

ORDINANCE #66928
Board Bill No. 280

An ordinance finding and declaring that there exists in the City of St. Louis a certain blighted area as defined in Section 353.020, Revised Statutes of Missouri, 2000, and Section 11.06.010 and 11.06.020 of the Revised Code of the City of St. Louis, Missouri, and reaffirming the existing blight of said area pursuant to ordinance no. 64516; that the redevelopment of such area is necessary and in the public interest under Chapter 353 of the Revised Statutes of Missouri, 2000, and under Chapter 11.06 of the Revised Code of the City of St. Louis, Missouri, and is further in the interest of the public health, safety, morals and general welfare of the people of the City of St. Louis; said blighted area (hereinafter "Blighted area") being more particularly described as follows: A tract of land located in the City of St. Louis, Missouri, being all or a portion of City Block 3882 and specifically described upon Exhibit A, as attached hereto; and containing a severability clause.

WHEREAS, by reason of age, obsolescence, inadequate or outmoded design, or physical deterioration, the Blighted Area has become an economic and social liability, by reason of which such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes; and

WHEREAS, the clearance, replanning, rehabilitation, or reconstruction of such Blighted Area, and the provisions for such industrial, commercial, residential, recreational, or public structures and spaces as may be appropriate, including other facilities incidental or appurtenant thereto, is necessary and in the public interest under Chapter 353 of the Revised Statutes of Missouri, 2000, as amended, and under Chapter 11.06 of the Revised Code of the City of St. Louis, Missouri, and is further necessary and in the interest of the public health, safety, morals, and general welfare of the people of the City of St. Louis; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory processes and the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the "Urban Redevelopment Corporation Law" set forth in Chapter 353, Revised Statutes of Missouri, 2000, and Chapter 11.06 of the Revised Code of the City of St. Louis; and

WHEREAS, the Blighted Area has been determined and declared as blighted pursuant to Ordinances No. 64516 (12/11/1998) pursuant to Chapter 99, RSMo., and a redevelopment plan approved therefor by said Ordinance, which said redevelopment plan is active as of the date hereof; and was previously declared blighted by Ordinance No. 56791 pursuant to Chapter 353, RSMo.; and

WHEREAS, the Planning Commission has reviewed the study and investigation of the Blighted Area and did thereafter adopt a resolution recommending a finding that the area is blighted and reaffirming the existence of the blight found and determined pursuant to Ordinance No. 64516 as to the area, which resolution has been duly transmitted to the Mayor, the Board of Aldermen, and the HUDZ Committee of the Board of Aldermen.

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

SECTION ONE. There exists within the City of St. Louis a certain area hereby determined, found and declared as blighted as defined by Section 353.020, Revised Statutes of Missouri, 2000, and by Chapter 11.06 of the Revised Code of the City of St. Louis, Missouri, by reason of age, obsolescence, inadequate or outmoded design, or physical deterioration, the above blighted area has become an economic and social liability, by reason of which such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes; the finding of blight pursuant to Ordinance No. 64516 is hereby reaffirmed as to the Blighted Area, to be known as the Kingsdell Redevelopment Area, and being described as follows: A tract of land located in the City of St. Louis, Missouri, being all or portion of City Block 3882 and specifically described upon **Exhibit A**, attached hereto and incorporated herein by this reference.

SECTION TWO. The redevelopment of the Blighted Area, as provided by Chapter 353, Revised Statutes of Missouri, 2000, and Chapter 11.06 of the Revised Code of the City of St. Louis, Missouri, is hereby determined, found, and declared under said Chapter 353 and under said Chapter 11.06 to be necessary and in the public interest under Chapter 353 of the Revised Statutes of Missouri, 2000, as amended, and under Chapter 11.06 of the Revised Code of the City of St. Louis, Missouri, and is further necessary and in the interest of the public health, safety, morals, and general welfare of the people of the City of St. Louis.

SECTION THREE. The sections of this ordinance shall be severable. In the event 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 this ordinance are so essentially and inseparably connected with, and so dependent upon, the void sections, that it cannot

be presumed that the Board of Alderman 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. If any part of this ordinance regarding the rights of Developer are found invalid or unconstitutional, Developer shall thereafter at its election have the right to be released from any Development Agreement.

