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2 **AN ORDINANCE TERMINATING A MODESA DEVELOPMENT PLAN,**
3 **DOWNTOWN ST. LOUIS CORE DEVELOPMENT AND STREETScape**
4 **ENHANCEMENTS DEVELOPMENT AREA, AS APPROVED BY ORDINANCE NO.**
5 **67320 AND THE DEVELOPMENT PROJECT AND THE DESIGNATION OF THE**
6 **DEVELOPMENT AREA DESCRIBED THEREIN; DISSOLVING THE SPECIAL**
7 **ALLOCATION FUND THEREFOR; AUTHORIZING OTHER RELATED ACTIONS IN**
8 **CONNECTION THEREWITH, AND CONTAINING A SEVERABILITY AND**
9 **EMERGENCY CLAUSE.**

10 **WHEREAS,** the Missouri Downtown and Rural Economic Stimulus Act, Sections
11 99.915 to 99.1060 of the Revised Statutes of Missouri, as amended (the “Act”), authorizes cities
12 to undertake development projects in development areas, as defined in the Act; and

13 **WHEREAS,** the Board of Aldermen of the City created the Downtown Economic
14 Stimulus Authority of the City of St. Louis (the “Authority”) pursuant to Ordinance No. 67097;
15 and

16 **WHEREAS,** the Authority reviewed a plan for development titled “MODESA
17 Development Plan, Downtown St. Louis Core Development and Streetscape Enhancements
18 Development Area” (the “Development Plan”), as approved by Ordinance No. 67320 (the
19 “Ordinance”) for an area generally bounded by Tucker Boulevard, 13th Street and 14th Street on
20 the west, St. Charles street, Washington Avenue and Lucas Avenue on the north, 4th Street on the
21 east, and Pine Street and Chestnut Street on the south along with Tucker Boulevard extending to
22 Walnut Street (the “Development Area”); and

23 **WHEREAS,** pursuant to the Ordinance, the Board of Aldermen (i) designated the
24 Development Area as a “development area” pursuant to the Act, (ii) adopted and approved the
25 Development Plan, (iii) adopted and approved the development project described in the
26 Development Plan (the “Development Project”), (iv) adopted development financing within the

1 Development Area, (v) established the “City of St. Louis, Missouri, Special Allocation Fund for
2 the Downtown St. Louis Core Development and Streetscape Enhancements Development Area”
3 (the “Special Allocation Fund”) with certain related subaccounts as described in the Ordinance
4 and (vi) made certain findings with respect thereto, all as set forth in such Ordinance and in
5 accordance with the requirements of the Act; and

6 **WHEREAS**, the Board of Aldermen hereby determines that terminating the
7 Development Plan, the Development Project, the designation of the Development Area as a
8 “development area” pursuant to the Act and dissolving the Special Allocation Fund is necessary
9 and desirable and in the best interest of the City.

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

11 **SECTION ONE.** The Board of Aldermen hereby terminates the Development Plan, the
12 Development Project and the designation of the Development Area as a “development area”
13 pursuant to the Act. The appropriate officials or their designated representatives are hereby
14 authorized and directed to take any action, including, but not limited to the execution of any
15 termination statement, certificate, agreement or other document, necessary to carry out the intent
16 of this Ordinance, with no such further action of the Board of Aldermen necessary to authorize
17 such action.

18 **SECTION TWO.** The Special Allocation Fund is hereby dissolved and the appropriate
19 officials of the City or their designated representatives are hereby authorized and directed to
20 distribute the monies held in the Special Allocation Fund after the payment of City expenses in
21 the manner provided in the Act.

22 **SECTION THREE.** The sections of this Ordinance shall be severable. If any section of
23 this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections
24 shall remain valid, unless the court finds that the valid sections are so essential to and
25 inseparably connected with and dependent upon the void section that it cannot be presumed that
26 the Board of Aldermen has or would have enacted the valid sections without the void ones,

1 unless the court finds the valid sections, standing alone, are incomplete and are incapable of
2 being executed in accordance with the legislative intent.

3 **SECTION FOUR.** This being an ordinance for the preservation of public peace, health
4 and safety, and providing for submission to the people, it is hereby declared to be an emergency
5 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St.
6 Louis and therefore this ordinance shall become effective immediately upon its passage and
7 approval by the Mayor.

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