

**ORDINANCE 67109**

**INTRODUCED BY ALDERMAN WILLIAMSON**

1  
2 **AN ORDINANCE APPROVING THE AMENDED PETITION OF ROBERTS**  
3 **BROTHERS PROPERTIES VI, L.L.C., ROBERTS PLACE HOUSE, L.L.C. AND**  
4 **ROBERTS BLOSSOM HOUSE, L.L.C.; ESTABLISHING THE ENRIGHT/ARLINGTON**  
5 **COMMUNITY IMPROVEMENT DISTRICT; FINDING A PUBLIC PURPOSE;**  
6 **APPROVING APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS**  
7 **THERE TO; AND CONTAINING A SEVERABILITY AND AN EMERGENCY CLAUSE.**

8       **WHEREAS**, the City of St. Louis, Missouri (the “*City*”) is authorized and empowered  
9 pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the  
10 Revised Statutes of Missouri, as amended (the “*CID Act*”), to establish a community  
11 improvement district (the “*District*”) as proposed by a verified petition; and

12       **WHEREAS**, on February 17, 2006, a Petition for Creation of a Community  
13 Improvement District (the “*Petition*”) was filed with the Register of the City, and on February  
14 27, 2006 and March 3 and 10, 2006, said Petition was amended; and

15       **WHEREAS**, on April 7, 2006, the Register did review and determine that the Amended  
16 Petition substantially complies with the requirements of the Act and verified said Amended  
17 Petition in accordance with the requirements of the CID Act;

18       **WHEREAS**, after notice of the public hearing by publication and individually to each  
19 property owner within the proposed District via correspondence, a public hearing was held  
20 on \_\_\_\_\_, 2006 regarding creation of the District, all pursuant to Section  
21 67.1421.1 of the CID Act; and

1           **WHEREAS**, subject to and in accordance with the CID Act and the Amended Petition,  
2 and upon the approval of the qualified voters of the District, the District intends to impose a  
3 special assessment of up to 2% of the asking price of the improved real estate; or if no asking  
4 price, then 2% of the assessed value, within the District pursuant to Section 67.1521 of the CID  
5 Act (the “*CID Special Assessment*”); and

6           **WHEREAS**, the Amended Petition requests that the members of the initial Board of  
7 Directors of the District be appointed by the Mayor of the City pursuant to Section 67.1451.5 of  
8 the CID Act, subject to consent of the Board of Aldermen, with Successive Directors appointed  
9 in the same manner; and

10           **WHEREAS**, the Amended Petition provides that the District shall work toward the  
11 elimination of blight factors within the District, including the construction, reconstruction and  
12 remediation of new and existing structures and condominiums with surface parking and related  
13 transportation and utility improvements within the adjacent right-of-way and security and  
14 maintenance for the Project, as well as provide the revenues from the CID Special Assessment to  
15 repay any obligations issued in relation to the Project; and

16           **WHEREAS**, the Board of Aldermen hereby finds that the adoption of this ordinance is in  
17 the best interest of the City of St. Louis and that the property owners, residents, and persons  
18 living in and at or near the Enright/Arlington Community Improvement District, and the public  
19 generally will benefit by the establishment of said Community Improvement District.

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

1           **Section 1.** Pursuant to Section 67.1411.3 of the CID Act and subject to the terms of the  
2 Petition, the Enright/Arlington Community Improvement District is hereby formed as a political  
3 subdivision of the State of Missouri; a copy of the Amended Petition containing a legal  
4 description of the District’s boundaries is attached hereto as **Exhibit A** and incorporated herein  
5 by reference.

6           **Section 2.** The Board of Aldermen hereby finds that the District is located in the West  
7 End Urban Renewal Area, which was declared blighted under Chapter 99 RSMo. in Ordinance  
8 No. 51799, as amended, this finding includes and the Amended Petition sets forth and the Board  
9 of Aldermen hereby finds and adopts by reference the analysis of the factors that qualify the  
10 District as a “blighted area” as set forth in the “Amended Blighting Study and Plan for West End  
11 Urban Renewal Area”, revised July 20, 1967, amended April 21, 1998 and November 20, 1968,  
12 which analysis is incorporated herein as if set forth here in full.

13           **Section 3.** Pursuant to the CID Act, the District shall have all the powers necessary to  
14 carry out and effectuate the purposes and provisions of the CID Act.

15           **Section 4.** Pursuant to the CID Act, the District is authorized by the CID Act, at any  
16 time, to issue obligations for the purpose of carrying out any of its powers, duties, or purposes.  
17 Such obligations shall be payable out of all, part or any combination of the revenues of the  
18 District and may be further secured by all or any part of any property or any inters in any  
19 property by mortgage or any other security interest granted. Such obligations shall be authorized  
20 by resolution of the District, and if issued by the District shall be such date or dates, and shall  
21 mature at such time or times, but not more than twenty (20) years from the date of issuance, as  
22 the resolution shall specify. Such obligations shall be in such denominations, bear such interest

1 at such rate or rates, be in such form, be payable in such place or places, be subject to redemption  
2 as such resolution may provide and be sold at either public or private sale at such prices as the  
3 District shall determine subject to the provisions of Section 108.170, RSMo. The District is also  
4 authorized to issue obligations to refund, in whole or in part, obligations previously issued by the  
5 District.

