

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1330

AN ACT

To repeal section 523.262, RSMo, and to enact in lieu thereof seven new sections relating to the conveyance of real property, with an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Section 523.262, RSMo, is repealed and seven new
2 sections enacted in lieu thereof, to be known as sections
3 523.262, 1, 2, 3, 4, 5, and 6, to read as follows:

4 523.262. 1. Except as set forth in subsection 2 of this
5 section, the power of eminent domain shall only be vested in
6 governmental bodies or agencies whose governing body is elected
7 or whose governing body is appointed by elected officials or in
8 an urban redevelopment corporation operating pursuant to a
9 redevelopment agreement with the municipality for a particular
10 redevelopment area, which agreement was executed prior to or on
11 December 31, 2006.

12 2. A private utility company, public utility, rural
13 electric cooperative, municipally owned utility, pipeline,
14 railroad or common carrier shall have the power of eminent domain
15 as may be granted pursuant to the provisions of other sections of
16 the revised statutes of Missouri. For the purposes of this
17 section, the term "common carrier" shall not include motor

1 carriers, contract carriers, or express companies. Where a
2 condemnation by such an entity results in a displaced person, as
3 defined in section 523.200, the provisions of subsections 3 and 6
4 to 10 of section 523.205 shall apply unless the condemning entity
5 is subject to the relocation assistance provisions of the federal
6 Uniform Relocation Assistance Act.

7 3. Any entity with the power of eminent domain and pursuing
8 the acquisition of property for the purpose of constructing a
9 power generation facility after December 31, 2006, after
10 providing notice in a newspaper of general circulation in the
11 county where the facility is to be constructed, shall conduct a
12 public meeting disclosing the purpose of the proposed facility
13 prior to making any offer to purchase property in pursuit thereof
14 or, alternatively, shall provide the property owner with
15 notification of the identity of the condemning authority and the
16 proposed purpose for which the condemned property shall be used
17 at the time of making the initial offer.

18 4. (1) Notwithstanding the provisions of subsection 2 of
19 this section, no entity shall have the power of eminent domain
20 under the provisions of this section for the purpose of
21 constructing above-ground merchant lines.

22 (2) For the purpose of this subsection, the following terms
23 mean:

24 (a) "Entity", a utility company that does not provide
25 service to end-use customers or provide retail service in
26 Missouri, or does not collect its costs to provide service under
27 a regional transmission organization tariff, regardless of
28 whether it has received a certificate of convenience and

1 necessity from the public service commission under section
2 393.170; and

3 (b) "Merchant line", a high-voltage direct current electric
4 transmission line that does not provide for the erection of
5 electric substations at intervals of less than fifty miles, which
6 substations are necessary to accommodate both the purchase and
7 sale to persons located in this state of electricity generated or
8 transmitted by such entity.

9 (3) This subsection shall not apply to any rural electric
10 cooperative organized or operating under the provisions of
11 chapter 394, or to any corporation organized on a nonprofit or a
12 cooperative basis as described in subsection 1 of section
13 394.200, or to any electrical corporation operating under a
14 cooperative business plan as described in subsection 2 of section
15 393.110.

16 Section 1. 1. The governor is hereby authorized and
17 empowered to sell, transfer, grant, convey, remise, release, and
18 forever quitclaim all interest of the state of Missouri in
19 property located in Cole County, Missouri, to the Heartland Port
20 Authority of Central Missouri. The property to be conveyed is
21 more particularly described as follows:

22 Part U.S. PRIVATE SURVEY NO. 2616 including a part of
23 LOTS 3 and 4 and part the area designated as Sand Bar
24 on the Plat of Subdivision, Ewing Farm, per plat of
25 record in Plat Book 1, page 69, Cole County Recorder's
26 Office, being situated in said U.S. PRIVATE SURVEY NO.
27 2616, Township 44 North, Range 10 West, Cole County,
28 Missouri, more particularly described as follows:

1 From the northwest corner of the Northeast Fractional
2 Quarter of Section 20, Township 44 North, Range 10
3 West; thence S2°22'44"W, along the Quarter Section
4 Line, 1162.70 feet; thence N87°37'16"W, on direct line,
5 2452.07 feet to the northeasterly corner of the
6 property described by deed of record in Book 460, page
7 169, Cole County Recorder's Office; thence S74°30'25"W
8 along the northerly boundary of said property described
9 in Book 460, page 169, 198.43 feet to the POINT OF
10 BEGINNING for this description; thence continuing along
11 the boundary of said property described in Book 460,
12 page 169 the following courses: S74°30'25"W, 973.89
13 feet; thence S16°54'16"E, 507.55 feet; thence
14 S7°50'42"E, 86.00 feet; thence leaving the boundary of
15 said property described in Book 460, page 169,
16 S88°51'47"W, 758.00 feet; thence S4°29'17"E, 766.46
17 feet to a point 50 feet northerly from, measured at
18 right angles to the center of an existing roadway,
19 known as No More Victims Road; thence westerly,
20 parallel to the center of said roadway, the following
21 courses: N86°59'30"W, 480.89 feet; thence, on a curve
22 to the right, having a radius of 1258.73 feet, an arc
23 distance of 172.85 feet (the chord of said curve being
24 N83°03'27"W, 172.72 feet); thence, on a curve to the
25 left, having a radius of 1087.38 feet, an arc distance
26 of 194.86 feet (the chord of said curve being
27 N84°15'26"W, 194.60 feet); thence N89°23'27"W, 14.08
28 feet; thence leaving said parallel line, N23°37'34"E,

