

**ORDINANCE #68443**  
**Board Bill No. 130**  
**Committee Substitute**

An ordinance establishing two church swivel stop sites for all northbound and southbound traffic traveling on Union Boulevard at the point approximately 220 feet south of Lillian Avenue and at the southbound Union Boulevard at the point approximately 180 feet north of Lillian Avenue said location between 7:00 am and 2:00 pm on Sundays and at other such times as ordered by the St. Louis Metropolitan Police Department and containing an emergency clause.

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

**SECTION ONE.** There is hereby established two church swivel stop sites all northbound and southbound traffic traveling on Union Boulevard at the point approximately 220 feet south of Lillian Avenue and at the southbound Union Boulevard at the point approximately 180 feet north of Lillian Avenue. The director of streets is hereby authorized and directed to install a stop sign at the northbound Union Boulevard at the point approximately 220 feet south of Lillian Avenue and directed to install a stop sign at the southbound Union Boulevard at the point approximately 180 feet north of Lillian Avenue for purposes of regulating traffic at said location between 7:00 am and 2:00 pm on Sundays and at other such times as ordered by the St. Louis Metropolitan Police Department.

**SECTION TWO.** The Emmanuel Temple Church, 4932-35 Union Boulevard assumes all responsibility for turning the sign between 7:00 am and 2:00 pm on Sundays. Failure to return the sign to its inactive position at 2:00 pm each Sunday will result in the sign being removed.

**SECTION THREE.** Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Approved: September 23, 2009**

**ORDINANCE #68444**  
**Board Bill No. 131**

An Ordinance directing the Director of Streets to temporarily close, barricade, or otherwise impede the flow of traffic on Dodier Street at the east curb line of Prairie Avenue and containing an emergency clause.

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

**SECTION ONE.** The Director of Streets is hereby authorized to temporarily close, barricade, or otherwise impede the flow of traffic on Dodier Street at the east curb line of Prairie Avenue for a period of six months beginning the effective date of the passage of this ordinance.

**SECTION TWO: EMERGENCY CLAUSE:** This being an Ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Approved: September 23, 2009**

**ORDINANCE #68445**  
**Board Bill No. 9**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in the southern 275.5 feet of the 15 foot wide north/south alley in City Block 1241 as bounded by Bremen, N. Florissant, Farrar and 22nd 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 a portion of an alley (15' W.) located in part of Block 4 of "West Bremen", a subdivision recorded in P.B. 3, Pg. 71 of the St. Louis City records, City Block 1241, City of St. Louis, Missouri and being more particularly described as follows:

Beginning at a point at the intersection of the north right-of-way line of Farrar (60'W) St. and west right-of-way line of an alley (15'W) (to be vacated); thence leaving the north right-of-way line of said Farrar St. and continuing along the west right-of-way line of said alley north 20 degrees 59 minutes 57 seconds west a distance of 275.75 feet to a point; thence leaving west right-of-way line of said alley north 68 degrees 36 minutes 08 seconds east a distance of 15.00 feet to a point being on the east right-of-way line of said alley; thence continuing along said east right-of-way line south 20 degrees 59 minutes 57 seconds east a distance of 275.75 feet to a point being on the north right-of-way line of said Farrar (60'W) St.; thence continuing along the said north right-of-way line south 68 degrees 36 minutes 07 seconds west a distance of 15.00 feet to a point being the Point of Beginning with said tract containing 4,136 square feet, or 0.09 acres, and being subject to deeds, easements, and restrictions of record.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Better Living Communities will use vacated area to construct a ball field.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alley, 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 alley 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 365 days (1 year) 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: October 5, 2009**

**ORDINANCE #68446**  
**Board Bill No. 40**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in the 15 foot wide north/south alley and the easternmost 80 feet  $\pm$  4 feet of the 20 foot wide east/west alley in City Block 3742 as bounded by Cook, Vandeventer, Finney and Sarah 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 City Block 3742 of the City of St. Louis, Missouri being more particularly described as follows:

