

BOARD BILL NO. 90 INTRODUCED BY: ALDERMAN JOSEPH RODDY

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in A portion of Buckingham Court 18.98' x 25.00' abutting
3 City Block 3884 (approximately 251.65' west of Euclid at its intersection with North Court) in the
4 City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in
5 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such
6 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 A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being
11 part of Buckingham Court, 50 feet wide, as shown on Dameron's Subdivision, a
12 subdivision recorded in Plat Book 19, Page 124 of the Recorder's Office of St. Louis
13 City, Missouri, and being more particularly described as follows:

14 Beginning at the intersection of the west line of that portion of
15 Buckingham Court, 50 feet wide, as vacated by Ordinance No. 65478
16 with the north line of Lot 15 of said Dameron's Subdivision and
17 being the TRUE POINT OF BEGINNING for the herein described
18 tract; thence along the north line of said Lot 16, the south line of
19 Buckingham Court, north 82 degrees 00 minutes 00 seconds west, a
20 distance of 18.98 feet; thence leaving said north line of Lot 16, north
21 08 degrees 00 minutes 00 seconds east, a distance of 25.00 feet;
22 thence south 82 degrees 00 minutes 00 seconds east, a distance of
23 18.98 feet to the west line of that portion of Buckingham Court as
24 vacated; thence along said west line, south 08 degrees 00 minutes 00
25 seconds west, a distance of 25.00 feet to the Point of Beginning and
26 containing 464.50 square feet according to a survey by J. R. Grimes
27 Consulting Engineers, Inc.

28 are, upon the conditions hereinafter set out, vacated.
29
30
31
32

33 **SECTION TWO:** The petitioner is the Treasurer of the City of St. Louis, MO. The
34 vacated area will be used to accommodate the footprint of a multi-use building.

Date: June 2, 2006

Page 1 of 3

Board Bill # 90

Sponsor: Alderman Joseph Roddy

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

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

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

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

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

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

Date: June 2, 2006

Page 2 of 3

Board Bill # 90

Sponsor: Alderman Joseph Roddy

1 have curbing cobblestones returned to the Department of Streets in good condition.

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

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

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

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

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