1 544.20 feet; thence N3°51'51"E, 2512.45 feet, to a
2 point on the southerly high bank of the Missouri River;
3 thence continuing easterly along the said southerly
4 high bank of the Missouri River the following courses:
5 N87°18'29"E, 96.47 feet; thence S88°20'06"E, 123.50
6 feet; thence N71°28'05"E, 34.80 feet; thence
7 S89°52'27"E, 97.36 feet; thence N86°05'47"E, 71.36
8 feet; thence N81 °27'04"E, 96.93 feet; thence
9 S77°57'35"E, 54.54 feet; thence S37°42'55"E, 51.38
10 feet; thence N89°54'43"E, 17.99 feet; thence
11 N14°37'35"E, 57.63 feet; thence S85°58'53"E, 91.33
12 feet; thence N78°13'33"E, 121.85 feet; thence
13 N87°21'39"E, 303.95 feet; thence N85°25'32"E, 213.61
14 feet; thence S51°13'29"E, 16.59 feet; thence
15 N67°29'52"E, 127.39 feet; thence N78°46'34"E, 47.36
16 feet; thence N68°47'51"E, 184.29 feet; thence
17 N79°10'13"E, 110.57 feet; thence N82°13'29"E, 135.81
18 feet; thence N73°05'08"E, 71.69 feet; thence
19 N65°24'55"E, 73.93 feet; thence N60°00'41"E, 92.56
20 feet; thence N80°46'44"E, 67.85 feet; thence
21 N69°53'55"E, 89.88 feet; thence leaving said southerly
22 high bank of the Missouri River, S5°50'18"W, 1474.74
23 feet; thence N69°52'27"W, 90.00 feet; thence
24 S18°51'43"W, 425.00 feet to the POINT OF BEGINNING.
25 TOGETHER WITH the area between the southerly waters
26 edge of the Missouri River and the southerly high bank
27 of the Missouri River described above.
28 2. The commissioner of administration shall set the terms

1 and conditions for the conveyance as the commissioner deems
2 reasonable. Such terms and conditions may include, but not be
3 limited to, the number of appraisals required and the time,
4 place, and terms of the conveyance.

5 3. The attorney general shall approve the form of the
6 instrument of conveyance.

7 Section 2. 1. The governor is hereby authorized and
8 empowered to sell, transfer, grant, or convey an easement over,
9 on, or under property located in Cole County, Missouri, to the
10 Heartland Port Authority of Central Missouri. The easement is
11 more particularly described as follows:

12 Along with the right of ingress and egress over a strip
13 of ground for an existing roadway known as No More
14 Victims Road in Lots 2 & 3 of the Plat of Subdivision,
15 Ewing Farm, as per plat of record in Plat Book 1, page
16 69, Cole County Recorder's Office, being situated in
17 U.S. PRIVATE SURVEY NO. 2616 and in Fractional Section
18 19, Township 44 North, Range 10 West, more particularly
19 described as follows:

20
21 From the northwest corner of the Northeast Fractional
22 Quarter of Section 20 Township 44 North, Range 10 West;
23 thence S2°22'44"W, along the Quarter Section Line,
24 1162.70 feet; thence N87°37'16"W, on direct line,
25 2452.07 feet to the northeasterly corner of the
26 property described by deed of record in Book 460, page
27 169, Cole County Recorder's Office; thence, along the
28 boundary of said property described in Book 460, page