Beginning at the intersection of the southwest line of Cook Avenue, 80 feet wide, with the northwest line of a tract of land conveyed to Guardian Angels Settlement Association according to Document Number 01152008-0034 of the City of St. Louis Records, said point being on the southeast line of an alley, 15 feet wide, and being north 60 degrees 55 minutes 21 seconds west, 115.00 feet from the northwest line of Vandeventer Avenue, 75 feet wide; thence along said southeast line, south 29 degrees 00 minutes 27 seconds west, 306.91 feet to the northeast line of Finney Avenue, 70 feet wide, said point being the southwest corner of a tract of land conveyed to Guardian Angel Settlement Association according to Document Number 02282008-0141 of the City of St. Louis Records; thence along said northeast line, north 60 degrees 53 minutes 51 seconds west, 15.00 feet to the southeast line of tract of land conveyed to the Land Reutilization Authority of the City of St. Louis, Missouri, according to Deed Book 46M Page 45, Parcel 3742-00-4900 of the City of St. Louis Records, also being the northwest line of said alley; thence along said northwest line, north 29 degrees 00 minutes 27 seconds east, 136.91 feet; thence north 15 degrees 57 minutes 27 seconds west, 14.15 feet to the northeast line of said tract, also being the southwest line of an alley, 20 feet wide; thence along said southwest line, north 60 degrees 55 minutes 21 seconds west, 72.50 feet; thence departing said southwest line, north 29 degrees 00 minutes 27 seconds east, 20.00 feet to the southwest line of a tract of land conveyed Milton Frazier and Jetaun C. Massey according to Deed Book 1419M Page 2128 of the City of St. Louis Records, also being the northeast line of said alley; thence along said northeast line, south 60 degrees 55 minutes 21 seconds east, 72.50 feet; thence north 74 degrees 02 minutes 33 seconds east, 14.13 feet to the southeast line of a tract of land conveyed to the Land Reutilization Authority according to Document Number 12022008-0071 of the City of St. Louis Records, also being a point on the northwest line of an alley, 15 feet wide, as aforementioned; thence along said northwest line, north 29 degrees 00 minutes 27 seconds east, 130.00 feet to the southwest line of Cook Ave., as aforementioned; thence along said southwest line, south 60 degrees, 55 minutes, 21 seconds east, 15.00 feet to the point of beginning. The above described tract of land containing 6,354 square feet is based on a boundary survey completed by Cole and Associates, Inc. during the month of August, 2008 and is subject to all easements, restrictions, reservations and conditions of record if any.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Guardian Angel Settlement Association (aka GASA) will use vacated area to consolidate property to construct a day care facility. A new north/south alley has been constructed as approved by the Board of Public Service. The same alley is to be dedicated also.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alleys, 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 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 365 days (1 year) 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: October 5, 2009**

**ORDINANCE #68447  
Board Bill No. 124**

An ordinance approving the petition of W2007 MVP St. Louis, LLC (the "developer"), as the owner of certain real property, to establish a community improvement district; establishing the Riverfront Hotel Community Improvement District; finding

a public purpose for the establishment of the Riverfront Hotel Community Improvement District; and containing a severability clause.

**WHEREAS**, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorizes and empowers the City of St. Louis, Missouri (the “City”), by and through its Board of Aldermen, to establish a community improvement district as proposed by a verified petition of property owners; and

**WHEREAS**, on May 15, 2009, a Petition for the Formation of a Community Improvement District (the “Petition”), signed by authorized representatives of more than fifty percent by assessed value and per capita within the area of the proposed community improvement district (the “District”) as legally described in the Petition, was filed with the City Register; and

**WHEREAS**, the City Register did review and determine that the Petition substantially complies with the requirements of the CID Act and verified said Petition in accordance with the requirements of the CID Act; and

**WHEREAS**, after notice of the public hearing by publication and individually to each property owner within the proposed District via certified mail, a public hearing was held on \_\_\_\_, 2009 regarding creation of the District, in accordance with the CID Act; and

**WHEREAS**, subject to and in accordance with the CID Act and the Petition, and upon the approval of the qualified voters of the District, the District intends to impose a sales tax not to exceed one percent (1%) on taxable sales within the District pursuant to Section 67.1545 of the CID Act (the “CID Sales Tax”); and

**WHEREAS**, the Petition requests that the District be created with any and all powers and authority as provided by the CID Act; and

**WHEREAS**, the Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City and that the property owners, residents, and persons engaging in business or visiting the District, and the public generally will benefit by the establishment of said District.

