

**BOARD BILL NO. 181 INTRODUCED BY: ALDERWOMAN APRIL FORD GRIFFIN**

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and  
2 sub-surface rights for vehicle, equestrian and pedestrian travel in 15 foot wide north/south alley in  
3 City Block 341 as bounded by Benton, 9<sup>th</sup>, North Market and 10<sup>th</sup> in the City of St. Louis, Missouri,  
4 as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of  
5 Article XXI of the Charter and imposing certain conditions on such vacation.

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

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

9  
10 All of a north-south alley, 15 feet wide in Block 59 of North St. Louis and being in  
11 Block 341 of the City of St. Louis, Missouri; and being more particularly described  
12 as follows:

13  
14 Beginning at the intersection of the northern line of North Market  
15 Street, 100 feet wide, with the western line of said alley, said point of  
16 beginning being also the southeastern corner of Lot 242 in Block 59  
17 of North St. Louis; thence along the western line of said alley north  
18 20 degrees 56 minutes 00 seconds west a distance of 240.02 feet to its  
19 intersection with the southern line of Benton Street, 60 feet wide;  
20 thence along the southern line of said Benton Street north 69 degrees  
21 00 minutes 34 seconds east a distance of 15.00 to the eastern line of  
22 said alley and to the northwestern corner of Lot 206 in Block 59 of  
23 North St. Louis; thence along the eastern line of said alley south 20  
24 degrees 56 minutes 00 seconds east a distance of 240.02 feet to the  
25 northern line of said North Market Street and to the southwestern  
26 corner of Lot 208 in Block 59 of North St. Louis; thence along the  
27 northern line of said North Market Street south 69 degrees 00  
28 minutes 34 seconds west a distance of 15.00 to the point of  
29 beginning, containing 3,600 square feet more or less.

30  
31 are, upon the conditions hereinafter set out, vacated.  
32

33 **SECTION TWO:** PFC Investments LLC and Angle Roofing are the petitioners. The  
34 vacated area will be used to consolidate property.

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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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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 one 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.