

BOARD BILL NO. 80 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 Lucas Avenue from 19th Street to 20th Street in the City
3 of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in
4 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such
5 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:

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10 A tract of land being part of Lucas Avenue, 50.00 feet wide, between City Blocks
11 942 and 2003 of the City of St. Louis, Missouri, and being more particularly
12 described as follows:

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14 Beginning at the intersection of the south line of Lucas (50.00 feet
15 wide) Avenue and the east line of 20th (60.00 feet wide) Street;
16 thence north 15 degrees 10 minutes 58 seconds east along the
17 extension of said east line for a distance of 50.00 feet to the north line
18 of said Lucas Avenue; thence south 74 degrees 54 minutes 25
19 seconds east along the north line of said Lucas Avenue for a distance
20 of 376.20 feet to the west line of 19th (60.00 feet wide) Street; thence
21 south 14 degrees 54 minutes 34 seconds west along the extension of
22 said west line for a distance of 50.00 feet to the south line of said
23 Lucas Avenue; thence north 74 degrees 54 minutes 23 seconds west
24 along said south line for a distance of 376.44 feet to the point of
25 beginning and containing an area of 18,819 square feet more or less.

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

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29 **SECTION TWO:** The petitioners are General Hydraulics, Inc., Archbishop of St. Louis
30 and Swiss Chalet Partner, LLC. Vacated area will be used to increase parking and living space for
31 the proposed Tudor Building at 1901-37 Washington.

32 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by

Date: May 19, 2006

Page 1 of 3

Board Bill # 80

Sponsor: Alderman Lewis Reed

1 the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public
2 including present and future uses of utilities, governmental service entities and franchise holders,
3 except such rights as are specifically abandoned or released herein.

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

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

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

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

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

Date: May 19, 2006

Page 2 of 3

Board Bill # 80

Sponsor: Alderman Lewis Reed

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

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

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

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

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