

ORDINANCE #65501
Board Bill No. 29

An Ordinance recommended and approved by the Airport Commission, Board of Public Service, and the Board of Estimate and Apportionment authorizing a "Third Amendment" to the Master Plan Expansion Program Ordinance 64279 approved March 9, 1998, as amended by Ordinance 64598 approved February 18, 1999, and Ordinance 65149 approved February 8, 2001, by adding certain real property or additional tracts of land more fully described in Section One of this Ordinance to the geographical boundaries described in Section One of the Master Plan Expansion Program Ordinance 64279 as previously amended; and containing an emergency clause.

WHEREAS, the Master Plan Expansion Program Ordinance 64279 approved March 9, 1998, authorized and established a multi-year public work and improvement program (the "W-1W Expansion Program") at Lambert-St. Louis International Airport (the "Airport") providing for the development, improvement, construction, rehabilitation, reconfiguration and expansion of the Airport as more fully described therein at a total estimated cost of Two Billion Six Hundred Million Dollars (\$2,600,000,000), made an initial appropriation of Twenty Million Dollars (\$20,000,000) from the Airport Development Fund, and contained a severability clause and an emergency clause;

WHEREAS, Ordinance 64598 approved February 18, 1999 amended Section Eleven of the Master Plan Expansion Program Ordinance 64279 approved March 9, 1998, by inserting language authorizing the deposit of certain program funds into Ordinance 64279 to reimburse in part the costs of the W-1W Expansion Program, authorized a First Supplemental Appropriation in the amount of Thirteen Million Dollars (\$13,000,000) from the Airport Development Fund, and contained an emergency clause;

WHEREAS, Ordinance 64877 approved February 22, 2000 authorized a Second Supplemental Appropriation in the amount of the proceeds from "The City of St. Louis, Missouri Letter of Intent Double Barrel Revenue Bonds, Series 2000 (Lambert-St. Louis International Airport Project)" (the "Series 2000 Bonds") deposited by the Trustee in the Project Account in the Project Fund to pay the cost of the Project as defined and provided for in Ordinance 64810 approved December 21, 1999 (the "Series 2000 Bond Ordinance"), from the Project Account in the Project Fund established pursuant to the Series 2000 Bond Ordinance 64810, into the Master Plan Expansion Program Ordinance 64279 as amended, said Second Supplemental Appropriation expressly conditioned on the issuance of the Series 2000 Bonds, and containing an emergency clause;

WHEREAS, Ordinance 65149 approved February 8, 2001 the Master Plan Expansion Program Ordinance 64279 as previously amended by adding certain real property or tracts of land more fully described in Section One of Ordinance 65149 to the geographical boundaries described in Section One of the Master Plan Expansion Program Ordinance 64279 as previously amended, and authorize a Third Supplemental Appropriation in the amount of the proceeds from "The City of St. Louis, Missouri, Airport Revenue Bonds, Series 2000A (Airport Development Program)" (the "Series 2000A Bonds", actually issued in 2001 and designated and now known as the "Series 2001A Bonds") deposited by the City and/or Trustee into the Series 2000A Airport Construction Account of the Construction Fund to pay the costs of the 2000A Project as defined and provided for in Ordinance 65087 approved November 22, 2000 (the "Series 2000A Bond Ordinance") or to reimburse the City in connection with the amounts expended therefore from the Construction Account in the Construction Fund established pursuant to the Series 2000A Bond Ordinance into the Master Plan Expansion Program Ordinance 64279 as previously amended, for the payment of costs for work and services authorized therein, said Third Supplemental Appropriation expressly conditioned on the issuance of the Series 2000A Bonds (now designated and known as the Series 2001 Bonds), and containing an emergency clause; and

WHEREAS, it is now necessary to amend Section One of the Master Plan Expansion Ordinance 64279, as previously amended, by adding certain real property or additional tracts of land more fully described in Section One of this Ordinance to the geographical boundaries described in the Master Plan Expansion Ordinance 64279 as previously amended.

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

SECTION ONE. Section One of the Master Plan Expansion Program Ordinance 64279 approved March 9, 1998, as amended by Ordinance 64598 approved February 18, 1999, and Ordinance 65149 approved February 8, 2001, is hereby amended by adding the following words and figures (including an addition exhibit titled "**Exhibit A-2**", which is attached hereto and incorporated herein) after the words "real property located within the geographical boundaries including approximately 3,472 acres as describe in "**Exhibit A**" and certain other real property or tracts of land or parcels as described in "**Exhibit A-1**": "**and Exhibit A-2**".

SECTION TWO. This being an Ordinance providing for a public works and improvement program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20, of the City's Charter and shall become effective immediately upon approval by the Mayor of the City.

