

ORDINANCE 71281

BOARD BILL NUMBER 157 INTRODUCED BY: ALDERWOMAN CHRISTINE INGRASSIA

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 an irregular
3 portion of Pine Street from the western right of way line of 20th Street to the western right of way
4 line of 21st Street 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 part of the right of way of Pine Street as shown in the James H.
11 Lucas and Ann L. Hunt's Addition recorded in Book 5, Page 39 of the City of St. Louis
12 Records, situated in the City of St. Louis, Missouri, and being more particularly
13 described as follows:

14 Beginning at the intersection of the West right of way line of 20th
15 Street, 60 feet wide, with the South right of way line of Pine Street, 60
16 feet wide, said intersection being the Northeast corner of City Block
17 905; thence along the said South right of way of Pine Street, and the
18 North line of City Block 905, North 75 degrees 17 minutes 32 seconds
19 West, a distance of 397.97 feet to a point at the intersection of the
20 South right of way line of Pine Street, with the West right of way line
21 of former 21st Street, 60 feet wide, (vacated by Ordinance #59863)
22 said intersection being the Northeast corner of City Block 912; thence
23 leaving said South right of way, North 14 degrees 48 minutes 26

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1 seconds East, a distance of 60.16 feet along the East line of a parcel
2 owned now or formerly by the Missouri State Highway Commission,
3 said East line is also the East line of Ordinance #54281 vacating that
4 part of Pine Street crossing said Highway Commission property, to a
5 point at the intersection of the North right of way line of Pine Street,
6 with the West right of way line of former 21st Street, (vacated by
7 Ordinance #54281) said intersection being the Southeast corner of
8 City Block 911; thence along said North right of way, South 75
9 degrees 16 minutes 55 seconds East, a distance of 257.93 feet to a
10 point; thence leaving said North right of way along the South line of a
11 parcel owned now or formerly by the Missouri State Highway
12 Commission said South line is also the North line of Ordinance
13 #54281 vacating that part of Pine Street crossing said Highway
14 Commission property, South 14 degrees 43 minutes 52 seconds West,
15 a distance of 24.00 feet to a point; thence South 75 degrees 16 minutes
16 55 seconds East, a distance of 140.00 feet to a point on the West right
17 of way of 20th Street; thence along said West right of way, South 14
18 degrees 48 minutes 27 seconds West, a distance of 36.09 feet to the
19 Point of Beginning. Said tract contains 20,568 SF, 0.472 acres more
20 or less.

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

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1 **SECTION TWO.** TKFC LC will use the proposed vacated unimproved land to consolidate
2 property for construction of soccer stadium.

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

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

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

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

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

22 **SECTION SEVEN.** The owners may secure the removal of all or any part of the facilities
23 of a utility, governmental service entity or franchise holder by agreement in writing with such utilities,

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1 governmental entity or franchise holder, filed with the Board of Public Service prior to the
2 undertaking of such removal.

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

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

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

20 **SECTION TEN.** An affidavit stating that all of the conditions be submitted to the Director
21 of Streets for review of compliance with conditions 2 years (730 days) from the date of the signing
22 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit

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- 1 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
- 2 within the 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

September 29, 2020

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

**RE: BOARD DOCUMENT #298155
PETITION #6889**

Honorable Board Members:

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

An irregular portion of the Pine Street from the western ROW line of 20th Street to the western ROW line of 21st Street.

This vacation has been petitioned by TKFC LC and others.

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
Aldерwoman Christine Ingrassia

APPROVED BY THE
BOARD OF PUBLIC SERVICE

SEP 29 2020

SECRETARY

299099

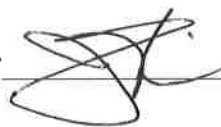
Board Bill Number 157

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

We, the undersigned, legal owner of property in city block 906 between Pine Street, North 20th Street, North 21st Street and Olive Street hereby petition the City of St. Louis to vacate and abolish all of the public right of way for all purposes in Pine Street between North 20th Street and North 21st Street 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 3rd day of March
2020.

ATTEST 

TKFCLC
By: Carolyn K Betz
Title: Chief Executive Officer

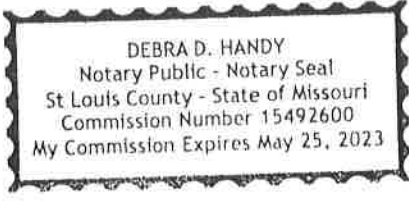
STATE OF MISSOURI)
) ss
CITY OF ST. LOUIS)

On this 3rd day of March, 2020, before me appeared Carolyn Kindle Betz to me personally known, who being duly sworn, did say that she is the Chief Executive Officer of TKFC LC, a limited liability company; and that said instrument was signed on behalf of said limited liability company by authority of its Members, and said Carolyn Kindle Betz acknowledged said instrument to be the free act and deed of said limited liability company.

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: 5/25/2023

Debra W. Handy
Notary Public



PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of St. Louis

We, the undersigned, legal owner of property in city block 905 between Pine Street, North 20th Street, North 21st Street and Chestnut Street (vacated) hereby petition the City of St. Louis to vacate and abolish all of the public right of way for all purposes in Pine Street between North 20th Street and North 21st Street and we hereby waive all claims for damages sustained as the result of the vacation and abolition of the afore-said area.

2020
IN WITNESS WHEREOF we have hereunto set our hands this 9th day of September

ATTEST Emily H. Hurlbaum

1831 CHESTNUT CONDOMINIUM ASSOCIATION

By: _____
Name: James (Jim) Hennessey
Title: Authorized Representative

STATE OF Illinois)
COUNTY OF Cook) ss

On this 9th day of September, 2020 before me appeared James (Jim) Hennessey to me personally known, who being duly sworn, did say that he is the Authorized Representative of 1831 Chestnut Condominium Association; and that said instrument was signed on behalf of said condominium association by authority of its Members, and said James (Jim) Hennessey acknowledged said instrument to be the free act and deed of said limited liability company.

Witness my hand and notarial seal in the County of Cook, State of Illinois, the day and year first above written.

My term expires: 02/10/2024

[Signature]
Notary Public



Board Bill Number 157

CB: 6472.00



Board Bill Number 157