6 **Section 5.** The District shall not terminate sooner than one year from the date of this  
7 Ordinance.

8 **Section 6.** Pursuant to Section 67.1451.5 of the CID Act, the Mayor appoints and the  
9 Board of Aldermen of the City hereby approves the initial appointment of the District's Board of  
10 Directors as follows:

11	<u>Name</u>	<u>Initial Term</u>
12	Michael Roberts Sr.	4 years from date of appointment
13	Steven Roberts	4 years from date of appointment
14	Virvus Jones	2 years from date of appointment
15	Kay Gabbert	2 years from date of appointment
16	Bobby Tate	2 years from date of appointment

17 The date of appointment for each of the initial Board of Directors shall be the date of  
18 passage of this Ordinance. No further action by the Mayor or Board of Aldermen of the City for  
19 appointment of the initial Board of Directors is necessary.

1           **Section 7.** The Board of Directors of the District shall have its initial meeting on such  
2 date and at such time when a quorum of Board of Directors is available.

3           **Section 8.** Pursuant to the CID Act, the Board of Aldermen shall not decrease the level  
4 of publicly funded services in the District existing prior to the creation of the District or transfer  
5 the financial burden of providing the services to the District unless the services at the same time  
6 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision  
7 of publicly funded services between areas included in the District and areas not so included.

8           **Section 9.** Pursuant to Section 67.1421.6 of the CID Act, the City Register or the City  
9 Counselor on her behalf shall notify in writing the Missouri Department of Economic  
10 Development of the District's creation.

11           **Section 10.** The Board of Aldermen hereby approves the Amended Petition and the City  
12 shall, and the officers, agents and employees of the City are hereby authorized and directed to  
13 take such further action and execute such other documents, certificates and instruments as may  
14 be necessary or desirable to carry out and comply with the intent of this Ordinance.

15           **Section 11.** It is hereby declared to be the intention of the Board of Aldermen that each  
16 and every part, section and subsection of this Ordinance shall be separate and severable from  
17 each and every other part, section and subsection hereof and that the Board of Aldermen intends  
18 to adopt each said part, section and subsection separately and independently of any other part,  
19 section and subsection. In the event that any part, section or subsection of this Ordinance shall  
20 be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections  
21 and subsections shall be and remain in full force and effect, unless the court making such finding

1 shall determine that the valid portions standing alone are incomplete and are incapable of being  
2 executed in accord with the legislative intent.

3           **Section 12.** This being an ordinance for the preservation of public peace, health, and  
4 safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and  
5 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective  
6 immediately upon its passage and approval by the Mayor.

1

**EXHIBIT A**

2

Petition for Creation of a Community Improvement District

3

(Attached hereto.)

4

**AMENDED PETITION FOR THE CREATION OF A  
COMMUNITY IMPROVEMENT DISTRICT**

To the City of St. Louis, Missouri:

The undersigned (“*Petitioners*”) are the fee owners or representatives of the fee owners of record of more than fifty percent (50%) (a) by assessed value of all real property within the hereinafter described community improvement district, and (b) per capita of all owners of real property within the hereinafter described community improvement district. Petitioners hereby file this Amended Petition and request that the City of St. Louis, Missouri (the “*City*”), create a community improvement district as described herein, to be known as the **ENRIGHT/ARLINGTON COMMUNITY IMPROVEMENT DISTRICT** (the “*District*”), pursuant to the authority of Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “*CID Act*”).

1. The proposed District is contiguous and is entirely within the corporate boundaries of the City.
2. A legal description of the proposed District is set forth as **Exhibit A**, attached hereto and incorporated herein by reference. A boundary map of the proposed District is set forth as **Exhibit B**, attached hereto and incorporated herein by reference.
3. The total current assessed value of all real property located within the proposed District is \$247,370. Roberts Brothers Properties VI, LLC, a Missouri limited liability company, is the fee owner of 2.818 acres within the proposed District. Roberts Place House, LLC, a Missouri limited liability company, is the fee owner of 4.751 acres within the proposed District. Roberts Blossom House, LLC, a Missouri limited liability company, is the fee owner of 0.273 acres within the proposed District.
4. The proposed District shall be formed as a political subdivision, the Board of Directors of which shall be composed of five (5) members appointed by the Mayor of the City, with the consent of the Board of Aldermen. Successive Directors shall be appointed in the same manner. Petitioners request that the Mayor appoint and the Board of Aldermen consent to the following individuals to serve as the initial Board of Directors of the District, in accord with the Resolutions as set forth in **Exhibit C**, attached hereto and incorporated herein by reference:

Name	Entity Represented	Initial Term
Michael Roberts Sr.	Roberts Brothers Properties VI, LLC (fee owner of the property)	4 years
Steven Roberts	Roberts Place House, LLC (fee owner of the property)	4 years
Virvus Jones	Roberts 5423/5429 Enright, LLC	2 years

Name	Entity Represented	Initial Term
	(fee owner of the property)	
Kay Gabbert	Roberts 5433 Enright, LLC (fee owner of the property)	2 years
Bobby Tate	Roberts Blossom House, LLC (fee owner of the property)	2 years

