

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 105
103RD GENERAL ASSEMBLY

0590H.03C

JOSEPH ENGLER, Chief Clerk

AN ACT

To authorize the conveyance of certain state property.

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, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in Miller County, Missouri, to the City of Osage Beach, Camden County, Missouri. The property to be conveyed is more particularly described as follows:

ROAD TRACT DESCRIPTION

A tract of land for Lee C. Fine Memorial Airport in the State of Missouri and County of Miller, located in Township 39 North, Range 15 West of the Fifth Principal Meridian, lying in parts of Sections 22, 23, 26 and 27, being part of a larger tract described in Miller County Deed Book 72 at page 312, said Airport tract more particularly described as follows:

Commencing at an Aluminum Pipe Monument marking the Quarter Section corner between said Sections 22 and 23 as described in Missouri State Land Survey document # 600-108299; thence along the section line between said Sections 22 and 23, South 00 degrees 42 minutes 50 seconds West, a distance of 705.45 feet to the TRUE POINT OF BEGINNING of the herein described Airport tract; thence, leaving said section line, North 37 degrees 06 minutes 20 seconds East, a distance of 88.95 feet to a 1/2 inch rebar; thence North 52 degrees 53 minutes 40 seconds West, a distance of 17.5 feet to a 1/2 inch rebar; thence North 37 degrees 06 minutes 20 seconds East, a distance of 46.0 feet to a 1/2 inch rebar; thence South 52 degrees 53 minutes 40 seconds East, a distance of 17.5 feet

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.

22 to a 1/2 inch rebar; thence North 37 degrees 06 minutes 20 seconds East, a
23 distance of 1002.1 feet to a 1/2 inch rebar; thence North 26 degrees 20 minutes
24 West, a distance of 335.4 feet to a 1/2 inch rebar; thence North 37 degrees 06
25 minutes 20 seconds East, a distance of 1849.95 feet to a 1/2 inch rebar; thence
26 South 52 degrees 53 minutes 40 seconds East, a distance of 1194.95 feet to a 1/2
27 inch rebar; thence North 37 degrees 06 minutes 50 seconds East, a distance of
28 1000.05 feet to a 1/2 inch rebar, from which an Aluminum Pipe Monument
29 marking the Quarter Section corner between Sections 14 and 23 of said township
30 as described in Missouri State Land Survey document # 600-109625, bears North
31 43 degrees 48 minutes West, a distance of 728.75 feet; thence South 52 degrees 53
32 minutes 20 seconds East, a distance of 1054.9 feet to a 1/2 inch rebar; thence
33 South 37 degrees 06 minutes 20 seconds West, a distance of 10297.55 feet to a 1/2
34 inch rebar; thence North 52 degrees 53 minutes 30 seconds West, a distance of
35 1144.95 feet to a 1/2 inch rebar on the southeasterly right-of-way of Relocated
36 Missouri Route 134 as described in Miller County Deed Book 112 at page 395;
37 thence along said Relocated Route 134 right-of-way, North 32 degrees 32 minutes
38 20 seconds East, a distance of 71.6 feet to a point of curvature; thence along the
39 arc of a curve to the right, having a radius of 2785.0 feet and a central angle of 05
40 degrees 51 minutes 52 seconds, an arc distance of 285.05 feet to a point of
41 tangency; thence North 36 degrees 59 minutes 47 seconds East, a distance of
42 2535.0 feet to a 1/2 inch rebar; thence along the arc of a spiral offset, the chord of
43 which bears North 34 degrees 57 minutes 23 seconds East, a distance of 208.28
44 feet; thence along the arc of a curve to the left, having a radius of 1035.2 feet, a
45 radius point bearing North 59 degrees 00 minutes 13 seconds West, and a central
46 angle of 22 degrees 36 minutes 44 seconds, an arc distance of 408.55 feet to a
47 point from which a 1/2 inch rebar bears North 37 degrees 06 minutes 10 seconds
48 East, a distance of 1.1 feet; thence departing said Relocated Route 134 right-of-
49 way, North 37 degrees 06 minutes 10 seconds East, a distance of 2211.32 feet to a
50 1/2 inch rebar; thence North 52 degrees 54 minutes 20 seconds West, a distance of
51 650.0 feet to a 1/2 inch rebar; thence North 37 degrees 06 minutes 20 seconds
52 East, a distance of 463.05 feet to the true point of beginning, containing 358.6
53 acres, more or less.

