

**ORDINANCE #67217
Board Bill No. 119**

An ordinance approving a Redevelopment Plan for the 5025 Raymond 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 April 25, 2006 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 unoccupied, but if it should become occupied 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, 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 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 5025 Raymond Ave. Area," dated April 25, 2006, consisting of a Title Page, a Table of Contents Page, and thirteen (13) 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 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, 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 5025 Raymond 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 April 25, 2006 ("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 unoccupied. If it should become 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. 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 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:

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 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 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 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 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 5025 RAYMOND AVE. AREA
LEGAL DESCRIPTION

C.B. 5151 RAYMOND AVE.
50 FT. X 127 FT.
RAYMOND PLACE ADDN.
LOT 5
(515100320)

EXHIBIT "B"
Form: 04/19/06

BLIGHTING STUDY AND PLAN
FOR THE
5025 RAYMOND AVE. AREA
PROJECT # 1010
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
April 25, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
5025 RAYMOND 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	2
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	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	5
10. SIGN REGULATIONS	5
11. BUILDING, CONDITIONAL USE AND SIGN PERMITS	5
12. PUBLIC IMPROVEMENTS	5
C. PROPOSED SCHEDULE OF DEVELOPMENT	6
D. EXECUTION OF PROJECT	6
1. ADMINISTRATION AND FINANCING	6
2. PROPERTY ACQUISITION	6
3. PROPERTY DISPOSITION	6
4. RELOCATION ASSISTANCE	7
E. COOPERATION OF THE CITY	7
F. TAX ABATEMENT	7

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 5025 Raymond Ave. Area ("Area") encompasses approximately 0.15 acres in the Academy Neighborhood of the City of St. Louis ("City") and is west of Kingshighway 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 one parcel of City Block 5151. The Area is in poor 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 January, 2006. 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 one unoccupied single-family residence.

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 Dwelling 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 unoccupied and in 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 99.300 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 Dwelling 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 (NPA).

3. PROPOSED ZONING

The zoning for the Area should all be "C" "Multiple-Family Dwelling 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) of the City of St. Louis. 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 except for the vacation of the alley in the block.

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 these requirements 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, 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.

d. Fencing

Fencing in the front yards 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 matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall 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 off the alley, and at least one space shall be provided for each residential unit. In addition, 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 ½) feet high on planting and maintained at three and one-half (3 ½) 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 unoccupied. If it should become 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 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 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 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 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 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

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 "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 5025 RAYMOND AVE. AREA
LEGAL DESCRIPTION**

C.B. 5151 RAYMOND AVE.

50 FT. X 127 FT.
RAYMOND PLACE ADDN.
LOT 5
(515100320)

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 05/26/99

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 Redevelopment 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.

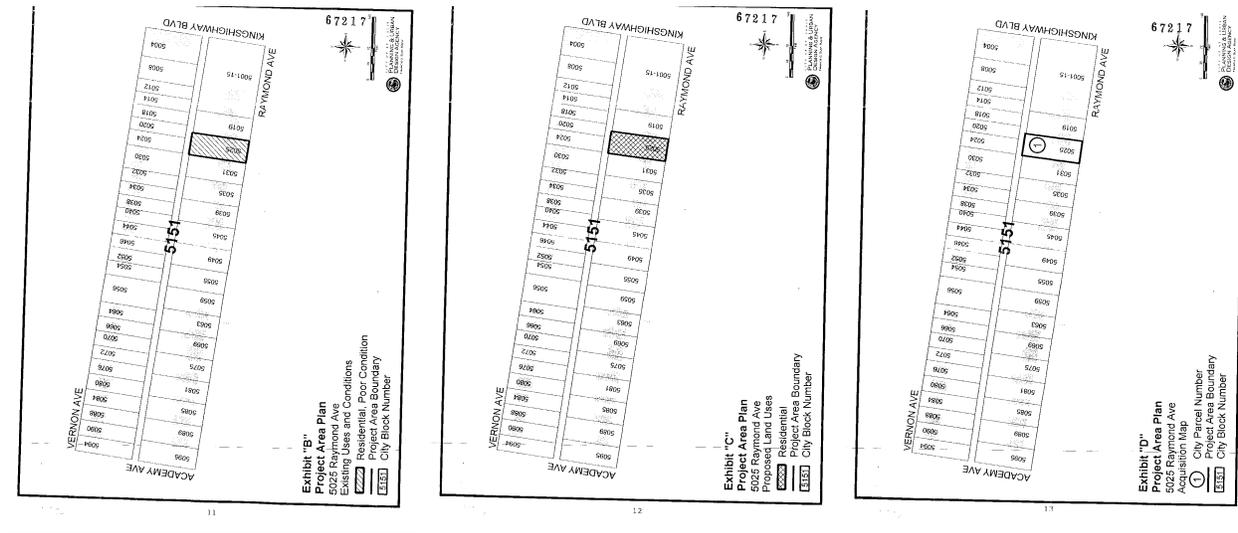
The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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: August 2, 2006

ORDINANCE NO. 67217 - EXHIBITS B, C & D



ORDINANCE #67218
Board Bill No. 119

An ordinance approving a Redevelopment Plan for the 4215-19 & 4236-4306 W. Labadie Avenue & 3001-15 Lambdin Avenue 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 May 23, 2006 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 unoccupied but if it should become occupied 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 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, 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 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 the 4215-19 & 4236-4306 W. Labadie Avenue & 3001-15 Lambdin Avenue Area," dated May 23, 2006 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 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, 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 4215-19 & 4236-4306 W. Labadie Avenue & 3001-15 Lambdin Avenue 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 May 23, 2006 ("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 unoccupied. If it should become 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. 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 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:

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 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 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 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 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 4215-19 & 4236-4306 W. LABADIE AVENUE & 3001-15 LAMBDIN AVENUE REDEVELOPMENT AREA
LEGAL DESCRIPTIONS

1. 4215 W. Labadie Avenue: C. B. 4468 NA LABADIE AVE 25 FT X 165 FT CLAGGETTS ADDN BLOCK 1 LOT 34 **(44681400900)**
2. 4217 W. Labadie Avenue: C. B. 4468 N A LABADIE AVE 25 FT X 165 FT CLAGGETTS ADDN LOT 33 **(44681401000)**
3. 4219 W. Labadie Avenue: C. B. 4468 NA LABADIE 25 FT X 165 FT BEQUETTE TRACT ADDN LOT 32 **(44681401100)**
4. 4236 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 43 **(44680602700)**
5. 4238 W. Labadie Avenue: C. B. 4468 2 S LABADIE 25 FT X 174 FT 5 IN CLAGGETTS ADDN LOT 44 **(44680602600)**
6. 4242 W. Labadie Avenue: C. B. 4468 W 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS 2ND ADDN LOT 45 **(44680602500)**
7. 4244 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN LOT 46 **(44680602400)**
8. 4246 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT CLAGGETTS ADDN LOT 47 **(44680602300)**
9. 4248 W. Labadie Avenue: C. B. 4468 S LABADIE 25 FT X 147 FT 6 IN CLAGGETTS ADDN LOT 48 **(44680602200)**
10. 4250 W. Labadie Avenue: C. B. 4468 S LABADIE 75 FT X 147 FT 5 IN CLAGGETTS 2ND ADDN BLOCK 9 LOTS 49 50 51 **(44680602100)**
11. 4300 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 52 **(44680602000)**
12. 4302 W. Labadie Avenue: C. B. 4468 S 2 LABADIE AVE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 53 **(44680601900)**
13. 4306 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 54 **(44680601800)**
14. 3001 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 D LOT S PTS 35 TO 38 **(44681400800)**
15. 3003 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN LOTS PTS 35 TO 38 W-JONES N CALDWELL E LAMBDIN S 20 FT N LABADIE **(44681400700)**
16. 3005 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PTS 35 TO 38 W-JONES N SALISBURY E LAMBDIN S 40 FT N LABADIE **(44681400600)**
17. 3007 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETT ADDN LOT PT 35 TO 38 BND S 60 FT N NL LABADIE **(44681400500)**
18. 3009 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 80 FT N NL OF LABADIE **(44681400400)**
19. 3011 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 100 FT N LAMBDIN **(44681400300)**
20. 3013 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTES 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 120 FT N OF LABADIE **(44681400200)**
21. 3015 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT N 35 TO 38 **(44681400100)**

EXHIBIT "B"
Form: 4/26/06

BLIGHTING STUDY AND PLAN
FOR
THE 4215-19 & 4236-4306 W. LABADIE AVENUE & 3001-15 LAMBDIN AVENUE AREA
PROJECT #1015
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
MAY 23, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
THE 4215-19 & 4236-4306 W. LABADIE AVENUE & 3001-15 LAMBDIN AVENUE 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	
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	5
D. EXECUTION OF PROJECT	5
1. ADMINISTRATION AND FINANCING	5
2. PROPERTY ACQUISITION	5
3. PROPERTY DISPOSITION	5
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	7
4. ENFORCEMENT	7
H. MODIFICATIONS OF THIS PLAN	8
I. DURATION OF REGULATIONS AND CONTROLS	8

J. EXHIBITS 8

K. SEVERABILITY 8

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 4215-19 & 4236-4306 W. Labadie Avenue & 3001-15 Lambdin Avenue Redevelopment Area ("Area") consists of two single-family dwellings and 19 vacant residential lots totaling approximately 1.71 acres in the Greater Ville Neighborhood of the City of St. Louis ("City"). The property is in the block bounded by Lambdin Avenue on the east, Marnice Place on the west, City Block 3621 on the north and St. Louis Avenue on the south.

The legal description for 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 part of City Blocks 4468.06 & 4468.14 and is in poor 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 an 7.0% unemployment rate for the City as of January, 2006. 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 unoccupied residential buildings in poor condition and vacant residential lots.

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 residential. Residential density for the surrounding neighborhood is approximately 13.33 persons per acre.

5. CURRENT ZONING

The Area is zoned "B" Two-Family Dwelling 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 unoccupied and in poor 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 (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the rehabilitation of this property for residential use.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "B" Two-Family Dwelling by the City of St. Louis Zoning Code. Redevelopers contracting with 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 any use not allowed in the "B" Two-Family Dwelling District. Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The 2005 Strategic Land Use Plan designates it as a Neighborhood Development Area.

3. PROPOSED ZONING

The zoning for the Area can remain "B" Two-Family Dwelling 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 2005 Strategic Land Use Plan of the City of St. Louis. 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 permanent new jobs will be created if the Area is developed in accordance with this Plan.

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.

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

The properties shall be redeveloped so they are attractive, residential structures within the surrounding neighborhood.

b. Urban Design Regulations

New construction in the Area shall conform to plans approved by LCRA.

c. Landscaping

The properties 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, non-scrub trees shall be retained.

d. Fencing

Fencing in the front yards shall be limited to ornamental metal, up to 42" in height, with a black matte finish. Fencing behind the building line may be chain link with a black matte finish, or a good quality, wood privacy fence up to 6' in height provided it is not stockade style. An evergreen hedge is required between a wood privacy fence and the sidewalk when the fence is along a side street.

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 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 unoccupied. If it should become 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 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 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 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 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

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 "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 4215-19 & 4236-4306 W. LABADIE AVENUE & 3001-15 LAMBDIN AVENUE REDEVELOPMENT AREA LEGAL DESCRIPTIONS

1. 4215 W. Labadie Avenue: C. B. 4468 NA LABADIE AVE 25 FT X 165 FT CLAGGETTS ADDN BLOCK 1 LOT 34 **(44681400900)**
2. 4217 W. Labadie Avenue: C. B. 4468 N A LABADIE AVE 25 FT X 165 FT CLAGGETTS ADDN LOT 33 **(44681401000)**
3. 4219 W. Labadie Avenue: C. B. 4468 NA LABADIE 25 FT X 165 FT BEQUETTE TRACT ADDN LOT 32 **(44681401100)**
4. 4236 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 43 **(44680602700)**
5. 4238 W. Labadie Avenue: C. B. 4468 2 S LABADIE 25 FT X 174 FT 5 IN CLAGGETTS ADDN LOT 44 **(44680602600)**
6. 4242 W. Labadie Avenue: C. B. 4468 W 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS 2ND ADDN LOT 45 **(44680602500)**
7. 4244 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN LOT 46 **(44680602400)**
8. 4246 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT CLAGGETTS ADDN LOT 47 **(44680602300)**
9. 4248 W. Labadie Avenue: C. B. 4468 S LABADIE 25 FT X 147 FT 6 IN CLAGGETTS ADDN LOT 48 **(44680602200)**
10. 4250 W. Labadie Avenue: C. B. 4468 S LABADIE 75 FT X 147 FT 5 IN CLAGGETTS 2ND ADDN BLOCK 9 LOTS 49 50 51 **(44680602100)**
11. 4300 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 52 **(44680602000)**

12. 4302 W. Labadie Avenue: C.B. 4468 S 2 LABADIE AVE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 53 **(44680601900)**
13. 4306 W. Labadie Avenue: C. B. 4468 S 2 LABADIE 25 FT X 147 FT 5 IN CLAGGETTS ADDN BLOCK 9 LOT 54 **(44680601800)**
14. 3001 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 D LOT S PTS 35 TO 38 **(44681400800)**
15. 3003 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN LOTS PTS 35 TO 38 W-JONES N CALDWELL E LAMBDIN S 20 FT N LABADIE **(44681400700)**
16. 3005 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PTS 35 TO 38 W-JONES N SALISBURY E LAMBDIN S 40 FT N LABADIE **(44681400600)**
17. 3007 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETT ADDN LOT PT 35 TO 38 BND S 60 FT N NL LABADIE **(44681400500)**
18. 3009 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 80 FT N NL OF LABADIE **(44681400400)**
19. 3011 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 100 FT N LAMBDIN **(44681400300)**
20. 3013 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTES 2ND ADDN BLOCK 1 LOT PT 35 TO 38 BND S 120 FT N OF LABADIE **(44681400200)**
21. 3015 Lambdin Avenue: C. B. 4468 NA LAMBDIN 20 FT X 110 FT CLAGGETTS 2ND ADDN BLOCK 1 LOT N 35 TO 38 **(44681400100)**

See attached Exhibits B, C & D

EXHIBIT E
FORM: 05/26/99

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.

