

ORDINANCE #68826
Board Bill No. 56

An ordinance recommended by the Board of Public Service to vacate above surface, surface and sub-service rights for vehicle, equestrian and pedestrian travel in 1) The 20 foot wide north and south alley in City Block 3236 as bounded by Espenschied, Reilly, Catalan and Vulcan, 2) The 20 foot wide north and south alley in City Block 3237 as bounded by Espenschied, Polk, Catalan and Reilly, 3) The westernmost 20 foot wide north and south alley in City Block 3248 beginning at Lorentz and extending 310.42 feet northwardly to a point and being bounded by Catalan, Reilly, Lorentz and Vulcan, 4) The easternmost 20 foot wide north and south alley in City Block 3248 beginning at Catalan and extending 310.42 feet southwardly to a point and being bounded by Catalan, Polk, Lorentz and Reilly, 5) Catalan from the east curb line of Reilly to the east curb line of Polk, 6) Polk from the south curb line of Espenschied to the south curb line of Catalan, 7) Reilly from the south curb line of Espenschied southwardly 136.92 feet to a point, 8) Reilly from the south curb line of Catalan to the north curb line of Lorentz in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: The above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A 20 feet wide alley located in City Block 3236 of the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the easternmost corner of above said City Block 3236, said point also being located at the intersection of northeasterly line of Reilly Avenue, 60 feet wide with the southwesterly line of Espenschied Street, 40 feet wide; thence along said southwesterly line north 49 degrees 53 minutes 00 seconds west 138.39 feet to the southerly line of above said 20 feet wide alley, said point also being the POINT OF BEGINNING of the herein described tract; thence along said southerly line of said alley south 41 degrees 49 minutes 38 seconds west, 296.92 feet to the northeasterly line of Catalan Street as vacated by City Ordinance No. 57712; thence along said northeasterly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the northerly line of above said alley; thence along said northerly line north 41 degrees 49 minutes 38 seconds east 296.92 feet to the southwesterly line of above said Espenschied; thence along said southwesterly line south 49 degrees 53 minutes 00 seconds east, 20.01 feet Point of Beginning and containing 5,938 square feet or 0.136 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 14, 2009.

Part of Reilly Avenue located between City Blocks 3236 and 3237 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the easternmost corner of above said City Block 3236, said point also being located at the intersection of northerly line of Reilly Avenue, 60 feet wide with the southwesterly line of Espenschied Street, 40 feet wide; thence crossing said Reilly Avenue south 49 degrees 53 minutes 00 seconds east, 60.03 feet to the northernmost corner of above said City Block 3237; thence along the southerly line of above said Reilly Ave. south 41 degrees 49 minutes 38 seconds west, 136.92 feet to the easternmost corner of that part of Reilly Avenue as vacated by City of St. Louis Ordinance No. 57712; thence along the northeasterly line of the portion vacated by said City Ordinance north 49 degrees 53 minutes 00 seconds west, 60.03 feet to the northerly line of above said Reilly Avenue; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 136.92 feet to the Point of Beginning and containing 8,215 square feet or 0.188 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 15, 2009.

A twenty (20) feet wide alley located in City Block 3237, part of Catalan Street, 50 feet wide between Reilly Avenue 60 feet wide and Polk Street, 60 feet wide and Polk Street, 60 feet wide located between City Blocks 3237 and 3240 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the northernmost corner of above said City Block 3240, said point being the intersection of the southerly line of above said Polk Street with the southwesterly line of Espenschied Street, 40 feet wide; thence along said southerly line south 41 degrees 49 minutes 38 seconds west 344.69 feet to its intersection of the direct southeasterly prolongation of the southwesterly line of above said Catalan Street, said point also being the southeasterly corner of that part of Polk Street, 60 feet wide as vacated by City of St. Louis Ordinance No. 36608; thence along last said southwesterly line north 49 degrees 53 minutes 00 seconds west, 357.37 feet to the southerly line of that part of Catalan Street as vacated by City of St. Louis Ordinance No. 57712; thence along said southerly line north 41 degrees 46 minutes 31 seconds east, 50.02 feet to the northeasterly line of above said Catalan Street; thence along said northeasterly line south 49 degrees 53 minutes 00 seconds east, 138.69 feet to the northerly line of above said twenty (20) feet wide alley; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 296.92 feet to the southwesterly line of above said Espenschied Street; thence crossing said alley, south 49 degrees 53 minutes 00 seconds east, 20.01 feet; thence along the southerly line of above said alley, south 41 degrees 49 minutes 38 seconds west 296.92 feet to the northeasterly line of above said Catalan Street; thence along said northeasterly line south 49 degrees 53 minutes 00 seconds east, 138.69 feet to the northerly line of above said Polk Street; thence along said northerly line north 41 degrees 49 minutes 38 seconds east, 296.92 feet to the southeasterly line of above said Espenschied Street; thence crossing above said Polk Street south 47 degrees 44 minutes 03 seconds East, 60.00 feet to the Point of Beginning and containing 41,555 square feet or 0.954 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on May 15, 2009.

