

1 **COMMITTEE SUBSTITUTE**
2 **BOARD BILL NO. 284** **INTRODUCED BY ALDERMEN MATTHEW VILLA**
3 **AND ALFRED WESSELS**
4

5 An ordinance recommended by the Board of Public Service declaring the public
6 necessity of acquiring sites in accordance with and pursuant to the terms and conditions of
7 Ordinance No. 66775, which approved an Intergovernmental Agreement, in the City of St.
8 Louis; and authorized the acquisition of real property as hereinafter described, either by purchase
9 or condemnation; and containing an emergency clause.

10 Whereas, on August 31, 2005, the City of St. Louis and St. Louis County entered into an
11 Intergovernmental Agreement regarding a public improvement project pursuant to the authority
12 of Ordinance 66775; and

13 Whereas, Section 6 of such Intergovernmental Agreement directs the City of St. Louis to
14 initiate appropriate legal proceedings at the written request of St. Louis County in the event St.
15 Louis County is unable to acquire the necessary property by purchase, donation, option,
16 easement or lease; and

17 Whereas, the City of St. Louis has been advised, in writing, by St. Louis County that in
18 order to complete the public improvement project authorized by Ordinance 66775 the use of
19 eminent domain may be necessary; and

20 Whereas, in order to comply with the provisions of Section 6 of the Intergovernmental
21 Agreement in a timely manner in the event requested to do so by St. Louis County, the City of
22 St. Louis hereby enacts the following ordinance, to-wit;

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

24 Section One. On the recommendation of the Board of Public Service, the
25 acquisition of the following described real property is deemed a necessity in order to fulfill the

1 terms and conditions of the Intergovernmental Agreement authorized by Ordinance No. 66775.
2 The acquisition of all or part of such property by purchase or condemnation is hereby authorized
3 in accordance with the provisions of the Intergovernmental Agreement:

4 Lot 1 and the Northern 20 feet of Lot 2 in Block 2 of Joseph L.
5 Smith's Subdivision, situated partly in the County of St. Louis,
6 Missouri, and partly in Block 3285 of the City of St. Louis,
7 Missouri, together fronting 50 feet on the East line of Lemay Ferry
8 Road and Alabama Avenue by a depth Eastwardly of 125 feet to an
9 alley, bounded on the North by Weber Road.

10 Part of Block 3 of Joseph L. Smith's Subdivision of Lot 92
11 Carondelet Commons South of the River Des Peres and in Block
12 3286 of the City of St. Louis, and described as: Beginning at the
13 intersection of the East line of Alabama Avenue and the North line
14 of Weber Road; thence Eastwardly along said North line of Weber
15 Road, 125 feet to the West line of the Right of Way of the River
16 Des Peres Drainage Works; thence Northwardly along said last
17 mentioned line, 25.484 feet to the Southwest line of the Right of
18 Way of the River Des Peres Drainage Works; thence
19 Northwestwardly along said last mentioned line, 115.026 feet to
20 the East line of Alabama Avenue, as opened by Ordinance No.
21 37572; thence Southwardly along said East line of Alabama
22 Avenue, 30.72 feet, more or less, to the South line of Alabama
23 Avenue, opened as aforesaid; thence Westwardly along said last
24 mentioned line, 20.66 feet to the East line of Alabama Avenue;
25 thence Southwardly along the said East line of Alabama Avenue,
26 45 feet, more or less, to the North line of Weber Road and the
27 point of beginning.

28 Also part of Lot 18 in Block 5 of Payne's Subdivision of part of
29 Block 130 of Carondelet Commons South of the River Des Peres
30 and in Block 3281 of the City of St. Louis, and described as
31 follows: Bounded West by a line 400 feet 0 inches East of and
32 parallel to the East line of 5th Street, 50 feet wide, North by
33 Lorentz Street, South by an alley 20 feet wide, and East by the
34 former center line of River Des Peres as indicated in said plat of
35 Subdivision.

36 The East 50 feet of Lot 17 in Block 5 of Payne's Subdivision,
37 according to plat thereof recorded in Plat Book 10 page 4 of the St.
38 Louis, City (former County) Recorder's Office, except that portion
39 lying in the City of St. Louis.
40

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1 Lot 16 and 17 in Block 5 of the Subdivision of Block 5 of Payne's
2 Subdivision of Block 130 of Carondelet Commons, South of the
3 River Des Peres according to the plat thereof filed with the Report
4 of Commissioners in Partition Suit entitled May A. Gauen, et al
5 against Margaret Payne, et al, being Cause No. 4294 of the Circuit
6 Court of the County of St. Louis.
7

8 Part of Lot 17 in Block 5 of PAYNE'S SUBDIVISION of part of
9 Block 130 of CARONDELET COMMONS South of the River Des
10 Peres and in Block 3281 of the City of St. Louis, described as
11 follows: Bounded West by a line 491 feet 3 inches East of and
12 parallel to the East line of 5th Street, 50 feet wide, South by Fannie
13 Avenue, North by an alley, 20 feet wide and East by the former
14 center line of River Des Peres as indicated in said plat of
15 Subdivision in 1870.