5. The proposed District will be funded by special assessment, which will be based on a percentage of the original sales price of the improved property within the District beginning December 31, 2006 (the "*Special Assessment*"). The maximum rate of assessment shall be 2% of the asking price to the initial purchaser of the improved real estate. In the event a property has not been sold, the maximum rate of assessment shall be 2% of the asking price of the property, or if there is no asking price, of the assessed value of the land as indicated on the records of the Assessor of the City of St. Louis, whichever is greater.
6. A five-year plan for the proposed District (the "*Five-Year Plan*") is set forth as **Exhibit D**, attached hereto and incorporated herein by reference, which includes the purpose of the District, the services it will provide, a description of the public improvements to be undertaken by the proposed District and an estimate of the costs thereof (the "*Project*"). The Project consists generally of the following: (a) sidewalks, streets, alleys, utilities, water, storm and sewer systems and other site improvements; (b) parking lots, garages and other facilities; (c) lawns, trees and other landscaping; (d) security system installation; (e) site preparation and environmental remediation; and (f) and professional fees associated therewith.
7. The Project to be undertaken by the proposed District will facilitate the proposed \$33 million approximately 96-home residential development to be constructed within the District (the "*Development*"). A concept site plan for the proposed Development and the proposed Project is set forth as **Exhibit B**, attached hereto and incorporated herein by reference. It is anticipated that the Project and the Development will be completed by December 31, 2007. Thereafter no additional projects may be undertaken by the District except upon prior approval of the qualified voters of the District.
8. The estimated cost of the Project is \$7,000,000.00 exclusive of costs related to any authorized indebtedness of the District and the issuance and repayment of any obligations issued by the District and interest thereon. It is anticipated that the District will finance the Project through the issuance of its obligations (the "*Obligations*"), which Obligations will be repaid out of the net proceeds of the Special Assessment. Initially, it is anticipated that the District will issue its revenue notes (the "*Notes*") as Petitioners incur the costs associated with the Project. The Notes will be repaid out of the net proceeds of the Special Assessment upon completion of the Development or out of the net proceeds of the District's revenue bonds (the "*Bonds*") issued to refund part or all of the Notes. Based upon the current assumptions contained in the Five-Year Plan, the net proceeds of the Special Assessment may not be sufficient to repay all of the Notes issued to finance the Project.

9. The Project is located in the West End Urban Renewal Redevelopment Area, which was declared blighted under Chapter 99 of the Revised Statutes of Missouri, as amended, in Ordinance No. 51799.
10. The District is anticipated to be in existence for a period not to exceed 20 years from the date of issuance of the Obligations.
11. Petitioners do not seek limitations on the borrowing capacity of the District.
12. Petitioners do not seek limitations on the revenue generation of the District.
13. Petitioners do not seek limitations on the powers of the District. Accordingly, the District shall have all powers provided in the CID Act, including those powers granted under Section 67.1461.2 pertaining to blighted areas.
14. The signatures of the signers to this Amended Petition may not be withdrawn later than seven days after this Amended Petition is filed with the City Clerk.
15. The appendices hereto are an integral part of this Petition and are incorporated herein by reference. By executing this Amended Petition, the Petitioners represent and warrant that they have read and understand the Amended Petition, and are authorized to execute this Amended Petition as the fee owners of record of real property located within the proposed District.
16. Petitioners respectfully request that the proposed District be established pursuant to the Act and in accordance with this Amended Petition.
17. Petitioners further respectfully request that, upon establishment of the District, the City find that the uses of District proceeds outlined above are reasonably anticipated to remediate the blighting conditions of the Development, and will serve a public purpose by remediating such blight, providing economic development and providing necessary modern housing to the public within the District.

Dated this 17<sup>th</sup> day of February, 2006.

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PETITIONER:

PROPERTY OWNER: Roberts Place House, LLC, a Missouri limited liability company.

ADDRESS: 1408 North Kingshighway Blvd, Suite 300, St. Louis, MO 63113, Phone: (314) 367-4600

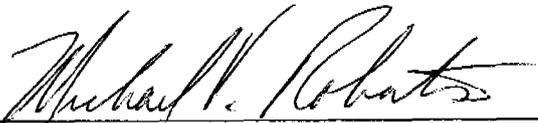
MAP/PARCEL #: Owner of 4.751 acres within the proposed District. (See Boundary Map attached hereto as **Exhibit B**). Locator IDs: 54850001720 (5351 Enright) in the City of St. Louis, Missouri.

ASSESSED VALUE: \$66,200.00

By executing this Petition on this 17<sup>th</sup> day of February, 2006, the undersigned represents and warrants that he or she is authorized to execute this Petition on behalf of the property owner named immediately above.

ROBERTS PLACE HOUSE, LLC,  
A MISSOURI LIMITED LIABILITY COMPANY

By:



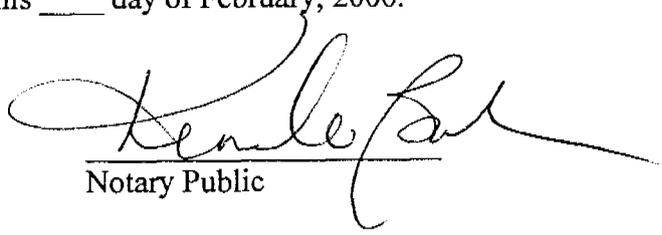
Michael V. Roberts, Authorized Representative of  
Member Manager

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

Before me personally appeared Michael V. Roberts to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this 17<sup>th</sup> day of February, 2006.

