

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 the remaining 210.625 ± .015 feet
3 of the 15 foot wide alley in City Block 2181-S as bounded by Hickory St., Grand Ave., Rutger St.
4 and Spring Ave. in the City of St. Louis, Missouri, as hereinafter described, in accordance with
5 Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing
6 certain conditions on such vacation.

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

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

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14 Beginning at the Eastern line of Spring Avenue, 60 feet wide, with
15 the Southern line of an alley, 15 feet wide, said point being North 14
16 degrees 41 minutes 08 seconds East 134.00 feet, from the Northern
17 line of Rutger Street, 60 feet wide; thence North 14 degrees 41
18 minutes 08 seconds East 15.00 feet, along the Eastern line of Spring
19 Avenue, to the Northern line of said alley; thence South 75 degrees
20 22 minutes 20 seconds East 210.61 feet, along the Northern of said
21 alley, to a point in the Western line of Lot A of St. Louis University
22 Subdivision; thence South 14 degrees 34 minutes 25 seconds West
23 15.00 feet, along the Western line of said Lot A of St. Louis
24 University Subdivision, to the Southern line of said alley, to a point;
25 thence North 75 degrees 22 minutes 20 seconds West 210.64 feet,
26 along the Southern line of said alley to the Eastern line of said Spring
27 Avenue to the point of beginning and containing 3,159 square feet or
28 0.07 acres as prepared by Pitzman's Company.

29
30 are, upon the conditions hereinafter set out, vacated.

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

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

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

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

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

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

23 **SECTION EIGHT:** In the event that granite curbing or cobblestones are removed within
24 the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must

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Board Bill #209

Sponsor: Alderman Joseph Roddy

1 have curbing cobblestones returned to the Department of Streets in good condition.

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

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

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

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

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