

BOARD BILL NO. 284 INTRODUCED BY: ALDERMAN JOSEPH RODDY

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and
2 sub-service rights for vehicle, equestrian and pedestrian travel in Duncan from Vandeventer
3 westwardly approximately 984 feet to a point and the 15 foot wide east/west alley in City Block
4 3918-W as bounded by Forest Park Ave., Vandeventer, Duncan and Sarah in the City of St. Louis,
5 Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with
6 Section 14 of Article XXI of the Charter and imposing 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 An East-West alley being 15 feet wide located in City Block 3918W of the City of
11 St. Louis, Missouri, being more particularly described as follows:

12 Beginning at an Iron Pipe found marking the intersection of the
13 northern right-of-way line of above said 15 feet wide alley with the
14 eastern right-of-way line of Sarah Avenue, variable width, thence
15 along said northern right-of-way line, South 75 degrees 17 minutes
16 11 seconds East, 1366.48 feet to its intersection with the western
17 right-of-way line of Vandeventer Avenue, 60 feet wide; thence along
18 last said western right-of-way line, South 14 degrees 39 minutes 21
19 seconds West, 15.00 feet to its intersection with the southern right-of-
20 way line of said 15 feet wide alley; thence along said southern right-
21 of-way line, North 75 degrees 17 minutes 25 seconds West, 1366.45
22 feet to its intersection with the above said eastern right-of-way of
23 Sarah Avenue; thence along said right-of-way line, North 14 degrees
24 31 minutes 21 seconds East, 15.09 feet to the Point of Beginning and
25 containing 20.559 square feet or 0.471 acres more or less.

26 A tract of land being part of Duncan Avenue, 60 feet wide, between Sarah Avenue,
27 variable width, and Vandeventer Avenue, 60 feet wide located between City Blocks
28 3918W and 3953 of the City of St. Louis, Missouri, being more particularly
29 described as follows:

30 Beginning at a Found Cross marking the intersection of the western

1 right-of-way line of above said Vandeventer Avenue with the
2 southern right-of-way line of above said Duncan Avenue; thence
3 along said southern right-of-way line North 75 degrees 02 minutes 09
4 seconds West, 983.59 feet, thence departing last said southern right-
5 of-way line, North 14 degrees 34 minutes 59 seconds East, 59.98 feet
6 to the northern right-of-way line of Duncan Avenue; thence along
7 said northern right-of-way line, South 75 degrees 00 minutes 57
8 seconds East, 300.93 feet and South 75 degrees 01 minutes 40
9 seconds East, 683.12 feet to its intersection with the western right-of-
10 way line of above said Vandeventer Avenue; thence along said
11 western right-of-way line, South 15 degrees 01 minutes 15 seconds
12 West 59.78 feet to the Point of Beginning and containing 58,890
13 square feet or 1,352 acres more or less.

14
15 are, upon the conditions hereinafter set out, vacated.

16 **SECTION TWO:** SLLC Real Estate LLC will use vacated area to consolidate property for
17 redevelopment.

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

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

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

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

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

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

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

- 20 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
21 Water facilities, if any.
- 22 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
23 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
24 be returned.

Date:

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Sponsor: Alderman Joseph Roddy

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

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