

Summary
Board Bill Number 142
Introduced by Alderwoman Marlene Davis
December 3, 2021

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

The 15 foot wide north/south alley in City Block 1881 as bounded by Aldine, Grand, Cass and Spring.

The Petitioner is Veterans Community Project.

The vacated area will be used to consolidate property for residential development.

**BOARD BILL NUMBER 142 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS/
ALDERWOMAN SHARON TYUS/ ALDERWOMAN DWINDERLIN EVANS/ ALDERMAN
BRANDON BOSLEY/ ALDERWOMAN ANNE SCHWEITZER/ ALDERMAN JEFFREY
BOYD/ ALDERWOMAN PAMELA BOYD/ ALDERWOMAN TINA PIHL/ ALDERMAN
JOSEPH VACCARO**

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 15 foot
3 wide north/south alley in City Block 1881 as bounded by Aldine, Grand, Cass and Spring in the
4 City 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 the north-south alley in City Block 1881, also being in Block 1
11 of Pages Second Edition, of City of St. Louis, Missouri, being more particularly
12 described as follows:

13 Beginning at the intersection of the South right-of-way line of Aldine
14 Avenue, 60 feet wide, and the West right-of-way line of the
15 described alley, 15 feet wide, said point also being North 60 degrees
16 37 minutes 36 seconds West, 135.00 feet from the intersection of the
17 South right-of-way line of Aldine Avenue with the West right-of-
18 way of Grand Boulevard, 80 feet wide; thence along the South line
19 of said Aldine Avenue, South 60 degrees 37 minutes 36 seconds
20 East, 15.00 feet to the Northwest corner of Lot 5 of the above
21 mentioned Pages Second Addition; thence, leaving said Aldine

1 Avenue right-of-way line, South 29 degrees 08 minutes 34 seconds
2 West, 121.68 feet along the West line of Lots 5-1 of the above
3 mentioned Pages Second Addition, also being on the North right-of-
4 way line of an east-west alley, 15 feet wide; thence along said North
5 line of east-west alley, North 60 degrees 55 minutes 35 seconds
6 West, 15.00 feet to the Southeast corner of Lot 6; thence along the
7 East line of said Lot 6, North 29 degrees 08 minutes 34 seconds East,
8 121.76 feet to the Point of Beginning.

9 The above described tract contains 1,836 square feet or 0.042 acres,
10 all easements, restrictions, reservations and conditions of record, if
11 any.

12 **SECTION TWO.** The Veterans Community Project proposes to use vacated area to
13 consolidate property for residential development to house veterans.

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
23 for purposes associated with the maintenance, construction or planning of existing or future

1 facilities, being careful not to disrupt or disturb the owners interests more than is reasonably
2 required.

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

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

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

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

19 **SECTION NINE.** This ordinance shall be ineffective unless within three hundred sixty
20 (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to
21 exceed three (3) days prior to the affidavit submittal date as specified in the last section of this
22 ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements,

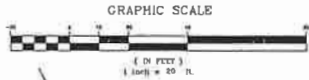
1 if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will
2 be deposited by these agencies with the Comptroller of the City of St. Louis.

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.



VETERANS COMMUNITY PROJECT VACATION PLAT

A SURVEY OF PARCELS IN CITY BLOCK 1881,
ALL BEING PART OF D.A. NIEL D. PAGE'S 2ND WESTERN ADDITION
BLOCK 1 LOTS 4-20, BLOCK 2 LOTS 22-36, BLOCK 4 LOTS 26-37,
ALL IN THE CITY OF ST. LOUIS, MISSOURI

