

1 **BOARD BILL NO. 166 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

2 An Ordinance pertaining to a ninety-nine (99) year lease with City of St. Louis (“City”) and the  
3 Missouri Highways and Transportation Commission (“MHTC”) and pertaining to the  
4 simultaneous swap of certain property on Shreve Avenue, which is currently being used by the  
5 City Street Department under a Board of Public Service Permit, owned by the MHTC.

6 **WITNESSETH, THAT:**

7 WHEREAS, the City has an interest in certain property located at Poplar between Ninth Street  
8 and Tucker Blvd., in City Blocks 4400, 4401 and 4402, which the MHTC desires to lease for  
9 ninety-nine (99) years in order to make any necessary repairs to Highway 64/40 for the sum of  
10 ONE DOLLAR (\$1.00) per year (“Lease Agreement”); and

11 WHEREAS, the MHTC owns certain property located on Shreve Avenue, which is currently  
12 being used by the City Street Department under a Board of Public Service Permit and which the  
13 City desires to acquire as a swap in consideration of the above Lease Agreement.

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

15 **SECTION ONE.** The Board of Aldermen hereby approve, and the Mayor and  
16 Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the  
17 Lease Agreement by and between the City of St. Louis (“City”) and the Missouri Highways and  
18 Transportation Commission (“MHTC”) attached hereto as **Exhibit A**, and the City Register is  
19 hereby authorized and directed to attest to the Lease Agreement and to affix the seal of the City  
20 thereto, contingent upon the simultaneous swap of certain property located on Shreve Avenue,  
21 which is owned by MHTC and which is currently being used by the City Street Department

1 under a Board of Public Service Permit. The Lease Agreement shall be in substantially the form  
2 attached, with such changes therein as shall be approved by said Mayor and Comptroller  
3 executing the same and as may be consistent with the intent of this Ordinance and necessary and  
4 appropriate in order to carry out the matters herein authorized.

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

11 **SECTION THREE.** The Mayor and the Comptroller or their designated representatives,  
12 with the advice and concurrence of the City Counselor and after approval by the Board of  
13 Estimate and Apportionment, are hereby further authorized and directed to make any changes to  
14 the documents, agreements and instruments approved and authorized by this Ordinance as may  
15 be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out  
16 the matters herein authorized, with no such further action of the Board of Aldermen necessary to  
17 authorize such changes by the Mayor and the Comptroller or their designated representatives.

18 **SECTION FOUR.** It is hereby declared to be the intention of the Board of Aldermen  
19 that each and every part, section and subsection of this Ordinance shall be separate and severable  
20 from each and every other part, section and subsection hereof and that the Board of Aldermen  
21 intends to adopt each said part, section and subsection separately and independently of any other  
22 part, section and subsection. In the event that any part, section or subsection of this Ordinance  
23 shall be determined to be or to have been unlawful or unconstitutional, the remaining parts,

1 sections and subsections shall be and remain in full force and effect, unless the court making  
2 such finding shall determine that the valid portions standing alone are incomplete and are  
3 incapable of being executed in accord with the legislative intent.