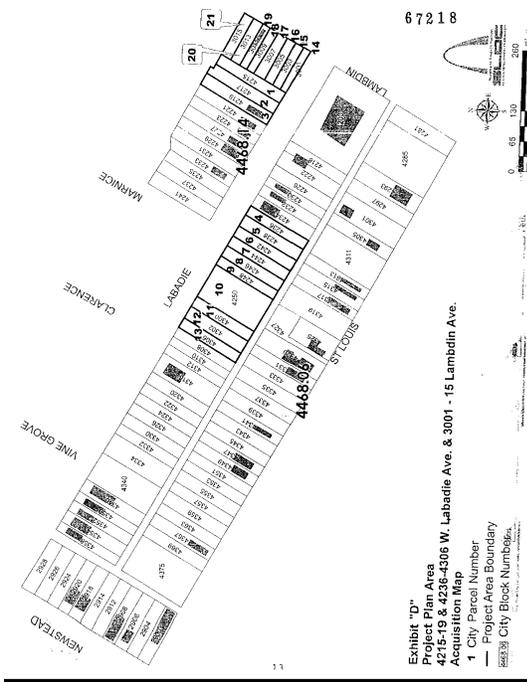
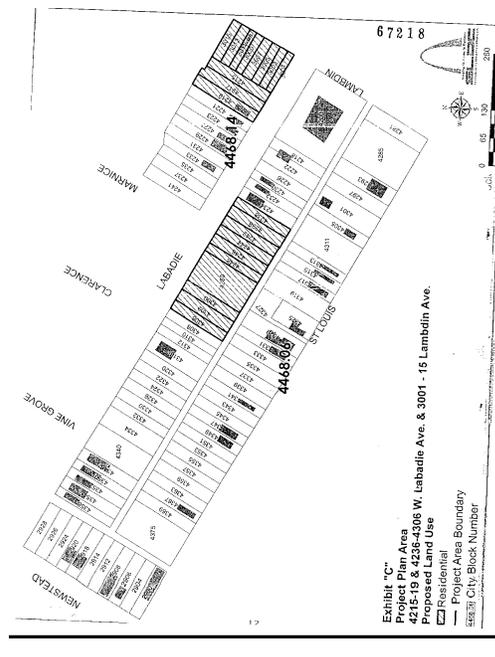
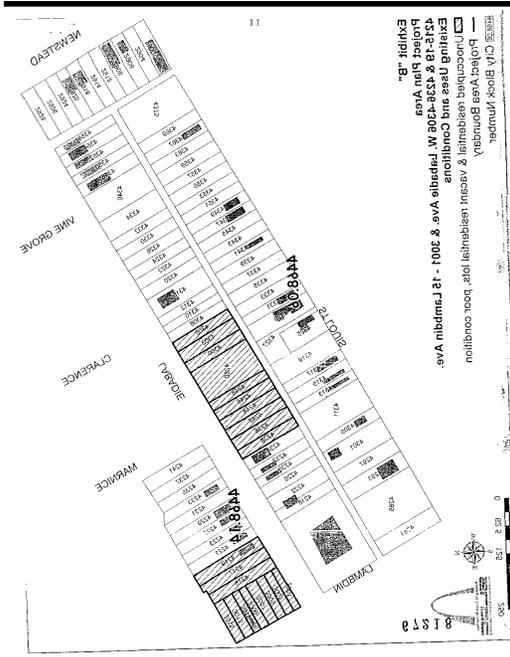
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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.

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: August 2, 2006

ORDINANCE NO. 67218 - EXHIBITS B, C & D



ORDINANCE #67219
Board Bill No. 120

An ordinance approving a Redevelopment Plan for the 5180-90 Cates 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 May 23, 2006 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 or otherwise; finding that the property within the Area is unoccupied, but if it should become occupied 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, 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 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 5180-90 Cates Ave. Area," dated May 23, 2006, consisting of a Title Page, a Table of Contents Page, and thirteen (13) 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 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, 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 5180-90 Cates 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 May 23, 2006 ("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 unoccupied. If it should become 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. 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 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:

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 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 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 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 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 5190 CATES AVE. AREA
LEGAL DESCRIPTION

Parcel 1

5190 CATES AVE.
C. B. 4842 CATES
53 FT X 100 FT
W CABANNE ADDN
LOT N. 20 NW-21
(484200100)

Parcel 2

924 CLARENDON
C. B. 4842 CLARENDON
15 FT 1 IN/41 FT 6 IN X 53 FT/IRREG
MT CABANNE ADDN
LOTS S-20 SW-21
(484200590)

Parcel 3

5186 CATES AVE.
C. B. 4842 CATES
53 FT X 162 FT 10 IN/141 FT 6 IN
MT CABANNE ADDN
LOT E-21 W-22
(484200200)

Parcel 4

5180 CATES AVE.
C. B. 4842 CATES AVE.
53 FT X 170 FT
MT CABANNE ADDN
LOT E 22 W 23
(484200300)

EXHIBIT "B"
Form: 05/30/06

BLIGHTING STUDY AND PLAN
FOR THE
5180-90 CATES AVE. AREA
PROJECT # 1024
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
May 23, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
5180-90 CATES 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	2
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 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 5
 - 10. SIGN REGULATIONS 5
 - 11. BUILDING, CONDITIONAL USE AND SIGN PERMITS 5
 - 12. PUBLIC IMPROVEMENTS 5
- C. PROPOSED SCHEDULE OF DEVELOPMENT 6**
- D. EXECUTION OF PROJECT 6**
 - 1. ADMINISTRATION AND FINANCING 6
 - 2. PROPERTY ACQUISITION 6
 - 3. PROPERTY DISPOSITION 6
 - 4. RELOCATION ASSISTANCE 7
- E. COOPERATION OF THE CITY 7**
- F. TAX ABATEMENT 7**
- 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 5180-90 Cates Ave. Area ("Area") encompasses approximately 0.51 acres in the Academy Neighborhood of the City of St. Louis ("City") and is located at the southeast corner of Cates Ave. and Clarendon Ave.

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 four parcels of City Block 4842. 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 8.3% unemployment rate for the City as of December, 2003. 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 a single-family house and two vacant lots.

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 "F" Neighborhood Commercial District and "C" Multiple-Family Dwelling 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 unoccupied and in fair 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 99.300 *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 Dwelling 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 (NPA).

3. PROPOSED ZONING

The zoning for the Area should all be "C" "Multiple-Family Dwelling" 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 "2005 Strategic Land Use Plan of the City of St. Louis." 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 except for the vacation of the alley in the block.

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 these requirements 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, 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.

d. Fencing

Fencing in the front yards 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 matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall 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.

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 unoccupied. If it becomes 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 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 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 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 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 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

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 "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 5190 CATES AVE. AREA
LEGAL DESCRIPTION**

Parcel 1

5190 CATES AVE.
C. B. 4842 CATES
53 FT X 100 FT
W CABANNE ADDN
LOT N. 20 NW-21
(484200100)

Parcel 2

924 CLARENDON
C. B. 4842 CLARENDON
15 FT 1 IN/41 FT 6 IN X 53 FT/IRREG
MT CABANNE ADDN
LOTS S-20 SW-21
(484200590)

Parcel 3

5186 CATES AVE.
C. B. 4842 CATES
53 FT X 162 FT 10 IN/141 FT 6 IN
MT CABANNE ADDN
LOT E-21 W-22
(484200200)

Parcel 4

5180 CATES AVE.
C. B. 4842 CATES AVE.
53 FT X 170 FT
MT CABANNE ADDN
LOT E 22 W 23
(484200300)

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 05/26/99**

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 Redevelopment 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.

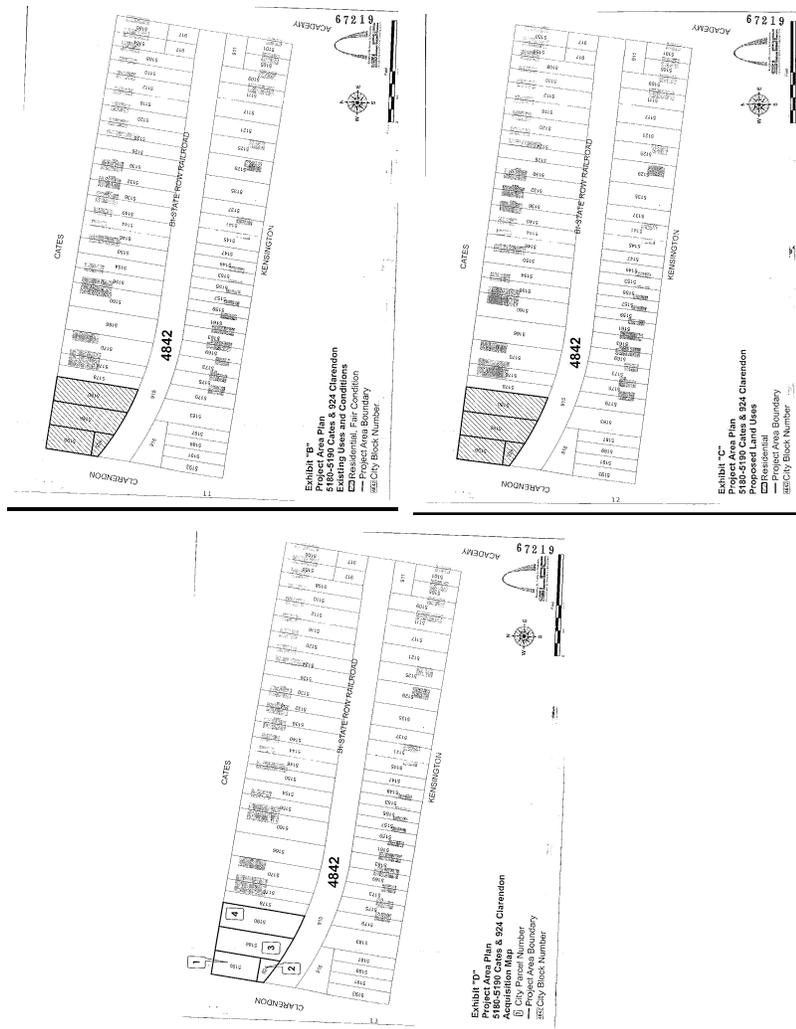
The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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: August 2, 2006

ORDINANCE NO. 67219 - EXHIBITS B, C & D



ORDINANCE #67220
Board Bill No. 129
Committee Substitute

AN ORDINANCE ESTABLISHING AND CREATING A PLANNED UNIT DEVELOPMENT DISTRICT FOR CITY BLOCKS 141, 144, 145, 556.04, 557, 581 & 583.04 TO BE KNOWN AS THE "BOTTLE DISTRICT PLANNED UNIT DEVELOPMENT DISTRICT"; AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, the City of St. Louis, Missouri (the "City"), is a body corporate and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution and laws of the State of Missouri; and

WHEREAS, the zoning ordinance of the City of St. Louis authorizes the establishment and creation of Planned Unit Development Districts ("PUDs"), a special zoning "overlay" tool authorizing the appropriate development of residential or commercial uses, or the combination thereof, in the best interests of the City and to provide for a scale and flexibility of development which could not otherwise be achieved through the existing single-use zoning districts, without detriment to neighboring properties; and

WHEREAS, on June 7, 2006, at the regular June meeting of the Planning Commission of the City of St. Louis, a Sketch Plan submitted as a request for Planned Unit Development District designation by The Ghazi Company, LLC (the "Developer") for property under their control in City Blocks 141, 144, 145, 556.04, 557, 581 & 583.04 and legally described herein and depicted on **Exhibit A** ("Property") was presented as attached hereto as **Exhibit B** (the "Original Sketch Plan"); and

WHEREAS, on July 5, 2006, at the regular July meeting of the Planning Commission of the City of St. Louis, the Sign Criteria attached hereto as **Exhibit C** (the "Sign Criteria") was presented by the Developer; and

WHEREAS, the Property was previously zoned "J" Industrial District; and

WHEREAS, pursuant to Ordinance No. _____ [Board Bill No. 128], the Board of Aldermen rezoned the Property from "J" Industrial District to "I" Central Business District; and

WHEREAS, the Planning Commission has reviewed said Original Sketch Plan and the Sign Criteria and determined compatibility with the City's Strategic Land Use Plan and other applicable zoning and redevelopment regulations established for the proposed Planned Unit Development District; and

WHEREAS, the Planning Commission made all requisite findings as required by 26.80.050 of the Revised Code of the City of St. Louis, approved and adopted said Original Sketch Plan by Resolution No. PDA-104-06-PUD with two conditions, approved and adopted said Sign Criteria by Resolution No. PDA-104-06-APUD, and has provided a copy of said resolutions to the Board of Aldermen; and

WHEREAS, on July 5, 2006, the Housing, Urban Development and Zoning Committee of the Board of Aldermen held a public hearing regarding the PUD request and received comments from all interested persons in accordance with 26.92.040 of the Revised Code of the City of St. Louis; and

WHEREAS, as part of said public hearing, the Developer did request a modification to the Original Sketch Plan to allow for the construction of buildings not to exceed Seven Hundred (700) feet in height above grade (the Original Sketch Plan as so modified, the "Final Sketch Plan").

