

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2315

100TH GENERAL ASSEMBLY

5139H.02P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To authorize the conveyance of certain state property, with an emergency clause.

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

Section 1. 1. The director of the department of natural resources is hereby  
2 authorized and empowered to sell, transfer, grant, convey, remise, release, and forever  
3 quitclaim to all interest of the department of natural resources in property located in Ste.  
4 Genevieve County, Missouri, to the United States Department of the Interior, National  
5 Park Service. The property to be conveyed is more particularly described as follows:

6 **PARCEL ONE**

7 All of that part of United States Survey No. 159 in City Block No.  
8 Nine (9) of the City of Ste. Genevieve, described as follows, to-wit:  
9 Begin at the North West corner of said Block No. 9, thence South 6°  
10 25' East, along Eastern line of Second Street, 192 feet and 9 inches,  
11 to the South West corner of said Survey No. 159; thence North 78°  
12 East, 97 feet, along Southern line of said Survey to the South West  
13 corner of a part of said Survey owned by John L. Boverie; thence  
14 North 6° 45' West, 194 feet, more or less, along said Boverie's  
15 Western line to his North West corner on Southern line of Merchant  
16 Street; Thence along said Southern line of Merchant Street, South  
17 77° 10' West, 96 feet and 6 inches, to the place of beginning; and  
18 being the same tract conveyed by deed recorded in Book 103 at Page  
19 498 of the Ste. Genevieve County Missouri Land Records. And being  
20 the same parcel transferred to the department of natural resources

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.

21 at Book 191, Page 242 of Ste. Genevieve County Missouri land  
22 records.

23 **PARCEL TWO**

24 ALL THAT PART OF SURVEY 167 IN BLOCK NUMBER 15 IN  
25 THE CITY OF STE. GENEVIEVE, MISSOURI DESCRIBED AS  
26 FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST  
27 CORNER OF SURVEY 167 AND RUNNING THENCE WITH THE  
28 WEST LINE OF SECOND STREET SOUTH 06 DEGREES 25  
29 MINUTES EAST 116 FEET 08 INCHES TO THE PLACE OF  
30 BEGINNING OF PARCEL HEREIN DESCRIBED; CONTINUING  
31 THENCE SOUTH 06 DEGREES 25 MINUTES EAST 75 FEET 08  
32 INCHES TO POINT FOR CORNER; THENCE SOUTH 78  
33 DEGREES 15 MINUTES WEST 79.50 FEET TO POINT FOR  
34 CORNER; THENCE NORTH 13 DEGREES 45 MINUTES WEST  
35 75 FEET 08 INCHES TO A STONE FOR CORNER; THENCE  
36 NORTH 78 DEGREES 15 MINUTES EAST 88 FEET 10 INCHES  
37 TO PLACE OF BEGINNING.

38  
39 **ALSO**

40  
41 ALL THAT PART OF SURVEY 167 IN BLOCK NUMBER 15 IN  
42 THE CITY OF STE. GENEVIEVE, MISSOURI DESCRIBED AS  
43 FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST  
44 CORNER OF SURVEY 167 AND RUNNING THENCE WITH  
45 THE SOUTH LINE OF MERCHANT STREET, SOUTH 75  
46 DEGREES 48 MINUTES WEST 56 FEET AND 06 INCHES TO  
47 A CORNER; THENCE SOUTH 10 DEGREES 30 MINUTES  
48 EAST 111.50 FEET TO A POINT FOR CORNER; THENCE  
49 NORTH 78 DEGREES 15 MINUTES EAST 52 FEET TO A  
50 CORNER IN THE WEST LINE OF SECOND STREET, NORTH  
51 06 DEGREES 25 MINUTES WEST 116 FEET 08 INCHES TO  
52 THE PLACE OF BEGINNING. AND BEING THE SAME  
53 PARCEL TRANSFERRED TO THE DEPARTMENT OF  
54 NATURAL RESOURCES AT BOOK 495, PAGE 109 OF THE  
55 STE. GENEVIEVE COUNTY MISSOURI LAND RECORDS.

