

2 AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT
3 AGREEMENT BETWEEN THE CITY OF ST. LOUIS AND SCHNUCKS MARKET, INC.
4 CONNECTION WITH THE DEVELOPMENT OF A GROCERY STORE WITHIN THE FIRST
5 FLOOR OF THE PUBLIC PARKING GARAGE AT OLIVE STREET AND N. NINTH
6 STREET IN DOWNTOWN ST. LOUIS; PRESCRIBING THE FORM AND DETAILS OF
7 SAID AGREEMENT; AUTHORIZING OTHER RELATED ACTIONS; AND CONTAINING
8 A SEVERABILITY CLAUSE.

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

10 **SECTION ONE.** The Board of Aldermen hereby approves, and the Mayor and
11 Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the
12 Development Agreement by and between the City and Schnucks Market, Inc. attached hereto as
13 **Exhibit A**, and the City Register is hereby authorized and directed to attest to the Redevelopment
14 Agreement and to affix the seal of the City thereto. The Development Agreement shall be in
15 substantially the form attached, with such changes therein as shall be approved by said Mayor and
16 Comptroller executing the same and as may be consistent with the intent of this Ordinance and
17 necessary and appropriate in order to carry out the matters herein authorized.

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

1 **SECTION THREE.** The Mayor and the Comptroller or their designated
2 representatives, with the advice and concurrence of the City Counselor and after approval
3 by the Board of Estimate and Apportionment, are hereby further authorized and directed
4 to make any changes to the documents, agreements and instruments approved and
5 authorized by this Ordinance as may be consistent with the intent of this Ordinance and
6 necessary and appropriate in order to carry out the matters herein authorized, with no
7 such further action of the Board of Aldermen necessary to authorize such changes by the
8 Mayor and the Comptroller or their designated representatives.

9 **SECTION FOUR.** It is hereby declared to be the intention of the Board of
10 Aldermen that each and every part, section and subsection of this Ordinance shall be
11 separate and severable from each and every other part, section and subsection hereof and
12 that the Board of Aldermen intends to adopt each said part, section and subsection
13 separately and independently of any other part, section and subsection. In the event that
14 any part, section or subsection of this Ordinance shall be determined to be or to have
15 been unlawful or unconstitutional, the remaining parts, sections and subsections shall be
16 and remain in full force and effect, unless the court making such finding shall determine
17 that the valid portions standing alone are incomplete and are incapable of being executed
18 in accord with the legislative intent.
19

EXHIBIT A
DEVELOPMENT AGREEMENT