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

A tract of land in Block 3882 of the City of St. Louis, Missouri, beginning at the intersection of the Eastern line of Kingshighway Boulevard, 100 feet wide, with the Southern line of Maryland Plaza, 80 feet wide; thence along the Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East, 200.00 feet to a point, said point being the Northeast corner of property conveyed to Singleton by deed recorded in Book 4189 page 404 of the St. Louis City records; thence leaving said street line and running along a line parallel with the Eastern line of Kingshighway Boulevard and being the Eastern line of said Singleton property, South 6 degrees 21 minutes 40 seconds East, 196.62 feet to a point; thence leaving said point and running the following: North 89 degrees 33 minutes 08 seconds West, 61.67 feet; North 4 degrees 42 minutes 25 seconds West, 8.16 feet and South 85 degrees 17 minutes 58 seconds West, 137.39 feet to a point on the Eastern line of Kingshighway Boulevard, as aforementioned, said point being distant, North 6 degrees 21 minutes 40 seconds West, 247.83 feet from the Northern line of Lindell Boulevard, 100 feet wide, as measured along the Eastern line of Kingshighway Boulevard; thence along said Eastern street line, North 6 degrees 21 minutes 40 seconds West, 202.93 feet to the point of beginning.

PARCEL 2:

Sub-surface easement more particularly described as follows: A portion of the public street rights-of-way known as Kingshighway Boulevard, 100 feet wide, and Maryland Plaza, 80 feet wide, adjacent to Block 3882 of the City of St. Louis, Missouri, lying between horizontal planes at elevation 72.35 and 82.20 above 0.00 on the St. Louis City Datum and bounded by vertical planes described as follows: Commencing at the intersection of the Northern line of Lindell Boulevard, 100 feet wide, with the Eastern line of Kingshighway Boulevard, 100 feet wide; thence along said Eastern line of Kingshighway Boulevard, 100 feet wide; thence along said Eastern line of Kingshighway Boulevard, North 6 degrees 21 minutes 40 seconds West, 233.89 feet to the point of beginning of the herein described tract of land; thence leaving said Eastern street line, and running South 85 degrees 17 minutes 58 seconds west, 17.01 feet to a point; thence along a line parallel with the Eastern line of Kingshighway Boulevard, North 6 degrees 21 minutes 40 seconds West, 202.48 feet to a point; thence North 36 degrees 10 minutes 13 seconds East, 34.20 feet to a point; thence along a line parallel with the Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East, 107.00 feet to a point; thence North 86 degrees 28 minutes 40 seconds East, 25.15 feet to a point; thence along a line parallel with the Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East, 61.50 feet to a point; thence South 6 degrees 21 minutes 40 seconds East, 14.12 feet to a point on the Southern line of Maryland Plaza at the Northeast corner of property conveyed to Singleton by Deed recorded in Book 4189 page 404 of the St. Louis City records; thence along the Southern line of Maryland Plaza, North 88 degrees 57 minutes 40 seconds West, 200.00 feet to its intersection with the Eastern line of Kingshighway Boulevard, as aforementioned; thence along said Eastern street line, South 6 degrees 21 minutes 40 seconds East, 216.87 feet to the point of beginning.

PARCEL 3:

A tract of land in Block 3882 of the City of St. Louis, Missouri, beginning at the intersection of the Northern line of Lindell Boulevard, 100 feet wide, with the Eastern line of Kingshighway, 100 feet wide; thence along said Eastern line of Kingshighway Boulevard, North 6 degrees 21 minutes 40 seconds West, 247.83 feet to a point; thence leaving said street line and running the following: North 85 degrees 17 minutes 58 seconds East, 137.39 feet; South 4 degrees 42 minutes 25 seconds East, 8.16 feet and South 89 degrees 33 minutes 08 seconds East, 61.67 feet to a point; thence North 6 degrees 21 minutes 40 seconds West 1.98 feet to a point; thence South 89 degrees 00 minutes 00 seconds East 46.97 feet to a point; thence North 1 degree 02 minutes 20 seconds East 98.99 feet to a point; thence leaving said point and running along a line parallel with and 94.00 feet perpendicular distant South of the Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East 252.68 feet to a point, said point being distant North 88 degrees 57 minutes 40 seconds West, 68.24 feet from the Western line of York Avenue, as measured along the last mentioned line and located on the direct Northward prolongation of the Eastern wall of a concrete parking garage; thence leaving said point and running along said prolongation, along the Eastern wall of said parking garage and along its direct Southward prolongation South 1 degree 06 minutes 00 seconds West, 139.23 feet to a point on the Northern line of property conveyed to "220 Television, Inc.", by deed recorded in Book 154M page 1091 of the City of St. Louis records, said point being distant North 88 degrees 57 minutes 40 seconds West, 88.41 feet from the West line of York Avenue, as measured along said Northern line; thence

