

**Summary**

**Board Bill Number 43**

**Primary Sponsor: Alderman Brandon Bosley**

**June 5, 2020**

The overall purpose for this bill is to conditionally vacate the following public streets.

Elliott from North Market northwardly 203.13 ± .05 feet to a point previously vacated by Ordinance 67779.

Leffingwell from North Market northwardly 265.02 feet to a point previously vacated by Ordinance 65271.

The Petitioner is Sensient Colors Inc d/b/a Sensient Colors LLC.

The vacated areas will be used to consolidate property to improve safety and security.

**BOARD BILL NUMBER 43 INTRODUCED BY: ALDERMAN BRANDON BOSLEY**

1 An ordinance recommended by the Board of Public Service to conditionally vacate above  
2 surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Elliott  
3 from North Market northwardly 203.13 ± .05 feet to a point previously vacated by Ordinance  
4 67779 and Leffingwell from North Market northwardly 265.02 feet to a point previously vacated  
5 by Ordinance 65271 in the City of St. Louis, Missouri, as hereinafter described, in accordance  
6 with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and  
7 imposing certain conditions on such vacation.

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

9 The above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel,  
10 between the rights-of-way of:

11 Part of Elliott Avenue, 60 feet wide, in the City of St. Louis, Missouri, and being more  
12 particularly described as:

13 Beginning at the intersection of the North line of N. Market Street, 60  
14 feet wide, with the West line of Elliott Avenue. 60 feet wide, thence  
15 along said West line of Elliott Avenue, North 00 degrees 45 minutes  
16 00 seconds West, 203.08 feet to a point; thence North 89 degrees 13  
17 minutes 45 seconds East, 60.00 feet to the East line of said Elliott  
18 Avenue; thence along the East line of Elliott Avenue, South 00 degrees  
19 45 minutes 00 seconds East, 203.18 feet to the North line of N. Market  
20 Avenue; thence along the North line of N. Market Avenue, south 89  
21 degrees 19 minutes 33 seconds West, 60.00 feet back to the Point of  
22 Beginning, containing 0.280 acres, more or less.

23 Part of Leffingwell Avenue, 60 feet wide, in the City of St. Louis, Missouri, and being  
24 more particularly described as:

25 Beginning at the intersection of the North line of N. Market Street, 60  
26 feet wide, with the West line of Leffingwell Avenue, 60 feet wide;  
27 thence along said West line of Leffingwell Avenue, North 00 degrees  
28 43 minutes 45 seconds East, 264.92 feet to a point; thence North 89  
29 degrees 13 minutes 45 seconds East, 60.00 feet to the East line of  
30 Leffingwell Avenue; thence along the East line of Leffingwell

1 Avenue, South 00 degrees 43 minutes 45 seconds West, 265.02 feet to  
2 the North line of N. Market Avenue, thence along the North line of N.  
3 Market Avenue, South 89 degrees 19 minutes 33 seconds West, 60.00  
4 feet, back to the Point of Beginning, containing 0.365 acres, more of  
5 less.

6 are, upon the conditions hereinafter set out, vacated.

7 **SECTION TWO:**

8 Sensient Colors Inc. d/b/a Sensient Colors LLC proposes to use vacated areas to consolidate  
9 property to improve safety and security.

10 **SECTION THREE:**

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

15 **SECTION FOUR:**

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

19 **SECTION FIVE:**

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

24 **SECTION SIX:**

1 The owner(s) shall not place any improvement upon, over or in the area(s) vacated without:

2 1. Lawful permit from the Building Division or Authorized City agency as governed  
3 by the Board of Public Service.

4 2. Obtaining written consent of the utilities, governmental service entities and franchise  
5 holders, present or future. The written consent with the terms and conditions thereof  
6 shall be filed in writing with the Board of Public Service by each of the above  
7 agencies as needed and approved by such Board prior to construction.

