

ORDINANCE 71183

**BOARD BILL NUMBER 53 AS AMENDED INTRODUCED BY: ALDERWOMAN
HEATHER NAVARRO**

1 An Ordinance Approving The Petition Of An Owner Of Certain Real Property To Establish
2 A Community Improvement District, Establishing The Forest Park TOD Community
3 Improvement District, Finding A Public Purpose For The Establishment Of The Forest Park TOD
4 Community Improvement District, And Containing An Emergency Clause And Containing A
5 Severability Clause.

6 **WHEREAS**, the City is a body corporate and a political subdivision of the State of
7 Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution,
8 and laws of the State of Missouri; and

9 **WHEREAS**, Section 67.1400 *et seq.*, RSMo, (the “CID Act”) authorizes the Board of
10 Aldermen to approve the petitions of property owners to establish a Community Improvement
11 District; and

12 **WHEREAS**, a petition has been filed with the City, requesting formation and
13 establishment of the Forest Park TOD Community Improvement District (the “CID”), signed by
14 the authorized representatives of the owners of more than fifty percent by assessed value and per
15 capita of the property located within the proposed boundaries of the CID (the “Petition”); and

16 **WHEREAS**, the Register of the City of St. Louis did review and determine that the Petition
17 substantially complies with the requirements of the CID Act; and

18 **WHEREAS**, a public hearing, duly noticed and conducted as required by and in
19 accordance with the CID Act was held at St. Louis City Hall, 1200 Market Street, St. Louis,
20 Missouri 63103 at [10:00]am on June [18], 2020, by the Board of Aldermen; and

1 **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this ordinance is
2 in the best interest of the City of St. Louis and that the owners of real property located within the
3 CID, as well as the City as a whole, will benefit from the establishment of the CID and the other
4 transactions described herein.

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

6 **SECTION ONE.**

7 1. A community improvement district, to be known as the “Forest Park TOD
8 Community Improvement District” (hereinafter referred to as the “CID”), is hereby established
9 pursuant to the CID Act on certain real property described below to provide a source of revenue
10 to expand pursuant to one or more contracts with one or more developers, or contract with a private
11 property owner to undertake a project on behalf of the CID, which project may include the
12 demolition and removal of existing buildings or structures within the CID and the construction and
13 installation and maintenance of public improvements within the CID, impose a sales and use tax,
14 and carry out other functions as set forth in the Petition, which is attached hereto as **Appendix A**
15 and incorporated herein by this reference.

16 2. The CID boundaries are set forth in the Petition and are generally described as
17 follows: Generally bounded by Waterman Boulevard to the North, DeBaliviere Avenue and 5630
18 Pershing Avenue to the East, Forest Park Parkway to the South, and 5732 DeGiverville Avenue,
19 5714 Waterman Boulevard and 5715 DeGiverville Avenue to the West.

20 **SECTION TWO.** The CID is authorized by the Petition, in accordance with the CID Act,
21 to impose a tax upon retail sales within the CID to provide funds to accomplish any power, duty
22 or purpose of the CID.

1 **SECTION THREE.** The CID is authorized by the CID Act, at any time, to issue
2 obligations, or to enter into agreements with other entities with the authority to issue obligations,
3 for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be
4 payable out of all, part or any combination of the revenues of the CID and may be further secured
5 by all or any part of any property or any interest in any property by mortgage or any other security
6 interest granted. Such obligations shall be authorized by resolution of the CID, and if issued by
7 the CID, shall bear such date or dates, and shall mature at such time or times, but not more than
8 twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations shall
9 be in such denomination, bear interest at such rate or rates, be in such form, be payable in such
10 place or places, be subject to redemption as such resolution may provide and be sold at either
11 public or private sale at such prices as the CID shall determine subject to the provisions of Section
12 108.170, RSMo. The CID is also authorized to issue such obligations to refund, in whole or part,
13 obligations previously issued by the CID.

14 **SECTION FOUR.**

15 1. Pursuant to the Petition, the CID shall be in the form of a political subdivision of
16 the State of Missouri, known as the “Forest Park TOD Community Improvement District.”

17 2. Pursuant to Section 67.1471 of the CID Act, the fiscal year for the CID shall be the
18 same as the fiscal year for the City of St. Louis.

19 3. No earlier than one hundred and eighty (180) days and no later than ninety (90)
20 days prior to the first day of each fiscal year, the CID shall submit to the Board of Aldermen a
21 proposed annual budget for the CID, setting forth expected expenditures, revenues, and rates of
22 assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on
23 this proposed budget, but if such comments are given, the Board of Aldermen shall provide such

1 written comments no later than sixty (60) days prior to the first day of the relevant fiscal year; such
2 comments shall not constitute requirements, but shall only be recommendations.

3 4. The CID shall hold an annual meeting and adopt an annual budget no later than
4 thirty (30) days prior to the first day of each fiscal year.

5 **SECTION FIVE.** The CID is authorized to use the funds of the CID for any of the
6 improvements, services or other activities authorized under the CID Act.

7 **SECTION SIX.** Pursuant to the CID Act, the CID shall have all of the powers necessary
8 to carry out and effectuate the purposes of the CID and the CID Act as set forth in the CID Act.

9 **SECTION SEVEN.** The City of St. Louis hereby finds that the uses of the CID proceeds
10 as provided for in the Petition will serve a public purpose by remediating blight and encouraging
11 the redevelopment of real property within the CID.