leaving the aforementioned point and running along the Northern line of "220 Television Inc.", North 88 degrees 57 minutes 40 seconds West, 18.06 feet to the Northwest corner thereof; thence along the Western line of said property, South 1 degree 02 minutes 20 seconds West, 25.63 feet to a point on the Northern wall of a one story, brick and concrete building; thence leaving said Western property line and running along said Northern wall line South 88 degrees 52 minutes 34 seconds East, 6.97 feet to the Northeast corner of said one story building and located on the Western wall of a two story brick and concrete block building; thence along the wall line of said one story building and said two story building, South 1 degree 06 minutes 59 seconds West, 24.32 feet to a point; thence leaving the Eastern wall of said one story building and running along the wall of said two story building the following: South 88 degrees 53 minutes 01 seconds East, 9.04 feet; South 0 degrees 55 minutes 46 seconds West, 50.77 feet; North 88 degrees 53 minutes 07 seconds West, 1.20 feet; South 0 degrees 55 minutes 46 seconds West, 1.36 feet and South 88 degrees 53 minutes 07 seconds East, 1.20 feet to a point; thence leaving said wall line and running South 1 degree 02 minutes 17 seconds West, 111.36 feet to a point on the Northern line of Lindell Boulevard, as aforementioned, said point being distant South 89 degrees 00 minutes 00 seconds East, 5.92 feet from the Southwest corner of property conveyed to "220 Television Inc.", as measured along the Northern line of Lindell Boulevard; thence leaving said point and running along the Northern line of said Lindell Boulevard North 89 degrees 00 minutes 00 seconds West, 464.53 feet to the point of beginning.

PARCEL 4:

A tract of land being part of Block 3882 of the City of St. Louis, Missouri, and described as follows: Commencing at the intersection of the Eastern line of Kingshighway Boulevard, 100 feet wide, with the Southern line of Maryland Plaza, 80 feet wide; thence along said Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East, 200.00 feet to a point, said point being the Northeast corner of property conveyed to Singleton by deed recorded in Book 4189 page 404 of the St. Louis City records; thence leaving said street line and running along a line parallel with the Eastern line of Kingshighway Boulevard and being the Eastern line of said Singleton property South 6 degrees 21 minutes 40 seconds East, 94.79 feet to a point of beginning of the herein described tract of land; thence leaving said point and running along a line parallel with and 94.00 feet perpendicular distance South of the Southern line of Maryland Plaza, South 88 degrees 57 minutes 40 seconds East, 59.83 feet to a point; thence leaving said point and running South 1 degree 02 minutes 20 seconds West, 98.99 feet to a point; thence leaving said point and running along a line parallel with the Northern line of Lindell Boulevard, 100 feet wide, North 89 degrees 00 minutes 00 seconds West, 46.97 feet to a point on the Eastern line of Singleton as aforementioned; thence along said Eastern line North 6 degrees 21 minutes 40 seconds West, 99.85 feet to the point of beginning.

PARCEL 5:

Easement for the benefit of Parcels 1, 3 and 4 herein described for the purpose of vehicular and pedestrian access, ingress and egress, according to Easement Agreement and Parking Space Lease dated July 31, 1998, by and between W.S. Stallings Corporation, and Kingsdell L.P., recorded October 22, 1998 in Book 1444M page 1253, over the area described therein, as follows:

A tract of land in Block 3882 of the City of St. Louis, Missouri, and described as follows: Beginning at a point in the South line of Maryland Avenue distant 200 feet 0 inches East of the intersection of said South line with the East line of Kingshighway Boulevard; thence Southwardly parallel with Kingshighway Boulevard and along the East line of property conveyed to Marvin E. Singleton by deed recorded in Book 4189 page 404, 94 feet 9-1/2 inches to a point distant 94 feet 0 inches South of the South line of Maryland Avenue; thence Eastwardly parallel with Maryland Avenue and along the North line of property conveyed to Harvey Imbolden by deed recorded in Book 6227 page 294, 62 feet 0-3/8 inches to a point; thence Northwardly perpendicular with Maryland Avenue, 39 feet 0 inches to a point; thence Westwardly parallel with Maryland Avenue, 25 feet 6 inches to a point; thence Northwardly perpendicular with Maryland Avenue, 55 feet 0 inches to a point in the South line of Maryland Avenue, 48 feet 9 inches to the point of beginning.

