

BOARD BILL NO. 68 INTRODUCED BY: ALDERMAN LEWIS REED

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in the irregular portions of 18th Street and West 18th Street
3 south of Chouteau and the 15 foot wide east/west alley in City Block 482-WA bounded by
4 Dolman, Hickory, 18th and Chouteau in the City of St. Louis, Missouri, as hereinafter described, in
5 accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter
6 and imposing certain conditions on such vacation.

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

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

10
11 A tract of land being part of west 18th (60' wide) Street, part of 18th (80' wide) Street,
12 part of a 20' wide alley and part of a 15' wide alley in City Block 482-WA, said tract
13 of land located in City Block 482-WA in the City of St. Louis, Missouri, and being
14 more particularly described as follows:

15
16 Beginning at the northeast corner of City Block 2281, being the
17 intersection of the southern right-of-way of Chouteau (80' wide)
18 Avenue and the western right-of-way of west 18th (60' wide) Street;
19 thence along said southern right-of-way of Chouteau Avenue, south
20 75 degrees 16 minutes 08 seconds east a distance of 60.00 feet to a
21 point in the eastern right-of-way of west 18th Street, also being the
22 northwest corner of Lot 1 of St. Vincent's Society addition in City
23 Block 482-WA; thence along said eastern right-of-way of west 18th
24 Street, south 15 degrees 20 minutes 26 seconds west a distance of
25 121.72 feet to a point in the northern right-of-way of a 15' wide alley,
26 being the southwest corner of said Lot 1; thence departing said west
27 18th Street right-of-way along the northern right-of-way of said alley,
28 south 75 degrees 17 minutes 08 seconds east a distance of 48.59 feet
29 to a point in the northwestern right-of-way of 18th (80' wide) Street
30 opened by Ordinance #37407; thence along said northwestern right-
31 of-way of 18th Street, north 61 degrees 58 minutes 46 seconds east a
32 distance of 82.93 feet to a point of curvature; thence along a curve to
33 the left with a radius of 50.00 feet, having a chord bearing north 38
34 degrees 37 minutes 57 seconds east for a chord distance of 39.63

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1 feet, and an arc distance of 40.75 feet to a point of tangency; thence
2 north 15 degrees 17 minutes 12 seconds east a distance of 29.18 feet
3 to a point, being the intersection of the northwest right-of-way of said
4 18th Street and the southern right-of-way of Chouteau Avenue; thence
5 along said southern right-of-way of Chouteau Avenue, south 75
6 degrees 16 minutes 08 seconds east a distance of 48.43 feet to a
7 point; thence continuing along said Chouteau Avenue right-of-way,
8 south 75 degrees 40 minutes 48 seconds east a distance of 31.57 feet
9 to a point, being the intersection of the southern right-of-way of
10 Chouteau Avenue and the eastern right-of-way of 18th Street; thence
11 departing said southern right-of-way of Chouteau Avenue and along
12 the eastern right-of-way of 18th Street, south 15 degrees 17 minutes
13 12 seconds west a distance of 30.18 feet to a point of curvature;
14 thence along a curve to the right with a radius of 130.00 feet having a
15 chord bearing south 28 degrees 32 minutes 18 seconds west for a
16 chord distance of 59.60 feet, and an arc distance of 60.13 feet to a
17 point; thence south 15 degrees 20 minutes 35 seconds west a distance
18 of 33.83 feet to a point in the northern right-of-way of a 15' wide
19 alley; thence departing said 18th Street along the northern right-of-
20 way of said alley, south 75 degrees 17 minutes 08 seconds east a
21 distance of 83.14 feet to a point in the western right-of-way of
22 Dolman (60' wide) Street; thence along the western right-of-way of
23 said Dolman Street, south 15 degrees 06 minutes 44 seconds west a
24 distance of 15.00 feet to a point in the southern right-of-way of said
25 alley; thence departing said Dolman Street right-of-way along the
26 southern right-of-way of said alley, north 75 degrees 17 minutes 08
27 seconds west a distance of 123.75 feet to a point in the eastern right-
28 of-way of said 18th Street; thence departing said alley along the
29 eastern right-of-way of said 18th Street, south 61 degrees 58 minutes
30 46 seconds west a distance of 3.24 feet to a point in the eastern right-
31 of-way of a 20' wide alley; thence departing said 18th Street right-of-
32 way along the eastern right-of-way of said alley, south 15 degrees 20
33 minutes 26 seconds west a distance of 43.33 feet to a point; thence
34 departing the eastern right-of-way of said alley, north 74 degrees 57
35 minutes 32 seconds west a distance of 20.00 feet to a point in the
36 western right-of-way of said alley; thence along the western right-of-
37 way of said alley, north 15 degrees 20 minutes 26 seconds east a
38 distance of 1.33 feet to a point; thence departing the western right-of-
39 way of said alley, north 75 degrees 35 minutes 54 seconds west a
40 distance of 25.02 feet to a point in the southeastern right-of-way of
41 said 18th Street; thence along said southeastern right-of-way of 18th
42 Street, south 61 degrees 58 minutes 46 seconds west a distance of

1 1.54 feet to a point; thence departing said southeastern right-of-way
2 of 18th Street, north 74 degrees 57 minutes 32 seconds west a distance
3 of 161.91 feet to a point in the western right-of-way of west 18th
4 Street; thence along the western right-of-way of west 18th Street,
5 north 15 degrees 20 minutes 26 seconds east a distance of 181.08 feet
6 to the point of beginning. Said tract of land containing 33,411 square
7 feet or 0.77 acres of land, more or less.

8
9 are, upon the conditions hereinafter set out, vacated.
10

11 **SECTION TWO:** Lafayette Square Restoration Committee, 1740 Chouteau LLC, Land
12 Reutilization Authority, Michael Bircher, Cape Buffalo LLC and Llewellyn Heigham will use
13 vacated areas to consolidate property.

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

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

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

27 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
28 vacated without: 1) lawful permit from the Building Division or Authorized City agency as

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1 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental
2 service entities and franchise holders, present or future. The written consent with the terms and
3 conditions thereof shall be filed in writing with the Board of Public Service by each of the above
4 agencies as needed and approved by such Board prior to construction.

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

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

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

- 18 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
19 Water facilities, if any.
- 20 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
21 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
22 be returned.
- 23 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
24 of the City's alley(s), sidewalk(s) and street(s) as effected by the vacated area(s) as

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1 specified in Sections Two and Eight of the Ordinance.

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

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