12 **SECTION EIGHT.** The property within the CID is a “blighted area” pursuant to Section
13 67.1401.2(3) of the CID Act because such property was declared a blighted area under Sections
14 99.800 to 99.865, RSMo pursuant to Ordinance No. 71069.

15 **SECTION NINE.** Within one hundred twenty (120) days after the end of each fiscal year,
16 the CID shall submit a report to the Register of the City and the Missouri Department of Economic
17 Development stating the services provided, revenues collected and expenditures made by the CID
18 during such fiscal year, and copies of written resolutions approved by the board of directors of the
19 CID during the fiscal year. The Register shall retain this report as part of the official records of
20 the City and shall also cause this report to be spread upon the records of the Board of Aldermen,
21 pursuant to Section 67.1471 of the CID Act.

1 **SECTION TEN.** The term for the existence of the CID shall be as set forth in the Petition,
2 as may be amended from time to time, or as such term may be otherwise modified in accordance
3 with the CID Act.

4 **SECTION ELEVEN.** Pursuant to the CID Act, the Board of Aldermen shall not decrease
5 the level of publicly funded services in the CID existing prior to the creation of the CID or transfer
6 the burden of providing the services to the CID unless the services at the same time are decreased
7 throughout the City, nor shall the Board of Aldermen discriminate in the provision of the publicly
8 funded services between areas included in the CID and areas not so included.

9 **SECTION TWELVE.** The Register shall report in writing the creation of the Forest Park
10 TOD Community Improvement District to the Missouri Department of Economic Development.

11 **SECTION THIRTEEN.** The Petition provides that the CID shall be governed by a Board
12 of Directors consisting of five individual directors (collectively the “Directors” and each a
13 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the Board
14 of Aldermen, in accordance with the CID Act and the qualifications set forth in the Petition. By
15 her approval of this ordinance, the Mayor does hereby appoint the following named individuals as
16 Directors of the CID for the terms set forth below, and by adoption of this ordinance, the Board of
17 Aldermen hereby consents to such appointments:

	<u>Name</u>	<u>Term</u>
18		
19	Jeffrey J. Tegethoff	4 years
20	Anna Tegethoff	4 years
21	Sean Kelley	2 years
22	Zach Wilson	2 years
23	Dana Scott	2 years

1 **SECTION FOURTEEN.** The Mayor and Comptroller of the City or their designated
2 representatives are hereby authorized and directed to take any and all actions to execute and deliver
3 for and on behalf of the City any and all additional certificates, documents, agreements or other
4 instruments as may be necessary and appropriate in order to carry out the matters herein authorized,
5 with no such further action of the Board of Alderman necessary to authorize such action by the
6 Mayor or Comptroller or their designated representatives.

7 **SECTION FIFTEEN.** The Mayor and Comptroller and their designated representatives,
8 with the advice and concurrence of the City Counselor, are hereby further authorized and directed
9 to make any changes to the documents, agreements and instruments approved and authorized by
10 this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate
11 in order to carry out the matters herein authorized, with no such further action of the Board of
12 Alderman necessary to authorize such changes by the Mayor or Comptroller or their designated
13 representatives.

14 **SECTION SIXTEEN.** If any section, subsection, sentence, clause, phrase or portion of
15 this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of
16 competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate,
17 distinct and independent provision of this ordinance, and such holding or holdings shall not affect
18 the validity of the remaining portions of this ordinance.

19 **SECTION SEVENTEEN.** The Board of Aldermen hereby finds and determines that this
20 ordinance constitutes an “emergency measure” pursuant to Article IV, Section 20 of the City
21 Charter, because this Ordinance establishes the CID, which is a taxing district, and as such, this
22 Ordinance shall take effect immediately upon its approval by the Mayor as provided in Article IV,
23 Section 20 of the City Charter.

APPENDIX A

Petition to Establish the Forest Park TOD Community Improvement District

On file with City Register and Attached

BOARD BILL NUMBER 53

AS AMENDED

FISCAL NOTE

Preparer's Name: David G. Richardson

Contact Information: Husch Blackwell LLP

Attn: David G. Richardson

(314) 480-1718

David.Richardson@huschblackwell.com

Bill Sponsor: Alderwoman Heather Navarro

Bill Synopsis:	Board Bill 53 approves the creation of the Forest Park TOD Community Improvement District and finds a public purpose for the creation of the proposed district.
Type of Impact:	The purpose for the creation of the CID to provide a source of revenue to expand pursuant to one or more contracts with one or more developers, or contract with a private property owner to undertake a project on behalf of the CID, which project may include the demolition and removal of existing buildings or structures within the CID and the construction and installation and maintenance of public improvements within the CID, impose a sales and use tax, and carry out other functions as set forth in the Petition to Establish the Forest Park TOD Community Improvement District.
Agencies Affected:	None

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? Yes No.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? Yes No.
- A commitment of city funding in the future under certain specified conditions? Yes No.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? Yes No.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? Yes No.
- A capital improvement project that increases operating costs over the current adopted city budget? Yes No.
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? Yes No.

If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill. Complete Section B of the form below.



