

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 419
97TH GENERAL ASSEMBLY

Reported from the Committee on Transportation and Infrastructure, April 4, 2013, with recommendation that the Senate Committee Substitute do pass.

1741S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To authorize the conveyance of certain property owned by the state to the state highways and transportation commission.

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

**Section 1. 1. The governor is hereby authorized and empowered
2 to sell, transfer, grant, convey, remise, release and forever quitclaim all
3 interest of the state of Missouri in real property located in Taney
4 County to the state highways and transportation commission. The
5 property to be conveyed is more particularly described as follows:**

6 Tract One

**7 Right of way for a Federal road 80 feet wide, except as
8 noted.**

**9 That part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and also of the NE $\frac{1}{4}$ of
10 SW $\frac{1}{4}$ and also of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and also of the SW $\frac{1}{4}$ of
11 SE $\frac{1}{4}$ and also of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ all in Sec. 6, and also the
12 NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and also of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ in Sec. 7, all in
13 T21N, R21W lying within a strip of land 80 feet wide,
14 except as noted, 40 feet thereof, except as noted, being on
15 each side of, parallel to and measured from a surveyed
16 center line which is described as follows:**

**17 Beginning on the north line of and 720 feet east of the
18 north west corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 6, T21N,
19 R21W; thence south easterly on a curve to the right with
20 1146.3 feet radius, the tangent to which bears S 31°56'E,
21 243 feet; thence S 19°47'E a distance of 391 feet; thence
22 continuing S 19°47'E with 40 feet on the right side and 55**

23 feet on the left side of the said center line, a distance of
 24 200 feet; thence continuing S 19°47'E with 40 feet on each
 25 side of the said center line, a distance of 240 feet; thence
 26 continuing S 19°47'E with 60 feet on the right side of and
 27 40 feet on the left side of the said center line, a distance of
 28 110 feet; thence continuing S 19°47'E with 40 feet on both
 29 sides of the center line, a distance of 1405.4 feet; thence on
 30 a curve to the right with 819 feet radius, a distance of 534.8
 31 feet; thence S 17°39'W a distance of 683.5 feet; thence on a
 32 curve to the left with 637.8 feet radius, a distance of 421.1
 33 feet; thence S 20°15'E a distance of 560.3 feet; thence on a
 34 curve to the left with 955.4 feet radius, a distance of 366.7
 35 feet; thence S 42°15'E with 40 feet on the right side of and
 36 60 feet on the left side of the said center line, a distance of
 37 118.3 feet; thence S 42°15'E with 40 feet on each side of the
 38 said center line, a distance of 230 feet, to the south line of
 39 and 270 feet more or less east of the south west corner of
 40 the said NW¼ of NE¼ of Sec. 7.

41 Containing right of way old 4.60 acres, more or less

42 new 5.68 " "

43 total 10.28 " "

44 Tract Two

45 Right of way for a Federal road 80 feet wide, except as
 46 noted.

47 That part of the SW¼ of NE¼ of Sec. 7, T21N, R21W lying
 48 on the west side of the present road and included within
 49 a tract of land 80 feet wide, except as noted, 40 feet of
 50 which, except as noted, is on each side of, parallel to and
 51 measured from a surveyed center line which is described
 52 as follows:

53 Beginning on the north line of and 270 feet east of the
 54 north west corner of the SW¼ of NE¼ of Sec. 7, T21N,
 55 R21W; thence S 42° 15'E a distance of 245 feet; thence
 56 continuing S 42°15'E with 40 feet on the right side of and
 57 55 feet on the left side of the said center line, a distance of
 58 48.8 feet; thence on a curve to the right with 716.8 feet
 59 radius and continuing 40 feet on the right side of and 55

60 feet on the left side of the said center line, a distance of
 61 76.2 feet; thence continuing on the same curve with 40 feet
 62 on both sides of the said center line, a distance of 250 feet
 63 to the property line between W.R. Carey and C.N.
 64 McElfresh, being approximately 540 feet south of and 570
 65 feet east of the north west corner of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$
 66 of Sec. 7.