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 does hereby find and determine that: (i) the Bottle District Planned Unit Development District, as submitted by the Developer, with the consent of BDP, L.L.C., and recommended by the City of St. Louis Planning Commission encourages appropriate development; (ii) the Bottle District Original Sketch Plan and Sign Criteria approved by the Planning Commission and the Final Sketch Plan are in the best interest of the City of St. Louis; (iii) the Bottle District Original Sketch Plan and Sign Criteria recommended by the Planning Commission and Final Sketch Plan accomplishes the purposes set forth in 26.80.050.A of the Revised Code of the City of St. Louis; and (iv) the Bottle District Original Sketch Plan and Sign Criteria recommended by the Planning Commission and Final Sketch Plan meet the conditions set forth in 26.80.050.E of the Revised Code of the City of St. Louis.

SECTION TWO. Requirements Regarding Development Plan. The Sketch Plan is the first step in the approval of a project seeking to be developed within and in accordance with the rules pertaining to a Planned Unit Development District. At a later time, the Developer submits for review by the Planning Commission a Development Plan for a portion of, or all, of the area included in the Planned Unit Development District. This Development Plan is compared for conformity with the approved Sketch Plan by the Planning Commission. The Planning Commission in making its recommendation to the Developer and the Board of Aldermen regarding the Original Sketch Plan, included two conditions within the recommendation as follows: (1) the Zoning Administrator shall approve signs and issue sign permits in accordance with specific sign criteria to be approved by the Planning Commission; and (2) the height of structures within the PUD shall not exceed Seven Hundred Fifty (750) feet above mean sea level. The Planning

Commission approved the specific sign criteria for the Bottle District PUD on July 5, 2006 by Resolution PDA-104-06-APUD (as defined hereinabove, the "Sign Criteria"), a copy of which is attached hereto as **Exhibit C** and on file with the Zoning Administrator. The terms and provisions of the Sign Criteria are incorporated herein by reference and made a part of this Ordinance as if fully set forth herein.

In addressing the requirements set forth in Section 26.80.050.H of the Revised Code of the City of St. Louis pertaining to Development Plan Standards, the submittal of the Development Plan for the Bottle District Planned Unit Development District shall be governed by the open space depicted on the Bottle District Sketch Plan (attached hereto as **Exhibit B**). The 20% minimum open space requirement set forth in Section 26.80.050.H.5 of the Revised Code of the City of St. Louis is hereby waived (the "Open Space Waiver").

SECTION THREE. Establishment and Creation of Bottle District Planned Unit Development District. The Bottle District Planned Unit Development District, as proposed in the Final Sketch Plan, is hereby approved and adopted with the Sign Criteria, the Open Space Waiver and the following two conditions: (1) the Zoning Administrator shall approve signs and issue sign permits in accordance with the Sign Criteria; and (2) the height of structures within the PUD shall not exceed Seven Hundred (700) feet above grade. There is hereby created a Planned Unit Development District, containing approximately fifteen acres, to be known as the Bottle District Planned Unit Development District for the real property described below:

A tract of land situated in the City of St. Louis, and the State of Missouri, being all of City Blocks 145 and 557; and part of City Blocks 141, 144, 556W, 581, 583W; and part of Carr Street, 50 feet wide; part of Biddle Street, 50 feet wide; part of O'Fallon Street, 60 feet wide, and part of Sixth Street, 60 feet wide; and being more particularly described as follows: BEGINNING at the intersection of the North right-of-way of Carr Street, 60 feet wide at this intersection, and the East right-of-way line of Seventh Street, 60 feet wide, said intersection being the Southwest corner of City Block 145; thence along the Western line of said City Block 145, North 14 Degrees 46 Minutes 50 Seconds East, a distance of 359.50 feet to the Northwest corner of said City Block 145; thence across Biddle Street, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 50.00 feet to the Southwest corner of City Block 557; thence along the Western line of said City Block 557, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 381.16 feet to the Northwest corner of said City Block 557; thence across O'Fallon Street, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 60.00 feet to the Southwest corner of City Block 581; thence along the Western line of said City Block 581 and the Western line of City Block 583W, North 14 Degrees 44 Minutes 18 Seconds East, a distance of 600.20 feet to the intersection of said Western line of City Block 583W and the Western right-of-way line of the Mark Twain Expressway, a.k.a. Interstate Route 70; thence along said Western right-of-way line as follows: South 30 Degrees 40 Minutes 58 Seconds East, a distance of 181.42 feet; South 14 Degrees 40 Minutes 40 Seconds West, a distance of 51.54 feet; South 75 Degrees 15 Minutes 42 Seconds East, a distance of 76.84 feet; South 46 Degrees 02 Minutes 06 Seconds East, a distance of 20.00 feet; South 12 Degrees 05 Minutes 06 Seconds West, a distance of 55.00 feet; thence South 75 Degrees 16 Minutes 38 Seconds East, a distance of 25.09 feet; South 18 Degrees 12 Minutes 23 Seconds East, a distance of 37.76 feet; South 14 Degrees 40 Minutes 43 Seconds West, a distance of 323.74 feet to the Southeast corner of said City Block 581 and the North line of said O'Fallon Street; thence along said North line, South 75 degrees 16 minutes 38 seconds East, a distance of 129.94 feet; across said O'Fallon Street South 05 Degrees 17 Minutes 20 Seconds East, a distance of 64.60 feet; South 09 Degrees 40 Minutes 23 Seconds West, a distance of 126.61 feet; South 75 Degrees 26 Minutes 38 Seconds East, a distance of 20.07 feet; thence North 09 Degrees 40 Minutes 23 Seconds East, a distance of 31.37 feet; South 05 Degrees 17 Minutes 20 Seconds East, a distance of 304.01 feet; across Biddle Street, South 01 Degrees 35 Minutes 12 Seconds East, a distance of 58.96 feet; South 05 Degrees 14 Minutes 44 Seconds East, a distance of 59.60 feet; 52.42 feet along the arc of a curve to the right, with a radius of 150.00 feet, through a central angle of 20 degrees 01 minutes 21 seconds, with a chord that bears South 04 Degrees 45 Minutes 56 Seconds West, a distance of 52.15 feet to the Western right-of-way line of Broadway, width varies, said Western right-of-way line also being the Eastern line of City Block 144; thence along said Eastern line, South 14 Degrees 46 Minutes 37 Seconds West, a distance of 233.59 feet; thence across Carr Street, South 13 Degrees 49 Minutes 37 Seconds West, a distance of 62.00 feet to the Northeast corner of City Block 141; thence along the Eastern line of said City Block 141, South 14 Degrees 57 Minutes 28 Seconds West, a distance of 165.84 feet; thence 117.50 feet along the arc of a curve to the right, with a radius of 75.00 feet, through a central angle of 89 degrees 45 minutes 59 seconds, with a chord that bears South 59 Degrees 50 Minutes 28 Seconds West, a distance of 105.85 feet to the Southern line of said City Block 141; thence along said South line of City Block 141, North 75 Degrees 16 Minutes 33 Seconds West, a distance of 180.09 feet; thence 23.52 feet along the arc of a curve to the right, with a radius of 15.00 feet, through a central angle of 89 degrees 51 minutes 24 seconds, with a chord that bears North 30 Degrees 20 Minutes 50 Seconds West, a distance of 21.19 feet to the Western line of said City Block 141; thence along said Western line of City Block 141 North 14 Degrees 34 Minutes 52 Seconds East, a distance of 225.59 feet to the Northwest corner of said City Block 141; thence across Carr Street, North 14 Degrees 46 Minutes 37 Seconds East, a distance of 50.00 feet to the Southwest corner of said City Block 144; thence across Sixth Street, North 75 Degrees 16 Minutes 22 Seconds West, a distance of 60.00 feet to the Southeast corner of said City Block 145; thence along the Southern line of said City Block 145, North 75 Degrees 16 Minutes 22 Seconds West, a distance of 270.33 feet to the point of beginning, Containing 15.00 Acres.

SECTION FOUR. Severability Clause. 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
Depiction of Property**

**EXHIBIT B
Bottle District Original Sketch Plan**

**EXHIBIT C
Bottle District Sign Criteria ("Criteria")**

SECTION ONE. Definitions. For purposes of these Criteria only, the following terms shall have the following definitions and associated requirements:

1. **Bottle District:** The Bottle District Planned Unit Development District.
2. **Construction Sign:** For purposes of these Criteria only, a Construction Sign is a Sign, visible from the public right-of-way, that advertises or identifies only the following: investors, financiers, lenders, construction, remodeling, rebuilding, development, sale, lease or rental of facilities (the "Permitted Construction Activities") located or to be located in the Bottle District. Construction Signs may only advertise or identify the Permitted Construction Activities related to any part of a particular phase of the development for a time period of twenty-four months following the issuance of a building permit for any part of such phase of the development. For purposes of these Criteria only, "building permit" shall not include a permit limited to grading and site preparation operations. A Construction Sign may also be a Sign that advertises or identifies investors and contractors involved in the construction, remodeling or development of facilities in the Bottle District. A Construction Sign may also include political, social, public service or other noncommercial messages.
3. **Graphic:** A device comprised of any words, symbols, numerals, shapes or forms and any combination thereof, designed to convey identity, meaning or express feeling.
4. **On-Premises Sign:** For purposes of these Criteria only, an On-Premises Sign shall be defined as follows: A Sign approved by the Planning Commission of the City of St. Louis as part of a Program for Graphics, which Sign is used for identification purposes, which directs attention to a business or profession conducted within the Bottle District which may also refer to goods or services produced, offered for sale or obtained at such premises, and which may also include political, social, public service or other noncommercial messages.
5. **Program for Graphics:** A creative incentive and plan for a unified visual statement that integrates the design of graphics with the design of the building on which they will be displayed or with the surrounding area.
6. **Sign.** Any graphic, including its supporting structure, frame, electrical and all other accessory components, which is located outside of an enclosed building or any graphic displayed on or within three (3) feet of the interior of a window which is visible from the exterior.

SECTION TWO. Requirements for Program for Graphics.

1. **Submission Requirements:** The owners of property in the Bottle District may submit a Program for Graphics to the Planning Commission of the City of St. Louis that complies with the requirements of these Criteria. Such proposed Program for Graphics shall contain a visual representation of the illumination, size, height, placement, and location of the graphics proposed for display but need not include references to the content, proposed tenants or users of any sign. Such proposed Program for Graphics may be submitted with a development plan package to the Planning Commission of the City of St. Louis pursuant to the Bottle District Planned Unit Development District Ordinance or may be submitted in building phases, provided that each such submission shall include all signage elements for the phase of buildings and site improvements proposed for construction in such Phase.
2. **Standards for Approval:** The Planning Commission of the City of St. Louis shall approve a Program for Graphics for all or any phase of the Bottle District if the Planning Commission finds that the graphics visually represented in the Program for Graphics are:
 - a. consistent with the purposes and requirements of these Criteria; and
 - b. compatible with the theme, visual quality, and overall character of Bottle District Planned Unit Development; and
 - c. appropriately related in size, shape, materials, illumination, and character to the function and architectural character of the building or premises on which they will be displayed, and do not create a nuisance for any existing adjacent residential, highway or hotel activities.

If the Program for Graphics is approved in phases, the Planning Commission shall also take into account the partial Program for Graphics for any previously approved phase in approving any subsequent phase.

SECTION THREE. Requirements for Display of Graphics: No graphics shall be displayed within the Bottle District unless such graphics are On-Premises Signs as defined herein and Construction Signs as defined herein, which On-Premises Signs and Construction Signs comply with a Program for Graphics approved by the Planning Commission of the City of St. Louis pursuant to these Criteria. The requirements contained in the Criteria shall supercede and replace the regulations for signs in the City's Zoning Code.

