

BOARD BILL NO. 197 INTRODUCED BY: ALDERWOMAN DIONNE FLOWERS

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in the City of St. Louis, Missouri, as hereinafter described,
3 in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the
4 Charter and imposing certain conditions on such vacation.

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

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

8
9 A tract of land being part of Dock Street bounded on the south by City block 661-E,
10 on the west by Hall Street, on the north by City Block 2541 and on the east by Wharf
11 per Ordinance #5403 to City of St. Louis, all in the City of St. Louis, Missouri, and
12 being more particularly described as follows:

13
14 Beginning at the intersection of the south right-of-way line of Dock
15 Street and the east right-of-way line of Hall Street; thence with said
16 east right-of-way line north 00 degrees 05 minutes 19 seconds east
17 50.00 feet to the point of intersection of the east right-of-way line of
18 Hall Street and the north right-of-way line of Dock Street; thence
19 with said north right-of-way line north 90 degrees 00 minutes 00
20 seconds east 538.81 feet to the intersection of the north right-of-way
21 line of Dock Street with the prolongation of the west line of the
22 aforesaid Wharf; thence with said west line south 07 degrees 31
23 minutes 43 seconds west 50.43 feet to the intersection of said west
24 line with the south right-of-way line of Dock Street; thence with said
25 right-of-way line south 90 degrees 00 minutes 00 seconds west
26 532.28 feet to the point of beginning and containing 26,777.2 square
27 feet more or less.

28
29 are, upon the conditions hereinafter set out, vacated.
30

31 **SECTION TWO:** Gunther Salt Co. (aka GSC LLC) will use vacated area to increase
32 security. The Water Division has a 6” water main with appurtenances in the area of the proposed
33 vacation. The Water Division will require an easement to allow for uninhibited access to the water

Date: June 29, 2007

Page 1 of 3

Board Bill #197

Sponsor: Alderwoman Dionne Flowers

1 main and appurtenances for the purposes of maintenances, repair, meter reading, fire hydrant access
2 and operation, etc. No construction of any kind can occur on or above the easement without the
3 prior review and approval of the Water Commissioner. Fire Department approval should also be
4 required due to the fire hydrant located within the proposed vacated area.

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

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

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

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

23 **SECTION SEVEN:** The owners may secure the removal of all or any part of the facilities
24 of a utility, governmental service entity or franchise holder by agreement in writing with such

Date: June 29, 2007

Page 2 of 3

Board Bill #197

Sponsor: Alderwoman Dionne Flowers

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.

Date: June 29, 2007

Page 3 of 3

Board Bill #197

Sponsor: Alderwoman Dionne Flowers