LYDA KREWSON
MAYOR

City of St. Louis REGISTER'S OFFICE

Room 118 City Hall
St. Louis, Missouri 63103
Phone: (314) 622-4145
Fax: (314) 622-4247



DIONNE FLOWERS
REGISTER

June 2, 2020,

Mr. Terry Kennedy
Clerk to the Board of Aldermen
City Hall, Room 230
St. Louis, Missouri 63103

RE: Petition to Establish the Forest Park TOD Community Improvement District

Dear Mr. Kennedy:

As used in this letter, "Act" means Section 67.1401 et seq. RSMo., as amended, the Community Improvement District Act adopted by the State of Missouri.

I am duly appointed, qualified, and acting Register of the City of St. Louis ("City").

A Petition for the creation of the Forest Park TOD Community Improvement District under the Act was filed with my office on May 21, 2020.

The Petition and execution pages were reviewed by me, and the personnel from the offices of the Assessor and City Counselor. Based on my review, and on information and advice provided to me by those offices, I hereby report to you that the Petition substantially complies with the requirements of Section 67.1421.2, RSMo.

Very truly yours,

Dionne M. Flowers
Register

cc: Stephen Conway, Chief of Staff to the Mayor
David Donald, Abatement/Redevelopment Coordinator, Assessor's Office
Nicholas Findley, Tax Auditor, Collector of Revenue
Patrick Eckelkamp (patrick.eckelkamp@huschblackwell.com)

HUSCH BLACKWELL

Patrick J. Eckelkamp
Attorney

190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
Direct: 314.345.6267
Fax: 314.480.1505
patrick.eckelkamp@huschblackwell.com

May 20, 2020

VIA FEDEX

Dionne Flowers
St. Louis City Register
City of St. Louis
1200 Market Street, Room 118
St. Louis, MO 63103

Re: Petition to Establish the Forest Park TOD Community Improvement District

Dear Ms. Flowers:

Please find enclosed for your review and determination of its compliance with the Community Improvement District Act, RSMo. §67.1401 *et seq.* a Petition to Establish the Forest Park TOD Community Improvement District.

Please do not hesitate to contact me should you have any questions.

Sincerely,

DocuSigned by:

826574CC28EF4CC...
Patrick J. Eckelkamp

Enclosure

cc: Heather Navarro, 28th Ward Alderwoman (with enclosure)
Shameem Clark Hubbard, 26 Ward Alderwoman (with enclosure)
Deborah Deuster, St. Louis City Counselor's Office (with enclosure)
David Donald, St. Louis City Assessor's Office (with enclosure)

**PETITION TO ESTABLISH
FOREST PARK TOD
COMMUNITY IMPROVEMENT
DISTRICT**

**Petition to Establish a Community
Improvement District
Pursuant to Sections 67.1401-67.1571 of the
Revised Statutes of Missouri, as Amended**

City Of St. Louis, Missouri

May 2020

EXHIBITS

EXHIBIT A DISTRICT LEGAL DESCRIPTION

EXHIBIT B DISTRICT BOUNDARY MAP

**PETITION TO ESTABLISH
FOREST PARK TOD
COMMUNITY IMPROVEMENT DISTRICT**

This Petition (“Petition”) to establish a Community Improvement District within a certain limited portion of the City of St. Louis, Missouri (the “City”), is hereby submitted to the City in accordance with the Community Improvement District Act as set forth in Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the “Act”).

As set forth herein, the undersigned (the “Petitioners”), are signing this Petition in accordance with the Act to request that the governing body of the City (the “Board of Aldermen”) hold a public hearing and approve the Petition and establish the Community Improvement District as described herein and in accordance with the Act.

1. DESCRIPTION OF THE DISTRICT

A. Name of District

The name of the District shall be the “**Forest Park TOD Community Improvement District**” (the “District”).

B. Legal Description

The District includes all of the real property (the “District Property”) legally described on Exhibit A attached hereto and made a part hereof.

C. Boundary Map

A map illustrating the boundaries of the District is attached hereto and made a part hereof as Exhibit B (the “District Boundary Map”).

2. PETITIONERS

Based on the tax records of the City as of the date of filing this Petition, Petitioners:

- (a) collectively own more than fifty percent (50%) by assessed value of the District Property; and
- (b) represent more than fifty percent (50%) per capita of all owners of the District Property.

3. FIVE YEAR PLAN

The five-year plan for the District shall include, but is not necessarily limited to, the following:

A. Purposes of the District

The primary purpose of the District is to provide a source of revenue to expend pursuant to one or more contracts with one or more developers (the “Developers”) to undertake a project on behalf of the District (the “Project”), which Project is expected to include the demolition and removal of existing buildings or structures within the District and the construction and installation of public improvements, including, but not limited to, sidewalks, streets, alleys, ramps, traffic signs and signals, utilities drainage, water, sanitary sewer systems, parking lots, garages or other facilities, and other site improvements within the District, and undertaking the construction of any other useful, necessary, or desired improvements within the District. Additionally, the purposes of the District are to:

- (a) Pledge its revenues to one or more notes or other obligations, which may be issued by the District or another public body (collectively, the “District Obligations”), secured by the tax revenues of the District (“CID Revenues”), the proceeds of said District Obligations to be used toward the payment of costs and fees of the Project, the costs of issuing the District Obligations, and to refund prior District Obligations;
- (b) Enter into contracts or other agreements in order to complete or cause completion of the Project and other purposes of the District;
- (c) Levy a retail sales and use tax in accordance with the Act (the “District Sales Tax”);
- (d) Attempt to remediate the conditions that cause certain District Property to be a blighted area as previously determined by the City; and
- (e) Exercise any authorized purpose of the District pursuant to and in accordance with the Act.

