

BOARD BILL NO. 307 INTRODUCED BY: ALDERWOMAN PHYLLIS YOUNG

1 An ordinance recommended by the Board of Public Service to vacate above surface, surface and
2 sub-service rights for vehicle, equestrian and pedestrian travel in 1) Picker Street from 14th
3 westwardly to I-44 ROW, 2) Hoehn Street from Picker Street southwardly approximately 165 feet
4 to previously vacated Hoehn, Ordinance #56710, 3) the westernmost 10' wide north-south alley in
5 CB 820-N, Lots 6 & 7 from Lafayette to the east-west alley in CB 820-N as bounded by Lafayette,
6 14th, Picker and I-44 ROW, 4) the easternmost 10' wide north-south alley in CB 820-N, Trium's
7 Addition, from Lafayette to the east-west alley in CB 820-N as bounded by Lafayette, 14th, Picker
8 and I-44 ROW, 5) the 10' wide east-west alley in CB 820-N as bounded by Lafayette, 14th, Picker
9 and I-44 ROW, 6) the southern most 10' wide north-south alley in CB 820-N from Picker to the east-
10 west alley in CB 820-N as bounded by Lafayette, 14th, Picker and I-44 ROW, 7) the 10' wide north-
11 south alley in CB 820 as bounded by Picker, 14th, I-44 and Hoehn in the City of St. Louis, Missouri,
12 as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of
13 Article XXI of the Charter and imposing certain conditions on such vacation.

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

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

17
18 A parcel of ground being Picker Street, 30 feet wide, between blocks 820 and 820-N
19 of the City of St. Louis, Missouri, and being more particularly described as follows:
20

21 Beginning at a point, on the western right-of-way line of Fourteenth
22 Street (60' wide) and the northern right-of-way line of Picker Street
23 (30' wide); thence southwardly along the western right-of-way line of
24 Fourteenth Street, south 35 degrees 52 minutes 34 seconds west a
25 distance of 33.77 feet to a point on the southern right-of-way line of
26 Picker Street; thence westwardly along the southern right-of-way line
27 of Picker Street north 81 degrees 27 minutes 40 seconds west a
28 distance of 333.98 feet to a point on the northeastern right-of-way
29 line of interstate Highway 44; thence northwestwardly along the

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1 northeastern right-of-way line of interstate Highway 44, north 15
2 degrees 24 minutes 36 seconds west a distance of 32.83 feet to a
3 point on the northern right-of-way line of Picker Street; thence
4 eastwardly along the northern right-of-way line of Picker Street,
5 south 81 degrees 27 minutes 40 seconds east a distance of 362.81 feet
6 to the point of beginning containing 10,452 square feet or 0.240 acres
7 more or less
8

9 A parcel of ground being Hoehn Street, 30 feet wide, between Blocks 820 and 820-
10 W of the City of St. Louis, Missouri, and being more particularly described as
11 follows:
12

13 Beginning at a point on the southern right-of-way line of Picker
14 Street (30' wide) and the western right-of-way line of Hoehn Street
15 (30' wide); thence eastwardly along the southern right-of-way line of
16 Picker Street, south 81 degrees 27 minutes 40 seconds east a distance
17 30.00 feet to a point on the eastern right-of-way line of Hoehn Street;
18 thence southwardly along the eastern right-of-way line of Hoehn
19 Street, south 09 degrees 06 minutes 33 seconds west a distance of
20 165.48 feet to a point on the northern right-of-way line of Interstate
21 Highway 44; thence westwardly along the northern right-of-way line
22 of Interstate Highway 44, north 80 degrees 53 minutes 27 seconds
23 west a distance of 30.00 feet to a point on the western right-of-way
24 line of Hoehn Street; thence northwardly along the western right-of-
25 way line of Hoehn Street, north 09 degrees 06 minutes 33 seconds
26 east a distance of 165.18 feet to the point of beginning containing
27 4,960 square feet or 0.114 acres more or less.
28

29 A parcel of ground being the north-south alley, 10' wide, in City Block 820-N, Lots
30 6 and 7 from Lafayette to the east-west alley in City Block 820-N of the City of St.
31 Louis, Missouri, and being more particularly described as follows:
32

