

**ORDINANCE #65808**  
**Board Bill No. 403**

An ordinance authorizing the Mayor and the Comptroller to execute a quit-claim deed to the Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "Agency") to amend the legal description of all of the right, title, and interest in certain property conveyed by the City of St. Louis pursuant to the terms of the Transfer Agreement as authorized by Ordinance 61051; and containing an emergency clause.

**WHEREAS**, pursuant to the terms of a Donation Agreement, the City of St. Louis, as authorized by Ordinance 61051, accepted the donation of certain property therein described as the Tunnel, the Union Depot Line and the Illinois Terminal Line; and

**WHEREAS**, pursuant to a Transfer Agreement, the Mayor, Comptroller, and other appropriate officers of the City of St. Louis, as authorized by Ordinance 61051, executed, attested, acknowledged, delivered and recorded deeds (the "Deeds") on behalf of the City of St. Louis conveying all of the City's right, title and interest in and to the Tunnel, the Union Depot Line and the Illinois Terminal Line to the Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "Agency"); and

**WHEREAS**, the Agency has, pursuant to the terms of the Transfer Agreement, constructed and now operates a light-rail, urban mass transit, public transportation system known as the MetroLink on the certain property known as the Tunnel, the Union Depot Line and the Illinois Terminal Line; and

**WHEREAS**, certain of the property descriptions contained in the Deeds were erroneous and should be corrected; and

**WHEREAS**, it is necessary that this Board of Aldermen take appropriate official action respecting the authorization of the execution, attestation, acknowledgment, delivery and recordation of a quit-claim deed to correct certain legal descriptions;

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

**SECTION ONE.** The Board of Aldermen finds that the correction of the legal description of certain of the property conveyed to the Agency is necessary and in the public interest and is in the interest of the public health, safety, morals, and general welfare of the people of the City.

**SECTION TWO.** The Mayor and Comptroller are hereby authorized and directed to execute, attest, acknowledge, deliver and record a quit-claim deed to the Bi-State Development Agency of the Missouri-Illinois Metropolitan District which shall read in words and figures in substantially the following form, with such modifications and revisions therein including the insertion of legal descriptions and other attachments as are called for in such documents, and such affidavits, and certificates, all as are consistent with the provisions of this Ordinance and the officers executing same, such officers' signatures thereon being conclusive evidence of the approval thereof (copies of such executed documents shall be filed in the records of the City):

**QUIT-CLAIM DEED**

THIS DEED, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2003, by and between THE CITY OF ST. LOUIS, MISSOURI, an instrumentality of government created pursuant to the laws of the State of Missouri with its principal office located at 1200 Market Street in the City of St. Louis, State of Missouri 63103 ("Grantor"), and THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT, a body politic and corporate, having its principal place of business at 707 North First Street in the City of St. Louis, State of Missouri 63102 ("Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid by Grantee, the receipt of which is hereby acknowledge, does by these presents Remise, Release and forever Quit-Claim unto Grantee, certain Real Estate situated in the City of St. Louis and State of Missouri, more particularly described in Exhibit A attached hereto and incorporated herein by this reference.

This Deed is subject to all of the terms, provisions and covenants contained in that certain Quit-Claim Deed dated June 15, 1989 by and between Grantor and Grantee named herein, which was recorded at Book M736 page 1256 of the St. Louis City Records. The terms of said Quit-Claim Deed are incorporated herein by this reference as if fully set forth herein.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and to the heirs, successors and assigns of Grantee forever. So that neither the Grantor, nor its heirs, successors and assigns, nor any other

person or persons for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands the day and year first above written.

GRANTOR:

THE CITY OF ST. LOUIS

\_\_\_\_\_  
Francis Slay, Mayor

\_\_\_\_\_  
Darlene Green, Comptroller

Approved as to form:

\_\_\_\_\_  
Deputy City Counselor

\_\_\_\_\_  
Register

STATE OF MISSOURI     )  
  ) SS.  
CITY OF ST. LOUIS     )

On this \_\_\_\_ day of \_\_\_\_\_, 2003, before me appeared Francis Slay, Mayor, and Darlene Green, Comptroller, to me personally known, who being by me duly sworn, did say that they are the Mayor and the Comptroller, respectively, of the City of St. Louis, an instrumentality of government created pursuant to the laws of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said governmental entity, and that said instrument is the seal of said governmental entity, and the said instrument was signed and sealed on behalf of said governmental entity, with due authority, and said Mayor and Comptroller acknowledged said instrument to be the free act and deed of said governmental entity.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City of St. Louis, State of Missouri, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

