

Summary
Board Bill Number 153
Introduced by Alderman Jack Coatar
January 14, 2022

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

A triangular shaped excess portion of Seventh Street beginning at Marion and extending northward 465.65 feet along City Block 377 to a point.

The Petitioner is SoHo-El Capitan One LLC.

The vacated area will be used to consolidate property for parking. A 7.5 foot wide strip will be dedicated by the owner as an easement to allow for continued egress and ingress for pedestrians along Seventh Street south of Park Ave. This easement is to be open at all times.

BOARD BILL NUMBER 153 INTRODUCED BY: ALDERMAN JACK COATAR

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 a triangular
3 shaped excess portion of Seventh Street beginning at Marion St. and extending northward 465.65
4 feet along City Block 377 to a point in the City of St. Louis, Missouri, as hereinafter described,
5 in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the
6 Charter and imposing certain conditions 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 tract of land to be vacated being part of Seventh Street, variable width, adjoining
11 the Eastern side of City Block 377 in the City of St. Louis, Missouri, and being more
12 particularly described as follows:

13 Beginning at a point on the existing western right of way line of said
14 Seventh Street, variable width, adjoining the Eastern line of said City
15 Block 377 at the Northeast corner of a tract of land conveyed to
16 SoHo-El Capitan One, LLC, by instrument recorded on 02-04-2020
17 Daily #8, also being the Southeast corner of a tract of land conveyed
18 to Chin Hoang, Susan Hoang, Linh Hoang and Anek Properties by
19 instrument recorded on 03-17-2019 Daily #171 of the City of St.
20 Louis Records, having coordinates of 92413.989 North and
21 210172.292 East of the Mill Creek Valley coordinate system of the
22 Koschiusko Subdivision; thence South 51 degrees 07 minutes 08
23 seconds East, a distance of 86.05 feet to a point having coordinates of

1 92359.975 North and 210239.278 East; thence South 53 degrees 18
2 minutes 10 seconds West, a distance of 161.34 feet to a point having
3 coordinates of 92263.56- North and 210109.915 East; thence South
4 49 degrees 51 minutes 36 seconds West, a distance of 211.45 feet to
5 a point having coordinates of 92127.248 North and 209948.267 East;
6 thence South 42 degrees 04 minutes 55 seconds West, a distance of
7 101.98 feet to a point on the existing Western right of way line of
8 said Seventh Street, having coordinates of 92051.562 North and
9 209879.923 East, said point also being located on the Eastern line of
10 said City Block 377 and the Eastern line of said SoHo-El Capitan
11 One, LLC tract; thence North 38 degrees 53 minutes 35 seconds
12 East, along said Western line of existing Seventh Street, a distance of
13 465.65 feet to the Point of Beginning, containing 15,950 square feet
14 or 0.366 acres.

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

16 **SECTION TWO.** The petitioner is SoHo-El Capitan One, LLC. The vacated area will be
17 used to consolidate property for parking. A 7.5 foot wide strip will be dedicated by the owner as an
18 easement to allow for continued egress and ingress for pedestrians along Seventh Street south of
19 Park Ave. This easement is to be open at all times.

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

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

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

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

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

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

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

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

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

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

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

15 **SECTION TEN.** An affidavit stating that all of the conditions be submitted to the Director
16 of Streets for review of compliance with conditions 1 year (365 days) from the date of the signing
17 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
18 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
19 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) 377

between Park Ave

and Marion Street

hereby petition the City of St. Louis to vacate and abolish Portion of 7th Street
Per The Attached Vacation Plat

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. 16th

day of September, 21.

Soho - EL Capitan One, LLC Co.

