

ORDINANCE 71383

BOARD BILL NUMBER 66 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 the
3 remaining 169 feet of the 15 foot wide east/west alley in City Block 901 beginning at 19th Street
4 and continuing westwardly to its terminus and bounded by Olive St., 19th St., Pine St. and 20th
5 St. in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter
6 authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain
7 conditions on such vacation.

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

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

11 A tract of land being part an alley (15 feet wide) located in City Block 901 of the City
12 of St. Louis, Missouri, and being more particularly described as follows:

13 Commencing at the Northeast corner of Lot 14 of J.H. Lucas and Ann
14 L. Hunt's Addition as recorded in Plat Book G, Page 34 of the City of
15 St. Louis Records, also being the intersection of the South right of
16 Olive Street (100 feet wide) and the West right of way line of
17 Nineteenth Street (60 feet wide), thence along said West line of said
18 nineteenth Street, also being the East line of said Lot 14 South 14
19 degrees 43 minutes 22 seconds West, 69.29 feet to the intersection of
20 said West right of way line with the North right of way line of a 15
21 foot wide alley being the Point of Beginning; thence continuing along
22 said West right of way line South 14 degrees 43 minutes 22 seconds

1 West, 15.00 feet to the intersection of the South line of said 15 foot
2 wide alley; thence departing said West right of way line along the
3 South right of way line of said 15 foot wide alley, North 75 degrees 17
4 minutes 13 seconds West 169.00 feet to the portion of an alley (15 feet
5 wide) vacated per Ordinance 52114; thence departing said South right
6 of way line along the vacated alley North 4 degrees 42 seconds 47
7 seconds East, 15.00 feet to a Point in the North right of way line of a
8 15 foot wide alley; thence along said North right of way line, South 75
9 degrees 17 seconds 13 seconds West, 169.00 feet to the Point of
10 Beginning and containing 2,535 square feet or 0.058 acres, more or
11 less.

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

13 **SECTION TWO.** Pitch314 LC proposes to use vacated area to consolidate properties to
14 improve overall safety and security of abutting properties.

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, cobblestones or bricks are removed
18 within the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s)
19 must have curbing, cobblestones and bricks 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.

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 blocks 901 and 896 between Olive Street, Pine Street, North 20th Street and Eighteenth Street hereby petition the City of St. Louis to vacate and abolish all of the public right of way for all purposes in Nineteenth Street between Olive Street and Pine Street and the stub alley running westward from Nineteenth Street between Olive and Pine 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 15th day of JANUARY

2021

ATTEST [Signature]

Pitch 314 LC
By: [Signature]
Title: CEO JASON P. THEIN

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

On this 15th day of JANUARY, 2021, before me appeared JASON P. THEIN to me personally known, who being duly sworn, did say that he/she is the CEO of Pitch314 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 JASON P. THEIN 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 St. Louis, State of Missouri, the day and year first above written.

My term expires: 05/18/2024

[Signature]
Notary Public



LEGAL DESCRIPTION

A TRACT OF LAND BEING PART AN ALLEY 15 FEET WIDE LOCATED IN CITY BLOCK 901 FOLLOWING: LOT 1 OF 50 LOTS, MISSOURI AND SENIOR NORTH PARTITIONED, DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF LOT 14 OF 314, LUCAS AND ANN L. HUNT'S ADDITION AS RECORDED IN PLAT BOOK G, PAGE 34 OF THE CITY OF ST. LOUIS RECORDS, ALSO BEING THE INTERSECTION OF THE SOUTH RIGHT OF OLIVE STREET 100 FEET WIDE NORTH AND WEST RIGHT OF WAY LINE OF NINETEENTH STREET 60 FEET WIDE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID OLIVE STREET 100 FEET TO THE EAST LINE OF SAID LOT 14 SOUTH 14 DEGREES 43 MINUTES 22 SECONDS WEST, 69.29 FEET TO THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE WITH THE NORTH RIGHT OF WAY LINE OF A 15 FOOT WIDE ALLEY BEING THE POINT OF BEGINNING, 43 MINUTES 22 SECONDS WEST, 15.00 FEET TO THE INTERSECTION OF THE SOUTH LINE OF SAID 15 FOOT WIDE ALLEY, THENCE DEPARTING SAID WEST RIGHT OF WAY LINE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID 15 FOOT WIDE ALLEY, NORTH 75 DEGREES 17 MINUTES 13 SECONDS WEST, 13.00 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE WITH THE EAST LINE OF SAID OLIVE STREET 100 FEET WIDE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID OLIVE STREET 100 FEET EAST, 15.00 FEET TO A POINT IN THE NORTH RIGHT OF WAY LINE OF A 15 FOOT WIDE ALLEY, THENCE ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 75 DEGREES 17 MINUTES 13 SECONDS WEST, 13.00 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE WITH THE EAST LINE OF SAID OLIVE STREET 100 FEET WIDE, THENCE ALONG SAID EAST LINE OF SAID OLIVE STREET 100 FEET WEST, 2.35 SQUARE FEET ON 0.58 ACRES, MORE OR LESS.