SECTION FOUR. Permitted Sign Types

1. **Areas, Heights and Location:** All Signs within the boundaries of the Bottle District shall conform to these Sign Criteria and to the existing Chapter 26.68, Comprehensive Sign Control Regulations, of the Revised Code of the City of St. Louis (hereinafter "Sign Ordinance"), except that the additional On-Premises Sign types and locations listed in Section 4.2 herein shall be also be expressly permitted in the District and there shall be no maximum height or area for signs except that no Sign shall be higher than 700 feet above grade, provided that such Signs are included in a Program for Graphics approved by the Planning Commission of the City of St. Louis subsequent to the Planning Commission's adoption of these Criteria and meet the requirements of these Criteria. All Signs must be designed and installed in accordance with all applicable codes and ordinances, other than the Sign Ordinance and Zoning Code. Allowable Sign types include any and all detached, attached, projecting and/or roof On-Premises Signs and Construction Signs. On-Premises Signs and Construction Signs may extend up to 100 feet above and/or beyond the roof or parapet but in no event shall exceed 700 feet above grade;

2. **Allowable Signs:** Allowable Sign types include all On-Premises Signs permitted in the I Central Business District zoning district. In addition, the following types of On-Premises Signs shall also be permitted in the Bottle District Planned Unit Development if such On-Premises Signs are included in a Program for Graphics approved by the Planning Commission of the City of St. Louis:

- Computer programmable L.E.D. systems with full-color, full-matrix display,
 - Full color outdoor video display,
 - Blade projecting Signs,
 - Decorative Signs and banners,
 - Fabricated letters, symbols and/or logos,
 - Message centers including scrolling ticker tape type moving and/or flashing messages,
 - Signs with movable parts,
 - Marquee Signs,
 - Movie posters, Signs and/or banners,
 - Changeable copy Signs,
 - Movie type projected images from either direct projection or rear screen projection,
 - Digitally printed vinyl wall Signs wrapped around a supporting structure,
 - Three dimensional "figurative" Signs,
 - Exposed neon, and
 - Murals/artwork.
- a. Wall Signs may cover up to 100% of any wall;
 - b. No additional area limitation shall apply to wall Signs and there is no additional maximum area per wall or tenant;
 - c. Wall Signs may be located on any exterior building wall and/or any interior atrium/gallery wall;
 - d. Wall Signs may extend up to 100 feet above and/or beyond the parapet or roofline of the building (provided that in no event shall Signs exceed 700 feet above grade);
 - e. Signs may cover all or part of an individual window or all windows;
 - f. Signs may extend from the building face;
 - g. There shall be no limit on the maximum Sign area of individual projecting Signs;
 - h. A projecting Sign, wall Sign, or combination of both may be located on any building wall;
 - i. Up to eight monolithic style monument Signs of up to 50 feet in height may be placed within the required setbacks, provided that such Signs shall not block the sidewalk;
 - j. All Signs may be internally or externally lit by any means and at any times;
 - k. All Signs may be temporary or permanent;

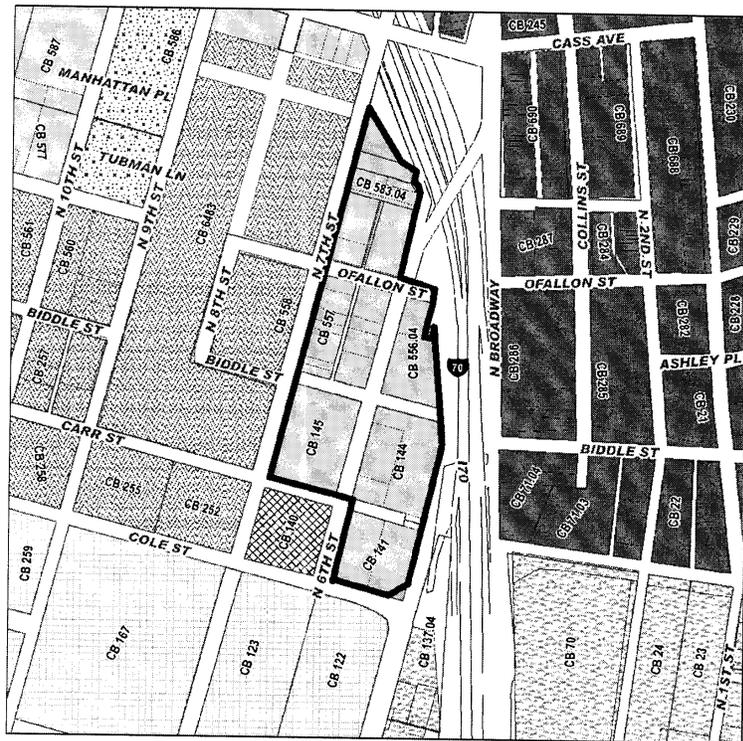
- l. Signs may be in a fixed location or movable;
- m. Artwork, such as but not limited to murals, may be temporarily or permanently painted onto the building façade(s) or digitally printed on an acrylic or vinyl type material and applied directly onto the building façade(s);
- n. Signage shall be allowed for identification of buildings and facilities within buildings;
- o. Any Sign upon which the copy relates to upcoming or pending tenant sales events or building space leasing matters is subject to the standard Sign provisions outlined in the Sign Ordinance rather than these "Optional" provisions;
- p. Although building or site lighting is not considered Signs under the Sign Ordinance, these Criteria recognize that lighting will be a key design element for the project. Any type of lighting, such as but not limited to accent lighting, Tivoli type lighting, neon lights, flashing and/or scrolling lights, colored lights, attached lighting, major or minor projecting lighting, light beams of any color and lamp post lighting may be utilized on the Site, provided, however, that all such lighting shall conform to the provisions of Sections Five and Six of these Criteria, shall conform to all applicable City codes other than the Sign Code and the Zoning Code and shall not be allowed if the Traffic Division of the City of St. Louis makes a determination that any such lighting color, location, or design resembles or conflicts with traffic control devices. Any lighting on the site shall not be calculated as a part of the maximum allowable wall Sign above. In addition, year-round decorative lighting may be attached to trees on the site and/or within abutting rights-of-ways subject to any necessary approval from the appropriate governmental entity.

SECTION FIVE. Signs Requiring Approval of the Missouri Department of Transportation. Notwithstanding any of the foregoing, any Sign regulated by the Missouri Department of Transportation shall require a permit or approval from such Department, in addition to a permit issued by the Building Division of the City of St. Louis. The Building Division shall not issue any permits for any Sign so regulated unless and until such Department has issued a permit or approval for such Sign.

SECTION SIX. Signs Requiring Encroachment Permits. Notwithstanding any of the foregoing, any Sign that encroaches into the public right-of-way shall require an encroachment permit issued by the City of St. Louis Board of Public Service in accordance with procedures and requirements promulgated by such Board of Public Service, in addition to a Sign permit issued by the Building Division of the City of St. Louis. The Building Division shall not issue any permits for any Sign so regulated unless and until such Board has approved an encroachment permit or approval for such Sign.

SECTION SEVEN. Amendments to Signs and Programs for Graphics and Associated Signs. The property owner or its authorized representative shall submit a written request to amend a Program for Graphics previously approved by the Planning Commission ("Amendment") to the Zoning Administrator. The Zoning Administrator shall then evaluate the proposed Amendment for consistency with the nature of the originally approved Program for Graphics. If the Zoning Administrator determines that the proposed Amendment is consistent with the originally approved Program for Graphics, the Zoning Administrator shall approve said Amendment. If the Zoning Administrator determines that the proposed Amendment is not consistent with the originally approved Program for Graphics, the Zoning Administrator shall submit the proposed Amendment to the Planning Commission for its review in accordance with Section 2.2 of the Criteria. For purposes of this Section, any proposed Amendment which does not deviate by more than 15% in size from the originally approved sign included in the Program for Graphics and does not substantially change the shape of the originally approved sign in the Program for Graphics shall be deemed to be consistent with the originally approved Program for Graphics.

EXHIBIT A



Current Zone

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

-  PUD Area
-  The Bottle District PUD
-  PDA-104-06-PUD



SKETCH PLAN
BOTTLE DISTRICT

PETITION FOR PLANNED UNIT DEVELOPMENT DISTRICT

May 17, 2006

MAPS FOR SKETCH PLAN
(Submitted in Conjunction with Petition for Planned Unit Development District)

Bottle District

Use Summary for Sketch Plan

Block A		Block F	
Retail and Entertainment	162,000	Retail and Entertainment	50,000
Office	52,000	Office	200,000
		Residential	500
		Parking	1,000
Block B		Block G	
Retail and Entertainment	90,000	Retail and Entertainment	80,000
Residential	200	Residential	190
Parking	750	Parking	1,200
Block C		Block H	
Retail and Entertainment	50,000	Retail and Entertainment	50,000
Office	200,000	Office	200,000
Residential	300	Residential	500
Parking	500	Parking	1,000
Block D		Block J	
Retail and Entertainment	166,000	Residential	300
Residential	300	Parking	450
Parking	750		
Block E		Block K	
Retail and Entertainment	60,000	Retail and Entertainment	190,000
Residential	180	Office	400,000
Parking	1,300	Parking	700

Key	
Retail and Entertainment	square feet
Office	square feet
Residential (condo and apt)	units
Parking	spaces

Totals	
Retail and Entertainment	898,000
Office	1,052,000
Residential	2,470
Parking	7,650

WRITTEN STATEMENT FOR SKETCH PLAN
(Submitted in Conjunction with Petition for Planned Unit Development District)

May 16, 2006

The Ghazi Company
The Bottle District, St. Louis, Missouri

(a) **Character of Proposed Planned Unit Development District (“PUD”)**

The character of the proposed PUD is a mixed use residential, entertainment, office and commercial retail project consistent with the Redevelopment Plan for the Bottle District Redevelopment Area adopted by the City of St. Louis’s Board of Aldermen (Ordinance #66560) and implemented by the Redevelopment Agreement, dated as of May 3, 2005, by and between the City of St. Louis and BDP, L.L.C. The proposed PUD is also consistent with the General Plan of the City of St. Louis including the “Comprehensive City Plan” (1947), the “St. Louis Development Program” (1973) and the “St. Louis Downtown Development Action Plan” (1998). The project will involve the demolition of a majority of the existing structures (many of which have already been demolished) and the construction of new mixed-use buildings with entertainment, retail, office, structured parking and residential units. The proposed PUD also provides for the rehabilitation and adaptive re-use of the existing McGuire Warehouse structure for loft-style apartments, ground floor retail and office space.

The conceptual maps submitted along with this written statement to form the Sketch Plan of the Petition for PUD illustrates the overall character and composition of the project. As shown, there are as many as nineteen individual or connected structures on ten block-areas planned for the project including office and residential towers that may reach heights of up to 750 feet above mean sea level. There are various parking improvements planned for visitors and residents of The Bottle District including at least one stand-alone parking structure and several integrated parking/mixed use structures. Some of these parking structures will exist below grade.

The proposed project currently contemplates a capacity of as many as 2,500 units of owner-occupied residential condominium units and rental apartments, 900,000 square feet of commercial retail typical to an upscale, urban setting (including hotels and entertainment venues discussed below), and large and medium scale offices (primarily day use), and over 1 million square feet of office use. The entertainment uses will likely include large scale, national restaurants, streetside cafés and sandwich shops, an indoor concert venue, an indoor Formula-1 racing track, a bowling alley, a first-run cinema house, night clubs and bars. Further, in conjunction with the urban-entertainment environment planned for the proposed PUD, the project also

contemplates the closure of internal, private rights-of-way in order to accommodate open-air concerts, parties and other public and private events. Other contemplated uses are outdoor kiosks, ATM machines and other ancillary activities generally associated with urban, entertainment districts.

Finally, the proposed project anticipates the creation within its borders of a "New York Times Square" signage system substantially in the manner described and depicted in the attached signage plan for The Bottle District prepared by DMR Architecture. While the proposed PUD will not authorize any specific signage, the developer requests that the PUD ordinance establish the standards and criteria by which all signage within the proposed project will be evaluated for permitting substantially in accordance with the proposed criteria set forth in the attached signage plan.

(b) **Proposed Financing Structure**

1. **Developer:** The Ghazi Company, LLC; Afshin Ghazi, sole member.
2. **Financing Sources**

▪ TIF/CID/TDD	\$51,500,000
▪ Owner Equity	\$15,000,000
▪ Construction Loan	\$581,119,846
Total	\$647,619,846
3. **Sales Prices and Rental Rates**

▪ Estimated Median Residential Sale Price	\$200,000 - \$550,000
▪ Estimated Office Rental	\$20.00/sq. ft
▪ Estimated Retail Rental	\$24.50/sq. ft
▪ Estimated Entertainment Rental	\$24.50/sq. ft

- (c) **Ownership/Petitioner:** BDP, L.L.C. is the current owner of all the land within the proposed PUD. Petitioner is the contract purchaser for the land.

(d) **Anticipated Schedule**

- | | |
|---|-----------|
| 1. Construction Commences | Fall 2006 |
| 2. Phase I complete | Fall 2008 |
| ▪ All infrastructure, 330,000 square feet of retail, restaurants, entertainment and office, 250 apartments, hotel and restoration of McGuire Building | |
| 3. Phase II complete | Fall 2010 |
| ▪ First condominium tower | |
| 4. Final Completion | Fall 2016 |
| ▪ Completion of all remaining towers | |

ORDINANCE #67221
Board Bill No. 131

AN ORDINANCE APPROVING THE PETITION OF 1209 WASHINGTON, LLC AS OWNER OF CERTAIN REAL PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE 1201 WASHINGTON COMMUNITY IMPROVEMENT DISTRICT, FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE 1201 WASHINGTON COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a petition (the “Petition”) signed by an authorized representative of the owner of all property located within the 1201 Washington Community Improvement District has been filed with the City, requesting formation and establishment of the 1201 Washington Community Improvement District; and

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

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act was held at _____ on _____, by 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 of the 1201 Washington Community Improvement District, as well as the City as a whole, will benefit from the establishment of the 1201 Washington Community Improvement District.

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

Section One.

(a) A community improvement district, to be known as the “1201 Washington Community Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant to the CID Act on that real property identified at the time of adoption of this ordinance by Parcel Identification Number 05190000300 and 05190000400 to provide services, construct improvements, impose taxes and carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

(b) The District boundaries are set forth in the map included in the Petition in Appendix A and are legally described as follows:

A parcel of ground located in City Block 519 of the City of St. Louis, Missouri, described as follows:

Beginning at the Northeast corner of City Block 519; thence Westwardly along the Southern line of Lucas Avenue 212.13 to a point; thence continuing Southwardly 137.41 feet having an angle to the right of 90 degrees (90°) to a point on the Northern line of Washington Avenue, 80 feet wide; thence continuing along the Northern line of Washington Avenue, 212.13 feet having an angle to the right of Ninety degrees (90°) to a point; thence continuing along the Western edge of Tucker Avenue 137.41 feet having an angle to the right of Ninety degrees (90°) to the point of beginning. Said property contains 29,148 square feet or 0.669 acres.

Section Two.

(a) The District is authorized by the CID Act to use any one or more of the assessments or other funding mechanisms specifically authorized by the CID Act to provide funds to accomplish any power, duty or purpose of the District; provided, however, the District shall not have the authority to impose any assessment on any real property located in a special business district authorized pursuant to Mo. Rev. Stat. §71.790 et seq. or on any business or individual doing business in such special business district until the taxes imposed by such special business district have been repealed by such special business district.

(b) The District is authorized by the Petition, in accordance with the CID Act to impose a sales and use tax at a rate not to exceed one percent (1%) on retail sales within the District to provide funds to accomplish any power, duty or purpose of the District.

