

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in Laclede Avenue from Grand Boulevard to Spring
3 Avenue in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter
4 authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain
5 conditions on such vacation.

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

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

9
10 A parcel of ground in City Blocks 1959, 2202 and 2203, in the City of St. Louis,
11 Missouri, more particularly described as follows:

12
13 Beginning at the eastern line of Spring Avenue, 49.50 feet wide with
14 the Southern line of Laclede Avenue, 70 feet wide; thence North 14
15 degrees 58 minutes 46 seconds East 70.00 feet, along the Eastern line
16 of said Spring Avenue, to the Northern line of said Laclede Avenue,
17 to a point; thence South 75 degrees 15 minutes 16 seconds East
18 968.83 feet, along the Northern line of said Laclede Avenue, to the
19 Eastern line of Grand Avenue, 70 feet wide, to a point; thence South
20 15 degrees 44 minutes 52 seconds West 35.00 feet, along the Western
21 line of Grand Avenue, to an angle point in said Grand Avenue, to a
22 point; thence South 15 degrees 15 minutes 22 seconds west 35.00
23 feet, along the Western line of Grand Avenue, to the Southern line of
24 said Laclede Avenue, to a point; thence North 75 degrees 15 minutes
25 16 seconds West 968.19 feet, along the Southern line of said Laclede
26 Avenue to the Eastern line of said Spring Avenue and to the Point of
27 Beginning and containing 67,796 square feet or 1.57 acres as
28 prepared by Pitzman's Company.

29
30 are, upon the conditions hereinafter set out, vacated.

31 SECTION TWO: Saint Louis University will use vacated area to increase pedestrian safety
32 and function as a service corridor.

33 SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by

Date: June 5, 2015

Page 1 of 3

Board Bill #105 Sponsor: Alderwoman Marlene Davis

1 the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public
2 including present and future uses of utilities, governmental service entities and franchise holders,
3 except such rights as are specifically abandoned or released herein.

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

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

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

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

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

Date: June 5, 2015

Page 2 of 3

Board Bill #105

Sponsor: Alderwoman Marlene Davis

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

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

9 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
10 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
11 be returned.

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

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

Date: June 5, 2015

Page 3 of 3

Board Bill #105

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