

BOARD BILL NO. 91

INTRODUCED BY: ALDERWOMAN LYDA KREWSON

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 2.02' wide strip on the
3 west side of Euclid beginning at Forest Park and extending northwardly 300.35' to a point and
4 adjacent to City Block 3885 as bounded by Laclede, Euclid, Forest Park and Kingshighway in the
5 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 above surface, surface and sub-surface rights of vehicle, equestrian
10 and pedestrian travel, between the rights-of-way of:

11
12 A parcel of ground in City Block 3885, in the City of St. Louis, Missouri, described
13 as follows:

14
15 Beginning at the point of intersection of the western line of Euclid
16 Avenue, 60 feet wide, with the northern line of Forest Park
17 Boulevard, 150 feet wide; thence north 06 degrees 49 minutes 00
18 seconds east 300.35 feet, along the western line of said Euclid
19 Avenue, to a point; thence south 75 degrees 00 minutes 00 seconds
20 east 2.02 feet, to a point; thence south 06 degrees 49 minutes 00
21 seconds west 300.35 feet, along a line parallel with the western line
22 of said Euclid Avenue, to the northern line of said Forest Park
23 Boulevard, to a point; thence north 75 degrees 05 minutes 00 seconds
24 west 2.02 feet, along the northern line of said Forest Park Boulevard,
25 to the point beginning and containing 601 square feet more or less as
26 prepared by Pitzmans Company.

27
28 are, upon the conditions hereinafter set out, vacated.

29 **SECTION TWO:** Barnes-Jewish Hospital and Quadrangle Management Co. will use
30 vacated area to consolidate property in conjunction with new construction.

31 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by
32 the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public

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1 including present and future uses of utilities, governmental service entities and franchise holders,
2 except such rights as are specifically abandoned or released herein.

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

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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 affected 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.