8 **SECTION SEVEN:**

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

12 **SECTION EIGHT:**

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

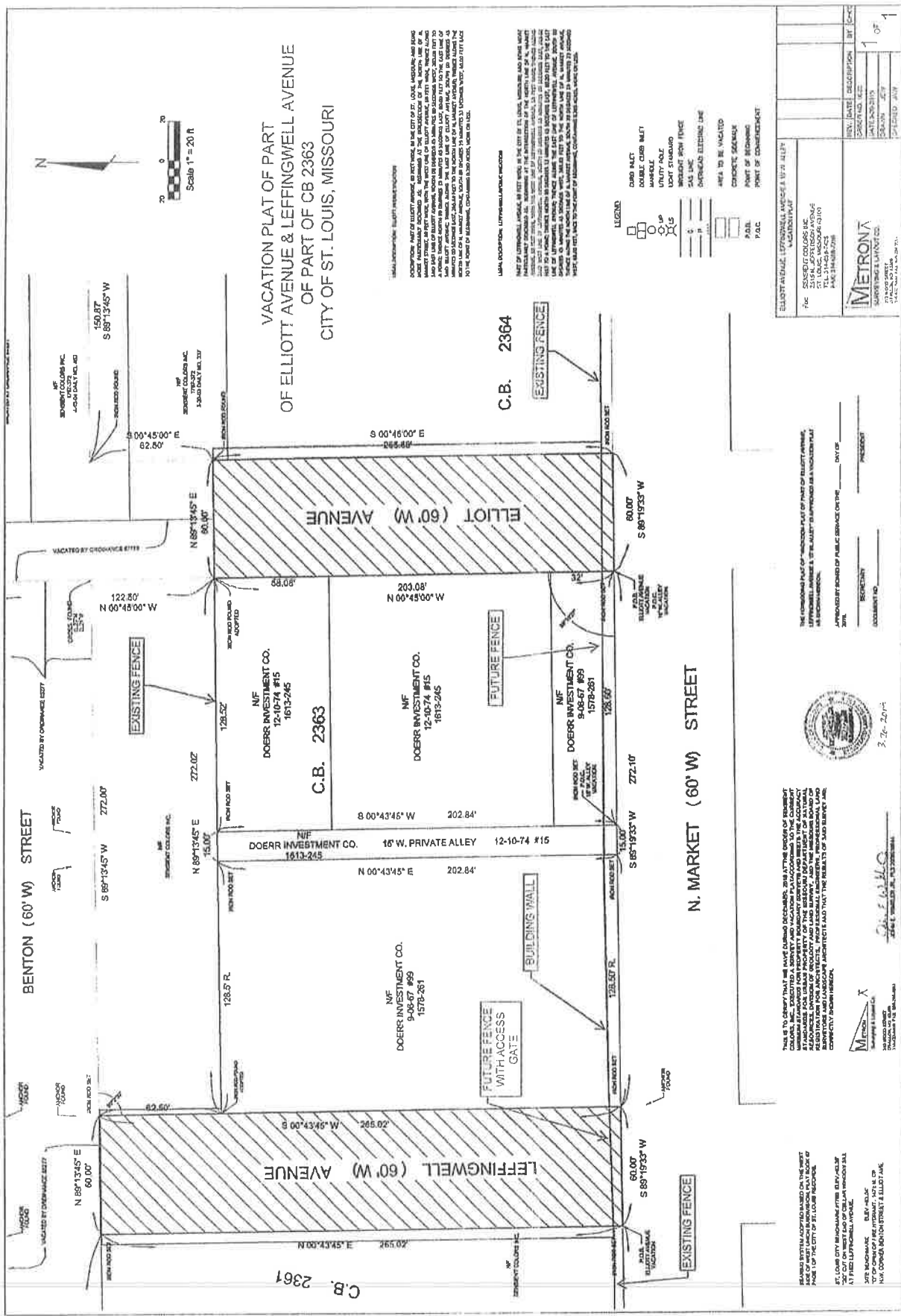
16 **SECTION NINE:**

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

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

9        **SECTION TEN:**

10       An affidavit stating that all of the conditions be submitted to the Director of Streets for review of  
11       compliance with conditions 365 days (1 year) from the date of the signing and approval of this  
12       ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to  
13       the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed  
14       time the ordinance will be null and void.



VACATION PLAT OF PART  
OF ELLIOTT AVENUE & LEFFINGWELL AVENUE  
OF PART OF CB 2363  
CITY OF ST. LOUIS, MISSOURI



**GENERAL NOTES:**  
1. THIS PLAT IS SUBJECT TO ALL RECORDING LAWS AND TO THE RECORDING ACT OF THE STATE OF MISSOURI.  
2. THE PROPERTY IS SUBJECT TO ALL RECORDING LAWS AND TO THE RECORDING ACT OF THE STATE OF MISSOURI.  
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- LEGEND**
- OPEN PLOT
  - DOUBLE CURB INLET
  - MANHOLE
  - LIGHT FIXTURE
  - LIGHT STANDARD
  - WIRELESS ROW FENCE
  - SAS LINE
  - OVERHEAD ELECTRIC LINE
  - AREA TO BE VACATED
  - CHECKED SIDEWALK
  - POINT OF BEGINNING
  - POINT OF COMMENCEMENT

| NO. | DATE | DESCRIPTION | BY | CHKD |
|-----|------|-------------|----|------|
| 1   |      |             |    |      |

