

BOARD BILL NO. 171

INTRODUCED BY: ALDERMAN THOMAS VILLA

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 a portion of the 15 foot
3 wide east/west alley in City Block 3198 beginning at Vulcan and extending eastwardly 140.715' ±
4 .05 to the 15 foot wide north/south alley in City Block 3198 as bounded by Davis, Reilly, Marceau
5 and Vulcan in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter
6 authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain
7 conditions on such vacation.

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

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

11
12 A parcel of ground in City Block 3198, in the City of St. Louis, Missouri, more
13 particularly described as follows:

14
15 Commencing at the Southern line of Vulcan Street 60 feet wide with
16 the Eastern line of Marceau Street, 60 feet wide; thence North 42
17 degrees 20 minutes 18 seconds East 125.00 feet, along the Southern
18 line of said Vulcan Street, to the Western line of a north/south alley,
19 15 feet wide, and to the Point of Beginning; thence North 42 degrees
20 20 minutes 18 seconds East 15.01 feet, along the southern line of said
21 Vulcan Street, to the Eastern line of said north/south alley, to a point;
22 thence South 49 degrees 17 minutes 00 seconds East 140.71 feet;
23 along the Eastern line of said north/south alley, to the Northern line
24 of a east/west alley, 15 feet wide, to a point; thence South 42 degrees
25 18 minutes 30 seconds West 15.01 feet along the Northern line of a
26 east/west alley, produced to the Western line of said north/south
27 alley, to a point; thence North 49 degrees 17 minutes 00 seconds
28 West 140.72 feet, along the Western line of said north/south alley to
29 the Southern line of said Vulcan Street, and to the Point of Beginning
30 and containing 2,111 square feet as prepared by Pitzman's Company.

31
32 are, upon the conditions hereinafter set out, vacated.

33 **SECTION TWO:** Petitioned by PT Real Estate Holdings, LLC. Vacated area will be used

1 to consolidate property for parking.

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

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

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

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

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

24 **SECTION EIGHT:** In the event that granite curbing or cobblestones are removed within

Date: October 10, 2014

Page 2 of 3

Board Bill # 171

Sponsor: Alderman Thomas Villa

1 the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must
2 have curbing cobblestones returned to the Department of Streets in good condition.

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

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

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

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

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