

Summary
Board Bill Number 66
Introduced by: Alderwoman Marlene Davis
June 25, 2021

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

The remaining 169 feet of the 15 foot wide east/west alley in City Block 901 beginning at 19th Street and continuing westwardly to its terminus and bounded by Olive St., 19th St., Pine St. and 20th St.

The Petitioner is Pitch314 LC.

The vacated area will be used to consolidate properties to improve overall safety and security of abutting properties.

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
12 City 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
14 Ann L. Hunt's Addition as recorded in Plat Book G, Page 34 of the
15 City of St. Louis Records, also being the intersection of the South
16 right of 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
22 along said West right of way line South 14 degrees 43 minutes 22
23 seconds West, 15.00 feet to the intersection of the South line of said

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

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

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

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

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

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

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:

- 6 1. Lawful permit from the Building Division or Authorized City agency as governed
7 by the Board of Public Service.
- 8 2. Obtaining written consent of the utilities, governmental service entities and franchise
9 holders, present or future. The written consent with the terms and conditions thereof
10 shall be filed in writing with the Board of Public Service by each of the above
11 agencies as needed and approved by such Board prior to construction.

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

16 **SECTION EIGHT.** In the event that granite curbing, cobblestones or bricks are removed
17 within the vacated area, the Department of Streets of the City of St. Louis must be notified.
18 Owner(s) must have curbing, cobblestones and bricks returned to the Department of Streets in good
19 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,

1 if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will
2 be deposited by 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
9 adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s)
10 as specified 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
13 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
14 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
15 within the 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)

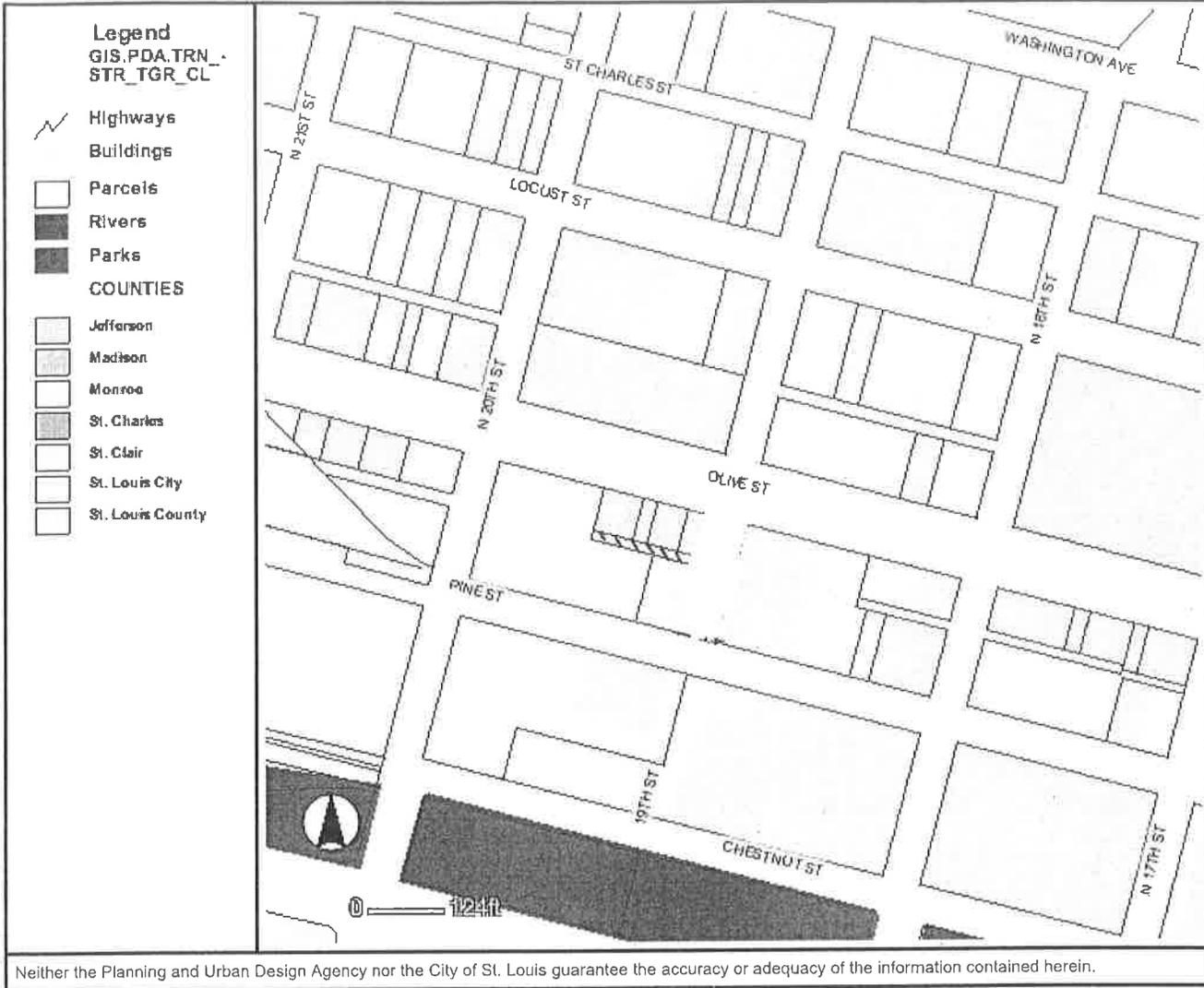
On this 15th day of JANUARY, 2021, before me appeared JASON P. THEIN to me personally known, who being duly sworn, did say that he/she is the CEO of Pitch314 LC, a limited liability company; and that said instrument was signed on behalf of said limited liability company by authority of its Members, and 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





VACATION AREA

