

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 434

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR KLARICH.

Read 1st time February 11, 1999, and 1,000 copies ordered printed.

Read 2nd time February 22, 1999, and referred to the Committee on Agriculture, Conservation, Parks and Tourism.

Reported from the Committee March 9, 1999, with recommendation that the bill do pass with Senate Committee Amendments Nos. 1 and 2 and be placed on the Consent Calendar.

Senate Committee Amendments Nos. 1 and 2 adopted March 24, 1999.

Taken up March 24, 1999. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

S1859.01P

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## AN ACT

To authorize the director of the department of natural resources to grant easements in Route 66 State Park in St. Louis County and to authorize the annexation of state property into the City of Maryville.

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

**Section 1. The director of the department of natural resources is hereby authorized and empowered to give, grant, bargain and convey to Laclede Gas Company an easement for the construction, reconstruction, use, operation, maintenance, removal, inspection, observation and patrol of a gas distribution system consisting of one eight-inch pipe line in St. Louis County, Missouri. The easement to be conveyed to Laclede Gas Company is more particularly described as follows:**

**A variable width strip, the western boundary of which strip is the westernmost line of parcel 2 as described in deed book 9283, page 1010 of the St. Louis County records; the eastern boundary of which strip is the low water mark of the Meramec River; the southern boundary line of which strip is parallel to, and a distance of seventy (70) feet south of, the established centerline of the south outer road of Interstate Highway 44 as per highway and transportation commission plans [I-IG-44-4(15)](The "Plans"), and the northern boundary line of which is the established southern right-of-way of Interstate Highway 44, as per the plans; specifically excluding from the easement area that portion of the above-described strip that lies entirely within the existing right-of-way of Interstate Highway 44.**

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

**Section 3. 1. The director of the department of natural resources is hereby authorized and empowered to give, grant, bargain and convey to the City of Eureka, Missouri a 20-foot wide easement for the construction, reconstruction, use, operation, maintenance, removal, and inspection, of a forced main across a portion of Route 66 State Park. The easement to be conveyed to the City of Eureka, Missouri by the director, department of natural resources, is more particularly described as follows:**

**A 20 foot wide sewer easement across and upon the property described as parcel # 1 in general warranty deed as recorded in book 9283, pages 1010 through 1024, of the St. Louis County records, and being the same property as shown on survey of a tract of land being part of Times Beach and all of Times Beach first and second additions and part of sections 31 and 32 and part of Williams Subdivision in U.S. Survey 2071, all located in township 44 north, range 4 east of the 5th principal meridian, St. Louis County, Missouri, executed by James B. Becker, Consulting Engineers, recorded in survey record book 1 pages 8A and 8B of the St. Louis County records and being more particularly described as follows:**

**Commencing at the southeast corner of said section 31; thence north 89 degrees 56 minutes 21 seconds west along the southerly line and westerly prolongation of the southerly line of said section 31 a distance of 325.97 feet to a point 150 feet perpendicular distance from the westerly line of Votaw Road (50 feet wide); thence north 22 degrees 55 minutes 14 seconds east along a line 150 feet perpendicular distance from the westerly line of Votaw Road 882.08 feet to the northerly line of Missouri Interstate 44; thence along the northerly line of said Interstate 44 the following courses and distances: north 78 degrees 31 minutes 31 seconds west 1416.48 feet; south 11 degrees 28 minutes 29 seconds west 5.00 feet; north 78 degrees 31 minutes 31 seconds west 277.84 feet to a point on the easterly line of the Burlington Northern Railroad right-of-way, said point being 150 feet radial distance from centerline of said Burlington Northern Railroad right-of-way; thence departing the northerly line of said Interstate 44 northeasterly along a curve to the left, said curve being 150 feet radial distance from centerline of said Burlington Northern Railroad right-of-way and having a radius point bearing north 51 degrees 52 minutes 38 seconds west 2605.70 feet, an arc distance of 64.52 feet to the true point of beginning of the tract herein described, said point being the centerline of the herein described 20 foot wide easement; thence departing from the easterly line of said Burlington Northern Railroad right-of-way and along the centerline of said 20 foot wide easement the following courses and distances: south 79 degrees 57 minutes 55 seconds east a**

distance of 130.99 feet; north 55 degrees 02 minutes 05 seconds east a distance of 20.00 feet; north 10 degrees 02 minutes 05 seconds east a distance of 245.38 feet; north 02 degrees 56 minutes 33 seconds west a distance of 154.17 feet; north 21 degrees 54 minutes 53 seconds east a distance of 423.41 feet; north 32 degrees 34 minutes 06 seconds east a distance of 51.82 feet; north 13 degrees 43 minutes 59 seconds east a distance of 211.67 feet; north 11 degrees 20 minutes 28 seconds west a distance of 49.83 feet; north 11 degrees 09 minutes 32 seconds east a distance of 767.61 feet; north 14 degrees 48 minutes 41 seconds east a distance of 684.55 feet; north 17 degrees 39 minutes 19 seconds east a distance of 475.03 feet; north 15 degrees 36 minutes 17 seconds east a distance of 393.40 feet; north 05 degrees 48 minutes 39 seconds west a distance of 111.66 feet; north 16 degrees 41 minutes 21 seconds east a distance of 790.89 feet to the point of ending of the 20 foot wide easement, said point being on the northern line of aforesaid Times Beach second addition and being south 47 degrees 46 minutes 10 seconds east a distance of 20.19 feet from the northwest corner thereof.

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

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

Section 4. The governor is hereby authorized to approve the annexation of three tracts of land of the Northwest Missouri State University into the City of Maryville, Missouri. The property to be annexed is more particularly described as follows:

#### **Tract 1**

Commencing at the intersection of the West Line of Section 18, Township 64 North, Range 35 West, with the southerly right-of-way of the former Norfolk and Western Railroad Company railroad right-of-way; thence along Range Line, South to a point 132 feet North of the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 18; thence East 330 feet; thence North along a line 330 feet East and parallel to Range Line to the intersection of the southerly right-of-way of the former Norfolk and Western Railroad Company railroad right-of-way; thence westerly along said right-of-way to the point of beginning.

#### **Tract 2**

Commencing at the Northeast Corner of Section 18, Township 64 North, Range 35 West, Nodaway County, Missouri; thence South along the North/South Quarter Section Line of Section 18 to the intersection with the southerly right-of-way of the former Norfolk and Western Railroad; thence westerly along said right-of-way to the West Line of said Section 18; thence North along Range Line to a point 30 feet South of the Northwest Corner of said Section 18, said point being the southerly right-of-way of West Sixteenth Street; thence East along said right-

**of-way to the southerly extension of the East Line of Village "O" Estates Subdivision, a Subdivision of the Southwest Quarter of Section 7. Township 64 North, Range 35 West, Nodaway County; thence North along said extension to the intersection of the North Line of Section 18; thence East along Section Line to the Northeast corner of said Section 18 and the point of beginning.**

**Tract 3**

**All of the Northeast Quarter (NE1/4) of Section Thirteen (13), Township Sixty-four (64), Range Thirty-six (36), lying North of the right-of-way of the former Norfolk and Western Railroad, except the West 470 feet thereof.**

Unofficial

Bill

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