67 Containing right of way old 0.16 acres, more or less

68 new 0.03 " "

69 total 0.21 " "

70 Tract Three

71 Right of way for a Federal road 80 feet wide, except as
 72 noted.

73 That part of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W lying
 74 on the east side of the present road, and included within
 75 a tract of land 80 feet wide, except as noted, 40 feet of
 76 which, except as noted, is on each side of, parallel to and
 77 measured from a surveyed center line, which is described
 78 as follows:

79 Beginning on the north line of and 270 feet east of the
 80 north west corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N,
 81 R21W; thence S 42°15'E a distance of 245 feet; thence
 82 continuing S 42°15'E with 40 feet on the right side of and
 83 55 feet on the left side of the said center line a distance of
 84 25 feet to a point on the property line between V.T. Jones
 85 and C.N. McElfresh, being about 210 feet south of and 420
 86 feet east of the northwest corner of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$
 87 of Sec. 7.

88 Containing right of way old 0.09 acres, more or less

89 new 0.30 " "

90 total 0.39 " "

91 Tract Four

92 Right of way for a Federal road 80 feet wide, except as
 93 noted.

94 That part of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W lying
 95 within a tract of land 80 feet wide, except as noted, 40 feet
 96 of which, except as noted, is on each side of, parallel to

97 and measured from a surveyed center line. Said tract is
 98 bounded and described as follows:
 99 Beginning 210 feet south of and 420 feet east of the north
 100 west corner of the SW¼ of NE¼ of Sec. 7, T21N, R21W at
 101 survey station 1133+00; thence N 55°30'E on the property
 102 line between C.N. McElfresh and V.T. Jones, a distance of
 103 57 feet; thence S 42°15'E a distance of 23.8 feet; thence on
 104 a curve to the right with 771.8 feet radius, parallel to and
 105 55 feet from the said center line, a distance of 95 feet;
 106 thence S 53°51'W a distance of 15 feet; thence south
 107 eastward on a curve to the right with 756.8 feet radius, the
 108 tangent to which bears S 36°09'E a distance of 550 feet;
 109 thence S 6°08'W a distance of 171.4 feet; thence S 83°52'E a
 110 distance of 10 feet; thence S 6°08'W a distance of 250 feet;
 111 thence N 83°52'W a distance of 10 feet; thence S 6°08'W a
 112 distance of 100 feet, more or less to the south line of the
 113 said SW¼ of NE¼; thence west on said south line a distance
 114 of 82 feet; thence N 6°08'E parallel to and 40 feet from the
 115 said center line, a distance of 530 feet; thence on a curve
 116 to the left with 676.8 feet radius, a distance of 260 feet, to
 117 the property line between C.N. McElfresh and W.R. Cary;
 118 thence eastward on said property line, a distance of 37 feet
 119 to the center of the present road; thence north westerly
 120 along said present road a distance of 360 feet; thence N
 121 55°30'E a distance of 25 feet more or less to the beginning
 122 place.

123 Containing right of way old 0.66 acres, more or less
 124 new 1.45 " "
 125 total 2.11 " "

126 Tract Five

127 Right of way for Federal road 80 feet wide, except as
 128 noted.

129 That part of NW¼ of SE¼ of Sec. 7 and also of the NE¼ of
 130 NE¼ of Sec. 18, all in T21N, R21W lying within tracts of
 131 land 80 feet wide, except as noted, 40 feet of which, except
 132 as noted is on each side of, parallel to and measured from
 133 a surveyed center line which is described as follows:

134 (1) Beginning on the north line of and 470 feet east of the
 135 north west corner of the NW¼ of SE¼ of Sec. 7, T21N,
 136 R21W; thence S 6°08'W with 40 feet on both sides of the
 137 said center line, a distance of 512.1 feet; thence on a curve
 138 to the left with 1432.7 feet radius, a distance of 418.7 feet;
 139 thence S 10°37'E a distance of 70 feet; thence continuing S
 140 10°37'E with 40 feet on the right side of and 50 feet on the
 141 left side of the said center line, a distance of 150 feet;
 142 thence continuing S 10°37'E with 40 feet on each side of
 143 the said center line, a distance of 150 feet, to the south line
 144 of and 956 feet west of the south east corner of the said
 145 NW¼ of SE¼ of Sec. 7

146 Containing right of way old 1.00 acres, more or less

147 new 1.42 " "

148 total 2.42 " "

149 (2) Beginning on the west line of and 460 feet south of the
 150 north west corner of the NE¼ of NE¼ of Sec. 18, T21N,
 151 R21W; thence S 44°10'E a distance of 155.9 feet; thence on
 152 a curve to the left with 1432.7 feet radius, a distance of
 153 517.5 feet; thence S 64°52'E a distance of 166.9 feet; thence
 154 on a curve to the right with 637.3 feet radius, a distance of
 155 414.7 feet, to the south line of and 890 feet east of the south
 156 west corner of the said NE¼ of NE¼ of Sec. 18.