1 169, the following courses: S74°30'25"W, 1172.32 feet;
2 thence S16°54'16"E, 507.55 feet; thence S7°50'42"E,
3 86.00 feet; thence leaving the boundary of said
4 property described in Book 460, page 169, S88°51'47"W,
5 758.00 feet; thence S4°29'17"E, 766.46 feet to a point
6 50 feet northerly of, measured at right angles to the
7 center of an existing roadway, known as No More Victims
8 Road and being the POINT OF BEGINNING for this
9 description; thence S3°00'30"W, 100.00 feet to a point
10 50 feet southerly from, measured at right angles to the
11 center of said roadway; thence westerly, parallel to
12 the center of said roadway, the following courses:
13 N86°59'30"W, 480.89 feet; thence, on a curve to the
14 right, having a radius of 1358.73 feet, an arc distance
15 of 186.58 feet (the chord of said curve being
16 N83°03'27"W, 186.44 feet); thence, on a curve to the
17 left, having a radius of 987.38 feet, an arc distance
18 of 176.94 feet (the chord of said curve being
19 N84°15'26"W, 176.70 feet); thence N89°23'27"W, 98.75
20 feet; thence, on a curve to the left, having a radius
21 of 3336.96 feet, an arc distance of 344.53 feet (the
22 chord of said curve being S87°39'05"W, 344.37 feet);
23 thence S84°41'37"W, 154.13 feet; thence on a curve to
24 the left, having a radius of 1628.82 feet, an arc
25 distance of 96.99 feet (the chord of said curve being
26 S82°59'15"W, 96.98 feet) thence S81°16'54"W, 260.95
27 feet; thence on a curve to the right, having a radius
28 of 7773.26 feet, an arc distance of 362.27 feet (the

1 chord of said curve being S82°37'00"W, 362.23 feet);
2 thence S83°57'07"W, 172.61 feet; thence on a curve to
3 the right, having a radius of 1939.04 feet, an arc
4 distance of 123.13 feet (the chord of said curve being
5 S85°46'16"W, 123.11 feet); thence S87°35'25"W, 305.56
6 feet; thence on a curve to the right, having a radius
7 of 2266.43 feet, an arc distance of 579.68 feet (the
8 chord of said curve being N85°04'58"W, 578.10 feet);
9 thence N77°45'21"W, 297.61 feet; thence leaving the
10 aforesaid parallel line, S16°55'27"W, 47.95 feet to a
11 point on the northerly line of the Missouri Pacific
12 Railroad right-of-way; thence westerly, along the
13 northerly line of said railroad right-of-way, on a
14 curve to the right, having a radius of 2745.07 feet, an
15 arc distance of 100.01 feet (the chord of said curve
16 being N72°06'07"W, 100.00 feet) to a point on the Range
17 Line, being westerly line of the aforesaid Fractional
18 Section 19, Township 44 North, Range 10 West; thence
19 N2°46'47"E, along the Range Line, 139.85 feet to a
20 point 50 feet northerly of, measured at right angles to
21 the center of the aforesaid roadway known as No More
22 Victims Road; thence easterly, parallel to the center
23 of said roadway, the following courses: S77°45'21 "E,
24 424.03 feet; thence on a curve to the left, having a
25 radius of 2166.43 feet, an arc distance of 554.10 feet
26 (the chord of said curve being S85°04'58"E, 552.59
27 feet); thence N87°35'25"E, 305.56 feet; thence on a
28 curve to the left, having a radius of 1839.04 feet, an

1 arc distance of 116.78 feet (the chord of said curve
2 being N85°46'16"E, 116.76 feet); thence N83°57'07"E,
3 172.61 feet; thence on a curve to the left, having a
4 radius of 7673.26 feet, an arc distance of 357.60 feet
5 (the chord of said curve being N82°37'00"E, 357.57
6 feet); thence N81°16'54"E, 260.95 feet; thence on a
7 curve to the right, having a radius of 1728.82 feet, an
8 arc distance of 102.95 feet (the chord of said curve
9 being N82°59'15"E, 102.93 feet); thence N84°41'37"E,
10 154.13 feet; thence on a curve to the right, having a
11 radius of 3436.96 feet, an arc distance of 354.85 feet
12 (the chord of said curve being N87°39'05"E, 354.69
13 feet); thence S89°23'27"E, 84.67 feet; thence
14 continuing S89°23'27"E, 14.08 feet; thence on a curve
15 to the right, having a radius of 1087.38 feet, an arc
16 distance of 194.86 feet (the chord of said curve being
17 S84°15'26"E, 194.60 feet); thence on a curve to the
18 left, having a radius of 1258.73 feet, an arc distance
19 of 172.85 feet (the chord of said curve being
20 S83°03'27"E, 172.72 feet); thence S86°59'30"E, 480.89
21 feet to the POINT OF BEGINNING.

22 2. The commissioner of administration shall set the terms
23 and conditions for the conveyance as the commissioner deems
24 reasonable. Such terms and conditions may include, but not be
25 limited to, the number of appraisals required and the time,
26 place, and terms of the conveyance.

27 3. The attorney general shall approve the form of the
28 instrument of conveyance.

