

SECOND REGULAR SESSION

SENATE BILL NO. 1136

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR VOGEL.

Read 1st time January 22, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

3848S.02I

AN ACT

To revise the governor's authority to convey certain property in Cole County which is part of the correctional facility known as the Church Farm, as enacted by house bill no. 1186, ninetieth general assembly, second regular session.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant and convey all interest in fee simple absolute in property owned by the state in Cole County which is part of the correctional facility known as the Church Farm to any person at a public offering as provided in subsection 2 of this section. **The governor may also transfer the land, in whole or in part, to another government agency without holding a public auction.** The property hereby authorized to be conveyed by the governor shall be more particularly described by a survey. Such survey shall be authorized by the division of design and construction of the office of administration pursuant to this section. For the purposes of this section, the property to be conveyed, known as the Church Farm Bottoms, is a tract of land in Cole County (approximately eleven hundred acres) lying between the Union Pacific Railroad Lines to the south and the Missouri River to the north. An additional portion of the Church Farm is to be conveyed, it being a triangular parcel of land in Cole County (approximately eighteen acres) lying south of Wade Road.

2. The division of design and construction of the office of administration shall authorize an independent appraisal or appraisals. The commissioner of administration shall set the terms and conditions for the public sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required; the time, place and terms of the sale; whether or not a minimum bid shall be required; and whether or not to contract for the services of a public auctioneer to market the property. The auctioneer, if any, may receive the usual and customary fee. All costs and fees, directly related to such sale, shall be paid from the proceeds of such sale. All proceeds received for such sale, in excess of the costs, shall be used to assist in the funding of the construction or

repair or maintenance of state correctional facilities.

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

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