

ORDINANCE #66809
Board Bill No. 155

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in 1) the 20 foot wide "T" shaped alley in City Block 1251 as bounded by Park, Dillon, Carroll and Grattan and an irregular portion of Grattan from Park to Carroll 2) the remaining 20 foot wide "L" shaped alley in City Block 1250 as bounded by Park, St. Ange (vacated), Carroll and Grattan. 3) Grattan from Lafayette northwardly 140 feet to a point in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

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

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land being all of an alley in City Block 1251 and part of Grattan Street in City Blocks 1251 and 1254, City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at a point, said point being a found cross at the intersection of the south right-of-way line of Park (80 foot wide) Avenue and east right-of-way line of Grattan (60 feet wide) street; thence departing said south right-of-way line of Park Avenue, along said east right-of-way line of Grattan Street, south 08 degrees 55 minutes 52 seconds west a distance of 276.65 feet to a point on the north right-of-way line of an east-west 20 foot wide alley; thence departing said east right-of-way line of Grattan Street, along said north right-of-way line of said east-west alley, south 81 degrees 06 minutes 13 seconds east a distance of 125.53 feet to a point on the west right-of-way line of a north-south 20 foot wide alley; thence departing said north right-of-way line of said east-west alley, along said west right-of-way line of said north-south alley, north 08 degrees 55 minutes 52 seconds east a distance of 200.30 feet to a point; thence, south 71 degrees 44 minutes 14 seconds east a distance of 20.27 feet to a point on the east right-of-way line of said north-south alley; thence along said east right-of-way line of said north-south alley, south 08 degrees 55 minutes 52 seconds west a distance of 197.00 feet to a point on said north right-of-way line of said east-west alley; thence along said north right-of-way line of said east-west alley, south 81 degrees 06 minutes 13 seconds east a distance of 125.53 feet to a point on the west right-of-way line of Dillion (60 feet wide) street; thence along said west right-of-way line of Dillion Street south 08 degrees 55 minutes 52 seconds west a distance of 20.00 feet to a point on the south right-of-way line of said east-west alley; thence along said south right-of-way line of said east-west alley, north 81 degrees 06 minutes 13 seconds west a distance of 271.06 feet to a point on said east right-of-way line of Grattan Street; thence along said east right-of-way line of Grattan Street, south 08 degrees 55 minutes 52 seconds west a distance of 120.00 feet to a point on the north right-of-way line of Carroll (60 feet wide) Street; thence along said north right-of-way line of said Carroll Street, north 81 degrees 06 minutes 13 seconds west a distance of 60.00 feet to a point on the west right-of-way line of said Grattan Street; thence along said west right-of-way line of Grattan Street, north 08 degrees 55 minutes 52 seconds east a distance of 139.49 feet to a point; thence departing said west right-of-way line of Grattan Street north 17 degrees 28 minutes 24 seconds east a distance of 67.04 feet to a point; thence north 13 degrees 46 minutes 04 seconds east a distance of 111.73 feet to a point; thence north 15 degrees 17 minutes 51 seconds east a distance of 90.04 feet to a point; thence north 55 degrees 36 minutes 19 seconds east a distance of 19.44 feet to a point on the south right-of-way line of said Park Avenue; thence along said south right-of-way line of Park Avenue, south 69 degrees 53 minutes 11 seconds east a distance of 16.82 feet to a point, being the point of beginning. Said tract of land containing 29.933 square feet or 0.69 acres of land, more or less.

A tract of land being part of the alleys in City Block 1250, City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at a point, said point being the southwestern corner of St. Louis City Block 1250, being the intersection of the north right-of-way line of Carroll (60 foot wide) Street

and the east right-of-way line of Dillion (60 foot wide) Street; thence along said east right-of-way line of Dillion Street, north 08 degrees 55 minutes 52 seconds east a distance of 120.00 feet to a point on the south right-of-way line of an east-west 20 foot wide alley, being the point of beginning; thence continuing along said east right-of-way line of Dillion Street, north 08 degrees 55 minutes 52 seconds east a distance of 20.00 feet to a point on the north right-of-way line of said east-west alley; thence departing said east right-of-way line of Dillion Street, along the north right-of-way line of said east-west alley, south 81 degrees 06 minutes 13 seconds east a distance of 120.64 feet to a point on the west right-of-way line of a north-south 20 foot wide alley; thence departing said north right-of-way line of said east-west alley, along said west right-of-way line of said north-south alley, north 08 degrees 55 minutes 52 seconds east a distance of 146.50 feet to a point on the north right-of-way line of said north-south alley; thence along said north right-of-way line of said north-south alley, south 71 degrees 44 minutes 14 seconds east a distance of 20.27 feet to a point on the east right-of-way line of said north-south alley; thence along said east right-of-way line of said north-south alley, south 08 degrees 55 minutes 52 seconds west a distance of 163.20 feet to a point on the south right-of-way line of said east-west alley, north 81 degrees 06 minutes 13 seconds west a distance of 140.64 feet to a point, being the point of beginning. Said tract of land containing 5,710 square feet or 0.13 acres of land, more or less.

A tract of land being part of Grattan Street in City Blocks 1252 and 1253, City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at a point, said point being the intersection of the north right-of-way line of Lafayette (120 foot wide) Avenue and the east right-of-way line of said Grattan (60 foot wide) Street; thence along said north right-of-way line of Lafayette Avenue north 81 degrees 03 minutes 52 seconds west a distance of 60.00 feet to a point on the west right-of-way line of said Grattan Street; thence departing said north right-of-way line of Lafayette Avenue, along said west right-of-way line of Grattan Street, north 08 degrees 55 minutes 52 seconds east a distance of 140.00 feet to a point on the north right-of-way line of an east-west 20 foot wide alley and the south line of vacated Grattan Street by Ordinance 55602; thence along the south line of said vacated Grattan Street south 81 degrees 03 minutes 52 seconds east a distance of 60.00 feet to a cross on the east right-of-way line of Grattan Street; thence along said east right-of-way line of Grattan Street, south 08 degrees 55 minutes 52 seconds west a distance of 140.00 feet to a point, being the point of beginning. Said tract of land containing 8,400 square feet or 0.19 acres of land, more or less.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: Petitioners are Land Reutilization Authority (LRA), City of St. Louis and City Hospital Development LLC. Property owned by the State of Missouri is in the process of being transferred to the City of St. Louis. Vacated areas will be used for residential and retail development. The development is bounded by Lafayette, 14th, Park and Truman Parkway.

SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alleys and street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

SECTION FOUR: The owners of the land may, at their election and expense remove the surface pavement of said so vacated alleys and street provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

SECTION FIVE: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION SIX: The owner(s) shall not place any improvement upon, over or in the area(s) vacated without: 1) lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms

and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

SECTION SEVEN: The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION EIGHT: In the event that granite curbing or cobblestones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must have curbing cobblestones returned to the Department of Streets in good condition.

SECTION NINE: This ordinance shall be ineffective unless within three hundred sixty (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the affidavit submittal date as specified in the last section of this ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be deposited by these agencies with the Comptroller of the City of St. Louis.

- 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of Water facilities, if any.
- 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.
- 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments of the City's alley(s), sidewalk(s) and street(s) as effected by the vacated area(s) as specified in Sections Two and Eight of the Ordinance.

SECTION TEN: An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Approved: August 3, 2005