GRANTEE:

BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT

By: \_\_\_\_\_  
Larry E. Salci, Executive Director

ATTEST:

\_\_\_\_\_

STATE OF MISSOURI     )

CITY OF ST. LOUIS ) SS.  
)

On this \_\_\_\_ day of \_\_\_\_\_, 2003, before me appeared Larry E. Salci, to me personally known, who, being by me duly sworn, did say that he is the Executive Director of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, a body politic and corporate organized and existing pursuant to Chapter 70 of the Revised Statutes of Missouri, as amended, and Chapter 127 of the Illinois Statutes Annotated; that the seal affixed to the foregoing instrument is the corporate seal of said agency, and said Larry E. Salci acknowledged said instrument to be the free act and deed of said agency.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City of St. Louis, State of Missouri, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

[EXHIBITS TO QUIT-CLAIM DEED TO FOLLOW]

**SECTION THREE.** This Ordinance being deemed necessary for the preservation of the public peace, safety, health and welfare, it is hereby declared to be an emergency ordinance within the meaning of Article IV, Sections 19 and 20, of the Charter of the City of St. Louis, and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

\_\_\_\_\_  
Clerk, Board of Aldermen

\_\_\_\_\_  
President, Board of Aldermen

Approved: Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Truly Engrossed and Enrolled

\_\_\_\_\_  
Chairman

A strip of ground being a strip of land 100 feet wide located in the City and County of St. Louis partly in U.S. Survey 378 and partly in Block 3853 of the City of St. Louis bounded North by the Southern line of Maple Avenue, South by the Northern line of Skinker Boulevard, West by the Eastern line of property conveyed to Ellen E. Lenox by deed recorded in Book 701-M Page 1145 and East by the Western line of property conveyed to Charles E. Green, etal by deed recorded in Book 94-M Page 1073.

A tract of land in encompassing the right of way of the Wabash Railway Company property between Vandeventer Avenue and Sarah Street, located City Block 3953 of the City of St. Louis, Missouri, being more particularly described as follows:

Commencing at the intersection of the westerly line of Vandeventer Avenue and the line common to U.S. Surveys 1332 and 1657; thence along said common line North 75 degrees 01 minutes 52 seconds West 417.52 feet to a point of beginning; thence continuing along said common line North 75 degrees 01 minutes 52 seconds West 126.27 feet; thence North 15 degrees 03 minutes 07 seconds East 20.00 feet; thence along a line parallel with and 20 feet northerly of said U.S. Survey line South 75 degrees 01 minutes 52 seconds East 126.15 feet; thence South 14 degrees 42 minutes 17 seconds West 20.00 feet to the point of beginning, containing 0.0579 acres or 2,524 sq. ft., more or less.

A tract of land in U.S. Surveys 1332 and 1657 in City Block 4589 in the City of St. Louis, Missouri, being more particularly described as follows:

Commencing at the intersection of the common line between said U.S. Surveys 1332 and 1657 and the westerly line of Boyle Avenue, 60' wide; thence along said common line North 75 degrees 01 minutes 52 seconds West 272.92 feet to a point of beginning; thence continuing along said common line North 75 degrees 01 minutes 52 seconds West 316.75 feet; thence leaving said

