

Summary

Board Bill Number 176

Primary Sponsor: Alderwoman Marlene Davis

December 4, 2020

The overall purpose for this bill is to conditionally vacate the following unimproved street.

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

The Petitioner is Saint Louis University.

The vacated area will be used to correct property lines.

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,
5 and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions
6 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 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,
13 with the Eastern line of Virginia Avenue, 50 feet wide; thence North
14 75 degrees 11 minutes 29 seconds West 50.00 feet, along the
15 Northern line of said Chouteau Avenue, to the Western line of said
16 Virginia Avenue, to a point; thence North 14 degrees 50 minutes 01
17 seconds East 587.41 feet, along the Western line of said Virginia
18 Avenue, to the Southern line of former Gratiot Street, 60 feet wide,
19 vacated by Ordinance 45746, to a point; thence South 68 degrees 23
20 minutes 14 seconds East 50.35 feet, along the Southern line of said
21 former Gratiot Street, to the Eastern line of said Virginia Avenue, to
22 a point; thence South 14 degrees 50 minutes 01 seconds West 581.44
23 feet, along the Eastern line of said Virginia Avenue to the Northern

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

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

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

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

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

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

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

- 21 1. Lawful permit from the Building Division or Authorized City agency as governed
22 by the Board of Public Service.

1 2. Obtaining written consent of the utilities, governmental service entities and franchise
2 holders, present or future. The written consent with the terms and conditions thereof
3 shall be filed in writing with the Board of Public Service by each of the above
4 agencies as needed and approved by such Board prior to construction.

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

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

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

19 1. CITY WATER DIVISION so as to cover the full expenses of removal and/or relocation of
20 Water facilities, if any.

21 2. CITY TRAFFIC AND TRANSPORTATION DIVISION so as to cover the full expenses of
22 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be
23 returned.

1 3. CITY STREET DEPARTMENT so as to cover the full expenses required for the
2 adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s)
3 as specified in Sections Two and Eight of the Ordinance.

4 **SECTION TEN.** An affidavit stating that all of the conditions be submitted to the Director
5 of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing
6 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
7 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
8 within the 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
PHONE: (314) 647-3111
FAX: (314) 768-2888



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

PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service
The City of Saint Louis

We, the undersigned, legal owners of property in **City Blocks 2233 & 2234** of the City of St. Louis between **Gratiot Street (vacated), Compton Avenue, Chouteau Avenue and Ranken Avenue (vacated)** hereby petition the City of St. Louis to vacate and abolish public surface rights for vehicle, equestrian and pedestrian travel upon and across **Virginia Avenue between Chouteau Avenue and Gratiot Street (vacated)** as shown on the attached vacation plat, and we hereby waive all claims for damages sustained as the result of the vacation and abolition of the aforesaid area.

IN WITNESS WHEREOF we have hereunto set our hands this 4th day of SEPTEMBER, 2019.

ATTEST *[Signature]*
Secretary

By *[Signature]*
Michael Lucido

Title Vice President, Facilities Services

STATE OF MISSOURI }
 } SS
CITY OF ST. LOUIS }

On this 4th day of September 2019, before me appeared Michael Lucido to me personally known, who being duly sworn, did say that she is the Vice President of Facilities Services of Saint Louis University, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said incorporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Michael Lucido 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: 03/10/2023

[Signature]

Notary Public



CB: 2234.18



