

**BOARD BILL NO 250**

**INTRODUCED BY: ALDERWOMAN MARLENE DAVIS**

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 The remaining 15 foot  
3 wide east/west alley and the 22 foot wide north/south alley in City Block 896 bounded by Olive,  
4 18<sup>th</sup>, Pine and 19<sup>th</sup> 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:

10  
11 A tract of land being part of Lots 9 and 10 of Lucas and Hunt Addition, in Block 896  
12 of the City of St. Louis, according to the plat thereof recorded in Plat Book "G" Page  
13 34, being all of the north-south alley dedicated by Plat Book 57 Page 19, and all of  
14 the 15 foot wide east-west alley located in City Block 896, the western portion  
15 already vacated per Ordinance No. 59965, located in the City of St. Louis, Missouri  
16 and being more particularly described as follows:

17  
18 Commencing at the intersection of the north line of Pine Street, 60.00  
19 feet wide, with the westline of 18<sup>th</sup> Street, 60.00 feet wide; thence  
20 along said north line, north 75 degrees 06 minutes 02 seconds west a  
21 distance of 119.37 feet to the east line of said north-south alley  
22 dedicated per Plat Book 57 Page 19; thence continuing along said  
23 north line, north 75 degrees 06 minutes 02 seconds west a distance of  
24 22.00 feet to the west line of said north-south alley; thence north 14  
25 degrees 53 minutes 59 seconds east a distance of 109.30 feet to the  
26 south line of said 15 foot wide east-west alley; thence along said  
27 south line, north 75 degrees 06 minutes 02 seconds west a distance of  
28 6.97 feet to said east line of said vacated alley, per Ordinance  
29 Number 59965; thence along said east line, north 14 degrees 53  
30 minutes 59 seconds east a distance of 15.00 feet to the north line of  
31 said east-west alley; thence south 75 degrees 06 minutes 02 seconds  
32 east a distance of 148.38 feet to said west line of 18<sup>th</sup> Street; thence  
33 along said line, south 14 degrees 55 minutes 27 seconds west a  
34 distance of 15.00 feet to the south line of said alley; thence along said  
35 line, north 75 degrees 06 minutes 02 seconds west a distance of

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1 119.41 feet to the east line of said north-south alley; thence along said  
2 east line, south 14 degrees 53 minutes 59 seconds west a distance of  
3 109.30 feet to the point of beginning and containing 4,630 square  
4 feet.

5  
6 are, upon the conditions hereinafter set out, vacated.

7 **SECTION TWO:** Petitioned by Railton Residence LP, The Salvation Army and 1881 Pine  
8 Street, LLC. Vacated area will be used to improve business operations and security of abutting  
9 properties.

10 **SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by  
11 the foregoing conditionally vacated alleys, are reserved to the City of St. Louis for the public  
12 including present and future uses of utilities, governmental service entities and franchise holders,  
13 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 provided however, all utilities within the rights-of-way  
16 shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

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

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

28 **SECTION SEVEN:** The owners may secure the removal of all or any part of the facilities

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1 of a utility, governmental service entity or franchise holder by agreement in writing with such  
2 utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the  
3 undertaking of such removal.

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

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

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

21 **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director  
22 of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing  
23 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit  
24 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted  
25 within the prescribed time the ordinance will be null and void.

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