common line North 14 degrees 47 minutes 51 seconds East 25.00 feet; thence South 75 degrees 01 minutes 52 seconds East 81.25 feet; thence North 14 degrees 47 minutes 51 seconds east 467.05 feet to the southerly line of Duncan Avenue, 60' wide; thence along said southerly line South 75 degrees 01 minutes 51 seconds East 13.50 feet; thence South 14 degrees 47 minutes 51 seconds West 157.50 feet; thence parallel with the south line of Duncan Avenue South 75 degrees 01 minutes 51 seconds East 18.00 feet; thence South 14 degrees 47 minutes 51 seconds West 177.50 feet; thence South 75 degrees 01 minutes 51 seconds East 3.99 feet; thence along a curve to the left, having a radius of 181.40 feet, an arc distance of 155.43 feet and a chord bearing South 13 degrees 51 minutes 03 seconds East 150.72 feet; thence South 75 degrees 01 minutes 52 seconds East 45.75 feet; thence North 14 degrees 47 minutes 51 seconds east 309.55 feet; thence parallel with the south line of Duncan Avenue South 75 degrees 01 minutes 52 seconds East 5.00 feet; thence North 14 degrees 47 minutes 51 seconds East 157.50 feet to the southerly line of said Duncan Avenue; thence along said southerly line South 75 degrees 01 minutes 51 seconds east 20.00 feet; thence South 14 degrees 47 minutes 51 seconds West 157.50 feet; thence parallel with the south line of Duncan Avenue North 75 degrees 01 minutes 51 seconds West 10.00 feet; thence South 14 degrees 47 minutes 51 seconds West 306.55 feet; thence South 52 degrees 22 minutes 34 seconds East 72.69 feet to the said common line between U.S. Surveys 1332 and 1657 to the point of beginning, containing 0.6999 acres or 30,487 sq. ft., more or less.

A tract of land being part of City Block 5512 of the City of St. Louis, State of Missouri, described as follows, to wit: Beginning at the intersection of the Westerly right-of-way line of the Wabash Railway Company with the Southerly line of Delmar Boulevard; thence Southerly along said Westerly right-of-way line 160 feet; thence Northwesterly to a point in the Southerly line of Delmar Boulevard, which point is 30 feet Westerly from point of beginning; thence Easterly along the Southerly line of Delmar Boulevard, 30 feet to the point of beginning.

A triangular parcel of land being a part of a vacated road, lying between Blocks 13 and 14 of Watson's Fruit Hill, according to plat thereof recorded in Plat Book 9, page 80 of the St. Louis City (former County) Records described as follows: Beginning at a point of the Northern line of Watson Road being at the intersection of said Northern line with the Western line of said vacated road; thence North 15-1/2 degrees East along the Western line of said vacated road to its intersection with the Eastern line of the railroad right of way (100 feet wide); thence Southwardly along said Eastern line to the Northern line of Watson Road; thence Westwardly along said Northern line to the point of beginning.

A strip of land in Block 3949 of the City of St. Louis, Missouri, more particularly described as follows: Beginning at a point in the Westward prolongation of the Northern line of former Scott Avenue, 50 feet wide, as originally established in BENNETT PLACE and vacated by Ordinance No. 17177, said point distant 211.69 feet west of its intersections with the Western line of said BENNETT PLACE; thence Eastwardly 33.69 feet along said prolongation to the most Western corner of a triangular parcel described in deed to Wabash Railway Company, dated June 16, 1923, and recorded in Book 3909 Page 256, City of St. Louis Recorder's Office; thence Southeastwardly 181.46 feet along the Southwestern line of said Wabash Railway Company property to its most Southern corner in the Western line of BENNETT PLACE; thence Southwardly 8.89 feet along the Western line of BENNETT PLACE to a point distant 5.11 feet North of its intersection with the Southern line of said former Scott Avenue; thence Northwestwardly 216.24 feet in a straight line to the point of beginning and containing 1,547 square feet, according to a survey made by Pitzman's Co. of Surveyors & Engineers in October, 1957.

A tract of land in BLOCK 3949 of the City of St. Louis described as follows: Beginning at a point on the North line of Scott Avenue, vacated, (formerly Laurel Avenue), distant Westerly 425 feet 4 inches measured along said line of Scott Avenue, from the West line of Spring Avenue, thence Westwardly, along the prolongation of said North line of Scott Avenue, 178 feet thence Southeastwardly by a right line 181.6 feet to a point 36 feet distant Southerly from the point of beginning thence Northwardly to the point of beginning.