157 Containing right of way old 0.14 acres, more or less

158 new 2.13 " "

159 total 2.27 " "

160 2. The commissioner of administration shall set the terms and
 161 conditions for the sale as the commissioner deems reasonable. Such
 162 terms and conditions may include, but not be limited to, the number of
 163 appraisals required, the time, place, and terms of the sale.

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

Section 2. 1. The governor is hereby authorized and empowered
 2 to sell, transfer, grant, convey, remise, release, and forever quitclaim
 3 all interest of the state of Missouri in real property located in St. Clair
 4 County, Appleton City, to the state highways and transportation

5 **commission. The property to be conveyed is more particularly**
6 **described as follows:**

7 All of Lots Nine (9), ten (10), eleven (11), twelve (12),
8 Thirteen (13), Fourteen (14), fifteen (15) and Sixteen (16),
9 Block two (2); also Lots three (3), four (4), five (5), six (6),
10 seven (7), eight (8), twelve (12), thirteen (13), fourteen (14),
11 fifteen (15), sixteen (16) and seventeen (17), Block three (3),
12 Grantley's Addition to Appleton City, Missouri.

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

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

Section 3. 1. The governor is hereby authorized and empowered
2 to sell, transfer, grant, convey, remise, release, and forever quitclaim
3 all interest of the state of Missouri in real property located in Osage
4 County to the state highways and transportation commission. The
5 property to be conveyed is more particularly described as follows:

6 A strip of land 95 ft. wide being 40 ft. wide on the left or
7 north side of, and 55 ft. wide on the right or south side of,
8 parallel to and adjoining the centerline of State Highway
9 Route U.S. 50, leading from Kansas City to St. Louis,
10 Missouri beginning at the west property line of said first
11 party or Sta. 503+50 and continuing to Sta. 512+00, a
12 distance of 830.8 ft. thence widening to a strip of land 100
13 ft. wide being 45 ft. wide on the left or north side of and 55
14 ft. wide on the right or south side of said centerline from
15 Sta. 512+00 to Sta. 516+00, a distance of 400 ft. thence
16 narrowing to a strip of land 80 ft. wide being 40 ft. wide on
17 each side of said centerline from Sta. 516+00 to the south
18 property line of said first party or Sta. 520+00 being a
19 distance of 400 ft., also a strip of land 50 ft. wide for
20 connection of said highway and the present road, said
21 strip of land extending a distance of 75 ft. more or less in
22 an easterly direction from said left or north right-of-way
23 line at or near Sta. 520+ and as shown on the plans for said

24 highway, as surveyed, located and platted by the State
 25 Highway Department thru the S.½ of N.W.¼ of Sec. 7 T 43
 26 N-R 8 W; as shown by a plat of said survey now on file with
 27 the Clerk of the County Court of Osage County, Missouri.

28 2. The commissioner of administration shall set the terms and
 29 conditions for the sale as the commissioner deems reasonable. Such
 30 terms and conditions may include, but not be limited to, the number of
 31 appraisals required, the time, place, and terms of the sale.

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

Section 4. 1. The governor is hereby authorized and empowered
 2 to sell, transfer, grant, convey, remise, release, and forever quitclaim
 3 all in Madison County to the state highways and transportation
 4 commission. The property to be conveyed is more particularly
 5 described as follows:

6 Beginning at a point 114.7 feet south 82 1/2° east of the
 7 southwest corner of U.S.P.S. 350, Township 33 north, Range
 8 7 east, and on the centerline of the survey made by the
 9 State Highway Commission for Route 67, Madison County,
 10 and shown on the plan thereof – a copy of which is on file
 11 with the Clerk of the County Court of Madison County –
 12 the said point being known as Station 250+74 and on the
 13 arc of a 0° 30' curve to the right; the tangent of which
 14 bears north 0° 18' east at this point, thence along the said
 15 arc 2041.6 feet thence north 10° 30' east, 1458.4 feet to a
 16 point on the said centerline known as Station 215+74 and
 17 there terminating.

