

ORDINANCE 70870

BOARD BILL NO. 150 INTRODUCED BY: ALDERWOMAN CHRISTINE INGRASSIA

1 An ordinance recommended by the Board of Public Service to conditionally vacate
2 above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in the
3 10 foot wide north/south alley, the remaining portion of the 20 foot wide east/west alley and the
4 25 foot wide north/south alley in City Block 2273 as bounded by Union Pacific Railroad, 21st,
5 Gratiot and 22nd, and a portion of Gratiot beginning 134.01 feet east of 22nd and extending 73.5
6 feet eastwardly to a portion of Gratiot previously vacated by Ordinance 65340 in the City of St.
7 Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in
8 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on
9 such vacation.

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11 **BE IT ORDAINED BY THE CITY OF ST. LOUIS:**

12 **SECTION ONE:**

13 The above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel,
14 between the rights-of-way of:

15 A parcel of ground in City Blocks 2273 and 2274 in the City of St. Louis,
16 Missouri, described as follows:

17 Beginning at the southwest corner of Lot 13 of John Schaeffner's
18 Addition in City Block 2273 of the City of St. Louis Missouri,
19 said point being in the northern right of way line of a 20 foot
20 wide alley; thence along said right of way line South 75 degrees
21 12 minutes 39 seconds East, a distance of 125.00 feet tot a point
22 in the western line of a 10' wide alley thence along the eastern
23 lines of said Lot 13 and Lot 14 of said subdivision North 14
24 degrees 47 minutes 21 seconds East, a distance of 77.77 feet to a
25 point in the South line of the Union Pacific Railroad property,
26 said point being on a non-tangent curve to the right having a
27 radius of 2038.62 feet, and whose chord bears South 89 degrees

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17 minutes 10 seconds East, a distance of 10.31 feet, and arc length of 10.31 feet to a point in the western line of Lot 15 of John Schaeffner's Addition; thence along said western line South 14 degrees 47 minutes 21 seconds East, a distance of 80.28 feet to the southwest corner of Lot 15 of said John Schaeffner's addition being in the aforementioned northern right of way line of a 20' wide alley; thence along said right of way line South 75 degrees 12 minutes 39 seconds East, a distance of 49.91 feet to a point in the Southern line of Lot 16 of said John Schaeffner's Addition; thence South 14 degrees 47 minutes 21 seconds West, a distance of 20.00 feet to the northeast corner of Lot 5 of John Schaeffner's Addition, said point being in the southern right of way line of said 20 foot wide alley; thence along said southern right of way line North 75 degrees 12 minutes 39 seconds West, a distance of 25.86 feet to a point in the eastern right of way line of a 25' wide alley, said point being the northwestern corner of Lot 5 of said John Schaeffner's Addition; thence along the western line of said Lot 5 South 14 degrees 47 minutes 21 seconds West, a distance of 100.00 feet to the southwest corner of said Lot 5, said point being in the northern right of way line of Gratiot Street (40 feet wide); thence along said right of way line South 75 degrees 12 minutes 39 seconds East, a distance of 25.88 feet to the southwest corner of Lot 4; thence leaving said right of way line South 14 degrees 47 minutes 21 seconds West, a distance of 40.00 feet to the southern right of way line of said Gratiot Street; thence along said southern right of way line North 75 degrees 12 minutes 39 seconds West, a distance of 73.50 feet to the northeast corner of property conveyed to H & H Fixture Company; thence leaving said right of way line North 14 degrees 47 minutes 21 seconds East, a distance of 40.00 feet to the aforementioned northern right of way line of Gratiot Street; thence along said right of way line South 75 degrees 12 minutes 39 seconds East, a distance of 22.64 feet to the southeast corner of Lot 7 of said John Schaeffner's Addition, said point being in the western right of way line of the aforementioned 25' wide alley; thence along the eastern line of Lot 7 North 14 degrees 47 minutes 21 seconds East, a distance of 100.00 feet to the northeast corner of Lot 7, said point being in the southern right of way line of the aforementioned 20' wide alley; thence along said southern right of way line North 75 degrees 12 minutes 39 seconds West, a distance of 134.02 feet to a point in the eastern right of way line of 22nd Street (60 feet wide); thence along said eastern right of way line North 14 degrees 2 minutes 38 seconds East, a distance of 20.00 feet to the point of beginning, containing 9,929 square feet, more or less.

1 are, upon the conditions hereinafter set out, vacated.

2 **SECTION TWO:**

3 U S Paint Corporation (dba U S Paint Redevelopment Corporation) will use proposed vacated
4 unimproved areas to consolidate property.

5 **SECTION THREE:**

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

10 **SECTION FOUR:**

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

14 **SECTION FIVE:**

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

19 **SECTION SIX:**

20 The owner(s) shall not place any improvement upon, over or in the area(s) vacated without:

- 21 1. Lawful permit from the Building Division or Authorized City agency as
22 governed by the Board of Public Service.

1 2. Obtaining written consent of the utilities, governmental service entities and
2 franchise holders, present or future. The written consent with the terms and
3 conditions thereof shall be filed in writing with the Board of Public Service by
4 each of the above agencies as needed and approved by such Board prior to
5 construction.

6 **SECTION SEVEN:**

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

11 **SECTION EIGHT:**

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

15 **SECTION NINE:**

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

22 1. CITY WATER DIVISION so as to cover the full expenses of removal and/or relocation
23 of Water facilities, if any.

1 2. CITY TRAFFIC AND TRANSPORTATION DIVISION so as to cover the full expenses
2 of removal, relocation and/or purchase of all lighting facilities, if any. All street signs
3 must be returned.

4 3. CITY STREET DEPARTMENT so as to cover the full expenses required for the
5 adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated
6 area(s) as specified in Sections Two and Eight of the Ordinance.

7 **SECTION TEN:**

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