A tract of land located in City Block 2209 in the City of St. Louis, State of Missouri, being more particularly described as follows:

Commencing at the intersection of the east line of Grand Avenue and the south line of Scott avenue, thence along said east line South 15 degrees 06 minutes 19 seconds west 55.00 feet to the westerly lot corner common to Lots 11 and 12 of the Ranken Estate Subdivision said point being the point of beginning; thence along the lot line common to said lots South 75 degrees 19 minutes 47 seconds East 150.00 feet to the west line of a north-south 15-foot wide alley; thence South 26 degrees 24 minutes 28 seconds East 22.63 feet to the east line of said alley; thence South 65 degrees 47 minutes 33 seconds East 123.14 feet to a line common to the Market Street and Chouteau Avenue Subdivision of the Auguste Chouteau Tract and the Third and Fourth Subdivision of Ranken's Estate; thence along said common line South 14 degrees 43 minutes 40 seconds West 51.23 feet; thence North 64 degrees 54 minutes 03 seconds West 139.03 feet to the west line of said alley; thence North 69 degrees 42 minutes 53 seconds West 150.61 feet to the east line of Grand Avenue; thence along said east line North 15 degrees 06 minutes 19 seconds East 48.79 feet to the point of

beginning, containing 0.3531 acres or 15,381 sq. ft., more or less.

A tract of land in BLOCKS 2214 and 2215 of the City of St. Louis described as follows: Beginning at the intersection of the Southwesterly right of way line of Wabash Railroad Company and the Westerly right of way line of Ranken Avenue; said street right of way line intersecting the centerline of Wabash Railroad Company's main track at valuation station 80+05 being milepost 1.8; said point being the true point of beginning; thence, Northwestwardly along Wabash Railroad Company's said line for a distance of 426.78 feet to a point on the Easterly right of way line of Theresa Avenue; thence, Northwardly along said street line for a distance of 150 feet to the South line of a 12 foot wide alley; thence, Southeastwardly along said alley line, along the Northeasterly right of way line of Wabash Railroad Company's for a distance of 274.11 feet to a corner; thence, Northeastwardly at a right angle to last called line across said alley for a distance of 12 feet; thence, Northwestwardly for a distance of 82.46 feet to a point 221 feet Southeasterly as measured parallel to the centerline of said main track, from a point on the aforesaid line of Theresa Avenue; thence, Southwestwardly along a line parallel to the centerline of said main track for a distance of 205.17 feet to a point on the aforesaid line of Ranken Avenue; thence, Southwardly along said line of Ranken Avenue for a distance of 204.85 feet to the point of beginning.

Being a strip having a general width of 56 feet that is varying from 20 to 21.7 feet in width on the northeasterly side and 34.5 to 35.5 feet on the southwesterly side of the common centerline of the Grantor's main tracks beginning at the westerly right of way line of Kinsbury Avenue being the true point of beginning; thence, Northwestwardly for a distance of 1100 feet to the southerly right of way line of Delmar Boulevard and the point of ending, TOGETHER with a triangle lying on and adjacent to the westerly side of said strip having one leg of the triangle lying 30 feet along the said line of Delmar Boulevard, and the second leg beginning at said street line and extending Southeastwardly along said strip for a distance of 160 feet.

Beginning at the intersection of the westerly right of way line of Theresa Avenue and the southwesterly right of way line of Grantor being the true point of beginning; thence, Northwestwardly along said line of Grantor for a distance of 716 feet to a point on the easterly line of Grand Avenue; thence, Northwardly along said line of Grand Avenue for a distance of 48.8 feet to a point 55 feet southerly as measured along said line from the southerly line of Scott Avenue; thence, Eastwardly along a line parallel to said line of Scott Avenue for a distance of 150.38 feet to a point on the westerly line of a 15 foot wide alley; thence, Southeastwardly for a distance of 22.5 feet, crossing said alley, to a point 72.06 feet southerly as measured along the easterly line of said alley from the aforesaid line of Scott Avenue; thence, Southeastwardly for a distance of 121 feet to a point 92.46 feet southerly as measured parallel to aforesaid alley line from the said line of Scott Avenue; thence, Northwardly along a line parallel to said alley line for a distance of 78 feet to a corner in the southerly right of way line of Scott Avenue; thence, Eastwardly along said line of Scott Avenue for a distance of 225 feet to a corner; thence, Southwardly along a line parallel to the aforesaid line of Theresa Avenue for a distance of 107.39 feet to a point; thence, Southeastwardly for a distance of 67 feet to a point 113.66 feet southerly as measured parallel to said line of Theresa Avenue, from the aforesaid line of Scott Avenue; thence, Eastwardly parallel to said line of Scott Avenue for a distance of 120.0 feet to a point on the aforesaid line of Theresa Avenue; thence, Southwardly along said line of Theresa Avenue for a distance of 122.5 feet to the point of beginning.

**Approved: February 14, 2003**