

**ORDINANCE 71428**

**BOARD BILL NUMBER 120 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 irregular  
3 width "L" shaped alley in City Block 1044 as bounded by Samuel Shepard Dr., Leonard Ave.,  
4 Washington Blvd. and Josephine Baker Blvd. in the City of St. Louis, Missouri, as hereinafter  
5 described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI  
6 of the Charter and imposing 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 parcel of ground in City Block 1044, in the City of St. Louis, Missouri, more  
11 particularly described as follows:

12 Beginning at the western line of Leonard Avenue, 60 feet wide, with  
13 the Northeastern corner of a east/west alley, 15 foot wide; thence  
14 South 15 degrees 14 minutes 12 seconds West 15.00 feet, along the  
15 Western line of said Leonard Avenue, to Southeastern corner of said  
16 east/west alley, to a point; thence North 74 degrees 54 minutes 48  
17 seconds West 258.00 feet, along the Southern line of said east/west  
18 alley, to the Southwestern corner of said east/west alley, to a point;  
19 thence North 26 degrees 33 minutes 30 seconds West 48.01 feet, along  
20 the Southern line of said east/west alley, to the Western line of a  
21 north/south alley, irregular width, to a point; thence North 15 degrees  
22 14 minutes 12 seconds East 113.79 feet, along the Western line of said  
23 north/south alley, to the Southern line of Samuel Shepard Drive, 60

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1 feet wide, also being the Northwestern corner of said north/south alley,  
2 to a point; thence South 74 degrees 54 minutes 48 seconds East 40.00  
3 feet, along the Southern line of said Samuel Shepard Drive, to the  
4 Northeastern corner of said north/south alley, to a point; thence South  
5 15 degrees 14 minutes 12 seconds West 134.67 feet, along the Eastern  
6 line of said north/south alley, to the Northern line of said east/west  
7 alley, to a point; thence South 74 degrees 54 minutes 48 seconds East  
8 250.00 feet, along the Northern line of said east/west alley, to the  
9 Western line of said Leonard Avenue and to the point of beginning  
10 and containing 9,163 square feet or 0.21 acres as prepared by  
11 Pitzman's Company.

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

13 **SECTION TWO.** Petitioned by KAF Samuel LLC for the purpose of improving safety and  
14 security in addition to providing additional parking.

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.

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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

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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 1 year (365 days) 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.

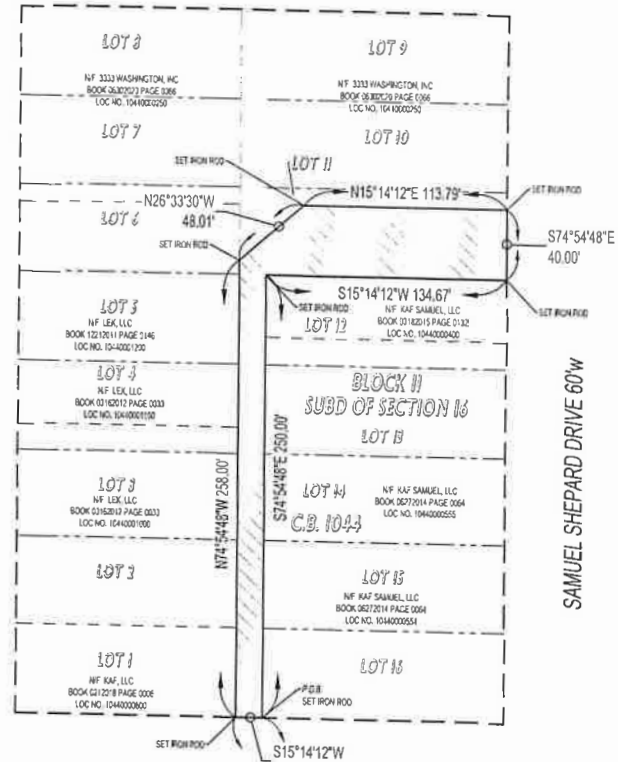
**Board Bill Number 120**  
**Map and Petition**

