

**ORDINANCE NO. 70818**

**BOARD BILL NO. 103 INTRODUCED BY: ALDERMEN BRANDON BOSLEY, ALDERMAN SAM MOORE, ALDERWOMAN CHRISTINE INGRASSIA, ALDERMAN JACK COATAR, ALDERWOMAN ANNIE RICE, ALDERMAN DAN GUENTHER, ALDERMAN JOE VOLLMER, ALDERWOMAN SARAH MARTIN, ALDERWOMAN BETH MURPHY, ALDERWOMAN CAROL HOWARD, ALDERMAN TOM OLDENBURG, ALDERMAN JOHN COLLINS-MUHAMMAD, ALDERMAN JEFFEREY BOYD, ALDERMAN JOE VACCARO, ALDERMAN SCOTT OGILVIE, ALDERMAN SHANE COHN, ALDERMAN FRANK WILLIAMSON, ALDERWOMAN PAM BOYD, ALDERWOMAN HEATHER NAVARRO, ALDERWOMAN MEGAN E. GREEN, ALDERMAN LARRY ARNOWITZ, ALDERWOMAN MIDDLEBROOK**

1           An ordinance approved and recommended by the Board of Public Service and enacted  
2 pursuant to Article XXI of the City Charter and Chapter 523 of the Revised Statutes of  
3 Missouri; approving the use of condemnation by the City of St. Louis to acquire a site  
4 consisting of about 97 acres in North St. Louis near the intersection of Jefferson and Cass  
5 Avenues which is owned in fee simple by LCRA Holdings Corporation (“LCRAH”), which  
6 site was chosen for the National Geospatial-Intelligence Agency's new NGA West facility, and  
7 which is described more fully in Exhibit A ("Property") and a map of the Property contained in  
8 Exhibit B; finding that development of the NGA West facility is in the national interest as well  
9 as the interest of the public health, safety, morals and general welfare of the people of the City  
10 by continuing the City's ongoing efforts to remedy defective or inadequate street layout,  
11 unsanitary or unsafe conditions, and other conditions which negatively impact the public health,  
12 safety, morals or welfare at and near the site of the planned NGA West project; finding that  
13 acquisition of the Property is required for purposes of national security; finding that there is a  
14 plan to put the Property to public use by the government of the United States of America;  
15 finding that the Property is unoccupied, but is the location for the planned National Geospatial-  
16 Intelligence Agency's new NGA West complex; appropriating funds and authorizing the  
17 expenditure of funds for the acquisition of said Property; approving the City's subsequent

1 transfer of title to the Property to LCRAH or to the United States government; authorizing and  
2 directing certain actions by City officials; and containing a severability clause and an  
3 emergency clause.

4 **WHEREAS**, the subject Property is described in Exhibit A and illustrated in Exhibit B,  
5 attached hereto and incorporated herein, and the record owner is LCRAH; and

6 **WHEREAS**, The National Geospatial-Intelligence Agency delivers world-class  
7 geospatial intelligence that provides a decisive advantage to policymakers, intelligence  
8 professionals and first responders; and

9 **WHEREAS**, the Property was chosen as the federal government's new NGA West  
10 facility and constitutes the largest federal project in the history of St. Louis. It is a "mega-  
11 project" jointly managed by the National Geospatial-Intelligence Agency, U.S. Army Corps  
12 of Engineers and U.S. Air Force, featuring one or more office buildings of approximately  
13 712,000 square feet of offices, parking garages, a visitor center, inspection facility and access  
14 control points; and

15 **WHEREAS**, in order to implement and facilitate the federal government's plans for the  
16 NGA West facility, and to further the public purpose of remedying defective or inadequate  
17 street layout, unsanitary or unsafe conditions, and other conditions which negatively impact the  
18 public health, safety, morals or welfare at and near the site of the planned NGA West facility, it  
19 is found and determined that certain official actions must be taken by the City; and

1           **WHEREAS**, the development of the NGA West facility is in the national interest and  
2 required for purposes of national security and to protect the interests of the public health, safety,  
3 and general welfare of the people of the City and the nation; and

4           **WHEREAS**, in order to facilitate the NGA West facility transaction it is necessary to  
5 appropriate funds for the condemnation action and to authorize and direct City officials, if  
6 necessary, to re-convey the Property to a third party, including but not limited to LCRAH or  
7 to the United States government, in order to recover the sums authorized herein to be paid by  
8 the City for the Property; and

9           **WHEREAS**, for the reasons described herein; there is a need for the City of St. Louis,  
10 a constitutional charter city governed by the constitution and laws of the State of Missouri, to  
11 acquire the Property.