By Sid Chakraverty

Title Owner

ATTEST [Signature] Secretary

STATE OF MISSOURI }
CITY OF ST. LOUIS } ss

On this 16th day of September, 21,

before me appeared Sid Chakraverty

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

Soho - EL Capitan One, LLC, 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

Sid Chakraverty 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 1-2-2024

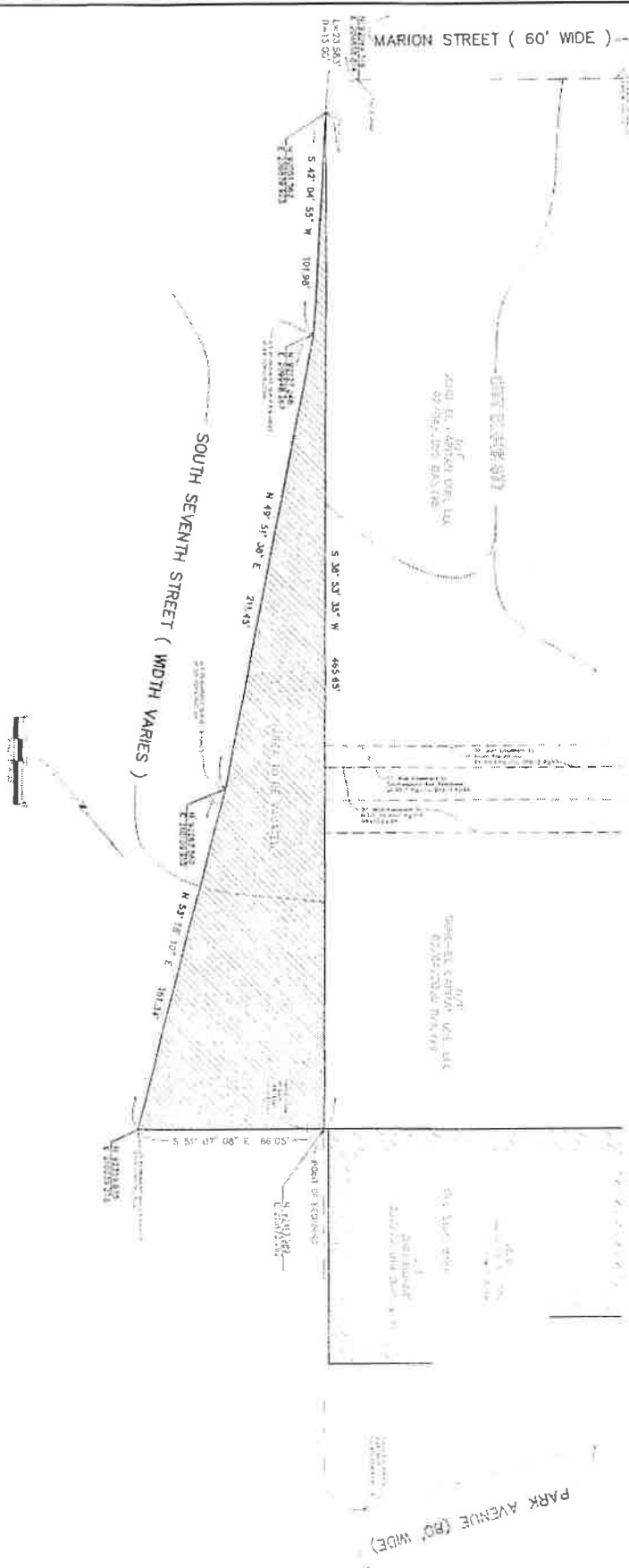


[Signature] NOTARY PUBLIC

**SOUTH SEVENTH STREET
RIGHT OF WAY VACATION PLAT**
ADJOINING CITY BLOCK 377
CITY OF ST. LOUIS, MISSOURI 63104



MARION STREET (60' WIDE)



NOTICE TO CONTRACTORS
The City of St. Louis is the owner of the property shown on this plat. The City of St. Louis is not responsible for the accuracy of the information shown on this plat. The City of St. Louis is not responsible for the accuracy of the information shown on this plat. The City of St. Louis is not responsible for the accuracy of the information shown on this plat.

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RIGHT OF WAY VACATION PLAT**
ADJOINING CITY BLOCK 377
CITY OF ST. LOUIS, MISSOURI 63104

PREPARED FOR:
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