

BOARD BILL NO. 69

INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An ordinance recommended by the Board of Public Service to conditionally vacate above surface,
2 surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Hickory from Compton
3 to Ranken and Virginia from LaSalle to Rutger in the City of St. Louis, Missouri, as hereinafter de-
4 scribed, 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 above surface, surface and sub-surface rights of vehicle, equestrian
8 and pedestrian travel, between the rights-of-way of:

9
10 A parcel ground in City Blocks 2159, 2160, 2163 and 2164 in the City of St. Louis,
11 Missouri, described as follows:

12
13 Beginning at the point of intersection of the southern line of LaSalle
14 Street, 55 feet wide with the western line of Virginia Avenue, 50 feet
15 wide; thence south 75 degrees 44 minutes 48 seconds east 50.00 feet,
16 to the intersection of the southern line of said LaSalle Street, with the
17 eastern line of said Virginia Avenue, to a point; thence south 15
18 degrees 00 minutes 00 seconds west 255.00 feet, along the eastern
19 line of said Virginia Avenue, to the intersection of the northern line
20 of Hickory Street, 55 feet wide, to a point; thence south 74 degrees 43
21 minutes 27 seconds east 348.12 feet, along the northern line of said
22 Hickory Street to the intersection of the western line Compton
23 Avenue, 50 feet wide, to a point; thence south 15 degrees 00 minutes
24 00 seconds west 55.00 feet, to the intersection of the western line of
25 said Compton Avenue, with the southern line of said Hickory Street,
26 to a point; thence north 74 degrees 43 minutes 27 seconds west
27 348.12 feet, along the southern line of said Hickory Street, to the
28 intersection of the eastern line of said Virginia Avenue, to a point;
29 thence south 15 degrees 00 minutes 00 seconds west 265.00 feet,
30 along the eastern line of said Virginia Avenue, to the intersection of
31 the northern line of Rutger Street, 55 feet wide, to a point; thence
32 north 75 degrees 55 minutes 49 seconds west 50.01 feet, to the
33 intersection of the western said Virginia Avenue, with the northern
34 line of said Rutger Street , to a point; thence north 15 degrees 00
35 minutes 00 seconds west 265.16 feet, along the western line of said
36 Virginia Avenue, to the southern line of said Hickory Street, to a

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1 point; thence north 74 degrees 49 minutes 00 seconds west 348.12
2 feet, along the southern line of said Hickory Street, to the eastern line
3 of Ranken Avenue, 25 feet wide, to a point; thence north 14 degrees
4 49 minutes 24 seconds east 55.00 feet, to the intersection of the
5 northern line of said Hickory Street, with the eastern line of said
6 Ranken Avenue, to a point; thence south 74 degrees 49 minutes 00
7 seconds east 348.12 feet, along the northern line of said Hickory
8 Street, to the western line of said Virginia Avenue, to a point; thence
9 north 15 degrees 00 minutes 00 seconds west 255.00 feet, along the
10 western line of said Virginia Avenue, to the point of beginning and
11 containing 67,048 square feet or 1.54 acres more or less, as prepared
12 by Pitzman's Company.

13
14 are, upon the conditions hereinafter set out, vacated.

15 **SECTION TWO:** Saint Louis University will use the vacated area to construct its medical
16 center sports recreation complex.

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

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

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

29 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
30 vacated without: 1) lawful permit from the Building Division or Authorized City agency as

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1 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental
2 service entities and franchise holders, present or future. The written consent with the terms and
3 conditions thereof shall be filed in writing with the Board of Public Service by each of the above
4 agencies as needed and approved by such Board prior to construction.

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

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

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

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

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1 specified in Sections Two and Eight of the Ordinance.

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