

St. Louis City Ordinance 64917

FLOOR SUBSTITUTE

BOARD BILL NO. [99] 325

INTRODUCED BY ALDERMAN MICHAEL MC MILLAN

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel on 1) Garrison from Cass northwardly @ 487.5 feet \diamond 7.5 feet to a point; 2) Howard from Garrison to Glasgow; 3) Madison from Garrison to Glasgow; 4) 15 foot wide \diamond T \diamond -shaped alley in City Block 1849 as bounded by Magazine, Glasgow, Madison, and Garrison and 5) 15 foot wide east/west and 15' wide north/south alleys in City Block 1850 as bounded by Madison, Glasgow, Howard, and Garrison in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

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

A tract of land being a 15 feet wide alley, and being located in City Block 1849 of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the northeast corner of Block 12, of North Stoddard Addition, said corner also being the northeast corner of said City Block 1849, thence south 89 degrees 34 minutes 20 seconds west, along the south right-of-way line of Magazine Street 475.16 feet to a point in the east right-of-way line of a 15 feet wide alley, said point also being the point of beginning of the tract of land herein described; thence south 00 degrees 03 minutes 33 seconds east, along the east right-of-way line of said 15.00 feet wide alley, 120.36 feet to a point in the northeasterly right-of-way line of said 15.00 feet wide alley; thence south 45 degrees 14 minutes 57 seconds east, along the northeasterly right-of-way line of said 15.00 feet wide alley, 7.05 feet to a point in the north right-of-way line of said 15.00 feet wide alley; thence north 89 degrees 33 minutes 39 seconds east, along the north right-of-way line of said 15.00 feet wide alley, 471.52 feet to a point in the west right-of-way line of Glasgow Avenue; thence south 00 degrees 40 minutes 55 seconds east, along the west right-of-way line

of Glasgow Avenue, 15.00 feet to a point in the south right-of-way line of said 15.00 feet wide alley; thence south 89 degrees 33 minutes 39 seconds west, along the south right-of-way line of said 15.00 feet wide alley, 599.26 feet to a point in the east right-of-way line of Garrison Avenue; thence north 00 degrees 13 minutes 15 seconds west, along the east right-of-way line of said Garrison Avenue, 15.00 feet to a point in the north right-of-way line of said 15 feet wide alley; thence north 89 degrees 33 minutes 39 seconds east, along the north right-of-way line of said 15.00 feet wide alley, 102.62 feet to a point in the northwesterly right-of-way line of said 15 feet wide alley; thence north 44 degrees 45 minutes 03 seconds east, along the northwesterly right-of-way line of said 15 feet wide alley, 7.09 feet to a point in the west right-of-way line of said 15.00 feet wide alley; thence north 00 degrees 03 minutes 33 seconds west, along the west right-of-way line of said 15.00 feet wide alley, 120.36 feet to a point in the south right-of-way line of Magazine Street; thence north 89 degrees 32 minutes 20 seconds east, along the south right-of-way line of said Magazine Street, 15.00 feet to the point of beginning, containing 0.25 acres more or less.

A tract of land being a 60 feet wide street, and being located in Wm. Glasgow Jr. ♦s Addition, between City Block 1855 and 1850, of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the southeast corner of Block 4 of Wm. Glasgow Jr. ♦s Addition, said corner also being the southeast corner of City Block 1855, thence north 00 degrees 19 minutes 53 seconds west, along the west right-of-way line of Garrison Avenue, 283.51 feet to the northeast corner of said City Block 1855; thence north 00 degrees 07 minutes 19 seconds east, 60.00 feet to the southeast corner of Block 4 of Wm. Glasgow Jr. ♦s Addition, said corner also being the southeast corner of City Block 1856; thence north 00 degrees 13 minutes 15 seconds west, along the west right-of-way line of said Garrison Street, 140.90 feet to a point in the north right-of-way line of a 15.00 feet wide alley; thence south 89 degrees 56 minutes 21 seconds east, 60.00 feet to a point at the intersection of the north right-of-way line of a 15.00 feet wide alley and the east right-of-way line of said Garrison Avenue; thence south 00 degrees 13 minutes 15 seconds east, along the east right-of-way line of said Garrison Avenue, 140.37 feet to the southwest corner of City Block 1849; thence south 00 degrees 07 minutes 32 seconds west, 60.00 feet to the northwest corner of Ridgway ♦s Addition, said corner also being the northwest corner of City Block 1850; thence south 00 degrees 19 minutes 53 seconds east, along the west right-of-way line of said Garrison Avenue, 299.87 feet to the northwest corner of Florence Addition, said corner also being the northwest corner of City