18 A strip of land lying on each side of, and adjacent to the
 19 above described centerline as follows:

				Width Right		Width Left	
Station to	Station	Distance	(East)	(West)			
250+74	235+00	1574 Feet	50 Feet				
235+00	230+00	500 "	65 "		50 Feet		
230+00	228+80	120 "	80 "		50 "		
228+80	224+50	430 "	80 "		80 "		
224+50	224+00	50 "	80 "		50 "		
224+00	215+74	826 "	50 "		50 "		

28 and all of U.S.P.S. 350 lying west of the said centerline
29 from Station 250+74 to Station 235+00.

30 Also strips of land 10 feet wide lying on each side of and
31 adjacent to the above described right-of-way being on the
32 right (east) side from Station 224+00 to Station 217+00 and
33 on the left (west) side from Station 220+50 to Station
34 218+00, upon which the parties of the first part grant,
35 convey_ and warrant_ for themselves, and their heirs,
36 successors and assigns, unto the State, its agents,
37 successors or assigns, the right, easement and privilege to
38 construct and maintain on the land described in this
39 paragraph all such extensions of any slopes from roadbed
40 cuts or fills which may be necessary to taper out such
41 slopes; only the above rights in, and not the fee title to,
42 such land is hereby conveyed, and the grantors shall have
43 the unrestricted right to fence, use and control such land
44 in any way they desire, so long as the same does not
45 interfere with the rights hereby granted.

46 Also 0.20 acre being a tract or parcel of land lying on the
47 right (east) side of and adjacent to the right-of-way
48 described above being 70 feet wide from Station 226+50 to
49 Station 225+25, upon which the party of the second part is
50 granted only the right to enter for the purpose of
51 constructing and opening a channel and using the
52 excavation therefrom in grading the State Highway. The
53 said party of the second part is also granted the right to
54 enter upon the said land of the parties of the first part as
55 often as may be necessary for the purpose of maintaining
56 and keeping open the said channel, the parties of the first
57 part or their successors otherwise to have the free,
58 uninterrupted and absolute use of said land.

59 All lying in U.S.P.S. 350, Township 33 north, Range 7 east
60 of the 5th P.M. in Madison County, Missouri and containing
61 10.15 acres.

62 2. The commissioner of administration shall set the terms and
63 conditions for the sale as the commissioner deems reasonable. Such

64 terms and conditions may include, but not be limited to, the number of
65 appraisals required, the time, place, and terms of the sale.

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

Section 5. 1. The governor is hereby authorized and empowered
2 to sell, transfer, grant, convey, remise, release and forever quitclaim all
3 interest of the state of Missouri in real property located in Greene
4 County to the state highways and transportation commission. The
5 property to be conveyed is more particularly described as follows:

6 Right of way for State Highway Route 60.

7 That part of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec.
8 10, Twp. 28N, R23W, south and east of the Frisco Railroad
9 right of way and southwest of State Highway Route M,
10 being in a tract of land 172 feet wide, except as noted, 57
11 feet of which, except as noted, is on the left or
12 northwesterly side, and 115 feet, except as noted, on the
13 right or southeasterly side of, adjacent to, parallel with
14 and measured from the surveyed center line of the survey
15 of the Missouri State Highway Department for said Route
16 60, which surveyed center line is described as follows:

17 1. Beginning at a point approximately 47 feet south and 16
18 feet east of the southwest corner of the said NW $\frac{1}{4}$ of SE $\frac{1}{4}$
19 of Sec. 10, at survey station 178+50, thence N 56°14'E 1635
20 feet to station 194+85, which station is approximately 462
21 feet south and 30 feet east of the northeast corner of said
22 NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10.

23 Containing 5.74 acres, more or less, new right of way.

24 2. Also beginning on the left side of item 1, opposite
25 station 191+28.3, thence N 4°02'E 255 feet, thence S 85°43'W
26 approximately 77.5 feet to the southeasterly boundary of
27 the railroad right of way, thence in a southwesterly
28 direction with said boundary to the south side of the said
29 NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Sec. 10, thence east approximately 20
30 feet to item 1, thence N 56°14'E with item 1, 1375 feet to the
31 point of beginning.

