

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 579
89TH GENERAL ASSEMBLY

1998

L1888.02T

AN ACT

Authorizing the governor to convey certain state property.

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 give, grant, bargain and convey to the city of Osage Beach, Missouri, certain property located in the city of Osage Beach, Missouri, which was to be used by the Missouri Army National Guard for the purpose of construction of a National Guard facility. Such land was conveyed by the city to the National Guard with the stipulation that if the facility was not built on the property within five years the property would revert back to the city of Osage Beach, Missouri. Such time period has elapsed and the National Guard does not plan to utilize the property. The property to be conveyed to the city of Osage Beach, Missouri, by the state of Missouri is more particularly described as follows:

A tract of land situated in and being a part of the Northwest Quarter of Section 15 and the Northeast Quarter of Section 16 and the Southeast Quarter of Section 9 and the Southwest Quarter of Section 10, all in Township 39 North, Range 16 West, City of Osage Beach, Missouri also known as Tract 14A of Ketterlin Centre subdivision, as recorded in Plat Book 39, page 30, Camden County, Missouri, being more particularly described as follows: Commencing at the Northwest Corner of Section 15, Township 39 North, Range 16 West; thence South 0 degrees 04 minutes 04 seconds, West along the Section Line, 278.78 feet, to the point of beginning; thence leaving said Section Line, North 88 degrees 27 minutes 04 seconds East, 40.02 feet; thence North 88 degrees 27 minutes 04 seconds East,

369.64 feet; thence North 0 degrees 00 minutes 05 seconds East, 210.00 feet; thence North 28 degrees 34 minutes 16 seconds West, 380.27 feet; thence South 52 degrees 59 minutes 21 seconds West, 413.28 feet; thence South 43 degrees 37 minutes 38 seconds West, 1199.27 feet; thence South 83 degrees 24 minutes 54 seconds East, 642.88 feet; thence North 0 degrees 04 minutes 04 seconds East, 310.07 feet; thence South 83 degrees 24 minutes, 54 seconds East, 292.31 feet; thence North 0 degrees 04 minutes 04 seconds East, 359.00 feet, to the point of beginning. Containing 17.160 acres. Subject to all easements and restrictions of record.

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

Section 2. 1. The governor is hereby authorized and empowered to give, grant, bargain, convey and confirm an easement over and across a certain strip of land in St. Francois County, Missouri, and which comprises a portion of St. Joe State Park to John A. Hilton. The land is more particularly described as follows:

A twenty (20) foot wide roadway easement situated in the county of St. Francois and the state of Missouri, lying in part of Lot 46 & 47 of United States Survey 2969, Township 35 North, Range 5 East of the Fifth Principal Meridian, described as follows, to-wit: Commencing at a found aluminum monument marking the Southeast corner of said Lot 47, the POINT OF BEGINNING of said roadway easement herein described; thence North 83°44'00" West 20.01' along the South line of said Lot 47 to a set No.5 rebar; thence along a line parallel to and twenty (20) feet West of the East line of said Lot 47 North 08°11'15" East 2057.80' to a set No.5 rebar on the South right-of-way line of a County Road (Pimville Road); thence South 81°35'24" East 20.00' along said South right-of-way line to a set No.5 rebar on the East line of said Lot 47; thence leaving said South right-of-way line, South 08°11'15" West 2057.05' along said East line to the point of beginning. Containing 41,149 square feet or 0.94 acres, more or less, according to a survey by MIDWEST LAND SURVEY.

SUBJECT TO ALL easements, conditions, restrictions, and right-of-ways of record and those not of record.

2. As compensation for the granting of the easement, John A. Hilton agrees to convey by warranty deed to the state of Missouri certain property in St. Francois County, Missouri, adjoining St. Joe State Park. The land is more particularly described as follows:

A tract of land situated in the county of St. Francois and the state of Missouri, lying in part of Lot 48 of United States Survey 2969, Township 35 North, Range 5 East of the Fifth Principal Meridian, described as follows, to wit: Commencing at a found aluminum monument marking the Northwest corner of said Lot 48,

the POINT OF BEGINNING of the tract herein described; thence South 83°44'00" East 38.75' along the North line of said Lot 48 to a set No.5 rebar; thence leaving said North line, South 07°00'30" West 1053.12' to the South line of said Lot 48, being the centerline of the St. Francois River, (from which a set No.5 rebar set for a witness corner bears North 07°00'30" East 124.8'); thence South 72°00'43" West 42.75' along said South line (and said centerline) to the Southwest corner of said Lot 48 (from which a set No.5 rebar set for a witness corner bears North 07°00'30" East 123.4' from corner); thence leaving said South line and said centerline, North 07°00'03" East 1070.69' along the West line of said lot 48 to the point of beginning. Containing 41,149 square feet or 0.94 acres, more or less, according to a survey by MIDWEST LAND SURVEY.

SUBJECT TO ALL easements, conditions, restrictions and right-of-ways of record and those not of record.

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

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