Part of Reilly Avenue located within City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the intersection of southerly line of Catalan Street, 50 feet wide, vacated by Ordinance Number 57712 with the easterly line of Reilly Avenue, 60 feet wide; thence southerly along said easterly line of Reilly Avenue south 41 degrees 43 minutes 10 seconds west 620.47' to a point on the north line of Lorentz Street, 50 feet wide, vacated by Ordinance Number 36608, thence along said north line north 49 degrees 53 minutes 00 seconds west 60.02 feet to a point on the west line of above said Reilly Avenue, thence along said west line north 41 degrees 43 minutes 10 seconds east 620.47 feet to a point on above said southerly line of Vacated Catalan Street, thence along said southerly line south 49 degrees 53 minutes 00 seconds east 60.02 feet to the Point of Beginning and containing 36,837 square feet or 0.846 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on October 6, 2009.

A twenty (20) feet wide alley located in City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the southerly line of Catalan Avenue, 50 feet wide, with the westerly line of above said 20 feet wide alley; thence along the direct southeasterly prolongation of last said southerly line south 49 degrees 53 minutes 00 seconds east, 20.01 feet to the easterly line of said 20 feet alley; thence along said easterly line south 41 degrees 49 minutes 38 seconds west, a distance of 310.42 feet; thence departing last said easterly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the westerly line of above said 20 feet wide alley; thence along said westerly line north 41 degrees 49 minutes 39 seconds east, 310.42 feet to the Point of Beginning and containing 6,208 sq. ft. or 0.142 acres more or less according calculations performed by Stock and Associates Consulting Engineers, Inc. on January 14, 2010.

A twenty (20) feet wide alley located in City Block 3248 of the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the northerly line of Lorentz Street, 50 feet wide,

with the westerly line of above said 20 feet wide alley; thence along said westerly line north 41 degrees 47 minutes 44 seconds east, 310.42 feet; thence departing last said westerly line south 49 degrees 53 minutes 00 seconds east, 20.01 feet to the easterly line of above said 20 feet wide alley; thence along said easterly line south 41 degrees 47 minutes 44 seconds west, 310.42 feet; to the northerly line of above said Lorentz Street; thence along the direct northwesterly prolongation of last said northerly line north 49 degrees 53 minutes 00 seconds west, 20.01 feet to the Point of Beginning and containing 6,208 sq. ft. 0.142 acres more or less according calculations performed by Stock and Associates Consulting Engineers, Inc. on January 14, 2010.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: Petitioners are Laclede Gas Company and Land Reutilization Authority of the City of St. Louis. The proposed use of the vacated area will be used to consolidate property for a commercial development known as Carondelet Coke. The Water Division has a 6" water main with appurtenances in Reilly from Espenscheid to Catalan that runs through the area of the proposed vacation of Reilly. The Water Division will require an easement for this water main and appurtenances allowing for uninhibited access to those facilities for the purposes of maintenance, repair and access to an existing meter for the purposes of reading, maintenance and/or replacement. No construction on or over the easement can occur without the prior review and approval of the Water Commissioner.

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

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

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

SECTION SIX: The owner(s) shall not place any improvement upon, over or in the area(s) vacated without: 1) lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

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

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

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

- 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of Water facilities, if any.
- 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.

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

SECTION TEN: An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions 2 years from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Approved: January 27, 2011