Dwelling Dist | I Central Business District |
| D Multiple-Family Dwelling Dist | J Industrial District |
| E Multiple-Family Dwelling Dist | K Unrestricted District |
| F Neighborhood Commercial Dist | L Jefferson Memorial District |

Planning Area

Rezoning from "C" & "G" to "G" c

PDA-227-07-REZ



Approved: February 11, 2008

ORDINANCE #67877
Board Bill No. 328

An ordinance designating a portion of the Downtown West Neighborhood within the 7th Ward as a Housing Conservation District; said area being bounded by 15th Street, Chestnut Street, Pine Street, prolongation of 16th Street and Olive Street; and containing an effective date.

WHEREAS, the proposed Housing Conservation District meets the minimum requirement of Ordinance No. 62887 that a Housing Conservation District shall contain at least five hundred (500) dwelling units in a contiguous area; and

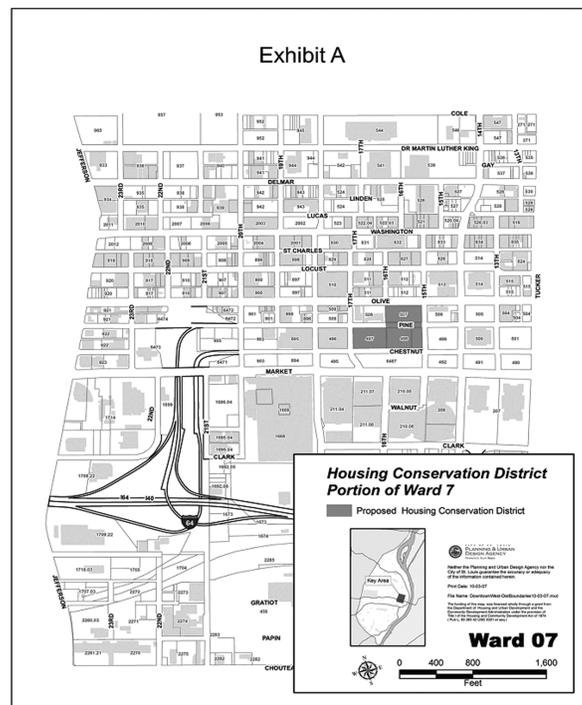
WHEREAS, the Planning and Urban Agency has prepared a report, "Statement of Feasibility for Establishing a Housing Conservation District for a portion of the Downtown West Neighborhood within the 7th Ward", for consideration by the Alderman representing the area within the boundaries of the proposed Housing Conservation District; and

WHEREAS, this Board of Aldermen hereby finds that the passage of this ordinance is in the best interest of the City of St. Louis and that the residential property owners and residential tenants in the proposed Housing Conservation District will benefit by the establishment of a Housing Conservation District and the conservation of the housing stock of said Housing Conservation District;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. A Housing Conservation District is hereby established for the area of the City of St. Louis depicted in Exhibit "A", attached hereto and incorporated herein, and described as follows: Beginning at the intersection of the centerlines of the southern prolongation of 16th Street and Olive Street, thence proceeding along the centerlines in a generally clockwise direction: east along Olive Street to 15th Street, south along 15th Street to Chestnut Street, west along Chestnut Street to 17th Street, north along 17th Street to Pine Street, east along Pine Street to the southern prolongation of 16th Street (generally between City Blocks 507 and 508), then north to the point of beginning. Inclusive of City Blocks, 497, 498 and 507.

SECTION TWO. Effective Date. This ordinance shall become effective march 1, 2008 after it is approved by the Mayor



Approved: February 19, 2008

ORDINANCE #67878
Board Bill No. 435

AN ORDINANCE RECOMMENDED BY THE PLANNING COMMISSION AND APPROVING AN AMENDED AND RESTATED COMMUNITY UNIT PLAN FOR AN AREA LOCATED IN THE CITY OF ST. LOUIS AND COMPRISING A PORTION OF THE WASHINGTON UNIVERSITY DANFORTH CAMPUS; PLEDGING COOPERATION OF THE BOARD OF ALDERMEN AND REQUESTING VARIOUS OFFICIALS, DEPARTMENTS, BOARDS AND AGENCIES OF THE CITY TO COOPERATE AND TO EXERCISE THEIR RESPECTIVE POWERS IN A MANNER CONSISTENT WITH THE COMMUNITY UNIT PLAN; AUTHORIZING AND DIRECTING THE TAKING OF OTHER ACTIONS, AND APPROVAL AND EXECUTION OF OTHER DOCUMENTS AS NECESSARY OR DESIRABLE TO CARRY OUT AND COMPLY WITH THE INTENT HEREOF AND THE COMMUNITY UNIT PLAN.

WHEREAS, Section 26.80.070 of the Zoning Code of the City of St. Louis authorizes the establishment and creation of Community Unit Plans (CUPs), a special zoning "overlay" tool authorizing the appropriate development of residential or commercial uses, or the combination thereof, to provide for a scale and flexibility of development which could not otherwise be achieved through the existing single use zoning districts; and

WHEREAS, pursuant to St. Louis City Ordinance 65152 approved February 15, 2001, the City of St. Louis approved the Washington University Hilltop Campus Community Unit Plan (the "2001 CUP") for an area bounded by Forest Park Parkway on the North, Skinker Boulevard on the East, Forsyth Boulevard on the South and the city limits of the City of St. Louis on the West, which area is legally described on **Exhibit A**, attached hereto and incorporated herein by reference and depicted on the site plan, attached hereto as **Exhibit B** and incorporated herein by reference (the "CUP Area"); and

WHEREAS, the 2001 CUP anticipated the construction, in four phases and over a period of seven years, of several buildings for use by the Washington University School of Engineering, a new visual arts and design center and the major renovation of three existing buildings along Forsyth Boulevard immediately west of Skinker Boulevard; and

WHEREAS, Washington University in St. Louis (the "University") has completed construction of a biomedical research building, visual arts and design center, and the renovation of existing buildings along Forsyth Boulevard in accordance with the 2001 CUP, along with construction of major traffic upgrades to University Circle at the intersection of Brookings Drive, Skinker Boulevard and Lindell Boulevard; and

WHEREAS, the University is now prepared to move forward with its plans for construction of additional buildings for use by the School of Engineering, which plans contain more detailed information for construction of the University's engineering campus than the information set forth in the 2001 CUP; and

WHEREAS, on September 17, 2006, the Hilltop Campus of the University was renamed and dedicated as the Danforth Campus; and

WHEREAS, Section 26.80.070 of the Zoning Code of the City of St. Louis authorizes the amendment of a Community Unit Plan pursuant to the provisions of the Zoning Code; and

WHEREAS, on December 5, 2007, the University submitted the "Washington University in St. Louis Danforth Campus Amended and Restated Community Unit Plan" to the Planning Commission (the "Amended Plan") proposing to (i) update the timing of construction for the remaining phases of development within the CUP Area; (ii) reflect refinements in the expanded engineering campus and other future developments; (iii) change the name of the 2001 CUP to the "Washington University in St. Louis Danforth Campus Amended and Restated Community Unit Plan" to be in accord with the renamed and re-dedicated campus; and (iv) address the use of alternative energy sources within the CUP Area to further the University's environmental initiatives; and

WHEREAS, the Planning Commission reviewed such Amended Plan at its meeting on December 5, 2007, and reported its findings and recommendations to the Board of Aldermen, which report contains the Planning Commission's reasons for approval and specific evidence and facts regarding the conditions set forth in Section 26.80.070.C of the Revised Code of the City of St. Louis.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Findings of Fact.

The Board of Aldermen of the City of St. Louis hereby finds and determines that: (i) the values of buildings and the character of the property adjacent to the CUP Area will not be adversely affected by the Amended Plan; (ii) the Amended Plan is consistent with the intent and purposes of the Zoning Code to promote public health, safety, morals and general welfare; (iii) the average lot area per family will not be reduced from that required by the underlying zoning district; (iv) adoption of the Amended Plan is consistent with the intent of Section 26.80.070 of the Zoning Code of the City of St. Louis; and (v) adoption of the Amended Plan is in the best interests of the citizens of the City of St. Louis.

SECTION TWO. Approval of an Amended and Restated Community Unit Plan.

Pursuant to and in accordance with Section 26.80.070 of the Zoning Code of the City of St. Louis, Community Unit Plan

(CUP) approval is hereby given to the proposed Amended Plan in accordance with the application and plans filed on December 5, 2007, designated and identified as the "Washington University in St. Louis Danforth Campus Amended and Restated Community Unit Plan," a copy of which, including required plans, is attached hereto as Exhibit C and incorporated herein by reference and is on permanent file in the office of the Zoning Administrator.

SECTION THREE. Severability.

It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

SECTION FOUR. Effective Date.

After adoption of this Ordinance by the Board of Aldermen, this Ordinance shall become effective on the 30th day after its approval by the Mayor or adoption over his veto.

**EXHIBIT A
LEGAL DESCRIPTION OF THE CUP AREA**

Beginning at the Southeasterly corner of said City Block No. 5413, said point being in the Westerly line of Skinker (100' wide) Boulevard at said Westerly line's intersection with the Northerly line of Forsyth Boulevard; thence along said Northerly line, North 89 degrees 59 minutes 40 seconds West, a distance of 570.00 feet to the Southwesterly corner of said "City Block No. 5413"; thence leaving said Northerly line and along the Westerly line of said "City Block No. 5413: North 00 degrees 19 minutes 38 seconds East, a distance of 1159.19 feet to a point in the southerly line of Millbrook (formerly Rock Island Highway) Boulevard; thence along said Southerly line, North 00 degrees 14 minutes 14 seconds East, a distance of 7.59 feet to a point; thence South 89 degrees 42 minutes 52 seconds East, a distance of 170.01 feet to a point; thence South 00 degrees 03 minutes 40 seconds West, a distance of 15.00 feet to a point; thence South 89 degrees 55 minutes 49 seconds East; a distance of 369.74 feet to a point; thence along a curve to the right having a radius of 45.00 feet, the chord of which bears, South 68 degrees 53 minutes 59 seconds East, an arc distance of 33.07 feet to a point in the Westerly line of Skinker (100' wide) Boulevard; thence along said Westerly line, South 00 degrees 19 minutes 45 seconds West, a distance of 1138.90 feet to the point of beginning.

Said tract of land containing 15.116 acres (658,475 S.F.) more or less, and being situated in the City of St. Louis, Missouri.

**EXHIBIT B
SITE PLAN OF THE CUP AREA
[Attached hereto.]**

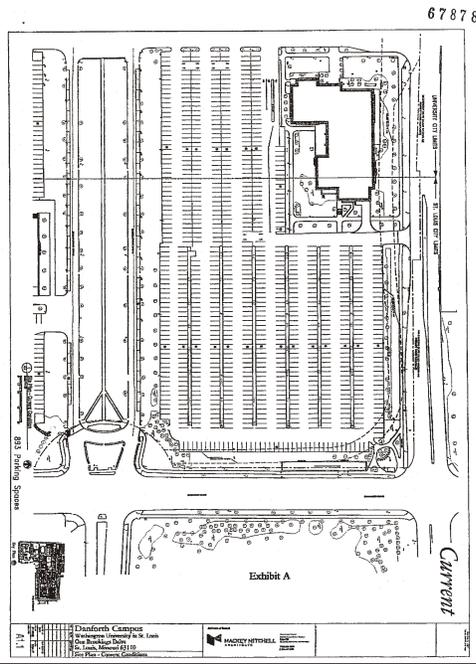


EXHIBIT C
WASHINGTON UNIVERSITY IN ST. LOUIS
DANFORTH CAMPUS AMENDED AND RESTATED COMMUNITY UNIT PLAN
[Attached hereto.]



