

**BOARD BILL NO. 170**

**INTRODUCED BY: ALDERMAN JEFFREY BOYD**

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and  
2 sub-surface rights for vehicle, equestrian and pedestrian travel in 1) Hebert from Clara to  
3 Blackstone, 2) Blackstone from Hebert to Ashland, 3) Ashland beginning approximately 133 feet  
4 west of Clara and continuing to Blackstone, 4) the 15 foot wide east/west alley in CB 6132 as  
5 bounded by Hebert, Clara, Ashland and Blackstone, 5) the 15 foot wide "U" shaped alley in CB  
6 4360 as bounded by Natural Bridge, Clara, Hebert/Blackstone and the Terminal Railroad, and 6) the  
7 15 foot wide "U" shaped alley in CB 5239 as bounded by Ashland/Blackstone, Clara, Greer and  
8 Terminal Railroad in the City of St. Louis, Missouri, as hereinafter described, in accordance with  
9 Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing  
10 certain conditions on such vacation.

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

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

14  
15 A tract of land being part of Mars Place Addition, a Subdivision according to the plat  
16 thereof, recorded in Plat Book 22 Page 47, and part of the Resubdivision of Mars  
17 Place Addition Lots 27-31 a Subdivision according to the plat thereof, recorded in  
18 Survey Record Book 10 Page 1, part of the boundary adjustment of Northern  
19 Missionary Baptist Church a Subdivision according to the plat thereof, recorded in  
20 Plat Book 12212004 Page 394, and part of consolidated Lots A & B of the Northern  
21 Missionary Baptist Church Boundary Adjustment Plat according to the plat thereof,  
22 recorded in Plat Book 10272010 Pages 153 & 154 of the St. Louis City Records in  
23 City Blocks 4360, 5239 and 6132, City of St. Louis, Missouri and being more  
24 particularly described as follows:

25  
26 Beginning at the intersection of the North line of Hebert Street (50  
27 feet wide), and the West line of Clara Ave (60 feet wide), also being  
28 the Southeast corner of Lot 1 in Block 3 of said Mars Place Addition;  
29 thence along the West line of Clara Ave (60 feet wide), South 29  
30 degrees 12 minutes 52 seconds West a distance of 50.00 feet to a  
31 point being the Northeast corner of Parcel 2 of Boundary Adjustment

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of Northern Missionary Baptist Church; thence along the South line of Hebert Street (50 feet wide), North 60 degrees 47 minutes 08 seconds West a distance of 240.00 feet to a point; thence along a curve to the right with an arc length of 210.67 feet and a radius of 784.40 feet to a point; thence North 43 degrees 23 minutes 48 seconds West a distance of 283.98 feet to a point; thence along a curve to the left with an arc length of 59.70 feet and a radius of 60 feet to a point being the intersection of the East line of Blackstone Ave (50 feet wide) and the South line of Hebert Street (50 feet wide); thence along the East line of Blackstone Ave (50 feet wide) along a curve to the left with an arc length of 51.49 feet and a radius of 60 feet to a point; thence South 29 degrees 03 minutes 34 seconds West a distance of 274.49 feet to a point; thence along a curve to the left with an arc length of 43.24 feet and a radius of 60 feet to a point being the intersection of the North line of Ashland Avenue (50 feet wide) and the East line of Blackstone Avenue (50 feet wide); thence along the North line of Ashland Avenue (50 feet wide) along a curve to the left with an arc length of 50.56 feet and a radius of 60 feet to a point; thence South 60 degrees 56 minutes 48 seconds East a distance of 601.95 feet to a point being the Southeast corner of Parcel 3 of Boundary Adjustment of Northern Missionary Baptist Church' thence South 29 degrees 03 minutes 12 seconds West a distance of 50.00 feet to a point on the South line of Ashland Avenue (50 feet wide); thence along the South line of Ashland Avenue (50 feet wide) North 60 degrees 56 minutes 48 seconds West a distance of 601.95 feet to a point; thence along a curve to the right with an arc length of 93.19 feet and a radius of 110 feet to a point being the intersection of the West line of Blackstone Ave (50 feet wide) and the South line of Ashland Avenue (50 feet wide); thence along the West line of Blackstone Avenue (50 feet wide) along a curve to the right with an arc length of 79.61 feet and a radius of 110.00 feet to a point; thence North 29 degrees 03 minutes 34 seconds East a distance of 274.49 feet to a point; thence along a curve to the right with an arc length of 94.40 feet and a radius of 110.00 feet to a point being the intersection of the North line of Hebert Street (50 feet wide) and the West line of Blackstone Avenue (50 feet wide); thence along the North line of Hebert Street (50 feet wide) along a curve to the right with an arc length of 108.23 feet and a radius of 110.00 feet to a point; thence South 43 degrees 23 minutes 48 seconds East a distance of 283.98 feet to a point; thence along a curve to the left with an arc length of 197.24 feet and a radius of 734.40 feet to a point; thence South 60 degrees 47 minutes 08 seconds East a distance of 240.00 feet to the

1 point of beginning, containing 94723.71 square feet more or less.

