

ORDINANCE 71315

BOARD BILL NUMBER 176 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 Virginia
3 from Chouteau northwardly 584.425 ± 2.985 feet to a point, said point being vacated Gratiot in
4 the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and
5 in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on
6 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 parcel of ground in City Blocks 2233-E, 2233-W, 2234-E and 2234-W in the City
11 of St. Louis, Missouri, more particularly described as follows:

12 Beginning at the Northern line of Chouteau Avenue, 80 feet wide, with
13 the Eastern line of Virginia Avenue, 50 feet wide; thence North 75
14 degrees 11 minutes 29 seconds West 50.00 feet, along the Northern
15 line of said Chouteau Avenue, to the Western line of said Virginia
16 Avenue, to a point; thence North 14 degrees 50 minutes 01 seconds
17 East 587.41 feet, along the Western line of said Virginia Avenue, to
18 the Southern line of former Gratiot Street, 60 feet wide, vacated by
19 Ordinance 45746, to a point; thence South 68 degrees 23 minutes 14
20 seconds East 50.35 feet, along the Southern line of said former Gratiot
21 Street, to the Eastern line of said Virginia Avenue, to a point; thence
22 South 14 degrees 50 minutes 01 seconds West 581.44 feet, along the
23 Eastern line of said Virginia Avenue to the Northern line of said

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1 Chouteau Avenue to the Point of Beginning and containing 29,221
2 square feet or 0.67 acres as prepared by Pitzman's Company.

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

4 **SECTION TWO.** Saint Louis University proposes to use area to correct property lines.

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

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

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

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

- 19 1. Lawful permit from the Building Division or Authorized City agency as governed by
20 the Board of Public Service.
- 21 2. Obtaining written consent of the utilities, governmental service entities and franchise
22 holders, present or future. The written consent with the terms and conditions thereof

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

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

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

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

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

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

Street Dept.

Board Bill Number 176



LYDA KREWSON
MAYOR

City of St. Louis

DEPARTMENT OF STREETS OFFICE OF THE DIRECTOR

1900 HAMPTON AVENUE
SAINT LOUIS, MISSOURI 63139
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JAMIE WILSON, P.E., PTOE
DIRECTOR

January 7, 2020

297681

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

APPROVED BY THE
BOARD OF PUBLIC SERVICE

**RE: BOARD DOCUMENT #297185
PETITION #6881**

JAN 7 2020
Chaise D Jones
SECRETARY

Honorable Board Members:

Transmitted herewith is draft of an ordinance to conditionally vacate:

Virginia Ave. from Chouteau northwardly 584.425 ± 2.985 feet to a point,
said point being vacated Gratiot St.

This vacation has been petitioned by St. Louis University.

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: Alderwoman Marlene Davis

CB: 2234.18



