

ORDINANCE 71136

BOARD BILL NUMBER 115 INTRODUCED BY ALDERMAN SAMUEL MOORE

1 An ordinance recommended by the Board of Public Service to conditionally vacate above
2 surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in the northern
3 120 feet of the 15 foot wide north-south alley in City Block 1880 as bounded by Cote Brilliante,
4 Grand, Aldine and Spring in the City of St. Louis, Missouri, as hereinafter described, in accordance
5 with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and
6 imposing certain conditions on such vacation.

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

8 **SECTION ONE:**

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

11 A tract of land being part of a 15 foot wide alley in City Block 1880, City of St. Louis,
12 Missouri, and being more particularly described as follows:

13 Beginning at the northwest corner of Lot 10 of D.D. Page Second
14 Western Addition in City Block 1880, City of St. Louis, Missouri, said
15 being on the south line of Cote Brilliante Avenue (60 feet wide) 120.00
16 feet West of the intersection of the west line of North Grand Boulevard
17 (80 feet wide) and the south line of said Cote Brilliante Avenue;
18 thence South 28 degrees 57 minutes 09 seconds West, a distance of
19 120.00 feet to a point on the west line of Lot 6 of said D.D. Page's
20 Western Addition; thence leaving said west line North 60 degrees 40
21 minutes 23 seconds West, a distance of 15.00 feet to the southeast
22 corner of Lot 11 of said D.D. Page's Western Addition; thence along
23 the east line of said Lot 11 North 28 degrees 57 minutes 09 seconds
24 East, a distance of 120.00 feet to the northeast corner of said Lot 11
25 and being on the south line of the aforementioned Cote Brilliant Ave;
26 thence along said south line South 60 degrees 40 minutes 23 seconds
27 East, a distance of 15.00 feet to the Point of Beginning, containing
28 1,349 square feet or 0.03 acres, more or less.

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

2 **SECTION TWO:**

3 True Grace Baptist Church proposes to vacate alley to consolidate property for building
4 construction.

5 **SECTION THREE:**

6 All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally
7 vacated alley, are reserved to the City of St. Louis for the public including present and future uses of
8 utilities, governmental service entities and franchise holders, except such rights as are specifically
9 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 so
12 vacated alley provided however, all utilities within the rights-of-way shall not be disturbed or
13 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 associated
17 with the maintenance, construction or planning of existing or future facilities, being careful not to
18 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:

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

7 **SECTION SEVEN:**

8 The owners may secure the removal of all or any part of the facilities of a utility, governmental
9 service entity or franchise holder by agreement in writing with such utilities, governmental entity or
10 franchise holder, filed with the Board of Public Service prior to the undertaking of such 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 approval, or
17 such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the
18 affidavit submittal date as specified in the last section of this ordinance, the owner(s) of the area to
19 be vacated must fulfill the following monetary requirements, if applicable, as specified by the City
20 of St. Louis Agencies listed below. All monies received will be deposited by these agencies with
21 the Comptroller of the City of St. Louis.

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

9 **SECTION TEN:**

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





3400 Cote Brilliante Ave

St. Louis, MO 63113



Directions



Save



Nearby



Send to your
phone



Share



LYDA KREWSON
MAYOR

City of St. Louis

DEPARTMENT OF STREETS OFFICE OF THE DIRECTOR

1900 HAMPTON AVENUE
SAINT LOUIS, MISSOURI 63139
PHONE: (314) 647-3111
FAX: (314) 768-2888

CLERK
Bd of Ald



JAMIE WILSON, P.E., PTOE
DIRECTOR

September 3, 2019

297131

APPROVED BY THE
BOARD OF PUBLIC SERVICE

Honorable Board of Public Service
Room 300 - City Hall
St. Louis, MO 63103

SEP 3 2019

Chaise D. Jones
SECRETARY

**RE: BOARD DOCUMENT #295007
PETITION #6868**

Honorable Board Members:

Transmitted herewith is a draft of an ordinance to conditionally vacate:

Northern 120 feet of the 15 foot wide north-south alley in City Block 1880 as bounded by Cote Brillante, Grand, Aldine and Spring.

This vacation has been petitioned by True Grace Baptist Church, Inc.

Therefore, it is recommended that the above ordinance be **APPROVED** by your Board and that the Secretary be authorized to forward same to the Board of Aldermen with the recommendation that it be passed.

Sincerely,

Jamie Wilson
Jamie Wilson, P.E. PTOE
Director of Streets

1000 N. 7th

JW:md

xc: Alderwoman Tammika Hubbard

BB
115

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

We, the undersigned, legal owners of property in city block(s) 1880
between Cote Brillante, Grand, Aldine
and SPRING

hereby petition the City of St. Louis to vacate and abolish
the northern 120 feet of the 15 foot wide
alley in City Block 1880

and we hereby waive all claims for damages sustained as the result of the vacation and abolition of the afore-
said area.