DANFORTH CAMPUS
AMENDED AND RESTATED
COMMUNITY UNIT PLAN

December 5, 2007



The Washington University
Danforth Campus
1 Brookings Drive
St. Louis, Missouri 63130

Application

The Washington University, a corporation established by Act of the General Assembly of the State of Missouri approved February 22, 1853 and acts amendatory thereto, hereby submits its application pursuant to § 26.80.070 of the Revised Code of the City of St. Louis to amend the Community Unit Plan approved February 15, 2001 by St. Louis City Ordinance 65192 (the "2001 CUP") under the name "Washington University Hilltop Campus Community Unit Plan."

This application consists of (a) the Narrative and Plan set forth below and (b) the plan documents, incorporated herein by reference, prepared by Mackey Mitchell & Associates, dated December 5, 2007, under the caption "Washington University Danforth Campus Amended and Restated Community Unit Plan."

The legal description and acreage of the land included in the Community Unit Plan (the "CUP Area") is owned by the University and is unchanged from that set forth in the 2001 CUP.

NARRATIVE

I. **INTRODUCTION**

A. About Washington University in St. Louis.

Washington University in St. Louis is a medium-sized independent university with approximately 6,000 undergraduate students and 6,000 graduate and professional students. The University is among the world's leaders in teaching and research, drawing students and faculty to St. Louis from all 50 states and more than 120 countries. As a national research institution, the University brought more than \$546 million in total research support into the St. Louis region in fiscal year 2006. In 2007 U.S. News & World

Report ranked Washington University in St. Louis 12th among national universities in the undergraduate category. Additionally, 20 of the University's graduate and professional programs are ranked by U.S. News & World Report in their top 10 rankings. With over 12,000 full and part-time employees, the University is the fourth-largest employer in the St. Louis metropolitan area. The University is highly regarded for its commitment to excellence in learning. Its programs, administration, facilities, resources and activities combine to further its mission of teaching, research, and service to society.

B. Approval of 2001 CUP.

Pursuant to St. Louis City Ordinance 65152 approved February 15, 2001, the City of St. Louis approved the 2001 CUP under the name "Washington University Hilltop Campus Community Unit Plan." The 2001 CUP anticipated the construction, in four phases and over a period of seven years, of several buildings for use by the School of Engineering, a new visual arts and design center and the major renovation of three existing buildings along Forsyth Boulevard immediately west of Skinker Boulevard.

C. Campus Development Following Approval of the 2001 CUP.

Since 2001 the University has completed construction of the Uncas A. Whitaker Hall for Biomedical Engineering, Earl E. and Myrtle E. Walker Hall and the Mildred Lane Kemper Art Museum (designed by the internationally acclaimed architectural firm of Maki & Associates) and major renovations to the Joseph B. Givens, Mark C. Steinberg and William K. Bixby Halls along Forsyth Boulevard (which, along with the Mildred Lane Kemper Art Museum and Walker Hall, are a part of the newly renamed Sam Fox School of Design & Visual Arts). On September 17, 2006, the Hilltop Campus of the University was renamed and dedicated as the Danforth Campus. Additionally, the University recently completed major upgrades to University Circle at the intersection of Brookings Drive, Skinker Boulevard and Lindell Boulevard. The improvements include new roadway and turn lane re-alignments, traffic signals, striping, and landscaping.

D. Proposed Amendments to 2001 CUP.

The University seeks to amend the 2001 CUP to update the timing of construction for the remaining phases of development within the CUP Area. The planning for Phases III and IV has progressed to where the 2001 CUP may be updated to reflect refinements in the expanded engineering campus and other future developments. The University also wishes to change the name of the 2001 CUP to the "Washington University Danforth Campus Community Unit Plan" to be in accord with the renamed and re-dedicated campus. The University is committed to environmental and sustainability issues and seeks approval to use alternative energy sources within the CUP Area to further its environmental initiatives.

II. AMENDED PLAN FOR USE AND DEVELOPMENT IN THE CUP AREA

A. Use of the CUP Area.

To continue Washington University's ascent among the nation's premier institutions of higher education and to continue to attract the best students, faculty, and staff, it is essential for the University to increase space for its educational and research mission. Although the University does not envision a significant increase in campus population, it is of the utmost importance for the University to provide its students and faculty with state-of-the-art classrooms, laboratories and offices. Accordingly, the University is continuing a building campaign that will result in the construction of several new academic buildings at the east end of the Danforth Campus in the City of St. Louis in the coming years. The new buildings are expected to house the School of Engineering.

In August 2007, the University completed a master plan for the east end of the Danforth Campus in the City of St. Louis. The master plan calls for: (1) a wet lab building to house the new department of Energy, Environmental and Chemical Engineering and expansion of Biomedical Engineering beyond the capacity of Whitaker Hall; (2) a building devoted to materials research and to house the new department of Mechanical, Aerospace, and Structural Engineering, and (3) a dry lab building for Computer Science & Engineering, and Electrical & Systems Engineering. The academic program for the buildings also considers interdisciplinary space needed for the International Center for Advanced Renewable Energy and Sustainability.

B. About the School of Engineering.

The School of Engineering is a nationally recognized school offering five engineering disciplines to both undergraduate and graduate students. The School of Engineering currently has 92 regular faculty members with 1,081 undergraduate students and 745 graduate students. As the result of a major recent strategic planning effort, the School established its Department of Energy, Environmental and Chemical Engineering, the first of its kind in the country. Additionally, the School refined its master plan for three new engineering buildings. The new engineering complex will address the School's need for state-of-the-art research and instructional facilities and will encourage interaction and collaboration both within the School and across disciplines throughout the University. When completed, the new engineering campus will house over two hundred faculty and staff members, most of whom who will be relocated from other parts of the Danforth Campus. These employees will contribute to the City's economic base through the earnings tax.

C. Buildings and Site Plan.

i. Phase III

In the summer of 2008, the University will begin construction of a new building of approximately 225,000 gross square feet at the southwest corner of Skinker and Forest Park Parkway. The building will contain classrooms, laboratory and research areas, and offices.

ii. Phase IV

In Phase IV, the University will construct two additional buildings for the School of Engineering. Together, these buildings are estimated to contain approximately 350,000 to 450,000 gross square feet. Like the building in Phase III, the buildings to be constructed in Phase IV will contain classrooms, laboratory and research areas, and offices.

iii. Future Development

The University has identified the areas south of Brookings Drive between Hoyt Drive and the Mildred Lane Kemper Art Museum, as well as the area south of Brookings Drive between the Museum and Skinker Boulevard, as two sites for potential future development. The construction of an academic building on either or both of these sites will round out the development of the east end of the Danforth campus and enhance the main entrance to the University.

iv. General

Many of the general elements set forth in the 2001 CUP will continue to apply:

1. The new buildings will be of the same general mass and scale as other academic buildings elsewhere on the Danforth Campus. Buildings may be erected with the CUP area consisting of up to 4 (four) stories, provided that the height of such buildings may not exceed the height of Brookings Hall.

2. The CUP Area shall not be subject to area or density restrictions. All uses within the CUP Area shall be consistent with and further the educational and research mission of the University.

3. Although it is anticipated that the new buildings will be used to expand and accommodate the School of Engineering by adding space for classrooms, laboratory and research areas, and academic offices, throughout the life of the buildings they may also be used by other academic departments or administrative units of the University. However, the buildings will at all times be used for purposes consistent with the University's educational and research mission.

4. The buildings are expected to be in predominantly the collegiate gothic style, in harmony with the existing architecture elsewhere on much of the Danforth Campus. High quality landscaping will complement the area, and the east end of the Danforth Campus will, in general, more closely resemble the rest of the campus in terms of green space and attractive academic buildings. Brookings Hall will remain the signature building of the University on the Danforth Campus, and the new buildings in this area will be scaled and located so as not to diminish its prominence. There will be suitable setbacks from Forest Park Parkway and Skinker Boulevards for all buildings, as indicated in the plan documents.

5. The Site Plan illustrating the current condition is set forth as Exhibit A. The Site Plans for Phases III and IV are set forth as Exhibit B and C, respectively. Exhibits A, B and C are attached hereto and incorporated herein by reference.

D. Parking.

Currently, the amount of on-campus parking is adequate for the University's needs. The parking lot north of Brookings Drive where the new buildings will be constructed (the "North Lot") contains 893 parking spaces. The construction of Phase III will eliminate approximately 295 parking spaces in the North Lot and the build out of Phase IV will gradually displace the remaining parking spaces in the North Lot. However, the area that will be displaced by construction of Phase III is used primarily as overflow parking and the University's transportation records indicate that on an average daily basis between 200 and 400 parking spaces remain vacant throughout the North Lot. Further, the University has anticipated the loss of the North Lot parking spaces and has increased parking capacity in other areas of the Danforth Campus to off-set such losses. Specifically, the University just completed construction of and placed into service the 522 car Central Underground Garage located just off of Forsyth Boulevard under the new William H. and Elizabeth Gray Danforth University Center (scheduled for completion in August 2008). Additionally, in 2006 the University completed construction of and placed into service a 298 space addition to the existing Snow Way Garage, doubling its capacity to 664 cars, located on Snow Way near Big Bend.

In addition to the two recently completed parking structures, the University continues to consider options to increase parking on its Danforth Campus, and specifically on the east end of campus. These include the options identified in the 2001 CUP: (a) construction of a parking structure either partially or totally underground and just to the east of Brookings Hall (which may be partially within or adjacent to the CUP Area), and (b) construction of a parking structure underneath Brookings Drive. As before, the exact location, footprint and design of these parking structures would be determined at a later date. It is anticipated that any parking structure constructed at the east end of campus will contain between approximately 650 and 966 parking spaces, depending on which location and design is selected. As before, if the location underneath Brookings Drive is selected, the University would plant new trees to replace those displaced by the structure and landscape the surface above the garage.

The University has undertaken additional initiatives to decrease the need for parking on campus. In keeping with its leadership on energy and environmental issues, the University has implemented a number of measures designed to encourage

students, faculty and staff to utilize public transportation. Specifically, the University offers Metrolink/Metrobus passes (the U-pass) free of charge to all students, faculty and staff and employees of certain service providers. All of the University's campuses (except the recently acquired property located at 6501 Clayton Road now known as the University's South Campus) are located in close proximity to Metrolink stations. The Danforth campus is served by two Metrolink stations conveniently located on the extreme west and east ends of the campus along Forest Park Parkway. Additionally, several Metro bus lines serve all five of the University's campuses.

The University is currently conducting a comprehensive study of bicycle facilities on and around the Danforth Campus. University students, faculty and staff regularly use bicycles for commuting onto and around campus from neighboring communities. The study will indicate the best routes for cyclists to use and will address bicycle facilities (such as bike racks and changing rooms) as well as bicycle and pedestrian safety. Further, the study will identify the most appropriate route across the Danforth Campus as a part of the planned 18-mile Centennial Greenway from Forest Park to Creve Coeur Park.

Finally, the University is currently in the process of negotiating an agreement with a vendor to bring a car sharing program to campus. As a part of this program, the University will provide five dedicated parking spaces in key locations at no charge for use by the program. All members of the University community will be encouraged to participate in this program and no annual or monthly membership fees will be charged as an incentive.

Collectively, these measures are expected to decrease the overall demand for parking on the Danforth Campus.