(c) The District is authorized by the CID 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.

(d) The District is authorized by the CID Act to assess and collect an annual special assessment on all property within the District. It is anticipated that the District will establish two (2) classes of real property within the District for purposes of special assessments, which classes will be distinguished on the basis of the use of each parcel of property as residential or commercial classification by the Assessor of the City of St. Louis (the “Assessor”). The residential class shall consist of all residential

condominium units within the District (the "Residential Class"). Special assessments applicable to the Residential Class shall not exceed \$2.50 per each \$100 of the Original Sale Price paid by the initial purchaser of a residential unit (the "Original Sale Price") for each residential unit of real property within the District (each, a "Unit"), beginning for each respective Unit on the date, as determined by the Assessor, of the commencement of tax abatement for such Unit (for each Unit, the "Initial Assessment Date"). For any Units which remain unsold on the Initial Assessment Date, the special assessment shall be determined using the average sale price for comparably sized and equipped units as of the Initial Assessment Date.

The Commercial Class shall consist of all property located in the District used primarily for commercial purposes (the "Commercial Class"). Special assessments applicable to the Commercial Class will be calculated on the basis of square footage. The maximum rate shall be \$4.00 per square foot.

- (e) The District shall have no power to levy any real property tax upon real property within its boundaries.

Section Three.

The District is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes. 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 twenty (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 part, obligations previously issued by the District.

Section Four.

(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known as the 1201 Washington Community Improvement District.

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the 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 sixty (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 District shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

Section Five. The District is authorized to use the funds of the District for any of the improvements, services or other activities authorized under the CID Act.

Section Six. Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act, provided that, as stated in the Petition, the District shall not have the power to acquire any real property within the District by condemnation.

Section Seven. The City of St. Louis hereby finds that the uses of the District proceeds as provided for in the Petition hereto will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the District. **Section Eight.** The District is located in the Washington Avenue Loft Area, which was declared "blighted" under Chapter 99 RSMo. in Ordinance No. 62395 of the City of St. Louis Board of Aldermen.

Section Nine. Within one hundred twenty (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, pursuant to Section 67.1471 of the CID Act.

Section Ten. The term for the existence of the District shall begin on the date this ordinance becomes effective and shall continue for the term set forth in the Petition, as may be amended from time to time.

Section Eleven. Pursuant to the CID 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 burden of providing the services to the District unless the services at the same time are decreased throughout the City, 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 shall report in writing the creation of the 1201 Washington 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 individual directors (collectively the "Directors" and each a "Director"), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID 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) Andrew J. Hillin (four years), as legally authorized representative of 1209 Washington, LLC, an owner of property within the District;
- (2) John Monshausen (four years), as legally authorized representative of Jacob Development Group, LLC, a business operating within the District;
- (3) Penny Carlyon (two years), as legally authorized representative of JDG Development Company, LLC, a business operating within the District;
- (4) Don Monshausen (two years), as legally authorized representative of Jacob Management Company, LLC, a business operating within the District; and
- (5) Emily Murnin (two years), as legally authorized representative of Jacob Realty, LLC, a business operating within the District.

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.

APPENDIX A

1201 Washington Community Improvement District Petition

ON FILE WITH THE CITY OF ST. LOUIS REGISTER'S OFFICE

Approved: August 2, 2006

ORDINANCE #67222 Board Bill No. 132

AN ORDINANCE APPROVING THE PETITION TO AMEND THE PETITION TO ESTABLISH THE SOUTH GRAND COMMUNITY IMPROVEMENT DISTRICT, ADD REAL PROPERTY TO THE DISTRICT, AND AUTHORIZE SPECIAL ASSESSMENTS, FINDING A PUBLIC PURPOSE AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. § 67.1400 et seq. (the "Act") authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, petitions signed by the owners of over fifty percent of the assessed value of real property and more than fifty percent per capital of all owners of real property within the South Grand Area, hereinafter described, have been filed with the City, requesting formation of a Community Improvement District; 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, such public hearing, duly noticed, was held at 9:00 AM on July 13, 2006, by 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, residents, and persons engaging in business or visiting the South Grand Area, and the public in general will benefit by the establishment of said Community Improvement District.

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

SECTION ONE:

- a) A Community Improvement District, to be known as the "South Grand Community Improvement District"

(hereinafter referred to as the "District"), is hereby established and extended to receive services, benefits, and assessments as set forth in Appendix A, which is attached hereto and incorporated herein by reference.

b) The District boundaries are set forth on the map in Appendix A and are described as follows:

Commencing at the southwest corner of Grand Boulevard and Arsenal Street (CITY BLOCK 2102) thence westwardly one hundred one (101) feet, thence southwardly on hundred thirty-five (135) feet to the southwest corner of Parcel 2501, thence southwardly crossing an alley approximately 15 feet in width, thence westwardly sixty (60) feet, thence southwardly 144 feet to the northern curblines of Hartford Street (encompassing the westernmost boundary lines of Parcels 2501, 2601, 2700, 2800, 2900 and 3000 of City Block 2102);

Thence southwardly approximately sixty (60) feet to the southern curblines of Hartford Street (CITY BLOCK 2101) thence westwardly nine (9) feet ten (10) inches to the western boundary of an alley, thence southwardly one hundred twenty (120) feet to the northern line of an alley, thence southwardly approximately fifteen (15) to the southern boundary of alley, thence eastwardly sixty-one (61) feet six (6) inches to a point thence southwardly one hundred twenty-five (125) feet to the northern curblines of Juniata Street (includes Parcels 2606-07, 2706-07, 2800, 2900, and 3006-07 of City Block 2101);

Thence southwardly approximately sixty (60) feet to the southern curblines of Juniata Street (CITY BLOCK 2100) thence westwardly approximately fifty (50) feet to the westernmost line of an alley thence southwardly two hundred sixty-nine (269) feet six (6) inches to the northern curblines of Connecticut (includes Parcels 2506-07, 2606-07, 2700, 2806-07, 3006-07, 3106-07 of City Block 2100);

Thence southwardly approximately 60 feet to the southern curblines of Connecticut (CITY BLOCK 2099); thence eastwardly approximately one hundred (100) feet to a point, thence southwardly one hundred eleven (111) feet to a point, thence westwardly approximately 100 feet to the easternmost line of an alley, thence southwardly one hundred (100) feet to a point, thence eastwardly sixty-five (65) feet to a point thence southwardly sixty (60) feet to the northern curblines of Wyoming Street thence westwardly approximately twenty (20) feet to a point (includes Parcels 2800, 2906-07 and a portion of Parcel 2706-07 of City Block 2099);

Thence southwardly approximately sixty (60) feet to the southern curblines of Wyoming Street (CITY BLOCK 2098); thence eastwardly approximately seventy (70) feet to the north-westernmost corner of Parcel 2806-07 of City Block 2098, thence southwardly one hundred twenty-eight (128) feet to an alley approximately fifteen (15) feet wide, thence eastwardly twenty-one (21) feet ten (10) inches, thence southwardly one hundred twenty-eight (128) feet to the northern curblines of Humphrey Street (includes Parcels 2806-07, 2861-71, 2900 and 3006-07 of City Block 2098);

Thence southwardly approximately sixty (60) feet to the southern curblines of Humphrey Street (CITY BLOCK 2097), thence westwardly twelve (12) feet four and one-half (4-1/2) inches to the westernmost boundary of Parcel 2900 thence southwardly one hundred twenty-five (125) feet to the northern line of an alley, thence approximately fifteen (15) feet to the southern line of the alley, thence eastwardly seventeen (17) feet five and one half (5-1/2) inches to a the westernmost boundary of Parcel 3000 (includes Parcels 2900 and 3000 of City Block 2097), thence southwardly one hundred thirty-one (131) feet two and one half (2-1/2) inches to the northern curblines of Utah Place;

Thence southwardly approximately three hundred thirty-five (335) feet to the northern curblines of McDonald Avenue (includes Parcels 2000, 2100, 2200, 2250, 2300, 2400 and 2500 of City Block 2095), thence eastwardly approximately eighty-six (86) feet nine (9) inches to the western curblines of Grand Boulevard, thence eastwardly 80 feet to the eastern curblines of Grand Boulevard;

Thence northwardly approximately one hundred forty (140) feet to the southeastern corner curblines of Grand Boulevard and McKean Avenue (CITY BLOCK 1495), thence eastwardly approximately three hundred (300) feet to an alley, thence northwardly two hundred seventy (270) feet to the southern curblines of Utah Street (includes parcels 0110, 1300, 1400, 1500, 1600, and 1700 of City Block 1495);

Thence northwardly approximately sixty (60) feet to the northern curblines of Utah Street (CITY BLOCK 1489), thence westwardly approximately two hundred twenty-eight (228) feet to City Block 1489, the southeast corner of parcel 2700; thence northwardly one

hundred twenty-seven (127) feet nine and one half (9-1/2) inches to the southern line of an alley, thence northwardly approximately fifteen (15) feet to the northern line of alley, thence westwardly approximately eighteen (18) feet to the southeast corner of parcel 3006-07 (includes parcels 2700 and 3006-07 of City Block 1489), thence northwardly one hundred twenty-six (126) feet six (6) inches to the southern curblines of Humphrey Street;

Thence northwardly approximately sixty (60) feet to the northern curblines of Humphrey Street (CITY BLOCK 1488), thence westwardly three (3) feet nine (9) inches to the southeast corner of Parcel 2806-07, thence northwardly one hundred twenty-seven (127) feet seven and one fourth (7-1/4) inches to the southern line of an alley, thence northwardly approximately fifteen (15) feet to the northern line of alley, thence westwardly seven and three-fourths (7-3/4) inches to the southeastern corner of Parcel 0106-07, thence northwardly one hundred twenty-seven (127) feet six (6) inches to the southern curblines of Wyoming Street (includes Parcels 0106-07 and 2806-07);

Thence northwardly approximately sixty (60) feet to the northern curblines of Wyoming Street (CITY BLOCK 1485), thence eastwardly twenty-four (24) feet six (6) inches to the southeastern corner of City Block 1484, Parcel 2807, thence northwardly one hundred twenty-seven (127) feet one-fourth (1/4) inches to the southern line of an alley, thence northwardly approximately fifteen (15) feet to the northern line of alley, thence one hundred twenty-seven (127) feet seven and one quarter (7-1/4) inches to the southern curblines of Connecticut Street (includes Parcels 2806-07 and 0100);

Thence northwardly approximately sixty (60) feet to the northern curblines of Connecticut (CITY BLOCK 1484), thence eastwardly thirty-nine (39) feet seven and one-quarter (7-1/4) inches to the southeast corner of City Block 1484 parcel 2700; thence northwardly one hundred twenty-four (124) feet three (3) inches to the southern line of an alley, thence northwardly approximately fifteen (15) feet to the northern line of alley, thence northwardly approximately one hundred thirty-five (135) feet nine and one-fourth (9-1/4) inches to the southern curblines of Juniata Street (includes Parcels 0100 and 2700 of City Block 1484);

Thence northwardly approximately sixty (60) feet to the northern curblines of Juniata Street (CITY BLOCK 1463), thence eastwardly four hundred forty-seven (447) feet to the southeastern corner of Parcel 1000, thence northwardly one hundred twenty-five (125) feet to the southern line of an alley, thence northwardly twenty-five (25) feet to the northern line of alley, thence eastwardly approximately one hundred thirty-one (131) feet four (4) inches to the western curblines of Arkansas Street, thence northwardly one hundred eighteen and seventy-one hundredths (118.71) feet to the southern curblines of Hartford Street (includes Parcels 0100, 1000, 1600, and 1700 of City Block 1463);

Thence northwardly approximately sixty (60) feet to the southern curblines of Hartford Street (CITY BLOCK 1462), thence westwardly approximately three hundred thirty (330) feet to the southeastern corner of Parcel 2800, thence northwardly one hundred twenty (120) feet to the southern line of an alley, thence northwardly approximately twenty-five (25) feet to the northern line of alley, thence eastwardly seven (7) feet to the southeastern corner of Parcel 500, thence northwardly one hundred twenty-two (122) feet eight and one half inches (8-1/2) inches to the southern curblines of Arsenal Street (includes Parcels 0100, 0400, 0500, 2700, 2800, 3000, 3001-02 of City Block 1462).

Thence northwardly approximately sixty (60) feet to the northern curblines of Arsenal Street (CITY BLOCK 1460), thence eastwardly twenty and seventeen hundredths (20.17) feet to the southern line of an alley, thence eastwardly 1818.67 feet to the southeastern corner of parcel 3006-07, thence northwardly 45 feet to the northeastern corner of parcel 3006-07, thence southwardly 175.10 feet to the southern curblines of Arsenal Street (includes Parcels 900-01 and 3006-07);

Thence westwardly sixty (60) feet to the southern curblines of Arsenal Street, thence westwardly approximately ten (10) feet to the southeast corner of parcel 2900, thence northwardly sixty (67) eight (8) inches to an alley, thence westwardly approximately seventy-six (76) feet to a point, thence northwardly fifteen (15) feet to the southwestern corner of parcel 3006-3007, thence northwardly forty-five (45) feet, thence westwardly fifty-one (51) feet six (6) inches, thence southwardly one hundred twenty-seven and eight tenths (127.8) feet to the southwestern corner of parcel 2900, thence southwestwardly approximately ninety (90) feet to the point of beginning at the southwestern corner of Grand Boulevard and Arsenal Street (CITY BLOCK 2102).

