

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and
2 sub-service rights for vehicle, equestrian and pedestrian travel in 1. The 15 foot wide alley in City
3 Block 2181-N as bounded by LaSalle (vacated), Motard Ave., Hickory St. and Spring Ave. 2. The
4 remaining 30 foot section of Motard Ave., from Hickory St. to the northline of the alley in City
5 Block 2181-N; 3. Hickory St. from Spring Ave. eastwardly 794.07 ± .06 feet to a point in the City
6 of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in
7 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such
8 vacation.

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

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

12
13 A parcel of ground in City Block 2181-N and 2181-S in the City of St. Louis,
14 Missouri, more particularly described as follows:

15
16 Beginning at the northern line of Hickory Street, 60 feet wide, with
17 the Eastern line of Spring Avenue, 60 feet wide; thence South 75
18 degrees 22 minutes 20 seconds, East 764.01 feet, along the Northern
19 line of said Hickory Street, to the Western line of Motard Avenue, 30
20 feet wide, to a point; thence North 14 degrees 34 minutes 25 seconds
21 East 134.00 feet, along the Western line of said Motard Avenue, to
22 the Southern line of an alley, 15 feet wide, to a point; thence North
23 75 degrees 22 minutes 20 seconds West 763.75 feet, along the
24 Southern line of said alley, to the Eastern line of said Spring Avenue,
25 to a point; thence North 14 degrees 41 minutes 08 seconds East 15.00
26 feet, along the Eastern line of said Spring Avenue, to the Northern
27 line of said alley, to a point; thence South 75 degrees 22 minutes 20
28 seconds East 793.72 feet, along the Northern line of said alley,
29 produced to the Eastern line of said Motard Avenue, to a point;
30 thence South 14 degrees 34 minutes 25 seconds West 209.00 feet,
31 along the Eastern line of said Motard Avenue, to the Southern line of
32 said Hickory Street, to a point; thence North 75 degrees 22 minutes
33 20 seconds West 794.13 feet, along the Northern line of said former

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1 Hickory Street, to the Eastern line of said Spring Avenue, to a point;
2 thence North 14 degrees 41 minutes 08 seconds East 60.00 feet,
3 along the Eastern line of said Spring Avenue, to the Northern line of
4 said Hickory Street to the point of beginning and containing 63,570
5 square feet or 1.46 acres as prepared by Pitzman's Company.
6

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

8 **SECTION TWO:** Petitioned by SSM-SLUH Inc. and Saint Louis University. Vacated
9 area will be used to consolidate property for future expansion of medical facility.

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

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

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

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

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

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

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

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

22 **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director
23 of Streets for review of compliance with conditions 1 year (365 days) from the date of the signing
24 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit

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- 1 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
- 2 within the prescribed time the ordinance will be null and void.

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