

**BOARD BILL NO. 158 INTRODUCED BY: ALDERMAN KENNETH ORTMANN AND
ALDERMAN MATT VILLA**

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in an irregular portion of the eastern part of River Bluff
3 Place between Broadway and the Mississippi River abutting City Blocks 2755 and 2790 and
4 adjacent to #1 and #2 River Bluff Place in the City of St. Louis, Missouri, as hereinafter described,
5 in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the
6 Charter 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 A strip of land being the eastern portion of River Bluff Place (Street), 30 feet wide,
11 adjoining Block 2755 and 2790 of the City of St. Louis, Missouri, said strip being
12 more particularly described as follows:
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14
15 Commencing at the point of intersection of the southern line of River
16 Bluff Place (Street), 30 feet wide, with the eastern line of Broadway,
17 100 feet wide; thence south 88 degrees 56 minutes east 416.50 feet,
18 along the southern line of said River Bluff Place (Street) to the
19 northeastern corner of Lot 5 of River Bluff Place, a subdivision
20 recorded in Plat Book 20, Page 59, City of St. Louis Recorder's
21 Office and being the point of BEGINNING of the strip herein
22 described, said point of beginning being in the eastern terminus of
23 said River Bluff Place (Street); thence north 88 degrees 56 minutes
24 west 58.68 feet, along the southern line of said River Bluff Place
25 (Street) to a point of curve on said River Bluff Place (Street); thence
26 north 1 degree 04 minutes east 30.00 feet, to the northern line of said
27 River Bluff Place (Street); thence south 88 degrees 56 minutes east
28 18.00 feet along the northern line of said River Bluff Place (Street) to
29 the southeastern corner of Lot 6 of said River Bluff Place
30 (Subdivision), being the eastern terminus of said River Bluff Place
31 (Street); thence southeasterly 53 feet, more or less, along the eastern
32 terminus of said River Bluff Place (Street) to the point of beginning
33 and containing 1,209 square feet, more or less.

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

4 **SECTION TWO:** The petitioners are Gregory D. Lanius and Thomas a. Restoff.
5 Vacated area will be used to consolidate property for safety and security.

6 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
7 the foregoing conditionally vacated street, 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 street 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

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1 utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the
2 undertaking of such removal.

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

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

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

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

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