

BOARD BILL NO. 185 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in 15 foot wide east/west alley in City Block 2170 as
3 bounded by LaSalle, Ranken, Hickory and Theresa in the City of St. Louis, Missouri, as hereinafter
4 described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of
5 the Charter and imposing certain conditions on such vacation.

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

7 **SECTION ONE:** The public surface rights of vehicle, equestrian and pedestrian travel,
8 between the rights-of-way of:

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10 A strip of land being the east/west alley, 15 feet wide in Block 2170 of the City of St.
11 Louis, Missouri; said strip being more particularly described as follows:

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13 Commencing at the point of intersection of the of the western line of
14 Ranken Avenue, 25 feet wide, with the southern line of LaSalle
15 Street, 60 feet wide; thence south 15 degrees 00 minutes west 117.50
16 feet along the western line of said Ranken Avenue, to the northern
17 line of the east/west alley, 15 feet wide, in said block and being the
18 point of beginning of the strip herein described; thence south 15
19 degrees 00 minutes west 15.00 feet, along the western line of said
20 Ranken Avenue, to the southern line of said alley; thence north 74
21 degrees 43 minutes west 369.79 feet, along the southern line of said
22 alley, to the eastern line of Theresa Avenue, 60 feet wide; thence
23 north 15 degrees 01 minutes east 15.00 feet, along the eastern line of
24 said Theresa Avenue, to the northern line o said alley; thence south
25 74 degrees 43 minutes east 369.78 feet, along the northern line of
26 said alley, to the western line of said Ranken Avenue and the point of
27 beginning.

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29 are, upon the conditions hereinafter set out, vacated.

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31 **SECTION TWO:** Petitioned buy St. Louis University and Rising Star M.B. Church. St.
32 Louis University will use vacated area to consolidate property.

33 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by

1 the foregoing conditionally vacated alleys, are reserved to the City of St. Louis for the public
2 including present and future uses of utilities, governmental service entities and franchise holders,
3 except such rights as are specifically abandoned or released herein.

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

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

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

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

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

Date: June 22, 2007

Page 2 of 3

Board Bill #185

Sponsor: Alderwoman Marlene Davis

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

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

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

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

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