

BOARD BILL NO. 173

INTRODUCED BY: ALDERWOMAN JENNIFER FLORIDA

1 An ordinance recommended by the Board of Public Service to conditionally vacate above surface,
2 surface and sub-surface rights for vehicle, equestrian and pedestrian travel in easternmost 104.75
3 feet of the 15 foot wide east/west alley in City Block 2101 as bounded by Hartford, Grand, Juniata
4 and Spring in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter
5 authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain
6 conditions on such vacation.

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

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

10
11 A tract of land being part of a 15' wide alley in Block 4 of Tower Grove Park and
12 Grand Avenue Addition, and in City Block 2101 of the City of St. Louis, Missouri,
13 and said part of alley being more particularly described as follows:

14
15 Commencing at the intersection of the westerly line of Grand Blvd.,
16 80 feet wide, with the southerly line of Hartford Street, 60 feet wide;
17 thence along said westerly line of Grand Blvd., south 06 degrees 37
18 minutes 06 seconds west 125.00 feet to the point of intersection with
19 the northerly line of an alley, 15 feet wide and said point being the
20 True Point of Beginning of the tract of land herein described; thence
21 continuing along the westerly line of Grand Blvd., south 06 degrees
22 37 minutes 06 seconds west 15.00 feet to the southerly line of said 15
23 wide alley; thence along the southerly line north 83 degrees 04
24 minutes 39 seconds west 104.75 feet; thence north 06 degrees 37
25 minutes 06 seconds west 15.00 feet to a point in the northerly line of
26 said alley 15 feet wide, also being the southwest corner of property
27 conveyed in deed book 1612 page 2047 of the St. Louis City records;
28 thence along said northerly line south 83 degrees 04 minutes 39
29 seconds east 104.75 feet to the true point of beginning.

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

32 **SECTION TWO:** Petitioned by OMB LCC and Treasurer-City of St. Louis. Vacated area
33 will be used to increase security to adjacent properties.

Date: October 8, 2010

Page 1 of 3

Board Bill # 173

Sponsor: Alderwoman Jennifer Florida

1 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
2 the foregoing conditionally vacated alley, 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 alley 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:

Page 2 of 3

Board Bill #

Sponsor: Alderwoman Jennifer Florida

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.

Date:

Page 3 of 3

Board Bill #

Sponsor: Alderwoman Jennifer Florida