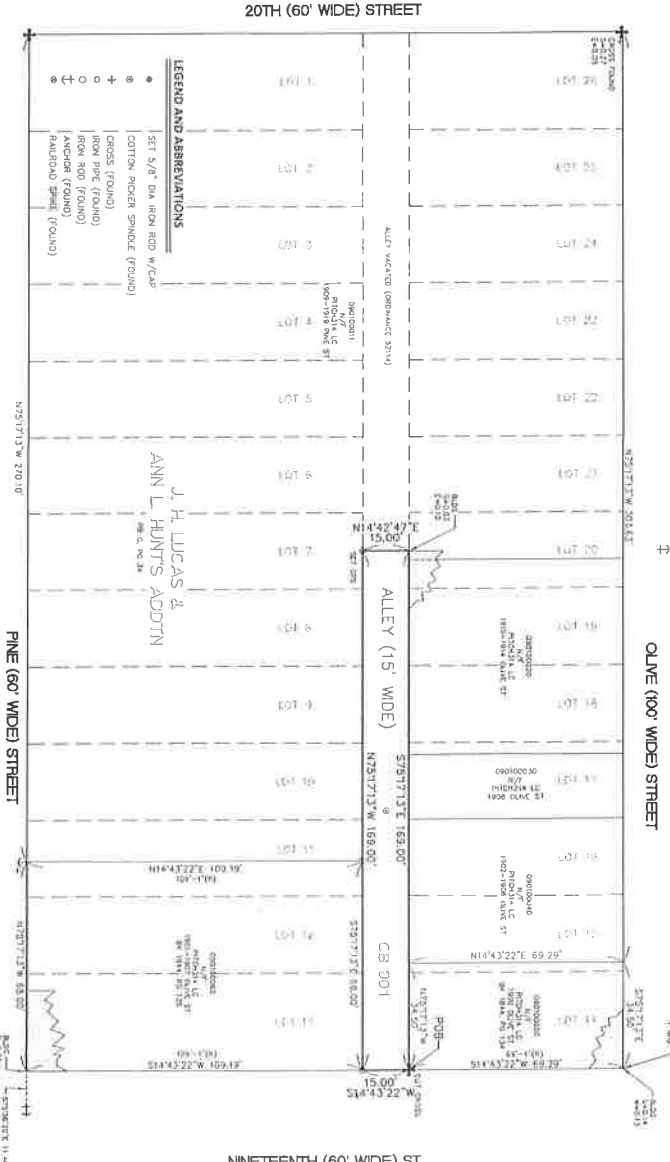
OWNERS' CERTIFICATION

WE, THE UNDERSIGNED LEGAL OWNERS OF PROPERTY ADJOINING THE TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED THE THE FOREGOING LEGAL DESCRIPTION, HAVE CAUSED THE SAME TO BE SURVEYED AND PLOTTED IN THE MANNER SHOWN ON THIS PLAN. WE HEREBY REQUEST THAT NECESSARY AND EXPRESS RIGHTS OF THE PUBLIC BE PROTECTED AND SET ASIDE IN THE MANNER SHOWN ON THIS PLAN. THE ABOVE DESCRIBED TRACT OF LAND PLATTED ON THIS VACATION PLAY WILL BE USED FOR THE PURPOSES OF A VACATION PLAY AND IS NOT TO BE USED AS THE RESULT OF THE VACATION AND ABOLITION OF THE ADJACENT AREA.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF 20 20 MISSOURI LIMITED LIABILITY COMPANY

PRINT NAME _____
PRINT TITLE _____
 CITY CERTIFICATION
 THE FOREGOING PLAN IS APPROVED AS A VACATION PLAY AS SHOWN HEREON, APPROVED BY THE BOARD OF PUBLIC SERVICE ON THE _____ DAY OF _____ 20 _____ SECRETARY _____ PRESIDENT _____ BOARD OF PUBLIC SERVICE DOCUMENT NO _____

VACATION PLAY
 AN ALLEY (15 FEET WIDE) IN CITY BLOCK 901 OF THE CITY OF ST. LOUIS, MISSOURI

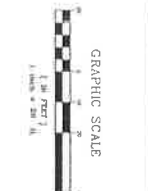


NOTARY CERTIFICATE

STATE OF MISSOURI)
) SS
 CITY OF ST. LOUIS)
 ON THIS, THE _____ DAY OF _____ 20 , BEFORE ME, APPEARED _____ TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THAT THEY ARE THE _____ OF PITCH314 LC, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED ON BEHALF OF PITCH314 LC, AND TO BE THE FREE ACT AND DEED OF PITCH314 LC, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL, THE DAY AND YEAR LAST ABOVE WRITTEN.
 MY COMMISSION EXPIRES _____
 NOTARY PUBLIC _____

