

**ORDINANCE #68907**  
**Board Bill No. 13**

An ordinance recommended by the Board of Public Service to vacate above surface, surface and sub-service rights for vehicle, equestrian and pedestrian travel in 1) A portion of Second beginning approximately 24 feet north of Brooklyn and continuing 160 feet southwardly to a point approximately 73 feet south of Brooklyn and adjoining City Blocks 238, 239, 249 and 250-S. 2) The 20 foot wide north/south alley in City Block 249 and bounded by Brooklyn, Second, Mound and Broadway. 3) A portion of Eighth beginning approximately 102 feet north of Howard and extending northwardly 327 feet northwardly to a point and adjoining City Blocks 620, 653, 654, and 655. 4) A portion of Howard beginning 60 feet west of Eighth and extending 103.15 ± 23.60 feet to Interstate Highway 70 right-of-way and adjoining City Blocks 609 and 653. 5) Ninth from Brooklyn southwardly 363.85 ± 35.11 feet to Interstate Highway 70 right-of-way and adjoining City Blocks 620, 650 and 653. 6) Tenth from Howard northwardly 107.75 ± 7.25 feet to a point and adjoining City Blocks 649 and 650. 7) The 20 foot wide north/south alley in City Block 649 and bounded by Interstate Highway 70, Tenth, Howard and Eleventh. 8) Howard from Tenth to Eleventh and adjoining City Blocks 611 and 649. 9) Eleventh from Mullanphy to Cass and adjoining City Blocks 601 and 602 in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

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

**SECTION ONE:** The above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land being part of 2nd Street right-of-way (variable width) at the Brooklyn Street right-of-way (forty feet wide), located in Blocks 238, 239, 249 and 250-S of the City of St. Louis, Missouri and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of said Brooklyn Street with the westerly right-of-way line of said 2nd Street; thence along said westerly right-of-way line, north 14 degrees 52 minutes 57 seconds west, a distance of 25.07 feet; thence departing said westerly right-of-way line, north 64 degrees 55 minutes 34 seconds east, a distance of 33.53 feet to the easterly right-of-way line of said 2nd Street; thence along said easterly right-of-way line, south 14 degrees 52 minutes 57 seconds east, a distance of 160.52 feet; thence departing said easterly right-of-way line, south 61 degrees 29 minutes 22 seconds west, a distance of 37.04 feet to the westerly right-of-way line of above said 2nd Street; thence along said westerly right-of-way line, north 14 degrees 52 minutes 57 seconds west, a distance of 73.24 feet to the intersection of said westerly right-of-way line with the southerly right-of-way line of above said Brooklyn Street; thence north 12 degrees 14 minutes 25 seconds west, a distance of 65.08 feet to the point of beginning and containing 5,647 square feet or 0.130 acres, more or less.

A tract of land being a 20 foot wide north-south alley located in Block 249 bounded on the south by Mound Street (fifty-nine feet wide) and bounded on the north by Brooklyn Street (sixty-five feet wide). Located east of Broadway (variable width) and west of Second Street (variable width), City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of said Brooklyn Street with the easterly right-of-way line of said Broadway; thence along said southerly right-of-way line, north 74 degrees 58 minutes 21 seconds east, a distance of 147.96 feet to the point of beginning, said point being at the intersection of the westerly line of said alley; thence continuing along said southerly right-of-way line, north 74 degrees 58 minutes 21 seconds east, 20.00 feet to the intersection of the easterly line of said alley with said southerly right-of-way line; thence along said easterly line, south 14 degrees 54 minutes 15 seconds east, a distance of 245.35 feet to a point in the northerly right-of-way line of said Mound Street; thence along said northerly right-of-way line, south 81 degrees 54 minutes 26 seconds west, a distance of 20.14 feet to the westerly line of above said alley, thence along said westerly line, north 14 degrees 54 minutes 15 seconds west, a distance of 242.92 feet to the point of beginning and containing 4,883 square feet or 0.112 acres, more or less.

