

1       **AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE CARRIE**  
2       **AVENUE COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE**  
3       **CARRIE AVENUE COMMUNITY IMPROVEMENT DISTRICT, AND FINDING A**  
4       **PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE CARRIE AVENUE**  
5       **COMMUNITY IMPROVEMENT DISTRICT.**

6       WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorized the Board of Aldermen  
7       to approve the petitions of property owners to establish a Community Improvement District; and

8       WHEREAS, a petition has been filed with the City, requesting formation and establishment of  
9       the Carrie Avenue Community Improvement District, signed by authorized representatives of  
10      the owners of more than fifty percent by assessed value and per capita of the property located  
11      within the Carrie Avenue Community Improvement District (as revised, the “Petition”); and

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

14      WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with  
15      the CID Act was held at \_\_\_\_\_ A.M. on \_\_\_\_\_, 2014 by the Board of Aldermen; and

16      WHEREAS, this Board of Aldermen hereby finds that the adoption of this Ordinance is in the  
17      best interest of the City of St. Louis and that the property owners of the Carrie Avenue  
18      Community Improvement District, as well as the City as a whole, will benefit from the  
19      establishment of the Carrie Avenue Community Improvement District.

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

21      SECTION ONE.

22           (a) A community improvement district, to be known as the “Carrie Avenue Community  
23      Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant  
24      to the CID Act on certain real property to provide services, construct improvements, impose  
25      taxes and carry out other functions as set forth in the Petition, which is attached hereto as  
26      Appendix A and incorporated herein by this reference.

27           (b) The District boundaries are set forth in the map included in the Petition and are  
28      generally described as follows (and are more particularly described in the Petition):

29           A tract of land being part of City Block 3417 of the City of St. Louis, Missouri being  
30      more particularly described as follows:

31  
32           Commencing at the northwestern corner of above said City Block 3417, said point also  
33      being the intersection of the northeastern right-of-way line of Bulwer Avenue, 80 feet  
34      wide, with the southern right-of-way line of Carrie Avenue, 60 feet wide, thence along

1 said southern right-of-way line, North 55 degrees 41 minutes 21 seconds East, 24.12 feet  
2 to the POINT OF THE BEGINNING of the herein described tract; thence continuing  
3 along said right-of-way line, North 55 degrees 41 minutes 21 seconds East, 598.15 to its  
4 intersection with the southwestern right-of-way line of East Third Street, 100 feet wide;  
5 thence along said southwestern right-of-way line the following courses and distances:  
6 South 38 degrees 23 minutes 51 seconds East, 2166.96 feet; South 37 degrees 57 minutes  
7 45 second East, 60.16 feet; South 36 degrees 19 minutes 22 seconds East, 300.40 feet;  
8 South 34 degrees 49 minutes 35 seconds East, 60.16 feet and South 34 degrees 23  
9 minutes 28 seconds East, 310.02 feet to its intersection with the northern right-of-way  
10 line of Adelaide Avenue, 60 feet wide; thence along said northern right-of-way line South  
11 55 degrees 42 minutes 44 seconds West, 304.06 feet to the easternmost corner of Lot 2 of  
12 the Terminal Railroad Addition to the City of St. Louis, a subdivision according to the  
13 plat thereof as recorded in Plat Book 73, Page 16 of the City of St. Louis Records; thence  
14 along the northern line of said Lot 2, North 45 degrees 41 minutes 49 seconds West,  
15 101.76 feet and North 58 degrees 29 minutes 59 seconds West, 710.54 feet to the  
16 northeastern right-of-way line of a tract of land as conveyed to the Terminal Railroad  
17 Association by instruments recorded in Book 1770, page 714 and Book 7955, page 408  
18 of the St. Louis City Records; thence along said right-of-way line, North 37 degrees 10  
19 minutes 22 seconds West, 1992.43 feet to the beginning of a curve to the left having a  
20 radius of 396.20; along said curve with an arc length of 46.27 feet and a chord which  
21 bears North 40 degrees 00 minutes 44 seconds West, 46.24 feet and North 58 degrees 32  
22 minutes 50 seconds West, 118.30 feet to the Point of Beginning and containing 1,569,509  
23 square feet or 36.031 acres more or less according to calculations performed by Stock  
24 Associates Consulting Engineers, Inc. on November 8, 2013.

25 This description was prepared from records and available documents, therefore is subject  
26 to an actual boundary survey.