BASE OF BEARING

LAND DESCRIPTION

MC CARTHY BUILDING COMPANIES LED THE SITE TO THE NATIONAL GEOLOGIC SURVEY (NGLS) CONTINUOUS OPERATING STATION (COS) NETWORK USING REAL TIME KINEMATIC GPS METHODS IN RELIANCE ON THE NETWORK SERVICE OPERATED BY MISSOURI DEPARTMENT OF TRANSPORTATION. IN RELIANCE ON BASE STATION DATA AND GPS CONNECTIONS GENERATED BY THE NETWORK, ONE OF SEVERAL COOPERATIVE CODE STATIONS WITHIN THE "MADRID SITE NETWORK" WAS USED. MC CARTHY BUILDING COMPANIES PERFORMED A CONVENTIONAL GROUND TRAVEL THROUGH THE GPS OBSERVED POINTS. WE ADJUSTED THE GROUND TRAVEL AND COMPARING IT TO THE GPS RESULTS.

THE PURPOSE OF THIS PLAT IS TO VACATE THE RIGHT OF WAY OF A 15' WIDE ALLEY, 150' ALLEY & TO BRANCH AS AN EASEMENT AND EASEMENT DEDICATED TO ST. LOUIS COUNTY, MISSOURI, MISSOURI AMERICAN WATER COMPANY, ILLINOIS GAS COMPANY, AMERICAN AIR MAIL SERVICE, METROPOLITAN ST. LOUIS POWER SERVICE FOR THE BROADCASTING COMPANY, CHARTER COMMUNICATIONS FOR THE BROADCASTING COMPANY TELEVISION COMPANY, THEIR SUCCESSORS AND ASSIGNS AS NOW INTERESTS MAY APPEAR FOR THE PURPOSE OF IMPROVING, CONSTRUCTING, MAINTAINING, AND REPLACEMENT OF SAID SEWER, SEWER AND DRAINAGE FACILITIES. THE EASEMENTS ARE HEREBY GRANTED TO THE MISSOURI AMERICAN WATER COMPANY, ITS SUCCESSORS, AND ASSIGNS TO LAY, REPAIR, REPLACE AND FOREVER MAINTAIN PIPE MAINS AND WORKS IN THE EASEMENT DESCRIBED AND SHOWN ON THE PLAT HEREON AS "EASEMENTS TO MISSOURI AMERICAN WATER COMPANY".

