

BOARD BILL NO. 103 INTRODUCED BY: ALDERWOMAN JENNIFER FLORIDA

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in the northernmost 199.98 feet of the 25 foot wide
3 north/south alley in City Block 1607 as bounded by Winnebago, Arkansas Chippewa and Grand in
4 the 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 located in Keystone Place Plat Two, a subdivision of tracts of land in
11 City Block 1607, as recorded in Plat Book 73, Page 9, of the City of St. Louis,
12 Missouri Recorder’s Office, and being more particularly described as follows:
13

14
15 Beginning at the intersection of the east line of out Lot “B”, a tract of
16 land located in Keystone Place Plat Two, a subdivision of tracts of
17 land in City Block 1607, as recorded by deed granted to Pyramid
18 Construction Inc. in Book 1736, Page 740 of said Recorder’s Office,
19 with the south right-of-way line of Winnebago (60 foot wide) Street;
20 Thence continuing along said south right-of-way line, south 81
21 degrees 02 minutes 00 seconds east, a distance of 25.00 feet to the
22 west line of out Lot “A”, a tract of land located in said Keystone
23 Place Plat Two, as recorded by deed granted to Pyramid Construction
24 Inc in Book 1736, Page 740 of said Recorder’s Office; thence
25 leaving said south right-of-way line along said west line of out Lot
26 “A”, south 08 degrees 59 minutes 22 seconds west, a distance of
27 199.98 feet; thence leaving said west line of out Lot “A”, north 81
28 degrees 02 minutes 00 seconds west, a distance of 25.00 feet to the
29 east line of aforementioned out Lot “B”; thence along said east line
30 of out Lot “B”, north 08 degrees 59 minutes 22 seconds east, a
31 distance of 199.98 feet to the point of beginning. The above
32 described tract of land containing 4,999 square feet is based upon an
33 actual boundary survey completed by Cole and Associates, Inc.
34 during the month of December 2006, and is subject to all easements,

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1 restrictions, reservations, and conditions of record, if any.
2 are, upon the conditions hereinafter set out, vacated.
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4 **SECTION TWO:** Pyramid Construction will use vacated area to consolidate property for
5 building and parking lot construction. A new east/west alley extending our to Arkansas will be
6 constructed for continued ingress and egress to the remainder of the alley. Construction documents
7 must be submitted to the Board of Public Service within 365 days of the ordinance being signed.
8 Once construction is completed, petitioner will submit a request to the Board of Public Service to
9 dedicate same. The dedication must be recorded prior to the affidavit being submitted as instructed
10 in Sections 9 and 10 of ordinance.

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

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

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

23 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
24 vacated without: 1) lawful permit from the Building Division or Authorized City agency as
25 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental

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

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

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

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

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

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

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