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

30 SECTION THREE. The District is authorized by the CID Act, at any time, to issue obligations,  
31 or to enter into cooperative agreements as provided for in Sec. 67.1491.4 RSMo, with other  
32 entities with the authority to issue obligations, for the purpose of carrying out any of its powers,  
33 duties, or purposes. Such obligations shall be payable out of all, part or any combination of the  
34 revenues of the District and may be further secured by all or any part of any property or any  
35 interest in any property by mortgage or any other security interest granted. Such obligations shall  
36 be authorized by resolution of the District, and if issued by the District, shall bear such date or  
37 dates, and shall mature at such time or times, as the resolution shall specify. Such obligations  
38 shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in  
39 such place or places, be subject to redemption as such resolution may provide and be sold at  
40 either public or private sale at such prices as the District shall determine subject to the provisions

1 of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in  
2 whole or part, obligations previously issued by the District.

3 SECTION FOUR.

4 (a) Pursuant to the Petition, the District shall be in the form of a political subdivision of  
5 the State of Missouri, known as the Carrie Avenue Community Improvement District.

6 (b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be the  
7 same as the fiscal year for the City of St. Louis.

8 (c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days  
9 prior to the first day of each fiscal year, the District shall submit to the Board of Aldermen a  
10 proposed annual budget for the District, setting forth expected expenditures, revenues, and rates  
11 of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on  
12 this proposed budget, but if such comments are given, the Board of Aldermen shall provide such  
13 written comments no later than sixty (60) days prior to the first day of the relevant fiscal year;  
14 such comments shall not constitute requirements, but shall only be recommendations.

15 (d) The District shall hold an annual meeting and adopt an annual budget no later than  
16 thirty (30) days prior to the first day of each fiscal year.

17 SECTION FIVE. The District is authorized to use the funds of the District for any of the  
18 improvements, services or other activities authorized under the CID Act.

19 SECTION SIX. Pursuant to the CID Act, the District shall have all of the powers necessary to  
20 carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act,  
21 except as may be limited in the Petition.

22 SECTION SEVEN. The City of St. Louis hereby finds that the uses of the District proceeds as  
23 provided for in the Petition hereto will serve a public purpose by remediating blight and  
24 encouraging the redevelopment of real property within the District.

25 SECTION EIGHT. The District has been declared to be a “blighted” area as defined in Section  
26 67.1401.2(3)(b) of the Act by the City's adoption of Ordinance No. 68427 (2009), which  
27 declared the District Property to be a “blighted area” under Section 99.320 of the Revised  
28 Statutes of Missouri, and the adoption of Ordinance No. 68376 (2009) determining that certain  
29 property, including the District property, qualified as a “blighted area” pursuant to the Real  
30 Property Tax Increment Allocation Redevelopment Act, Section 99.803 of the Revised Statutes  
31 of Missouri, and such designations of blight are hereby reaffirmed.

32 SECTION NINE. Within one hundred twenty (120) days after the end of each fiscal year, the  
33 District shall submit a report to the Register of the City and the Missouri Department of  
34 Economic Development stating the services provided, revenues collected and expenditures made

1 by the District during such fiscal year, and copies of written resolutions approved by the board of  
2 the District during the fiscal year. The Register shall retain this report as part of the official  
3 records of the City and shall also cause this report to be spread upon the records of the Board of  
4 Aldermen, pursuant to Section 67.1471 of the CID Act.

5 SECTION TEN. The term for the existence of the District shall be as set forth in the Petition, as  
6 may be amended from time to time or as such term may be otherwise modified in accordance  
7 with the CID Act.

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

13 SECTION TWELVE. The Register shall report in writing the creation of the Carrie Avenue  
14 Community Improvement District to the Missouri Department of Economic Development.

15 SECTION THIRTEEN. The Petition provides that the District shall be governed by a Board of  
16 Directors consisting of five individual directors (collectively the “Directors” and each a  
17 “Director”). Upon expiration of the terms of the initial Directors, successor Directors shall be  
18 appointed from a slate approved by the Directors and by the Mayor of the City with the consent  
19 of the Board of Aldermen, in accordance with the CID Act and the process and the qualifications  
20 set forth in the Petition.

- 21 Brian Pratt (four years)
- 22 Philip Hulse (four years)
- 23 Christopher Hulse (two years)
- 24 Peder Hulse (two years)
- 25 Sam Luten (two years)

26 46914784

**APPENDIX A**

**Carrie Avenue Community Improvement District**

**(Petition on File in City Register's Office)**