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

14           **SECTION ONE.** The City is hereby authorized and directed to exercise its power and  
15 authority under Chapter 523 of the Revised Statutes of Missouri to condemn and acquire title to  
16 the Property described on Exhibit A and Exhibit B hereto, in the national interest, for purposes  
17 of national security, and in the interest of the public health, safety, morals and general welfare  
18 of the people of the City. The mayor and comptroller are authorized and directed to execute all  
19 documents reasonably required to effect said acquisition.

20           **SECTION TWO.** Funds required to purchase the Property in the condemnation  
21 authorized hereunder shall be made available from other governmental, non-City sources,

1 including but not limited to LCRAH or the Land Clearance for Redevelopment Authority, and  
2 may be deposited in the City treasury and applied for the purpose of funding the  
3 condemnation award, or may be deposited directly in the registry of the court for the payment  
4 of the condemnation award on behalf of the City. Any funds provided to the City from said  
5 other governmental sources for such application, or deposited in the registry of the court on  
6 behalf of the City, may be repaid in full in conjunction with the subsequent transfer of the  
7 Property to LCRAH or to the United States government.

8           **SECTION THREE.** The Comptroller of the City is hereby authorized and directed to  
9 draw warrants to disburse funds made available under this ordinance, or otherwise  
10 appropriated, as necessary to effect the condemnation and acquisition of the Property. The  
11 Board of Public Service is hereby authorized to accept on behalf of the City funds from other  
12 governmental sources and other third parties to assist in paying the expense of the  
13 condemnation and acquisition of the Property as authorized and directed by this ordinance.

14           **SECTION FOUR.** After transfer of title to the Property to the City, the City shall,  
15 upon request of LCRAH, transfer all of the City's interest in the Property to LCRAH or to the  
16 United States government upon the agreement of LCRAH to reimburse the City for any and  
17 all of its Property acquisition costs (including any related fees and expenses) hereunder. The  
18 mayor and comptroller are authorized and directed to execute all documents reasonably  
19 necessary to promptly effect such transfer of the Property to LCRAH or to the United States  
20 government, if requested by LCRAH, including but not limited to execution of a deed in a  
21 form approved by the city counselor.

1           **SECTION FIVE.** The mayor, the comptroller, the register, the city counselor, and  
2 other appropriate officers, officials, agents, and employees of St. Louis are hereby authorized  
3 and directed to enter into and execute on behalf of the City any attendant or related  
4 documents, agreements, affidavits, certificates, or instruments recommended by the city  
5 counselor to protect the City's interests, effectuate the condemnation and acquisition of the  
6 Property by the City and to complete the conveyance of the Property to LCRAH or to the  
7 United States government, if requested by LCRAH.

8           **SECTION SIX.** All City officials, departments, boards and agencies of the City shall  
9 cooperate to effect the condemnation of the Property as described herein, together with any  
10 subsequent transfer of title of said Property.

11           **SECTION SEVEN.** The recitals set forth in the “whereas” clauses of this ordinance  
12 are incorporated herein. The city counselor is authorized and directed to acquire title to the  
13 Property in the name of the City through condemnation. The city counselor shall apply to the  
14 Circuit Court of the City of St. Louis by petition describing the general nature of the public use  
15 intended for the Property, a description of the Property, and praying for the appointment of  
16 commissioners to assess damages and benefits. The comptroller is authorized and directed to  
17 disburse funds as ordered by the court-appointed commissioners and in accordance with  
18 Section Two hereof.