1 OF 1

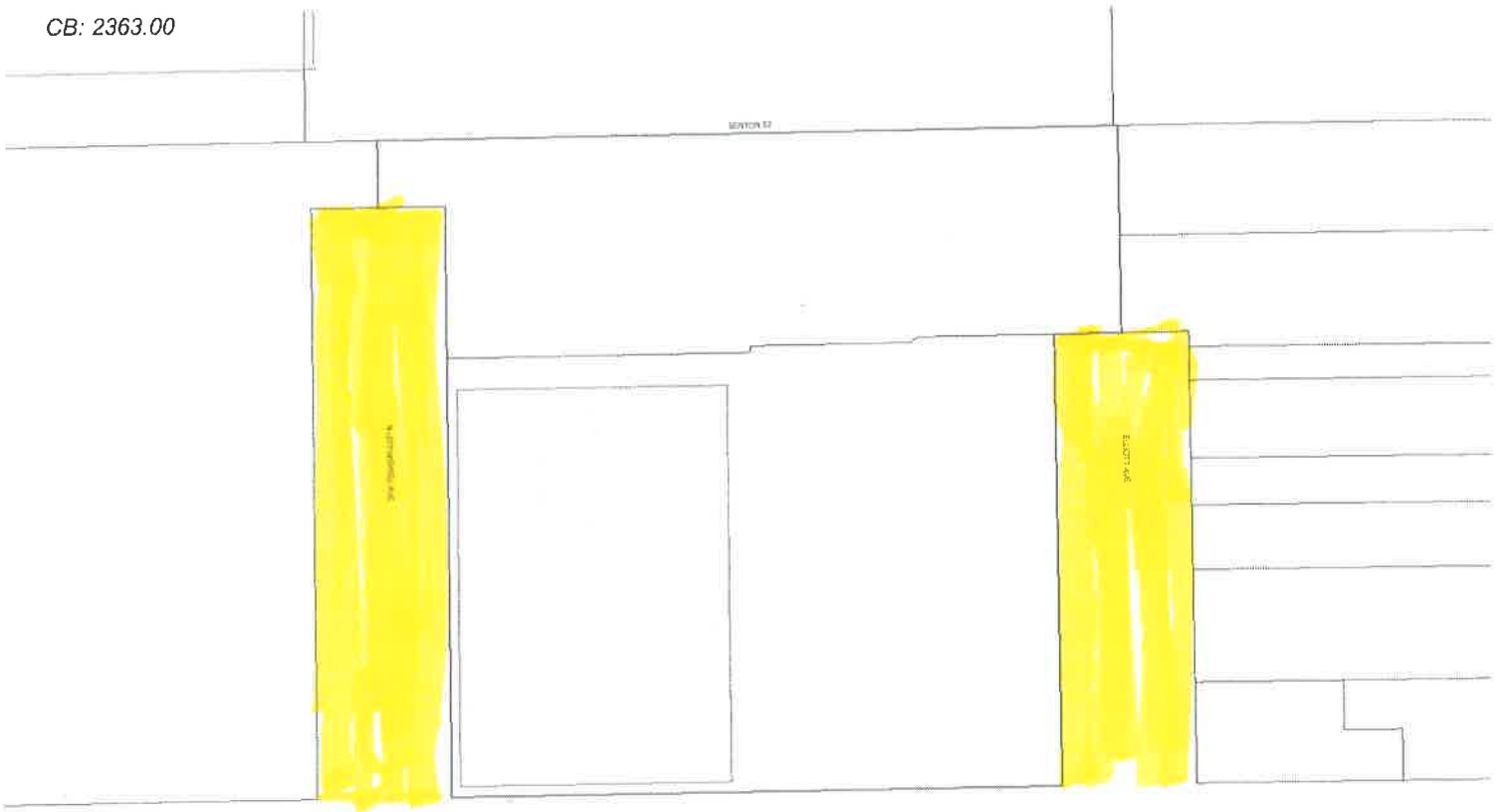
ELLIOTT AVENUE, LEFFINGWELL AVENUE & 16' W. PRIVATE ALLEY  
VACATION PLAT  
7/10  
DOERR INVESTMENT CO.  
12-10-74 #15  
215 S. JEFFERSON AVENUE  
ST. LOUIS, MISSOURI 63102  
PAC 314-588-7298