33 Commencing at a point on the southern right-of-way line of Lafayette
34 Street (120' wide) and on the western right-of-way line of Fourteenth
35 Street (60' wide); thence westwardly along the southern right-of-way
36 line of Lafayette Street, north 81 degrees 01 minutes 31 seconds west
37 a distance of 198.00 feet to a point, said point being on the eastern
38 right-of-way line of an alley 10 feet wide, as per date # 06/11/2007
39 Daily # 118 and being the point of beginning of the herein described
40 parcel; thence southwardly along the eastern right-of-way of said 10
41 feet wide alley, south 08 degrees 58 minutes 29 seconds west a
42 distance of 96.08 feet to a point on the northern right-of-way line of a

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1 10 foot wide alley; thence westwardly along said 10 foot wide alley,
2 north 81 degrees 23 minutes 52 seconds west a distance of 10.00 feet
3 to a point on the western right-of-way line of aforesaid 10' wide
4 alley; thence northwardly along the western right-of-way line of the
5 aforesaid 10 foot wide alley, north 08 degrees 58 minutes 29 seconds
6 east a distance of 96.14 feet to a point on the southern right-of-way
7 line of Lafayette Avenue; thence eastwardly along the southern right-
8 of-way line of Lafayette Avenue, south 81 degrees 01 minutes 31
9 seconds east a distance of 10.00 feet to the point of beginning
10 containing 961 square feet more or less.

11
12 A parcel of ground being the north-south alley, 10' wide, in City Block 820-N,
13 Tirum's Addition, from Lafayette to the east-west alley in City Block 820-N of the
14 City of St. Louis, Missouri, and being more particularly described as follows:

15
16 Commencing at a point on the southern right-of-way line of Lafayette
17 Street (120' wide) and on the western right-of-way line of Fourteenth
18 Street (60' wide); thence westwardly along the southern right-of-way
19 line of Lafayette Street, north 81 degrees 01 minutes 31 seconds west
20 a distance of 164.19 feet to a point, said point being on the eastern
21 right-of-way line of an alley 10 feet wide, as per Tirum's Addition
22 and being the point of beginning of the herein described parcel;
23 thence southwardly along the eastern right-of-way of said 10 foot
24 wide alley south 08 degrees 58 minutes 29 seconds west a distance of
25 95.84 feet to a point on the northern right-of-way line of a 10 foot
26 wide alley; thence westwardly along said 10 foot wide alley, north 81
27 degrees 23 minutes 52 seconds west a distance of 10.00 feet to a
28 point on the western right-of-way line of aforesaid 10' wide alley;
29 thence northwardly along the western right-of-way line of the
30 aforesaid 10 foot wide alley north 08 degrees 58 minutes 29 seconds
31 east a distance of 95.92 feet to a point on the southern right-of-way
32 line of Lafayette Avenue; thence eastwardly along the southern right-
33 of-way line of Lafayette Avenue, south 81 degrees 01 minutes 31
34 seconds east a distance of 10.00 feet to the point of beginning
35 containing 959 square feet more or less.

36
37 A parcel of ground being the east-west alley, 10' wide, in City Block 820-N of the
38 City of St. Louis, Missouri, and being more particularly described as follows:

39
40 Commencing at a point on the western right-of-way line of
41 Fourteenth Street (60' wide) and on the northern right-of-way line of
42 Picker Street (30' wide) thence northwardly along the western right-

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1 of-way line of Fourteenth Street; north 35 degrees 52 minutes 34
2 seconds east a distance of 90.57 feet to a point on the southern right-
3 of-way line of a 10 foot wide alley, being the point of beginning of
4 the herein described parcel; thence westwardly along the southern
5 right-of-way line, north 81 degrees 23 minutes 52 seconds west a
6 distance of 403.60 feet to a point on the northeastern right-of-way
7 line of Interstate Highway 44; thence northwardly along the
8 northeastern right-of-way line of Interstate Highway 44, north 09
9 degrees 06 minutes 33 seconds east a distance of 10.00 feet to a point
10 on the northern right-of-way line of the aforesaid 10 foot wide alley;
11 thence eastwardly along the northern right-of-way line of the
12 aforesaid 10 foot alley, south 81 degrees 23 minutes 52 seconds east a
13 distance of 408.67 feet to a point on the western right-of-way line of
14 fourteenth Street; thence southwardly along the western right-of-way
15 of Fourteenth Street, south 35 degrees 52 minutes 34 seconds west a
16 distance of 11.25 feet to the point of beginning containing 4,061
17 square feet or 0.093 acres more or less.