NOTARY SEAL  
Kendall B. ...  
Notary Public  
St. Louis County, State of Missouri  
My Commission Expires 4/29/2010  
Commission Number 05404740

  
Notary Public

My Commission Expires: 4/29/09

PETITIONER:

PROPERTY OWNER: Roberts Blossom House, LLC, a Missouri limited liability company.

ADDRESS: 1408 North Kingshighway Blvd, Suite 300, St. Louis, MO 63113, Phone: (314) 367-4600

MAP/PARCEL #: Owner of 0.273 acres within the proposed District. (See Boundary Map attached hereto as **Exhibit B**). Locator ID: 54850001730 (5331 Enright) in the City of St. Louis, Missouri.

ASSESSED VALUE: \$13,500.00

By executing this Petition on this 17<sup>th</sup> day of February, 2006, the undersigned represents and warrants that he or she is authorized to execute this Petition on behalf of the property owner named immediately above.

ROBERTS BLOSSOM HOUSE, LLC,  
A MISSOURI LIMITED LIABILITY COMPANY

By:



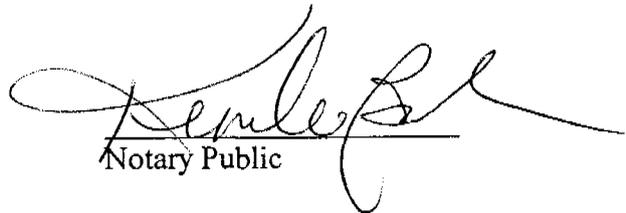
Michael V. Roberts, Authorized Representative of  
Member Manager

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

Before me personally appeared Michael V. Roberts, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this 17<sup>th</sup> day of February, 2006.

Notary Seal  
Notary Public  
St. Louis County, State of Missouri  
My Commission Expires 4/29/2009  
Commission Number 05404740

  
Notary Public

My Commission Expires: 4/29/09

## **EXHIBIT A**

### **Legal Description of Community Improvement District**

#### **800 Arlington (Roberts Place Apartments)**

Lot A of "Enright School Subdivision in City Block 5485"; according to plat thereof recorded in Plat Book 06142004 page 0459 in the St. Louis City Records Office, and also described as follows:

A parcel of ground in Block 5485, of the City of St. Louis, Missouri, being all of Lot A, of the ENRIGHT SCHOOL SUBDIVISION; said parcel being more particularly described as follows: COMMENCING at the point of intersection of the northern line of Enright Avenue, 60 feet wide, with the western line of Union Boulevard, 100 feet wide; thence N 83 degrees 00'W 980.72 feet, along the northern line of said Enright Avenue, to the eastern line of Arlington Avenue, 33 feet wide; then N 7 degrees 17'E 358.21 feet, along the eastern line of said Arlington Avenue, to the southern line of said Lot A and the point of BEGINNING of the parcel herein described; thence N 7 degrees 17'E 213.54 feet, along the eastern line of Arlington Avenue, 30 feet wide, to the southern line of WINDERMERE PLACE; thence S 83 degrees 00"E 574.77 feet, along the southern line of said WINDERMERE PLACE, being also the northern line of said Lot A, to the northeastern corner of said Lot A; thence S 7 degrees 16'30"W 213.54 feet, along the eastern line of said Lot A, to its southeastern corner; thence N 83 degrees 00"W 574.80 feet, along the eastern line of said Lot A, to the point of beginning and containing 122,738 Square Feet or 2.8177 Acres, according to the survey made by Pitzman's Co. Surveyors & Engineers dated June 10, 2004 as Order No. 04-688-B.

#### **5351 Enright (Roberts Place Subdivision)**

Lot B of "Enright School Subdivision in City Block 5485"; according to plat thereof recorded in Plat Book 06142004 page 0459 in the St. Louis City Records Office, and also described as follows:

A parcel of ground in Block 5485, of the City of St. Louis, Missouri, being all of Lot B, of the ENRIGHT SCHOOL SUBDIVISION; said parcel being more particularly described as follows: COMMENCING at the point of intersection of the northern line of Enright Avenue, 60 feet wide, with the western line of Union Boulevard, 100 feet wide; thence N 83 degrees 00'W 397.16 feet, along the northern line of said Enright Avenue, to the eastern line of said Lot B, and being the point of BEGINNING of the parcel herein described; thence N 83 degrees 00'W 583.56 feet, along the northern line of said Enright Avenue, to the eastern line of Arlington Avenue, 33 feet wide; thence N 7 degrees 17'E 358.21 feet, along the eastern line of said Arlington Avenue, to the northern line of said Lot B; then S 83 degrees 00'E 574.80 feet, along the northern line of said Lot B, to its northeastern corner; thence S 7 degrees 16'30"W 234.71 feet, along the eastern line of said Lot B, to an offset therein; thence S 61 degrees 24'E 8.73, along said offset, to the eastern most line of said Lot B; thence S 7 degrees 00'W 120.29 feet, along the eastern most line of said Lot B, to the point of beginning and containing 206,932 Square Feet or 4.7505 Acres, according to the survey made by Pitzman's Co. of Surveyors & Engineers, dated June 10, 2004 as Order Number 04-688-B.