SECTION TWO:

- a) The District is authorized by the Act to use a sales tax and 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; provided however, the District shall not have the authority to impose any assessment on any real property located in a special business district authorized pursuant to Mo. Rev. Stat. § 71.790 et seq. or on any business or individual doing business in such special business district until the taxes imposed by such special business district have been repealed by such 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 Petitions when approved by the Board of Aldermen to assess and collect annual yearly special assessments based on a per square footage assessment on Lot Area and improvements. The maximum rate shall be \$0.2148 per square foot of Lot Area, \$0.3417 per square foot of first floor building space, and \$0.2179 per square foot of second floor building space;
- i) As determined by the District, special assessments may be levied in advance beginning not sooner than 2006 so that funds will be available for operations on January 1 of the following year;
- ii) The special assessments levied and collected by the District represent the costs of the services and improvements described in the Petitions to each property owner within the District. Each property owner's special assessment shall represent that owner's share of the benefit and the cost of such services and improvements;
- d) Notwithstanding anything to the contrary, the District shall have no power to levy any tax, but shall have only the power to levy special assessments in accordance with 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. 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 Petitions, the District shall be administered by the South Grand Community Improvement District, a separate 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 South Grand 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 South Grand Community 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 or 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 act as set forth in the Act.

SECTION SEVEN: The City of St. Louis hereby finds that the uses of the District proceeds outlined in the Petition attached as Appendix A will serve a public purpose.

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

SECTION TEN: 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, 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 ELEVEN: The Register shall report in writing the creation and extension of the South Grand Community Improvement District to the Missouri Department of Economic Development.

SECTION TWELVE: 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.

**The Petition
Exhibit A
Exhibit B
Exhibit C
Exhibit D**

Is on file in the Register's Office.

**Supplement Petition
Exhibit A
Exhibit B
Exhibit C**

Is on file in the Register's Office.

Amended Signatures

Is on file in the Register's Office.

Approved: August 3, 2006

**ORDINANCE #67223
Board Bill No. 133**

An ordinance approving Amendment II to the redevelopment plan for the Mansion House Center Area, ("Area") after affirming that the Area blighted by Ordinances 61439 and affirmed by Ordinance 66964 is a blighted area 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), affirming 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 of St. Louis ("City"); amending Ordinances 61439 and 66964 to make available up to **ten (10) year** tax abatement for 200-228 and 400-444 N. 4th St. and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with this Amendment.

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, by Ordinance 61439, this Board found and by Ordinance 66964 affirmed, the property located in the Mansion House Center Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 61439, this Board also approved a Redevelopment Plan for the Area, dated April 25, 1989; and by Ordinance 66964 approved Amendment I to the Plan dated October 25, 2005; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinances 66439 and 66964 by making available up to a ten (10) years real estate tax abatement for 200-228 N. 4th St. (parcel No. 64900000200); and 400-444 N. 4th St. (parcels Nos. 64900000406 and 64900000407); and

WHEREAS, the LCRA has recommended such an amendment to the Planning Commission of the City of St. Louis

("Planning Commission") and to this St. Louis Board of Aldermen ("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 amendment to the Plan; and

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

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

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; 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 Amendment II to 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 Amendment to this Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 61439, and the affirmation by St. Louis Ordinance 66964, that the Mansion House Center Area ("Area") is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 2000, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby affirmed.

SECTION TWO. The Amendment II to the Blighting Study and Plan for the Area dated June 20, 2006, attached hereto and incorporated herewith as Exhibit "A" ("Amendment II"), has been duly reviewed and considered, is hereby approved reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amendment II with the Minutes of this meeting.

SECTION THREE. In order to implement and facilitate the effectuation of the Amendment II to 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 Amendment II to 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 Amendment II to the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendment II to the Plan.

SECTION FOUR. The Redeveloper of Parcel No. 69400000200 at 200-228 N. 4th St. and parcels 64900000406 and 64900000407 at 400-444 N. 4th St. 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. With regard to 400-444 N. 4th St., if tax abatement is initiated on Phase I of the project, but the Redeveloper fails to redevelop the subsequent phases in accordance with the schedule contained in the Redevelopment Agreement between LCRA and Redeveloper dated October 12, 2005, as may be amended, tax abatement shall be cancelled on Phase I.

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 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 ten (10) years from the commencement of such tax abatement, in accordance with the following provisions; however, with regard to 400-444 N. 4th St., if tax abatement is initiated on Phase I of the project, but the Redeveloper fails to redevelop the subsequent phases in accordance with the schedule contained in the Redevelopment Agreement between LCRA and Redeveloper dated October 12, 2005, as may be amended, tax abatement shall be cancelled on Phase I.

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 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 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 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.

Hereafter any such corporation shall pay the full amount of taxes.

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 FIVE. 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.

Approved: August 3, 2006

ORDINANCE #67224
Board Bill No. 134

An ordinance approving an amendment to the Redevelopment Plan for the Charles Russell Area ("Area") after affirming that the Area blighted by Ordinance 60365, approved June 18, 1987 ("1987 Plan") as described in Exhibit "A" attached hereto and incorporated by reference is a blighted area 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), affirming 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 amendment to the 1987 Plan dated April 25, 2006 for the Area ("Amendment to the 1987 Plan"), and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the amendment to the 1987 Plan.

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, by Ordinance 60365 this Board found the property located in the Charles Russell Area to be a "blighted area" as defined in Section 99.320 (3) of the statute and said property remains blighted; and

WHEREAS, by Ordinance 60365 this Board also approved a Redevelopment Plan for the Area dated February 27, 1987, said Plan providing for a ten-year tax abatement and

WHEREAS, it is desirable and in the public interest to approve an amendment to the Redevelopment Plan approved by Ordinance 60365 by allowing a period of tax abatement for "up to" ten years; and

WHEREAS, the LCRA has recommended the amendment to the 1987 Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board") and incorporated herein as Exhibit "B" (Amendment to the 1987 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 Amendment to the 1987 Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Amendment to the 1987 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 Amendment to the 1987 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 Amendment to the 1987 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 Amendment to the 1987 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 related 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 Amendment to the 1987 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 Amendment to the 1987 Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis ordinance 60365, that certain property described therein (and described herein as Exhibit "A" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320 (3) of the revised statutes of Missouri, 1986, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the Area as described in Exhibit "A" 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 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 Amendment to the 1987 Plan for the Area, dated April 25, 2006 and incorporated herein as Exhibit "B" having been duly reviewed and considered, is hereby approved and incorporated by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amendment the 1987 Plan with the minutes of this meeting.

SECTION FIVE. The Amendment to the 1987 Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. In order to implement and facilitate the effectuation of the Amendment to the 1987 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 Amendment to the 1987 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 Amendment to the 1987 Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendment to the 1987 Plan.

SECTION SEVEN. 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"

**LEGAL DESCRIPTION
CHARLES RUSSELL REDEVELOPMENT AREA**

Parcels 1-3 (1715-33 S. 9th Street)

Lots 6, 7, and 8 in block 386 of the City of St. Louis, fronting 90 feet, more or less, on the west line of 9th Street, by a depth westwardly of 114 ft., more or less, to an alley, and part of lots 9 and 10 in block 386 of the City of St. Louis, fronting 60 ft., more or less, on the west line of 9th Street, by a depth westwardly of 68 ft. ½ inch, more or less, bordered west by property now or formerly owned by Kinney and south by the north line of Soulard Street.

Parcel 4 (1730-32 South 10th Street)

Lot 10 in Soulard's 2nd Add'n. and in block 386 of the City of St. Louis, fronting 30 ft. on the east line of 10th Street, by a depth 114 ft. to an alley, bordered south by the north line of Soulard Street.

Parcel 5 (1804-06 South 10th Street)

Lot 2 in block 385 of the City of St. Louis fronting 30 ft., more or less, on the east line of 10th Street by a depth eastwardly of 114 ft., more or less, to an alley.

Parcel 6 (1820-34 S. 10th Street)

Lots 6, 7, 8, 9, & 10, in block 113 of Julia C. Soulard's third addition and in block 385 of the City of St. Louis, together fronting 150 ft. on the east line of 10th Street, by a depth eastwardly of 114 ft. to an alley, bordered south by the north line of Emmet Street.

Parcel 7 (1817-21 South 10th Street)

Lots 5 & 6 in block 114 of Julia C. Soulard's third addition in block 394 of the City of St. Louis, fronting 60 ft. on the west line of 10th Street, by a depth westwardly of 114 ft. to an alley.

EXHIBIT "B"

**AMENDMENT TO THE 1987 PLAN
CHARLES RUSSELL REDEVELOPMENT AREA
DATED APRIL 25, 2006**

Section F

Plan language pertaining to real estate tax abatement shall be amended as follows to allow real estate tax abatement for a period of up to ten (10) years:

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 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 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 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 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.

Approved: August 3, 2006

ORDINANCE #67225
Board Bill No. 135
Committee Substitute

An ordinance approving an amended redevelopment plan for the Manchester/Mitchell Area, ("Area") after affirming that the Area blighted by Ordinance 65421 as described in Exhibit "A" attached hereto and incorporated by reference, is a blighted area 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), affirming 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 Amended Blighting Study and Plan dated June 20, 2006 for the Area ("Amended Plan"), incorporated herein by Exhibit "B", pursuant to Section 99.430; 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 currently partially occupied and the Redeveloper shall be responsible for providing relocation assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to ten (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the Plan.

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, by Ordinance 65421, this Board found the property located in the Manchester/Mitchell Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 65421, this Board also approved a Redevelopment Plan for the Area, dated November 27, 2001; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 65421 by reducing tax abatement to up to five (5) years, eliminating authorization to use eminent domain and providing only for industrial and commercial use of the property in the Area; and;

WHEREAS, the LCRA has recommended such an amended plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for the Manchester/Mitchell Area", dated November 27, 2001, amended June 20, 2006, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended 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 Amended 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 Amended 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, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

WHEREAS, the Amended 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 Amended 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 Amended Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 65421, that certain property described therein (and described herein as Exhibit "A" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the Area as described in Exhibit "A", 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 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 Amended Blighting Study and Plan for the Area, amended June 20, 2006 ("Amended 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 Amended Plan with the Minutes of this meeting.

SECTION FIVE. The Amended 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 Amended Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Amended 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 Amended 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 partially occupied and all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen, 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 Amended 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 Amended 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 Amended 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 Amended Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended 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 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 Amended 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 Amended Plan, bona fide Minority Business Enterprise ("MBE's") and Women Business Enterprise ("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 Community Development Commission of 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 Fourteen 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 and 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 and 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 taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any single local taxing district created in accordance with Missouri law, which may be assessed for the property located in a Special Business District 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 Amended Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the Amended Plan was first approved. Modifications which will substantially change the Amended 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 Amended Plan.

The Amended 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 Amended 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"

MANCHESTER/MITCHELL AREA
LEGAL DESCRIPTION

A portion of blocks 4612, 4613.11, 4615 and 4616 in the City of St. Louis, more specifically described as follows:

Beginning at the point of intersection of the north line of Manchester Ave. (100 feet wide) and the west line of Mitchell Ave. (40 feet wide); thence westwardly along said north line of Manchester Ave. to its point of intersection with the west line of property in City Block 4615 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6515 Manchester Ave. (parcel No. 4615-00-0030); thence northwardly along said west property line to its point of intersection with the south line of property in City Block 4616 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6510 Mitchell Ave. (Parcel No. 4616-00-0440); thence westwardly along said south property line to its point of intersection with the west line of said property; thence northwardly along said west property line to its point of intersection with the west line of Mitchell Ave. ; thence southwardly along said west line of Mitchell Ave. to its point of intersection with the southward prolongation of the west line of property in City Block 4613.11 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6527 Mitchell Ave. (Parcel No. 4613-11-0250); thence northwardly across Mitchell Ave. along said southward prolongation, said west property line and the west property line of 6527 R Mitchell Ave. also owned by Louise Nolan and Antoinette Wahlig (Parcel No. 4613-11-02070) to its point of intersection with the north line of said property; thence eastwardly along said north property line to its point of intersection with the east line of said property; thence southwardly along said east property line to its point of intersection with the north line of 6527 Mitchell Ave. (Parcel No. 4613-11-0250); thence eastwardly along said north property line to its point of intersection with the west line of Dale Ave. (40 feet wide); thence southwardly along said west line of Dale Ave. to its point of intersection with the north line of property in City Block 4612 now, or formerly, owned by James R. Canova known and numbered 6434 Dale Ave. (Parcel No. 4612-00-0060); thence westwardly along said north property line to its point of intersection with the west line of said property; thence southwardly along said west property line and continuing southwardly along the west line of properties known and numbered 6432 and 6430 Dale Ave. and 6441 Manchester Ave. all now, or formerly, owned by Canova Properties LLC to its point of intersection with the north line of Manchester Ave.; thence westwardly along said north line of Manchester Ave. across all intersecting streets to its point of intersection with the west line of Mitchell Ave. the point of beginning.

EXHIBIT "B"
Form: 11/19/01

AMENDED
BLIGHTING STUDY AND PLAN
FOR THE
MANCHESTER/MITCHELL AREA
PROJECT #9347
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
November 27, 2001
Amended June 20, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
MANCHESTER/MITCHELL 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 ... 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 ... 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 3
 9. PARKING REGULATIONS 4
 10. SIGN REGULATIONS 4
 11. BUILDING, CONDITIONAL USE AND SIGN PERMITS 5
 12. PUBLIC IMPROVEMENTS 5

C. PROPOSED SCHEDULE OF DEVELOPMENT 6

D. EXECUTION OF PROJECT 6

1. ADMINISTRATION AND FINANCING 6
 2. PROPERTY ACQUISITION 6
 3. PROPERTY DISPOSITION 6
 4. RELOCATION ASSISTANCE 6

E. COOPERATION OF THE CITY 6

F. TAX ABATEMENT 7

**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 8

H. MODIFICATIONS OF THIS PLAN 8

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

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Manchester/Mitchell Area ("Area") encompasses approximately 9.04 acres in the Franz Park neighborhood of the City of St. Louis ("City") and is located along the north side of Manchester Ave. west of Hampton Ave.