**METRON**  
SURVEYING & CONSULTING  
11700 N. GARDEN CITY  
ST. LOUIS, MISSOURI 63131

THE COMPANED PART OF METRON SURVEYING & CONSULTING IS A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MISSOURI.  
APPROVED BY BOARD OF PUBLIC SERVICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.  
SECRETARY \_\_\_\_\_  
DOCUMENT NO. \_\_\_\_\_

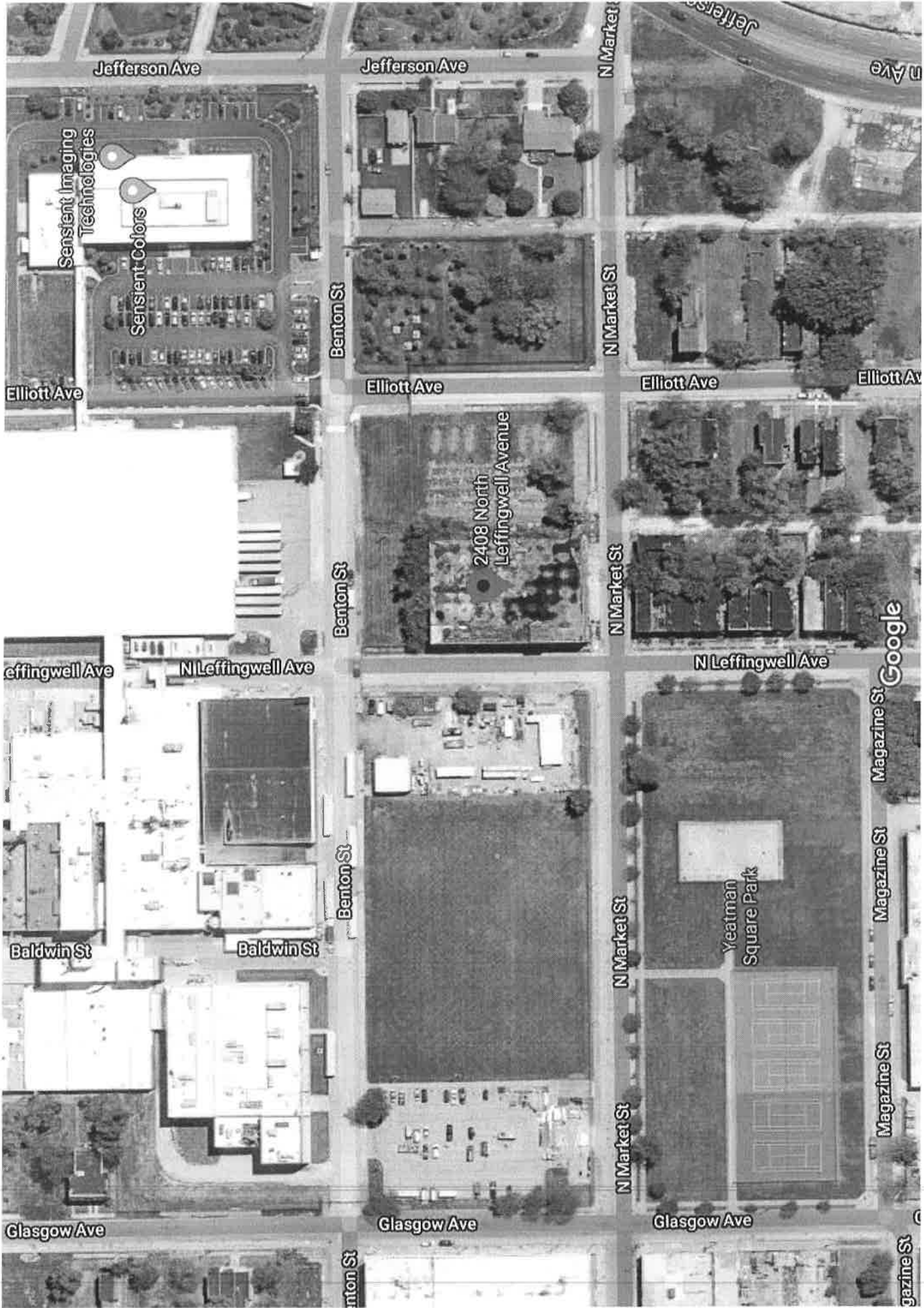
THIS IS TO CERTIFY THAT WE HAVE RECORDED THIS PLAT AT THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE CITY OF ST. LOUIS, MISSOURI, AND THAT THE SAME IS NOW A PART OF THE PUBLIC RECORDS OF SAID CITY.  
ATTEST:  
C. B. 2361

