

SECOND REGULAR SESSION

HOUSE BILL NO. 2317

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TRACY.

5330L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To authorize the conveyance of certain state properties, 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 sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Cape Girardeau County to the City of Cape Girardeau. The property to be conveyed is more particularly described as follows:

RIGHT OF WAY TRACT

**RIGHT OF WAY TRACT FOR
MISSOURI VETERANS HOME**

**PERTAINING TO TRACTS RECORDED IN BOOK NO. 452 - PAGE 71 AND IN BOOK
NO. 677 - PAGE 395**

**A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH,
RANGE 13 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:**

**Commencing at a 5/8" iron pin (found) at the south quarter corner of Section 22; Thence
N 89 degrees 07' 59" W, 1,121.26 feet along the south line of the southwest quarter to a
point on the east right of way line of Interstate 55, said point being 130.00 feet easterly of
and normal to Interstate 55 centerline station 1065+46.97; Thence along said right of way
line, N 21 degrees 17' 45" W, 1,385.92 feet to the southwest corner of a tract of land as**

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

recorded in book no. 452 at page no. 71 of the land records of the County Recorder's Office, said point being the TRUE POINT OF BEGINNING:

Thence continuing along said right of way the following courses and distances:

N 21 degrees 17' a point being 150.17 feet easterly of and normal to the centerline of Interstate Route 55, station 1041+38.91, said point being the beginning of curve concave to the southeast having a central angle of 44 degrees 15' 16" and a radius of 230.00 feet; Thence leaving said right of way line and along said curve in northwesterly and northeasterly direction, 177.65 feet; Thence N 25 degrees 27' 49" E, 127.92 feet to a point on the north line of a tract of land as recorded in book no. 677 at page no. 395; Thence along said north line, N 64 degrees 38' 07" E, 94.99 feet; Thence leaving said north line, S 25 degrees 27' 49" W, 201.56 feet to the beginning of a curve, concave to the southeast, having a central angle of 44 degrees 15' 16" and a radius of 170.00 feet; Thence along said curve in a southwesterly and southeasterly direction, 131.31 feet; Thence S 18 degrees 47' 27" E, 460.21 feet; Thence S 21 degrees 17' 45" E, 526.95 feet to a point on the south line of the afore said tract of land; Thence along said south line, S 40 degrees 02' 58" W, 68.37 feet to the True Point of Beginning, containing 1.82 acres more or less. (79,445 square feet)

2. The governor is hereby authorized and empowered to sell, transfer, grant, and convey a permanent easement and temporary construction easement over, on, and under property owned by the state in Cape Girardeau, Cape Girardeau County, Missouri to the City of Cape Girardeau, to be more particularly described as follows:

PERMANENT SLOPE EASEMENT

PERMANENT SLOPE EASEMENT FOR MISSOURI VETERANS HOME

PERTAINING TO TRACT RECORDED IN BOOK NO. 452 - PAGE 71

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a 5/8" iron pin (found) at the south quarter corner of Section 22; Thence N 89 degrees 07' 59" W, 1,121.26 feet along the south line of the southwest quarter to a point on the east right of way line of Interstate 55, said point being 130.00 feet easterly of and normal to Interstate 55 centerline station 1065+46.97; Thence along said right of way line, N 21 degrees 17' 45" W, 1,385.92 feet to the southwest corner of a tract of land as recorded in book no. 452 at page no. 71 of the land records of the County Recorder's Office; Thence N 40 degrees 02' 58" E, 68.37 feet along the south line of said tract to the TRUE POINT OF BEGINNING;

65 Thence continuing along said south line, N 40 degrees 02' 58" E, 17.09 feet; Thence leaving
66 said south line, N 21 degrees 17' 45" W, 16.25 feet; Thence N 23 degrees 42' 15" E, 70.71
67 feet; Thence N 21 degrees 17' 45" W, 189.01 feet; Thence N 13 degrees 41' 46" E, 61.03
68 feet; Thence N 21 degrees 17' 45" W, 6.85 feet; Thence N 74 degrees 25' 33" W, 75.46 feet;
69 Thence N 17 degrees 11' 40" W, 144.13 feet; Thence N 31 degrees 45' 20" W, 47.14 feet;
70 Thence N 23 degrees 21' 53" W, 126.01 feet; Thence N 24 degrees 47' 59" W, 96.45 feet;
71 Thence S 71 degrees 12' 33" W, 19.94 feet; Thence S 18 degrees 47' 27" E, 252.05 feet;
72 Thence S 21 degrees 17' 45" E, 526.95 feet to the True Point of Beginning, containing 0.87
73 acres more or less. (37,936 square feet)

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75 **TEMPORARY CONSTRUCTION EASEMENT 1**