JOSEPHINE BAKER BLVD 60'W

WASHINGTON BLVD 80'W

SAMUEL SHEPARD DRIVE 60'W

LEONARD AVENUE 60'W



THE FOREGOING PLAT IS APPROVED AS A VACATION OF AN ALLEY, AS SHOWN CROSS-HATCHED AND DESCRIBED HEREON WAS APPROVED BY THE BOARD OF PUBLIC SERVICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

SECRETARY \_\_\_\_\_ PRESIDENT \_\_\_\_\_

BOARD OF PUBLIC SERVICE BOARD DOCUMENT NO. \_\_\_\_\_

**TITLE NOTES:**

1. SOURCE OF TITLES: NO TITLE PROVIDED AT TIME OF SURVEY.
2. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

**SURVEYORS NOTES:**

1. BEARING BASE: GRAND CENTER SUBDIVISION IN PLAT BOOK 67 PAGE 39.
2. PROPERTY ZONED: PER CITY OF SAINT LOUIS ZONING DEPARTMENT, THE PARCELS SURVEYED ARE ZONED YF - AREA COMMERCIAL DISTRICT.
3. MONUMENTS TO BE SET AFTER PLAT HAS BEEN APPROVED.

THE UNDERSIGNED OWNER ADJOINING THE STRIP OF LAND DESCRIBED HEREON, AND SHOWN CROSS-HATCHED ON THIS PLAT, HEREBY REQUEST SAID STRIP TO BE VACATED.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

KAF SAMUEL, LLC

BY: \_\_\_\_\_

NAME: CHRIS HANSED

TITLE: EXECUTIVE DIRECTOR

STATE OF MISSOURI |  
CITY OF ST. LOUIS |

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BEFORE ME APPEARED CHRIS HANSED, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE AUTHORIZED MEMBER OF KAF SAMUEL, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY, BY AUTHORITY OF ITS MEMBERS, AND SAID SOLE OWNER ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN THE COUNTY AND STATE ADDRESSAD, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY TERM EXPIRES \_\_\_\_\_ NOTARY SIGN \_\_\_\_\_

**LEGAL DESCRIPTION:**

A PARCEL OF GROUND IN CITY BLOCK 1044, IN THE CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE WESTERN LINE OF LEONARD AVENUE, 60 FEET WIDE, WITH THE NORTHEASTERN CORNER OF A EAST/WEST ALLEY, 15 FEET WIDE;  
THENCE SOUTH 15 DEGREES 14 MINUTES 12 SECONDS WEST 15.00 FEET, ALONG THE WESTERN LINE OF SAID LEONARD AVENUE, TO SOUTHEASTERN CORNER OF SAID EAST/WEST ALLEY, TO A POINT;  
THENCE NORTH 74 DEGREES 54 MINUTES 48 SECONDS WEST 250.00 FEET, ALONG THE SOUTHERN LINE OF SAID EAST/WEST ALLEY, TO THE SOUTHWESTERN CORNER OF SAID EAST/WEST ALLEY, TO A POINT;  
THENCE NORTH 26 DEGREES 33 MINUTES 30 SECONDS WEST 48.01 FEET, ALONG THE SOUTHERN LINE OF SAID EAST/WEST ALLEY, TO THE WESTERN LINE OF A NORTH/SOUTH ALLEY, BOREGULAR WIDTH, TO A POINT;  
THENCE NORTH 15 DEGREES 14 MINUTES 12 SECONDS EAST 113.79 FEET, ALONG THE WESTERN LINE OF SAID NORTH/SOUTH ALLEY, TO THE SOUTHERN LINE OF SAID SAMUEL SHEPARD DRIVE, 60 FEET WIDE, ALSO BEING THE NORTHEASTERN CORNER OF SAID NORTH/SOUTH ALLEY, TO A POINT;  
THENCE SOUTH 74 DEGREES 54 MINUTES 48 SECONDS EAST 40.00 FEET, ALONG THE SOUTHERN LINE OF SAID SAMUEL SHEPARD DRIVE, TO THE NORTHEASTERN CORNER OF SAID NORTH/SOUTH ALLEY, TO A POINT;  
THENCE SOUTH 15 DEGREES 14 MINUTES 12 SECONDS WEST 134.67 FEET, ALONG THE EASTERN LINE OF SAID NORTH/SOUTH ALLEY, TO THE NORTHERN LINE OF SAID EAST/WEST ALLEY, TO A POINT;  
THENCE SOUTH 74 DEGREES 54 MINUTES 48 SECONDS EAST 250.00 FEET, ALONG THE NORTHERN LINE OF SAID EAST/WEST ALLEY, TO THE WESTERN LINE OF SAID LEONARD AVENUE AND TO THE POINT OF BEGINNING AND CONTAINING 9,183 SQUARE FEET OR 0.21 ACRES AS PREPARED BY PITZMAN'S COMPANY.