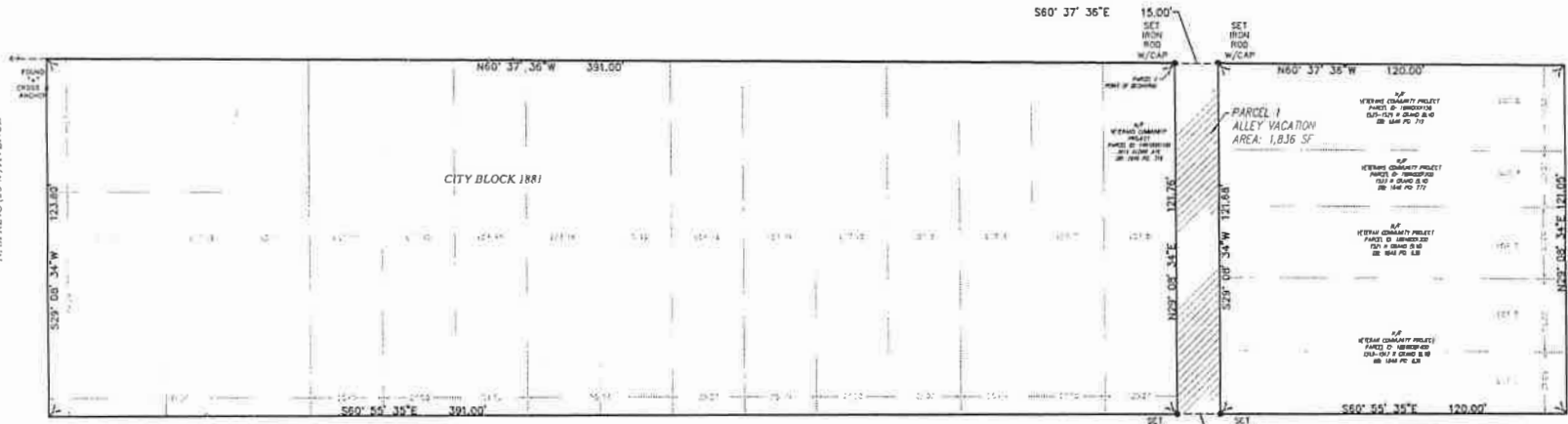
A TRACT OF LAND BEING THE NORTH 3000' ALLEY IN CITY BLOCK 1881, ALSO BEING IN BLOCK 1 OF PAGES SECOND ADDITION, CITY OF ST. LOUIS, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ALDINE AVENUE, 60 FEET WIDE, AND THE WEST RIGHT-OF-WAY LINE OF THE DESCRIBED ALLEY, 15 FEET WIDE, SAID POINT ALSO BEING NORTH 80 DEGREES 37 MINUTES 34 SECONDS WEST, 133.00 FEET FROM THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ALDINE AVENUE WITH THE WEST RIGHT-OF-WAY OF GRAND BOULEVARD, 80 FEET WIDE, THENCE ALONG THE SOUTH LINE OF SAID ALDINE AVENUE, SOUTH 80 DEGREES 37 MINUTES 34 SECONDS EAST, 130.00 FEET TO THE (NORTHWEST) CORNER OF LOT 1 S. OF THE ABOVE MENTIONED PAGES SECOND ADDITION, THENCE SOUTH 80 DEGREES 37 MINUTES 34 SECONDS WEST, 133.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID ALLEY, 15 FEET WIDE, THENCE ALONG SAID NORTH LINE OF SAID ALLEY, NORTH 80 DEGREES 37 MINUTES 34 SECONDS WEST, 150.00 FEET TO THE SOUTHWEST CORNER OF LOT 4, THENCE ALONG THE EAST LINE OF SAID LOT 4, NORTH 70 DEGREES 00 MINUTES 34 SECONDS EAST, 121.73 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 1.835 SQUARE FEET OF 0.042 ACRES, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD, IF ANY.



ALDINE (60'W) AVENUE



OWNER'S CERTIFICATION:

WE, THE UNDERSIGNED, OWNER OF THE TRACT OF LAND ADJACENT TO THE LEFT OF LAND DESCRIBED IN THE PROPERTY DESCRIPTION HAVE CAUSED THE SAME TO BE SURVEYED AND A PLAN OF SAID VACATION PLAT PREPARED IN THE MANNER SHOWN HEREON AND HEREBY REQUEST THAT THE AREA DESCRIBED AND SHOWN CROSS MATCHED ON THIS PLAT BE VACATED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND DATE OF _____ 2021.

VETERANS COMMUNITY PROJECT

BY: _____

PRINT NAME: _____

PRINT TITLE: _____

OWNER'S CERTIFICATION:

WE, THE UNDERSIGNED, OWNER OF THE TRACT OF LAND ADJACENT TO THE LEFT OF LAND DESCRIBED IN THE PROPERTY DESCRIPTION HAVE CAUSED THE SAME TO BE SURVEYED AND A TRACT VACATION PLAT PREPARED IN THE MANNER SHOWN HEREON AND HEREBY REQUEST THAT THE AREA DESCRIBED AND SHOWN CROSS MATCHED ON THIS PLAT BE VACATED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2021.

