

BOARD BILL NO. 358 INTRODUCED BY: ALDERWOMAN APRIL FORD GRIFFIN

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in 1. The eastern 137 feet of the 20 foot wide east/west alley
3 and the 10 foot wide north/south alley in City block 528 as bounded by Convention Plaza, 13th St.,
4 Lucas and 14th St. 2. Linden Street from 14th St. eastwardly to the 10 foot wide north/south alley in
5 the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in
6 conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such
7 vacation.

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

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

11
12 A tract of land being part of the alley in Block 528 of the City of St. Louis, Missouri,
13 and being more particularly described as follows:

14
15 Commencing at the northeast corner of City Block 528; thence with
16 the western line of Thirteenth Street south 14 degrees 52 minutes 00
17 seconds west, 130.40 feet to the Point of Beginning of the herein
18 described tract; thence south 14 degrees 52 minutes 00 seconds west
19 20.00 feet to a point; thence departing said western line of Thirteenth
20 Street north 74 degrees 23 minutes 18 seconds west, 137.10 feet to a
21 point; thence north 15 degrees 36 minutes 41 seconds east 20.00 feet
22 to a point; thence south 74 degrees 23 minutes 18 seconds east
23 136.84 feet to the Point of Beginning; containing 0.06 acres more or
24 less.

25
26 A 10.00 feet wide north-south alley situated in City Block 528 of the City of St.
27 Louis, Missouri being more particularly described as follows:

28
29 Beginning at the intersection of the north line of Lucas Avenue 50.00
30 feet wide, with the west line of said north-south alley, said
31 intersection being the southeast corner of Lot 8 of Smith's
32 Subdivision of Block 8 of Wm. Christy's Addition; thence leaving
33 said north line of Lucas Avenue along said west line of the north-
34 south alley, north 13 degrees 42 minutes 44 seconds east, a distance

Date: January 11, 2007

Page 1 of 4

Board Bill # 358

Sponsor: Alderwoman April Ford Griffin

1 of 144.63 feet to the south line of Linden Street 20.00 feet wide;
2 thence along the south line thereof south 76 degrees 18 minutes 07
3 seconds east, a distance of 10.00 feet to the east line of said north-
4 south alley; thence along the east line thereof, south 13 degrees 42
5 minutes 44 seconds west, a distance of 144.63 feet to said north line
6 of Lucas Avenue; thence along the north line thereof, north 76
7 degrees 18 minutes 07 seconds west, a distance of 10.00 feet to the
8 Point of Beginning containing 1,446 square feet or 0.0332 acre.
9

10 That portion of Linden Street 20.00 feet wide in City Block 528 of the City of St.
11 Louis, Missouri, bounded on the east by the prolongation northwardly of the east line
12 of the 10.00 feet wide north-south alley (mentioned in the above description) and
13 bounded on the west by the east line of 14th Street, 80.00 feet wide as established
14 under provisions of City Ordinance No. 49424 and Amending Ordinance No. 51638,
15 the vacated portion of Linden Street being more particularly described as follows:
16

17 Beginning at the intersection of the north line of said Linden Street
18 with said northern prolongation of the east line of the north-south
19 alley; thence along the northern prolongation thereof, south 13
20 degrees 42 minutes 44 seconds west, a distance of 20.00 feet to the
21 south line of said Linden Street; thence along the south line thereof,
22 north 76 degrees 18 minutes 07 seconds west, a distance of 288.66
23 feet to said east line of 14th Street; thence along the east line thereof,
24 in a northeasterly direction, along a curve to the left having a radius
25 of 610.00 feet, an arc distance of 21.63 feet to said north line of
26 Linden Street; thence along the north line thereof, south 76 degrees
27 18 minutes 07 seconds east, a distance of 280.44 feet to the Point of
28 Beginning containing 5,689 square feet or 0.1306 acre.
29

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

32 **SECTION TWO:** Petitioners are Convention Plaza Landlord, LLC, John & Mary
33 Snodgrass, Elder Shirt Lofts Condominium Assoc. and Convention Plaza Parking, LLC. Vacated
34 areas will be used to consolidate property and increase security to adjoining properties.

35 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
36 the foregoing conditionally vacated alleys and street, are reserved to the City of St. Louis for the
37 public including present and future uses of utilities, governmental service entities and franchise

Date: January 11, 2007

Page 2 of 4

Board Bill # 358

Sponsor: Alderwoman April Ford Griffin

1 holders, except such rights as are specifically abandoned or released herein.

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

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

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

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

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

24 **SECTION NINE:** This ordinance shall be ineffective unless within three hundred sixty

Date: January 11, 2007

Page 3 of 4

Board Bill # 358

Sponsor: Alderwoman April Ford Griffin

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

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

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

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

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

Date: January 11, 2007

Page 4 of 4

Board Bill # 358

Sponsor: Alderwoman April Ford Griffin