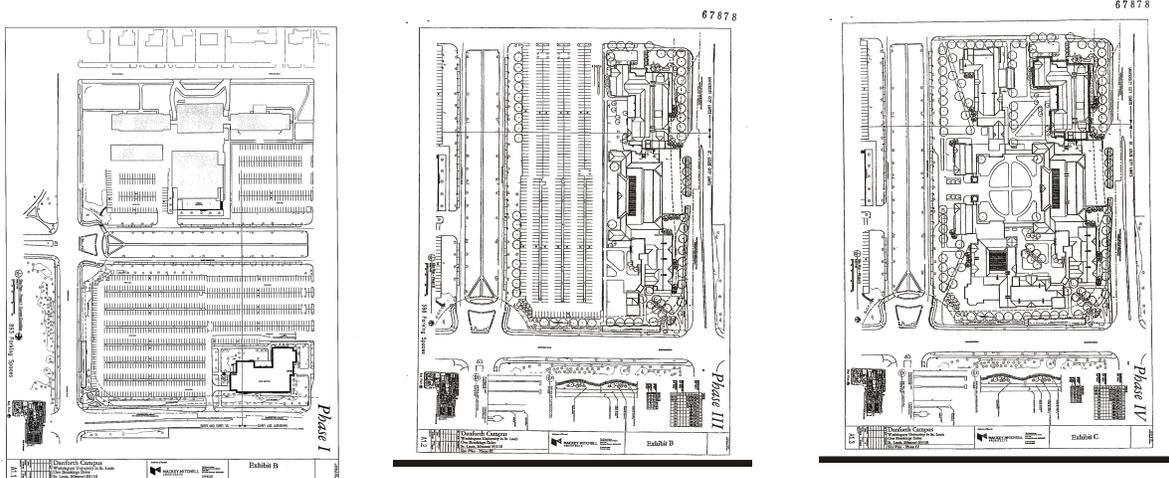
E. Alternative Energy Sources.

The University seeks to define best practices in its own operations and aspires to be a model for others in responsible use of energy and other resources. Therefore, as part of its commitment to promote the use of sustainable alternative energy and environmental systems and practices, the University will seek LEED certification for all newly constructed academic buildings on the Danforth Campus. In order to accomplish this objective, the University must design its buildings to incorporate renewable and alternative energy sources. Currently, the primary sources of alternative energy include wind, solar and geothermal energy, although other sustainable resources may be developed and available for use in the future. The use of alternative energy sources within the CUP Area shall be subject to the following limitations:

1. Alternative energy sources shall be constructed, operated and maintained in accordance with all applicable federal and state laws;
2. The operation of all alternative energy sources shall comply with Division IV, Offenses Against Public Peace, Chapter 15.51, et. seq. of the St. Louis City Revised Code;

Additionally, as an important part of alternative energy use, the University is considering the use of wind turbines to generate additional energy efficient power for the University's needs. The plans for construction, installation and use of wind turbines is on-going and dependent upon still-emerging technology. As details of the University's plan become available, the University will submit detailed plans to the Planning Commission for subsequent review and approval of specific wind turbine proposals.

Approved: February 19, 2008



ORDINANCE #67879
Board Bill No. 459

AN ORDINANCE AMENDING ORDINANCE NOS. 66494 AND 66752 ADOPTED BY THE BOARD OF ALDERMEN ON NOVEMBER 19, 2004 AND JUNE 23, 2005, RESPECTIVELY; AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY AND ADLER LOFTS, LLC; PRESCRIBING THE FORM AND DETAILS OF SAID AMENDMENT; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING OTHER RELATED ACTIONS; AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, pursuant to Ordinance No. 66493, the City designated a portion of the City a Redevelopment Area and approved the Adler Lofts TIF Redevelopment Plan (the "Redevelopment Plan") and the Redevelopment Project, all as described therein; and

WHEREAS, pursuant to Ordinance No. 66493, the City adopted tax increment allocation financing within the Redevelopment Area, and established the Special Allocation Fund for the Redevelopment Project, all as provided for and in accordance with the TIF Act and described therein; and

WHEREAS, pursuant to Ordinance No. 66494, the City authorized the execution of a TIF Redevelopment Agreement between the City and Adler Lofts, LLC (the "Developer"), in furtherance of the Redevelopment Plan, with such TIF Redevelopment Agreement to be in the form attached thereto; and

WHEREAS, the TIF Redevelopment Agreement was subsequently executed by the City and the Developer, as provided in and in accordance with Ordinance No. 66494, which TIF Redevelopment Agreement is dated as of February 16, 2005, as amended by that certain Amendment to Redevelopment Agreement dated as of February 5, 2007, as provided for and in accordance with Ordinance No. 66752 (collectively, the "Redevelopment Agreement"); and

WHEREAS, Section 3.4 of the Redevelopment Agreement as authorized by the City provides that, the Developer shall substantially complete or cause the Work to be substantially complete, as those terms are defined therein, not later than December 31, 2006 absent any event of Force Majeure and not later than December 31, 2007 in the event of a delay caused by an event of Force Majeure; and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants to authorize the City to execute a Second Amendment to the Redevelopment Agreement, in order to amend the Redevelopment Agreement as it concerns the date by which the Work must be complete or substantially complete; and

WHEREAS, the Board of Aldermen hereby determines that the terms of the Second Amendment to Redevelopment Agreement attached as **Exhibit A** hereto and incorporated herein by reference are acceptable and that the execution, delivery and performance by the City and of the attached Second Amendment to Redevelopment Agreement is necessary and desirable and in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes specified in the TIF Act.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Board of Aldermen hereby approves, and the Mayor and Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the Second Amendment to Redevelopment Agreement by and between the City and the Developer attached hereto as **Exhibit A**, and the City Register is hereby authorized and directed to attest to the Second Amendment to Redevelopment Agreement and to affix the seal of the City thereto. The Second Amendment to Redevelopment Agreement shall be in substantially the form attached, with such changes therein as shall be approved by said Mayor and Comptroller executing the same and as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized.

SECTION TWO. The Mayor and Comptroller of the City or their designated representatives are hereby authorized and directed to take any and all actions to execute and deliver for and on behalf of the City any and all additional certificates, documents, agreements or other instruments as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such action by the Mayor and the Comptroller or their designated representatives.

SECTION THREE. The Mayor and the Comptroller or their designated representatives, with the advice and concurrence of the City Counselor and after approval by the Board of Estimate and Apportionment, are hereby further authorized and directed to make any changes to the documents, agreements and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such changes by the Mayor and the Comptroller or their designated representatives.

SECTION FOUR. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part,

section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

EXHIBIT A
Second Amendment to Redevelopment Agreement

SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT

This Second Amendment to Redevelopment Agreement ("**Second Amendment**") is made this ___ day of January, 2008 by and between the CITY OF ST. LOUIS, MISSOURI ("**City**"), a city and political subdivision duly organized and existing under its charter and the Constitution and laws of the State of Missouri, and ADLER LOFTS, LLC, a Missouri limited liability company ("**Adler**").

RECITALS

A. The City and Adler are parties to that certain Redevelopment Agreement dated as of February 16, 2005, as amended by that certain Amendment to Redevelopment Agreement dated as of February 5, 2007 (collectively, the "**Agreement**"), for the redevelopment of a portion of the City of St. Louis in accordance with that certain Adler Lofts TIF Redevelopment Plan and as approved and authorized by the City of St. Louis, Missouri pursuant to Ordinance Nos. 66493 and 66494; and

B. Section 3.4 of the Agreement did provide that the Developer shall substantially complete or cause the Work to be substantially complete, absent any event of Force Majeure, not later than December 31, 2006, and, alternatively provided that in the event of a delay caused by an event of Force Majeure the Developer shall substantially complete or cause the Work to be substantially complete by not later than December 31, 2007, as such terms are defined in the Agreement, and did provide to the City the right to take certain actions pursuant to Sections 7.2 and 7.4 of the Agreement in the event that such Work was not substantially complete by December 31, 2006; and

C. Due to certain circumstances, additional time beyond that provided in the Agreement is required to complete the Work related to the Redevelopment Project, and the City acknowledges that it is in the best interests of the City and its residents for the general health, safety, morals and public welfare to provide Developer additional time within which to fulfill its obligation.

AGREEMENT

NOW, THEREFORE, in consideration of the above premises and of the mutual promises and covenants set forth herein, the parties hereby agree as follows:

1. Section 3.4 of the Agreement as originally executed is by this Second Amendment deleted, and replaced with the following:

"3.4 Developer to Construct the Work. The Developer shall commence or cause the commencement of the construction of the Work within one hundred twenty (120) days of the date of this Agreement, which Work shall be constructed in a good and workmanlike manner in accordance with the terms of this Agreement and the Redevelopment Plan. The Developer shall substantially complete or cause the Work to be substantially complete not later than December 31, 2008 absent an event of Force Majeure. In the event of any delay caused by an event of Force Majeure as defined in **Section 7.5** of this Agreement, Developer shall be granted additional time to complete the Work up to and including December 31, 2009.

The Developer may enter into or cause to be entered into one or more construction contracts to complete the Work. Prior to the commencement of construction of any portion of the Work, the Developer shall obtain or shall require that any of its contractors obtain workers' compensation, comprehensive public liability, and builder's risk insurance coverage in amounts customary in the industry for similar type projects. The Developer shall require that such insurance be maintained by any of its contractors for the duration of the construction of such portion of the Work. To the extent that laws pertaining to prevailing wage and hour apply to any portion of the Work, the Developer agrees to take all actions necessary to apply for the wage and hour determinations and otherwise comply with such laws."

2. This Second Amendment shall be construed and enforced in accordance with the laws of the State of Missouri and shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

3. No provision of this Second Amendment may be amended or modified, except by an instrument in writing signed by the parties.

4. Unless otherwise defined herein, any capitalized terms in this Second Amendment shall have the meanings provided in the Agreement.

5. This Second Amendment may be executed in multiple counterparts.

[Signature Pages to Follow.]

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

“CITY”

CITY OF ST. LOUIS, MISSOURI

By: _____
Francis G. Slay, Mayor

By: _____
Darlene Green, Comptroller

(SEAL)

Attest:

Parrie May, City Register

Approved as to Form:

Patricia Hageman, City Counselor

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

On this _____ day of _____, 200_, before me appeared Francis G. Slay, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the CITY OF ST. LOUIS, MISSOURI, a political subdivision of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City, and said instrument was signed and sealed in behalf of said City by authority of its Board of Aldermen, and said individual acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My Commission Expires:

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

On this _____ day of _____, 200_, before me appeared Darlene Green, to me personally known, who, being by me duly sworn, did say that she is the Comptroller of the CITY OF ST. LOUIS, MISSOURI, a political subdivision of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City, and said instrument was signed and sealed in behalf of said City by authority of its Board of Aldermen, and said individual acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My Commission Expires:

“ADLER”

ADLER LOFTS, LLC, a Missouri limited liability company

By: _____
Name: _____
Its: _____

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

I HEREBY CERTIFY, that on this _____ day of _____, 200_, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of Adler Lofts, LLC, a Missouri limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as such duly authorized Manager by signing the name of ADLER LOFTS, LLC by himself as such Manager.

WITNESS my hand and Notarial Seal.

Name (print): _____
Notary Public in and for said State
Commission Expires: _____

EXHIBIT A
Legal Description of the Redevelopment Area

Parcel One

A Lot in Block 2006 of the City of St. Louis, fronting 100 feet on the North line of Washington Avenue by a depth Northwardly between parallel lines of 137 feet more or less to the South line of Lucas Avenue; bounded West by a line parallel to and 75 feet East of the East line of 21st Street or by property now or formerly of Craddock-Terry Co.

Parcel Two

A lot in Block 20067 of the City of St. Louis fronting 75 feet on the North line of Washington Avenue by a depth Northwardly of 137 feet 9 inches, more or less, to the South line of Lucas Avenue; bounded West by Twenty-First Street.

Parcel Three

A lot in Block 2007 of the City of St. Louis, fronting 69 feet on the North line of Washington Avenue by a depth Northwardly of 137 feet, more or less, to the South line of Lucas Avenue, with a width thereon of 69 feet; bounded East by Twenty-First Street, and West by a line 69 feet West of and parallel to the West line of Twenty-First Street, or property now or formerly of Mary Jane Blanke.