The District may also acquire real and personal property within the District and lease or otherwise encumber or dispose of real and personal property within the District in accordance with the Act.

B. Estimate of Costs of Improvements

The estimated costs of the Project to be incurred by or on behalf of the District within five (5) years from the date of adoption of an ordinance creating the District are approximately One Million Seven Hundred Seventy-Nine Thousand Fifty-Two Dollars (\$1,779,052), which excludes the cost of issuance related to the issuance of any District Obligations. CID Revenues may also be used to finance professional fees and expenses, underwriting, and issuance costs related to the District Obligations.

C. Powers

The District shall have the powers provided for in the Act, subject to the limitations set forth herein.

D. Annual Benchmarks for the Five-Year Plan

The following annual benchmarks represent the anticipated schedule of the District and are subject to change.

2020

- Approval of ordinance establishing the District.
- Effective as of the date of the ordinance establishing the District, appointment of its board of directors and approval of District Sales Tax.
- Implement and collect District Sales Tax.
- Commence the Project.

2021

- Completion of the Project.
- Collect and administer District Sales Tax.
- To the extent necessary, provide support for the Project.
- Issuance of District Obligations.

2022

- Collect and administer District Sales Tax.
- Repayment of District Obligations.
- To the extent necessary, provide support for the Project.

2023

- Collect and administer District Sales Tax.
- Repayment of District Obligations.
- To the extent necessary, provide support for the Project.

2024

- Collect and administer District Sales Tax.
- Repayment of District Obligations.
- To the extent necessary, provide support for the Project.

4. GOVERNANCE OF THE DISTRICT

A. Type of District

The District shall be a separate political subdivision governed by a board of directors (the "Board") and shall have all of the powers authorized and/or granted by the Act.

B. Board of Directors

1. Number

The District shall be governed by a Board consisting of five (5) directors (the "Directors" and each a "Director").

2. Qualifications

Each Director, during his or her term, shall meet the following requirements:

- (a) be a citizen of the United States of America;
- (b) be a Missouri resident for at least one year prior to appointment to the Board;
- (c) be at least 18 years of age; and
- (d) be an owner of District Property or its legally authorized representative ("Owner").

3. Initial Board of Directors

The initial Directors shall be appointed by the Mayor with the consent of the Board of Aldermen to serve staggered terms, all in accordance with Section 67.1451.5 of the Act.

Upon expiration of the terms of the initial Directors, successive Directors shall be appointed from a slate approved by the Directors and by the Mayor with the consent of the Board of Aldermen in accordance with the Act.

4. Successor Directors

Successor Directors shall serve four (4) year terms on the Board and shall be appointed by the Mayor with the consent of the Board of Aldermen according to a slate submitted to the Mayor by the Board. Following submission of the slate to the Mayor:

- (a) the Mayor shall appoint the successor Directors according to the slate submitted and the Board of Aldermen shall consent to the appointment; or
- (b) the Mayor or the Board of Aldermen may reject the slate submitted and request in writing that the Board submit an alternate slate.

If an alternate slate is requested, the Board shall within sixty (60) days following receipt of the written request submit an alternate slate to the Mayor. Following submission of the slate to the Mayor:

- (a) the Mayor shall appoint the successor Directors according to the alternate slate submitted and the Board of Aldermen shall consent to the appointment; or
- (b) the Mayor or the Board of Aldermen may reject the alternate slate submitted and request in writing that the Board submit another alternate slate.

The procedure described above shall continue until the successor Directors are appointed by the Mayor with the consent of the Board of Aldermen.

The Board shall select the slate as follows:

- (a) individuals meeting the qualifications set out in this Petition must be nominated by two sitting Directors;
- (b) the Directors shall then vote for a slate of nominees who shall consist of the number needed to fill vacancies and the seats of expiring terms; and
- (c) the slate shall consist of the nominees classified so that the Board will meet the representation requirements set out in Section 2 of this Petition.

5. REAL PROPERTY TAXES

The District shall have no power to levy a real property tax upon District Property; as such, the maximum rate of real property taxes within the District is zero.

6. SPECIAL ASSESSMENTS

The District shall have no power to levy any special assessments upon District Property; as such, the maximum rate of special assessments within the District is zero.

7. ASSESSED VALUE

As of the date of this Petition, the total assessed value of the District Property is Three Hundred Eighty-One Thousand Five Hundred Dollars (\$381,500.00) according to the records of the City Assessor's Office.

8. SALES TAXES

Pursuant to Section 67.1545 of the Act, the District may, by resolution, impose a District sales and use tax on all retail sales made within the District which are subject to taxation pursuant to Sections 144.010 to 144.525 of the Revised Statutes of Missouri (excepting such sales as set forth in the Act), at a rate not to exceed one percent (1%).

9. BLIGHT DETERMINATION

This Petition seeks a determination that all or a portion of the District Property is a blighted area pursuant to Section 67.1401(3) of the Act. The District Property should be determined to be a blighted area pursuant to Section 67.1401.2(3)(b) because the District has been declared a blighted area under Sections 99.800 to 99.865 of the Revised Statutes of Missouri by the Board of Aldermen pursuant to Ordinance 71069, effective January 23, 2020.