1 Section 3. 1. The governor is hereby authorized and
2 empowered to sell, transfer, grant, convey, remise, release, and
3 forever quitclaim all interest of the state of Missouri in
4 property located in the City of Fulton, Callaway County,
5 Missouri, which is more particularly described as follows:

6 PROPERTY BOUNDARY DESCRIPTION - TRACT A

7 Part of Block 3 of Martha T. Dyers Subdivision, as per
8 plat of record in Plat Book P, page 83, Callaway County
9 Recorder's Office, also being part of Lot 1 and part of
10 Lot 3 of Block 89 of the New City Plat in the City of
11 Fulton, as recorded in Plat Book 2, page 80, Callaway
12 County Recorder's Office and also being part of the
13 East Half of the Northwest Quarter of Section 16,
14 Township 47 North, Range 9 West, in the City of Fulton,
15 Callaway County, Missouri, more particularly described
16 as follows:

17
18 BEGINNING at the southeasterly corner of Lot 5 of Block
19 3 of said Martha T. Dyer's Subdivision, thence
20 N87°40'08"W, along the southerly line of said Lot 5 and
21 the westerly extension thereof, 317.56 feet to the
22 southeasterly corner of Lot 22 of said Martha T. Dyer's
23 Subdivision; thence continuing N87°40'08"W, along the
24 southerly line of Lot 22 of said Martha T. Dyer's
25 Subdivision, 277.32 feet to the easterly right-of-way
26 line of a portion of State Street vacated by Bill No.
27 289, Ordinance No. 519, Dated April 10, 1923; thence
28 N1°02'38"E, along said vacated and the existing

1 easterly right-of-way line of said State Street, 349.96
2 feet to the southwesterly corner of Lot 25 of Block 3
3 of said Martha T. Dyer's Subdivision; thence
4 S87°40'08"E, along the southerly line of said Lot 25,
5 12.00 feet; thence N1°02'38"E, parallel to the existing
6 easterly right-of-way line of said State Street, 180.47
7 feet to the southerly right-of-way line of East 8th
8 Street; thence S87°10'02"E, along the southerly right-
9 of-way line of East 8th Street, 588.68 feet to the
10 westerly right-of-way line of Hillcrest Street
11 (formerly known as Nolley Street); thence S1°39'41"W,
12 along the westerly right-of-way line of Hillcrest
13 Street, 525.18 feet to the point of beginning.
14 Containing 7.19 acres.

15 2. The commissioner of administration shall set the terms
16 and conditions for the conveyance as the commissioner deems
17 reasonable. Such terms and conditions may include, but not be
18 limited to, the number of appraisals required and the time,
19 place, and terms of the conveyance.

20 3. The attorney general shall approve the form of the
21 instrument of conveyance.

22 Section 4. 1. The governor is hereby authorized and
23 empowered to sell, transfer, grant, convey, remise, release, and
24 forever quitclaim all interest of the state of Missouri,
25 including all possibilities of reverter or reversionary
26 interests, in property located in St. Francois County, Missouri.
27 The property to be conveyed is more particularly described as
28 follows:

1 Parcel 1: All of that part of Lots 89 and 92 of F. W.
2 Rohland's Subdivision of U. S. Survey No. 2969,
3 Township 35 North, Range 5 East, St. Francois County,
4 Missouri, lying East of the City of Farmington
5 Treatment Plant, North of the Treatment Plant access
6 road, and West of property under private ownership.
7 Containing approximately 46.17 acres, more or less.

8
9 Also a tract of land situated in part of Lot 92 of F.
10 W. Rohland's Subdivision, U. S. Survey 2969, Township
11 35 North, Range 5 East, St. Francois County, Missouri.
12 Containing approximately 14.69 acres, more or less.

13
14 Parcel 2: Part of lots 84, 85, 86, 87, 93 and 96 of
15 F.W. Rohland's subdivision of U.S. Survey 2969,
16 township 35 north, range 5 east, more particularly
17 described as: Beginning at the northeast corner of a
18 tract of land recorded in deed book 585 at page 734 of
19 the land records of St. Francois county; thence along
20 the north line of said tract north 86 degrees 15
21 minutes west, 800.96 feet to a point, said point being
22 on the east right-of-way line of U.S. highway 67;
23 thence along said right-of-way line north 03 degrees 45
24 seconds east, 1,554.90 feet to a point, thence leaving
25 said right-of-way line south 82 degrees 17 minutes 10
26 seconds east, 2,953.41 feet to a stone at a fence
27 corner; thence north 64 degrees 27 minutes 42 seconds
28 east, 1,367.83 feet to a point; thence north 07 degrees

1 13 minutes east, 310.0 feet to a point; thence south 82
2 degrees 45 minutes east, 52.0 feet to a point on the
3 west line of U.S. Survey 339; thence along said west
4 line south 07 degrees 21 minutes 31 seconds west,
5 2,600.00 feet to a point; thence leaving said west line
6 north 82 degrees 32 minutes 01 second west, 1,379.12
7 feet to a point; thence in a straight line in a
8 westerly direction to a point on the east line of a
9 tract of land recorded in deed book 585 at page 734,
10 said point being located south 03 degrees 44 minutes 23
11 seconds west, 55.00 feet from the northeast corner of
12 said tract; thence along the east line of said tract
13 north 03 degrees 44 minutes 23 seconds east, 55.00 feet
14 to the point of beginning, containing 156.35 acres,
15 more or less.

