

AN ORDINANCE APPROVING AN AMENDED AND RESTATED DEVELOPMENT PLAN FOR THE AREA FORMERLY KNOWN AS THE UNITED PLAZA REDEVELOPMENT AREA, AND AUTHORIZING ACTION BY THE APPROPRIATE CITY OFFICIALS.

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WHEREAS, the City of Richmond Heights, Missouri (the “City”), is authorized to undertake certain redevelopment projects pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended (“Chapter 353”); and

WHEREAS, on May 25, 2010, the City Council approved Ordinance No. 5240 which approved the United Plaza Redevelopment Area Development Plan (the “Development Plan”) pursuant to Chapter 353 and Chapter 425 of the Municipal Code of the City of Richmond Heights; and

WHEREAS, the Development Plan described a program for redevelopment of approximately 60 acres located at the southeast quadrant of the Hanley Road and Interstate 64/40 interchange (the “Redevelopment Area”); and

WHEREAS, past efforts to redevelop the Redevelopment Area pursuant to the Development Plan have been unsuccessful; and

WHEREAS, the City wishes to amend and restate the Development Plan through the approval of the Amended and Restated Development Plan attached hereto as **Exhibit A** (the “Amended and Restated Development Plan”), which Amended and Restated Development Plan will reduce the size of the Redevelopment Area to approximately 40 acres and make certain other changes;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. The findings contained in Section 1 and Section 2 of Ordinance No. 5282 are hereby reaffirmed with respect to the Redevelopment Area described in the Amended and Restated Development Plan.

SECTION 2. The City Council hereby finds that the Amended and Restated Development Plan is necessary, desirable and in the best interests of the City, and the City Council hereby approves the Amended and Restated Development Plan.

SECTION 3. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

SECTION 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 5. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 15<sup>th</sup> day September, 2011.

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JAMES J. BECK  
MAYOR

ATTEST:

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PATRICIA S. VILLMER  
DEPUTY CITY CLERK

APPROVED AS TO FORM:

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KENNETH J. HEINZ  
CITY ATTORNEY

First reading: August 15, 2011  
Second reading: September 6, 2011

**EXHIBIT A**

**AMENDED AND RESTATED DEVELOPMENT PLAN**

[On file in the Office of the Deputy City Clerk]