18
19 A parcel of ground being the north-south alley, 10' wide, in City Block 820-N from
20 Picker to the east-west alley in City Bloc, 820-N of the City of St. Louis, Missouri,
21 and being more particularly described as follows:

22
23 Commencing at a point on the western right-of-way line of
24 Fourteenth Street (60' wide) and on the northern right-of-way line of
25 Picker Street (30' wide); thence westwardly along the northern right-
26 of-way line of Picker Street, north 81 degrees 27 minutes 40 seconds
27 west a distance of 68.81 feet to the eastern right-of-way line of a 10
28 foot wide alley, being the point of beginning of the herein described
29 parcel; thence continuing along the northern right-of-way line of
30 Picker Street, north 81 degrees 27 minutes 40 seconds west a distance
31 of 10.00 feet to a point on the western right-of-way line of the
32 aforesaid 10 foot wide alley; thence northwardly along the western
33 right-of-way line of said alley, north 09 degrees 06 minutes 33
34 seconds east a distance of 80.59 feet to a point on the southern right-
35 of-way line of a 10 foot wide alley; thence eastwardly along the
36 southern line of said 10 foot wide alley, south 81 degrees 23 minutes
37 52 seconds east a distance of 10.00 feet to a point on the eastern line
38 of said 10 foot wide alley; thence southwardly along the eastern right-
39 of-way line of said alley, south 09 degrees 06 minutes 33 seconds
40 west a distance of 80.58 feet to the point of beginning containing 806
41 square feet more or less.

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1 A parcel of ground being the north-south alley, 10' wide, in City Block 820 of the
2 City of St. Louis, Missouri, and being more particularly described as follows:
3

4 Commencing at a point on the western right-of-way line of
5 Fourteenth Street (60' wide) and on the southern right-of-way line of
6 Picker Street (30' wide); thence westwardly along the southern right-
7 of-way line of Picker Street, north 81 degrees 27 minutes 40 seconds
8 west a distance of 152.06 feet to a point on the eastern right-of-way
9 line of said 10 foot wide alley, being the point of beginning of herein
10 described tract; thence southwardly along the eastern right-of-way
11 line of said alley, south 09 degrees 06 minutes 33 seconds west a
12 distance of 118.00 feet to a point, said point being on the southern
13 line of said alley; thence westwardly along the southern line of said
14 alley, north 81 degrees 27 minutes 40 seconds west a distance of
15 10.00 feet to a point on the western line of said 10 foot wide alley;
16 thence northwardly along the western right-of-way line of the
17 aforesaid 10 foot alley, north 09 degrees 06 minutes 33 seconds east a
18 distance of 118.00 feet to a point on the southern right-of-way line of
19 Picker Street; thence eastwardly along the southern right-of-way line
20 of Picker Street, south 81 degrees 27 minutes 40 seconds east a
21 distance of 10.00 feet to the point of beginning containing 1,266
22 square feet or 0.029 acres more or less.
23

24 are, upon the conditions hereinafter set out, vacated.

25 **SECTION TWO:** The petitioner is City Hospital Development II, Inc. The area will be
26 consolidated for construction of a proposed Walgreen Store. The Traffic Division of the Street
27 Department indicated the following work must be completed in order for the petition to be approved
28 and finalized:

- 29 1. Permanently remove seven (7) existing street lights in the proposed vacation area.
- 30 2. Remove and relocate the existing traffic signal meter pedestal to the southwest
31 corner of 14th & Lafayette. Install new conduit/wiring to the new located metering
32 pedestal.
- 33 3. Permanently remove five (5) existing alley light fixtures in the proposed vacation
34 area.

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1 The Water Division has 6” water mains with appurtenances in Picker and in Hoehn. If the
2 development will terminate all existing service connections off of these water mains, the water
3 mains can be abandoned as part of the site development. Abandonment will require the capping our
4 of the water mains and all costs related to the work would be the developer’s responsibility to cover.
5 Any existing service connections that will remain off these two water mains will then require
6 easements for the water mains and appurtenances. The easements will need to allow for uninhibited
7 access to the water main and appurtenances for the purposes of maintenance, repair and meter
8 access. No construction of any kind can occur on or over the water main and appurtenances without
9 prior review and approval of the Water Commissioner.

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

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

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

23 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
24 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 2 years from the date of the signing and approval
4 of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be
5 forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the
6 prescribed time the ordinance will be null and void.

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