IN WITNESS WHEREOF we have hereunto set our hands this

day of 12-14-2018

ATTEST Rev. Jonathan K. Davis
Secretary

True Grace Baptist Church, Inc.
By Rev. Jonathan K. Davis
Title PASTOR

STATE OF MISSOURI

St. Louis County } ss

On this 14th day of December 2018

before me appeared Rev. Jonathan K. Davis

to me personally known, who being duly sworn, did say that he is the PASTOR

True Grace Baptist Church, Inc., a corporation; that the seal affixed to the
foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed
in behalf of said corporation by authority of its Board of Directors, and said

Rev. Jonathan K. Davis acknowledged said

instrument to be the free act and deed of said corporation.

Witness my hand and notarial seal in the St. Louis County, State of Missouri, the day
and year first above written.

My term expires 7/16/2020

Karen S. Huntington
NOTARY PUBLIC

KAREN S. HUNTINGTON
Notary Public - Notary Seal
State of Missouri
Commissioned for Jefferson County
My Commission Expires: July 16, 2020
Commission Number: 12380086

CITY BLOCK #1879

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COTE BRILLIANTE AVE (60'W)

S60° 40' 23"E 15.00'

FOUND IRON PIPE BEARS
S42° 53' 59"E 0.85'

N. SPRING AVE (66'W)

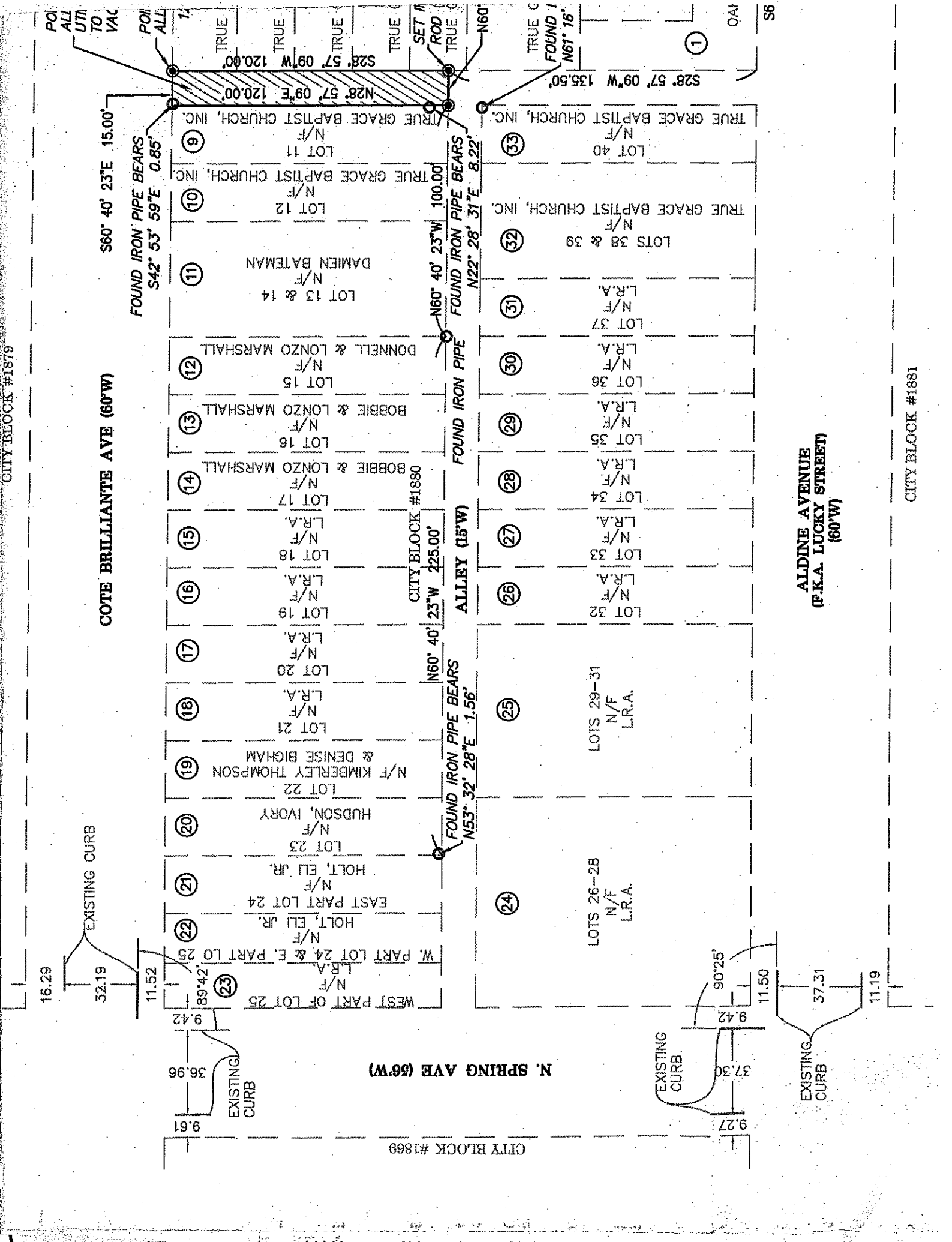
CITY BLOCK #1869

CITY BLOCK #1880

ALLEY (15'W)

ALDINE AVENUE
(F.K.A. LUCKY STREET)
(60'W)

CITY BLOCK #1881



1 2 3 4 5 6 7 8 9 10 11 12