

BOARD BILL NO. 6 INTRODUCED BY: ALDERWOMAN PHYLLIS YOUNG

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in 1) Stadium Plaza between Clark and Walnut and 2) a 2
3 foot strip along the north side of Clark Street between Stadium Plaza and Broadway in the City of St.
4 Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity
5 with Section 14 of Article XXI of the Charter and imposing certain 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 tract of land in Block 6465 and 6466 of the City of St. Louis, Missouri, being part
11 of Stadium Plaza and Clark Street right of way, and being more particularly
12 described as follows:

13
14 Beginning at the northeast corner of Clark Street, 46 feet wide, as
15 dedicated by Document No. 12062006 Page 0322 of the City of St.
16 Louis Records, thence South 17 degrees 35 minutes 06 seconds West
17 2.05 feet, thence North 59 degrees 19 minutes 12 seconds West
18 219.21 feet to a point of curvature to the left for which the radius
19 point bears South 30 degrees 40 minutes 48 seconds West 398.00 feet
20 an arc length of 90.30 feet; thence North 72 degrees 19 minutes 12
21 seconds west 583.38 feet to a point within said Stadium Plaza, said
22 point also being a point of tangency on a curve to the right, said curve
23 having a radius of 20.00 feet an arc length of 31.41 feet to a point,
24 thence North 17 degrees 40 minutes 22 seconds East 136.31 feet to
25 the Southwest corner of a tract of land conveyed to Gateway
26 Stadium, L.L.C. by Document dated 11/17/2008 as Daily Number 78,
27 thence along the southern line of said tract of land South 72 degrees
28 25 minutes 31 seconds East 4.41 feet to a point on the Western line of
29 above said Stadium Plaza, said point being located on a curve to the
30 right for which the radius point bears South 60 degrees 04 minutes 43
31 seconds East 427.34 feet an arc length of 230.03 feet, thence North
32 60 degrees 45 minutes 32 seconds East 82.44 feet to a point of
33 curvature to the left for which the radius point bears North 29 degrees
34 14 minutes 14 seconds West 331.00 feet an arc length of 46.83 feet to
35 a point on the Southern line of Walnut Street, variable width, thence

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1 along said Southern line South 72 degrees 12 minutes 10 seconds
2 East 71.56 feet to a point on the Eastern line of above said partially
3 vacated Stadium Plaza, thence along the Eastern line the following
4 courses and distances: South 53 degrees 16 minutes 53 seconds West
5 65.80 feet to a point of curvature to the right for which the radius
6 point bears North 31 degrees 42 minutes 51 seconds West 1060.70
7 feet an arc length of 70.09 feet to a point of reverse curvature for
8 which the radius point bears South 27 degrees 51 minutes 54 seconds
9 East 751.45 feet an arc length of 63.92 feet to a point of compound
10 curvature for which the radius point bears South 31 degrees 46
11 minutes 49 seconds East 327.14 feet an arc length of 57.35 feet;
12 thence South 43 degrees 33 minutes 12 seconds West 66.68 feet;
13 thence South 39 degrees 08 minutes 01 seconds West 35.80 feet to a
14 point of curvature to the left for which the radius point bears South 52
15 degrees 09 minutes 00 seconds East 157.00 feet an arc length of
16 55.24 feet, thence South 17 degrees 40 minutes 20 seconds West
17 97.16 feet to the North west corner of above said Clark Street, thence
18 along said North line of Clark Street South 27 degrees 19 minutes 12
19 seconds East 11.57 feet, thence South 72 degrees 19 minutes 12
20 seconds East 541.46 feet to a point of curvature to the right for which
21 the radius point bears South 17 degrees 40 minutes 48 seconds West
22 400.00 feet an arc length of 90.76 feet, thence South 59 degrees 19
23 minutes 12 seconds East 218.74 feet to the POINT OF BEGINNING
24 and containing 31,386 square feet or 0.720 acres more or less
25 according to calculations performed by Stock and Associates
26 Consulting Engineers, Inc. on July 13, 2012.

27
28 are, upon the conditions hereinafter set out, vacated.
29

30 **SECTION TWO:** Ballpark Village Holdings Block 350, LLC will consolidate property for
31 redevelopment. An utility easement of variable length and width near the northeast corner of 8th St.
32 and Clark St. must be provided to house an electrical vault to be used by the Traffic Division of the
33 City of St. Louis.

34 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
35 the foregoing conditionally vacated streets, are reserved to the City of St. Louis for the public
36 including present and future uses of utilities, governmental service entities and franchise holders,

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1 except such rights as are specifically abandoned or released herein.

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

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

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

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

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

23 **SECTION NINE:** This ordinance shall be ineffective unless within three hundred sixty
24 (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to

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1 exceed three (3) days prior to the affidavit submittal date as specified in the last section of this
2 ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if
3 applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be
4 deposited by these agencies with the Comptroller of the City of St. Louis.

- 5 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
6 Water facilities, if any.
- 7 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
8 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
9 be returned.
- 10 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
11 of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as
12 specified in Sections Two and Eight of the Ordinance.

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