

BOARD BILL NO. 246

INTRODUCED BY: ALDERMAN JOSEPH RODDY

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and
2 sub-service rights for vehicle, equestrian and pedestrian travel in 1. A 60' portion of Wise between
3 Kingshighway and Brother Thornton Way (vac.) abutting 4948-50 Wise (aka Lots 14 and 15 in City
4 Block 3996) and Lots 57 & 58 in City Block 5592. 2. A 210.01 foot portion of the 15 foot wide
5 east/west alley in City Block 3996 abutting 4936-50 Wise and bounded by Wise, Kingshighway,
6 Manchester and Hereford (vac.) in the City of St. Louis, Missouri, as hereinafter described, in accor-
7 dance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and
8 imposing certain conditions on such vacation.

9 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

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

12
13 A tract of land being part of a Wise Avenue, 50 feet wide, adjacent to City Block
14 3996 of the City of St. Louis, Missouri, being more particularly described as follows:

15
16 Beginning at the northwest corner of Lot 15 of Block 1 of Boulevard
17 and Park Subdivision, a subdivision according to the plat thereof as
18 recorde in Plat Book 18, page 134 of the St. Louis City Records, said
19 point also being the southeast corner of that part of Wise Avenue
20 vacated by City Ordinance No.66811, said point also being located
21 on the south right-of-way line of above said Wise Avenue; thence
22 departing said south right-of-way line, along the east line of said
23 Vacation Ordinance, North 7 degrees 22 minutes 43 seconds East
24 50.00 feet to the north right-of-way line of said Wise Avenue; thence
25 along said north right-of-way line, South 83 degrees 01 minutes 47
26 seconds East, 60 feet; thence departing last said right-of-way line,
27 South 7 degrees 22 minutes 43 seconds West, 50.00 feet to the
28 northeast corner of Lot 14 of above said Subdivision, said point also
29 being located on the south right-of-way line of Wise Avenue; thence
30 along said right-of-way, North 83 degrees 01 minutes 47 seconds
31 West, 60.00 feet to the Point of Beginning and containing 3,000
32 square feet or 0.069 acres more or less according to calculations
33 performed by Stock & Associates Consulting Engineers, Inc of July

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1 15, 2014.

2
3 A tract of land being part of a 15 feet wide Alley, located in City Block 3996 of the
4 City of St. Louis, Missouri, being more particularly described as follows:

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6 Beginning at the southwest corner of Lot 15 of Block 1 of Boulevard
7 & Park Subdivision, a subdivision according to the plat thereof as
8 recorded in Plat Book 18, page 134 of the St. Louis City Records,
9 said point also being the northeast corner of that part of the 15 feet
10 wide Alley located in said Block 1, as vacated by City Ordinance No.
11 66811, said point also being located on the north right-of-way line of
12 above said 15 feet wide alley; thence along said right-of-way line,
13 South 83 degrees 02 minutes 15 seconds East, 210.00 feet to the
14 southeast corner of Lot 9 of Block 1 of above said subdivision;
15 thence departing said right-of-way line, South 07 degrees 22 minutes
16 146 seconds West, 15.00 feet to the south right-of-way line of above
17 said Alley; thence along said right-of-way line, North 83 degrees 02
18 minutes 15 seconds West, 210.01 feet to the southeast corner of a Lot
19 Consolidation Plat as recorded in Plat Book 02202008, Page 309 of
20 above said records; thence along the east line of said plat, North 07
21 degrees 22 minutes 43 seconds East, 15.00 feet to the Point of
22 Beginning and containing 3,150 square feet or 0.072 acres more or
23 less according to calculations performed by Stock & Associates
24 Consulting Engineers, Inc on July 15, 2014.

25
26 are, upon the conditions hereinafter set out, vacated.

27 **SECTION TWO:** Petitioned by Saint Louis University High School and Kingman LLC.

28 Vacated area will be used to consolidate for redevelopment.

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

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

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1 permits.

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

7 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
8 vacated without: 1) lawful permit from the Building Division or Authorized City agency as
9 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental
10 service entities and franchise holders, present or future. The written consent with the terms and
11 conditions thereof shall be filed in writing with the Board of Public Service by each of the above
12 agencies 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
15 utilities, 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
18 the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must
19 have curbing cobblestones returned to the Department of Streets in good condition.

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

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1 deposited by these agencies with the Comptroller of the City of St. Louis.

- 2 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
3 Water facilities, if any.
- 4 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
5 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
6 be returned.
- 7 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
8 of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as
9 specified in Sections Two and Eight of the Ordinance.

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

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