### **5331 Enright (Blossom House)**

Lot C of "Enright School Subdivision in City Block 5485":

A parcel of ground in Block 5485, of the City of St. Louis, Missouri, being part of Lot 1 of the Subdivision of The Ann Biddle Estate; said parcel being more particularly described as follows:

Commencing at the point of intersection of the Northern line of Enright Avenue, 60 feet wide, with the Western line of Union Boulevard, 100 feet wide; thence North 83 degrees 00 minutes West 283.93 feet, along the Northern line of said Enright Avenue, to the point of Beginning of the parcel herein described; thence North 83 degrees 00 minutes West 113.23 feet, along the Northern line of said Enright Avenue; thence North 7 degrees 00 minutes East 120.29 feet; thence South 61 degrees 24 minutes East 33.27 feet; thence South 80 degrees 09 minutes East, 50.00 feet; thence South 45 degrees 14 minutes 50 seconds East 40.92 feet; thence South 7 degrees 00 minutes West 80.50 feet, to the point of beginning, according to Survey by Pitzman's Engineering Co. (04-688-A) dated June 4, 2004.

### **5423-33 Enright Avenue**

Parcel No. 1:

Lot "A" and the Eastern 8 feet of Lot "B" of the Subdivision of Part of Lots 4 and 5 of Breckenridge Private Subdivision of Ann Biddle's Estate, according to the plat of said Subdivision recorded in Surveyor's record 8 page 2, and in Block 5484 of the City of St. Louis, together fronting 40 feet on the North line of Enright Avenue, by a depth Northwardly of 142 feet 6 inches to an alley, bounded East by Arlington.

Parcel No. 2:

The Western 27 feet of Lot "B" and the Eastern 13 feet of Lot C of the Subdivision of Part of Lots 4 and 5 of Ann Biddle's Estate, according to the plat of said Subdivision recorded in Surveyor's Record 8 page 2 and in Block 5484 of the City of St. Louis, together fronting 40 feet on the North line of Enright Avenue, by a depth Northwardly of 142 feet 6 inches to an alley.

Parcel No. 3:

The Western 20 feet of Lot C and the Eastern 15 feet of Lot D in a Subdivision of Lots Numbered 4 and 5 of Biddle Estate in United States Survey 378 as appears in Surveyor's Record 8 page 2 in Recorder's Office for said City of S. Louis, State of Missouri, having an aggregate front of 35 feet on the North line of Enright Avenue a private street by a depth Northwardly of 142 feet 6 inches.

Parcel No. 4:

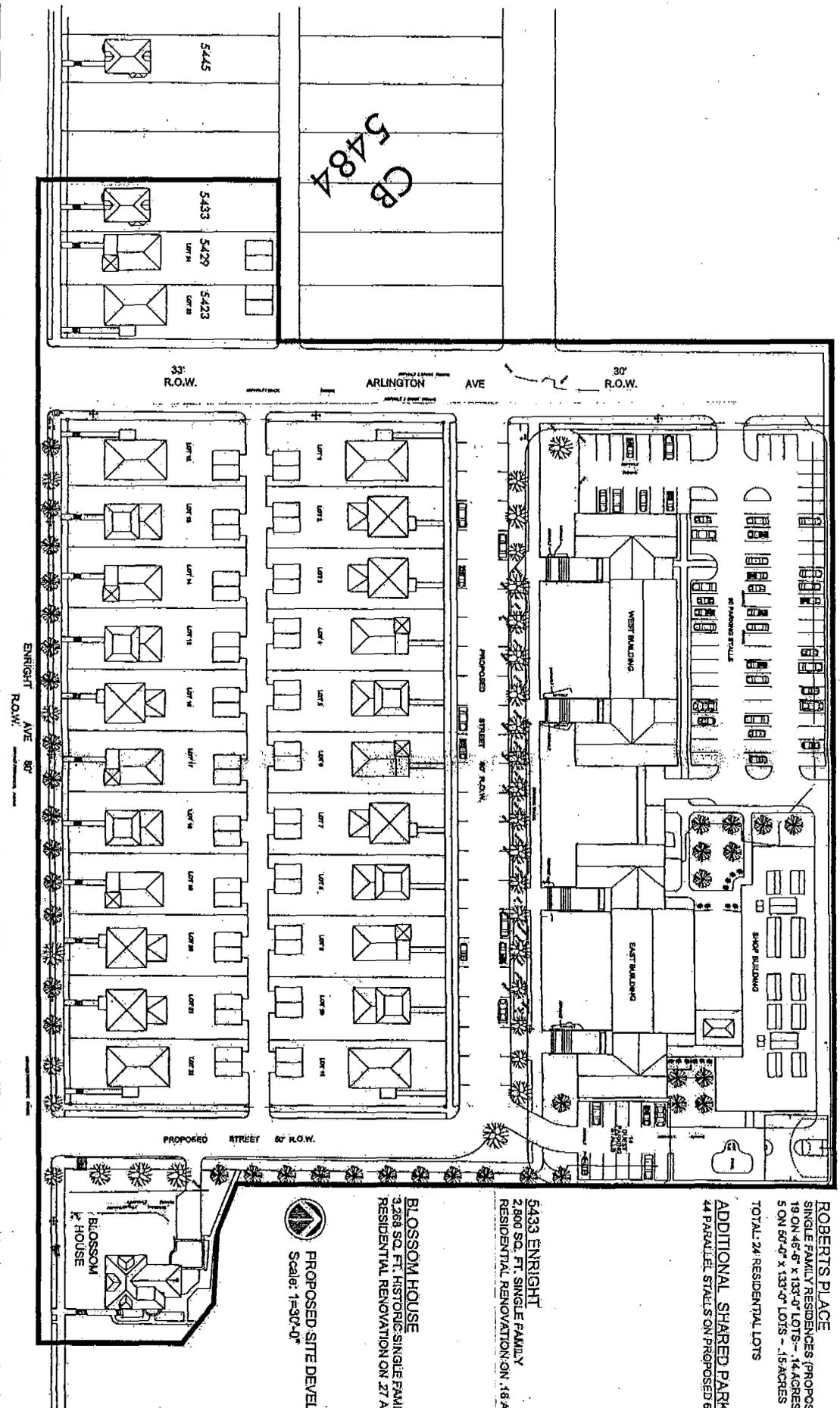
The Western 2 feet of the Eastern 15 feet of Lot c of the subdivision of parts of Lots 4 and 5 of Ann Biddle's Estate according to the plat of said subdivision recorded in Surveyor's Record 8 page 2 and in Block 5484 of the City of St. Louis, fronting 2 feet on the North line of Enright Avenue by a depth Northwardly of 142 feet 6 inches to an alley.