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT WE HAVE, AT THE REQUEST OF PITCH314 LC, DURING THE MONTH OF SEPTEMBER, 2020, PERFORMED AN URBAN PROPERTY BOUNDARY SURVEY AND VACATION PLAY OF AN ALLEY 15 FEET WIDE IN THE CITY OF ST. LOUIS, MISSOURI, AS SHOWN ON THIS PLAN. THE ABOVE DESCRIBED TRACT OF LAND PLATTED ON THIS VACATION PLAY WILL BE USED FOR THE PURPOSES OF A VACATION PLAY AND IS NOT TO BE USED AS THE RESULT OF THE VACATION AND ABOLITION OF THE ADJACENT AREA. THE ABOVE DESCRIBED TRACT OF LAND PLATTED ON THIS VACATION PLAY WILL BE USED FOR THE PURPOSES OF A VACATION PLAY AND IS NOT TO BE USED AS THE RESULT OF THE VACATION AND ABOLITION OF THE ADJACENT AREA. THE ABOVE DESCRIBED TRACT OF LAND PLATTED ON THIS VACATION PLAY WILL BE USED FOR THE PURPOSES OF A VACATION PLAY AND IS NOT TO BE USED AS THE RESULT OF THE VACATION AND ABOLITION OF THE ADJACENT AREA.



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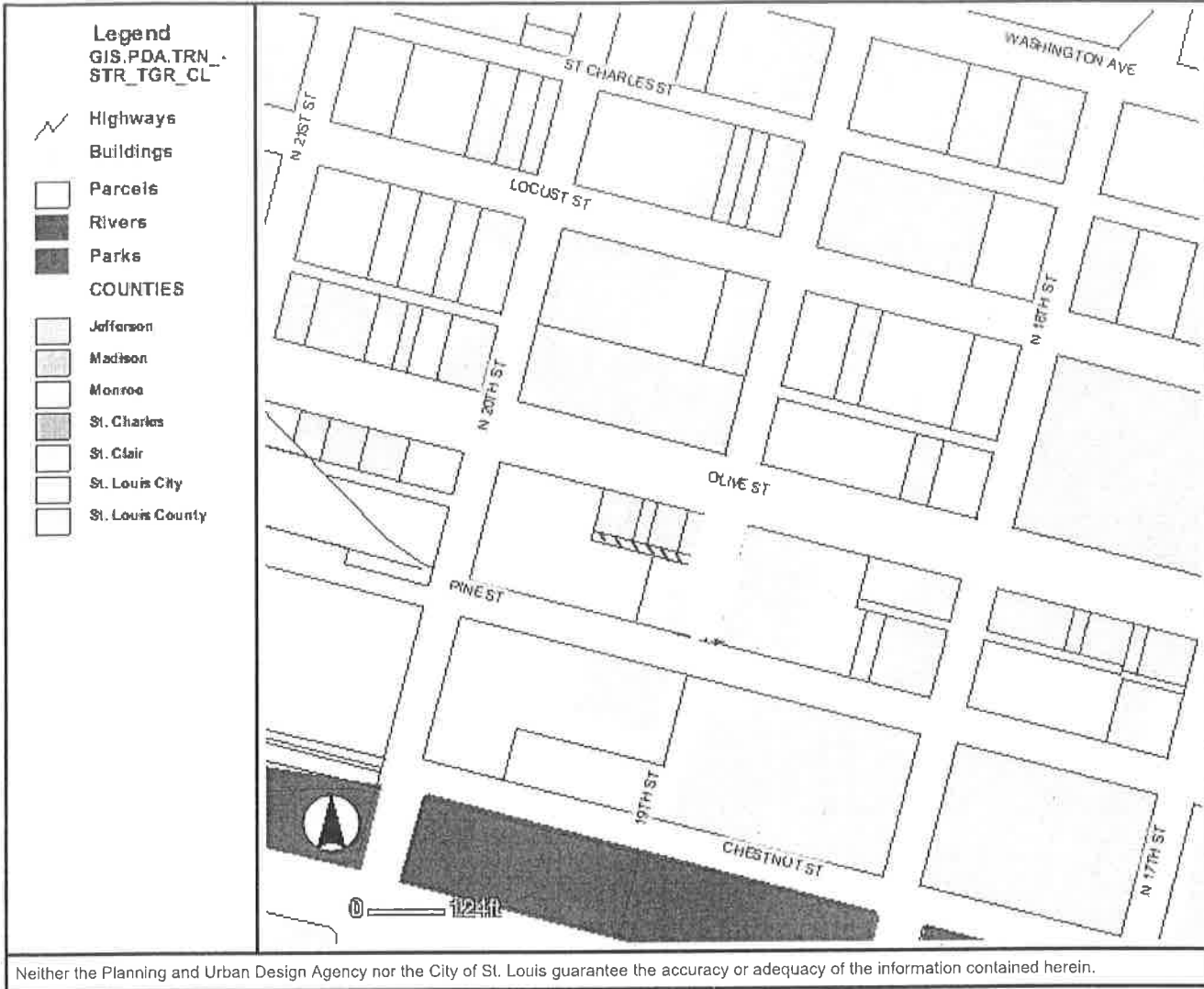
DAVID MASON REALTY

3035 S. LAMAR BLVD. ST. LOUIS, MO 63104
 314.421.1000
 www.mls4thelou.com

15' WIDE ALLEY VACATION PLAT

Prepared For:
PITCH314 LC a Missouri LLC
 P.O. BOX 16620
 Clayton, Missouri 63105

1 of 1



VACATION AREA