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

**Section 1.** Pursuant to CID Act and subject to the terms of the Petition, the “Riverfront Hotel Community Improvement District” is hereby established on that real property legally described in the Petition. A copy of the Petition containing a legal description and map of the District’s boundaries is attached hereto as Appendix A and incorporated herein by reference.

**Section 2.** The Board of Aldermen hereby finds that the District is located in the 100 North 4th Street Redevelopment Area, which was declared blighted under Chapter 99 of the Revised Statutes of Missouri, as amended, pursuant to Ordinance No. 68,265; this finding includes and the Petition sets forth and the Board of Aldermen hereby finds and adopts by reference the analysis of the factors that qualify the District as a “blighted area” as set forth in the “Blighting Study and Plan for the 100 North 4th Street Area,” dated November 18, 2008, which analysis is incorporated herein as if set forth here in full.

**Section 3.** The City hereby finds that the uses of the District proceeds as provided in the Petition will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the District.

**Section 4.** Pursuant to the CID Act, the District shall have all the powers necessary to carry out and effectuate the purposes and provisions of the CID Act, except as such powers are limited in the Petition.

**Section 5.** Pursuant to the CID Act, the District is authorized, at any time, to issue obligations for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all, part or any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District shall be dated such date or dates, and shall mature at such time or times, but not more than twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denominations, bear such interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Section 108.170, RSMo.

**Section 6.** The District shall be in existence for not less than one (1) year and until all obligations issued by the District have been paid, subject to the limitations set forth in the CID Act.

**Section 7.** The Petition provides that the District shall be governed by a Board of Directors consisting of five

individual directors (collectively the “Directors” and individually each a “Director”), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the Mayor does hereby appoint the following named individuals, as Directors for the terms set forth in the parentheses below, and by adoption of this ordinance the Board of Aldermen, hereby consents to such appointments:

- (1) Robert D. Kline (four years) as the legally authorized representative of W2007 MVP St. Louis, LLC;
- (2) Roy Lapidus (four years) as the legally authorized representative of W2007 MVP St. Louis, LLC;
- (3) Maki Bara (two years) as the legally authorized representative of W2007 MVP St. Louis, LLC;
- (4) Robert Springer (two years) as the legally authorized representative of W2007 MVP St. Louis, LLC; and
- (5) Katie Reyero (two years) as the legally authorized representative of W2007 MVP St. Louis, LLC.

**Section 8.** Pursuant to the CID Act, the Board of Aldermen shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the financial burden of providing the services to the District unless the services at the same time are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision of publicly funded services between areas included in the District and areas not so included.

**Section 9.** Pursuant to Section 67.1421.6 of the CID Act, the City Register shall notify in writing the Missouri Department of Economic Development of the District’s creation.

**Section 10.** The City shall, and the officers, agents and employees of the City are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this ordinance.

**Section 11.** It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

#### APPENDIX A

Petition for Formation of a Community Improvement District  
(Attached hereto)

**Approved: October 5, 2009**

#### **ORDINANCE #68448** **Board Bill No. 126**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Mallinckrodt St. from 25th St. to Natural Bridge Ave. 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 a portion of Mallinckrodt (60’ W) Street right-of-way being adjacent to Copes Subdivision P.B. 13, Pg. 126, City of St. Louis, Missouri adjacent to City Block 1744, City of St. Louis, Missouri being more particularly described as follows:

Beginning at the southwest corner of Lot 25 of Copes Subdivision P.B. 13, PG 126, City of

St. Louis, Missouri, City Block 1744, City of St. Louis, Missouri, also being the northeast intersection of Natural Bridge (variable width) Road and Mallinckrodt (60'W) Street; thence north 68 degrees 35 minutes 49 seconds east along the north right-of-way line of said Mallinckrodt (60'W) Street a distance of 68.61 feet to a point being the southeast corner of said Lot 25 and southeast corner of said City Block 1744, also being the northwest corner of 25th (60'W) Street and Mallinckrodt (60'W) Street; thence leaving said right-of-way line south 21 degrees 50 minutes 54 seconds east along the prolongation of the west right-of-way line of 25th (60'W) Street a distance of 48.00 feet to a point thence south 68 degrees 35 minutes 49 seconds west a distance of 28.29 feet to a point; thence north 61 degrees 41 minutes 49 seconds west along the prolongation of the northeast right-of-way line of Natural Bridge (variable width) Road a distance of 62.93 feet to the point of beginning containing 2,326 square feet or 0.05 acres and being subject to deeds, easements and restrictions of record.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Better Living Communities will use the vacated area for the redevelopment of Salisbury Park area.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, 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 street 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 365 days (1 year) 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: October 5, 2009**

