

**ORDINANCE #66815**  
**Board Bill No. 163**

**AN ORDINANCE APPROVING THE PETITION OF THE 2017 CHOUTEAU COMMUNITY IMPROVEMENT DISTRICT AND CHOUTEAU BUILDING, L.P. AS OWNER OF CERTAIN REAL PROPERTY, ESTABLISHING THE 2017 CHOUTEAU COMMUNITY IMPROVEMENT DISTRICT, FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE 2017 CHOUTEAU 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 a representative of the sole owner of all property located within the 2017 Chouteau Community Improvement District has been filed with the City, requesting formation and establishment of the 2017 Chouteau 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 10:00 a.m. on July 13, 2005, by the Board of Aldermen; and

**WHEREAS**, the property within the proposed 2017 Chouteau Community Improvement District was found by the City to be “blighted” pursuant to Chapter 99 Mo. Rev. Stat., and was designated as such by Board Bill No. 37 (2005) of the City of St. Louis; 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 2017 Chouteau Community Improvement District, as well as the City as a whole, will benefit from the establishment of the 2017 Chouteau 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 “2017 Chouteau 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 2282-000-3220 to receive services, benefits, taxes and assessments as set forth in the Petition in Appendix A attached hereto 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 in Block 2282 of the City of St. Louis being part of Lots 3 and 5 of the Subdivision in Partition of the Cooper Estate according to the plat thereof recorded in Book W-3 page 235 of the City of St. Louis Records being part of the property conveyed to Shanfeld & Silverman Truck & Parts Co. by deed recorded in Book 119M page 1200 of the City of St. Louis Records, together with part of the south half of the 20’ wide east-west alley vacated by Ordinance No. 60603, and being more particularly described as follows:

Beginning at point on the North line of Chouteau Avenue, 80 feet wide, distant South 75 degrees 21 minutes 40 seconds East 59.17 feet from its intersection with the East line of 21st Street, 60 feet wide; thence leaving said North line North 14 degrees 33 minutes 51 seconds East along the West face of a multi-story brick building and along the East face of a one story brick building a distance of 137.49 feet to the centerline of said alley vacated by Ordinance No. 60603; thence along the centerline of said alley vacated by Ordinance No. 60603 South 75 degrees 21 minutes 40 seconds East a distance of 180.95 feet to its intersection with the Northern prolongation of the East line of said property conveyed to Shanfeld & Silverman Truck & Parts Co.; thence along said Northern prolongation and

along the East line of said property conveyed to Shanfeld & Silverman Truck & Parts Co. and along the West line of property conveyed to Union Electric Company by deed recorded in Book 763M page 1371 South 14 degrees 46 minutes 07 seconds West a distance of 137.49 feet to the North line of Chouteau Avenue; thence along the North line of Chouteau Avenue North 75 degrees 21 minutes 40 seconds West a distance of 180.46 feet to the point of beginning, containing 0.57 acres more or less.

**Section Two.**

The District is authorized by the CID Act to use any one or more of the taxes, including sales and use taxes or real estate taxes, 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.

**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, known as the 2017 Chouteau 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.

**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 providing for certain public improvements, the rehabilitation of an existing structure, and the redevelopment of real property within the District.

**Section Eight.** The District is located in the 2009-23 Chouteau Avenue Area, which was declared “blighted” under Chapter 99 RSMo. in Board Bill No. 37 (2005) of the City of St. Louis Board of Aldermen, which designation is hereby reaffirmed pursuant

to the request of the Petition.

**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 is enacted by the Board of Aldermen and shall continue for a maximum of twenty-five (25) years.

**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 2017 Chouteau Community Improvement District to the Missouri Department of Economic Development.

**Section Thirteen.** 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**

2017 Chouteau Community Improvement District Petition  
**IS ON FILE WITH THE CITY OF ST. LOUIS REGISTER'S OFFICE.**

**Approved: August 3, 2005**