32 Containing 3.04 acres, more or less, new right of way.

33 **3. Also a tract beginning on the left side of item 1,**
34 **opposite station 193+28.3, thence northerly to the**
35 **southwesterly right of way boundary of said Route M as it**
36 **is now located and established, 30 feet from and opposite**
37 **station 3+98.7 of said route, thence southeasterly with**
38 **Route M to the east boundary of the property, thence south**
39 **with said east property boundary to item 1, thence**
40 **southwesterly with item 1 to the point of beginning.**

41 **Containing 0.28 acre, more or less, new right of way.**

42 **4. Also a tract beginning on the right side of item 1,**
43 **opposite station 193+28.3, thence easterly approximately 35**
44 **feet to the east property boundary, thence north**
45 **approximately 26 feet to item 1, thence southwesterly with**
46 **item 1 approximately 40 feet to the point of beginning.**

47 **Containing 0.01 acre, more or less, new right of way.**

48 **Items 1, 2, 3 and 4 contain a total of 9.07 acres, more or**
49 **less, new right of way.**

50 **2. The commissioner of administration shall set the terms and**
51 **conditions for the sale as the commissioner deems reasonable. Such**
52 **terms and conditions may include, but not be limited to, the number of**
53 **appraisals required, the time, place, and terms of the sale.**

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

Section 6. 1. The governor is hereby authorized and empowered
2 **to sell, transfer, grant, convey, remise, release and forever quitclaim all**
3 **interest of the state of Missouri in real property located in Andrew**
4 **County to the state highways and transportation commission. The**
5 **property to be conveyed is more particularly described as follows:**

6 **Tract 1**

7 **A parcel of land bounded by a line beginning at a**
8 **point on the centerline of the surveyed State highway at**
9 **Station 195+98, said point also being two hundred thirty-**
10 **five (235) feet north of the northeast corner of the**
11 **southeast quarter of the southwest quarter of Section**
12 **thirty-five (35), Township sixty-one (61) north, Range**
13 **thirty-five (35) west, thence south fifty (50) feet, thence**
14 **northeasterly on a curve having a radius of one thousand**

15 one hundred eight-six and twenty-eight hundredths
16 (1186.28) feet, and extending two hundred twenty-eight
17 (228) feet, thence north 47° 19' east one thousand twenty-
18 nine and two tenths (1029.2) feet, thence easterly on a
19 curve having a radius of one thousand one hundred six
20 and twenty-eight hundredths (1106.28) feet, and extending
21 eight hundred forty-eight and sixty-seven hundredths
22 (848.67) feet, thence easterly twenty-five and thirteen
23 hundredths (25.13) feet, thence north forty (40) feet, thence
24 west three hundred fifty (350) feet, thence southwesterly
25 on a curve having a radius of one thousand one hundred
26 eighty-six and twenty-eight hundredths (1186.28) feet, and
27 extending two hundred seventy (270) feet, thence
28 northwesterly five (5) feet, thence southeasterly on a curve
29 having a radius of one thousand one hundred ninety-one
30 and twenty-eight hundredths (1191.28) feet, and extending
31 two hundred ninety (290) feet, thence south 47° 19' west a
32 distance of forty-five (45) feet, thence southeasterly five (5)
33 feet, thence south 47° 19' west four hundred eighty (480)
34 feet, thence westerly twenty-four (24) feet thence south
35 fifteen (15) feet, thence easterly ten (10) feet, thence south
36 47° 19' west a distance of four hundred fifty-three (453) feet
37 thence southwesterly on a curve having a radius of one
38 thousand one hundred six and twenty-eight hundredths
39 (1106.28) feet a distance of one-hundred seventy (170) feet,
40 thence south fifty (50) feet to the point of beginning.

41 Said parcel of land being in and a part of the north
42 one-half of the southeast quarter of Section thirty-five (35),
43 Township sixty-one (61) north, Range thirty-five (35) west
44 and comprising three and ninety hundredths (3.90) acres.

