

FIRST REGULAR SESSION

SENATE BILL NO. 71

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNEIDER.

Pre-filed December 1, 1998, and 1,000 copies ordered printed.

S0019.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 88.013 and 88.023, RSMo 1994, relating to condemnation of property, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 88.013 and 88.023, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 88.013 and 88.023, to read as follows:

88.013. Thereupon the attorney for the city, in the name of the city, shall apply to the circuit court of the county where the city is located, by petition, setting forth the limits of the benefit district, a correct description of the property that is sought to be acquired or condemned, the use for which such land is to be taken and dedicated or the general nature of the improvements proposed to be made, the names of the owners of the several lots, tracts or parcels of land if known, or if unknown a correct description of the parcels whose owners are unknown, and praying the appointment of three disinterested commissioners, who are residents of the [city] **county, in which the real estate or a portion thereof is situated**, to assess the damages which the owners may severally sustain by reason of the appropriation and condemnation of such real estate by the city for any of the purposes described in this section, and to assess the property especially benefited by the improvements within the benefited district, in proportion to the benefits accruing to each from the proposed improvements.

88.023. The court on being satisfied that proper notice has been given to all the defendants and to the owners of property within the benefited district and that the ordinance and petition are regular and valid, shall appoint three persons, who are residents of the [city] **county, in which the real estate or a portion thereof is situated**, as commissioners to assess the damages

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

which the owners of the land may severally sustain by reason of such appropriation, and to assess the property especially benefited by said improvements within the benefited district to pay therefor.

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Unofficial

Bill

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