10. LIFE OF DISTRICT

The proposed length of time for the existence of the District is a maximum of twenty-three (23) years following the effective date of the ordinance adopting and approving this Petition; provided, however, that the District's establishment and continued existence is expressly conditioned upon the consummation of the sale and purchase of real property, having the street addresses of 5720 Degiverville Avenue and 272 DeBaliviere Avenue (collectively, the "Property"), contemplated in the Real Estate Purchase and Development Contract between Pearl Capital Management, LLC ("Pearl") and Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Bi-State"), dated May 21, 2019 and amended thereafter from time to time ("Closing"). If the sale and purchase of the Property is not consummated by September 30, 2020 ("Failure to Close"), the terms of existence of the District shall automatically lapse and expire by its terms on October 1, 2020. The conveyance of the Property from Bi-State to Pearl or another party as evidenced by the recordation of a conveyance deed on or before September 30, 2020 shall be conclusive evidence that Closing has occurred and the District has not been terminated.

11. REQUEST TO ESTABLISH DISTRICT

By execution and submission of this Petition, the Petitioners request that the Board of Aldermen hold a public hearing in accordance with Section 67.1421 of the Act and adopt an ordinance to establish the District as set out in this Petition and in accordance with the Act and this Petition.

12. NOTICE TO PETITIONERS

The signatures of the undersigned may not be withdrawn later than seven (7) days after this Petition is filed with the City Register of the City (acting as the “city clerk” under the Act).

13. BORROWING CAPACITY AND REVENUE GENERATION

Following the Closing, District shall have all powers and authority provided in the Act to borrow revenue in order to complete the Project, and to provide services and complete such improvements as are necessary and desirable to the District. Except as limited herein, the District shall have the authority, as set forth above, to levy the District Sales Tax in accordance with the Act in order to generate revenue for the District. Notwithstanding any provision to the contrary, in the event of a Failure to Close, no District Sales Tax shall be payable with respect to any retail located within the District. Except in the event of a Failure to Close, Petitioners do not seek to limit the borrowing capacity or revenue generation of the District and anticipate the pledge of CID Revenues to District Obligations issued, to fund the Project or other purposes of the District as set forth in this Petition.

14. DISTRICT POWERS

There shall be no other limitations on the District’s powers and the District shall have all powers granted under the Act; provided, that, in the event of a Failure to Close, no services, programs and improvements shall be provided or made in the District pursuant to this Petition.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Signature Page for Petition to Establish the
Forest Park TOD Community Improvement District

The undersigned requests that the Board of Aldermen of the City of St. Louis, Missouri establish the Forest Park TOD Community Improvement District according to the preceding Petition and authorize the creation of the District.

Name of Owner:	The Bi-State Development Agency of the Missouri-Illinois Metropolitan District d/b/a Metro
Owner's Telephone Number:	314.982.1400
Owner's Mailing Address:	211 North Broadway, Suite 700 St. Louis, MO 63102
Owner Entity Type:	An interstate transportation authority pursuant to Section 70.370, et seq., of the Missouri Revised Statutes and 45 Illinois Compiled Statutes 100/1, et seq., as a body corporate and politic
Name of Signer:	Taulby Roach
Basis of Legal Authority to Sign:	President and Chief Executive Officer
Signer's Telephone Number:	314.982.1588
Signer's Mailing Address:	211 North Broadway, Suite 700 St. Louis, MO 63102

The map, parcel number and assessed value of each tract of real property within the proposed District owned by the undersigned:

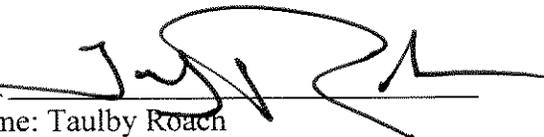
1. Parcel ID No.: 55220001750
Assessed Value: \$94,400.00
Legal Description: See Exhibit A
Map Number: 1

2. Parcel ID No.: 38730006500
Assessed Value: \$15,100.00
Legal Description: See Exhibit A
Map Number: 2

[SIGNATURE AND NOTARY PAGE(S) TO FOLLOW]

By executing this Petition, the undersigned represents and warrants that he or she is authorized to execute this Petition on behalf of the property owner named immediately above. The undersigned also represents and warrants that he has received a copy of this Petition and its exhibits, has read this Petition and its exhibits, and authorizes this signature page to be attached to the original of this Petition to be filed in the Office of the City Register. The undersigned also acknowledges that his/her signature may not be withdrawn later than seven days after this Petition is filed with the Office of the City Register.

THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT, D/B/A METRO, an interstate transportation authority pursuant to Section 70.370, et seq., of the Missouri Revised Statutes and 45 Illinois Compiled Statutes 100/1, et seq., as a body corporate and politic

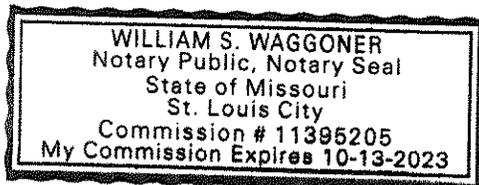
By: 
Name: Taulby Roach
Title: President and Chief Executive Officer

STATE OF Missouri)
COUNTY OF ST LOUIS) ss.
City

On this 12 day of May, 2020, before me appeared Taulby Roach, to me personally known, who, being by me duly sworn, did say that he is the President and Chief Executive Officer of **THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT, D/B/A METRO**, an interstate transportation authority pursuant to Section 70.370, et seq., of the Missouri Revised Statutes and 45 Illinois Compiled Statutes 100/1, et seq., as a body corporate and politic, and that said Petition was signed by such President and Chief Executive Officer in behalf of said agency and said person acknowledged said instrument to be the free act of said agency.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[SEAL]



William S. Waggoner
Notary Public
Name: William S. Waggoner

[continued on next page]

Signature Page for Petition to Establish the
Forest Park TOD Community Improvement District

The undersigned requests that the Board of Aldermen of the City of St. Louis, Missouri establish the Forest Park TOD Community Improvement District according to the preceding Petition and authorize the creation of the District.