16
17 Parcel 3: All that part of Lots 77, 79, 96, 97, 98,
18 99, 100, 101, and 102 of R. W. Rohland's Subdivision of
19 U. S. Survey No. 2969 now owned by the State of
20 Missouri for State Hospital No. 4, and lying West of
21 the West right-of-way line of U. S. Highway 67 and
22 containing 165 acres, more or less, and more
23 particularly described as follows:

24
25 A part of Lots Seventy-seven (77), Seventy-nine (79),
26 Ninety-six (96), Ninety-seven (97), Ninety-eight (98),
27 Ninety-nine (99), One Hundred (100), One Hundred and
28 One (101) and One Hundred and Two (102) of F. W.

1 Rohland's Subdivision of U. S. Survey No. 2969, as
2 recorded in Volume "F", Page 441, in the Recorder's
3 Office of St. Francois County, Missouri, all being part
4 of Township 35 North, Range 5 East, in St. Francois
5 County, Missouri and being more particularly described
6 as follows: Beginning at a stone being the Northeast
7 corner of Lot No. 100 of said F. W. Rohland's
8 Subdivision of U. S. Survey No. 2969; thence S. 7° 17'
9 20" West along the East line of Lot #100 of said
10 Rohland's Subdivision, 1561.64 feet to the Southeast
11 corner of said Lot #100; thence South 82° 17' 10" East
12 along the North line of Lot #96 of said Rohland's
13 Subdivision, 272.28 feet to the Westerly line of
14 Missouri State Route 67; thence South 3° 45' 00" West
15 along the Westerly line of Missouri State Route 67,
16 2001.07 feet to a point on the centerline of the
17 abandoned Missouri Pacific Railroad as per disclaimer
18 deed in Book 698, Page 283 in the Recorder's Office of
19 St. Francois County, Missouri; thence North 51° 46' 15"
20 West along the centerline of said abandoned Missouri
21 Pacific Railroad, 2946.80 feet; thence North 39° 01'
22 34" East 439.20 feet; thence South 50° 58' 26" East
23 along a southerly line of the L.V. McGee Property, 50.0
24 feet; thence North 39° 01' 34" East along the easterly
25 line of said L.V. McGee Property and the extension
26 thereof 172.00 feet to the centerline of Second Street;
27 thence easterly along the centerline of Second Street
28 the following courses and distances; South 50° 58' 26"

1 East 125.77 feet; thence South 78° 28' 15" East 161.12
2 feet; thence North 81° 03' 45" East 264.70 feet; thence
3 North 69° 49' 45" East 104.00 feet; thence North 66°
4 45' 45" East 385.50 feet to a point on the easterly
5 extension of the North line of Lots #48 and #49 of the
6 Town of Delassus; thence leaving Second Street N. 51°
7 42' 15" West along said extension and the North line of
8 Lots #48 and #49 of Delassus, 1602.80 feet to the
9 Northwest corner of Lot #49 of Delassus; thence North
10 38° 15' 45" East along the westerly line of Lots "B"
11 and "D" of Delassus, 578.94 feet to the North line of
12 Lot #101 of said Rohland's Subdivision; thence South
13 82° 18' 14" East along the North line of said Lot #101,
14 557.52 feet to the Southwest corner of Lot #79 of said
15 Rohland's Subdivision; thence North 6° 40' 05" East
16 along the westerly line of said Lot #79, and the East
17 line of a tract of land conveyed to Hues W. and Esther
18 Pratt per deed of record in Book 260, Page 564, in the
19 Recorder's Office of St. Francois County, Missouri,
20 986.85 feet to the northeasterly corner of said Pratt
21 Tract; thence North 38° 24' 49" East 571.59 feet to the
22 southerly line of Missouri State Rte. "W"; thence
23 northeasterly along the southerly line of said Rte.
24 "W", the following courses and distances North 66° 29'
25 30" East 190.16 feet; thence South 23° 30' 30" East
26 10.0 feet; thence North 66° 29' 30" East 99.33 feet;
27 thence North 65° 32' 30" East 102.12 feet; thence South
28 24° 27' 30" East 20.0 feet; thence North 65° 32' 30"

1 East 99.21 feet to the northwesterly corner of the
2 Missouri State Highway Department maintenance tract;
3 thence leaving said Rte. "W", South 24° 27' 30" East
4 along the westerly line of said Highway Tract 606.30;
5 thence North 65° 26' 55" East along the southerly line
6 of said Highway Tract, 391.65 feet to the West line of
7 Missouri State Rte. 67; thence South 4° 06' 20" East
8 along the West line of said Rte. 67, 414.24 feet;
9 thence South 03° 45' 00" West 999.18 feet to the North
10 line of Lot #95 of said Rohland's Subdivision; thence
11 North 81° 58' 50" West along the North line of Lot #95,
12 175.73 feet to the point of beginning, containing
13 168.49 acres, more or less. Legal description based
14 upon a survey of State Hospital No. 4, Farmington, MO
15 performed by Larry V. Bricky, Surveyor #1188 in August,
16 1979.