76

77 **TRACT NO. 4**

78 **MISSOURI VETERANS HOME**

79 **PERTAINING TO TRACTS RECORDED IN BOOK NO. 452 - PAGE 71 AND BOOK**
80 **NO. 677 - PAGE 395**

81

82 **A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH,**
83 **RANGE 13 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF**
84 **CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY**
85 **DESCRIBED AS FOLLOWS:**

86

87 Commencing at a 5/8" iron pin (found) at the south quarter corner of Section 22; Thence
88 N 89° 07' 59" W, 1,121.26 feet along the south line of the southwest quarter to a point on
89 the east right of way line of Interstate 55, said point being 130.00 feet easterly of and
90 normal to Interstate 55 centerline station 1065+46.97; Thence along said right of way line,
91 N 21° 17' 45" W, 1,385.92 feet to the southwest corner of a tract of land as recorded in book
92 no. 452 at page no. 71 of the land records of the County Recorder's Office; Thence N 40°
93 02' 58" E, 68.37 feet along the south line of said tract to the TRUE POINT OF
94 BEGINNING;

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96 Thence continuing along said south line, N 40° 02' 58" E, 28.49 feet; Thence leaving said
97 south line, N 21° 17' 45" W, 6.64 feet; Thence N 23° 42' 15" E, 70.71 feet; Thence N 21° 17'
98 45" W, 190.00 feet; Thence N 13° 41' 46" E, 61.03 feet; Thence N 21° 17' 45" W, 15.00 feet;
99 Thence N 74° 25' 33" W, 75.00 feet; Thence N 17° 11' 40" W, 139.95 feet; Thence N 31° 45'
100 20" W, 47.68 feet; Thence N 23° 21' 53" W, 125.40 feet; Thence N 24° 47' 59" W, 95.52 feet;
101 Thence N 18° 47' 27" W, 30.00 feet; Thence N 16° 12' 05" E, 61.03 feet; Thence N 40° 35'
102 32" W, 107.70 feet; Thence N 11° 40' 11" W, 98.75 feet; Thence N 20° 44' 52" E, 75.25 feet;
103 Thence S 68° 47' 12" E, 73.68 feet; Thence N 21° 12' 53" E, 62.05 feet; Thence S 90° 00' 00"
104 E, 29.70 feet; Thence N 0° 00' 00" E, 87.43 feet; Thence S 90° 00' 00" E, 181.00 feet; Thence
105 N 0° 04' 00" W, 77.90 feet to a point on the south line of a tract of land as recorded in book
106 no. 691 at page no. 299; Thence along said south line S 89° 55' 56" W, 173.35 feet to the
107 northeast corner of a tract of land as recorded in book no. 677 at page no. 395; Thence

along the north line of said tract, S 64° 38' 07" W, 81.56 feet; Thence leaving said north line, S 25° 27' 49" W, 201.56 feet to the beginning of a curve concave to the southeast having a central angle of 44° 15' 16" and a radius of 170.00 feet; Thence along said curve in a southwesterly and southeasterly direction, 131.31 feet; Thence S 18° 47' 27" E, 460.21 feet; Thence S 21° 17' 45" E, 526.95 feet to the point of beginning, containing 2.07 acres more or less. (90,353 square feet)

TEMPORARY CONSTRUCTION EASEMENT 2

TRACT NO. 4

MISSOURI VETERANS HOME

PERTAINING TO TRACTS RECORDED IN BOOK NO. 452 - PAGE 71 AND BOOK NO. 677 - PAGE 395

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at a 5/8" iron pin (found) at the south quarter corner of Section 22; Thence N 89° 07' 59" W, 1,121.26 feet along the south line of the southwest quarter to a point on the east right of way line of Interstate 55, said point being 130.00 feet easterly of and normal to Interstate 55 centerline station 1065+46.97; Thence along said right of way line, N 21° 17' 45" W, 1,385.92 feet to the southwest corner of a tract of land as recorded in book no. 452 at page no. 71 of the land records of the County Recorder's Office, said point being 130.00 feet easterly of and normal to the centerline of Interstate Route 55, station 1051+61.04; Thence N 21° 17' 45" W, 561.05 feet to a point being 130.00 feet easterly of and normal to the centerline of Interstate Route 55, station 1046+00.00; Thence N 18° 47' 27" W, 461.53 feet to a point being 150.17 feet easterly of and normal to the centerline of Interstate Route 55, station 1041+38.91, said point being the beginning of curve concave to the southeast having a central angle of 44° 15' 16" and a radius of 230.00 feet and being the TRUE POINT OF BEGINNING;