IRE CITY OF ST. LOUIS

BY: _____

IDA-SAURA JONES
MAYOR

STATE OF MISSOURI

CITY OF ST. LOUIS

ON THIS ____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED IDA-SAURA JONES who personally knows and being by her duly sworn and being the Mayor of the City of St. Louis, and that she is authorized to execute this VACATION PLAT on behalf of the City of St. Louis under the authority of the Board of Public Service Approval No. _____ and acknowledge said instrument to be the free act and deed of the City of St. Louis.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY NOTARIAL SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

STATE OF MISSOURI

CITY OF ST. LOUIS

ON THIS ____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED IDA-SAURA JONES who personally knows and being by her duly sworn and being the Mayor of the City of St. Louis, and that she is authorized to execute this VACATION PLAT on behalf of the City of St. Louis under the authority of the Board of Public Service Approval No. _____ and acknowledge said instrument to be the free act and deed of the City of St. Louis.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY NOTARIAL SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

BOARD OF PUBLIC SERVICE CERTIFICATION:

THIS IS TO CERTIFY THAT THIS VACATION PLAT WAS APPROVED AND ACCEPTED BY THE BOARD OF PUBLIC SERVICE ON THIS ____ DAY OF _____, 2021.

BOARD DOCUMENT NO. _____

BY: _____ PRESIDENT

PRINT NAME: _____

ALIAS: _____

PRINTED NAME: _____

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY TO VETERANS COMMUNITY PROJECT THAT AT THEIR REQUEST, DURING THE MONTH OF MAY, 2021, MC CARTHY BUILDING COMPANIES, INC. HAS PREPARED A BOOK OF SAID VACATION PLAT ON A 15' WIDE ALLEY IN CITY BLOCK 1881 OF THE CITY OF ST. LOUIS, MISSOURI, AND THAT THE RESULTS OF SAID SURVEY ARE SHOWN HEREON. WE HEREBY CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM A REAL FIELD SURVEY AND SAID SURVEY WITNESSES OR EXCUSES THE CURRENT RECORDS UNLESS IT IS SHOWN BY PROPERLY BOUNDARY SURVEY FOR SURVEY CLASSIFICATION. ALL INFORMATION DISCLOSED HEREON IS FOR YOUR INFORMATION AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR AND LAND SURVEY ARCHITECTS.

MC CARTHY BUILDING COMPANIES, INC.

BY: _____

THOMAS E. BAUER, PLS
MISSOURI LICENSE NO. 2012014366

DATE: _____

VETERANS COMMUNITY PROJECT
ST. LOUIS CITY BLOCK 1881

PREPARED FOR:
VETERANS COMMUNITY PROJECT
3801 HENDERSON
3700 TROOST AVENUE
KANSAS CITY, MO 64111
816-299-5028

PREPARED BY:

MC CARTHY BUILDING COMPANIES, INC.
1741 Rock Hill Road
St. Louis, Missouri 63114
314-842-3200
http://www.mccarthycorp.com
Missouri Land Surveying Corporation
Certificate of Authority No. 201903541
To Be The Best. Builders Are American.

CASTLE CONTRACTING, LLC
Design-Build | Civil Construction
345 Marquette Avenue | Suite 202
Westport, Colorado 80491
303-443-0041 | 1-813-320-1947
http://www.algebraic.com
Innovative Engineering Corporation
Certificate of Authority No. 201804148
INTEGRITY • INTEGRITY • INTEGRITY

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SHEET TITLE
VACATION
PI AT

1 of 1

© INCHON BROS. & ASSOCIATES, INC. 2021

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) 1881

between Grand, Cass, E. Prairie

and Cote Brillante

hereby petition the City of St. Louis to vacate and abolish an alley oriented in the north/south direction, west
of the lots that face Grand.

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 26

day of May, 2021.

ATTEST [Signature]
Secretary

Veterans Community Project Co.
By [Signature]
Title VP of National Expansion

STATE OF MISSOURI }
CITY OF ST. LOUIS } ss

On this 26 day of May, 2021.

before me appeared Angela Gunn, Benjamin Hendershot

to me personally known, who being duly sworn, did say that he is the VP of

Veterans Community Project, 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

- Benjamin Hendershot 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 2/25/2023

[Signature]
NOTARY PUBLIC



WILLIAM ANTHONY
My Commission Expires
February 25, 2023
Jackson County
Commission #18641177