PARCEL 6:

Easements for the benefit of Parcels 1, 3 and 4 herein described, for the purposes of Construction, use, maintenance, repair and reconstruction of driveways and ingress and egress created by instrument designated "Driveway Easement Agreement", dated May 18, 1981 and recorded in Book 271M page 64 on May 21, 1981 over the following described property:

EASEMENT "A":

A tract of land being part of Block 3882 of the City of St. Louis, Missouri, and described as follows: Beginning at a point on the Western line of York Avenue, 40 feet wide, at the Northeast corner of property conveyed to "220 Television Inc.", by deed recorded in Book 154M page 1091 of the St. Louis City records, said point being distant North 7 degrees 08 minutes 40 seconds West, 215.57

feet from the Northern line of Lindell Boulevard, 100 feet wide, as measured along the Western line of York Avenue; thence leaving said Western street line and running along the Northern line of "220 Television Inc.", North 88 degrees 57 minutes 40 seconds West, 88.41 feet to a point, said point being on the direct Southward prolongation of the Eastern wall of a Concrete Parking Garage; thence leaving said point and running along said prolongation, North 1 degree 06 minutes 00 seconds East, 20.00 feet to a point; thence leaving said point and running South 88 degrees 57 minutes 40 seconds East, 85.51 feet to a point on the Western line of York Avenue, as aforementioned; thence along said Western street line South 7 degrees 08 minutes 40 seconds East, 20.21 feet to the point of beginning.

EASEMENT "B":

A tract of land being part of Block 3882 of the City of St. Louis, Missouri, and described as follows: Commencing at a point on the Western line of York Avenue, 40 feet wide, at the Southeast corner of property conveyed to H & M Koplak by deed recorded in Book 207M page 206 of the St. Louis City records, said point being distant South 7 degrees 08 minutes 40 seconds East, 94.97 feet from the Southern line of Maryland Plaza, 80 feet wide, as measured along the Western line of York Avenue; thence along said Western street line South 7 degrees 08 minutes 40 seconds East, 19.00 feet to the point of beginning of the herein described tract of land; thence continuing along said street line South 7 degrees 08 minutes 40 seconds East, 34.00 feet to a point; thence leaving said Western street line and running North 75 degrees 38 minutes 39 seconds West, 8.51 feet and North 84 degrees 43 minutes 40 seconds West 67.74 feet to a point on the Eastern wall of a concrete parking garage; thence along said Eastern wall North 1 degree 06 minutes 00 seconds East, 20.50 feet to a point; thence leaving said point and running North 89 degrees 06 minutes 58 seconds East, 59.61 feet and North 70 degrees 50 minutes 17 seconds East, 12.14 feet to the point of beginning.

PARCEL 7:

Easement for the benefit of Parcels No. 1, 3 and 4 herein described, for the purpose of construction use, storage, maintenance, demolition, repair and reconstruction of a basement, including access thereto, created by instrument designated "Basement Easement Agreement", dated May 18, 1981 and recorded in Book 271M page 84 on May 21, 1981 over the following described property; a tract of land being part of Block 3882 of the City of St. Louis, Missouri, and described as follows: Commencing at a point on the Northern line of Lindell Boulevard, 100 feet wide, at the Southwest corner of property conveyed to "220 Television Inc.", by deed recorded in Book 154M page 1091 of the St. Louis City records; thence along the Northern line of Lindell Boulevard South 89 degrees 00 minutes 00 seconds East, 5.92 feet to a point; thence leaving said street line and running North 1 degrees 02 minutes 17 seconds East, 24.71 feet to the point of beginning of the herein described tract of land; thence continuing along the last mentioned line, North 1 degrees 02 minutes 17 seconds East, 24.71 feet to the point of beginning of the herein described tract of land; thence continuing along the last mentioned line, North 1 degrees 02 minutes 17 seconds East, 86.65 feet to its intersection with the Southern wall of a two story brick and concrete block building; thence along the wall of said building the following bearing and distances: North 88 degrees 53 minutes 07 seconds West, 1.20 feet; North 0 degrees 55 minutes 46 seconds East, 1.36 feet; South 88 degrees 53 minutes 07 seconds East, 1.20 feet; North 0 degrees 55 minutes 46 seconds East, 50.77 feet and North 88 degrees 53 minutes 01 seconds West, 9.04 feet to its intersection with the Eastern wall of a one story brick and concrete block building; thence along the wall line of said one story and said two story buildings North 1 degree 06 minutes 59 seconds West, 24.32 feet to the Northwest corner of said one story building; thence leaving said point and running the following bearings and distances: South 88 degrees 52 minutes 34 seconds East, 8.51 feet; South 1 degree 06 minutes 59 seconds West, 12.67 feet; South 88 degrees 53 minutes 01 second East, 8.93 feet and South 1 degree 12 minutes 50 seconds West, 57.77 feet to the Northwest corner of an eight story brick building; thence along the Western wall of said building and the following bearings and distances: South 1 degree 23 minutes 44 seconds East, 78.19 feet; South 88 degrees 36 minutes 16 seconds West, 0.27 feet and South 1 degree 23 minutes 44 seconds East, 14.46 feet to the Southwest corner thereof; thence leaving said point and running North 89 degrees 17 minutes 57 seconds west, 11.81 feet to the point of beginning.

Approved: December 15, 2005