

**Summary**  
**Board Bill Number 70**  
**Introduced by: Alderwoman Lisa Middlebrook**  
**July 1, 2021**

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

First Street from Angelica Street southwardly approximately  $458.305 \pm 5.635$  feet to its terminus.

The Petitioner is Hermann Oak Leather Company and others.

The vacated area will be used to consolidate property and improve safety and security.

**BOARD BILL NUMBER 70 INTRODUCED BY: ALDERWOMAN LISA MIDDLEBROOK**

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 First Street  
3 from Angelica Street southwardly approximately  $458.305 \pm 5.635$  feet to its terminus in the City  
4 of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in  
5 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on  
6 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 tract of land being North First Street, 60 feet wide, lying South of Angelica Street,  
11 between City Block 1223 and City Block 1224, of the City of St. Louis, Missouri,  
12 and being more particularly described as follows:

13           Beginning at the Northwesterly corner of said City Block 1223 and  
14 the Northwesterly corner of Lot "A" of Hermann Oak Leather  
15 Company Subdivision, according to the plat thereof recorded in Plat  
16 Book 76, Page 11 of the City of St. Louis Records, said point being  
17 the intersection of the Southerly line of said Angelica Street, 60 feet  
18 wide, with the Easterly line of said North First Street, 60 feet wide;  
19 thence Southwardly along the Easterly line of said North First Street,  
20 South 34 degrees 59 minutes 00 seconds East, 463.94 feet to the  
21 Southwesterly corner of said Lot "A"; thence Westwardly along the  
22 Westerly prolongation of the Southerly line of said Lot "A", South  
23 65 degrees 34 minutes 30 seconds West, 61.03 feet to the Westerly

1 line of said North First Street; thence Northwardly along the  
2 Westerly line of said North First Street, North 34 degrees 59 minutes  
3 00 seconds West, 452.67 feet to the Southerly line of said Angelica  
4 Street; thence Eastwardly along the Southerly line of said Angelica  
5 Street, North 54 degrees 56 minutes 00 seconds East, 60.00 feet to  
6 the Point of Beginning, according to Survey Number 212606  
7 executed by James Surveying Company, on the 9th day of  
8 November, 2020, and containing 27,498 Square Feet, more or less.

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

10 **SECTION TWO.** Petitioned by Hermann Oak Leather Company and others. Vacated area  
11 will be used to consolidate property and improve safety and security.

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

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

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

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

3           1. Lawful permit from the Building Division or Authorized City agency as governed  
4           by the Board of Public Service.

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

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

13           **SECTION EIGHT.** In the event that granite curbing, cobblestones or bricks are removed  
14 within the vacated area, the Department of Streets of the City of St. Louis must be notified.  
15 Owner(s) must have curbing, cobblestones and bricks returned to the Department of Streets in good  
16 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,  
21 if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will  
22 be deposited by these agencies with the Comptroller of the City of St. Louis.

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

9            **SECTION TEN.** An affidavit stating that all of the conditions be submitted to the Director  
10        of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing  
11        and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit  
12        will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted  
13        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 block(s) 1223  
between ANGELICA STREET  
and SUBSURFACE PROPERTY AT 4016 NORTH FIRST STREET  
hereby petition the City of St. Louis to vacate and abolish NORTH FIRST STREET SOUTH  
FROM ANGELICA STREET TO DEAD END AT SUBSURFACE CONSTRUCTORS  
PROPERTY LISTED AS 4016 NORTH 1ST 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 10<sup>th</sup>  
day of June, 2020

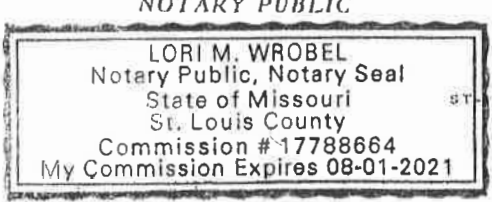
ATTEST L. Shepley Hermann Secretary  
By L. Shepley Hermann Title President  
Hermann Oak Leather Co. Co.

STATE OF MISSOURI }  
CITY OF ST. LOUIS } ss On this 10<sup>th</sup> day of June, 2020,

before me appeared L. Shepley Hermann  
to me personally known, who being duly sworn, did say that he is the President of  
Hermann Oak Leather Co., 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  
L. Shepley Hermann 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 8-1-2021 Lori Wrobel



PETITION FOR VACATION AND WAIVER OF DAMAGES

Honorable Board of Public Service  
The City of St. Louis

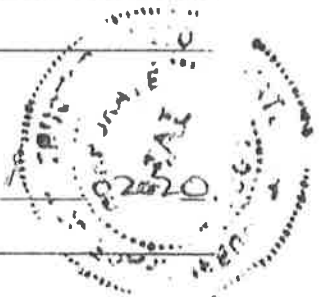
We, the undersigned, legal owners of property in city block(s) 1224  
between ANGELICA STREET  
and SUBSURFACE PROPERTY AT 4016 NORTH FIRST STREET  
hereby petition the City of St. Louis to vacate and abolish NORTH FIRST STREET SOUTH  
FROM ANGELICA STREET TO DEAD END AT SUBSURFACE CONSTRUCTORS  
PROPERTY LISTED AS 4016 NORTH 1ST 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 11<sup>th</sup>  
day of June, 2020.

ATTEST [Signature] Secretary  
By [Signature] Subsurface Constructors Co.  
Title President

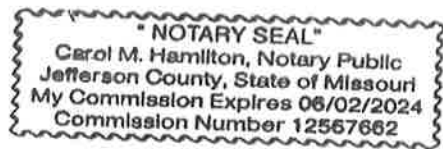
STATE OF MISSOURI }  
CITY OF ST. LOUIS } ss On this 11<sup>th</sup> day of June  
before me appeared James B Morgan



to me personally known, who being duly sworn, did say that he is the President of  
Subsurface Constructors Inc, 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  
James B Morgan 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 6-2-2024  
Carol M Hamilton  
NOTARY PUBLIC







**Board Bill Number 70**

CB: 1223.00