16 Part of Lot 11 of Kayser Heights, being partly in Block 3280 of the
17 City of St. Louis and partly in the County of St. Louis, according
18 to the plat thereof recorded in Plat Book 27 page 45 of the St.
19 Louis City Recorder's Office and in Plat Book 47 page 49 of the
20 St. Louis County Recorder's Office, being more particularly
21 described as follows: Beginning at a point being the most
22 Northern corner of Lot 11, being also the Northwest corner of
23 parcel conveyed to Beaula Sandlin by deed recorded in Book 7591
24 page 467 of the St. Louis City Records; thence Southeast along the
25 Southwest line of said Sandlin parcel, 109 feet to the most
26 Southern corner thereof being a point in the Southeast line of said
27 Lot 11; thence Southwest along the Southeast line of Lot 11,
28 137.88 feet, more or less, to the most Southern corner of Lot 11;
29 thence North 67 degrees 45 minutes along the Southwest line of
30 Lot 11, 61.35 feet to a point; thence continuing along the
31 Southwest line of Lot 11, North 21 degrees 16 minutes West, 58.92
32 feet to the most Western corner of Lot 11; thence North 47 degrees
33 20 minutes East, 153.50 feet to the point of beginning.

34 A parcel of ground lying in Block 3280 of the City of St. Louis,
35 being described as follows: Beginning at a point being the
36 Northwest corner of Lot 11 of Kayser Heights; thence Eastwardly
37 a distance of 110.35 feet to an iron pipe being the Northeast corner
38 of said Lot 11; thence Southwestwardly a distance of 33.54 feet to
39 the center line of road easement; thence Northwardly along the
40 center line of said road easement, a distance of 109 feet, to the
41 point of beginning. Subject, however, to a 15 foot easement for
42 roadway along the Southwestern line of said property, according to
43 survey thereof made by Lyman Surveyors on January 14, 1965.

1 The Southwestern part of Lot 10 of Kayser Heights, being partly in
2 Block 3280 of the City of St. Louis, and partly in the County of St.
3 Louis, beginning at the intersection of the Southern line of said Lot
4 10 and the center line of a 30 foot private road, thence
5 Northwardly along the center line of said private road 20.36 feet to
6 a point, thence continuing Northwardly along said center line
7 78.95 feet to a point, thence Westwardly along said center line
8 73.26 feet to a point where the center line of said private road
9 intersects West line of said Lot 10, thence Southwardly along
10 Western line of said Lot 10, 137.88 feet to the South line of said
11 Lot 10 and thence Eastwardly 144.48 feet along said Southern line
12 to the point of beginning, according to the plat recorded in Plat
13 Book 27 page 45 of the St. Louis Recorder's Office and Plat Book
14 47 page 49 of the St. Louis County Recorder's Office.

15 Beginning at the corner of Fannie Avenue 60 feet wide and
16 Minnesota Avenue 20 feet wide (not open) in the City of St.
17 Louis, State of Missouri; running thence North 54 degrees 21
18 minutes West 199.75 feet along the Southeasterly line of
19 Fannie Avenue to an iron pipe; thence South 36 degrees 27
20 minutes West 125 feet to an iron pipe; thence South 54
21 degrees 21 minutes East 199.75 feet to the Southwesterly line
22 of Minnesota Avenue; thence North 36 degrees 27 minutes
23 East 125 feet along said Southwesterly line of Minnesota
24 Avenue to the place of beginning.

25 Being part of Block 129 of Carondelet Commons South of the
26 River Des Peres, in Township 44 North, Range 7 East, lying
27 partly within the City of St. Louis, Missouri, said part in the
28 City of St. Louis being part of City Block 3280 therein, and
29 partly within the County of St. Louis, Missouri (commonly
30 known as 146/150 Fannie).

31 Lot 2 in Block 1 of Alex Kayser's Addition to South St. Louis
32 and in Block 3280 of the City of St. Louis, fronting 40 feet on
33 the West line of Broadway by a depth Westwardly on the
34 North line of 173 feet 5-1/4 inches and on the South line of
35 170 feet 1-1/4 inches to a street 25 feet wide, according to the
36 St. Louis City Records.

37 Lot 3 in Block 1 of A. Kayser's Addition to South St. Louis, as
38 designated on plat "C" attached to Commissioner's Report in
39 partition among the heirs of Alexander Kayser and in Block 3280
40 of the City of St. Louis, fronting 40 feet on the West line of
41 Broadway, by a depth Westwardly of 169 feet 9 inches, more or

1 less, along the South line and of 170 feet 1-1/4 inches, more or
2 less, along the North line to an alley.

3 Lot 4 in Block 1, according to plat "C" of A. Kayser's Addition to
4 South St. Louis, and being partly in Block 3280 of the City of St.
5 Louis, Missouri and partly in the County of St. Louis, Missouri,
6 fronting 40 feet, more or less, on the West line of Broadway by a
7 depth Westwardly on the South line of 163 feet 4-3/4 inches and
8 on the North line of 166 feet 9 inches to a road 25 feet wide, on
9 which there is a width of 39.755 feet, more or less.

10 Lot 5 in Block 1 of A. Kayser's Addition to South St. Louis, as
11 designated on plat "C" attached to Commissioner's Report in
12 partition among the heirs of Alexander Kayser

13
14 Section Two. If the above described property or any part thereof cannot be
15 obtained by purchase from the owners thereof, the City Counselor is hereby directed to
16 implement such provisions of the Intergovernmental Agreement as are necessary to acquire such
17 property, or interests therein, including condemnation proceedings as provided for in the Charter
18 of the City of St. Louis.

19 Section Three. This being an ordinance deemed necessary for the immediate
20 preservation of the public health and to provide for a public work and improvement, it is hereby
21 declared to be an emergency measure and shall become effective immediately upon its passage
22 and approval by the Mayor.

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