

**BOARD BILL #66**

**INTRODUCED BY: ALDERWOMAN CHRISTINE INGRASSIA**

1 An ordinance recommended by the Board of Public Service to conditionally vacate above surface,  
2 surface and sub-surface rights for vehicle, equestrian and pedestrian travel in irregular excess portion  
3 of 18th Street abutting the northwest corner of City Block 482-WA and adjacent to 1022, 1024 and  
4 1100 South 18th St. 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 tract of land being a portion of Eighteenth Street adjacent to City Block 482-WA,  
12 City of St. Louis, Missouri, being more particularly described as follows:

13  
14 Beginning at the Southwest corner of Parcel 2 of the Street and Alley  
15 Dedication Plat recorded in Plat Book 09212007 Page 0298 said  
16 point also being on the East line of Eighteenth Street, variable width,  
17 street opened under Ordinance 37407, being also the Northwest  
18 corner of property conveyed to the Land Reutilization Authority of  
19 the City of St. Louis by deed recorded in Book M1332, Page 1736  
20 (Parcel 1 of Property 92-445) of the City of St. Louis Records; thence  
21 South 62 degrees 11 minutes 08 seconds West a distance of 64.34;  
22 thence South 40 degrees 00 minutes 53 seconds West a distance of  
23 24.27 feet to a point on the East Right of Way of Eighteenth Street,  
24 60' wide, being also the Southwest corner of property conveyed to E.  
25 Wardell Buckner (Parcel No. 04820901500); thence along the  
26 Northern prolongation of the East line of said Eighteenth Street North  
27 15 degrees 40 minutes 58 seconds East a distance of 55.76 feet;  
28 thence North 62 degrees 11 minutes 08 seconds East a distance of  
29 14.70 feet to the Northern prolongation of the South line of said  
30 Parcel 2 of the Street and Alley Dedication Plat recorded in Plat Book  
31 09212007 Page 0298; thence along the Northern Prolongation of the  
32 South line of said Parcel 2 of the Street and Alley Dedication Plat  
33 recorded in Plat Book 09212007 Page 0298 South 74 degrees 57  
34 minutes 32 seconds East a distance of 46.01 feet to the Point of  
35 Beginning, containing 1516 square feet, more or less.

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

2         **SECTION TWO:** The petitioners are E. Wardell Buckner, Land Reutilization Authority  
3 and Henry F. Owens. Vacated area will be consolidated for residential development.

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

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

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

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

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

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1 undertaking of such removal.

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

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

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

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

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