Thence leaving said right of way line and along said curve in northwesterly and northeasterly direction, 177.65 feet; Thence N 25° 27' 49" E, 127.92 feet to a point on the north line of a tract of land as recorded in book no. 677 at page no. 395; Thence along said north line, S 64° 38' 07" W, 71.24 feet; Thence leaving said north line, S 25° 27' 49" W, 5.33 feet; Thence S 05° 42' 42" W, 113.00 feet; Thence S 29° 40' 55" W, 44.31 feet to the east right of way line of Interstate Route 55; Thence along said right of way line, S 18° 47' 27" E, 107.95 feet to the point of beginning, containing 0.13 acres, more or less. (5,743 square feet)

TEMPORARY CONSTRUCTION EASEMENT 3

151 **TRACT NO. 4**
152 **MISSOURI VETERANS HOME**
153 **PERTAINING TO TRACT RECORDED IN BOOK NO. 452 - PAGE 71**
154

155 **A PART OF THE NORTHWEST QUARTER AND A PART OF THE SOUTHWEST**
156 **QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, OF THE**
157 **FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU,**
158 **STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**
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160 **Commencing at a point on the south right of way line of U.S. Route 61, said point being**
161 **275.00 feet southwesterly of and normal to the centerline of the north bound lane of U.S.**
162 **Route 61, station 911+51.76, said point also being at the intersection of said right of way**
163 **line and the east line of a tract of land as recorded in the land records of the County**
164 **Recorder's Office in book no. 630 at page no. 151, Thence along said south right of way**
165 **line, S 58° 54' 45" E, 11.58 feet to the TRUE POINT OF BEGINNING;**
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167 **Thence continuing along said south right of way line, S 58° 54' 45" E, 60.00 feet; Thence**
168 **leaving said right of way line, S 31° 05' 15" W, 140.00 feet; Thence N 58° 54' 45" W, 60.00**
169 **feet; Thence N 31° 05' 15" E, 140.00 feet to the point of beginning, containing 0.19 acres**
170 **more or less. (8,400 square feet)**

171 **3. The commissioner of administration shall set the terms and conditions for the**
172 **conveyance as the commissioner deems reasonable. Such terms and conditions may**
173 **include, but are not limited to, the time, place, and terms of the conveyance.**

174 **4. The attorney general shall approve as to form the instrument of conveyance.**

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer,
2 **grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in**
3 **real property located at the Missouri Lottery Headquarters, Jefferson City, Cole County,**
4 **Missouri, to owners of certain private property for the purpose of vacating an easement**
5 **more particularly described as follows:**
6

7 **Part of the Northwest quarter of Section 24, Township 44 North, Range 12 West, in the**
8 **City of Jefferson, Missouri, more particularly described as follows: From the southwest**
9 **corner of the Northwest quarter of the Northwest quarter of said Section 24; thence South**
10 **88 degrees 30 minutes 55 seconds east, 855.87 feet, to an old iron bar in the northwesterly**
11 **right-of- way line of U.S. Highway No. 54; thence along said northwesterly right-of way**
12 **line, North 45 degrees 31 minutes 05 seconds east, 497.73 feet, to an old iron rod, at the**
13 **most southerly corner of a tract conveyed to the owners of certain private property, by**
14 **deed of record in Book 242, page 624, Cole County Recorder's Office; thence continuing**
15 **along the northwesterly right-of-way line of said Highway No. 54, North 45 degrees 31**
16 **minutes 05 seconds east, 96.80 feet, to a right-of way marker; thence North 28 degrees 16**
17 **minutes 17 seconds east, 16.15 feet, to the beginning point of this easement; thence**

18 continuing a long said northwesterly right-of-way line, North 28 degrees 16 minutes 17
19 seconds east, 30.00 feet, to a point; thence North 61 degrees 43 minutes 43 seconds west,
20 178.29 feet, to a point; thence North 28 degrees 16 minutes 17 seconds east, 85.00 feet, to
21 a point on the northeasterly line of the said private property owner tract; thence North 61
22 degrees 43 minutes 43 seconds west, along the said northeasterly line of the private
23 property owner tract, 15.00 feet; to the most northerly corner of said tract; thence South
24 28 degrees 16 minutes 17 seconds west, along the northwesterly line of said private
25 property owner tract, 115 feet; thence South 61 degrees 43 minutes 43 seconds east, 193.29
26 feet, to the beginning point of this easement.

27 **2. The commissioner of administration shall set the terms and conditions for the**
28 **conveyance as the commissioner deems reasonable. Such terms and conditions may**
29 **include, but are not limited to, the number of appraisals required, the time, place, and**
30 **terms of the conveyance.**

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

Section A. Because immediate action is necessary to continue economic development
2 efforts, the enactment of sections 1 and 2 of this act are deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and the enactment of sections 1 and 2 of
5 this act shall be in full force and effect upon its passage and approval.

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