

1 **BOARD BILL NO. 224 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

2 An Ordinance pertaining to the transfer of real property (“Police Property”) from the Board of  
3 Police Commissioners of the City of St. Louis (“Board”) to the City of St. Louis (“City”) as a  
4 result of the merger of the Board and City pursuant to Section 84.344.2 RSMo. and pertaining to  
5 the amendment of certain bond documents relating to outstanding Police Capital Improvement  
6 Sales Tax Leasehold Revenue Bonds, Series 2007 (the “Series 2007 Bonds,” and such Series  
7 2007 Bonds and any Additional Bonds issued pursuant to the Indenture, referred to collectively  
8 as the “Bonds”) issued by the St. Louis Municipal Finance Corporation (the “Corporation”);

9 **WITNESSETH, THAT:**

10 WHEREAS, the Board has transferred the Police Property to the City as a result of the merger  
11 pursuant to Section 84.344.2 RSMo and has approved the modification of certain documents  
12 entered into in connection with the Series 2007 Bonds; and

13 WHEREAS, Ordinance 69489, adopted by the City Board of Aldermen on June 21, 2013 and  
14 effective August 2, 2013, provides that pursuant to the terms of Section 84.344.4 RSMo., the  
15 City accepts responsibility, ownership and liability as successor in interest for contractual  
16 obligations, indebtedness and other lawful obligations of the Board effective September 1, 2013  
17 or such later date as may be established in subsequent City legislation; and

18 WHEREAS, certain bond documents relating to the Bonds require amendment due to the transfer  
19 of Police Property.

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

1           **SECTION ONE.** The Board of Aldermen hereby approve, and the Mayor and  
2 Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, and  
3 the City Register is hereby authorized and directed to attest to and to affix the seal of the City  
4 thereto: the First Supplemental Premises Base Lease (attached as **Exhibit A**), the Second  
5 Supplemental Lease Purchase Agreement (attached as **Exhibit B**) the Second Supplemental  
6 Deed of Trust and Security Agreement (attached as **Exhibit C**), Second Supplemental Indenture  
7 of Trust (attached as **Exhibit D**) and First Supplemental Communications Property Base Lease  
8 (attached as **Exhibit E**). These documents shall be in substantially the form attached, with such  
9 changes therein as shall be approved by said Mayor and Comptroller executing the same and as  
10 may be consistent with the intent of this Ordinance and necessary and appropriate in order to  
11 carry out the matters herein authorized.

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

18           **SECTION THREE.** The Mayor and the Comptroller or their designated representatives,  
19 with the advice and concurrence of the City Counselor and after approval by the Board of  
20 Estimate and Apportionment, are hereby further authorized and directed to make any changes to  
21 the documents, agreements and instruments approved and authorized by this Ordinance as may  
22 be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out

1 the matters herein authorized, with no such further action of the Board of Aldermen necessary to  
2 authorize such changes by the Mayor and the Comptroller or their designated representatives.

3 **SECTION FOUR.** The Board of Aldermen hereby approves, and authorizes and directs  
4 the officers of the Corporation to approve and to execute the Second Supplemental Indenture of  
5 Trust, the First Supplemental Premises Base Lease, the Second Supplemental Lease Purchase  
6 Agreement, the Second Supplemental Deed of Trust and Security Agreement and the First  
7 Supplemental Communications Property Base Lease, in substantially the forms presented to and  
8 approved by the Board of Aldermen at this meeting and attached as exhibits to this Ordinance  
9 and incorporated herein by reference.

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

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**EXHIBIT A**

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First Supplemental Premises Base Lease

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**EXHIBIT B**

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Second Supplemental Lease Purchase Agreement

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**EXHIBIT C**

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Second Supplemental Deed of Trust and Security Agreement

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**EXHIBIT D**

Second Supplemental Indenture of Trust

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**EXHIBIT E**

First Supplemental Communications Property Base Lease