19           **SECTION EIGHT.** The sections of this ordinance shall be severable. In the event that  
20 any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the  
21 remaining sections of this Ordinance are valid, unless the court finds the valid sections of the  
22 ordinance are so essential and inseparably connected with and dependent upon the void section

1 that it cannot be presumed that this Board would have enacted the valid sections without the  
2 void ones, or unless the court finds that the valid sections standing alone are incomplete and are  
3 incapable of being executed in accordance with the legislative intent.

4           **SECTION NINE.** This being an ordinance providing for public work and  
5 improvement or repairs thereof, and providing for the preservation of the public peace, health  
6 and safety, it is hereby declared to be an emergency measure as defined in Article IV,  
7 Sections 19 and 20 of the City Charter and shall become effective immediately upon its  
8 passage and approval by the Mayor of the City.

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**Exhibit A**

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A TRACT OF LAND BEING PART OF CITY BLOCKS 1065, 1078 THRU 1081, 1085, 1092, 2316, 2317, 2326, 2327 AND 2347 AND ALL OF CITY BLOCKS 1082 THRU 1084, 1093 THRU 1095, 2314, 2315, 2318, 2319, 2324, 2325, 2328, 2329, 2345 AND 2346 OF THE CITY OF ST. LOUIS RECORDS, SITUATED IN THE CITY OF ST. LOUIS, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF 22ND AVENUE, 60 FEET WIDE, WITH THE NORTH RIGHT OF WAY LINE OF CASS AVENUE, 80 FEET WIDE, BEING THE SOUTHEAST CORNER OF CITY BLOCK 2314;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 75 DEGREES 11 MINUTES 06 SECONDS WEST, 1,386.11 FEET TO THE EAST RIGHT OF WAY LINE OF JEFFERSON AVENUE, VARIABLE WIDTH, AS ESTABLISHED BY ORDINANCE NO. 48152;

THENCE ALONG SAID EAST RIGHT OF WAY LINE OF JEFFERSON AVENUE AND THE EAST RIGHT OF WAY LINE OF PARNELL STREET, 100 FEET WIDE AS ESTABLISHED BY ORDINANCE NO. 48740, THE FOLLOWING COURSES AND DISTANCES: NORTH 05 DEGREES 18 MINUTES 34 SECONDS WEST, 159.76 FEET; NORTH 00 DEGREES 21 MINUTES 03 SECONDS WEST, 980.39 FEET, ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 289.06 FEET, A RADIUS OF 550.00 FEET, AND A CHORD BEARING NORTH 14 DEGREES 42 MINUTES 19 SECONDS EAST, 285.74 FEET; NORTH 29 DEGREES 45 MINUTES 41 SECONDS EAST, 198.76; ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 192.69 FEET, A RADIUS OF 750.00 FEET; AND A CHORD BEARING NORTH 22 DEGREES 24 MINUTES 05 SECONDS EAST, 192.16 FEET; AND NORTH 15 DEGREES 02 MINUTES 28 SECONDS EAST, 884.69 FEET TO THE SOUTH RIGHT OF WAY LINE OF AN EAST WEST ALLEY, 20 FEET WIDE, IN CITY BLOCK 1078;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE AND THE SOUTH RIGHT OF WAY LINE OF AN EAST WEST ALLEY, 20 FEET WIDE, OF CITY BLOCKS 1085 AND

1 1092, SOUTH 75 DEGREES 06 MINUTES 32 SECONDS EAST, 1,620.48 FEET TO THE  
2 WEST RIGHT OF WAY LINE OF 22ND STREET, AS AFOREMENTIONED;

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4 THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 14 DEGREES 52  
5 MINUTES 08 SECONDS WEST, 2,647.04 FEET TO THE POINT OF BEGINNING.

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7 THE ABOVE DESCRIBED TRACT CONTAINING 97.618 ACRES IS BASED ON AN  
8 ACTUAL BOUNDARY SURVEY EXECUTED BY COLE & ASSOCIATES, INC.  
9 DURING THE MONTH OF AUGUST, 2015 AND IS SUBJECT TO ALL EASEMENTS,  
10 RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD, IF ANY.

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**EXHIBIT B**  
**MAP**