

BOARD BILL NO. 360 INTRODUCED BY: ALDERWOMAN PHYLLIS YOUNG

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 irregular shaped alley in City Block 1335 as
3 bounded by Gravois, Ann, I-55, Shenandoah and Lemp in the City of St. Louis, Missouri, as
4 hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of
5 Article XXI of 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:

9
10 A tract of land being a 15 foot wide alley located in City Block 1335 of the City of
11 St. Louis, Missouri, and more particularly described as follows:

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13 Beginning at the northwest corner of Lot 5 of Allen’s subdivision of
14 Lafayette Park Addition, as per the City of St. Louis Records, said
15 point is also on the south line of Ann Avenue, 60 feet wide, and also
16 on the north line of City Block 1335; thence along the east line of
17 said alley, 15 feet wide, and along the east line of Lot 5, south 0
18 degrees 42 minutes 38 seconds east a distance of 78.84 feet to an
19 anglepoint; thence continuing along the south line of said alley and
20 the north line of Lot 5, south 49 degrees 23 minutes 11 seconds west
21 a distance of 59.02 feet to an anglepoint; thence continuing along the
22 east line of said alley, and along the west line of Lot 5, south 0
23 degrees 20 minutes 14 seconds east a distance of 8.33 feet by record,
24 8.27 feet by survey, to the southwest corner of Lot 5 and to the north
25 line of an east-west alley, 20 feet wide; thence along the north line of
26 said alley, 20 foot wide, south 89 degrees 19 minutes 21 seconds west
27 a distance of 32.77 feet to an anglepoint; thence continuing along the
28 north line of said alley, 20 feet wide, south 78 degrees 24 minutes 03
29 seconds west a distance of 0.60’ to the south corner of Lot 1 of
30 Allen’s Subdivision of Lafayette Park Addition, and to the north line
31 of an alley, 15 feet wide; thence along the south line of Lots 1, 2, 3, 4
32 and along the north line of said alley, 15 feet wide, north 49 degrees
33 23 minutes 11 seconds east a distance of 83.02 feet to the south
34 corner of Lot 4; thence along the east line of Lot 4 and the east line of
35 said alley, 15 feet wide, north 0 degrees 42 minutes 38 seconds west a

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1 distance of 71.82 feet to the northeast corner of Lot 4 and to the south
2 line of Ann Avenue, 60 feet wide; thence along the south line of Ann
3 Avenue, north 89 degrees 19 minutes 21 seconds east a distance of
4 15.00 feet to the northwest corner of Lot 5 and to the northeast corner
5 of said alley, 15 feet wide, and to the point of beginning containing
6 2,332 square feet.

7
8 are, upon the conditions hereinafter set out, vacated.
9

10 **SECTION TWO:** The petitioners, 1820 Ann, LLC and 1836 Gravois Properties, LLC will
11 use vacated area to consolidate property.

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

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

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

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

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1 agencies as needed and approved by such Board prior to construction.

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

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

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

- 15 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
16 Water facilities, if any.
- 17 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
18 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
19 be returned.
- 20 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
21 of the City's alley(s), sidewalk(s) and street(s) as effected by the vacated area(s) as
22 specified in Sections Two and Eight of the Ordinance.

23 **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director
24 of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing

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1 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
2 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
3 within the prescribed time the ordinance will be null and void.

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