

**ORDINANCE #66224**  
**Board Bill No. 409**

AN ORDINANCE APPROVING THE PETITION OF GASLIGHT SQUARE  
COMMUNITY IMPROVEMENT DISTRICT AND ESTABLISHING THE GASLIGHT  
SQUARE COMMUNITY IMPROVEMENT DISTRICT, 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 Gaslight Square 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 10:00 a.m. on February 25, 2004, 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 Gaslight Square 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 "Gaslight Square Community Improvement District" (hereinafter referred to as the "District"), is hereby established 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:

Tract 1

A tract of land being part of City Block 3910-N, situated in the City of St. Louis, the State of Missouri and being more particularly described as follows:

COMMENCING at the intersection of the Southerly right-of-way line of Olive Street, 60 feet wide and the Westerly right-of-way line of Whittier Street, 60 feet wide, being the Northeasterly corner of said City Block 3910-N and the TRUE POINT OF BEGINNING for the tract herein described; thence along said Westerly right-of-way line, South 29 degrees 38 minutes 23 seconds West, a distance of 152.65 feet to its intersection with the Northerly right-of-way line of a 20 foot alley; thence along said Northerly right-of-way line, North 60 degrees 52 minutes 04 seconds West, a distance of 641.42 feet to a cut "+" in concrete marking its intersection with the Easterly right-of-way line of Boyle Avenue, as widened by Deed M301, Page 160 of the Land Records of said City of St. Louis; thence along said Easterly right-of-way line, North 30 degrees 20 minutes 28 seconds East, a distance of 115.26 feet to a set 1/2 inch iron rod marking an angle point; thence continuing along said Easterly right-of-way line, North 74 degrees 44 minutes 12 seconds East, a distance of 53.48 feet to a set 1/2 inch iron rod marking its intersection with said Southerly right-of-way line of Olive Street; thence along said Southerly right-of-way line, South 60 degrees 52 minutes 04 seconds East, a distance of 602.13 feet to the POINT OF BEGINNING.

Containing 2.23 acres (97,070 square feet) according to a survey by J. R. Grimes Consulting Engineers, Inc.

Tract 2

A tract of land being part of City Block 4583, situated in the City of St. Louis, the State of Missouri and being more particularly described as follows:

COMMENCING at the intersection of the Southerly right-of-way line of Olive Street, 60 feet wide and the Westerly right-of-way line of Whittier Street, 60 feet wide, being the Northeasterly corner of said City Block 3910-N; thence along the Northerly extension of said Westerly right-of-way line, North 29 degrees 38 minutes 23 seconds East, a distance of 60.00 feet to a cut "+" in concrete marking its intersection with the Northerly right-of-way line of said Olive Street, also being the Southeasterly corner of said City Block 4583 and the TRUE POINT OF BEGINNING for the tract herein described; thence along said Northerly right-of-way line, North 60 degrees 52 minutes 04 seconds West, a distance of 731.92 feet to a set 1/2 inch iron rod marking its intersection with the Easterly right-of-way line of Boyle Avenue; thence along said Easterly right-of-way line, North 08 degrees 15 minutes 04 seconds West, a distance of 191.28 feet to a set 1/2 inch iron rod marking its intersection with the Southerly right-of-way line of a 20 foot alley; thence along said Southerly right-of-way line, South 60 degrees 55 minutes 00 seconds East, a distance of 849.40 feet to a set 1/2 inch iron rod marking its intersection with the Westerly right-of-way line of Whittier Street, 60 feet wide; thence along said Westerly right-of-way line, South 29 degrees 38 minutes 23 seconds West, a distance of 152.72 feet to the POINT OF BEGINNING.

Containing 2.77 acres (120,480 square feet) according to a survey by J. R. Grimes Consulting Engineers, Inc.

#### Tract 3

A tract of land being part of City Block 4583, situated in the City of St. Louis, the State of Missouri and being more particularly described as follows:

COMMENCING at the intersection of the Southerly right-of-way line of Olive Street, 60 feet wide and the Westerly right-of-way line of Whittier Street, 60 feet wide, being the Northeasterly corner of said City Block 3910-N; thence along the Northerly extension of said Westerly right-of-way line, North 29 degrees 38 minutes 23 seconds East, a distance of 60.00 feet to a cut "+" in concrete marking its intersection with the Northerly right-of-way line of said Olive Street, also being the Southeasterly corner of said City Block 4583; thence along said Northerly right-of-way line and its Westerly extension, North 60 degrees 52 minutes 04 seconds West, a distance of 834.45 feet to a cut "+" in concrete marking its intersection with the Westerly right-of-way line of Boyle Avenue, also being the TRUE POINT OF BEGINNING for the tract herein described; thence continuing along said Northerly right-of-way line, North 60 degrees 52 minutes 04 seconds West, a distance of 134.21 feet to a cut "+" in concrete marking its intersection with the Easterly right-of-way line of Pendleton Avenue, 60 feet wide; thence along said Easterly right-of-way line, North 29 degrees 10 minutes 58 seconds East, a distance of 151.89 feet to a set 1/2 inch iron rod marking its intersection with the Southerly right-of-way line of a 20 foot alley; thence along said Southerly right-of-way line, South 60 degrees 55 minutes 00 seconds East, a distance of 38.72 feet to a set 1/2 inch iron rod marking its intersection with said Westerly right-of-way line of Boyle Avenue; thence along said Westerly right-of-way line, South 08 degrees 15 minutes 04 seconds East, a distance of 157.45 to a set 1/2 inch iron rod marking an angle point in said Westerly right-of-way line; thence continuing along said Westerly right-of-way line, South 29 degrees 38 minutes 23 seconds West, a distance of 26.82 feet to the POINT OF BEGINNING.

Containing 0.33 acres (14,430 square feet) according to a survey by J. R. Grimes Consulting Engineers, Inc.

#### **SECTION TWO.**

(a) The District is authorized by the Act to use 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.

(i) 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

all improvements. The maximum rate shall be \$2.50 per square foot of improvements.

(ii) As determined by the District, special assessments may be levied in advance beginning not sooner than 2004 so that funds will be available for operations on January 1 of the following year.

(iii) 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 Gaslight Square Community Improvement District, a Missouri not-for-profit corporation.

(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 Gaslight Square 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 Gaslight Square 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 Appendix A will serve a public purpose by remediating blight, and providing economic development and modern housing within the District.

**SECTION EIGHT.** The District is located in an area, which has been declared blighted pursuant to Ordinances 58764 and 59978 of the City of St. Louis.

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

**SECTION ELEVEN.** 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 TWELVE.** The Register shall report in writing the creation of the Gaslight Square 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.

See attached Exhibit - Gaslight Square

**Approved: March 21, 2004**