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 portions of City Blocks 4612, 4613.11, 4615 and 4616 and includes the following addresses: 6445-6515 Manchester Ave., 6501-6527 and 6500-6510 Mitchell Ave. and 6440-64 Dale Ave. The Area is in poor 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 7.6% unemployment rate for the City as of September, 2001. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently approximately 10 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include vacant land, used auto parts storage and two residential properties.

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 industrial and commercial uses along Manchester to the south east and west and residential uses to the north.

Residential density for the surrounding neighborhoods is approximately 9.78 persons per acre.

5. CURRENT ZONING

The Area is zoned "A" Single-Family Dwelling and "J" Industrial 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 poor 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 (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 industrial and commercial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are light industrial and commercial uses permitted in Areas designated "J" Industrial 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 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), storefront churches, 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 Area should all be "J" Industrial 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

Approximately 50-100 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 require changing to reflect the new land uses.

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**

Industrial/commercial structures facing Manchester shall be consistent with the existing commercial structures in the general area. New residential structures shall be consistent with the massing, set back, materials and scale of other residential properties to the north and west.

b. **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.

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 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, 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

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 four (4) 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. (1986) 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 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 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 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

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"

MANCHESTER/MITCHELL AREA LEGAL DESCRIPTION

A portion of blocks 4612, 4613.11, 4615 and 4616 in the City of St. Louis, more specifically described as follows:

Beginning at the point of intersection of the north line of Manchester Ave. (100 feet wide) and the west line of Mitchell Ave. (40 feet wide); thence westwardly along said north line of Manchester Ave. to its point of intersection with the west line of property in City Block 4615 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6515 Manchester Ave. (parcel No. 4615-00-0030); thence northwardly along said west property line to its point of intersection with the south line of property in City Block 4616 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6510 Mitchell Ave. (Parcel No. 4616-00-0440); thence westwardly along said south property line to its point of intersection with the west line of said property; thence northwardly along said west property line to its point of intersection with the west line of Mitchell Ave. ; thence southwardly along said west line of Mitchell Ave. to its point of intersection with the southward prolongation of the west line of property in City Block 4613.11 now, or formerly, owned by Louise Nolan and Antoinette Wahlig known and numbered 6527 Mitchell Ave. (Parcel No. 4613-11-0250); thence northwardly across Mitchell Ave. along said southward prolongation, said west property line and the west property line of 6527 R Mitchell Ave. also owned by Louise Nolan and Antoinette Wahlig (Parcel No. 4613-11-02070) to its point of intersection with the north line of said property; thence eastwardly along said north property line to its point of intersection with the east line of said property; thence southwardly along said east property line to its point of intersection with the north line of 6527 Mitchell Ave. (Parcel No. 4613-11-0250); thence eastwardly along said north property line to its point of intersection with the west line of Dale Ave. (40 feet wide); thence southwardly along said west line of Dale Ave. to its point of intersection with the north line of property in City Block 4612 now, or formerly, owned by James R. Canova known and numbered 6434 Dale Ave. (Parcel No. 4612-00-0060); thence westwardly along said north property line to its point of intersection with the west line of said property; thence southwardly along said west property line and continuing southwardly along the west line of properties known and numbered 6432 and 6430 Dale Ave. and 6441 Manchester Ave. all now, or formerly, owned by Canova Properties LLC to its point of intersection with the north line of Manchester Ave.; thence westwardly along said north line of Manchester Ave. across all intersecting streets to its point of intersection with the west line of Mitchell Ave. 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.

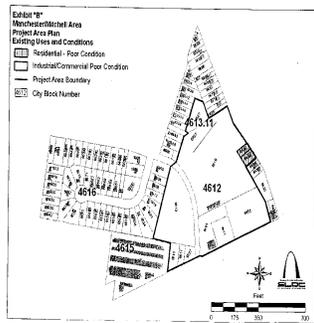
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation 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.

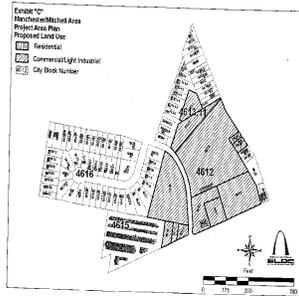
Approved: August 3, 2006

ORDINANCE NO. 67225 - EXHIBITS B, C & D

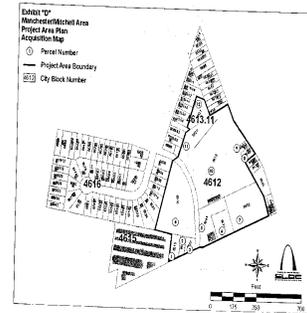
67221



67225



67225



ORDINANCE #67226
Board Bill No. 136

An ordinance approving a Redevelopment Plan for the 2927 Michigan Avenue 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 April 25, 2006 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 or otherwise; finding that the property within the Area is **unoccupied**, but if it should become occupied, 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 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 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 2927 Michigan Avenue Area," dated April 25, 2006, consisting of a Title Page, a Table of Contents Page, and thirteen (13) 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 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, 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 2927 Michigan Avenue 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 April 25, 2006 ("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 or **otherwise**.

SECTION NINE. The property within the Area is currently **unoccupied**. 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 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 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 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 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 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 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"

**2927 Michigan Avenue AREA
LEGAL DESCRIPTION**

C.B. 1455 MICHIGAN

25 FT X 125 FT
ARSENAL HTS ADDN
LOT 31

1455-00-0230
2927 Michigan Avenue

EXHIBIT "B"
Form: 04/04/06

BLIGHTING STUDY AND PLAN
FOR THE
2927 MICHIGAN AVENUE AREA
PROJECT #1005
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
April 25, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
2927 Michigan Avenue 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	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	2
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	5
D. EXECUTION OF PROJECT	5
1. ADMINISTRATION AND FINANCING	5
2. PROPERTY ACQUISITION	5
3. PROPERTY DISPOSITION	5
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 7
4. ENFORCEMENT 7

H. MODIFICATIONS OF THIS PLAN 7

I. DURATION OF REGULATION AND CONTROLS 8

J. EXHIBITS 8

K. SEVERABILITY 8

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 2927 Michigan Avenue Ave. Area ("Area") encompasses approximately 0.07 acres in the Tower Grove East neighborhood of the City of St. Louis ("City") and is located on the south side of Minnesota Avenue, with Arsenal St. to the east and Pestalozzi Street to 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 one parcel of City Block 1455. The Area is in poor 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 7.3 % unemployment rate for the City as of December, 2005. 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 unoccupied two family 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 21.97 persons per acre.

5. CURRENT ZONING

The Area is zoned "B" Two family Dwelling 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 unoccupied and in poor 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 (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 "B" Two Family Dwelling 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 purposes.

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

3. PROPOSED ZONING

The zoning for the Area can remain "B" Two Family Dwelling 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 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, 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 black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style.

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 off the alley, and at least one space shall be provided for each residential unit. In addition, 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.

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 of the ground floor façade area.

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) years 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 through 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 unoccupied. If it should become 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 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 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 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 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 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"**2927 Michigan Avenue AREA
LEGAL DESCRIPTION**

C.B. 1455 MICHIGAN
25 FT X 125 FT

ARSENAL HTS ADDN
LOT 31

1455-00-0230
2927 Michigan Avenue

See attached Exhibit 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.

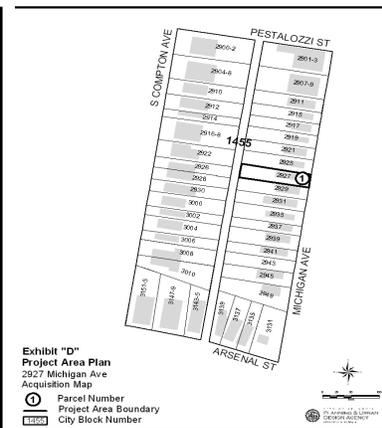
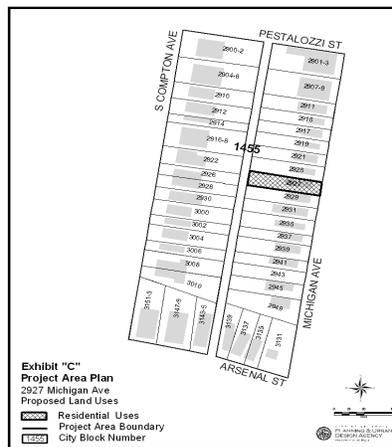
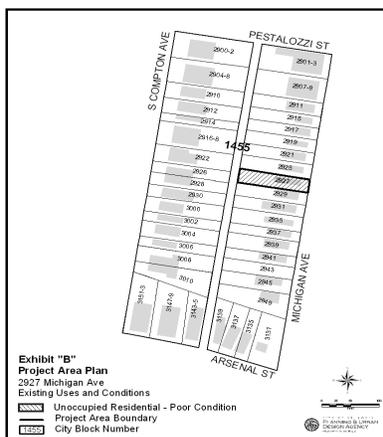
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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: August 3, 2006

ORDINANCE NO. 67226 - EXHIBITS B, C & D



ORDINANCE #67227
Board Bill No. 140

AN ORDINANCE APPROVING THE PETITION OF BDP, L.L.P. AS OWNER OF CERTAIN REAL PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE BOTTLE DISTRICT COMMUNITY IMPROVEMENT DISTRICT, FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE BOTTLE DISTRICT COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a petition (as amended, the “Petition”) signed by authorized representatives of the owners of all property located within the Bottle District Community Improvement District has been filed with the City, requesting formation and establishment of the Bottle District Community Improvement District; and

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

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act was held at _____ on _____, by 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 of the Bottle District Community Improvement District, as well as the City as a whole, will benefit from the establishment of the Bottle District Community Improvement District.

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

Section One.

(a) A community improvement district, to be known as the “Bottle District Community Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant to the CID Act on certain real property (as more legally described in the Petition, such legal description being set forth below) consisting all of City Blocks 145 and 557, and portions of City Blocks 141, 144, 556W, 581 and 583W, in addition to certain streets, in order to provide services, construct improvements, impose taxes and carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

(b) The District boundaries are set forth in the map included in the Petition in Appendix A and are legally described as follows:

A tract of land situated in the City of St. Louis, and the State of Missouri, being all of City Blocks 145 and 557; and part of City Blocks 141, 144, 556W, 581, 583W; and part of Carr Street, 50 feet wide; part of Biddle Street, 50 feet wide; part of O’Fallon Street, 60 feet wide, and part of Sixth Street, 60 feet wide; and being more particularly described as follows:

BEGINNING at the intersection of the North right-of-way of Carr Street, 60 feet wide at this intersection, and the East right-of-way line of Seventh Street, 60 feet wide, said intersection being the Southwest corner of City Block 145; thence along the Western line of said City Block 145, North 14 Degrees 46 Minutes 50 Seconds East, a distance of 359.50 feet to the Northwest corner of said City Block 145; thence across Biddle Street, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 50.00 feet to the Southwest corner of City Block 557; thence along the Western line of said City Block 557, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 381.16 feet to the Northwest corner of said City Block 557; thence across O’Fallon Street, North 14 Degrees 36 Minutes 53 Seconds East, a distance of 60.00 feet to the Southwest corner of City Block 581; thence along the Western line of said City Block 581 and the Western line of City Block 583W, North 14 Degrees 44 Minutes 18 Seconds East, a distance of 600.20 feet to the intersection of said Western line of City Block 583W and the Western right-of-way line of the Mark Twain Expressway, a.k.a. Interstate Route 70; thence along said Western right-of-way line as follows: South 30 Degrees 10 Minutes 58 Seconds East, a distance of 181.42 feet; South 14 Degrees 40 Minutes 40 Seconds West, a distance of 51.54 feet; South 75 Degrees 15 Minutes 42 Seconds East, a distance of 76.84 feet; South 46 Degrees 02 Minutes 06 Seconds East, a distance of 20.00 feet; South 12 Degrees 05 Minutes 06 Seconds West, a distance of 55.00 feet; thence South 75 Degrees 16 Minutes 38 Seconds East, a distance of 25.09 feet; South 18 Degrees 12 Minutes 23 Seconds East, a distance of 37.76 feet; South 14 Degrees 40 Minutes 43 Seconds West, a distance of 323.74 feet to the Southeast corner of said City Block 581 and the North line of said O’Fallon Street; thence along said North line, South 75 degrees 16 minutes 38 seconds East, a distance of 129.94 feet; across said O’Fallon Street South 05 Degrees 17 Minutes 20 Seconds East, a distance of 64.60 feet; South 09 Degrees 40 Minutes 23 Seconds West, a distance of 126.61 feet; South 75 Degrees 26 Minutes 38 Seconds East, a distance of 20.07 feet; thence North 09 Degrees 40 Minutes 23 Seconds East, a distance of 31.37 feet; South 05 Degrees 17 Minutes 20 Seconds East, a distance of 304.01 feet; across Biddle Street, South 01 Degrees 35 Minutes 12 Seconds East, a distance of 58.96 feet; South 05 Degrees 14

Minutes 44 Seconds East, a distance of 59.60 feet; 52.42 feet along the arc of a curve to the right, with a radius of 150.00 feet, through a central angle of 20 degrees 01 minutes 21 seconds, with a chord that bears South 04 Degrees 45 Minutes 56 Seconds West, a distance of 52.15 feet to the Western right-of-way line of Broadway, width varies, said Western right-of-way line also being the Eastern line of City Block 144; thence along said Eastern line, South 14 Degrees 46 Minutes 37 Seconds West, a distance of 233.59 feet; thence across Carr Street, South 13 Degrees 49 Minutes 37 Seconds West, a distance of 62.00 feet to the Northeast corner of City Block 141; thence along the Eastern line of said City Block 141, South 14 Degrees 57 Minutes 28 Seconds West, a distance of 165.84 feet; thence 117.50 feet along the arc of a curve to the right, with a radius of 75.00 feet, through a central angle of 89 degrees 45 minutes 59 seconds, with a chord that bears South 59 Degrees 50 Minutes 28 Seconds West, a distance of 105.85 feet to the Southern line of said City Block 141; thence along said South line of of City Block 141, North 75 Degrees 16 Minutes 33 Seconds West, a distance of 180.09 feet; thence 23.52 feet along the arc of a curve to the right, with a radius of 15.00 feet, through a central angle of 89 degrees 51 minutes 24 seconds, with a chord that bears North 30 Degrees 20 Minutes 50 Seconds West, a distance of 21.19 feet to the Western line of said City Block 141; thence along said Western line of City Block 141 North 14 Degrees 34 Minutes 52 Seconds East, a distance of 225.59 feet to the Northwest corner of said City Block 141; thence across Carr Street, North 14 Degrees 46 Minutes 37 Seconds East, a distance of 50.00 feet to the Southwest corner of said City Block 144; thence across Sixth Street, North 75 Degrees 16 Minutes 22 Seconds West, a distance of 60.00 feet to the Southeast corner of said City Block 145; thence along the Southern line of said City Block 145, North 75 Degrees 16 Minutes 22 Seconds West, a distance of 270.33 feet to the point of beginning, Containing 15.00 Acres.