**ORDINANCE #68449**  
**Board Bill No. 128**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Bissell from N. Florissant eastwardly ? 276 feet ± 10 feet to the west right-of-way line of the alley in City Block 2433 as bounded by Bissell, Strodtman, Ferry and N. Florissant 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 Bissell Street (50' wide) and bounded by City Blocks 1820 and 2433 in the City of St. Louis, Missouri and described to wit:

Beginning at the intersection of the south line of Bissell (50' wide) Street and the western line of a 15' wide alley in City Block 2433, said point being south 55 degrees 44 minutes west a distance of 137.58' of the western line of Strodtman (60' wide) Place; thence from said point of beginning north 38 degrees 24 minutes 05 seconds west a distance of 50.14' to the southwest corner of Lot 2 of Bissell Point Subdivision; thence along the said north line of Bissell Street, south 55 degrees 54 minutes west a distance of 176.51' to a point of curvature; thence along a curve to the left having a radius of 737.30' an arc distance of 107.00' (chord south 51 degrees 44 minutes 41 seconds west 106.91') to the northeast line of North Florissant (60' wide) Avenue; thence along said northeast line south 46 degrees 32 minutes 39 seconds east a distance of 50.15' to the aforesaid southern line of Bissell Street; thence easterly, along said southern line, along a curve to the right which radius bears south 42 degrees 06 minutes 50 seconds east 687.29' an arc distance of 96.12' to a point of tangency; chord bearing north 51 degrees 53 minutes 29 seconds east a distance of 96.05'; thence north 55 degrees 54 minutes east a distance of 180.27' to the point of beginning and containing 0.321 acres or 13.498 sq. ft.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Grace Hill Neighborhood Health Centers, Inc. will use consolidated area to construct a neighborhood health center and facilities for Headstart programs, etc.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, 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 street 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 365 days (1 year) 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: October 5, 2009**

**ORDINANCE #68450  
Board Bill No. 132**

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate Dodier Street as "Sportsman's Park Way."

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

**SECTION ONE.** Pursuant to the provisions of Ordinance 65233, Dodier Street shall hereafter be honorarily designated as "Sportsman's Park Way." The Director of Streets shall erect honorary street-name signs at the intersections of Dodier Street and Prairie Avenue and Dodier Street and North Grand Boulevard, and Dodier Street and North Spring Avenue which signs shall read "Sportsman's Park Way."

**Approved: October 5, 2009**

**ORDINANCE #68451  
Board Bill No. 149**

An ordinance establishing a four way stop site at the intersection of North 9th Street and North Market Street by regulating all east-west traffic traveling on North Market Street approaching such intersection and containing an emergency clause.

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

**SECTION ONE.** There is hereby established a four way stop site for all traffic approaching the intersection of North 9th Street and North Market Street by regulating all east-west traffic traveling on North Market Street. The Director of Streets is hereby

authorized and directed to install stop signs at said location to regulate traffic approaching this intersection.