"Exhibit A-2"

A TRACT OF LAND BEING IN U.S. SURVEY 406, TOWNSHIP 46 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF CYPRESS GARDENS PLAT 1 AS RECORDED IN PLAT BOOK 41 PAGE 7, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, ALONG THE WEST LINE OF SAID CYPRESS GARDENS PLAT 1, THE EAST LINE OF ROLLING GREEN ACRES AS RECORDED IN PLAT BOOK 55 PAGE 34, THE WEST LINE OF CYPRESS GARDENS PLAT 3 AS RECORDED IN PLAT BOOK 44 PAGE 92, AND THE EAST LINE OF A TRACT OF LAND CONVEYED TO SCI MISSOURI FUNERAL SERVICES INC. AS RECORDED IN DEED BOOK 12135 PAGE 1649 IN THE ST. LOUIS COUNTY RECORDERS OFFICE, NORTH 06 DEGREES 07 MINUTES 59 SECONDS EAST, A DISTANCE OF 1186.10 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID CYPRESS GARDENS PLAT 3;

THENCE, ALONG THE SOUTHERN LINE OF SAID SCI MISSOURI FUNERAL SERVICES INC., SOUTH 84 DEGREES 00 MINUTES 03 SECONDS EAST, A DISTANCE OF 572.17 FEET TO A POINT BEING ALONG THE NORTH LINE OF SAID CYPRESS GARDENS PLAT 3;

THENCE, LEAVING THE NORTH LINE OF SAID CYPRESS GARDENS PLAT 3, NORTH 04 DEGREES 16 MINUTES 46 SECONDS EAST, A DISTANCE OF 256.36 FEET TO A POINT ON THE SOUTH LINE OF INTERSTATE HIGHWAY 70 (VARIABLE WIDTH), AS RECORDED IN DEED BOOK 3679 PAGE 232, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, ALONG THE SOUTH LINE OF SAID INTERSTATE HIGHWAY 70 (VARIABLE WIDTH), SOUTH 85 DEGREES 31 MINUTES 04 SECONDS EAST, A DISTANCE OF 162.49 FEET TO A POINT ON THE WESTERN LINE OF THE RESUBDIVISION OF PART OF LOTS 14, 15, 16 OF CYPRESS GARDENS PLAT 1 AS RECORDED IN PLAT BOOK 202 PAGE 7, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, ALONG THE WESTERN LINE OF SAID RESUBDIVISION AND THE EASTERN LINE OF SAID INTERSTATE HIGHWAY 70 (VARIABLE WIDTH), NORTH 05 DEGREES 59 MINUTES 01 SECONDS EAST, A DISTANCE OF 29.58 FEET TO THE NORTHWEST CORNER OF SAID RESUBDIVISION, SAID POINT BEING ON THE SOUTH LINE OF INTERSTATE HIGHWAY 70 (VARIABLE WIDTH);

THENCE, ALONG THE NORTHERN LINE OF SAID RESUBDIVISION AND THE SOUTHERN LINE OF SAID INTERSTATE HIGHWAY 70, SOUTH 83 DEGREES 59 MINUTES 50 SECONDS EAST, A DISTANCE OF 593.04 FEET TO THE NORTHEAST CORNER OF SAID RESUBDIVISION, SAID POINT BEING ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF MISSOURI AS RECORDED IN CAUSE NO. 214648 IN THE CIRCUIT COURT CLERKS OFFICE AND IN DEED BOOK 3768 PAGE 403, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, LEAVING THE SOUTHERN LINE OF SAID INTERSTATE HIGHWAY 70, ALONG THE EASTERN LINE OF SAID RESUBDIVISION AND THE WESTERN LINE OF SAID STATE OF MISSOURI, SOUTH 20 DEGREES 46 MINUTES 40 SECONDS WEST, A DISTANCE OF 419.94 FEET TO THE NORTH LINE OF LOT 3 OF CYPRESS GARDENS PLAT 2 BLOCK 2, AS RECORDED IN PLAT BOOK 43 PAGE 12, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, ALONG THE NORTH LINE OF SAID LOT 3, SOUTH 69 DEGREES 13 MINUTES 20 SECONDS EAST, A DISTANCE OF 7.48 FEET TO THE WEST LINE OF CYPRESS ROAD AS DESCRIBED IN DEED BOOK 13578 PAGE 234, IN THE ST. LOUIS COUNTY RECORDERS OFFICE;

THENCE, ALONG THE WEST LINE OF SAID CYPRESS ROAD AS RECORDED IN DEED BOOK 13578 PAGE 234, DEED BOOK 13125 PAGE 774, DEED BOOK 13578 PAGE 224, DEED BOOK 13571 PAGE 1278, DEED BOOK 13315 PAGE 1520 AND DATE AND DAILY 03/28/2002 NUMBER 819 AND NUMBER 820 IN THE ST. LOUIS COUNTY RECORDERS OFFICE, SOUTH 20 DEGREES 46 MINUTES 40 SECONDS WEST, A DISTANCE OF 1076.43 FEET TO A POINT OF CURVATURE;

THENCE, CONTINUING ALONG THE WEST LINE OF SAID CYPRESS ROAD, A CURVE TO THE RIGHT HAVING A RADIUS OF 7833.66 FEET, THE CHORD OF WHICH BEARS SOUTH 20 DEGREES 56 MINUTES 45 SECONDS WEST, A CHORD DISTANCE OF 46.31 FEET, AN ARC DISTANCE OF 46.31 FEET TO A POINT ON THE SOUTHERN LINE OF THE

AFOREMENTIONED CYPRESS GARDENS PLAT 1;

“Exhibit A-2”

THENCE, LEAVING THE WEST LINE OF SAID CYPRESS ROAD, ALONG THE SOUTHERN LINE OF SAID CYPRESS GARDENS PLAT 1, NORTH 82 DEGREES 56 MINUTES 22 SECONDS WEST, A DISTANCE OF 936.47 FEET BACK TO THE POINT OF BEGINNING AND CONTAINING 1,509,253 SQUARE FEET, OR 34.648 ACRES, MORE OR LESS, ACCORDING TO A BOUNDARY SURVEY PERFORMED BY HANSON PROFESSIONAL SERVICES INC. DURING THE MONTH OF APRIL, 2002.

Approved: May 14, 2002