



1 Northside Regeneration, LLC according to Deed Book 08242012  
2 Page 15 of the St. Louis City Records, being the southwest line of  
3 said alley; thence along said southwest line, north 59 degrees 47  
4 minutes 14 seconds west, 149.65 feet to the northwest line of Parcel 1  
5 of those parcels conveyed to said Northside Regeneration, LLC being  
6 the southeast line of said alley; thence along said southeast line,  
7 south 29 degrees 04 minutes 42 seconds west, 122.44 feet to the  
8 northeast line of Cass Avenue, as aforementioned; thence along said  
9 northeast line, north 60 degrees 47 minutes 18 seconds west, 15.00  
10 feet to the point of beginning. The above described alley vacation  
11 contains 5,876 square feet.  
12

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

14 **SECTION TWO:** Northside Regeneration LLC to use vacated alley to consolidate  
15 property for retail development. A new 25 foot wide east/west alley is to be constructed per plans  
16 approved by the Board of Public Service. Once constructed, the alley is to be dedicated.

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

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

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

29 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)  
30 vacated without: 1) lawful permit from the Building Division or Authorized City agency as

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

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

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

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

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

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1 specified in Sections Two and Eight of the Ordinance.

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

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