Name of Owner:	DeBaliviere Community Center, L.P.
Owner's Telephone Number:	
Owner's Mailing Address:	735 Willow Spring Hill Ct Town and Country, MO 63017
Owner Entity Type:	Limited Partnership
Name of Signer:	Gay Goldenberg
Basis of Legal Authority to Sign:	Authorized Representative
Signer's Telephone Number:	
Signer's Mailing Address:	735 Willow Spring Hill Ct Town and Country, MO 63017

The map, parcel number and assessed value of each tract of real property within the proposed District owned by the undersigned:

1. Parcel ID No.: 55210004500
Assessed Value: \$272,000.00
Legal Description: See Exhibit A
Map Number: 3

[SIGNATURE AND NOTARY PAGE(S) TO FOLLOW]

EXHIBIT "A"

DISTRICT LEGAL DESCRIPTION

PARCEL 1: PART OF LOT 29 AND ALL OF LOTS 30 AND 31 IN BLOCK 4 OF WASHINGTON HEIGHTS 1ST ADDITION, TOGETHER WITH A PORTION OF THE FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY, 30 FEET WIDE, TOGETHER WITH THE NORTHERN HALF OF THE FORMER EAST/WEST ALLEY, 15 FEET WIDE, CONDITIONALLY VACATED BY ORDINANCE 54246, ALL LYING WITHIN CITY BLOCK 5522 IN THE CITY OF ST. LOUIS. MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF LOT 29 WITH THE SOUTHERLY LINE OF DEGIVERVILLE AVENUE, IRREGULAR WIDTH; THENCE 20.00 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 805.90 FEET, THE CHORD OF WHICH IS SOUTH 71 DEGREES 30 MINUTES 25 SECONDS EAST 20.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTHERLY LINE OF DEGIVERVILLE AVENUE AND THE SOUTHERLY LINE OF FORMER DEGIVERVILLE AVENUE, CONDITIONALLY VACATED BY ORDINANCE 59409 FOR THE FOLLOWING TWO COURSES AND DISTANCES; 152.25 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 805.90 FEET, THE CHORD OF WHICH IS SOUTH 77 DEGREES 37 MINUTES 48 SECONDS EAST 152.02 FEET; SOUTH 83 DEGREES 02 MINUTES 31 SECONDS EAST 134.02 FEET TO THE WESTERLY LINE OF DEBALIVIERE AVENUE, 100 FEET WIDE; THENCE ALONG THE WESTERLY LINE OF DEBALIVIERE AVENUE SOUTH 7 DEGREES 14 MINUTES 29 SECONDS WEST 190.96 FEET TO THE CENTERLINE OF THE FORMER EAST/WEST ALLEY, 15 FEET WIDE, CONDITIONALLY VACATED BY ORDINANCE 54246; THENCE ALONG THE CENTERLINE OF THE SAID FORMER EAST/WEST ALLEY 318.62 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1568.15 FEET, THE CHORD OF WHICH IS NORTH 71 DEGREES 53 MINUTES 00 SECONDS WEST 318.08 FEET TO THE SOUTHEASTERLY LINE OF THE FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY; THENCE ALONG THE SOUTHEASTERLY LINE OF THE FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY NORTH 77 DEGREES 02 MINUTES 51 SECONDS EAST 12.55 FEET TO THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF THE SAID EAST/WEST ALLEY, 15 FEET WIDE; THENCE ALONG SAID WESTERLY PROLONGATION 14.66 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1560.65 FEET, THE CHORD OF WHICH IS NORTH 66 DEGREES 09 MINUTES 43 SECONDS WEST 14.66 FEET TO THE EASTERLY LINE OF PROPERTY DESCRIBED IN DEED TO THE CITY OF ST. LOUIS, MISSOURI, RECORDED IN BOOK 503M PAGE 1220, CITY OF ST. LOUIS RECORDER'S OFFICE; THENCE ALONG SAID EASTERLY PROPERTY LINE NORTH 19 DEGREES 25 MINUTES 03 SECONDS EAST 138.47 FEET TO THE POINT OF BEGINNING.

