

ORDINANCE 71211

BOARD BILL NUMBER 69 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

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 20 foot wide
3 east/west alley in City Block 941 as bounded by Dr. Martin Luther King Drive, 19th St., Delmar
4 Blvd. and 20th St. in the City of St. Louis, Missouri, as hereinafter described, in accordance with
5 Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing
6 certain conditions on such vacation.

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

8 **SECTION ONE.** The above surface, surface and sub-surface rights of vehicle, equestrian
9 and pedestrian travel, between the rights-of-way of:

10 A tract of land being an East/West alley, 20 feet wide, in City Block 941 of the City
11 of St. Louis Records, lying between North 19th Street and North 20th Street, in the
12 City of St. Louis, Missouri, and being more particularly described as follows:

13 Commencing at the Northeastern corner of said City Block 941, said
14 point being the intersection of the Southerly line of Dr. Martin Luther
15 King Drive, 75 feet wide, with the Westerly line of North 19th Street,
16 60 feet wide, thence Southwardly along the Westerly line of said North
17 19th Street, South 15 degrees 30 minutes 47 seconds West, 144.78 feet
18 to the intersection with the Northerly line of said alley and the True
19 Point of Beginning of the tract of land herein described; thence
20 continuing Southwardly along the Westerly line of said North 19th
21 Street, South 15 degrees 30 minutes 47 seconds West, 20.00 feet to the
22 intersection with the Southerly line of said alley; thence Westwardly

1 along the Southerly line of said alley, North 74 degrees 37 minutes 05
2 seconds West, 376.53 feet to the intersection with the Easterly line of
3 said North 20th Street; thence Northwardly along the Easterly line of
4 said North 20th Street, North 15 degrees 28 minutes 30 seconds East,
5 20.00 feet to the intersection with the Northerly line of said alley;
6 thence Eastwardly along the Northerly line of said alley, South 74
7 degrees 37 minutes 05 seconds East, 376.55 feet to the True Point of
8 Beginning, according to Survey Number 209994-A, executed by
9 James Surveying Company, on 11th day of September, 2019, and
10 containing 7,531 square feet, more or less.

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

12 **SECTION TWO.** Petitioners are 1900 MLK Partners LLC, Midtown Stl Development
13 Group LLC and Delmar Blvd. LLC. Vacated area will be used to consolidate property for safety and
14 security.

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

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

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

5 **SECTION SIX.** The owner(s) shall not place any improvement upon, over or in the area(s)
6 vacated without:

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

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

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

20 **SECTION NINE.** This ordinance shall be ineffective unless within three hundred sixty (360)
21 days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed
22 three (3) days prior to the affidavit submittal date as specified in the last section of this ordinance, the
23 owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as

1 specified by the City of St. Louis Agencies listed below. All monies received will be deposited by
2 these agencies with the Comptroller of the City of St. Louis.

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

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

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

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



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



JAMIE WILSON, P.E., PTOE
DIRECTOR

298447

May 5, 2020

APPROVED BY THE
BOARD OF PUBLIC SERVICE

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

Chaise W. Jones
APR 28 2020
SECRETARY

**RE: BOARD DOCUMENT #297619
PETITION #6885**

Honorable Board Members:

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

20 foot wide east/west alley in City Block 941 as bounded by Dr. Martin Luther King, 19th, Delmar and 20th.

This vacation has been petitioned by 1900 MLK Partners LLC, Midtown Stl Development Group LLC and Delmar Blvd, LLC.

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, P.E. PTOE
Director of Streets

JW/JDW:md

xc: Clerk, Board of Aldermen
Alderman Marlene Davis

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

941 Delmar Boulevard

We, the undersigned, legal owners of property in city block(s)

between Dr. Martin Luther King, 19th, Delmar

and 20th

hereby petition the City of St. Louis to vacate and abolish 20 ft wide east/west alley

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 Delmar Blvd LLC

day of Dec 3 2019

ATTEST

Secretary

By

Title Member

STATE OF MISSOURI
CITY OF ST. LOUIS

On this 3rd day of December, 2019

before me appeared Anthony Lanzarini

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

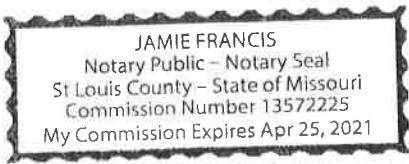
Delmar Blvd LLC, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said

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

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

My term expires 04/25/21

Jamie Francis
NOTARY PUBLIC



PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

941

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and 20th

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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

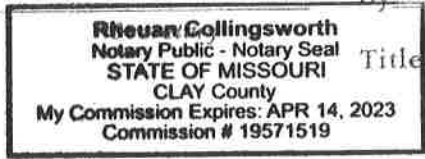
day of

Midtown STL Development Group LLC

ATTEST

By

[Signature]



Title

Member

STATE OF MISSOURI }
CITY OF ST. LOUIS } ss

On this 16th day of October, 2019,

before me appeared Mark Abbott

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

Midtown STL Development Group LLC, 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

acknowledged said

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

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

My term expires 4/14/23

[Signature]

NOTARY PUBLIC

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

941

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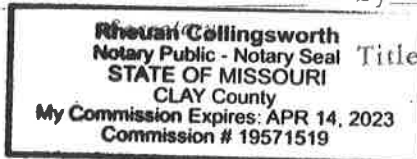
day of

1900 MLK Partners LLC Co.

ATTEST

By

[Signature]



Title

Member of managing Member
Midtown STL Development Group LLC

STATE OF MISSOURI

CITY OF ST. LOUIS

} ss

On this 16th

day of October

2019,

before me appeared Mark Abbott

to me personally known, who being duly sworn, did say that he is the Member of Managing Member of
Midtown STL Development Group LLC, 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

acknowledged said

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

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

My term expires

4/14/23

[Signature]

NOTARY PUBLIC

CB: 941.00

Vacation Petition
6885



