

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 93

92ND GENERAL ASSEMBLY

0669L.02T

2003

AN ACT

To authorize the conveyance of property owned by the state in the county of Callaway to the city of Fulton, with an emergency clause.

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 convey a permanent easement on property owned by the state in the county of Callaway to the city of Fulton for the purpose of constructing a hiking and biking trail. The easement to be conveyed is more particularly described as follows:

A 20' permanent easement located in the east half of the southwest quarter and in the northwest quarter of the southeast quarter of Section 16, T47N, R9W of the 5th Principal Meridian, in Fulton, Callaway County, Missouri, more particularly described as follows:

Commencing at the section corner common to Sections 16, 17, 20, 21; Thence S87°22'59"E, along the south line of the southwest quarter of the southwest quarter of Section 16, 1237.50 feet, said point being N87°22'59"W, 82.50 feet from the southwest corner of the southeast quarter of the southwest quarter of said Section 16; Thence N1°41'00"E, along the west line of a unrecorded survey by RLS #1188, dated December, 1979, and a Quitclaim Deed recorded in Book 349, Page 762 of the Callaway County Recorder's Office, Fulton, Missouri, 1033.47 feet to the south right-of-way line of Missouri State Route "O"; Thence S88°55'31"E, along the south right-of-way line of said Missouri State Route "O", 607.20 feet to the P.C. station (18+43.4) of a curve to the left having a radius of 1939.86 feet, a arc length of 13.87 feet, a chord bearing of S89°07'48"E, 13.87 feet; Thence

25 leaving said Missouri State Route "O" right-of-way S2°36'19"W,
26 along an existing fence being the west line of the Missouri State
27 Hospital property as described in said Quitclaim Deed, 795.77
28 feet to the intersection of the centerline of a 20' permanent
29 easement and POINT OF BEGINNING; Thence along said
30 centerline a curve to the right having a radius of 100.00 feet, a arc
31 length of 89.34 feet, a chord bearing of N61°10'18"E, 86.40 feet;
32 Thence N86°15'05"E, 35.00 feet; Thence along a curve to the left
33 having a radius of 95.00 feet, a arc length of 148.23 feet, a chord
34 bearing of N41°33'04"E, 133.65 feet and the point of reverse
35 curve; Thence along a curve to the right having a radius of 95.00
36 feet, a arc length of 38.59 feet, a chord bearing of N8°29'14"E,
37 38.32 feet; Thence N20°07'26"E, 149.70 feet; Thence along a
38 curve to the left having a radius of 200.00 feet, a arc length of
39 115.02 feet, a chord bearing of N3°38'56"E, 113.44 feet; Thence
40 N12°49'34"W, 155.68 feet; Thence along a curve to the right
41 having a radius of 95.00 feet, a arc length of 90.50 feet, a chord
42 bearing of N14°27'52"E, 87.12 feet; Thence N41°45'18"E, 128.67
43 feet; Thence along a curve to the right having a radius of 95.00
44 feet, a arc length of 57.37 feet, a chord bearing of N59°03'23"E,
45 56.51 feet; Thence N76°21'28"E, 41.89 feet; Thence along a curve
46 to the left having a radius of 35.00 feet, a arc length of 39.72 feet,
47 a chord bearing of N43°50'43"E, 37.62 feet to the south
48 right-of-way line of Missouri State Route "O" at station 22+70.45
49 AH; Thence entering said Route "O" right-of-way and
50 continuing along said curve to the left, a arc length of 13.41 feet,
51 a chord bearing N0°21'24"E, 13.33 feet; Thence N10°37'11"W,
52 38.95 feet; Thence along a curve to the right having a radius of
53 35.00 feet, a arc length of 8.04 feet, a chord bearing of
54 N4°02'02"W, 8.03 feet to the north right-of-way line of Missouri
55 State Route "O" at station 22+74.05 AH.; Thence leaving said
56 Route "O" right-of-way and continuing along said curve to the
57 right, a arc length 35.27 feet, a chord bearing of N31°25'15"E,
58 33.80 feet; Thence N60°17'24"E, 194.94 feet; Thence along a
59 curve to the right having a radius of 150.00 feet, a arc length of
60 93.88 feet, a chord bearing of N78°13'09"E, 92.35 feet; Thence
61 S83°51'07"E, 374.88 feet more or less to the west right-of-way
62 line of Wood Street and being 66.20 feet more or less north of the
63 north right-of-way line of Missouri State Route "O" and the end
64 of this easement, containing 0.925 acre, more or less.

66 Also an additional temporary construction easement 10 feet
67 either side of the 20 foot permanent easement described above.

68 **Except that part lying in the Missouri State Route "O"**
69 **right-of-way.**

70

71 **2. In the event that the city of Fulton ceases to use the property as a hiking and**
72 **biking trail, the easement shall be void, and the state shall have fee title unencumbered by**
73 **the easement. The city of Fulton shall execute any documents required to remove this**
74 **easement from the record title of the property.**

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

Section A. Because immediate action is necessary to ensure receipt of federal city
2 enhancement funds, section 1 of this act is deemed necessary for the immediate preservation of
3 the public health, welfare, peace, and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and section 1 of this act shall be in full force and effect
5 upon its passage and approval.