CB: 2363.00



SECTION 01







Street Dept



LYDA KREWSON  
MAYOR

# City of St. Louis

## DEPARTMENT OF STREETS OFFICE OF THE DIRECTOR

1900 HAMPTON AVENUE  
SAINT LOUIS, MISSOURI 63139  
PHONE: (314) 647-3111  
FAX: (314) 768-2888



JAMIE WILSON, P.E., PTOE  
DIRECTOR

297676

APPROVED BY THE  
BOARD OF PUBLIC SERVICE

*Chaise D. Jones* JAN 7 2020  
SECRETARY

January 7, 2020

Honorable Board of Public Service  
Room 300 - City Hall  
St. Louis, MO 63103

**RE: BOARD DOCUMENT #295687  
PETITION #6871**

Honorable Board Members:

Transmitted herewith is a draft of an ordinance to conditionally vacate:

Elliott from North Market northwardly 203.13 ± .05 feet to a point previously vacated by Ordinance 67779 and Leffingwell from North Market northwardly 265.02 feet to a point previously vacated by Ordinance 65271.

This vacation has been petitioned by Sensient Colors Inc. d/b/a Sensient Colors LLC.

Therefore, it is recommended that the above ordinance be **APPROVED** by your Board and that the Secretary be authorized to forward same to the Board of Aldermen with the recommendation that it be passed.

Sincerely,

Jamie Wilson, P.E., PTOE  
Director of Streets

JW/JDW:md

xc: Alderman Brandon Bosley

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service  
The City of St. Louis

We, the undersigned, legal owners of property in city blocks 2361, 2363 and 2364  
between Glasgow Avenue, Benton Street, Jefferson Avenue, and  
North Market Street  
hereby petition the City of St. Louis to vacate and abolish part of Elliott Avenue and  
Leffingwell Avenue  
and we hereby waive all claims for damages sustained as the result of the vacation and  
abolition of the afore-said area.

IN WITNESS WHEREOF we have hereunto set our hands this 9 day of May, 2019.

SENSIENT COLORS LLC

ATTEST Abby Rosmus Assistant Secretary  
Leroy Watson Vice-President  
Title



STATE OF WISCONSIN )  
                                  )SS  
CITY OF MILWAUKEE )

appeared Leroy Watson on this 9th day of May, 2019, before me to me personally known, who being duly sworn, did say that he is the Vice President of Sensient Colors LLC, a limited liability company; that the seal affixed to the foregoing instrument is the corporate seal of said limited liability company, and that said instrument was signed and sealed on behalf of said limited liability company by authority of its Board of Directors.

Witness my hand and notarial seal in the City of Milwaukee, State of Wisconsin, the day and year first above written.

My term expires with life

Bradley M Connors  
NOTARY PUBLIC



**ORDINANCE #67779**  
**Board Bill No. 350**

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in 1) Benton from the east right-of-way line of Elliott eastwardly 150 feet to the west right-of-way line of the 15 foot wide north/south alley in City Block 1901 (vacated) and City Block 2364 2) Elliott from the north right-of-way line of Benton southwardly  $\approx$  120 feet to a point in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

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

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

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

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

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Sensient Colors f/k/a Warner-Jenkinson will use vacated areas to enhance security and provide a private drive to existing properties.

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

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

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

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

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

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

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

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

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

**Approved: November 19, 2008**

**ORDINANCE #65271**  
**Board Bill No. 94**

An ordinance approving a Redevelopment Plan for the 330 N. Newstead Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 1994, 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 February 20, 2001, 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 330 N. Newstead Avenue Area", dated February 20, 2001, 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 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, 1994, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the 330 N. Newstead Avenue Area ("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 February 20, 2001 ("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 acquire no property in the Area by the exercise of eminent domain.

**SECTION NINE.** The property within the Area is 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 tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1994, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District taxes which may be assessed for the property located in a Special Business District. In lieu of the ten (10) year abatement outlined above, a 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 taxes 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 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.

**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 330 N. NEWSTEAD AVENUE AREA  
LEGAL DESCRIPTION**

Adjusted Lot 330

A tract of land being part of City Block 3909 of the City of St. Louis, Missouri and being more particularly described as follows:

Beginning at the intersection of the Eastern line of North Newstead Avenue, 60 feet wide, with the northern line of an alley, 25 feet wide; thence along the eastern line of said North Newstead Avenue, north 14 degrees 41 minutes 14 seconds east, 25.04 feet; thence along a line at a right angle to said eastern line and being parallel with the northern line of said alley, south 75 degrees 18 minutes 46 seconds east, 55.00 feet to an angle point; thence south 74 degrees 43 minutes 58 seconds east, 70.00 feet to an angle point; thence along a line parallel with the northern line of said alley, south 75 degrees 18 minutes 46 seconds east, 29.00 feet, thence along a line parallel with the eastern line of said North Newstead Avenue, south 14 degrees 41 minutes 14 seconds west, 24.33 feet to the northern line of said alley; thence along the northern line of said alley, north 75 degrees 18 minutes 46 seconds west, 154.00 feet to the point of beginning, according to survey number 168529 by James Engineering and Surveying Company, Inc., during the month of May, 2001, and containing 3,811 square feet, more or less.