**EXHIBIT B**

**Boundary Map of the Community Improvement District  
and Concept Site Plan of the Project and the Development**

(Attached hereto)

**Enright/Arlington Community Improvement District Boundaries**



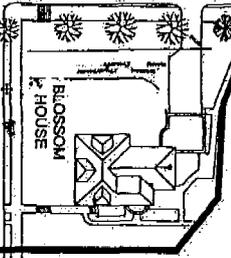
**ROBERTS PLACE**  
 SINGLE FAMILY RESIDENCES (PROPOSED)  
 19 ON 45'-0" x 133'-0" LOTS - 14 ACRES  
 5 ON 50'-0" x 133'-0" LOTS - 15 ACRES  
 TOTAL 24 RESIDENTIAL LOTS

**ADDITIONAL SHARED PARKING**  
 44 PARALLEL STALLS ON PROPOSED 60'-0" STREET

**5433 ENRIGHT**  
 2,800 SQ. FT. SINGLE FAMILY  
 RESIDENTIAL RENOVATION ON .18 ACRE LOT

**BLOSSOM HOUSE**  
 3,268 SQ. FT. HISTORIC SINGLE FAMILY  
 RESIDENTIAL RENOVATION ON .27 ACRE LOT

**PROPOSED SITE DEVELOPMENT**  
 Scale: 1"=30'-0"



CB  
5484

**EXHIBIT C**

**Resolutions**

(Attached hereto)

**RESOLUTION**

**WHEREAS**, pursuant to the Missouri Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), following the receipt of a Petition for the Creation of a Community Improvement District on \_\_\_\_\_, 2006, the Board of Aldermen of the City of St. Louis, Missouri, adopted Ordinance No. \_\_\_\_\_, establishing the Enright/Arlington Community Improvement District (the "District"); and

**WHEREAS**, Roberts Brothers Properties VI, LLC, is the owner of record of 2.818 acres of real property within the boundaries of the District; and

**WHEREAS**, the CID Act anticipates that a representative of the owner of record of real property within the District be appointed to the Board of Directors of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ROBERTS BROTHERS PROPERTIES VI, LLC, AS FOLLOWS:**

Roberts Brothers Properties VI, LLC hereby appoints Michael Roberts, Sr. to serve as its legally authorized representative to the Board of Directors of the District.

  
\_\_\_\_\_

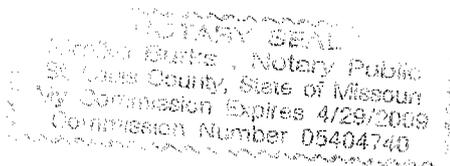
By:  
Title:

ATTEST

(SEAL)

  
\_\_\_\_\_

By: *Kimiko Burks*  
Title: *Notary Public*



**RESOLUTION**

**WHEREAS**, pursuant to the Missouri Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), following the receipt of a Petition for the Creation of a Community Improvement District on \_\_\_\_\_, 2006, the Board of Aldermen of the City of St. Louis, Missouri, adopted Ordinance No. \_\_\_\_\_, establishing the Enright/Arlington Community Improvement District (the "District"); and

**WHEREAS**, Roberts Place House, LLC, is the owner of record of 4.751 acres of real property within the boundaries of the District; and

**WHEREAS**, the CID Act anticipates that a representative business owner operating a business within the boundaries of the District be appointed to the Board of Directors of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ROBERTS PLACE HOUSE, LLC, AS FOLLOWS:**

Roberts Place House, LLC hereby appoints Steven Roberts to serve as its legally authorized representative to the Board of Directors of the District.