**SECTION TWO.** Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Approved: October 5, 2009**

**ORDINANCE #68452**  
**Board Bill No. 184**

An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board of Public Service"), establishing a public works and improvement project for the removal of the North Tucker Viaduct and reconstruction of North Tucker Boulevard (the "North Tucker Viaduct Project – Phase II"); and authorizing and directing the City of St. Louis (the "City") through its Board of Public Service to let contracts and provide for the removal and reconstruction, materials, and equipment for the North Tucker Viaduct Project – Phase II, authorizing the Board of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire real property interests, and enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, other governmental agencies and private corporations and entities and to make application for funding from other sources for the North Tucker Viaduct Project – Phase II all in accordance with the Federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et seq.), with any contract containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, and contract advertising statutes; requiring that all work provided for herein shall be carried out in accordance with detailed plans and specifications adopted and approved by the Board of Public Service before bids are advertised therefore; directing that all construction contracts let by authority of this Ordinance provide for federal and state prevailing wages requirements including prevailing wage, holiday and overtime pay and compliance with all applicable statutes of the State of Missouri, the City Charter and the Revised Code of the City, as amended; requiring all specifications approved by the Board of Public Service and contracts let by authority of this Ordinance provide for compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, compliance with the provisions of Sections 285.525 thru 285.550 of the Revised Statutes of Missouri, 2000, as amended, by requiring enrollment and participation in a federal work authorization program and no knowing employment of unauthorized aliens, and compliance with the provisions of Section 292.675 of the Revised Statutes of Missouri, 2000, as amended, by providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees, except when superseded or prohibited by federal or state law or regulation; requiring all advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250, RSMo., as amended; and the total estimated cost of the North Tucker Viaduct Project – Phase II, is Eleven Million, Three Hundred Eleven Thousand, Two Hundred Twenty Dollars (\$11,311,220.00) from various sources including the Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and Current Interest Junior Leasehold Revenue Bonds, Series 2009B; authorizing and directing the Comptroller of the City to draw warrants from time to time and disburse funds appropriated by this ordinance and to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.) upon the signature and certification of vouchers by the President of the Board of Public Service; and containing a public work emergency clause.

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

**SECTION ONE.** There is hereby authorized a public works and improvement project for the removal of the North Tucker Viaduct and reconstruction of North Tucker Boulevard (the "North Tucker Viaduct Project – Phase II").

**SECTION TWO.** The City of St. Louis (the "City") by and through its Board of Public Service (the "Board of Public Service") is hereby authorized and directed to let contracts and provide for the removal and reconstruction, materials, and equipment for the North Tucker Viaduct Project – Phase II to employ labor and consultants, pay salaries, fees and wages, acquire real property interests, and enter into supplemental agreements with the Missouri Highway and Transportation Commission, Federal Highway Administration, utilities, railroads, and other governmental agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23 U.S.C. 110, et seq.), with any contracts containing sections for: description of the work, material guarantees, estimated expenditure allocations, fund reversion authorization, applicable federal and state wage rate requirements, equal opportunity provisions, the Mayor's Executive Orders, contract advertising statutes, provisions requiring enrollment and participation in a federal work authorization program and no knowing employment of unauthorized alien employees pursuant to Sections 285.525 thru 285.550 of the Revised Statutes of Missouri, 2000, as amended, and providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees as required by the provisions of Section 292.675 of the Revised Statutes of Missouri, 2000, as amended.

**SECTION THREE.** The work provided for herein shall be carried out in accordance with detailed plans and specifications to be adopted and approved by the Board of Public Service before bids are advertised therefore.

**SECTION FOUR.** All construction contracts let under authority of this Ordinance shall provide that no less than the prevailing hourly rate of wages in the City, as determined in accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial Relations of the State of Missouri (Sections 290.210 through 290.340 RSMo. 2000, as amended,) for each craft or type of work needed in the actual labor on the jobs herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime work shall be paid to all workers on the North Tucker Viaduct Project – Phase II. All contracts let in connection with the construction provided for herein shall be subject to, and in conformance with all applicable statutes of the State of Missouri and the City Charter and Revised Code of the City, as amended.

**SECTION FIVE.** All specifications approved by the Board of Public Service and contracts let under the authority of this Ordinance shall provide for compliance with the Mayor’s Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when otherwise superseded or prohibited by federal or state law or regulation.

**SECTION SIX.** All advertisement for bids pursuant to this Ordinance shall be subject to Section 8.250 RSMo. 2000, as amended.

**SECTION SEVEN.** The total estimated cost of the North Tucker Viaduct Project - Phase II is Eleven Million, Three Hundred Eleven Thousand, Two Hundred Twenty Dollars (\$11,311,220.00) including the federal share of Eight Million, Three Hundred and Eleven Thousand, Two Hundred and Twenty Dollars (\$8,311,220.00) of which Eight Million Dollars (\$8,000,000.00) is from the Surface Transportation Program – Suballocated (STP-S) Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and Three Hundred Eleven Thousand, Two Hundred Twenty Dollars (\$311,220.00) is from the Transportation, Community, and System Preservation Program (TCSP) Federal Highway Administration Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) to be deposited into the Federal Aid to Urban Program Match Share fund, also known as the Federal Aid to Urban Program Revolving fund, established by Ordinance 56931; and the City’s local match share is Three Million Dollars (\$3,000,000.00) to be appropriated from the Current Interest Junior Leasehold Revenue Bonds, Series 2009B. The estimated cost of all phases for the North Tucker Viaduct Project is Thirty-five Million, Three Hundred Eleven Thousand, Two Hundred Twenty Dollars (\$35,311,220.00). Two (2) prior Ordinances have been passed addressing the balance of funding required to remove the Tucker Viaduct and reconstruct Tucker Boulevard including Ordinance 67608 covering Seven Million Dollars (\$7,000,000.00) and Ordinance 68340 covering Seventeen Million Dollars (\$17,000,000.00). Said improvements shall be contracted and executed in parts as funds are accrued in this Match Share Fund and are adequate to pay the City’s share of the cost.