Parcel Four

A tract of land being part of 21st Street, 60.00 feet wide, between City Blocks 2007 and 2006 of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the intersection of the north line of Washington (80.00 foot wide) Avenue and the west line of 21st St. (60.00 foot wide) Street; thence north 02 degrees 23 minutes 58 seconds west along the west line of said 21st Street for a distance of 136.97 feet to a point located on the south line of Lucas (50.00) Avenue; thence north 87 degrees 32 minutes 19 seconds east for a distance of 60.00 feet to a point located on the east line of said 21st Street; thence south 02 degrees 23 minutes 58 seconds east along the east line of said 21st Street for a distance of 136.89 feet to a point located on the north line of said Washington Avenue; thence south 87 degrees 27 minutes 30 seconds west for a distance of 60.00 feet to the point of beginning and containing 8213 square feet.

Approved: February 19, 2008

**ORDINANCE #67880
Board Bill No. 461**

An Ordinance directing the Director of Streets to temporarily close, barricade, or otherwise impede the flow of traffic on Oakland Avenue at the east curb line of Kingshighway Boulevard and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Director of Streets is hereby authorized to temporarily close, barricade, or otherwise impede the flow of traffic Oakland Avenue at the east curb line of Kingshighway Boulevard for a period of six months beginning the effective date

of the passage of this ordinance.

SECTION TWO: EMERGENCY CLAUSE: This being an Ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: February 21, 2008

**ORDINANCE #67881
Board Bill No. 465**

An ordinance recommended by the Board of Public Service to amend Section One of Ordinance 67779, dated November 19, 2007 by revising the legal description of 1) Benton from the east right-of-way line of Elliott eastwardly 150 feet to the west right-of-way line of the 15 foot wide north/south alley in City Block 1901 (vacated) and City Block 2364 2) Elliott from the north right-of-way line of Benton southwardly 120 feet to a point in the City of St. Louis, Missouri, as hereinafter described.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

Part of Benton Street, 60 feet wide, adjacent to City Blocks 1901 & 2364; and part of Elliott, 60 feet wide, adjacent to City Blocks 2363 & 2364, in the City of St. Louis, Missouri; and being more particularly described as:

Beginning at the intersection of the north line of Benton Street, 60 feet wide, with the west line of Elliott Street, 60 feet wide; thence along said north line of Benton Street, north 89 degrees 13 minutes 45 seconds east 210.69 feet to the southward projection of the west line of a 20 foot wide north-south alley; thence south 00 degrees 55 minutes 19 seconds east 60.00 feet to the south line Benton Street; thence south 89 degrees 13 minutes 45 seconds west 150.87 feet to the east line of Elliott; thence along said east line of Elliott Street, south 00 degrees 45 minutes 00 seconds east 62.50 feet; thence south 89 degrees 13 minutes 45 seconds west 60.00 feet to the west line of Elliott Street; thence along the west line of Elliott Street north 00 degrees 45 minutes 00 seconds west 122.50 feet back to the point of beginning and containing 0.376 acres more or less.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: The passage of this ordinance is deemed necessary and shall become effective immediately upon its passage and approved by the Mayor.

Approved: February 21, 2008

**ORDINANCE #67882
Board Bill No. 480**

An ordinance amending Ordinance No. 67022; authorizing the execution of an amendment to Amended and Restated Redevelopment Agreement by and between the City of St. Louis and UVA Development Company; prescribing the form and details of said amendment; making certain findings with respect thereto; authorizing other related actions; and containing a severability clause, an appropriation clause, and an emergency clause.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 through 99.865 of the Revised Statutes of Missouri, as amended (the "Act" or "TIF Act"), the City adopted Ordinance No. 66425 (the "Approving Ordinance"), which Approving Ordinance (i) designated as a "redevelopment area" a certain portion of the City (the "Redevelopment Area"), (ii) approved a redevelopment plan titled "Warehouse of Fixtures TIF Redevelopment Plan" (the "Redevelopment Plan"), (iii) approved the redevelopment project described in the Redevelopment Plan (the "Redevelopment Project"), (iv) adopted tax increment allocation financing within the Redevelopment Area, and (v) established the "Warehouse of Fixtures Special Allocation Fund" all as set forth in the Approving Ordinance and in accordance with the requirements of the Act; and

WHEREAS, the City adopted Ordinance No. 67022, which authorized the execution of an Amended and Restated Redevelopment Agreement (the "Amended and Restated Redevelopment Agreement") by and between the City and UVA Development Company (the "Developer"), and set forth the terms and obligations of the parties with respect to the implementation of the Redevelopment Project approved in the Approving Ordinance; and

WHEREAS, pursuant to the provisions of the Act, the City adopted Ordinance No. 67021 (the "Note Ordinance"), which authorized and directed the issuance and delivery of not to exceed \$6,100,000 principal amount of Tax Increment Revenue Notes (Warehouse of Fixtures Redevelopment Project), Series 200_-A/B (the "TIF Notes"), to finance the development of the Redevelopment Project; and

WHEREAS, the Amended and Restated Redevelopment Agreement was subsequently executed by the City and the Developer July 6, 2006; and

WHEREAS, Section 7.5 of the Amended and Restated Redevelopment Agreement provides that the Developer shall make Developer PILOT Payments in addition to any other taxes, license, fees or special assessment due and payable to the City or other taxing district within the Redevelopment Area; and

WHEREAS, Section 7.5 of the Amended and Restated Redevelopment Agreement was incorrectly drafted and did not set forth the correct amount of Developer PILOT Payments; and

WHEREAS, the Developer and the City desire to approve and execute an amendment to the Amended and Restated Redevelopment Agreement (the "Amendment") to correctly set forth Developer's obligation to make Developer PILOT Payments; and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants to authorize the City to execute the Amendment in order to amend the Amended and Restated Redevelopment Agreement as it concerns Developer PILOT Payments; and

WHEREAS, the Board of Aldermen hereby determines that the terms of the Amendment attached as **Exhibit A** hereto and incorporated herein by reference are acceptable and that the execution, delivery and performance by the City and the Developer of the attached Amendment is necessary and desirable and in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes specified in the TIF Act.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

Section 1. The Board of Aldermen finds and determines that it is necessary and desirable to enter into the Amendment with the Developer in order to implement the Redevelopment Project and to enable the Developer to carry out its proposal for development of the Redevelopment Project.

Section 2. The Board of Aldermen hereby approves, and the Mayor and Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the Amendment by and between the City and the Developer attached hereto as **Exhibit A**, and the City Register is hereby authorized and directed to attest to the Amendment and to affix the seal of the City thereto. The Amendment shall be in substantially the form attached, with such changes therein as shall be approved by said Mayor and Comptroller executing the same and as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized.

Section 3. There is hereby appropriated and set apart all funds deposited in the PILOTs Account and EATs Account, as those terms are defined in the Amended and Restated Redevelopment Agreement, of the Warehouse of Fixtures Special Allocation Fund to be used to fund the public project within the Redevelopment Area.

Section 4. The Mayor and Comptroller of the City or their designated representatives are hereby authorized and directed to take any and all actions to execute and deliver for and on behalf of the City any and all additional certificates, documents, agreements or other instruments as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such action by the Mayor and the Comptroller or their designated representatives.

Section 5. The Mayor and the Comptroller or their designated representatives, with the advice and concurrence of the City Counselor and after approval by the Board of Estimate and Apportionment, are hereby further authorized and directed to make any changes to the documents, agreements and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such changes by the Mayor and the Comptroller or their designated representatives.

Section 6. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 7. This being an ordinance containing an appropriation, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

EXHIBIT A
Form of First Amendment to Amended and Restated Redevelopment Agreement
(Attached hereto.)

FIRST AMENDMENT TO AMENDED AND RESTATED REDEVELOPMENT AGREEMENT

This First Amendment to Amended and Restated Redevelopment Agreement (the "**Amendment**") is made this __ day of _____, 2008 by and between the **CITY OF ST. LOUIS, MISSOURI** (the "**City**"), a city and political subdivision duly organized and existing under its charter and the Constitution and laws of the State of Missouri, and **UVA DEVELOPMENT COMPANY**, a Missouri corporation (the "**Developer**").

RECITALS

A. The City is a party to that certain Amended and Restated Redevelopment Agreement (the "**Agreement**") dated as of July 6, 2006, by and between the City and Developer, for redevelopment of a portion of the City of St. Louis designated as a Redevelopment Area, as described in Exhibit A, in accordance with that certain Warehouse of Fixtures TIF Redevelopment Plan and as approved and authorized by the City of St. Louis, Missouri pursuant to Ordinance No. 66425; and

B. All capitalized terms not defined herein shall have the meaning ascribed to such terms in the Agreement; and

C. Section 7.5 of the Agreement provides that Developer, or its permitted successors or assigns, shall make a payment in lieu of taxes equal to \$250,000 on or before December 31, 2006 and another payment in lieu of taxes equal to \$100,000 on or before December 31, 2007 to the City of St. Louis and that such payments shall be in addition to, and not in lieu of, any other taxes, licenses, fees or special assessments due and payable to the City or other taxing district within the Redevelopment Area and shall be deposited into the PILOTs Account as and when received; and

D. Section 7.5 was incorrectly drafted and did not properly set forth the amount of Developer PILOT Payments Developer is required to make to the City, and the City acknowledges that it is in the best interests of the City and its residents for the general health, safety, morals and public welfare to correctly set forth Developer's obligation to make Developer PILOT Payments; and

E. The City and the Developer desire to further amend the Agreement as set forth in this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the above premises and of the mutual promises and covenants set forth herein, the parties hereby agree as follows:

1. Article I, Section 1.1 is hereby amended by deleting the term "Developer PILOT Payments" and its definition in its entirety, and substituting in lieu thereof the following:

"Developer PILOT Payments" means those Additional Payments (defined in **Section 7.5** herein) paid by Developer to the City in 2006 and 2007 pursuant to **Section 7.5** of this Agreement.

2. Article VII, Section 7.5, is hereby in its entirety, and replaced with the following:

Developer PILOT Payments. Developer shall make Payments in Lieu of Taxes in accordance with Section 99.845.1(2) of the TIF Act. In addition to the foregoing, Developer agrees to make additional payments for deposit into the Special Allocation Fund ("Additional Payments") by December 31st in each of the following years in such amounts as will cause the sum of the Payments in Lieu of Taxes and the Additional Payments for each such year to equal the following aggregate annual amounts:

<u>Year</u>	<u>Sum of Payments in Lieu of Taxes & Additional Payments</u>
2006	\$250,000
2007	\$100,000

3. This Amendment shall be construed and enforced in accordance with the laws of the State of Missouri and shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

4. Except as hereby amended, all other terms and conditions of the Agreement shall remain the same and in full force and effect.

5. No provision of this Amendment may be amended or modified, except by an instrument in writing signed by the parties.

6. Unless otherwise defined herein, any capitalized terms in this Amendment shall have the meanings provided in the Agreement.

7. This Amendment may be executed in multiple counterparts.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

“CITY”

CITY OF ST. LOUIS, MISSOURI

I HEREBY CERTIFY, that on this ____ day of _____, 2008, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be _____ of UVA Development Company, a Missouri corporation, and that he is authorized to sign the instrument on behalf of said corporation, and acknowledged to me that he executed the within instrument as said corporation's free act and deed.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

Exhibit A

Legal Description

Parcel #1:

The Western thirty-six feet of Lot Thirty (30) of Forest Park Boulevard Subdivision of Henry Kortjohn and in Block 3919E, of the City of St. Louis, having a front of thirty-six feet on the South line of Laclede Avenue by a depth Southwardly of one hundred eighty-two feet to an alley.

