

**BOARD BILL NO. 91            INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

1 An ordinance recommended by the Board of Public Service to vacate public service rights for  
2 vehicle, equestrian and pedestrian travel in 1) A 326.34 Section of Poplar, west of 8<sup>th</sup>. 2) A  
3 106.38' ± .03' Section of 7<sup>th</sup> St. south of Poplar (vacated by Ord. 65861). 3) 30' wide strip of  
4 7<sup>th</sup> St. beginning approximately 155 feet south of Poplar (vacated by Ord. 65861) and containing  
5 191.35' southwardly in the City of St. Louis, Missouri, as hereinafter described, in accordance  
6 with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and  
7 imposing certain conditions on such vacation.

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

9            **SECTION ONE:** The following public surface rights of vehicle, equestrian and  
10 pedestrian travel, between the rights-of-way of:

11            A tract of land being part of 7<sup>th</sup> Street located between Blocks 147 and 418 in the City of  
12 St. Louis, Missouri, and being more particularly described as follows:

13                            Beginning at the northeast corner of above said City Block 418 said point  
14 also being located on the western line of above said 7<sup>th</sup> Street; thence  
15 crossing said 7<sup>th</sup> Street, south 72 degrees 17 minutes 08 seconds east 80.00  
16 feet to the northwest corner of above said Block 147, said point also being  
17 on the eastern line of said 7<sup>th</sup> Street; thence along last said eastern line  
18 south 17 degrees 46 minutes 05 seconds west along said eastern line  
19 106.42 feet to the northwestern corner of a tract of land as conveyed to  
20 River City Development Associates by deed recorded in Book 685-M,  
21 Page 1667 of the records of the Recorder of Deeds Office in the City of  
22 St. Louis, Missouri; thence departing last said eastern line and crossing  
23 said 7<sup>th</sup> Street, north 72 degrees 13 minutes 55 seconds west 80.00 feet to  
24 a point on the western line of said 7<sup>th</sup> Street; thence along last said western  
25 line north 17 degrees 46 minutes 05 seconds east 106.35 feet to the Point  
26 of Beginning and containing 8,511 square feet or 0.195 acres more or less  
27 according to calculations performed by Stock and Associates Consulting  
28 Engineers, Inc. on January 11, 2005.

29            A tract of land being part of 7<sup>th</sup> Street located between Blocks 147 and 418 in the City of  
30 St. Louis, Missouri, and being more particularly described as follows:

31                            Commencing at the northeast corner of the above said Block 418, said  
32 point also being located on the western line of above said 7<sup>th</sup> street; thence  
33 along last said western line south 17 degrees 46 minutes 05 seconds west  
34 157.06 feet to the Point of Beginning of the herein described tract; thence  
35 departing last said western line south 72 degrees 13 minutes 55 seconds  
36 east 30.00 feet; thence along a line 30.00 feet easterly of and parallel with  
37 the last said western line of 7<sup>th</sup> Street, south 17 degrees 46 minutes 05

1 seconds west 191.35 feet; thence departing last said parallel line north 72  
2 degrees 13 minutes 55 seconds west 30.00 feet to a point on the western  
3 line of said 7<sup>th</sup> Street; thence along last said western line north 17 degrees  
4 46 minutes 05 seconds east 191.35 feet to the Point of Beginning and  
5 containing 5,740 square feet or 0.132 acres more or less according to  
6 calculations performed by Stock and Associates Consulting Engineers,  
7 Inc. on January 11, 2005.

8 A tract of land being part of Poplar Street, 50 feet wide, and being located between  
9 Blocks 417 and 418 of the City of St. Louis, Missouri, and being more particularly  
10 described as follows:

11 Beginning at the point of intersection of the south line of Poplar Street, 50  
12 feet wide, with the western line of 8<sup>th</sup> Street, variable width, as established  
13 by "AMENDED PLAT OF SOUTH DOWNTOWN PLAZA" a  
14 subdivision as recorded in Plat Book 04092004 Page 166 of the City of  
15 St. Louis Records, thence continuing along last said south line of north 72  
16 degrees 23 minutes 16 seconds west 326.31 feet; thence departing last said  
17 south line north 17 degrees 36 minutes 44 seconds east 50.00 feet and  
18 crossing above said Poplar Street to a point on the north line of above said  
19 Poplar Street; thence continuing along last said north line south 72 degrees  
20 23 minutes 16 seconds east 326.37 feet to a point on the west line of above  
21 said 8th Street; thence south 17 degrees 40 minutes 48 seconds west along  
22 last said west line 50.00 feet to the Point of Beginning and containing  
23 16,317 square feet or 0.375 acres more or less according to calculations  
24 performed by Stock & Associates Consulting Engineers, Inc. on  
25 November 21, 2005.

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

27 **SECTION TWO:** Petitioners are Cardinals Ballpark LLC, MO Highway and  
28 Transportation Commission, Land Clearance for Redevelopment Authority of the City of  
29 St. Louis and others. Vacated areas will be used for parking and as private drive.

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

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

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

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

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

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

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

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

29           2)    CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full  
30 expense of removal, relocation and/or purchase of all lighting facilities, if any.

31           All street signs must be returned.

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

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

\_\_\_\_\_  
Clerk, Board of Aldermen

\_\_\_\_\_  
President, Board of Alderman

Approved

Disapproved

Date \_\_\_\_\_

\_\_\_\_\_  
Mayor

Truly Engrossed and Enrolled

\_\_\_\_\_  
Chairman