The bearings described herein are based on Solar Observation, converted to Grid North, Missouri East Zone. (formerly parcel ID #3909-00-00470)

**EXHIBIT "B"  
FORM: 1/9/01**

BLIGHTING STUDY AND PLAN  
FOR  
**THE 330 N. NEWSTEAD AVENUE AREA**  
PROJECT #9282  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
FEBRUARY 20, 2001



MAYOR  
CLARENCE HARMON

**BLIGHTING STUDY AND PLAN FOR  
THE 330 N. NEWSTEAD AVENUE AREA**

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- "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 330 N. Newstead Avenue Redevelopment Area ("Area") consists of one single-family building in poor condition on land totalling approximately 0.8 acre in the Central West End Neighborhood of the City of St. Louis ("City"). The Area is in the block bounded by Boyle Avenue on the east, N. Newstead Avenue on the west, Maryland Avenue on the south and McPherson Avenue on the north.

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 Block 3909 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 a 6.2% unemployment rate for the City as of October, 2000. 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 dwelling in poor condition.

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 neighborhoods is approximately 12.23 persons per acre.

5. CURRENT ZONING

The Area is zoned "E" 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 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 rehabilitation of this deteriorated single-family building.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "E" Multiple-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 "E" Multiple Family Dwelling District. Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area should be changed to "A" Single-Family Dwelling District to more accurately reflect proposed use. If such a change is made, 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 "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). 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 property shall be rehabilitated so it is an attractive residential structure within the surrounding neighborhood.

b. **Urban Design Regulations**

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

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, non-scrub trees shall be retained.

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.

When 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.

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. (1994) 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 shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, upon application as provided therein.

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 for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of the 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 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 Non-discrimination 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 330 N. NEWSTEAD AVENUE AREA  
LEGAL DESCRIPTION**

Adjusted Lot 330

A tract of land being part of City Block 3909 of the City of St. Louis, Missouri and being more particularly described as follows:

Beginning at the intersection of the Eastern line of North Newstead Avenue, 60 feet wide, with the northern line of an alley, 25 feet wide; thence along the eastern line of said North Newstead Avenue, north 14 degrees 41 minutes 14 seconds east, 25.04 feet; thence along a line at a right angle to said eastern line and being parallel with the northern line of said alley, south 75 degrees 18 minutes 46 seconds east, 55.00 feet to an angle point; thence south 74 degrees 43 minutes 58 seconds east, 70.00 feet to an angle point; thence along a line parallel with the the northern line of said alley, south 75 degrees 18 minutes 46 seconds east, 29.00 feet, thence along a line parallel with the eastern line of said North Newstead Avenue, south 14 degrees 41 minutes 14 seconds west, 24.33 feet to the northern line of said alley; thence along the northern line of said alley, north 75 degrees 18 minutes 46 seconds west, 154.00 feet to the point of beginning, according to survey number 168529 by James Engineering and Surveying Company, Inc., during the month of May, 2001, and containing 3,811 square feet, more or less.

The bearings described herein are based on Solar Observation, converted to Grid North, Missouri East Zone. *(formerly parcel ID #3909-00-00470)*

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.