45 Tract 2

46 A parcel of land bounded by a line beginning at a
47 point on the centerline of the surveyed State highway at
48 Station 217+00, said point being eight hundred ninety-
49 seven and forty-nine hundredths (897.49) feet west of the
50 quarter section corner east side of Section thirty-five (35),
51 Township sixty-one (61) north, Range thirty-five (35) west,

89 State Highway Route 48, thence south $47^{\circ}11'$ west along
90 said westerly right of way line three hundred (300) feet,
91 thence northeasterly to the right on the arc of a curve
92 having a radius of one thousand one hundred ninety-one
93 and twenty-eight hundredths (1191.28) feet, and extending
94 a distance of one hundred eighty (180) feet, thence
95 southeasterly and at right angles a distance of five (5) feet,
96 thence northeasterly to right on the arc of a curve having
97 a radius of one thousand one hundred eight-six and
98 twenty-eight hundredths (1186.28) feet and extending a
99 distance of two hundred seventy (270) feet to a point on
100 the north line of the southeast quarter of said Section
101 thirty-five (35), thence west to said point of
102 beginning. Said tract is for right of way and contains
103 thirty-three hundredths (0.33) of an acre.

104 Tract 5

105 That part of the northeast quarter of Section thirty-five
106 (35), Township sixty-one (61), Range thirty-five (35) west,
107 found by

108 Starting at a point on the centerline of State Highway
109 Route 48, at Station 212+71.2, which is approximately one
110 thousand three hundred fifty-seven and six tenths (1357.6)
111 feet west of the southeast corner of the northeast quarter
112 of said section thirty-five (35), thence following said
113 centerline north $47^{\circ}11'$ east one thousand twenty-eight and
114 seven tenths (1028.7) feet to Station 222+99.9, a P.C., thence
115 northerly to the left on the arc of a $5^{\circ}00'$ curve seven
116 hundred sixty-two (762) feet to Station 250+61.9, a P.T. ,
117 thence north $9^{\circ}05'$ east one thousand two hundred ninety-
118 seven and one tenth (1297.1) feet to Station 245+59, which
119 is on defendants' north property line, and is approximately
120 forty (40) feet west of the northeast corner of said Section
121 thirty-five (35).

122 Tract #1, being all of defendants' land lying within forty
123 (40) feet to each side of the above described centerline
124 from said Station 212+71.2 to Station 219+00, thence
125 continuing with sixty (60) feet to left and widening

126 uniformly to fifty (50) feet to right of said centerline at
127 Station 220+00, thence continuing with sixty (60) feet to
128 left and fifty (50) feet to right of said centerline to Station
129 220+50, thence continuing with forty (40) feet to left and
130 narrowing uniformly to forty (40) feet to right of said
131 centerline at Station 221+50, thence continuing with forty
132 (40) feet to each side of said centerline to said Station
133 245+59, Said tract is for right of way and contains five and
134 seventy-seven hundredths (5.77) acres.

135 Tract #2, being thirty (30) feet wide by one hundred (100)
136 feet long to left of the above described right of way (or
137 Tract #1) from opposite Station 235+00 to opposite Station
138 254+00, at an angle of 90° from said centerline. Said tract
139 contains seven hundredths (0.07) of an acre, and is for
140 changing the channel of a stream and providing for
141 drainage ditches necessary for the proper construction and
142 maintenance of said State Highway. Plaintiff only seeks
143 the right to enter upon said tract of land for the purpose
144 of constructing and opening said drainage ditches and
145 channel change, using the excavation therefrom in grading
146 said highway and for filling portions of the old channel;
147 also the right to enter upon said parcel of land when
148 necessary to maintain and keep open said ditches; the
149 defendants, their successors or assigns to otherwise have
150 the free, uninterrupted and absolute use of said Tract #2.

151 2. The commissioner of administration shall set the terms and
152 conditions for the sale as the commissioner deems reasonable. Such
153 terms and conditions may include, but not be limited to, the number of
154 appraisals required, the time, place, and terms of the sale.

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

Section 7. 1. The governor is hereby authorized and empowered
2 to sell, transfer, grant, convey, remise, release and forever quitclaim all
3 interest of the state of Missouri in real property located in Ozark
4 County to the state highways and transportation commission. The
5 property to be conveyed is more particularly described as follows:

7 All that part of the following tract:

8 Northwest quarter of the southeast quarter (NW $\frac{1}{4}$
9 SE $\frac{1}{4}$)

10 Of Section 15, Township 22 North, Range 16 West

11 Which lies within a distance of 40 feet on each side of the
12 centerline of State highway designated as Route SC,
13 leading from Route 5, west of Gainesville, westerly to the
14 Ozark-Taney County line, as the same was located,
15 surveyed and platted by the State Highway Department, as
16 shown on plans duly approved by the State Highway
17 Commission, a copy of which is now on file with the Clerk
18 of the County Court in and for Ozark County.