Parcel #2:

The Eastern 14 feet of Lot 30 and the Western 10 feet 9 inches of Lot 31 of Forest Park Boulevard Subdivision and in Block 3919-E of the City of St. Louis fronting 24 feet 9 inches on the South line of Laclede Avenue, by a depth Southwardly of 182 feet to an alley, and being the Eastern 25 feet 3 inches of the West 36 feet of Lot 31 of Forest Park Boulevard Subdivision in said Block.

Parcel #3:

A Lot in block 3919-East of the City of St. Louis, fronting 25 feet 3 inches on the South line of Laclede Avenue, by a depth Southwardly of 182 feet to an alley, and being the Eastern 25 feet 3 inches of the West 36 feet of Lot 31 of Forest Park Boulevard Subdivision in said Block.

Parcel #4:

Lot 32 and the Eastern 14 feet of Lot 31 of Forest Park Boulevard Subdivision; and a tract of ground 300 feet wide, adjoining said Lot 32 on the East all being in Block 3919-E of the City of St. Louis, Missouri, having an aggregate front of 360 feet on the South line of Laclede Avenue by a depth Southwardly of 182 feet to an alley; bonded East by a line parallel with and distance 124 feet 5 inches West of the West line of Spring Avenue.

Parcel #5:

A parcel of property in Block 3919-E of the City of St. Louis fronting 16 feet 8-1/2 inches on the West line of Spring Avenue, by a depth Westwardly between parallel lines of 124 feet 6-3/8 inches, more or less, to the East line of property now or formerly of Grand Leader Realty Co., bounded on the South by the North line of an alley 20 feet wide and on the North by a line distant 165 feet 3-1/2 inches South of the South line of Laclede Avenue, said North line passing partly through a partition wall between buildings numbered 17 and 19 south Spring Avenue; the Western 12 feet 2-1/2 inches of said parcel of property being reserved for a private alley.

Parcel #6:

A Lot in Block 3919 E of the City of St. Louis, fronting 15 feet 11 inches on the West line of Spring Avenue, by a depth Westwardly between parallel lines of 124 feet 6-1/4 inches, more or less, bounded North by a line distant 149 feet 4-1/2 inches South of Laclede Avenue.

Parcel #7:

A Lot in Block 3919-E of the City of St. Louis, fronting 15 feet 10-3/4 inches on the West line of Spring Avenue, by a depth Westwardly between parallel lines of 124 feet 6-1/8 inches on the North line to the East line of property now or formerly of Wright; bounded North by a line through the partition wall between houses No. 13 and No. 15 South Spring Avenue, said line being 133 feet 5-3/4 inches South of and parallel with the South line of Laclede Avenue and bounded South by a line through the partition wall between houses No. 15 and No. 17 South Spring Avenue, said line being 149 feet 4-1/2 inches South of and parallel with the South line of Laclede Avenue.

Parcel #8:

A Lot of ground in the Northeast part of Block 3919-E of the City of St. Louis fronting 18 feet 1-1/2 inches on the South line of Laclede Avenue by a depth Southwardly between parallel lines of 100.00 feet bounded on the East by a line distant 88 feet West of and parallel to the West line of Spring Avenue; the East line of said property being through a partition wall between houses Nos. 3706 and No. 37-8 Laclede Avenue and the West line being through a partition wall between 3708 and 3710 Laclede Avenue, according to Survey 3, 1924.

Parcel #9:

A Lot in Block 3918-E of the City of St. Louis fronting 17 feet 11-1/2 inches on the South line of Laclede Avenue, by a depth Southwardly between parallel lines of 100 feet bounded East by a line distant 70 feet ½ inch West of and parallel with the West line of Spring Avenue, the East line being through a partition wall between houses numbered 3704-3706 Laclede Avenue, and the West line being through a partition wall between houses numbered 3706 and 3708 Laclede Avenue.

Parcel #10:

A Lot in Block 3919-E of the City of St. Louis fronting 78.03 feet on the North line of Forest Park Avenue by a depth Northwardly between parallel lines of 182.65 feet on the East line and of 182.64 feet on the West line to the South line of an alley; bounded East by a line 130.01 feet West of and parallel with the West line of Spring Avenue, according to Survey executed by Pitzman's Company of Surveyors & Engineers on November 8th, 9th, and 12th 1946.

Parcel #11:

City Block 3919E Forest Park, 216 feet 2 ½ inches x 182 feet 8 inches, Cabannes addn bounded East 208 feet 0 ½ inches West of Spring Avenue. Referred to by the City of St. Louis Assessor's Office as parcel 39190303100.

Parcel #12

City Block 3919E Forest Park, 130 feet 0 1/8 inches x 182 feet 8 inches, Cabannes addn bounded East Spring Avenue. Referred to by the City of St. Louis Assessor's Office as parcel 39190302900.

Approved: February 21, 2008

ORDINANCE #67883
Board Bill No. 485
Committee Substitute

An Ordinance repealing Ordinance 67859, approved January 15, 2008, and enacting a new ordinance directing the Director of Streets to temporarily close, barricade, or otherwise impede the flow of traffic on north Market Street at the east curb line of Marcus Avenue and on Dick Gregory Place at the north curb line of Dr. Martin Luther King Drive **north 135 feet**; remove, redirect and establish the direction of Aldine Avenue as a one way street from eastbound to westbound; remove, redirect and establish the direction of Leduc as a one way street from eastbound to westbound; remove, redirect and establish the direction of Cote Brilliante Avenue as a one way street from westbound to eastbound and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 67859, approved January 15, 2008 is hereby repealed and enacted in lieu thereof is the following:

SECTION TWO. The Director of Streets is hereby authorized to temporarily close and barricade the flow of traffic on North Market Street at the east curb line of Marcus Avenue and on Dick Gregory Place at the north curb line of Dr. Martin Luther King Drive **north to a point 135 feet to the southern curb line of the east-west alley.**

SECTION THREE. The Director of Streets is hereby authorized to remove Aldine Avenue as a one way street eastbound from Marcus Avenue to Dick Gregory Place and is authorized to establish Aldine Avenue as a one way street westbound from Dick Gregory Place to Marcus Avenue.

SECTION FOUR. The Director of Streets is hereby authorized to remove Leduc Avenue as a one way street eastbound from Marcus Avenue to Dick Gregory Place and is authorized to establish Leduc Avenue as a one way street westbound from Dick Gregory Place to Marcus Avenue.

SECTION FIVE. The Director of Streets is hereby authorized to remove Cote Brilliante Avenue as a one way street westbound from Dick Gregory Place to Marcus Avenue and is authorized to establish Cote Brilliante as a one way street eastbound from Marcus Avenue to Dick Gregory Place.

SECTION SIX. EMERGENCY CLAUSE. This being an Ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: February 21, 2008

ORDINANCE #67884
Board Bill No. 347

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute, upon receipt of and in consideration of the sum of Eight Thousand Eight Hundred Seventy-Six Dollars (\$8,876.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto Bellon Holding Company, certain City-owned property located in City Block 3946, which property consists of two irregular parcels containing 11,835 square feet, more or less,

and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Mayor and Comptroller are hereby authorized and directed to execute, upon receipt of and in consideration of the sum of Eight Thousand Eight Hundred Seventy-Six Dollars (\$8,876.00) and other good and valuable consideration, a Quit Claim Deed, attached hereto as Exhibit A, to remise, release and forever quit-claim unto Bellon Holding Company, certain City-owned property located in City Block 3946, which property consists of two irregular parcels containing 11,835 square feet, more or less, and which is more fully described in said Exhibit A.

SECTION TWO. Emergency Clause. This ordinance, being necessary for the immediate preservation of public peace, health, safety, and general welfare, shall be and is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and, as such, this ordinance shall take effect immediately upon its passage and approval by the Mayor.

Exhibit A

QUIT CLAIM DEED

THIS DEED, made and entered into this _____ day of _____ 2007, by and between the City of Saint Louis, a municipal corporation of the State of Missouri, 1200 Market Street, Saint Louis, Missouri 63103, (Grantor), and Bellon Holding Company, a Missouri general business, whose address is 900 S. Vandeventer Avenue, St. Louis, MO 63110, (Grantee).

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) to it paid by the said Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, does by these presents Remise, Release, and Quit-Claim unto the said Grantee, the following described Real Estate, situated in the City of Saint Louis and State of Missouri, to-wit:

See Exhibit A attached hereto and incorporated into this deed.

Subject to restrictions, covenants, and easements of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said Grantee, and to its heirs and assigns, so that neither the said Grantor, nor its heirs, nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Grantor and Grantee have executed these presents the day and year first above written.

THE CITY OF SAINT LOUIS
(Grantor)

BELLON HOLDING COMPANY
(Grantee)

BY: _____
Francis G. Slay
Mayor

BY: _____
Donald J. Bellon
President

BY: _____
Darlene Green
Comptroller

Approved as to form:

Stephen J. Kovac
Deputy City Counselor

Attest:

Parrie L. May
City Register

State of Missouri)
) ss.
City of St. Louis)

On this ____ day of _____ 2007, before me appeared Francis G. Slay and Darlene Green to me personally known, who being by me duly sworn did say that they are the Mayor and the Comptroller of the City of Saint Louis, respectively, and that they are authorized to execute this Quit-Claim Deed on behalf of the City of Saint Louis under the authority of Ordinance _____ and acknowledge said instrument to be the free act and deed of the City of Saint Louis.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public

State of Missouri)
) ss.
City of St. Louis)

On this ____ day of _____ 2007, before me appeared Donald J. Bellon, to me personally known, who being by me duly sworn did say that he is President of Bellon Holding Company, a Missouri general business, and that he is authorized to execute this Quit-Claim Deed on behalf of said general business under the authority of its board of directors, and acknowledged that he executed said instrument as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public

Exhibit A

Parcel 1

**METES AND BOUNDS DESCRIPTION
TRIANGLE PARCEL AT SOUTHEAST CORNER OF VANDEVENTER AND PAPIN**

A tract of land in the Oakland Express Highway right of way, and being parts of Lots 6 and 7 of New Frankfort Addition, and in City Block 3946 of the City of St. Louis, Missouri, and said tract being more particularly described as follows:

Commencing at the intersection of the easterly line of South Vandeventer Avenue, 95 feet wide, with the southerly line of Papin Street, 50 feet wide; thence along said southerly line, South 75 degrees 14 minutes 49 seconds East 4.54 feet to the point of intersection with the northeasterly line of a parcel described in deed to Bellon Holding Company recorded in Book 1213M Page 494 in the Office of the Recorder of Deeds for the City of St. Louis, and said point being the true point of beginning of the tract of land herein described; thence along the southerly line of said Papin Street, South 75 degrees 14 minutes 49 seconds East 60.17 feet to the westerly line of an alley, 16 feet wide; thence along said westerly line, South 14 degrees 46 minutes 06 seconds West 48.11 feet to the northeasterly line of said Bellon Holding Company parcel; thence along said northeasterly line, North 36 degrees 35 minutes 58 seconds West 77.03 feet to the true point of beginning, and containing 1,447 square feet, more or less, according to Survey No. 151005b executed by James Engineering & Surveying Co., Inc., in February, 2007.

