

FIRST REGULAR SESSION

# SENATE BILL NO. 357

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR KLARICH.

Read 1st time January 27, 1999, and 1,000 copies ordered printed.

S1596.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To authorize the conveyance of various land rights in certain state park property.

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

**Section 1. The director, department of natural resources is hereby authorized and empowered to give, grant, bargain and convey to Mrs. Lillian Weiss, or to her successor in title, a twenty-foot wide restricted easement for ingress and egress across a portion of Dr. Edmund A. Babler memorial state park, St. Louis County, Missouri. A gravel roadway has existed on the subject park property since approximately 1939, and may have inadvertently been placed on the subject property due to the development of state highway 109 leading to the park. The easement to be conveyed to Mrs. Lillian Weiss, or to her successor in title, by the director, department of natural resources, shall be for a single-family dwelling, and shall give the department of natural resources first refusal rights in the event the property is again offered for sale. The easement to be conveyed is more particularly described as follows:**

**A strip of land 20 feet wide and also having a non-uniform width being part of Dr. Edmund A. Babler Memorial State Park situated in Township 45 North, Range 3 East in St. Louis County, Missouri and further being described as follows:**

**Commencing for reference at a found Department of Natural Resources monument located at the Northeast corner of lot 2 of the subdivision in partition of a part of the estate of August Wardenburg in U.S. Surveys 385 and 414, Township 45 North, Range 3 East, St. Louis County, Missouri, thence South 70 degrees 07 minutes 35 seconds West 184.56 to the point of beginning; thence South 70**

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degrees 07 minutes 35 seconds West 515.49 feet to a point; thence North 56 degrees 26 minutes 37 seconds East a distance of 41.10 feet to a point; thence North 71 degrees 45 minutes 40 seconds East a distance of 222.56 feet to a point; thence North 61 degrees 04 minutes 01 seconds East a distance of 45.74 feet to a point; thence North 43 degrees 14 minutes 09 seconds East a distance of 46.48 feet to a point; thence North 29 degrees 55 minutes 04 seconds East a distance of 43.81 feet to a point; thence North 22 degrees 50 minutes 00 seconds East a distance of 44.91 feet to a point; thence North 11 degrees 12 minutes 40 seconds East a distance of 48.04 feet to a point; thence North 4 degrees 29 minutes 22 seconds West a distance of 14.04 feet to a point on the Southern right-of-way line of State Highway 109; thence along said South right-of-way South 45 degrees 39 minutes 43 seconds East a distance of 28.58 feet to a point; thence departing from said right-of-way South 11 degrees 12 minutes 40 seconds West a distance of 47.76 feet to a point; thence South 22 degrees 50 minutes 00 seconds West a distance of 48.19 feet to a point; thence South 29 degrees 55 minutes 04 seconds West a distance of 47.39 feet to a point; thence South 43 degrees 14 minutes 09 seconds West a distance of 32.75 feet to the point of beginning and also containing 5813.28 square feet as calculated by Marler Surveying Company, Inc. during the month of November, 1998.

**Section 2.** Consideration for the conveyance shall be as negotiated by the parties.

**Section 3.** The attorney general shall approve as to form the instrument of conveyance.

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