Block 1851; thence north 75 degrees 11 minutes 44 seconds west, 62.16 feet to the point of beginning, containing 0.68 acres more or less.

A tract of land being a 15 feet wide alley, and being located in City Block 11 of North Stoddard Addition, and Ridgway's Addition in City Block 1850 of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the northeast corner of Block 11, of said North Stoddard Addition, said point also being the northeast corner of said City Block 1850, thence south 89 degrees 32 minutes 59 seconds west, along the south right-of-way line of Madison Street, 461.19 feet to a point in the east right-of-way line of said 15.00 feet wide alley, said point also being the point of beginning of the tract of land herein described; thence south 00 degrees 19 minutes 53 seconds east, along the east right-of-way line of said 15.00 feet wide alley, 127.43 feet to a point in the north right-of-way line of said 15.00 feet wide alley; thence north 89 degrees 32 minutes 50 seconds east, along the north right-of-way line of said 15.00 feet wide alley, 461.97 feet to a point in the west right-of-way line of Glasgow Avenue; thence south 00 degrees 40 minutes 55 seconds east, along the west right-of-way line of said Glasgow Avenue, 15.00 feet to a point in the south right-of-way line of said 15.00 feet wide alley; thence south 89 degrees 32 minutes 50 seconds west, along the south right-of-way line of said 15.00 feet wide alley, 462.06 feet to a point in the east right-of-way line of said 15.00 feet wide alley; thence south 00 degrees 19 minutes 53 seconds east, along the east right-of-way line of said 15.00 feet wide alley, 127.43 feet to a point in the north right-of-way line of Howard Street; thence south 89 degrees 32 minutes 45 seconds west, along the north right-of-way line of said Howard Street, 15.00 feet to a point in the west right-of-way line of said 15.00 feet wide alley; thence north 00 degrees 19 minutes 53 seconds west, along the west right-of-way line of said 15.00 feet wide alley, 127.43 feet to a point in the south right-of-way line of said 15.00 feet wide alley; thence south 89 degrees 32 minutes 50 seconds west, along the south right-of-way line of said 15 feet wide alley, 124.93 feet to a point in the east right-of-way line of Garrison Avenue; thence north 00 degrees 19 minutes 53 seconds west, along the east right-of-way line of said Garrison Avenue, 15.00 feet to a point in the north right-of-way line of said 15.00 wide alley; thence north 89 degrees 32 minutes 50 seconds east, along the north right-of-way line of said 15.00 feet wide alley, 124.93 feet to a point in the west right-of-way line of said 15.00 feet wide alley; thence north 00 degrees 19 minutes 50 seconds west, along the west right-of-way line of said 15.00 wide alley, 127.43 feet to a point in the south right-of-way line of Madison Street; thence north 89 degrees 32 minutes 59 seconds east, along the

south right-of-way line of Madison Street, 15.00 feet to the point of beginning containing 0.30 acres more or less.