  
\_\_\_\_\_

By:  
Title:

ATTEST

(SEAL)

  
\_\_\_\_\_

By: *Kimiko Burk*  
Title: *NOTARY PUBLIC*

NOTARY SEAL  
Michael D. Burns, Notary Public  
St. Louis County, State of Missouri  
My Commission Expires 4/20/2008  
Commission Number 05404740

**RESOLUTION**

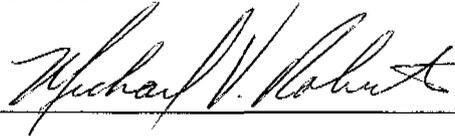
**WHEREAS**, pursuant to the Missouri Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), following the receipt of a Petition for the Creation of a Community Improvement District on \_\_\_\_\_, 2006, the Board of Aldermen of the City of St. Louis, Missouri, adopted Ordinance No. \_\_\_\_\_, establishing the Enright/Arlington Community Improvement District (the "District"); and

**WHEREAS**, Roberts 5423/5429 Enright, LLC, is the owner of record of 0.131 acres of real property within the boundaries of the District; and

**WHEREAS**, the CID Act anticipates that a representative business owner operating a business within the boundaries of the District be appointed to the Board of Directors of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ROBERTS 5423/5429 ENRIGHT, LLC, AS FOLLOWS:**

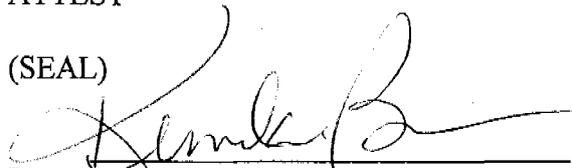
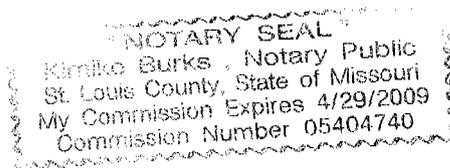
Roberts 5423/5429 Enright, LLC hereby appoints Virvus Jones to serve as its legally authorized representative to the Board of Directors of the District.



By:  
Title:

ATTEST

(SEAL)

  
By: Kimiko Burks  
Title: Notary Public

**RESOLUTION**

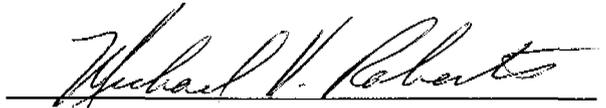
**WHEREAS**, pursuant to the Missouri Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), following the receipt of a Petition for the Creation of a Community Improvement District on \_\_\_\_\_, 2006, the Board of Aldermen of the City of St. Louis, Missouri, adopted Ordinance No. \_\_\_\_\_, establishing the Enright/Arlington Community Improvement District (the "District"); and

**WHEREAS**, Roberts 5433 Enright, LLC, is the owner of record of 0.121 acres of real property within the boundaries of the District; and

**WHEREAS**, the CID Act anticipates that a representative business owner operating a business within the boundaries of the District be appointed to the Board of Directors of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ROBERTS 5433 ENRIGHT, LLC, AS FOLLOWS:**

Roberts 5433 Enright, LLC hereby appoints Kay Gabbert to serve as its legally authorized representative to the Board of Directors of the District.



By:  
Title:

ATTEST

(SEAL)



By: *Kimiko Bures*  
Title: *Notary Public*

NOTARY SEAL  
Michael V. Roberts, Notary Public  
St. Louis County, State of Missouri  
My Commission Expires 4/30/2008  
Commission Number 05404740

**RESOLUTION**

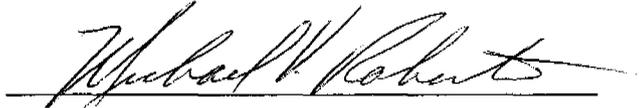
**WHEREAS**, pursuant to the Missouri Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act"), following the receipt of a Petition for the Creation of a Community Improvement District on \_\_\_\_\_, 2006, the Board of Aldermen of the City of St. Louis, Missouri, adopted Ordinance No. \_\_\_\_\_, establishing the Enright/Arlington Community Improvement District (the "District"); and

**WHEREAS**, Roberts Blossom House, LLC, is the owner of record of 0.273 acres of real property within the boundaries of the District; and

**WHEREAS**, the CID Act anticipates that a representative business owner operating a business within the boundaries of the District be appointed to the Board of Directors of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF ROBERTS BLOSSOM HOUSE, LLC, AS FOLLOWS:**

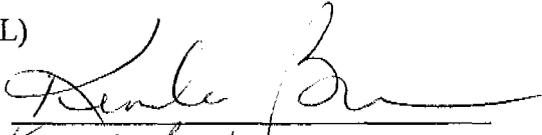
Roberts Blossom House, LLC hereby appoints Bobby Tate to serve as its legally authorized representative to the Board of Directors of the District.



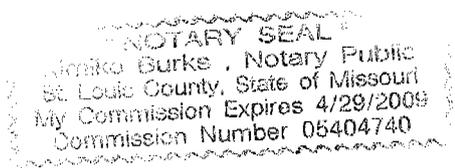
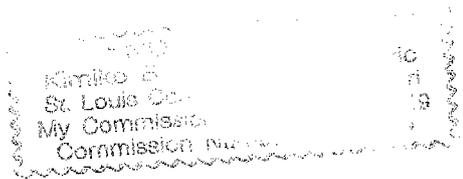
By:  
Title:

ATTEST

(SEAL)



By: Kimiko Burke  
Title: Notary Public



## **Exhibit D**

### **Five Year Plan of the Community Improvement District**

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#### **FIVE-YEAR PLAN**

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The information and details outlined in the following pages represents the strategies, activities and budgets that will be undertaken during the initial five-years of the proposed Enright/Arlington Avenue Community Improvement District in St. Louis, Missouri. It is an integral and composite part of the Petition for creation of the District.

