

ORDINANCE 67170 INTRODUCED BY: ALDERWOMAN PHYLLIS YOUNG

1 An ordinance recommended by the Board of Public Service to vacate public surface rights for
2 vehicle, equestrian and pedestrian travel in 1) A 326.34' section of Poplar, west of 8th. 2) A 106.38'
3 ± .03' section of 7th St. south of Poplar (vacated by Ord. 65861). 3) 30' wide strip of 7th St.
4 beginning approximately 155 feet south of Poplar (vacated by Ord. 65861) and containing 191.35'
5 southwardly in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter
6 authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain
7 conditions on such vacation.

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

9 **SECTION ONE:** The public surface rights of vehicle, equestrian and pedestrian travel,
10 between the rights-of-way of:

11
12 A tract of land being part of 7th Street located between Blocks 147 and 418 in the
13 City of St. Louis, Missouri, and being more particularly described as follows:

14
15 Beginning at the northeast corner of above said City Block 418 said
16 point also being located on the western line of above said 7th Street;
17 thence crossing said 7th Street, south 72 degrees 17 minutes 08
18 seconds east 80.00 feet to the northwest corner of above said Block
19 147, said point also being on the eastern line of said 7th Street; thence
20 along last said eastern line south 17 degrees 46 minutes 05 seconds
21 west along said eastern line 106.42 feet to the northwestern corner of
22 a tract of land as conveyed to River City Development Associates by
23 deed recorded in Book 685-M, Page 1667 of the records of the
24 Recorder of Deeds Office in the City of St. Louis, Missouri; thence
25 departing last said eastern line and crossing said 7th Street, north 72
26 degrees 13 minutes 55 seconds west 80.00 feet to a point on the
27 western line of said 7th Street; thence along last said western line
28 north 17 degrees 46 minutes 05 seconds east 106.35 feet to the Point
29 of Beginning and containing 8,511 square feet or 0.195 acres more or
30 less according to calculations performed by Stock and Associates
31 Consulting Engineers, Inc. on January 11, 2005.

32
33 A tract of land being part of 7th Street located between Blocks 147 and 418 in the
34 City of St. Louis, Missouri, and being more particularly described as follows:

1 Commencing at the northeast corner of the above said Block 418,
2 said point also being located on the western line of above said 7th
3 street; thence along last said western line south 17 degrees 46
4 minutes 05 seconds west 157.06 feet to the Point of Beginning of the
5 herein described tract; thence departing last said western line south
6 72 degrees 13 minutes 55 seconds east 30.00 feet; thence along a line
7 30.00 feet easterly of and parallel with the last said western line of 7th
8 Street, south 17 degrees 46 minutes 05 seconds west 191.35 feet;
9 thence departing last said parallel line north 72 degrees 13 minutes 55
10 seconds west 30.00 feet to a point on the western line of said 7th
11 Street; thence along last said western line north 17 degrees 46
12 minutes 05 seconds east 191.35 feet to the Point of Beginning and
13 containing 5,740 square feet or 0.132 acres more or less according to
14 calculations performed by Stock and Associates Consulting
15 Engineers, Inc. on January 11, 2005.

16
17 A tract of land being part of Poplar Street, 50 feet wide, and being located between
18 Blocks 417 and 418 of the City of St. Louis, Missouri, and being more particularly
19 described as follows:

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21 Beginning at the point of intersection of the south line of Poplar
22 Street, 50 feet wide, with the western line of 8th Street, variable width,
23 as established by "AMENDED PLAT OF SOUTH DOWNTOWN
24 PLAZA" a subdivision as recorded in Plat Book 04092004 Page 166
25 of the City of St. Louis Records, thence continuing along last said
26 south line of north 72 degrees 23 minutes 16 seconds west 326.31
27 feet; thence departing last said south line north 17 degrees 36 minutes
28 44 seconds east 50.00 feet and crossing above said Poplar Street to a
29 point on the north line of above said Poplar Street; thence continuing
30 along last said north line south 72 degrees 23 minutes 16 seconds east
31 326.37 feet to a point on the west line of above said 8th Street; thence
32 south 17 degrees 40 minutes 48 seconds west along last said west line
33 50.00 feet to the Point of Beginning and containing 16,317 square
34 feet or 0.375 acres more or less according to calculations performed
35 by Stock & Associates Consulting Engineers, Inc. on November 21,
36 2005.

37 are, upon the conditions hereinafter set out, vacated.
38

39 **SECTION TWO:** Petitioners are Cardinals Ballpark LLC, MO Highway and
40 Transportation Commission, Land Clearance for Redevelopment Authority of the City of St. Louis

1 and others. Vacated areas will be used for parking and as private drive.

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

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

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

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

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

24 **SECTION EIGHT:** In the event that granite curbing or cobblestones are removed within

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Sponsor: Alderwoman Phyllis Young

1 the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must
2 have curbing cobblestones returned to the Department of Streets in good condition.

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

9 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
10 Water facilities, if any.

11 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
12 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
13 be returned.

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

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