

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 the western 178.18' ±
3 10.28' of the 20 foot wide east/west alley in City Block 6190 as bounded by Chippewa St., Donovan
4 Ave. and Lansdowne Ave. in the City of St. Louis, Missouri, as hereinafter described, in accordance
5 with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing
6 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
11 Part of the 20 foot wide alley in City Block 6190 of the City of St. Louis, Missouri,
12 and being more particularly described as follows:

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14 Beginning at a point on the northern right-of-way line of Lansdowne
15 Avenue (60 feet wide) and on the southeastern line of a 20 foot wide
16 alley, said point also being the southwestern corner of Lot 9 in Bock
17 1 of St. Louis Hills, in City Block 6190; thence west along said
18 northern right-of-way line, 31.93 feet to a point being the
19 southeastern corner of Lot 8 in Block 1 of said St. Louis Hills, in City
20 Block 6190; thence leaving said northern right-of-way line,
21 northeastwardly along the northwestern line of said 20 foot wide
22 alley, also being the southeastern line of Lots 3 through 8 of said St.
23 Louis Hills, in City Block 6190, 188.45 feet to the southeastern
24 corner of said Lot 3; thence leaving said corner, southeastwardly
25 through said 20 foot wide alley along a line perpendicular to the
26 southeastern line of said Lot 3, 10.00 feet to a point in the centerline
27 of said 20 foot wide alley; thence northeastwardly, parallel to the
28 southeastern line of said Lot 3, along the centerline of said alley, 4.33
29 feet to a point; thence southeastwardly through said 20 foot wide
30 alley along a line perpendicular to the southeastern line of said Lot 3,
31 10.00 feet to the northeastern corner of Lot 10 in Block 1 of said St.
32 Louis Hills, in City Block 6190 and being on the southeastern line of
33 the said 20 foot wide alley; thence leaving said corner
34 southwestwardly along the southeastern line of said 20 foot wide
35 alley and the northwestern line of Lots 9 and 10 in Block 1 of said St.

1 Louis Hills, in City block 6190, 167.80 feet back to the POINT OF
2 BEGINNING and containing 3,563 square feet.

3
4 are, upon the conditions hereinafter set out, vacated.

5 **SECTION TWO:** ABH LLC will use vacated area to consolidate property.

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

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

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

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

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

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1 undertaking of such removal.

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

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

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

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

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