Parcel 2

**METES AND BOUNDS DESCRIPTION
TRIANGLE AT NW CORNER OF CHOUTEAU AND PACIFIC**

A tract of land in the Oakland Express Highway right of way, and being the northerly parts of Lots 48-52 and the northerly part of Lot B of New Frankfort Addition, and in City Block 3946 of the City of St. Louis, Missouri, and said tract being more particularly described as follows:

Beginning at the intersection of the westerly line of Pacific Avenue, 50 feet wide, with the northerly line of Chouteau Avenue, 110 feet wide; thence along the northerly line of said Chouteau Avenue, North 74 degrees 46 minutes 17 seconds West 5.34 feet to the northeasterly line of a parcel described in deed to Bellon Holding Company recorded in Book 1217M Page 1070 in the Office of the Recorder of Deeds for the City of St. Louis; thence along said northeasterly line, the following bearings and distances:

along the arc of a curve being concave to the northeast having a radius of 730 feet, Northwesterly 75.39 feet to the end of curve, and said arc length having a chord of North 36 degrees 59 minutes 26 seconds West 75.35 feet; North 36 degrees 35 minutes 58 seconds West 36.88 feet; South 14 degrees 50 minutes 18 seconds West 6.39 feet and North 36 degrees 35 minutes 58 seconds West 93.61 feet to the southerly line of an alley, 16 feet wide; thence along said southerly line, South 74 degrees 46 minutes 17 seconds East 166.62 feet to the westerly line of said Pacific Avenue; thence along said westerly line, South 14 degrees 50 minutes 18 seconds West 120.42 feet to the point of beginning, and containing 10,388 square feet, more or less, according to Survey No. 151005b

executed by James Engineering & Surveying Co., Inc., in February, 2007.

Approved: February 27, 2008

**ORDINANCE #67885
Board Bill No. 436**

An ordinance pertaining to enforcement of code violations relating to buildings, structures and premises in the City of St. Louis; amending Ordinance 66857, approved October 17, 2005, by repealing Section 25.33.020 of SECTION TWO of said Ordinance pertaining to the notice of violations and enacting in lieu thereof a new section pertaining to the same subject matter; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section 25.33.020 of SECTION TWO of Ordinance 66857 is hereby repealed and enacted in lieu thereof is the following:

25.33.020 Notice of violation.

Whenever the code official determines that there has been a violation of any regulatory code relating to buildings, structures or premises or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the following manner.

A. Such notice shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation or violations and why the notice is being issued;
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit, structure **or premises** into compliance with the provisions of applicable code; and
5. Inform the property owner of the right to appeal.

B. The notice shall be directed to the owner or owners of such building, structure or premise as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Delivered personally to owner or owners; **or**
2. **By posting the notice in a conspicuous place in or about the building, structure or premise affected by such notice;**
or
3. By mailing a copy of said notice by regular mail, postage prepaid, direct to the owner or owner's place of business or the address currently recorded in the Assessor's Office of the City of Saint Louis; or
 - a. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the building, structure or premise affected by such notice.

SECTION TWO. This Ordinance, being deemed necessary for the immediate preservation of public health, safety and welfare, is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: February 27, 2008

**ORDINANCE #67886
Board Bill No. 437**

An ordinance pertaining to weeds, amending Ordinance 59860, approved March 19, 1986, by repealing Section 11.040.020 of SECTION TWO of said Ordinance pertaining to the definitions and enacting in lieu thereof a new section pertaining to the same subject matter and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section 11.040.020 of SECTION TWO of Ordinance 59860 is hereby repealed and enacted in lieu thereof is the following:

11.04.020 Definitions.

As used in this chapter:

A. "Forestry Commissioner" means the Forestry Commissioner of the City of St. Louis or his designated employee. **The Forestry Commissioner's designated employee, for purposes of this Chapter, also includes neighborhood stabilization officer/neighborhood improvement specialist.**

SECTION TWO. This Ordinance, being deemed necessary for the immediate preservation of public health, safety and welfare, is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: February 27, 2008

ORDINANCE #67887
Board Bill No. 438

An ordinance pertaining to littering, amending Ordinance 56726, approved March 29, 1974, by repealing Section 11.18.010 of SECTION 805.010 of said Ordinance pertaining to the definitions and enacting in lieu thereof a new section pertaining to the same subject matter; also repealing Section 11.18.220 of SECTION 805.220 of said Ordinance pertaining to enforcement of this provision and enacting in lieu thereof a new section on the same subject matter; repealing Section 11.18.240 of SECTION 805.250 of said Ordinance pertaining to the penalty for violation and enacting in lieu thereof a new section pertaining to the same subject matter; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section 11.18.010 of SECTION 805.220 of Ordinance 56726 is hereby repealed and enacted in lieu thereof is the following:

11.18.010 Definitions. For the purpose of this chapter the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

A. "Commercial handbill" is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature:

1. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated solely for advertising purposes, or solely for the private benefit and gain of the persons or legal entities engaged in the advertising in the above described handbill; and

2. Which advertises for sale any service, merchandise, product, commodity or thing; or

3. Which directs attention to any business, merchandise or commercial establishment or other activity for the purpose of either directly or indirectly promoting the interest thereof by sales; or

4. Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, which is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order, provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind, without a license, where such license is or may be required by any law of this state or under any ordinance of this City.

B. "Drive-in restaurant" for the purposes of this chapter only, means any restaurant where food, frozen desserts or beverages sold from such restaurant are regularly available for consumption out-of-doors, on bicycles or in motor vehicles or other types of vehicles.

C. "Health officer" means any person who is employed by the Health Department of the City as a health sanitarian or any employee of the Health Department of the City who is employed as a health sanitarian and is also an appointee of the Marshal of the City as a deputy marshal.

D. "Litter" means any refuse or waste material of any kind whatever.

E. "Newspaper" means any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, means and includes any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

F. "Non-commercial handbill" means any printed or written matter, any sample, or device, dodger, circular, leaflet,

pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature other than a "commercial handbill" or "newspaper," as defined herein.

G. "Neighborhood Stabilization Officer" means an employee of the Neighborhood Stabilization Team who has been designated as an officer and is also known as a Neighborhood Improvement Specialist.

H. "Occupant" means any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property, either as owner or as a tenant, either with or without the consent of the owner thereof.

I. "Owner" means any person who, alone or jointly or severally with others, shall be in actual possession of, or have charge, care or control of any dwelling unit or of any other improved real property, as title holder, as employee or agent of the title holder, or as trustee or guardian of the estate or person of the title holder, including any land or lot in the City absent of any structures.

J. "Park" means a park, reservation, playgrounds, beach, recreation center, or any other public area in the City, owned or used by the City and devoted to active or passive recreation.

K. "Parkway" means a strip of land located between a sidewalk and a physical street, whether such land is located on a part of the street right-of-way or not.

L. "Person" means any individual, firm, partnership, association, corporation, company or organization of any kind.

M. "Place of business" means any place other than "private premises," "public building," or "public place," including any building or place used for commerce, religious services, vending a product or for public transport, as herein defined.

N. "Premises" means any building, place of business activity, or other place commonly includable in the term "premises," and includes adjacent sidewalks, gutters, streets, and other ways to centerline. "Private premises" are premises designed or used in whole or in part for private residential purposes, and shall include yards, grounds, walks, driveways, porches, mailboxes, and appurtenances.

O. "Public building" means any building owned or occupied by any governmental agency.

P. "Public place" means any kind and all streets, including street rights-of-way, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

Q. "Public receptacle" means a litter storage and collection receptacle furnished by any "person" as defined herein, or by any governmental agency for use by the public.

SECTION TWO. Section 11.18.220 of SECTION 805.220 of Ordinance 56726 is hereby repealed and enacted in lieu thereof is the following:

11.18.220 Enforcement.

It shall be the duty of the health officers, deputy fire inspectors, **neighborhood stabilization officers**, and police officers to enforce the provisions of this chapter as follows:

A. Whenever a health officer, neighborhood stabilization officer, a deputy fire inspector or a police officer shall find upon any parcel of land a condition existing in violation of this chapter, he shall proceed as follows:

1. If the officer determines that a violation of 11.18.030, 11.18.040, 11.18.060, 11.18.110 and/or 11.18.140 exists, then the officer may utilize the enforcement, prosecution, and administrative procedures under Chapter 25.33 of the Code; or

2. He may, at his discretion, issue a notice of violation of any provision of this chapter to the violator by mail, by service, or by posting the notice on the premises, which notice will explain the violation and demand its abatement forthwith or within a reasonable period of time. The time for abatement may be extended, at the discretion of the enforcing officer for a period not to exceed six months. No extensions of time for abatement may be granted if public health is endangered by existence of the violation. If abatement does not occur as demanded, the health officer, deputy fire inspector, neighborhood stabilization officer or police officer may make application to the city counselor who, if satisfied that there are reasonable grounds to believe that an offense has been committed and that a case against the accused can be made, shall file an information with the city court, pursuant to Supreme Court Rule 37.08.

B. In any case in which it is lawful for a police officer to arrest a person without warrant, at his discretion or at the request of a health officer, **neighborhood stabilization officer**, or deputy fire inspector, he may forthwith serve the person with a summons instead of arresting the accused.

C. Nothing in this section shall impair or interfere in any way all of the rights, powers, and duties of the health

commissioner to abate nuisances pursuant to the provisions of Chapter 11.58 or Articles I (25) or XIII (14C(c)) of the City Charter. The health commissioner may pursue all enforcement remedies contained in this chapter and all other applicable chapters of this code, including Chapter 11.58, against violators of this chapter.

SECTION THREE. Section 11.18.240 of SECTION 805.250 of Ordinance 56726 is hereby repealed and enacted in lieu thereof is the following:

11.18.240 Penalty for violation.

A. Penalty for violations enforced under Chapter 25.33.

Violations of this Chapter enforced and/or prosecuted under Chapter 25.33 of the Code shall be assessed the penalty set forth in Chapter 25.33. Any person, corporation or other legal entity appealing the assessed penalty shall file an appeal pursuant to the provisions in Chapter 25.33

B. Penalty for violations enforced under Chapter 11.18.

Any person, corporation or other legal entity which violates any of the provisions of this chapter or participates in the violations of its provisions, either as a proprietor, owner, tenant, manager, superintendent or otherwise, **provided that the violations are not enforced under Chapter 25.33**, shall be guilty of a misdemeanor and upon the conviction thereof shall be punished by a fine of not less than **twenty-five dollars (\$25.00)** and not more than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days or both such fine and imprisonment; except that any person who violates the provisions of Section 11.18.070 prohibiting littering by persons in vehicles shall upon the conviction thereof be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00). Each day that any violation hereunder shall continue shall constitute a separate offense and shall be subject to the penalties hereinabove set forth.

SECTION FOUR. This Ordinance, being deemed necessary for the immediate preservation of public health, safety and welfare, is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: February 27, 2008

**ORDINANCE #67888
Board Bill No. 447**

An ordinance recommended by the Board of Public Service authorizing the 2008 St. Louis Works and the 50/50 Sidewalk Programs City Wide providing for the construction and reconstruction of gutters, streets, driveways, spot curbs, sidewalks, alleys, traffic controls, beautification, tree planting, resurfacing and related engineering adjustments listed herein, appropriating \$4,700,000.00 from the Street Improvement Fund; containing sections for description of the work, approval of plans and specifications, work and material guarantees, estimated costs from City funds and supplemental agreements and reversion authorizations, applicable state and federal wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, contract advertising statutes, and a public work emergency clause.

BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:

Section One. The Board of Public Service is hereby authorized to let contracts, employ and pay for labor, wages, consultants, equipment, computer programs and hardware, employees, supervision and otherwise provide for designing, constructing, reconstructing, replacing, beautifying, traffic controls, landscaping, paving, resurfacing, and related engineering adjustments to the streets, alleys and public rights-of-way in the twenty-eight wards of the City for the 2008 St. Louis Works and the 50/50 Sidewalk Programs as evidenced by Exhibit "A" attached hereto and on file in the City Register's Office.

Section Two. There is hereby appropriated Four Million Seven Hundred Thousand Dollars (\$4,700,000.00) which is the aggregate estimated cost of the City's share of the Public Work authorized herein, from funds set aside and placed to the credit of the Street Improvement Fund established by Ordinance 55852, approved March 31, 1971 and Ordinance 55964, 55965, and 55966, approved July 1, 1971 and any other subsequent ordinance, as amended and the Comptroller is authorized to draw warrants, accept gifts, make payments from the general fund and the Street Improvement Funds as they become available throughout the year to pay any portion of the cost of the labor, contracts, materials, equipment, computer programs, and public improvements contained and authorized herein by this St. Louis Works Construction Ordinance.