A tract of land being part of the 8th Street right-of-way (variable width), lying north of Howard Street (sixty feet wide) right-of-way and south of the Brooklyn Street (forty feet wide) right-of-way located in Blocks 620, 653, 654 and 655 of the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the intersection of the westerly right-of-way line of said 8th Street with the northerly line of said Howard Street; thence along said westerly right-of-way line, north 13 degrees 12 minutes 14 seconds east, a distance of 102.51 feet to the point of beginning of the herein described tract, thence continuing along said westerly line the following courses and distances: north 13 degrees 12 minutes 14 seconds east, a distance of 134.22 feet; thence south 76 degrees 38 minutes 04 seconds east, a distance of 5.50 feet; thence north 13 degrees 12 minutes 14 seconds east, a distance of 192.87 feet to the northerly right-of-way line of said 8th Street; thence along said northerly right-of-way line south 76 degrees 41 minutes 40 seconds east, a distance of 50.06 feet to the easterly right-of-way line of said 8th Street, thence along said easterly right-of-way line the following courses and distances: south 13 degrees 16 minutes 12 seconds west, a distance of 76.22 feet; thence south 76 degrees 38 minutes 04 seconds east, a distance of 4.82 feet; thence south 13 degrees 15 minutes 42 seconds west, a distance of 250.82 feet; thence departing said easterly right-of-way line north 76 degrees 44 minutes 18 seconds west, a distance of 60.05 feet to the point of beginning and containing 18,265 square feet or 0.419 acres, more or less.

A tract of land being part of the Howard Street (sixty feet wide), lying north and east of and adjoining the Missouri Interstate 70 right-of-way (variable width), and west of the 8th Street right-of-way (variable width), located in Blocks 653 and 609 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of said Howard Street with the northeasterly right-of-way line of said Missouri Interstate 70, thence along said northerly line, south 76 degrees 37 minutes 07 seconds east, a distance of 126.75 feet; thence departing said northerly line, south 13 degrees 22 minutes 53 seconds west, a distance of 60.00 feet to the southerly line of said Howard Street, said line also being the northerly line of said Missouri Interstate 70; thence along said northerly line, north 76 degrees 37 minutes 07 seconds west, a distance of 79.56 feet, thence along the northeasterly line of said Missouri Interstate 70, north 24 degrees 47 minutes 58 seconds west, a distance of 76.33 to the point of beginning and containing 6.189 square feet or 0.142 acres, more or less.

A tract of land being part of the 9th Street right-of-way (variable width) lying north of and adjoining the Missouri Interstate 70 right-of-way (variable width) and south of Brooklyn Street right-of-way (forty feet wide), located in Blocks 620, 650 and 653 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of said 9th Street with the northeasterly right-of-way line of said Missouri Interstate 70; thence along said northeasterly right-of-way line, north 24 degrees 47 minutes 58 seconds west, a distance of 89.33 feet; thence, north 13 degrees 12 minutes 14 seconds east, a distance of 328.73 feet to the intersection of said northeasterly right-of-way line with the prolongation of the southerly right-of-way line of said Brooklyn Street; thence along said prolongation, south 76 degrees 38 minutes 25 seconds east, a distance of 50.00 feet to the easterly line of said 9th Street; thence along said easterly line the following courses and distance: south 13 degrees 12 minutes 14 seconds west, a distance of 268.73 feet; thence, south 76 degrees 38 minutes 04 seconds east, a distance of 5.00 feet; thence south 13 degrees 12 minutes 14 seconds west, a distance of 130.23 feet to the point of beginning and containing 18,668 square feet or 0.429 acres, more or less.

A tract of land being part of 10th Street (sixty feet wide), lying north of Howard Street (sixty feet wide), located in Blocks 649 and 650 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of said Howard Street with the westerly right-of-way line of said 10th Street; thence along said westerly right-of-way

line, north 13 degrees 15 minutes 08 seconds east, a distance of 100.50 feet to the right-of-way of Missouri Interstate Highway 70 (variable width); thence along said right-of-way line, north 89 degrees 28 minutes 46 seconds east, a distance of 61.73 feet to the easterly right-of-way line of said 10th Street; thence along said easterly right-of-way line, south 13 degrees 15 minutes 08 seconds west, a distance of 115.00 feet to the intersection of said easterly right-of-way line with the northerly right-of-way line of said Howard Street; thence north 76 degrees 46 minutes 09 seconds west, a distance of 60.00 feet to the point of beginning and containing 6,465 square feet or 0.148 acres, more or less.