**SECTION EIGHT.** The Comptroller of the City is hereby authorized and directed to draw warrants from time to time and disburse funds appropriated by ordinance and is further authorized and directed to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. 110, et seq.), upon the signature and certification of vouchers by the President of the Board of Public Service. Reimbursement funds received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance 56931.

**SECTION NINE.** The Board of Public Service is hereby authorized to make application and accept on behalf of the City monetary donations from other governmental agencies and other corporations and entities to assist in paying for the work authorized in this Ordinance. Funds received shall be deposited into the Federal Aid to Urban Program Match Share Fund, also known as the Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931.

**SECTION TEN.** This being an ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the City Charter and shall become effective immediately upon its passage and approval by the Mayor of the City.

**Approved: October 5, 2009**

**ORDINANCE #68453**  
**Board Bill No. 42**  
**Floor Substitute**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in 1) Children’s Place (fka Audubon Avenue) beginning at Euclid and extending westwardly  $\approx$  550 feet and 2) Euclid Ave. from the north right-of-way line of Children’s Place southwardly  $\approx$  786 feet to the north right-of-way line of Barnes-Jewish Hospital Plaza (except areas utilized by Metro, see Ordinance 62241) 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 and containing an emergency clause.

**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 Children's Place (60' wide) and South Euclid Avenue (60' wide) located between City Blocks 3887, 3888, 4781N and 4781S in the City of St. Louis, Missouri and being more particularly described as follows:

Beginning at the northeast corner of City Block 3888, said point being at the intersection of the western right-of-way of South Euclid with the southern right-of-way of Children's Place, thence along the southern right-of-way line of Children's Place, also being the northern line of City Block 3888, north 83 degrees 01 minutes 22 seconds west a distance of 550.82 feet to a point; thence leaving said right-of-way line north 06 degrees 58 minutes 38 seconds east a distance of 60.00 feet to a point in the northern right-of-way line of Children's Place, said point also being in the southern line of City Block 3887; thence along the northern right-of-way line of Children's Place, south 83 degrees 01 minutes 22 seconds east a distance of 612.89 feet to a point, said point being in the eastern right-of-way line of South Euclid Avenue and the western line of City Block 4781N; thence along the eastern right-of-way line of South Euclid Avenue south 08 degrees 55 minutes 45 seconds east a distance of 442.01 feet to a point, said point being the northeast corner of a strip of Euclid Avenue vacated by Ordinance No. 65791; thence along said vacated strip north 81 degrees 04 minutes 08 seconds west a distance of 24.00 feet to a point; thence south 08 degrees 55 minutes 52 seconds west a distance of 273.95 feet to a point; thence south 81 degrees 04 minutes 08 seconds east a distance of 24.00 feet to a point, said point being in the eastern right-of-way of Euclid Avenue; thence along said right-of-way line south 08 degrees 55 minutes 45 seconds west a distance of 70.13 feet to a point; thence leaving said right-of-way line north 83 degrees 01 minutes 21 seconds west a distance of 60.03 feet to a point being the intersection of the northern right-of-way line of Barnes-Jewish Hospital Plaza (105' W) and the Western right-of-way line of South Euclid Avenue; thence north 08 degrees 55 minutes 45 seconds east along the western right-of-way line of South Euclid Avenue a distance of 726.06 feet to the point of beginning, and containing 73,696 square feet, more or less.

