

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 St. from Carr
3 Lane to Ranken Ave. and Ranken Ave. from the south right-of-way line of Hickory St. northwardly
4 125 feet to a point in the City of St. Louis, Missouri, as hereinafter described, in accordance with
5 Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing
6 certain conditions on such vacation.

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

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

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11 A parcel of ground in City Blocks 1827, 1828, 2163, 2169 and 2170 in the City of St.
12 Louis, Missouri, more particularly described as follows:

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14 Beginning at the point of intersection of the eastern line of Carr Lane
15 Avenue, 50 feet wide, with the northern line of Hickory Street, 55
16 feet wide; thence north 15 degrees 02 minutes 29 seconds east 55.00
17 feet, to the intersection of the northern line of said Hickory Street,
18 with the eastern line of said Carr Lane Avenue, to a point; thence
19 south 74 degrees 52 minutes 38 seconds east 339.53 feet, along the
20 northern line of said Hickory Street, to the western line of Theresa
21 Avenue, 60 feet wide, to a point; thence south 74 degrees 49 minutes
22 00 seconds east 429.81 feet, along the northern line of said Hickory
23 Street, to the western line of Ranken Avenue, 25 feet wide, to a point;
24 thence north 15 degrees 00 minutes 59 seconds east 125.00 feet,
25 along the western line of said Ranken Avenue, to the centerline of
26 former alley 15 feet wide, vacated by Ordinance 66583, and in Block
27 2170, to a point; thence south 74 degrees 49 minutes 00 seconds east
28 25.00 feet, along the centerline of said former alley, produced to the
29 eastern line of said Ranken Avenue, to a point; thence south 15
30 degrees 00 minutes 59 seconds west 125.00 feet, along the eastern
31 line of said Ranken Avenue, to the northern line of former Hickory
32 Street, 55 feet wide, vacate by Ordinance 68689, to a point; thence
33 south 14 degrees 49 minutes 24 seconds west 55.00 feet, along the
34 western line of said former Hickory Street, to the southern line of said

1 former Hickory Street, also being the northeastern corner of former
2 Ranken Avenue, 25 feet wide, vacated by Ordinance 66583, to a
3 point; thence south 74 degrees 49 minutes 00 seconds west 25.00
4 feet, along the northern line of said former Ranken Avenue, to the
5 northwestern corner of said former Ranken Avenue, to a point;
6 thence south 15 degrees 00 minutes 00 seconds west 5.00 feet, along
7 the western line of said former Ranken Avenue, to the southern line
8 of Hickory Street, 60 feet wide, to a point; thence north 74 degrees
9 49 minutes 00 seconds west 369.83 feet, along the southern line of
10 said Hickory Street, 60 feet wide, to the northeastern line of former
11 Theresa Avenue, 60 feet wide vacated by Ordinance 64605, to a
12 point; thence north 70 degrees 03 minutes 13 seconds west 60.21
13 feet, along the northern line of said former Theresa Avenue to the
14 northwestern line of former Theresa Avenue, to a point; thence south
15 74 degrees 52 minutes 38 seconds east 339.57 feet, along the
16 southern line of Hickory Street, 55 feet wide, to the eastern line of
17 said Carr Lane Avenue, to the point of beginning and containing
18 48,814 square feet, as prepared by Pitzman's Company.

19
20 are, upon the conditions hereinafter set out, vacated.
21

22 **SECTION TWO:** Saint Louis University will use vacated area to consolidate property and
23 improve security.

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

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

31 **SECTION FIVE:** The City, utilities, governmental service entities and franchise holders
32 shall have the right and access to go upon the land and occupation hereof within the rights-of-way
33 for purposes associated with the maintenance, construction or planning of existing or future

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1 facilities, being careful not to disrupt or disturb the owners interests more than is reasonably
2 required.

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

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

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

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

- 22 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
23 Water facilities, if any.
- 24 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of

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1 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
2 be returned.

- 3 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
4 of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as
5 specified in Sections Two and Eight of the Ordinance.

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