

BOARD BILL #92

INTRODUCED BY: ALDERWOMAN BETH MURPHY

1 An ordinance recommended by the Board of Public Service to conditionally vacate above surface,
2 surface and sub-surface rights for vehicle, equestrian and pedestrian travel in 17.5 foot wide
3 north/south alley in City Block 5334 from Terrace Ave. south 150.07 feet to the 15 foot wide
4 east/west alley in City Block 5334 as bounded by Terrace Ave., Christy Blvd., Gravois Ave. and
5 Dahlia Ave. 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 AS FOLLOWS:

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
12 A tract of land being part of an alley, 17 feet 6 inches wide, bounded on the North by
13 the Southerly line of Terrace Avenue, 50 feet wide; on the West by the Easterly line
14 of Lot 1 in Block 4 of Rosa Park; on the East by the westerly line of "Christy Park"
15 and on the South by the Eastwardly prolongation of the Northerly line of an
16 East/West alley, 15 feet wide, and in City Block 5334 of the City of St. Louis
17 Records in the City of St. Louis, Missouri, and being more particularly described as
18 follows:

19
20 Commencing at the Northwesterly corner of said City Block 5334,
21 said corner being the intersection of the Easterly line of Dahlia
22 Avenue, 50 feet wide, with the Southerly line of Terrace Avenue, 50
23 feet wide; thence Eastwardly along the Southerly line of said Terrace
24 Avenue, North 68 degrees 14 minutes 27 seconds East, 325.53 feet to
25 the Northeast corner of said Lot 1, at the intersection of the Westerly
26 line of the said alley to be vacated, and the True Point of Beginning
27 of the Tract of Land herein described; thence continuing Eastwardly
28 along the Southerly line of said Terrace Avenue, North 68 degrees 14
29 minutes 27 seconds East, 19.45 feet to the Northwest corner of said
30 'Christy Park', a the intersection of the Easterly line of the said alley
31 to be vacated; thence Southwardly along the Easterly line of said
32 alley and the Westerly line of said "Christy Park", South 04 degrees
33 08 minutes 24 seconds West, 150.07 feet to its intersection with the
34 Eastwardly prolongation of the Northerly line of an East/West alley,

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1 15 feet wide; thence westwardly along said prolongation, South 68
2 degrees 14 minutes 27 seconds West, 19.45 feet to the Southeast
3 corner of said Lot 1, at the intersection of the Westerly line of the
4 said alley to be vacated; thence Northwardly along the Westerly line
5 of said alley and the Easterly line of said Lot 1, North 04 degrees 08
6 minutes 24 seconds East, 150.07 feet to the True Point of Beginning,
7 according to Survey Number 200097-A, executed by James
8 Surveying Company, during the month of January, 2014, and
9 containing 2,626 square feet, more or less.

10
11 are, upon the conditions hereinafter set out, vacated.

12 **SECTION TWO:** Laura M. Cranse (aka Laura M. Meyer) will use vacated area to
13 consolidate property.

14 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
15 the foregoing conditionally vacated unimproved alley, are reserved to the City of St. Louis for the
16 public including present and future uses of utilities, governmental service entities and franchise
17 holders, 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 unimproved alley provided however, all utilities within the
20 rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper
21 City permits.

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

27 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
28 vacated without: 1) lawful permit from the Building Division or Authorized City agency as
29 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental

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

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

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

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

- 17 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
18 Water facilities, if any.
- 19 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
20 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
21 be returned.
- 22 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
23 of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as
24 specified in Sections Two and Eight of the Ordinance.

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1 **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director
2 of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing
3 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
4 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
5 within the prescribed time the ordinance will be null and void.

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