A tract of land being a 30 feet wide street, and being located between City Block 1850 and 1851, of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the southeast corner of Block 11 of North Stoddard Addition, said corner also being the southeast corner of City Block 1850, thence south 00 degrees 40 minutes 55 seconds east, along the west right-of-way line of Glasgow Avenue, 60.00 feet to the northeast corner of Block 7, of said North Stoddard Addition, said corner also being the northeasterly corner of City Block 1851; thence south 89 degrees 32 minutes 45 seconds west, along the north right-of-way line of said Block 7, of North Stoddard Addition, 60.00 feet to the northwest corner of said Block 7; thence north 00 degrees 40 minutes 55 seconds west, along the east line of Florence Addition, 30.00 feet to a point in the south right-of-way line of Howard Street, said point also being the northeast corner of said Florence Addition; thence south 89 degrees 32 minutes 45 seconds west, along the south right-of-way line of said Howard Street, 542.95 feet to the northwest corner of said Florence Addition, said point also being the northwest corner of said City Block 1851; thence north 00 degrees 19 minutes 53 seconds west, 30.00 feet to the southwest corner of Ridgway's Addition, said point also being the southwest corner of said City Block 1850; thence north 89 degrees 32 minutes 45 seconds east, along the north right-of-way line of said Howard Street, 602.76 feet to the point of beginning, containing 0.46 acres more or less.

A tract of land being a 60 feet wide street, and being located between City Block 1850 and 1849, of the City of St. Louis, Missouri; said being more particularly described as follows:

Beginning at the southeast corner of Block 12, of North Stoddard Addition, said corner also being the southeast corner of City Block 1849, thence south 00 degrees 40 minutes 55 seconds east, 60.00 feet to the northeast corner of Block 11 of North Stoddard Addition, said corner also being the northeast corner of City Block 1850; thence south 89 degrees 32 minutes 59 seconds west, along the south right-of-way line of Madison Street, 601.12 feet to the northwest corner of Ridgway's Addition, said corner also being the northwest corner of City Block 1850; thence north 00 degrees 07 minutes 32 seconds east, 60.00 feet to the southeast corner of City Block 1849; thence north 89 degrees 32

minutes 59 seconds East, along the north right-of-way line of Madison Street, 600.27 feet to the point of beginning, containing 0.83 acres more or less.

re, upon the conditions hereinafter set out, vacated.

SECTION TWO: Vacated area will be consolidated to accommodate construction of Vashon High School Campus.

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

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

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

SECTION SIX: The owners shall not place any improvement upon, over or in the land traversed by the rights-of-way without a lawful permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the rights-of-way.

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

SECTION EIGHT: In the event that granite curbing or cobble stones are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

SECTION NINE: This ordinance shall be ineffective unless within sixty (60) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed one hundred twenty (120) days from approval or override, the owners of the land subservient to the rights-of-way concerned shall deposit a sum with the Comptroller of the City of St. Louis for the use and benefit of the City Water Division estimated by said Division to be sufficient to cover the full expense of removal and relocation of Water facilities, if any; further, such owner or owners shall within said time deposit an additional sum of money with the Comptroller of the City of St. Louis for the use and benefit of the City Traffic and Transportation Division estimated by said Division to be sufficient to cover the full expense of removal of all lighting facilities, if any; upon such deposit being made to the benefit of the Water Division and the Traffic and Transportation Division, they shall proceed as is reasonably expedient to accomplish all work required and all useful access and occupation shall be accorded, further, such owner or owners shall within said time, deposit an additional sum with the Comptroller of the City of St. Louis estimated by the said Board as sufficient to defray the expenses required for the adjustment of the City's streets including curbs, sidewalks, driveways, roadway drainage connections and inlets, grading, paving sidewalks and roadways and road signage; provided further that said owners shall, under direction of the Director of Streets of the City of St. Louis, accomplish the aforesaid adjustments, at their own expense, but in the event said owners fail to accomplish such within allowable time, according to the direction of the Director, the Director shall cause the same to be performed and upon his certification of expenses, the Comptroller shall appropriate said deposit, or so much thereof as required to defray such expenses to the City or others; no claims or demands whatever arising out of such vacation or adjustment shall be made or prosecuted by owners, their heirs, successors or assigns; and the Comptroller after determining the total cost of the foregoing to the City shall return any unexpended part of said deposits to the owner or owners.

SECTION TEN: An affidavit stating that all of the conditions of this ordinance have been/will be fulfilled and/or complied with must be submitted to the Board of Public Service for acceptance 365 days (1 year) from the date of the signing and approval of this ordinance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Legislative History

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
03/03/00	03/03/00	STR		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
03/10/00			03/17/00	03/24/00
ORDINANCE	VETOED		VETO OVR	
64917				