PARCEL 2: A 29.50 FOOT STRIP OF LAND, BEING PART OF CITY BLOCK 5522 IN THE CITY OF ST. LOUIS, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE FORMER NORFOLK & WESTERN R. R. COMPANY RIGHT OF WAY, 56 FEET WIDE WITH THE WESTERLY LINE OF DEBALIVIERE AVENUE, 100 FEET WIDE;

THENCE ALONG THE NORTHERLY LINE OF THE FORMER NORFOLK & WESTERN R. R. COMPANY RIGHT OF WAY 346.57 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1597.65 FEET, THE CHORD OF WHICH IS NORTH 71 DEGREES 34 MINUTES 59 SECONDS WEST 345.89 FEET TO AN OFFSET IN THE SOUTHEASTERLY LINE OF THE FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY, 30 FEET WIDE; THENCE ALONG SAID OFFSET AND PERPENDICULAR TO THE FORMER NORFOLK & WESTERN R. R. COMPANY RIGHT OF WAY NORTH 24 DEGREES 37 MINUTES 53 SECONDS EAST 15.00 FEET TO THE SOUTHEASTERLY LINE OF THE SAID FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY; THENCE ALONG SAID SOUTHEASTERLY LINE OF THE FORMER UNITED RAILWAYS CO. OF ST. LOUIS RIGHT OF WAY NORTH 77 DEGREES 02 MINUTES 51 SECONDS EAST 23.96 FEET TO THE CENTERLINE OF THE FORMER EAST/WEST ALLEY, 15 FEET WIDE, CONDITIONALLY VACATED BY ORDINANCE 54246; THENCE ALONG THE CENTERLINE OF SAID FORMER ALLEY 318.62 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1568.15 FEET, THE CHORD OF WHICH IS SOUTH 71 DEGREES 53 MINUTES 00 SECONDS EAST 318.08 FEET TO THE WESTERLY LINE OF SAID DEBALIVIERE AVENUE; THENCE ALONG SAID WESTERLY LINE OF DEBALIVIERE AVENUE SOUTH 7 DEGREES 14 MINUTES 29 SECONDS WEST 29.61 FEET TO THE POINT OF BEGINNING.

PARCEL 3: A TRACT OF LAND OFF THE SOUTHERN PORTION OF LOT 44 OF BERLIN PLACE, A SUBDIVISION IN CITY BLOCK 3873 OF THE CITY OF ST. LOUIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF PERSHING AVENUE AND THE EAST LINE OF DEBALIVIERE AVENUE; THENCE SOUTH 07 DEGREES 13 MINUTES 24 SECONDS WEST 84.95 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 83 DEGREES 01 MINUTES 17 SECONDS EAST 149.92 FEET TO THE WEST LINE OF AN EXISTING 20 FOOT WIDE ALLEY; THENCE ALONG SAID WEST LINE SOUTH 07 DEGREES 13 MINUTES 24 SECONDS WEST 100.12 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE NORFOLK-SOUTHERN RAILWAY COMPANY; THENCE LONG SAID RIGHT OF WAY LINE NORTH 83 DEGREES 01 MINUTE 44 SECONDS WEST 149.92 FEET TO THE EASTERLY LINE OF DEBALIVIERE AVENUE; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 07 DEGREES 13 MINUTES 24 SECONDS EAST 100.14 FEET TO THE POINT OF BEGINNING.

PARCEL 4: A NON-EXCLUSIVE PERMANENT INGRESS AND EGRESS EASEMENT BY EASEMENT AGREEMENT DATED JUNE 26, 1995, BY AND BETWEEN DEBALIVIERE COMMUNITY CENTER, L.P., A MISSOURI LIMITED PARTNERSHIP ("GRANTOR") AND BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT ("GRANTEE"), AND RECORDED JUNE 27, 1995 IN BOOK 1141-M PAGE 896 OVER AND ACROSS PART OF THE FORMER DEGIVERVILLE AVENUE, CONDITIONALLY VACATED BY ORDINANCE 59409 LYING BETWEEN CITY BLOCKS 5521 AND 5522 IN THE CITY OF ST. LOUIS, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE FORMER DEGIVERVILLE AVENUE, CONDITIONALLY VACATED BY ORDINANCE 59409 WITH THE WESTERLY LINE OF DEBALIVIERE AVENUE, 100 FEET WIDE; THENCE NORTH 7 DEGREES 14 MINUTES 29 SECONDS EAST 30.50 FEET TO THE POINT OF

BEGINNING; THENCE PARALLEL WITH THE SOUTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE NORTH 83 DEGREES 02 MINUTES 31 SECONDS WEST 104.65 FEET; THENCE PARALLEL WITH THE WESTERLY LINE OF THE SAID DEBALIVIERE AVENUE SOUTH 7 DEGREES 14 MINUTES 29 SECONDS WEST 30.50 FEET TO THE SOUTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE; THENCE ALONG THE SOUTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE FOR THE FOLLOWING TWO COURSES AND DISTANCES; NORTH 83 DEGREES 02 MINUTES 31 SECONDS WEST 29.37 FEET; 5.63 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 805.90 FEET, THE CHORD OF WHICH IS NORTH 82 DEGREES 50 MINUTES 31 SECONDS WEST 5.63 FEET TO THE WESTERLY LINE OF THAT PORTION OF FORMER DEGIVERVILLE AVENUE, CONDITIONALLY VACATED BY ORDINANCE 59409; THENCE ALONG THE WESTERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE NORTH 6 DEGREES 55 MINUTES 30 SECONDS EAST 39.98 FEET TO A POINT 40.00 FEET SOUTH OF ITS INTERSECTION WITH THE NORTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE THENCE PARALLEL WITH THE SOUTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE SOUTH 83 DEGREES 02 MINUTES 31 SECONDS EAST 7.33 FEET TO THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF THE NORTH/SOUTH ALLEY, 15 FEET WIDE, IN SAID BLOCK 5521; THENCE ALONG SAID PROLONGATION NORTH 7 DEGREES 14 MINUTES 29 SECONDS EAST 9.50 FEET; THENCE PARALLEL WITH THE SOUTHERLY LINE OF THE SAID FORMER DEGIVERVILLE AVENUE SOUTH 83 DEGREES 02 MINUTES 31 SECONDS EAST 132.54 FEET TO THE WESTERLY LINE OF THE SAID DEBALIVIERE AVENUE; THENCE ALONG SAID WESTERLY LINE SOUTH 7 DEGREES 14 MINUTES 29 SECONDS WEST 19.00 FEET TO THE POINT OF BEGINNING.