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3 A tract of land being part of Block 3 of Mars Place Addition a Subdivision according  
4 to the plat thereof, recorded in Plat Book 22 Page 47 and part of consolidated Lot B  
5 of the Northern Missionary Baptist Church Boundary Adjustment Plat according to  
6 the plat thereof, recorded in Plat Book 10272010 Pages 153 & 154 of St. Louis City  
7 Records in City Block 4360, City of St. Louis, Missouri and being more particularly  
8 described as follows:  
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10 Commencing at the intersection of the West line of Clara Ave.(60  
11 feet wide), and the North line of Hebert Street (50 feet wide), also  
12 being the Southeast corner of Lot 1 in Block 3 of said Mars Place  
13 Addition; thence along the North line of Hebert Street (50 feet wide),  
14 North 60 degrees 47 minutes 08 seconds West a distance of 120.00  
15 feet to the Southwest Corner of Lot 1 said point being the Point of  
16 Beginning; thence along the North line of Hebert Street (50 feet  
17 wide), North 60 degrees 47 minutes 08 seconds West a distance of  
18 15.00 feet to a point being the Southeast corner of said consolidated  
19 Lot B; thence North 29 degrees 12 minutes 52 seconds East a  
20 distance of 73.44 feet to a point being the Northeast corner of said  
21 consolidated Lot B; thence North 45 degrees 23 minutes 48 seconds  
22 West a distance of 758.59 feet to a point; thence South 66 degrees 46  
23 minutes 32 seconds West a distance of 175.27 feet to a point being  
24 the Northwest corner of Lot 22 in Block 3 of Mars Place Addition;  
25 thence South 29 degrees 03 minutes 34 seconds West a distance of  
26 221.65 feet to a point; thence South 15 degrees 56 minutes 26  
27 seconds East a distance of 7.07 to a point; thence North 60 degrees 56  
28 minutes 26 seconds West a distance of 20.00 feet to a point on the  
29 West line of Mars Place Addition; thence North 29 degrees 03  
30 minutes 34 seconds East a distance of 231.78 feet to a point being the  
31 Northwest corner of said Mars Place Addition; thence North 66  
32 degrees 46 minutes 32 seconds East a distance of 190.48 feet to a  
33 point being the North corner of said Mars Place Addition; thence  
34 South 45 degrees 23 minutes 48 seconds East 764.55 feet to a point;  
35 thence South 60 degrees 47 minutes 08 seconds East a distance of  
36 15.00 feet to a point being the Northwest corner of Lot 2 in Block 3  
37 of Mars Place Addition; thence South 29 degrees 12 minutes 52  
38 seconds West a distance Of 89.00 feet to the Point of Beginning,  
39 containing 18952.42 square feet more or less.  
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41 A tract of land being part of Block 2 in Mars Place Addition a subdivision according  
42 the to plat thereof, recorded in Plat Book 22 Page 47, the Resubdivision of Mars