19 Said centerline being described as follows:

20 Beginning at a point on the west boundary of said tract,
21 distant 650 feet, more or less, north of the southwest
22 corner thereof, at or near Station 201+60; thence run north
23 49° 14' east, 526.9 feet; thence deflect to the right on a 4°
24 curve, (delta angle 40° 22') 1009.2 feet; thence on tangent to
25 said curve north 89° 36' east, 18.9 feet, more or less, to a
26 point on the east boundary of said tract, distant 5 feet,
27 more or less, south of the northeast corner thereof, and
28 there terminating at or near Station 217+15.

29 Containing 2.86 acres, more or less.

30 2. Also the following parcel of land adjoining the above
31 described right of way tract, extending between the
32 stations indicated to the widths shown below:

33 Left: Station 202+01 to 202+27, 26 feet long by 30 feet wide
34 on a 40° skew to the right

35 3. Also all that part of said tract lying northerly of the
36 above described strip, and easterly of a line described as
37 follows:

38 Beginning at a point on the left or northerly line of said
39 above described strip, opposite Station 211+00; thence run
40 northwesterly normal to said centerline to its intersection
41 with the northerly boundary of said tract, and there
42 terminating.

43 Item 2 has an area of 0.02 acre, more or less, and is for the
44 purpose of a ditch outlet, to which the State Highway
45 Department only seeks the right to enter upon land of said
46 owners for the purpose of constructing and opening said
47 ditch, using excavation therefrom in grading said highway,
48 and entering upon the said parcel of land as often as may
49 be necessary to maintain and keep open said ditch;
50 providing the owners shall otherwise have the free,
51 absolute and uninterrupted use of said land.

52 Item 3 has an area of 0.29 acre, more or less, and is for the
53 purpose of permanent right of way.

54 Tract 2

55 All that part of the following tract:

56 South half of the northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$)

57 Of Section 15, Township 22 North, Range 16 West

58 Which lies within a distance of 40 feet on the northerly
59 side of the centerline of State highway designated as Route
60 SC, leading from Route 5, west of Gainesville, westerly to
61 the Ozark-Taney County line, as the same was located,
62 surveyed and platted by the State Highway Department, as
63 shown on plans duly approved by the State Highway
64 Commission, a copy of which is now on file with the Clerk
65 of the County Court in and for Ozark County.

66 Said centerline being described as follows:

67 Beginning at a point distant 38 feet, more or less, south
68 and 330 feet, more or less, west of the southeast corner of
69 the southwest quarter of the northeast quarter of said
70 Section 15, at or near Station 213+80; thence from a
71 tangent bearing north 76° 58' east, deflect to the right on
72 a 4° curve, 316.1 feet; thence on tangent to said curve north
73 89° 36' east, 1368.9 feet, more or less, to a point on the
74 extended east boundary of the southeast quarter of the
75 northeast quarter of said Section 15, distant 10 feet, more
76 or less, south of the southeast corner thereof, and there
77 terminating at or near Station 230+65

78 Containing 0.25 acre, more or less, new right of way
79 and 0.99 acre, more or less, old right of way

80 (There is excepted from the above described strip, a strip
81 of land 10 feet in width, lying adjacent to and southerly of
82 the northerly line of said strip, and extending from Station
83 227+00 to the east boundary of the property).

84 2. Also the following parcel of land adjoining the above
85 described right of way tract, extending between the
86 stations indicated to the widths shown below:

87 Left: Station 222+50 to 225+50, 300 feet long by 5 feet wide
88 Item 2 has an area of 0.03 acre, more or less, and is for the
89 purpose of permanent right of way.

90 2. The commissioner of administration shall set the terms and
91 conditions for the sale as the commissioner deems reasonable. Such
92 terms and conditions may include, but not be limited to, the number of
93 appraisals required, the time, place, and terms of the sale.

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

Bill ✓

Copy