The Enright/Arlington Community Improvement District is being created to provide funds to assist in the rehabilitation and the 100+ year old and abandoned Enright School, (formerly was known as Harris Teachers College and the Smith Academy), the rehabilitation of the Blossom House and the construction of a new 26 home subdivision. The school and the Blossom house are both listed on the National Register for Historic Properties. The funds raised from the community improvement district will be used to construct a new street, alley, provide utilities (water, gas, electric, sewer etc.), construction of parking lot, common areas amenities, landscaping, and security fencing to the site.

**Five Year Plan**  
**Enright/Arlington Community Improvement District**

Year One: 2006

In its first year the District will finalize its contractual arrangements with the Developer of the Roberts Place Apartments and the Roberts Place Homes. During this period it is anticipated that a contractor will be selected to complete the site improvements and infrastructure work for the Roberts Place Apartments and the Roberts Place Homes to be completed no later than September 2006. The District will issue obligations (notes or bonds) to raise funds to fulfill its contractual obligations to the Developer and contractor. The District will determine the revenue required for debt service on all obligations, and CID oversight and management expenses, and set special assessments accordingly.

Year Two: 2007

In the second year, the District will continue to monitor the construction of the Roberts Place Apartments, which is due to be completed by February 2007. The District will also determine the revenue required for debt service on all obligations, and CID oversight and management expenses and set special assessments accordingly. The District will collect all outstanding special assessments, and pay to the Trustee on any outstanding obligations sufficient funds for debt service and any required reserves.

Year Three: 2008

In the third year the District will determine the revenue required for debt service on all obligations, and CID oversight and management expenses, and set special assessments accordingly. The District will collect all outstanding special assessments, and pay to the Trustee on any outstanding obligations sufficient funds for debt service and any required reserves.

Year Four: 2009

In the fourth year, the District will determine the revenue required for debt service on all obligations, and CID oversight and management expenses, and set special assessments accordingly. The District will collect all outstanding special assessments and pay to the Trustee on any outstanding obligations sufficient funds for debt service and any required reserves.

Year Five: 2010

In the fifth year, the District will determine the revenue required for debt service on all obligations, and CID oversight and management expenses, and set special assessments accordingly. The District will collect all outstanding special assessments and pay to the Trustee on any outstanding obligations sufficient funds for debt services and any required reserves.

## ENRIGHT/ARLINGTON IMPROVEMENT DISTRICT BUDGET

### Construction

Building and Site Demolition Work	\$1,593,590.00
Earthwork	\$61,995.00
Asphalt Paving	\$89,864.00
Site Signage	\$20,000.00
Site Utilities	\$753,124.00
Site Flatwork and Found	\$811,061.00
Pavement Markings	\$8,383.00
Site Fencing	\$97,530.00
Elevator Pit Walls	\$110,000.00
Handrails and Railings	\$32,435.00
Rough Carpentry	\$53,560.00
Painting	\$24,322.00
Athletic Equipment /Pools	\$71,000.00
Elevators	\$170,000.00
Electrical	\$31,000.00
Schedule Allowance	\$19,240.00
Proportionate Perf/Payment Bond	\$14,660.00
Proportionate GC'S, Fee and Est. Allow	\$390,943.00
<b>SUBTOTAL</b>	<b>\$4,352,707.00</b>

### Professional Design Fee

Architect Design Fees	\$45,344.00
Architect CA Fees	\$5,365.00
MEP Engineering Fees	\$2,555.00
Landscape Design	\$15,000.00
Civil Engineering	\$66,000.00
Security System Design	\$10,000.00
Other Misc.	\$5,795.00
<b>SUBTOTAL</b>	<b>\$150,059.00</b>

### FFE

Common Area Furnishings and Fixtures	\$10,000.00
Recreation Room Furnishings and Fixtures	\$10,000.00
Exterior Furnishings and Fixtures	\$75,000.00
Carts	\$5,000.00
<b>SUBTOTAL</b>	<b>\$100,000.00</b>

### Environmental Direct Costs

Environmental Consultants	\$45,800.00
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## **ENRIGHT/ARLINGTON IMPROVEMENT DISTRICT BUDGET**

Haz Mat Abatement	\$725,000.00
Surveying	\$15,000.00
Geotech Test/Consultant	\$25,000.00
Construction Period Utilities Fees (service and tap)	\$40,000.00
AHJ Fees	\$3,311.00
Legal	\$12,416.00
Proj. Management Support	\$26,869.00
Insurance Builders Risk	\$21,522.00
CPA Fees	\$3,311.00
<b>SUBTOTAL</b>	<b>\$918,229.00</b>
	<b>Other</b>
Security System (Access control, CCTV, etc.)	\$1,075,000.00
Miscellaneous Professional Fees, General	\$404,005.00
Conditions and Developer's Contingency	
<b>SUBTOTAL</b>	<b>\$1,479,005.00</b>
<b>TOTAL</b>	<b>\$7,000,000.00</b>