A tract of land being part of the Howard Street right-of-way (sixty feet wide), and an alley (twenty feet wide), located in Blocks 649 and 611 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of 11th Street (sixty feet wide) with the northerly right-of-way line of said Howard Street; thence along said northerly right-of-way line, south 76 degrees 46 minutes 09 seconds east, a distance of 125.05 feet to the intersection of said northerly right-of-way line with the westerly right-of-way line of said alley; thence along the westerly right-of-way line of said alley, north 13 degrees 12 minutes 32 seconds east, a distance of 313.38 feet; thence departing the westerly right-of-way line of said alley, south 76 degrees 46 minutes 09 seconds east, a distance of 20.00 feet to the easterly right-of-way line of said alley; thence along the easterly right-of-way line of said alley, south 13 degrees 12 minutes 32 seconds west, a distance of 313.38 feet to the intersection of said easterly right-of-way line with the northerly right-of-way line of said Howard Street; thence along said northerly right-of-way line, south 76 degrees 46 minutes 09 seconds east, a distance of 125.69 feet to the intersection of said northerly right-of-way line with the westerly right-of-way line of 10th Street (sixty feet wide); thence departing said northerly right-of-way line, south 13 degrees 15 minutes 08 seconds west, a distance of 60.00 feet to the intersection of said westerly right-of-way line of said 10th Street with the southerly right-of-way line of said Howard Street; thence along said southerly right-of-way line, north 76 degrees 46 minutes 09 seconds west, a distance of 270.69 feet to the intersection of said southerly right-of-way line with the easterly right-of-way line of 11th Street; thence departing the southerly right-of-way line said 11th Street, north 13 degrees 12 minutes 32 seconds east, a distance of 60.00 feet to the point of beginning and containing 22.510 square feet or 0.517 acres, more or less.

A tract of land being part of the 11th Street (60 feet wide) right-of-way and part of a 15 feet wide alley, said tract being bounded northerly by Mullanphy Street (60 feet wide) and bounded southerly by Cass Avenue (80 feet wide), being located in Blocks 601 and 602 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of said Cass Avenue with the westerly right-of-way line of said 11th Street; thence along said westerly right-of-way line, north 13 degrees 12 minutes 32 seconds east, a distance of 457.96 feet to the point of intersection of said westerly right-of-way line of said 11th Street with the southerly right-of-way line of said Mullanphy Street; thence south 76 degrees 44 minutes 43 seconds east, a distance of 60.00 feet to the intersection of the easterly right-of-way line of said 11th Street, thence along said easterly right-of-way line, south 13 degrees 12 minutes 32 seconds west, a distance of 309.20 feet to the northerly line of a 15 foot wide alley; thence along said northerly line, south 76 degrees 45 minutes 16 seconds east, a distance of 78.08 feet; thence departing said northerly line, south 18 degrees 35 minutes 44 seconds west, a distance of 15.07 feet to the southerly line of said alley; thence along said southerly line, north 76 degrees 45 minutes 16 seconds west, a distance of 76.67 feet to the easterly right-of-way line of said 11th Street; thence along said easterly line, south 13 degrees 12 minutes 32 seconds west, a distance of 133.75 feet to the intersection of said easterly right-of-way line with the northerly line of said Cass Avenue; thence north 76 degrees 45 minutes 16 seconds west, a distance of 60.00 feet to the point of beginning and containing 28.638 square feet or 0.657 acres, more or less.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** The State of Missouri Highways and Transportation Commission will use vacated areas as part of the Missouri State Highway system for part of the Mississippi River Bridge Project. This vacation is in conjunction with the "Missouri Highways and Transportation Commission Municipal Agreement".

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

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

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

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

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

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

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

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

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

**Approved: June 16, 2011**