

1 An ordinance to vacate public surface rights for vehicle, equestrian and pedestrian  
2 travel in a \_\_\_\_\_= " . \_\_\_\_\_= portion of the 15 foot wide east/west alley in City  
3 Block 5090 abutting 4540-4542, 4900-4904, 4906-4908 and 4910-4912 Union and  
4 4547, 4541, 4545 N. Union, same being bounded by Union, Geraldine, Bircher, and  
5 Lillian in the City of St. Louis, Missouri, as hereinafter described, in accordance with  
6 Charter authority, and in conformity with Section 14 of Article XXI of the Charter and  
7 imposing certain conditions on such vacation.

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

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

11 A tract of land being part of a 15 foot wide alley in City Block 5090, City of St.  
12 Louis, Missouri and further described as follows:

13 Beginning at a point in the south line of said 15 foot wide alley, point being the  
14 Southeast corner of a parcel of land conveyed to Union & 70 LLC by deed recorded  
15 as Daily \_\_\_\_\_of the St. Louis City records; thence along west line of said  
16 alley, north \_\_\_\_\_ degrees \_\_\_\_\_minutes \_\_\_\_\_seconds west, 144.86 feet to a point;  
17 thence leaving said west line, north \_\_\_\_\_degrees \_\_\_\_\_minutes 41 seconds east, 20.00  
18 feet to a point on the east line of said alley; thence along said east line, south \_\_\_\_\_

19 degrees \_\_\_minutes\_\_\_ seconds east, 144.93 feet to a point being the northeast corner  
20 thence along the north line of said alley vacation, south \_\_\_degrees \_\_\_ minutes \_\_\_  
21 seconds west, \_\_\_\_\_ feet to the point of beginning and containing \_\_\_\_\_square feet  
22 (are, upon the conditions hereinafter set out, vacated.)

23 SECTION TWO: A new 40 foot wide south north pointing alley shall be create, point  
24 being the Southwest corner of a parcel of land conveyed to Union & 70 LLC by deed  
25 recorded as Daily \_\_\_\_\_ of the St. Louis City records; thence along west line of a  
26 parcel of land conveyed to Union & 70 LLC by deed recorded as Daily \_\_\_\_\_  
27 of the St. Louis City records, 100 feet to interest at Union then along the west line for  
28 \_\_\_\_\_ feet to a parcel of land conveyed to Union & 70 LLC by deed recorded as  
29 Daily \_\_\_\_\_ of the St. Louis City records; thence along the north line of said  
30 property to alley

31 SECTION THREE: Vacation petitioned by Union 70 & LLC. Vacated area will be  
32 used to consolidate property.

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

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

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

47 SECTION SEVEN: The owner(s) shall not place any improvement upon, over or in  
48 the area(s) vacated without: 1) lawful permit from the Building Division or  
49 Authorized City agency as governed by the Board of Public Service; 2) obtaining  
50 written consent of the utilities, governmental service entities and franchise holders,  
51 present or future.

52 The written consent with the terms and conditions thereof shall be filed in writing  
53 with the Board of Public Service by each of the above agencies as needed and  
54 approved by such Board prior to construction.

55 SECTION EIGHT: The owners may secure the removal of all or any part of the  
56 facilities of a utility, governmental service entity or franchise holder by agreement in

57 writing with such utilities, governmental entity or franchise holder, filed with the  
58 Board of Public Service prior to the undertaking of such removal.

59 SECTION NINE: In the event that granite curbing or cobblestones are removed  
60 within the vacated area, the Department of Streets of the City of St. Louis must be  
61 notified. Owner(s) must have curbing cobblestones returned to the Department of  
62 Streets in good condition.

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

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

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

76 3) CITY STREET DEPARTMENT to cover the full expenses required for the  
77 adjustments of the Citys alley(s), sidewalk(s) and street(s) as affected by the vacated  
78 area(s) as specified in Sections Two and Eight of the Ordinance.

79 SECTION ELEVEN: An affidavit stating that all of the conditions be submitted to the  
80 Director of Streets for review of compliance with conditions 365 days (1 year) from  
81 the date of the signing and approval of this ordinance. Once the Director of Streets  
82 has verified compliance, the affidavit will be forwarded to the Board of Public Service  
83 for acceptance. If this affidavit is not submitted within the prescribed time the  
84 ordinance will be null and void.

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