17
18 Parcel 4: A part of Lots 92, 93, 96 and 97 of F. W.
19 Rohland's Subdivision of U. S. Survey No. 2969 as
20 recorded in Volume "F", Page 441, in the Office of the
21 Recorder of Deeds of St. Francois County, Missouri, all
22 in s Township 35 North, Range 5 East of the Fifth
23 Principal Meridian, St. Francois County, Missouri, and
24 more particularly described as follows: Commencing at
25 the Northeast corner of said Lot 97 at an existing iron
26 railroad rail monument and running thence North 7
27 degrees 06' 23" East, 32.12 feet along the East line of
28 said Lot 96 to a point of beginning; and running thence

1 South 86 degrees 29' 00" East, 255.18 feet; thence
2 South 3 degrees 31' 00" West, 1,091.40 feet; thence
3 North 51 degrees 56' 46" West, 972.32 feet along the
4 North right-of-way line of the Missouri Pacific
5 Railroad; thence North 3 degrees 31' 00" East, 540.15
6 feet along the east right-of-way line of U. S. Highway
7 No. 67; thence South 86 degrees 29' 00" East 545.78
8 feet to the point of beginning; said tract containing
9 15.000 acres.

10 2. The commissioner of administration shall set the terms
11 and conditions for the conveyance as the commissioner deems
12 reasonable. Such terms and conditions may include, but not be
13 limited to, the number of appraisals required and the time,
14 place, and terms of the conveyance.

15 3. The attorney general shall approve the form of the
16 instrument of conveyance.

17 Section 5. 1. The governor is hereby authorized and
18 empowered to sell, transfer, grant, or convey an easement over,
19 on, or under property located in St. Francois County, Missouri.
20 The easement is more particularly described as follows:

21 Parcel 5: A permanent easement-for maintenance and
22 construction to be fifteen (15) feet in total width,
23 with five (5) feet to the right or west of the
24 following described centerline and ten (10) feet to the
25 left or east of the following described centerline.
26 And, a temporary easement for use during construction
27 to be twenty-five (25) feet in total width, and to
28 extend no more than twenty (20) feet on either side of

1 the following described centerline: Commencing on the
2 centerline of Missouri State Route "W" at the West line
3 of Lot 63 of F. W. Rohland's Subdivision of said Survey
4 No. 2969 and running thence South 65° 17' 55" West,
5 137.79 feet along the centerline of said Route "W";
6 thence South 15° 50' 50" East, 30.36 feet to a point of
7 beginning on the South right-of-way line of said Route
8 "W" and the North property line of the above described
9 property; and running thence South 15° 50' 50" East,
10 192.61 feet, along said easement centerline; thence
11 South 30° 30' 50" West, 870.31 feet; thence South 67°
12 45' 05" West, 247.08 feet; thence South 25° 31' 40"
13 West, 1,873.38 feet; thence South 3° 31' 00" West
14 210.00 feet along a line parallel to and 215 feet
15 easterly from the centerline of U. S. Highway No. 67,
16 to a point of termination of said centerline on the
17 south line of aforesaid Lot 80 and the south line of
18 the above described property; aforesaid centerline
19 being 3,393.38 feet in length.

20
21 A permanent easement for maintenance and construction
22 to be fifteen (15) feet in width, with five (5) feet to
23 the right or west of the following described centerline
24 and ten (10) feet to the left or east of the following
25 described centerline. And, a temporary easement for
26 use during construction to be twenty-five (25) feet in
27 width, with five (5) feet to the right or west of the
28 following described centerline and twenty (20) feet to

1 the left or east of the following described centerline.
2 Said centerline begins at a point on the north line of
3 said Lot 96, which is South 86° 29' East, 130.00 feet
4 from the centerline of U. S. Highway No. 67, and runs
5 thence South 3° 31' 00" West, 1,554.39 feet parallel to
6 the centerline of said Highway 67 to a point of
7 termination, which is on the North line of a 15.000
8 acre tract. The West line of this easement strip is
9 contiguous with the East right-of-way line of said
10 Highway 67.

11 2. The commissioner of administration shall set the terms
12 and conditions for the conveyance as the commissioner deems
13 reasonable. Such terms and conditions may include, but not be
14 limited to, the number of appraisals required and the time,
15 place, and terms of the conveyance.

16 3. The attorney general shall approve the form of the
17 instrument of conveyance.