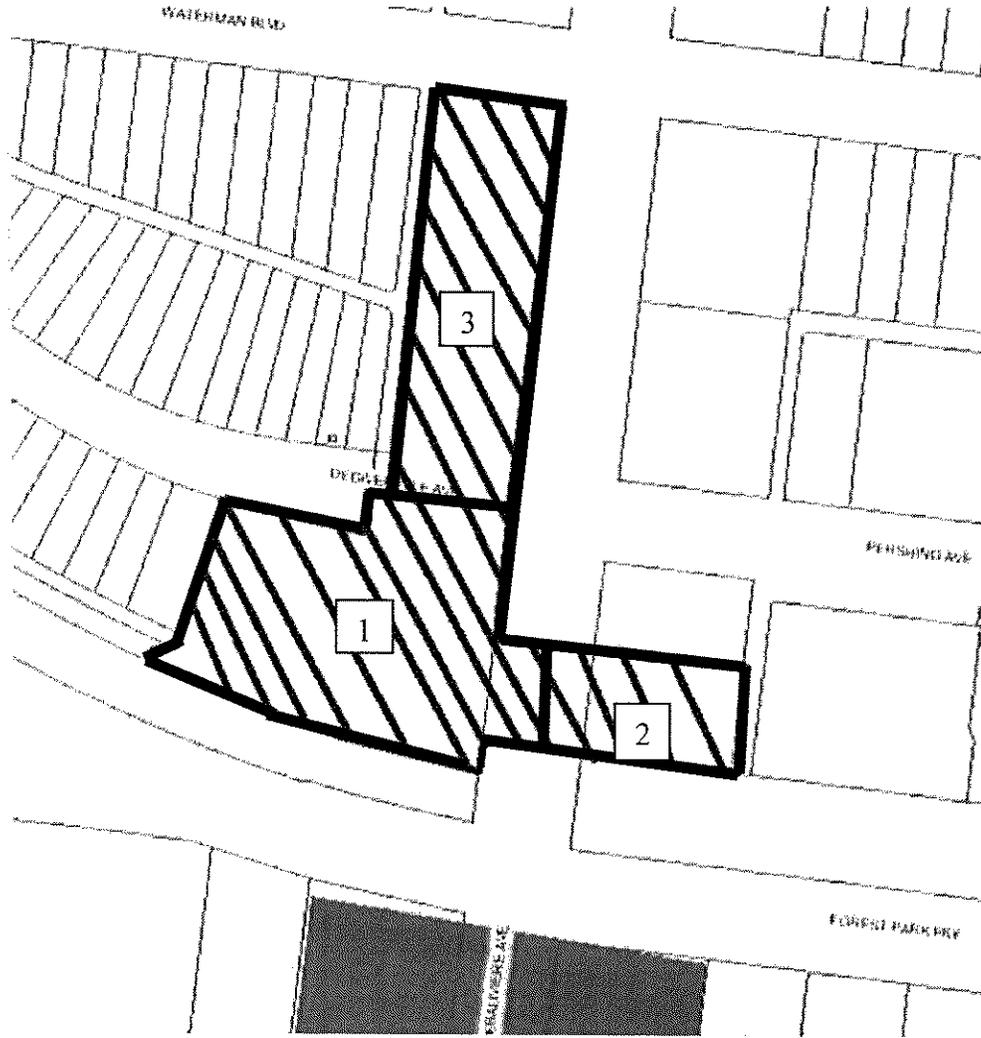
AND

LOT 1 THROUGH 12, INCLUSIVE, IN BLOCK 3 OF WASHINGTON HEIGHTS FIRST ADDITION, AND IN BLOCK 5521 OF THE CITY OF ST. LOUIS, BEING A PARCEL OF GROUND ALSO DESCRIBED AS:

A PARCEL OF GROUND BEING PART OF BLOCK 5521 OF THE CITY OF ST. LOUIS, MISSOURI SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERN LINE OF DEBALIVIERE AVENUE, 100 FEET WIDE, WITH THE SOUTHERN LINE OF WATERMAN BOULEVARD 80 FEET WIDE; THENCE SOUTH 7 DEGREES 00 MINUTES WEST 360.00 FEET ALONG THE WESTERN LINE OF SAID DEBALIVIERE AVENUE, TO THE NORTH LINE OF FORMER DEGIVERVILLE AVENUE, 80 FEET WIDE, CONDITIONALLY VACATED BY ORDINANCE 59409; THENCE NORTH 83 DEGREES 15 MINUTES WEST 125.00 FEET ALONG THE NORTHERN LINE OF SAID FORMER DEGIVERVILLE

EXHIBIT "B"

DISTRICT BOUNDARY MAP



Note: Cross-hatched area is the District.