**TO: KAF SAMUEL, LLC**

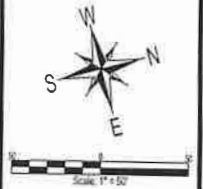
THIS IS TO CERTIFY THAT WE HAVE COMPLETED A BOUNDARY AND ALLEY VACATION SURVEY OF THE PROPERTY SHOWN HEREON, AND THAT THE RESULTS ARE CORRECTLY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MISSOURI WINDOW STANDARDS FOR PROPERTY BOUNDARY FOR "URBAN" SURVEYS. (10 CSR 30-2.070)

OCTOBER 3, 2016

WILLIAM K. BERTHOLD, MOPLS 2619  
PITZMAN'S COMPANY OF SURVEYORS AND ENGINEERS 10-D  
2725 SUTTON BOULEVARD  
ST. LOUIS, MISSOURI 63143  
TEL: 314-781-5665  
REVISED: SEPT 27, 2021 ADDED NEW OWNERSHIPS



ALLEY VACATION PLAT  
IN BLOCK 11 OF AMENDED PLAT  
OF SECTION No. 16  
IN CITY BLOCK 1044  
ST. LOUIS, MISSOURI



Pitzman's Co.  
of Surveyors & Engineers  
2725 Sutton Blvd.  
St. Louis, MO 63143  
p (314) 781-5665 f (314) 781-1801  
www.pitzmans.com  
est. 1859



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ORDER#: 16-967-VAC  
C.B. OR F.P.#: C.B. 1044  
DRAWN BY: A K B  
DEPUTY: B R W  
REVIEWED BY: W K B  
DATE: OCT 3, 2016

LOCATOR #  
10440000400

SHEET  
1 of 1

**Board Bill Number 120**  
**Map and Petition**  
**CB: 1044**



# 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) 1044

between SAMUEL SHEPARD

and \_\_\_\_\_

hereby petition the City of St. Louis to vacate and abolish \_\_\_\_\_

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 13

day of SEPT, 2016.

ATTEST [Signature]  
Secretary

By KAF SAMUEL LLC Co.  
Chris Hansen  
Title Executive Director

STATE OF MISSOURI }  
CITY OF ST. LOUIS } ss

On this 13 day of SEPT 2016,

before me appeared CHRIS HANSEN

to me personally known, who being duly sworn, did say that he is the EXECUTIVE DIRECTOR of  
KRAUZBERG ARTS FOUNDATION, 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

HE acknowledged said

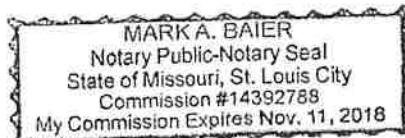
instrument to be the free act and deed of said corporation.

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 11/11/18

[Signature]

NOTARY PUBLIC



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) 1044  
between Samuel Shepard Dr, Leonard Ave, Washington Blvd,  
and Josephine Baker  
hereby petition the City of St. Louis to vacate and abolish  
"L" shaped alley in city block 1044

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 13<sup>th</sup>  
day of October, 2016.

ATTEST \_\_\_\_\_  
Secretary  
By: [Signature] Co.  
Title Owner

STATE OF MISSOURI }  
CITY OF ST. LOUIS } ss On this 13 day of October, 2016,  
before me appeared Kenneth Kranzberg

to me personally known, who being duly sworn, did say that he is the owner of  
LeK, 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  
Kenneth Kranzberg 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 3/17/2017 [Signature]  
NOTARY PUBLIC