Section Three. The work provided for herein shall be carried out in accordance with detailed plans and specifications and necessary supplemental agreements to be approved by the Board of Public Service before bids are advertised therefore.

Section Four. If let by contract said contract, or contracts, shall provide that the contractor, or contractors, doing said work shall guarantee and keep in repair all of the work, equipment and materials used in connection therewith for a term of at least one year, commencing on the date of acceptance of the work by the City.

Section Five. All construction contracts let under authority of this ordinance shall provide that no less than the prevailing hourly rate of wages in the City of St. Louis, as determined by the Department of Labor and Industrial Relations of the State of Missouri (Section 290.210 through 290.340 RSMo 1995) for each craft or type of work needed in the actual labor on the jobs herein

To Alderman: **C.Q. Troupe** **Ward 1** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Lilburn	Euclid	Kingshighway	5	\$ 14,100
Harney	Euclid	Kingshighway	5	\$ 14,100
Ashby	Euclid	Kingshighway	5	\$ 14,200
Rosalie	Euclid	Kingshighway	5	\$ 14,200
Total:				\$ 56,600

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
Pro	Lillian	Queens	Durant	5	\$ 3,900
Pro	Thekla	Queens	Durant	5	\$ 12,500
					\$ 16,400

To Alderwoman: **D. Flowers** **Ward 2** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
FD	McLaran	Tara	Drury	2	\$ 3,800
Pro	McLaran	Edna	Anetta	4	\$ 7,000
FD	Bittner	Hall	Broadway	2	\$ 11,100
FD	Bittner	Church	Frederick	2	\$ 6,500
FD	McLaran	Gimblin	Halls Ferry	2	\$ 4,100
Pro	Thrush	Hall	San Juan	4	\$ 2,200
TOTAL:					\$ 34,700

Street Proposals

Street	From	To	Rating	Grand Total
Aurora	Waste Mgmt.	Hall	5	\$ 10,500
Spring Garden	Riverview	City Limits	4	\$ 19,000
Athlone	Broadway	Prescott	4	\$ 8,800
TOTAL:				\$ 38,300

To Alderman: **F. Bosley** **Ward 3** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total	Request Dates
Pro	Adelaide	Conde	Algernon	2	\$ 8,000	<i>Ald. Req.</i>
Pro	Adelaide	Grant	Florissant	2	\$ 11,100	<i>Ald. Req.</i>
Pro	Alice	Florissant	Carter	3	\$ 11,800	<i>Ald. Req.04/23/07</i>
Pro	Alice	Grant	Florissant	3	\$ 13,000	<i>Ald. Req.10/30/07</i>
Pro	Angelica	11th	Blair	3	\$ 10,100	<i>Ald. Req.06/29/07</i>

FD	Angelica	20th	21st	1	\$ 7,000	<i>Ald. Req.</i>
Pro	Angelica	21st	Florissant	1	\$ 12,000	<i>Ald. Req.</i>
					Total	\$ 73,000

To Alderman: **S. Moore Ward 4** **\$ 73,000**

The Following is a breakdown of
2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total	
Pro	Maffitt	Newstead	Taylor	3	\$ 11,000	
Pro	Maffitt	Whittier	Lambdin	3	\$ 11,000	
Pro	North Market	Annie Malone	Billups	2	\$ 12,000	
Pro	North Market	Billups	Newstead	2	\$ 8,000	
Pro	St. Ferdinand	Newstead	Taylor	1	\$ 9,000	
Pro	St. Ferdinand	Billups	Newstead	1	\$ 8,000	
Pro	St. Ferdinand	Taylor	Cora	1	\$ 14,000	
					Total:	\$ 73,000

To Alderwoman: **K. Triplett Ward 6** **\$ 73,000**

The Following is a breakdown of
2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
Pro	Locust	22nd	23rd	2	\$ 3,200
Pro	Shenandoah	Michigan	Compton	4	\$ 7,800

Cit. Req.
Cit. Req. 5/16/07
also 8/24/07

Street Proposals

	Street	From	To	Rating	Grand Total	
	Gratiot	14th	18th	3	\$ 23,000	
	17th	Gratiot	Chouteau	1	\$ 14,000	
	Singleton	15th	17th	5	\$ 11,000	
	St. Charles	22nd	Jefferson	2	\$ 14,000	
					Total:	\$ 62,000

To Alderwoman: **Phyllis Young Ward 7** **\$ 73,000**

The Following is a breakdown of
2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total	
Pro	Lafayette	7th	8th	3	\$ 4,300	
Pro	Lafayette	8th	9th	3	\$ 4,300	
					Total:	\$ 8,600

Street Proposal

	Street	From	To	Rating	Grand Total	
	3rd	Chouteau	Miller	3	\$ 64,400	
					Total:	\$ 64,400

To Alderman: **S. Conway Ward 8** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Halliday	Arkansas	Grand	4	\$ 16,400
Hartford	Arkansas	Grand	6	\$ 16,600
Klemm	Flora	Shaw	6	\$ 23,600
Sidney	Arkansas	Grand	5	\$ 16,400
Total:				\$ 73,000

To Alderman: **Ken Ortmann Ward 9** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Delor	Nebraska	Pennsylvania	4	\$ 6,600
Itaska	Broadway	Nebraska	4	\$ 10,400
Nebraska	Mt. Pleasant	Osceola	5	\$ 31,000
Salena	Lynch	Sidney	5	\$ 25,000
Total:				\$ 73,000

To Alderman: **Joseph Vollmer Ward 10** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Sublette	Pernod	Fyler	4	\$ 73,000
Total:				\$ 73,000

To Alderman: **Matt Villa Ward 11** \$ **73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals (all remaining alleys that are in poor condition)

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
FD	Mederer	Broadway	Pennsylvania	3	\$ 4,200
FD	Eichelberger	Broadway	Pennsylvania	3	\$ 3,200
FD	Dover	Broadway	Pennsylvania	4	\$ 3,800
FD	Bates	Minnesota	I-55	4	\$ 4,000
Pro	N. of Wilmington	Michigan	Compton	2	\$ 5,300
Pro	Fillmore	Minnesota	Michigan	4	\$ 8,300
Pro	Fillmore	Alabama	Idaho	4	\$ 11,500
Pro	N. of Holly Hills	Alabama	I-55	2	\$ 2,100
Total:					\$ 42,400

Street Proposals

Street	From	To	Rating	Grand Total
Courtois	Polk	Broadway	6	\$ 30,600

Ald. Req

Total: \$ 30,600

To Alderman: **Fred Heitert Ward 12 \$ 73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals (all remaining alleys that are in poor condition)

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
Pro	Loughborough	Blow	Hampton	4	\$ 16,000
	TOTAL:				\$ 16,000

Street Proposals

Street	From	To	Rating	Grand Total
Quincy	Moellenhoff	Gravois	4	\$ 20,000
	Total:			\$ 20,000

50/50 Sidewalk Program

Locations	Grand Total
Various	\$ 37,000
Total:	\$ 37,000

To Alderman: **Fred Wessels Ward 13 \$ 73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals (all remaining alleys that are in poor condition)

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
Pro	Concordia	Leona	Ray	5	\$ 9,400
Pro	Eiler	37th	Dewey	6	\$ 8,300
	Total:				\$ 17,700

Street Proposals

Street	From	To	Rating	Grand Total
Louisiana	Eichelberger	Bates	5	\$ 18,300
	Total:			\$ 18,300

50/50 Sidewalk Program

Locations	Grand Total
Various	\$ 37,000
Total:	\$ 37,000

To Alderman: **S. Gregali Ward 14 \$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Bingham	Morganford	Ridgewood	5	\$ 35,800
	Total:			\$ 35,800

50/50 Sidewalk Program

Locations	Grand Total
Various	\$ 37,200
Total:	\$ 37,200

To Alderwoman: **Jennifer Florida Ward 15** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Arkansas	Chippewa	Potomac	4	\$ 51,500
Leirmann	Grand	Giles	5	\$ 21,500
Total:				\$ 73,000

To Alderwoman: **Donna Baringer Ward 16** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Bancroft	Macklind	January	5	\$ 27,000
Childress	Lansdowne	Chippewa	5	\$ 24,500
Lansdowne	Childress	Donovan	5	\$ 21,500
Total:				\$ 73,000

To Alderman: **J. Roddy Ward 17** \$ **73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals

North Boundary	East Boundary	West Boundary	Rating	Grand Total
Mcree	Lawrence	Thurman	1	\$ 8,400
Blaine	Lawrence	Thurman	3	\$ 8,400
Folsom	Lawrence	Thurman	3	\$ 8,400
Total:				\$ 25,200

Street Proposals

Street	From	To	Rating	Grand Total
Buckingham Ct	North Ct.	Laclede	4	\$ 11,200
North Ct.	Buckingham Ct.	West Pine	4	\$ 6,700
Klemm	Lafayette	Folsom	4	\$ 21,100
Talmage	Deadend	Vandeventer	4	\$ 8,800
Total:				\$ 47,800

To Alderman: **Terry Kennedy Ward 18** \$ **73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total	
Pro	Page	Taylor	G.H. Pruitt		\$ 12,200	<i>Ald. Req.</i>
Pro	Cabanne	Academy	Clarendon		\$ 11,100	<i>Cit. Req.</i>
		DelmarWalton	Euclid		\$ 6,100	
Pro	Delmar	Pendelton	Newstead		\$ 8,400	<i>Ald. Req.</i>
Pro	Maryland	Boyle	Newstead		\$ 15,200	<i>CSB</i>

Pro	Vernon	Kingshighway	Academy	\$	10,000
Pro	Raymond	Kingshighway	Academy	\$	10,000
Total:				\$	73,000

To Alderwoman: **M. Davis Ward 19** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total	
Lafayette	Louisiana	Grand	3	\$ 37,000	<i>ald. Req</i>
Total:				\$ 37,000	

Alley Proposals

North Boundary	East Boundary	West Boundary	Rating	Grand Total	
Cook	Vandeventer	Sarah	4	\$ 18,000	<i>mayor's office & csbs</i>
Page	Jones	Sarah	4	\$ 18,000	<i>csb's and phone calls</i>
Total:				\$ 36,000	

To Alderman: **Craig Schmid Ward 20** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Miami	Marine	Broadway	4	\$ 14,000
Minnesota	Cherokee	Utah	5	\$ 14,000
Minnesota	Miami	Potomac	5	\$ 17,000
Winnebago	Salena	Illinois	4	\$ 14,000
Missouri	Broadway	Miami	4	\$ 14,000
Total:				\$ 73,000

To Alderwoman: **Bennice Jones King Ward 21** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Newstead	Newstead Terr	Bircher	5	\$ 21,100
Newstead	Lee	Bessie	5	\$ 14,800
Taylor	Bessie	Newstead	4	\$ 37,100
Total:				\$ 73,000

To Alderman: **Jeffrey Boyd Ward 22** **\$ 73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Hebert/Blackstone	Clara	Clara	3	\$ 44,000
Roosevelt	Clara	Goodfellow	3	\$ 29,000
Total:				\$ 73,000

To Alderwoman: **K. Hanrahan Ward 23** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Lansdowne	Jamieson	Wabash	5	\$ 73,000
TOTAL:				\$ 73,000

To **Waterhouse** **Ward 24** \$ **73,000**

Alder

man:

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Fairmount	Mitchell	Dale	2	\$ 25,000
W. Billion	Lloyd	Sproule	2	\$ 9,000
Brock	Plateau	Dale	3	\$ 20,000
Half	West Park	Wise	4	\$ 4,900
Mitchell Terr.	Culdesac	Mitchell	4	\$ 14,100
Total:				\$ 73,000

BPS

To Alderwoman: **D. Kirner Ward 25** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street Proposals

Street	From	To	Rating	Grand Total
Delor	Compton	Virginia	3	\$ 15,200
Louisiana	Eiler	Eichelberger	3	\$ 6,000
Bingham	Grand	Spring	4	\$ 38,300
Gasconade	Grand	Meramec	4	\$ 13,500
Total:				\$ 73,000

To Alderman: **Frank Williamson Ward 26** \$ **73,000**

The Following is a breakdown of

2008 SLW

Street	From	To	Rating	Grand Total
Clemens	Clara	Cabanne Way	4	\$ 17,000
Enright	Belt	Clara	4	\$ 18,600
Minerva	Union	Belt	4	\$ 37,400
Total:				\$ 73,000

To Alderman: **Gregory Carter Ward 27** \$ **73,000**

The Following is a breakdown of

2008 SLW

Alley Proposals

	North Boundary	East Boundary	West Boundary	Rating	Grand Total
Pro	Lillian	Thrush	Plover	5	\$ 13,500

Pro	Saloma	Wren	Riverview	5	\$	13,200
Pro	Lillian	Gilmore	Riverview	5	\$	7,000
Pro	Theodore	Thrush	Plover	5	\$	9,600
Pro	Florissant	Robin	Gilmore	5	\$	7,900
Pro	Florissant	Gilmore	Oriole	5	\$	7,900
Pro	Florissant	Oriole	Riverview	5	\$	7,900
Pro	Amelia	Wren	Bircher	5	\$	6,000
					Total:	\$ 73,000

To Alderwoman: **Lyda Krewson Ward 28** \$ **73,000**

The Following is a breakdown of
2008 SLW
Street Proposals

Street	From	To	Rating	Grand Total
Pershing	Newstead	Taylor	4	\$ 25,000
Pershing	Des peres	City Limits	4	\$ 48,000
Total:				\$ 73,000

Approved: February 27, 2008

ORDINANCE #67889
Board Bill No. 463

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute, upon receipt of and in consideration of the sum of Seven Thousand Six Hundred Dollars (\$7,600.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto 1552 South 7th LLC, certain City-owned property located in City Block 369, which property is known as 1551 S. Broadway, and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Mayor and Comptroller are hereby authorized and directed to execute, upon receipt of and in consideration of the sum of Seven Thousand Six Hundred Dollars (\$7,600.00) and other good and valuable consideration, a Quit Claim Deed, attached hereto as Exhibit A, to remise, release and forever quit-claim unto 1552 South 7th LLC, certain City-owned property located in City Block 369, which property is known as 1551 S. Broadway, and which is more fully described in said Exhibit A.

SECTION TWO. Emergency Clause. This ordinance, being necessary for the immediate preservation of public peace, health, safety, and general welfare, shall be and is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and, as such, this ordinance shall take effect immediately upon its passage and approval by the Mayor.

Exhibit A

QUIT CLAIM DEED

THIS DEED, made and entered into this _____ day of _____ 2008, by and between the City of Saint Louis, a municipal corporation of the State of Missouri, 1200 Market Street, Saint Louis, Missouri 63103, (Grantor), and 1552 South 7th LLC, a Missouri limited liability company, whose address is 1552 S. 7th Street, St. Louis, Missouri 63104, (Grantee).

WITNESSETH, that the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) to it paid by the said Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, does by these presents Remise, Release, and Quit-Claim unto the said Grantee, the following described Real Estate, situated in the City of Saint Louis and State of Missouri, to-wit:

See Exhibit A attached hereto and incorporated into this deed.

Subject to restrictions, covenants, and easements of record.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said Grantee, and to its heirs and assigns, so that neither the said Grantor, nor its heirs, nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every

one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Grantor and Grantee have executed these presents the day and year first above written.

THE CITY OF SAINT LOUIS
(Grantor)

1552 SOUTH 17th LLC
(Grantee)

BY: _____
Francis G. Slay
Mayor

BY: _____
Dennis M. LaRose
Manager

BY: _____
Darlene Green
Comptroller

Approved as to form:

Stephen J. Kovac
Deputy City Counselor

Attest:

Parrie L. May
City Register

State of Missouri)
) ss.
City of St. Louis)

On this ____ day of _____ 2008, before me appeared Francis G. Slay and Darlene Green to me personally known, who being by me duly sworn did say that they are the Mayor and the Comptroller of the City of Saint Louis, respectively, and that they are authorized to execute this Quit-Claim Deed on behalf of the City of Saint Louis under the authority of Ordinance _____ and acknowledge said instrument to be the free act and deed of the City of Saint Louis.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public

State of Missouri)
) ss.
City of St. Louis)

On this ____ day of _____ 2008, before me appeared Dennis M.. LaRose, to me personally known, who being by me duly sworn did say that he is Manager of 1552 South 7th LLC, a Missouri limited liability company, and that he is authorized to execute this Quit-Claim Deed on behalf of said limited liability company under the authority of its board of directors, and acknowledged that he executed said instrument as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public

Exhibit A

Property Description:

A tract of land being all of Lot 11 and the Northern 8.00 feet of Lot 13 of KOSCIUSKO SUBDIVISION as recorded in Surveyor's Record Book 13 Page 54 of the City of St. Louis, Missouri Records, said tract of land being more particularly described as follows;

Commencing from the Northeastern corner of KOSCIUSKO SUBDIVISION and the intersection of the Southern line of Marion Street, 60.00 feet wide with the Western line of Broadway , irregular width; thence along the Western line thereof, South 38 degrees 55 minutes 19 seconds West 301.14 feet to the Northeastern corner of said lot 11 and the Point of Beginning of the tract of land herein described; thence continuing along said Western line of Broadway, South 38 degrees 55 minutes 19 seconds West 68.00 feet to a

point being South 38 degrees 55 minutes 19 seconds West 8.00 feet from the Northeastern corner of said lot 13 as measured along said Western line of Broadway; thence leaving said Western line of Broadway, parallel with the Northern line of said lot 13, North 51 degrees 02 minutes 36 seconds West 150.13 feet to the Western line of said lot 13; thence along the Western line of said lot 13 and along the Western line of said lot 11, North 38 degrees 56 minutes 20 seconds East 68.00 feet to the Northwestern corner of said lot 11; thence along the Northern line thereof, South 51 degrees 02 minutes 36 seconds East 150.11 feet to the Point of Beginning containing 10,207 square feet more or less.

Approved: February 27, 2008

**ORDINANCE #67890
Board Bill No. 391**

An ordinance approving a Redevelopment Plan for the 5255 Maple Ave. Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 23, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is occupied; that the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to five (5) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A"; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, the LCRA has not recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for 5255 Maple Ave. Area," dated October 23, 2007, consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented, but not recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 5255 Maple Ave. Area.

SECTION TWO. The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Blighting Study and Plan for the Area, dated October 23, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

SECTION FIVE. The Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Area by the exercise of eminent domain.

SECTION NINE. The property within the Area is currently occupied. All eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts

and purchase orders;

- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;
- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997.
- (e) To comply with the requirements of Ordinance No. 60275 of the City;
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and
- (g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. A Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for up to the first five (5) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same five (5) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the first five (5) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said five (5) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond five (5) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by the St. Louis Board of Aldermen in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan. The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of the Plan.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the

valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

EXHIBIT "A"

**THE 5255 MAPLE AVE. AREA
LEGAL DESCRIPTION**

C. B. 2994 MAPLE AVE
35 FT X 137 FT 9 IN
RAYS PLACE ADDN
LOT W-11 E-12

29940003000
5255 MAPLE AVE.

**EXHIBIT "B"
Form: 10/25/06**

BLIGHTING STUDY AND PLAN
FOR THE
5255 MAPLE AVE. AREA
PROJECT # 1250
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
September 25, 2007

MAYOR
FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR
5255 MAPLE AVE. AREA**

	<u>PAGE</u>
A. EXISTING CONDITIONS AND FINDING OF BLIGHT	1
1. DELINEATION OF BOUNDARIES	1
2. GENERAL CONDITION OF THE AREA	1
3. PRESENT LAND USE OF THE AREA	1
4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES	1
5. CURRENT ZONING	2
6. FINDING OF BLIGHT	2
B. PROPOSED DEVELOPMENT AND REGULATIONS	2
1. DEVELOPMENT OBJECTIVES	2
2. PROPOSED LAND USE OF THE AREA	2
3. PROPOSED ZONING	2
4. RELATIONSHIP TO LOCAL OBJECTIVES	2
5. PROPOSED EMPLOYMENT FOR THIS AREA	3
6. CIRCULATION	3
7. BUILDING AND SITE REGULATIONS	3
8. URBAN DESIGN	3
9. PARKING REGULATIONS	4
10. SIGN REGULATIONS	5
11. BUILDING, CONDITIONAL USE AND SIGN PERMITS	5
12. PUBLIC IMPROVEMENTS	5
C. PROPOSED SCHEDULE OF DEVELOPMENT	5
D. EXECUTION OF PROJECT	5
1. ADMINISTRATION AND FINANCING	5
2. PROPERTY ACQUISITION	6
3. PROPERTY DISPOSITION	6
4. RELOCATION ASSISTANCE	6
E. COOPERATION OF THE CITY	6

F. TAX ABATEMENT 6

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS 7

 1. LAND USE 7

 2. CONSTRUCTION AND OPERATIONS 7

 3. LAWS AND REGULATIONS 8

 4. ENFORCEMENT 8

H. MODIFICATIONS OF THIS PLAN 8

I. DURATION OF REGULATION AND CONTROLS 8

J. EXHIBITS 9

K. SEVERABILITY 9

EXHIBITS

- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 5255 Maple Ave. Area ("the Area") more fully described in Exhibit "A" attached hereto and incorporated herein by reference, consists of a two-story, single-family occupied structure on an area approximating 0.103 acres in the Academy Neighborhood. The Area is located on the north side of Maple Ave., between Clarendon Ave. and Union Blvd.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 2994. The Area is in fair condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.0 % unemployment rate for the City as of July, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an occupied residential building.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential purposes.

Residential density for the surrounding neighborhoods is approximately 13.38 persons per acre.

5. CURRENT ZONING

The Area is zoned "C" Multiple-Family Residential District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is occupied and in fair condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri 2000, as amended (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "C" Multiple-Family Residential District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The 2005 Strategic Land Use Plan designates it as a Neighborhood Preservation Area.

3. PROPOSED ZONING

The zoning for the Area can remain "C" Multiple-Family Residential District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Strategic Land Use Plan" (2005). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

No new jobs will be created in this Area because the proposed development is residential.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN**a. Urban Design Objectives**

The property shall be developed so it is an attractive residential asset to the surrounding neighborhood.

b. Urban Design Regulations

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

c. Landscaping

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

d. Fencing

Fencing in the front yards and facing side streets shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matter finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street may be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property alley, and at least one parking space shall be provided for each residential unit. In addition, surface parking shall not exceed beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. All new signs shall be restricted to standard sale/lease signs.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently occupied. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for up to the first five (5) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same five (5) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the first five (5) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said five (5) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA. In no event shall such benefits extend beyond five (5) years after the redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

**THE 5255 MAPLE AVE. AREA
LEGAL DESCRIPTION**

C. B. 2994 MAPLE AVE
35 FT X 137 FT 9 IN
RAYS PLACE ADDN
LOT W-11 E-12

29940003000

5255 MAPLE AVE.

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 08/02/99

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: February 27, 2008

ORDINANCE NO. 67890 - EXHIBITS B, C & D