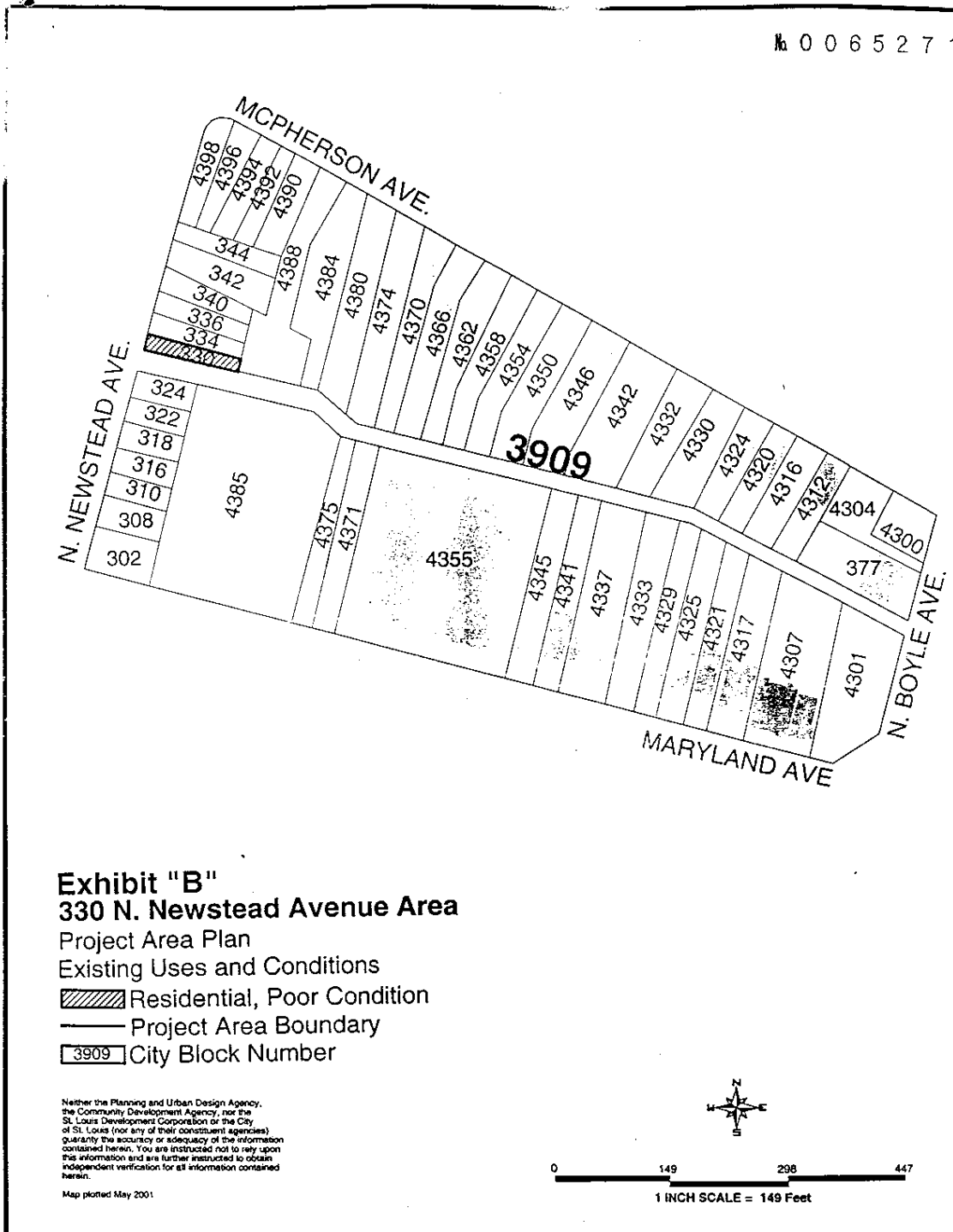
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation 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: July 24, 2001**