56 **PARCEL THREE**

57 **Part of U.S. Survey No. 352 in the City of Ste. Genevieve,**  
58 **Missouri Township 38 North Range 9 East of the Fifth**  
59 **Principal Meridian and being the same tract of land**  
60 **conveyed to Steven D. Mellies and Emily F. Mellies, his**  
61 **wife by deed recorded in Book 634, Page 60 in the Ste.**  
62 **Genevieve County, Missouri, land records and being more**  
63 **particularly described as follows: Beginning at a stone on**  
64 **the Southwest line of St. Marys Road, said stone being the**  
65 **most Northern corner of a tract of land conveyed to**  
66 **Lawrence A. Marler and Donna C. Marler, his wife by**  
67 **deed recorded in Book 455, Page 286 in the Ste. Genevieve**  
68 **County, Missouri, land records; thence South 28 degrees**  
69 **39 minutes 37 seconds West along the Western boundary**  
70 **line of said Marler tract and the Northern boundary line of**  
71 **a tract of land conveyed to Joseph H. Oberle by deed**  
72 **recorded in Book 143, Page 593 in the Ste. Genevieve**  
73 **County, Missouri land records a distance of 112.29 feet to**  
74 **an iron pin; thence continuing along said Northern**  
75 **boundary line of said Oberle tract and the North line of a**  
76 **tract of land conveyed to Jack E. Oberle and Josi P.**  
77 **Oberle, his wife by deed recorded in Book 504, Page 1 in**  
78 **the Ste. Genevieve County, Missouri land records North**  
79 **71 degrees 46 minutes 30 seconds West a distance of 59.20**  
80 **feet to a drill steel at the Northwest corner of said Oberle**  
81 **tract recorded in Book 504, Page 1; thence continuing**  
82 **North 71 degrees 46 minutes 30 seconds West along the**  
83 **North line of a tract of land conveyed to Jack E. Oberle by**  
84 **deed recorded in Book 474, Page 333 in the Ste. Genevieve**  
85 **County, Missouri land records a distance of 69.97 feet to an**  
86 **iron pipe at the Northwest corner thereof, said iron pipe**  
87 **being the Northeast corner of a tract of land conveyed to**  
88 **William J. Hauck and Louise Hauck, his wife, by deed**  
89 **recorded in Book 353, Page 349 in the Ste. Genevieve**  
90 **County, Missouri land records; thence North 76 degrees 29**  
91 **minutes 58 seconds West along the North line of said**  
92 **Hauck tract a distance of 32.98 feet to an angle iron, said**

93                    **angle iron being the Southeast corner of a tract of land**  
94                    **conveyed to Martin F. Radmer and Dorothy M. Radmer,**  
95                    **his wife by deed recorded in Book 224, Page 212 in the Ste.**  
96                    **Genevieve County, Missouri land records; thence North**  
97                    **10 degrees 57 minutes 08 seconds East along the East line of**  
98                    **said Radmer tract and the East line of a tract of land**  
99                    **conveyed to Daniel F. Herzog, a single person, by deed**  
100                   **recorded in Book 496, Page 66 in the Ste. Genevieve**  
101                   **County, Missouri land records a distance of 159.88 feet to**  
102                   **an iron pin on the aforesaid Southwest line of St. Marys**  
103                   **Road, said iron pin being the Northeast corner of said**  
104                   **Herzog tract; thence South 59 degrees 08 minutes 02**  
105                   **seconds East along said Southwest line of St Marys Road a**  
106                   **distance of 207.65 feet to the point of beginning, containing**  
107                   **0.56 acre and subject to any easements, reservations or**  
108                   **restrictions on record or now in effect.**

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110                   **SUBJECT to a non-exclusive easement 12 feet in width for the purposes**  
111                   **of a driveway as described in deed recorded in Book 634, Page 60 in the**  
112                   **Ste. Genevieve County, Missouri land records.**

113

114                   **ALSO, a non-exclusive easement for ingress and egress over the North 10**  
115                   **feet of the following described property: All that part of United States**  
116                   **Survey No. 352 in the City of Ste. Genevieve, Missouri which is described**  
117                   **as follows, to-wit: Beginning at the Southwest corner of said Survey No.**  
118                   **352, said corner being the intersection of the East line of Hill Street with**  
119                   **the North line of Seraphin Street. Thence with the East line of Hill Street,**  
120                   **North 01 degree West 185 feet 6 inches to the Northwest corner of a lot**  
121                   **heretofore sold to Benjamin Hauck, to the place of beginning of lot herein**  
122                   **described. Continuing thence, with the East line of Hill Street, North 01**  
123                   **degree West 96 feet to the Southwest corner of a lot formerly belonging to**  
124                   **Andrew W. Roth as is recorded in Book 97 at Page 400, Ste. Genevieve**  
125                   **County land records. Thence North 89 degrees 60 feet 4 inches to a**  
126                   **corner. Thence South 79 degrees East 60 feet to a corner which is the**  
127                   **Southeast corner of a lot formerly conveyed to R.S. Webster as is**  
128                   **recorded in Book 122 at page 436, Ste. Genevieve County land records.**

129           **Thence South 71 degrees 30 minutes East 33 feet to a corner. Thence**  
130           **South 01 degree East 51 feet 8 inches to the Northeast corner of a lot**  
131           **formerly conveyed to Benjamin Hauck. Thence South 80 degrees 25**  
132           **minutes West 152 feet 3 inches to the place of beginning.**

133

134           **Hereby intending to grant an easement over a driveway as set in Book**  
135           **140 at Page 31 and in Book 183 at Page 649 of the land records of Ste.**  
136           **Genevieve County, Missouri. And being the same parcel transferred to**  
137           **the department of natural resources at Book 2017, Page 646 of Ste.**  
138           **Genevieve County Missouri land records.**

139           **2. The director of the department of natural resources shall set the terms and**  
140           **conditions for the conveyance as the director deems reasonable. Such terms and**  
141           **conditions may include, but not be limited to, the number of appraisals required and**  
142           **the time, place, and terms of the conveyance.**

143           **3. The department of natural resources' general counsel shall approve the form**  
144           **of the instrument of conveyance.**

Section B. Because immediate action is necessary to convey certain state property the  
2 enactment of section 1 of this act is deemed necessary for the immediate preservation of the  
3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act  
4 within the meaning of the constitution, and the enactment of section 1 of this act shall be in  
5 full force and effect upon its passage and approval.

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