18 Section 6. 1. The director of the department of natural
19 resources is hereby authorized and empowered to sell, transfer,
20 grant, convey, remise, release, and forever quitclaim to all
21 interest of the department of natural resources in property
22 located in Ste. Genevieve County, Missouri, to the United States
23 Department of the Interior, National Park Service. The property
24 to be conveyed is more particularly described as follows:

25 PARCEL ONE

26 All of that part of United States Survey No. 159 in
27 City Block No. Nine (9) of the City of Ste. Genevieve,
28 described as follows, to-wit: Begin at the North West

1 corner of said Block No. 9, thence South 6° 25' East,
2 along Eastern line of Second Street, 192 feet and 9
3 inches, to the South West corner of said Survey No.
4 159; thence North 78° East, 97 feet, along Southern
5 line of said Survey to the South West corner of a part
6 of said Survey owned by John L. Boverie; thence North
7 6° 45' West, 194 feet, more or less, along said
8 Boverie's Western line to his North West corner on
9 Southern line of Merchant Street; Thence along said
10 Southern line of Merchant Street, South 77° 10' West,
11 96 feet and 6 inches, to the place of beginning; and
12 being the same tract conveyed by deed recorded in Book
13 103 at Page 498 of the Ste. Genevieve County Missouri
14 Land Records. And being the same parcel transferred to
15 the department of natural resources at Book 191, Page
16 242 of Ste. Genevieve County Missouri land records.

17 PARCEL TWO

18 ALL THAT PART OF SURVEY 167 IN BLOCK NUMBER 15 IN THE
19 CITY OF STE. GENEVIEVE, MISSOURI DESCRIBED AS FOLLOWS,
20 TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF SURVEY 167
21 AND RUNNING THENCE WITH THE WEST LINE OF SECOND STREET
22 SOUTH 06 DEGREES 25 MINUTES EAST 116 FEET 08 INCHES TO
23 THE PLACE OF BEGINNING OF PARCEL HEREIN DESCRIBED;
24 CONTINUING THENCE SOUTH 06 DEGREES 25 MINUTES EAST 75
25 FEET 08 INCHES TO POINT FOR CORNER; THENCE SOUTH 78
26 DEGREES 15 MINUTES WEST 79.50 FEET TO POINT FOR CORNER;
27 THENCE NORTH 13 DEGREES 45 MINUTES WEST 75 FEET 08
28 INCHES TO A STONE FOR CORNER; THENCE NORTH 78 DEGREES

1 15 MINUTES EAST 88 FEET 10 INCHES TO PLACE OF
2 BEGINNING.

3 ALSO

4 ALL THAT PART OF SURVEY 167 IN BLOCK NUMBER 15 IN THE
5 CITY OF STE. GENEVIEVE, MISSOURI DESCRIBED AS FOLLOWS,
6 TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF SURVEY 167
7 AND RUNNING THENCE WITH THE SOUTH LINE OF MERCHANT
8 STREET, SOUTH 75 DEGREES 48 MINUTES WEST 56 FEET AND 06
9 INCHES TO A CORNER; THENCE SOUTH 10 DEGREES 30 MINUTES
10 EAST 111.50 FEET TO A POINT FOR CORNER; THENCE NORTH 78
11 DEGREES 15 MINUTES EAST 52 FEET TO A CORNER IN THE WEST
12 LINE OF SECOND STREET, NORTH 06 DEGREES 25 MINUTES WEST
13 116 FEET 08 INCHES TO THE PLACE OF BEGINNING. AND
14 BEING THE SAME PARCEL TRANSFERRED TO THE DEPARTMENT OF
15 NATURAL RESOURCES AT BOOK 495, PAGE 109 OF THE STE.
16 GENEVIEVE COUNTY MISSOURI LAND RECORDS.

17 PARCEL THREE

18 Part of U.S. Survey No. 352 in the City of Ste.
19 Genevieve, Missouri Township 38 North Range 9 East of
20 the Fifth Principal Meridian and being the same tract
21 of land conveyed to Steven D. Mellies and Emily F.
22 Mellies, his wife by deed recorded in Book 634, Page 60
23 in the Ste. Genevieve County, Missouri, land records
24 and being more particularly described as follows:
25 Beginning at a stone on the Southwest line of St. Marys
26 Road, said stone being the most Northern corner of a
27 tract of land conveyed to Lawrence A. Marler and Donna
28 C. Marler, his wife by deed recorded in Book 455, Page