Subject to easements, restrictions, reservations and covenants of record, if any.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Petitioners are The Washington University in St. Louis, Bi-State Development Agency, Barnes-Jewish Hospital and St. Louis Children's Hospital. Vacated area will be used to consolidate property (except areas utilized buy Metro, see Ordinance 62241). The Water Division has numerous facilities within the area of the proposed conditional vacation. The Water Division will require easements for these facilities and their appurtenances and service connections which allows for uninhibited vehicular access to the facilities for the purposes of maintenance & repair, access to and ability to operate fire hydrants for the purposes of flushing and fire protection and for reading of and either repair or replacement of meters. Water released from fire hydrants due to flushing and/or maintenance of the fire hydrant shall be readily handled by the existing or any new surface water drainage and related sewers. Any enhanced landscaping or pavement, beyond traditional asphalt or concrete paving, that is damaged due to maintenance of Water Division facilities shall be repaired by the petitioner at their own expense.

No construction of any kind can occur on or over the water mains, appurtenances and service connections without the prior review and approval of the Water Commissioner.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated 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 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 365 days (1 year) 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.

**SECTION ELEVEN:** This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

**Approved: October 13, 2009**

**ORDINANCE #68454  
Board Bill No. 169**

An ordinance authorizing the Director of Streets to permanently close the westernmost alley in City Block 3678 bounded by Annie Malone Drive, Garfield Avenue, Whittier Street and North Market Street at a point 38 feet south of North Market Street.

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

**SECTION ONE.** The Director of Streets is hereby authorized to permanently close the following alley: The westernmost alley in City Block 3678 bounded by Annie Malone Drive, Garfield Avenue, Whittier Street and North Market Street at a point 38 feet south of North Market Street.

**Approved: October 13, 2009**

**ORDINANCE #68455  
Board Bill No. 180**

An Ordinance to repeal Ordinance #64557, approved January 15, 1999, authorizing the Director of Streets to permanently close San Francisco Avenue 387 feet east of the eastern curbline Kingshighway Blvd.

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

**SECTION ONE.** Ordinance #64557, approved January 15, 1999 is hereby repealed.

**Approved: October 13, 2009**

**ORDINANCE #68456  
Board Bill No. 181**

An ordinance authorizing and directing the Street Commissioner to take all necessary actions to honorarily designate the 4500 block of Arlington Avenue as "Rev. Adrian F. Jones Boulevard."

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

**SECTION ONE.** Pursuant to the provisions of Ordinance 65233, the 4500 block of Arlington Avenue shall hereafter be honorarily designated as "Rev. Adrian F. Jones Boulevard."

**Approved: October 13, 2009**

**ORDINANCE #68457  
Board Bill No. 182**

An ordinance recommended by the Board of Public Service to vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in an irregular portion of Gratiot beginning at 7th and extending westwardly approximately 370 feet to a portion of Gratiot previously vacated by Ordinance 59703 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 parcel of ground in Blocks 419, 420, 421, and 422 of the City of St. Louis, Missouri, more particularly described as follows:

Beginning at the southern line of relocated Gratiot Street, irregular width, with the western line of Seventh Street, 80 feet wide; thence north 33 degrees 44 minutes 29 seconds west 295.53 feet, along the southern line of said relocated Gratiot Street, to a point; thence north 36 degrees 55 minutes 51 seconds west 14.36 feet, along the southern line of said relocated Gratiot Street, to a point; thence 77.13 feet, along a curve to left having a radius of 370.00 feet, along the southern line of said relocated Gratiot Street, to the eastern line of vacated Gratiot Street, irregular width, by Ordinance 59703, to a point; thence north 17 degrees 33 minutes 37 seconds east 68.27 feet, along the eastern line of said vacated Gratiot Street, to the northern line of said relocated Gratiot Street, to a point; thence 115.15 feet, along a curve to right having a radius of 430.00 feet, along the northern line of said relocated Gratiot Street, to a point; thence south 36 degrees 55 minutes 51 seconds east 173.12 feet, along the northern line of said relocated Gratiot Street to a point; thence 83.83 feet, along a curve to left having a radius of 43.21 feet, to the western line of said Seventh Street, to a point; thence south 17 degrees 34 minutes 46 seconds west 169.58 feet, along the western line of said Seventh Street to the point of beginning and containing 27,251 square feet or 0.63 acres

or more or less, as prepared by Pitzmans Company.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO:** Nestle Purina Petcare Company will use vacated area to consolidate property and increase security.

**SECTION THREE:** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, 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 street 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 one year (365 days) 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: October 13, 2009**