

1 **BOARD BILL NO. 211 INTRODUCED BY ALD. FREEMAN BOSLEY, SR.**

2 An ordinance recommended by the Board of Public Service to vacate public
3 surface rights for vehicle, equestrian and pedestrian travel in a of the 15 foot wide
4 north/south alley in City Block 1241 abutting 2161 Farrar Street, 3822 North 22nd Street,
5 3801 North Florissant Avenue and 2145 Farrar Street same being bounded by Farrar
6 Avenue, North Florissant Avenue, Bremen Street and 22nd Street in the City of St. Louis,
7 Missouri, as hereinafter described, in accordance with Charter authority, and in
8 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions
9 on such vacation.

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

11 **SECTION ONE.** The public surface rights of vehicle, equestrian and
12 pedestrian travel, between the rights-of-way of:

13 A tract of land being a portion of an Alley (15' W.) located in part of block 4 of "West
14 Bremen", a subdivision recorded in P.B. 3, Pg. 71 of the St. Louis City records, City
15 Block 1241, City of St. Louis, Missouri and being more particularly described as follows:

16 Beginning at a point at the intersection of the north right-
17 of-way line of Farrar (60' w) St. and the west right-of-way
18 line of an Alley (15' w) (to be vacated); thence leaving the
19 north right-of-way line of said Farrar St. and continuing
20 along the west right-of-way line of said Alley North 20
21 degrees 59 minutes 57 seconds a distance of 275.75 feet to
22 a point; thence leaving west right-of-way line of said Alley
23 North 68 degrees 36 minutes 08 seconds East a distance of
24 15.00' feet to a point being on the east right-of-way line of
25 said Alley; thence continuing along said east right-of-way
26 line South 20 degrees 59 minutes 57 seconds East a
27 distance of 275.75' feet to a point being on the north right-
28 of-way line of said Farrar (60' w) St.; thence continuing
29 along the said north right-of-way line South 68 degrees 36
30 minutes 07 seconds West a distance of 15.00' feet to a

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1 point being the Point of Beginning with said tract
2 containing 4,136 square feet, or 0.09 acres, and being
3 subject to deeds, easements, and restrictions of record.
4

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

6 **SECTION TWO:** Vacation petitioned by Better Living Communities. Vacated
7 area will be used to consolidate property.

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

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

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

22 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in
23 the area(s) vacated without: 1) lawful permit from the Building Division or Authorized
24 City agency as governed by the Board of Public Service; 2) obtaining written consent of
25 the utilities, governmental service entities and franchise holders, present or future. The

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1 written consent with the terms and conditions thereof shall be filed in writing with the
2 Board of Public Service by each of the above agencies as needed and approved by such
3 Board prior to construction.

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

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

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

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

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

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

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

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