

BOARD BILL NO. 182 INTRODUCED BY: ALDERWOMAN PHYLLIS YOUNG

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and
2 sub-surface rights for vehicle, equestrian and pedestrian travel in an irregular portion of Gratiot
3 beginning at 7th and extending westwardly approximately 370 feet to a portion of Gratiot previously
4 vacated by Ordinance 59703 in the City of St. Louis, Missouri, as hereinafter described, in accor-
5 dance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and
6 imposing certain 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 A parcel of ground in Blocks 419, 420, 421, and 422 of the City of St. Louis,
11 Missouri, more particularly described as follows:
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14 Beginning at the southern line of relocated Gratiot Street, irregular
15 width, with the western line of Seventh Street, 80 feet wide; thence
16 north 33 degrees 44 minutes 29 seconds west 295.53 feet, along the
17 southern line of said relocated Gratiot Street, to a point; thence north
18 36 degrees 55 minutes 51 seconds west 14.36 feet, along the southern
19 line of said relocated Gratiot Street, to a point; thence 77.13 feet,
20 along a curve to left having a radius of 370.00 feet, along the
21 southern line of said relocated Gratiot Street, to the eastern line of
22 vacated Gratiot Street, irregular width, by Ordinance 59703, to a
23 point; thence north 17 degrees 33 minutes 37 seconds east 68.27 feet,
24 along the eastern line of said vacated Gratiot Street, to the northern
25 line of said relocated Gratiot Street, to a point; thence 115.15 feet,
26 along a curve to right having a radius of 430.00 feet, along the
27 northern line of said relocated Gratiot Street, to a point; thence south
28 36 degrees 55 minutes 51 seconds east 173.12 feet, along the
29 northern line of said relocated Gratiot Street to a point; thence 83.83
30 feet, along a curve to left having a radius of 43.21 feet, to the western
31 line of said Seventh Street, to a point; thence south 17 degrees 34
32 minutes 46 seconds west 169.58 feet, along the western line of said
33 Seventh Street to the point of beginning and containing 27,251 square
34 feet or 0.63 acres or more or less, as prepared by Pitzmans Company.

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2 are, upon the conditions hereinafter set out, vacated.
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4 **SECTION TWO:** Nestle Purina Petcare Company will use vacated area to consolidate
5 property and increase 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 one year (365 days) 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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