Section Two.

The District is authorized by the Petition, in accordance with the CID Act, to impose a sales and use tax at a rate not to exceed one percent (1%) on retail sales within the District, to provide funds to accomplish any power, duty or purpose of the District as set forth in the Petition. The District shall have no power to levy any special assessment or real property tax upon real property within its boundaries.

Section Three.

The District is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes. 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 twenty (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 part, obligations previously issued by the District.

Section Four.

(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known as the Bottle District Community Improvement District.

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the 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 sixty (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 District shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

Section Five. The District is authorized to use the funds of the District for any of the improvements, services or other activities authorized under the CID Act.

Section Six. Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act, provided that, as set forth in the Petition, the District shall not have the power to acquire any real property within the District by condemnation.

Section Seven. The City of St. Louis hereby finds that the uses of the District proceeds as provided for in the Petition hereto will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the District.

Section Eight. The District is located in the Bottle District Redevelopment Area, which was declared "blighted" under Chapter 99 RSMo. in Ordinance No. 66560 of the City of St. Louis Board of Aldermen.

Section Nine. Within one hundred twenty (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, pursuant to Section 67.1471 of the CID Act.

Section Ten. The term for the existence of the District shall begin on the date this ordinance becomes effective and shall continue for the term set forth in the Petition, as may be amended from time to time.

Section Eleven. Pursuant to the CID 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 burden of providing the services to the District unless the services at the same time are decreased throughout the City, 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 shall report in writing the creation of the Bottle District 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 individual directors (collectively the "Directors" and each a "Director"), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act.

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.

APPENDIX A

Bottle District Community Improvement District Petition

[Is on File With City Register]

Approved: August 3, 2006

ORDINANCE #67228 Board Bill No. 141

An ordinance approving an amendment to the Redevelopment Plan for the Benton Park Scattered Sites III Area ("Area") after affirming that the Area blighted by Ordinance 62747, approved November 17, 1992 ("1992 Plan") as described in Exhibit "A" attached hereto and incorporated by reference is a blighted area 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), affirming 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 amendment to the 1992 Plan dated May 23, 2006 for the Area ("Amendment to the 1992 Plan"), and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the amendment to the 1992 Plan.

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, by Ordinance 62747 this Board found the property located in the Benton Park Scattered Sites III Area to be a "blighted area" as defined in Section 99.320 (3) of the statute and said property remains blighted; and

WHEREAS, by Ordinance 62747 this Board also approved a Redevelopment Plan for the Area dated August 25, 1992, said Plan providing for a ten-year tax abatement and

WHEREAS, it is desirable and in the public interest to approve an amendment to the Redevelopment Plan approved by Ordinance 62747 by limiting the period of tax abatement to five years for any properties within the Area to be abated after January 1, 2006; and

WHEREAS, the LCRA has recommended the amendment to the 1992 Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board") and incorporated herein as Exhibit "B" (Amendment to the 1992 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 Amendment to the 1992 Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Amendment to the 1992 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 Amendment to the 1992 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 Amendment to the 1992 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 Amendment to the 1992 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 related 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 Amendment to the 1992 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 Amendment to the 1992 Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis ordinance 62747, that certain property described therein (and described herein as Exhibit "A" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320 (3) of the revised statutes of Missouri, 1986, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the Area as described in Exhibit "A" 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 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 Amendment to the 1992 Plan for the Area, dated May 23, 2006 and incorporated herein as Exhibit "B" having been duly reviewed and considered, is hereby approved and incorporated by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amendment the 1992 Plan with the minutes of this meeting.

SECTION FIVE. The Amendment to the 1992 Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. In order to implement and facilitate the effectuation of the Amendment to the 1992 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 Amendment to the 1992 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 Amendment to the 1992 Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendment to the 1992 Plan.

SECTION SEVEN. 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 BENTON PARK SCATTERED SITES III AREA
LEGAL DESCRIPTIONS**

Parcel No.

- 1 A lot in St. Louis Common's Addition and in Block 1532 of the City of St. Louis having a frontage of 25 feet on the west line of Salena Street, by a depth between parallel lines of 125 feet to an alley 19 and 1-1/2 inches wide; said lot being bounded on the north line by a line 125 feet from the south line of Utah Street and bounded on the south line by property now or formerly owned by Esther Wiesman. Together with all improvements thereon known as and numbered **3313 Salena St.**
- 2 Lot 33 and part of lot 34 of the City Commons Addition, and in Block 1533 of the City of St. Louis, fronting 50 feet on the east line of Salena Street by a depth eastwardly between parallel lines of 125 feet to an alley. **3324 and 3326 Salena St.**
- 3 Lot 12 and the Southern part of Lot 13 in Block 6 of Durand Tract and in Block 1418 of the City of St. Louis: beginning at a point where the South line of said Lot 12 intersects the West line of McNair Ave.; running thence North along the West line of McNair Avenue 31 feet to the South line of property now or formerly of Henry Rohlfing; thence West along the said South line of Rohlfing's property 124 feet more or less to the East line of an alley; thence South along the East line of said alley 37 feet 3 inches to the South line of said Lot 12; thence East along said South line 124 feet more or less to the point of beginning. Together with all improvements thereon known as an numbered **2837-39 McNair Avenue.**
- 4 Lot 15 and the southern part of lot 16 in Block 1 of St. Louis Commons Addition and in Block 1523 of the City of St. Louis, having a frontage of 38 feet 6 inches on the west line of Missouri Ave., by a depth westwardly between parallel lines of 117 feet 6 inches to an alley. **3339-41 Missouri Ave.**
- 5 Lot 1 in Block 8 of Barsolaux's Addition and in Block 1802 of the City of St. Louis, fronting 25 feet on the north line of Lynch St. by a depth northwardly between parallel lines of 104 feet to an alley. **2115 Lynch St.**
- 6 Lot 32 in Block 1 of the Second City Subdivision Addition and in Block 1528 of the City of St. Louis, fronting 25 feet on the west line of Wisconsin Avenue, by a depth westwardly between parallel lines of 123 feet 3 inches to an alley. **3307 Wisconsin Ave.**
- 7 Lot 14 in Block 9 of Labadie & Lynch's Addition and in Block 1417 of the City of St. Louis, fronting 25 feet on the west line of Wisconsin Avenue by a depth westwardly between parallel lines of 124 feet 10 and 1/2 inches to an alley. **2833 Wisconsin Ave.**
- 8 Lot 11 and the southern part of Lot 12 and in Block 5 of Durand Tract Addition and in Block 1417 of the City of St. Louis, fronting 37 feet 9 inches on the west line of Wisconsin Avenue by a depth westwardly of 122 feet 10 inches on the south line of said lot and a depth westwardly of 124 feet 10-1/2 inches on the north line of said lot to the east line of an alley 15 feet wide; said lot having an aggregate width of 48 feet 8-1/2 inches along said east line of said alley. Together with all improvements thereon known as and numbered **2841 Wisconsin Ave.**
- 9 Lot 28 and part of lot 27 in Block 2 of St. Louis Common's Addition and in Block 1527 of the City of St. Louis, having a frontage of 36.30 feet on the east line of Missouri Avenue by a depth eastwardly between parallel lines of 123 feet 3 inches to an alley. **3300-02 Missouri Ave.**
- 10 Lot 3 and the eastern part of lot 4 of Oakland Addition and in Block 1533 of the City of St. Louis, having a frontage of 32 feet 10 and 1/2 inches on the north line of Cherokee Street, by a depth northwardly between parallel lines of 125 feet to an alley. Together with all improvements thereon known as and numbered **1907-09 Cherokee Street.**
- 11 The Eastern part of Lot 4 in Block 2 of City Common's Addition and in Block 1527 of the City of St. Louis fronting 20 feet on the north line of Cherokee Street, by a depth northwardly between parallel lines of 125 feet to an alley. **2109 Cherokee Street.**
- 12 Lot 11 of Fairmont's Addition and in Block 1801 of the City of St. Louis having a frontage of 44 feet 5 inches on the north line of Lynch St. by a depth northwardly of 104 feet along the west line of said lot and by a depth northwardly of 103 feet 5 inches along the east line of said lot to the south line of an alley; said south line having an aggregate width of 31 feet 1 inch. Together with all improvements thereon known as and numbered **2027- 29 Lynch St.**
- 13 Lot 1 of Concordia Place Addition and in Block 1531 of the City of St. Louis, having a frontage of 35 feet on the north line of Utah St. by a depth northwardly of 127 feet to an alley. **1901 Utah St.**

- Lot 2 of Concordia Place Addition and in Block 1531 of the City of St. Louis having a frontage of 25 feet on the north line of Utah St. by a depth northwardly of 127 feet to an alley. **1905 Utah St.**
- 14 Lot 10 in Block 4 of Fairmont Addition and in Block 1797 of the City of St. Louis, fronting 25 feet on the south line of Senate St. by a depth southwardly between parallel lines of 112 feet 6 inches to an alley. Together with all improvements thereon known as and numbered **1958 Senate St.**
- 15 Lots 4, 5, and 6 of Lane's Subdivision of the Lami Addition and in Block 1968 of the City of St. Louis having a frontage of 75 feet on the west line of Salena Street by a depth westwardly between parallel lines of 129 feet 2-3/8 inches to an alley. Together with all improvements thereon known as and numbered **2919-23 Salena St.**
- 16 Lot 6 in Block 6 of the Subdivision of the Durand Tract and in Block 1418 of the City of St. Louis, fronting 25 feet on the West line of McNair Avenue by a depth Westwardly of 122 feet 10 inches to an alley. **2855 McNair Ave.**
- 17 The Northern 20 feet of Lot 24 in Block 5 of the Durand Tract and in Block 1417 of the City of St. Louis, fronting 20 feet on the East line of McNair Avenue, by a depth Eastwardly between parallel lines of 122 feet 10 inches to an alley 15 feet wide. **2862 McNair Ave.**
- 18 Part of Lots 16 and 17 in Block 5 of Lane's Subdivision of the Lami Tract and in Block 1966 of the City of St. Louis, beginning at a point in the East line of Lemp Avenue distant 121 feet 7-1/4 inches South of the South line of Pestalozzi Street, thence East 129 feet 4 inches more or less, to a point in the West line of an alley 15 feet wide distant 121 feet 5-3/4 inches South of the South line of Pestalozzi Street, thence South along the West line of said alley 23 feet 0-3/4 inches to a point, thence West 129 feet 4 inches more or less, to the East line of Lemp Avenue, thence North along the East line of Lemp Avenue 23 feet 0-3/4 inches to the point of beginning. **2912 Lemp Ave.**
- 19 Lot 13 in Block 10 of Labadie & Lynch's Addition and in Block 1418 of the City of St. Louis fronting 25 feet on the west line of McNair Avenue by a depth westwardly of 124 feet 10 inches to an alley. Together with all improvements thereon known as and numbered **2831 McNair Ave.**
- 20 Lots 1, 2, and 3 of Block 10 of Labadie & Lynch's Addition and in Block 1418 of the City of St. Louis, fronting 77 feet on the west line of McNair Avenue by a depth westwardly between parallel lines of 124 feet 10- 1/2 inches to an alley. Together with all improvements thereon known as and numbered **2805 McNair Ave.**
- 21 Lot 22 and the northern part of Lot 21 of Block 53 of St. Louis Common's Addition and in Block 1527 of the City of St. Louis, having a frontage of 35 feet on the east line of Missouri Avenue by a depth eastwardly between parallel lines of 123 feet 3 inches to an alley. **3316-20 Missouri Ave.**

EXHIBIT "B"

**AMENDMENT TO THE 1992 PLAN
BENTON PARK SCATTERED SITES III REDEVELOPMENT AREA
DATED MAY 23, 2006**

Section F

Plan language pertaining to real estate tax abatement shall be amended as follows:

A Redeveloper initiating tax abatement prior to January 1, 2006 shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such abatement. A Redeveloper may seek such tax abatement pursuant to Sections 99.700 – 99.715, Revised Statutes of Missouri, upon application as provided therein.

A Redeveloper initiating tax abatement after January 1, 2006 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 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 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 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 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.

Approved: August 3, 2006