1 286 in the Ste. Genevieve County, Missouri, land
2 records; thence South 28 degrees 39 minutes 37 seconds
3 West along the Western boundary line of said Marler
4 tract and the Northern boundary line of a tract of land
5 conveyed to Joseph H. Oberle by deed recorded in Book
6 143, Page 593 in the Ste. Genevieve County, Missouri
7 land records a distance of 112.29 feet to an iron pin;
8 thence continuing along said Northern boundary line of
9 said Oberle tract and the North line of a tract of land
10 conveyed to Jack E. Oberle and Josi P. Oberle, his wife
11 by deed recorded in Book 504, Page 1 in the Ste.
12 Genevieve County, Missouri land records North 71
13 degrees 46 minutes 30 seconds West a distance of 59.20
14 feet to a drill steel at the Northwest corner of said
15 Oberle tract recorded in Book 504, Page 1; thence
16 continuing North 71 degrees 46 minutes 30 seconds West
17 along the North line of a tract of land conveyed to
18 Jack E. Oberle by deed recorded in Book 474, Page 333
19 in the Ste. Genevieve County, Missouri land records a
20 distance of 69.97 feet to an iron pipe at the Northwest
21 corner thereof, said iron pipe being the Northeast
22 corner of a tract of land conveyed to William J. Hauck
23 and Louise Hauck, his wife, by deed recorded in Book
24 353, Page 349 in the Ste. Genevieve County, Missouri
25 land records; thence North 76 degrees 29 minutes 58
26 seconds West along the North line of said Hauck tract a
27 distance of 32.98 feet to an angle iron, said angle
28 iron being the Southeast corner of a tract of land

1 conveyed to Martin F. Radmer and Dorothy M. Radmer, his
2 wife by deed recorded in Book 224, Page 212 in the Ste.
3 Genevieve County, Missouri land records; thence North
4 10 degrees 57 minutes 08 seconds East along the East
5 line of said Radmer tract and the East line of a tract
6 of land conveyed to Daniel F. Herzog, a single person,
7 by deed recorded in Book 496, Page 66 in the Ste.
8 Genevieve County, Missouri land records a distance of
9 159.88 feet to an iron pin on the aforesaid Southwest
10 line of St. Marys Road, said iron pin being the
11 Northeast corner of said Herzog tract; thence South 59
12 degrees 08 minutes 02 seconds East along said Southwest
13 line of St Marys Road a distance of 207.65 feet to the
14 point of beginning, containing 0.56 acre and subject to
15 any easements, reservations or restrictions on record
16 or now in effect.

17
18 SUBJECT to a non-exclusive easement 12 feet in width
19 for the purposes of a driveway as described in deed
20 recorded in Book 634, Page 60 in the Ste. Genevieve
21 County, Missouri land records.

22
23 ALSO, a non-exclusive easement for ingress and egress
24 over the North 10 feet of the following described
25 property: All that part of United States Survey No. 352
26 in the City of Ste. Genevieve, Missouri which is
27 described as follows, to-wit: Beginning at the
28 Southwest corner of said Survey No. 352, said corner

1 being the intersection of the East line of Hill Street
2 with the North line of Seraphin Street. Thence with
3 the East line of Hill Street, North 01 degree West 185
4 feet 6 inches to the Northwest corner of a lot
5 heretofore sold to Benjamin Hauck, to the place of
6 beginning of lot herein described. Continuing thence,
7 with the East line of Hill Street, North 01 degree West
8 96 feet to the Southwest corner of a lot formerly
9 belonging to Andrew W. Roth as is recorded in Book 97
10 at Page 400, Ste. Genevieve County land records.
11 Thence North 89 degrees 60 feet 4 inches to a corner.
12 Thence South 79 degrees East 60 feet to a corner which
13 is the Southeast corner of a lot formerly conveyed to
14 R.S. Webster as is recorded in Book 122 at page 436,
15 Ste. Genevieve County land records. Thence South 71
16 degrees 30 minutes East 33 feet to a corner. Thence
17 South 01 degree East 51 feet 8 inches to the Northeast
18 corner of a lot formerly conveyed to Benjamin Hauck.
19 Thence South 80 degrees 25 minutes West 152 feet 3
20 inches to the place of beginning.

21
22 Hereby intending to grant an easement over a driveway
23 as set in Book 140 at Page 31 and in Book 183 at Page
24 649 of the land records of Ste. Genevieve County,
25 Missouri. And being the same parcel transferred to the
26 department of natural resources at Book 2017, Page 646
27 of Ste. Genevieve County Missouri land records.

28 2. The director of the department of natural resources

1 shall set the terms and conditions for the conveyance as the
2 director deems reasonable. Such terms and conditions may
3 include, but are not limited to, the number of appraisals
4 required and the time, place, and terms of the conveyance.

5 3. The department's general counsel shall approve the form
6 and the instrument of conveyance.

7 Section B. Because immediate action is necessary to convey
8 certain state property the enactment of sections 4, 5, and 6 of
9 this act is deemed necessary for the immediate preservation of
10 the public health, welfare, peace, and safety, and is hereby
11 declared to be an emergency act within the meaning of the
12 constitution, and the enactment of sections 4, 5, and 6 of this
13 act shall be in full force and effect upon its passage and
14 approval.