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1 Place Addition Lots 27 through 31 recorded in Survey Record Book 10 Page 1, and  
2 boundary adjustment of Northern Missionary Baptist Church a subdivision according  
3 to the Plat thereof, recorded in Plat Book 12212004 Page 394 of St. Louis City  
4 Records in City Block 6132, City of St. Louis, Missouri, and being more particularly  
5 described as follows:  
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7 Beginning at the Southwest corner of Lot A of the Resubdivision of  
8 Mars Place Addition Lots 27-31 according to Survey Record Book  
9 10, Page 1; thence along the North line of an east-west alley in CB  
10 6132 South 52 degrees 30 minute 16 seconds East a distance of  
11 664.51 feet to a point; thence North 78 degrees 21 minutes 18  
12 seconds East a distance of 6.54 feet to a point on the West line of a  
13 north-south alley in CB 6132; thence South 29 degrees 12 minutes 52  
14 seconds West a distance of 25.16 feet to a point on the West line of  
15 the north-south alley in CB 6132; thence along the South line of the  
16 east-west alley in CB 6132 North 11 degrees 38 minutes 42 seconds  
17 West a distance of 7.56 feet to a point; thence North 52 degrees 30  
18 minutes 16 seconds West a distance of 664.19 feet to a point being  
19 the Northwest corner of Lot 26 in Block 2 of Mars Place Addition;  
20 thence North 29 degrees 03 minutes 34 seconds East a distance of  
21 15.16 feet to the Point of Beginning, containing 10067.64 square feet  
22 more or less.  
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24 A tract of land being part of Block 1 Mars Place Addition, according to the plat  
25 thereof, recorded in Plat Book 22 Page 47, and the Resubdivision of Goodfellow  
26 Place according to the plat thereof, recorded in Plat Book 04292011 Page 145, of St.  
27 Louis Records, in City Block 5239, City of St. Louis, Missouri and being more  
28 particularly described as follows:  
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30 Beginning at the Northwest corner of said Mars Place Addition;  
31 thence along West line of Mars Place Addition North 29 degrees 03  
32 minutes 34 seconds East a distance of 433.67 to a point; thence South  
33 60 degrees 56 minutes 26 seconds East a distance of 20.00 feet to a  
34 point being the Southwest corner of Lot 26 in Block 3 of Mars Place  
35 Addition; thence South 60 degrees 56 minutes 26 seconds East a  
36 distance of 120.00 feet to a point being the Southeast corner of Lot 26  
37 in Block 3 of Mars Place Addition; thence South 29 degrees 03  
38 minutes 34 seconds West a distance of 15.00 feet to a point being the  
39 Northeast corner of Lot 28 in Block 1 of Mars Place Addition; thence  
40 along the North line of said Lot 28 North 60 degrees 56 minutes 26  
41 seconds West a distance of 120.00 feet to a point; thence South 74  
42 degrees 03 minutes 34 seconds West a distance of 7.07 feet to a

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1 point; thence South 29 degrees 03 minutes 34 seconds West a  
2 distance of 388.67 feet to a point; thence South 15 degrees 56  
3 minutes 20 seconds East a distance of 14.14 feet to a point; thence  
4 South 60 degrees 56 minutes 48 seconds East a distance of 366.84  
5 feet to a point; thence north 74 degrees 03 minutes 12 seconds East a  
6 distance of 14.14 feet to a point; thence along East line of Lot 15 in  
7 Block 1 of Mars Place Addition North 29 degrees 03 minutes 12  
8 seconds East a distance of 110.00 feet to a point being the Northeast  
9 corner of Lot 15 in Block 1 of Mars Place Addition; thence South 60  
10 degrees 56 minutes 48 seconds East a distance of 15.00 to a point  
11 being the Northwest corner of Lot 14 in Block 1 of Mars Place  
12 Addition; thence South 29 degrees 03 minutes 12 seconds West a  
13 distance of 135.00 feet to the point being the Southwest corner of Lot  
14 14; thence North 60 degrees 56 minutes 48 seconds West a distance  
15 of 416.85 feet to the Point of Beginning, containing 16320.30 square  
16 feet more or less.

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

21 **SECTION TWO:** Petitioned by Metropolitan St. Louis Sewer District (MSD) and others.  
22 Properties to be consolidated for MSD surface detention facility.

23 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by  
24 the foregoing conditionally vacated alleys and streets, are reserved to the City of St. Louis for the  
25 public including present and future uses of utilities, governmental service entities and franchise  
26 holders, except such rights as are specifically abandoned or released herein.

27 **SECTION FOUR:** The owners of the land may, at their election and expense remove the  
28 surface pavement of said so vacated alleys and streets provided however, all utilities within the  
29 rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper  
30 City permits.

31 **SECTION FIVE:** The City, utilities, governmental service entities and franchise holders  
32 shall have the right and access to go upon the land and occupation hereof within the rights-of-way

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1 for purposes associated with the maintenance, construction or planning of existing or future  
2 facilities, being careful not to disrupt or disturb the owners interests more than is reasonably  
3 required.

4 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)  
5 vacated without: 1) lawful permit from the Building Division or Authorized City agency as  
6 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental  
7 service entities and franchise holders, present or future. The written consent with the terms and  
8 conditions thereof shall be filed in writing with the Board of Public Service by each of the above  
9 agencies as needed and approved by such Board prior to construction.

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

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

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

- 23 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of  
24 Water facilities, if any.

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

7           **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director  
8 of Streets for review of compliance with conditions 2 years from the date of the signing and approval  
9 of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be  
10 forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the  
11 prescribed time the ordinance will be null and void.