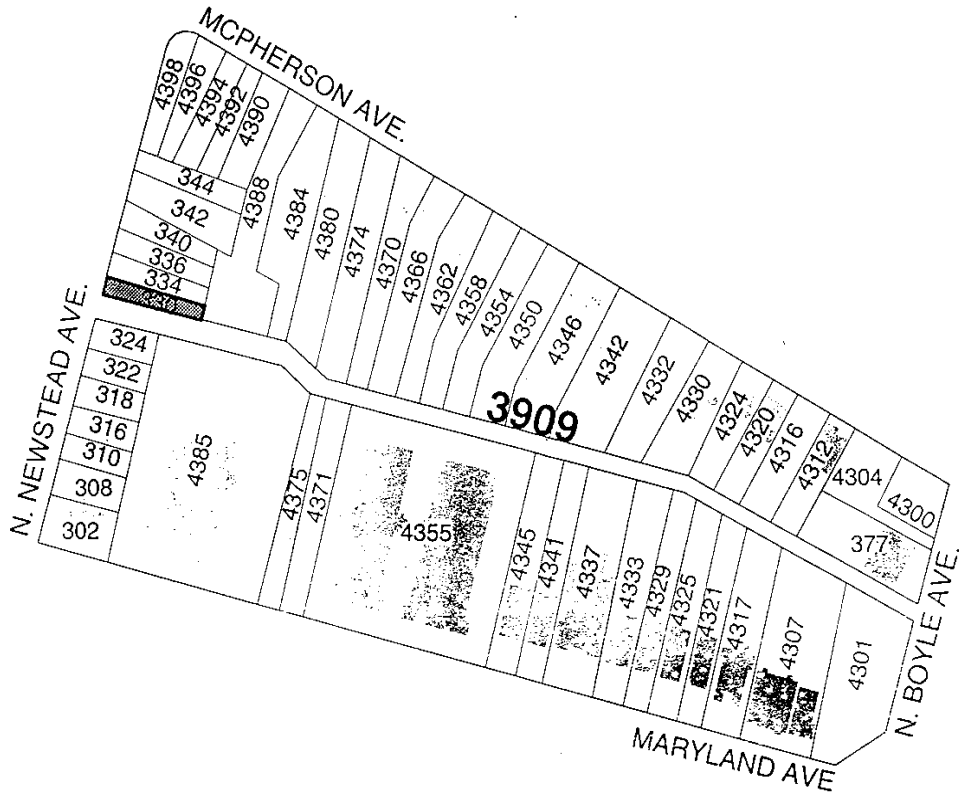


ORDINANCE NO. 65271 - EXHIBIT B



ORDINANCE NO. 65271 - EXHIBIT C

0065271



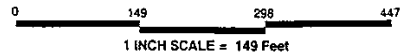
**Exhibit "C"**  
**330 N. Newstead Avenue Area**

Project Area Plan  
 Proposed Land Use

- Residential
- Project Area Boundary
- City Block Number

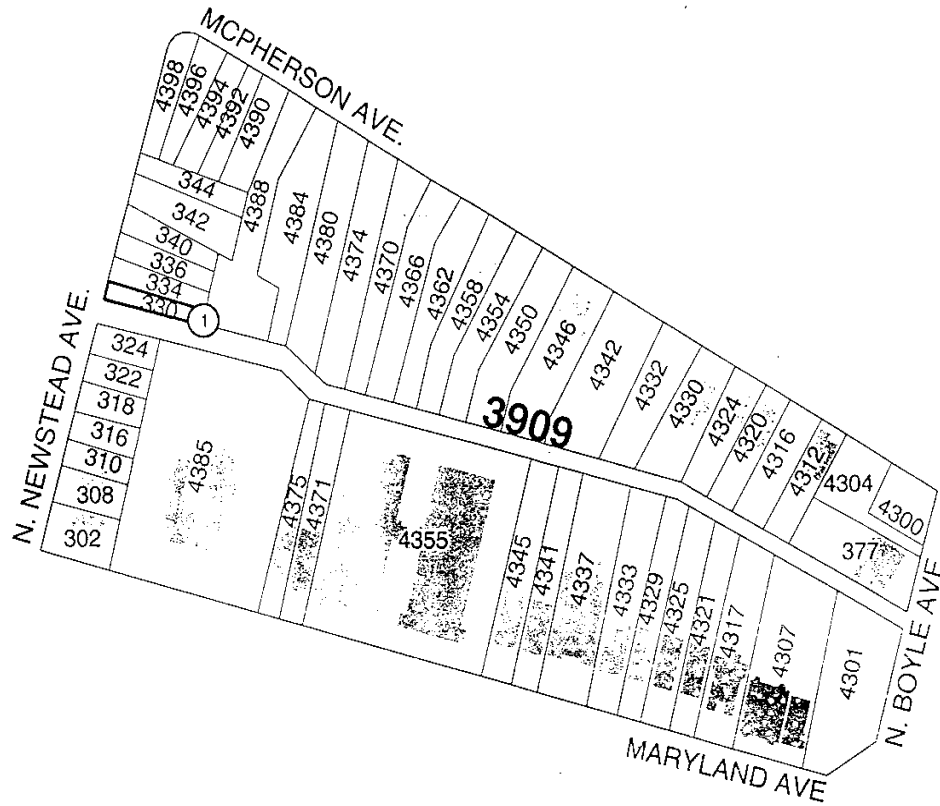
Neither the Planning and Urban Design Agency, the Community Development Agency, nor the St. Louis Development Corporation or the City of St. Louis (nor any of their constituent agencies) guaranty the accuracy or adequacy of the information contained herein. You are instructed not to rely upon this information and are further instructed to obtain independent verification for all information contained herein.

Map plotted May 2001



ORDINANCE NO. 65271 - EXHIBIT D

0065271



**Exhibit "D"**  
**330 N. Newstead Avenue Area**

Project Area Plan  
 Acquisition Map

- ① Parcel Number
- Project Area Boundary
- 3909 City Block Number

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Map plotted May 2001

