

SECOND REGULAR SESSION

# HOUSE BILL NO. 1206

## 92ND GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE JACKSON.

Read 1<sup>st</sup> time January 21, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3981L.011

---

### AN ACT

To repeal section 1 as enacted in house bill 574, ninety-second general assembly, first regular session, and to authorize the conveyance of property owned by the state at the Missouri Eastern Correctional facility in the County of St. Louis to the City of Pacific.

---

*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 sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at the Missouri Eastern Correctional facility in the County of St. Louis to the City of Pacific. The property to be conveyed is more particularly described as follows:

[A tract of land in part of section 8, township 43 north, range 3 east in St. Louis County Missouri, commencing at the northeast corner of the Eureka Fire Protection District training facility as recorded in Plat Book 350 page 811 of the St. Louis County land records; thence south 33 degrees 53 minutes 14 seconds east a distance of 86.14 feet to the point of beginning of the tract herein described; thence south 38 degrees 27 minutes 08 seconds west a distance of 93.53 feet to a point; thence south 51 degrees 32 minutes 52 seconds east a distance of 80.00 feet to a point; thence north 38 degrees 27 minutes 08 seconds east a distance of 20.19 feet to a point; thence along a curve to the right having a radius of 35.00 feet, an arc length of 65.77 feet and a delta of 107 degrees 40 minutes 01 seconds to a point; thence north 33 degrees 53 minutes 14 seconds west a distance of 131.83 feet to the point of beginning containing 6,988 square feet as calculated by Marler Surveying Company Inc., in February 2003.]

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**

21 An easement strip being 10.0 feet in width, affecting part of the plat  
22 of the Eureka Fire Protection District training facility, being in section  
23 8, township 43 north, range 3 east, as recorded in Plat Book 350 page  
24 811 of the St. Louis County land records office, more particularly  
25 described as follows:

26 Commencing at the northeast corner of the aforesaid plat, thence  
27 south 33 degrees 53 minutes 14 seconds east a distance of 86.14 feet  
28 to a point; thence south 38 degrees 27 minutes 08 seconds west a  
29 distance of 93.53 feet to a point; thence south 51 degrees 32 minutes  
30 52 seconds east a distance of 80.00 feet to a point; thence north 38  
31 degrees 27 minutes 08 seconds east 10.56 feet to the point of  
32 beginning of aforesaid easement; thence south 12 degrees 47 minutes  
33 05 seconds east a distance of 560.24 feet to a point on the southern  
34 line of the aforesaid plat, being north 38 degrees 27 minutes 00  
35 seconds east a distance of 26.70 feet of the southwestern corner of the  
36 aforesaid plat;

37  
38 and additionally such trunk sewer line and related sewer facilities  
39 commencing in and from such tract of land, traversing said easement,  
40 and extending continuously into and within State Route Old Highway  
41 66 (Business Loop I-44) westerly into the City limits of the City of  
42 Pacific and extending thence to and within right-of-way of the City  
43 of Pacific and terminating at Lift Station NO. 1 of the City Pacific, as  
44 such facilities were installed pursuant to a certain sewer agreement  
45 between the City of Pacific and the Missouri Department of Social  
46 Services dated October 23, 1979, as amended, and as hereinafter may  
47 be more fully described.

48  
49 and such additional appurtenances or related property as may be  
50 necessary to accomplish the transfer of the described sewer facilities.

51  
52 2. In conjunction with the transfer of [property] **the easement** and sewer facilities  
53 authorized in subsection 1 of this section, the Missouri department of corrections and the  
54 Missouri department of transportation are hereby further authorized to consent to a municipal  
55 boundary adjustment to include within the jurisdictional boundaries of the City of Pacific the  
56 public property and rights-of-way described in this subsection. Notwithstanding any provision  
57 to the contrary, the jurisdictional boundary adjustment of public property authorized in this  
58 subsection may be effected by submission of a petition by each affected public agency to the city  
59 and shall be effective upon adoption of an ordinance by the city approving such boundary  
60 adjustment. The property subject to the boundary adjustment authorized by this subsection may  
61 include the Missouri Eastern Correctional Center property and all such public property and right-

62 of-way containing the sewer facilities subject to subsection 1 of this section, and including such  
63 portions of State Route Old Highway 66 (Business Loop I-44) from the existing boundary of the  
64 City of Pacific to the eastern line of the Missouri Eastern Correctional Center property.

65         3. The commissioner of administration shall set the terms and conditions for the sale as  
66 the commissioner deems reasonable. Such terms and conditions may include, but are not limited  
67 to, the number of appraisals required, the time, place, and terms of the sale.

68         4. The attorney general shall approve the form of the instrument of conveyance.