

1 **BOARD BILL #4 INTRODUCED BY ALDERWOMAN DIONNE FLOWERS**
2 AN ORDINANCE AUTHORIZING THE SALE TO THE PROCTOR & GAMBLE
3 MANUFACTURING COMPANY OF CERTAIN REAL ESTATE OWNED BY THE
4 CITY OF ST. LOUIS, MISSOURI; APPROVING A CONTRACT TO PURCHASE
5 REAL ESTATE; APPROVING AN AGREEMENT OF LEASE; AUTHORIZING
6 CERTAIN ACTIONS BY CITY OFFICIALS; CONTAINING A SEVERABILITY
7 CLAUSE; AND CONTAINING AN EMERGENCY CLAUSE.

8 **WHEREAS**, the City of St. Louis, Missouri (the “City”), is a body corporate and
9 a political subdivision of the State of Missouri, duly created, organized and existing
10 under and by virtue of its charter, the Constitution and laws of the State of Missouri; and

11 **WHEREAS**, the City owns a tract of land located at 61 Ferry Street in the City of
12 St. Louis (the “City Property”); and

13 **WHEREAS**, Proctor & Gamble Manufacturing Company (“P&G”) operates a
14 manufacturing facility at 169 East Grand Avenue, adjacent to the City’s property at 61
15 Ferry Street, and desires to purchase the City Property to expand P&G operations; and

16 **WHEREAS**, P&G desires to enter into a Contract to Purchase Real Estate (the
17 “Purchase Contract”) with the City for the purchase of the City Property; and

18 **WHEREAS**, it is desirable and in the best interest of the City to approve the
19 Purchase Contract and sale of the City Property to P&G to facilitate the expansion of its
20 facility and encourage the creation of new jobs in the City, the strengthening of the employment
21 and economic base of the City, and increased property values and tax revenues; and

22 **WHEREAS**, the City Property houses the City’s Refuse Division which will
23 relocate from the City Property with the sale to P&G;

1 **WHEREAS**, the City will enter into an Agreement of Lease of the City Property
2 if the North Refuse Division needs additional time beyond the closing of the sale to P&G
3 to relocate; and

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

5 **SECTION ONE.** The Mayor and Comptroller are hereby authorized to execute
6 the Contract to Purchase Real Estate with Proctor & Gamble Manufacturing Company, in
7 substantially the form attached hereto as Exhibit A and incorporated herein by reference
8 for the sale to P&G of certain City owned property located in City Block 2450 and
9 known as 61 Ferry Street, more fully described in said Exhibit A, with authorization to
10 subdivide and retain a portion of the property currently used by Terminal Railroad
11 Association as set out in the Purchase Contract.

12 **SECTION TWO.** The Mayor and Comptroller are hereby authorized to execute
13 an Agreement of Lease with Proctor & Gamble Manufacturing Company upon sale of the
14 City Property to P&G, in substantially the form attached hereto as Exhibit B and
15 incorporated herein by reference.

16 **SECTION THREE.** The Mayor and Comptroller are hereby authorized to
17 execute, upon payment of the purchase price and satisfaction of the other conditions of
18 closing contained in the Contract to Purchase Real Estate, a Special Warranty Deed to
19 convey the City Property to P&G.

20 **SECTION FOUR.** The net proceeds of this sale shall be placed in an account
21 in the care and control of the Comptroller's Office and designated for use in property
22 acquisition and relocation of the North Refuse Division to a new site.

1 **SECTION FIVE.** The Mayor and Comptroller or their designated
2 representatives are hereby authorized to take any and all actions necessary and
3 appropriate to carry out the matters herein authorized and to make changes to the
4 documents, agreements and instruments herein approved that are consistent with the
5 intent of this Ordinance and applicable law without further action of the Board of
6 Aldermen.

7 **SECTION SIX.** It is hereby declared to be the intention of the Board of
8 Aldermen that each and every part, section and subsection of this Ordinance shall be
9 separate and severable from each and every other part, section and subsection hereof and
10 that the Board of Aldermen intends to adopt each said part, section and subsection
11 separately and independently of any other part, section and subsection. In the event any
12 part, section or subsection of this Ordinance is determined to be or to have been unlawful
13 or unconstitutional, the remaining parts, sections and subsections shall be and remain in
14 full force and effect, unless the court making such finding shall determine that the valid
15 portions standing alone are incomplete and incapable of being executed in accordance
16 with the legislative intent.

17 **SECTION SEVEN.** This being an ordinance for the preservation of the public
18 peace, health and safety, it is hereby declared to be an emergency measure within the
19 meaning of Section 19 and 20 of Article VI of the Charter of the City of St. Louis and
20 therefore shall become effective immediately upon its passage and approval by the
21 Mayor.

22

EXHIBIT A
CONTRACT TO PURCHASE REAL ESTATE

[Attached hereto]

EXHIBIT B
AGREEMENT OF LEASE

[Attached hereto]