54 ALSO a nonexclusive, permanent easement, fifty (50) feet wide, over the existing
55 Airport Entrance Road in the State of Missouri and County of Miller, located in
56 Township 39 North, Range 15 West of the Fifth Principal Meridian, lying in part
57 of the Southeast Quarter of Section 22, crossing a larger tract described in Miller

58 County Deed Book 72 at page 312, said easement more particularly described as
59 follows:

60 Commencing at an Aluminum Pipe Monument marking the Quarter Section
61 corner between said Sections 22 and 23 as described in Missouri State Land
62 Survey document # 600-108299; thence along the section line between said
63 Sections 22 and 23, South 00 degrees 42 minutes 50 seconds West, a distance of
64 705.45 feet to the northwesterly boundary of the aforescribed Airport tract;
65 thence along said boundary, South 37 degrees 06 minutes 20 seconds West, a
66 distance of 257.27 feet to the TRUE POINT OF BEGINNING of the herein
67 described easement; thence continuing South 37 degrees 06 minutes 20 seconds
68 West, a distance of 97.52 feet; thence departing said Airport boundary, South 67
69 degrees 57 minutes 00 seconds West, a distance of 544.05 feet to a point of
70 curvature; thence along the arc of a curve to the right, having a radius of 905.0
71 feet and a central angle of 25 degrees 45 minutes 04 seconds, an arc distance of
72 406.74 feet to the easterly right-of-way line of Relocated Missouri Route 134 as
73 described in Miller County Deed Book 112 at page 395; thence along said right-
74 of-way line, North 16 degrees 26 minutes 25 seconds East, a distance of 51.34
75 feet; thence departing said right-of-way line easterly along the arc of a curve to
76 the left, having a radius of 855.0 feet, a radius point bearing North 02 degrees 56
77 minutes 32 seconds East, and a central angle of 24 degrees 59 minutes 32 seconds,
78 an arc distance of 372.95 feet to a point of tangency; thence North 67 degrees 57
79 minutes 00 seconds East, a distance of 627.78 feet to the true point of beginning.
80 Said Airport Entrance Road shall be subject to a maintenance agreement.

81 ALSO a nonexclusive, permanent easement, forty (40) feet wide, over the existing
82 road to the airport observation area in the State of Missouri and County of
83 Miller, located in Township 39 North, Range 15 West of the Fifth Principal
84 Meridian, lying in part of the Southeast Quarter of Section 22, crossing a larger
85 tract described in Miller County Deed Book 72 at page 312, said easement more
86 particularly described as follows:

87 Commencing at an Aluminum Pipe Monument marking the Quarter Section
88 corner between said Sections 22 and 23 as described in Missouri State Land
89 Survey document # 600-108299; thence along the section line between said
90 Sections 22 and 23, South 00 degrees 42 minutes 50 seconds West, a distance of
91 705.45 feet to the northwesterly boundary of aforescribed Airport tract;
92 thence South 37 degrees 06 minutes 20 seconds West, a distance of 354.79 feet;
93 thence departing said Airport boundary, South 67 degrees 57 minutes 00 seconds
94 West, a distance of 544.05 feet to a point of curvature; thence along the arc of a

95 curve to the right, having a radius of 905.0 feet and a central angle of 20 degrees
96 10 minutes 09 seconds, an arc distance of 318.57 feet to the TRUE POINT OF
97 BEGINNING of the herein described easement; thence continuing along the
98 same arc of curve through a central angle of 05 degrees 34 minutes 55 seconds, an
99 arc distance of 88.17 feet; thence departing said curve southeasterly along the arc
100 of a curve to the right, having a radius of 15.02 feet, a radius point bearing South
101 03 degrees 42 minutes 04 seconds West and a central angle of 67 degrees 28
102 minutes 17 seconds, an arc distance of 17.69 feet to a point of reverse curvature;
103 thence along the arc of a curve to the left, having a radius of 630.0 feet and a
104 central angle of 31 degrees 34 minutes 01 second, an arc distance of 347.1 feet to a
105 point of tangency; thence South 50 degrees 23 minutes 40 seconds East, a
106 distance of 491.7 feet to a point of curvature; thence along the arc of a curve to
107 the right, having a radius of 784.0 feet and a central angle of 28 degrees 54
108 minutes 45 seconds, an arc distance of 395.62 feet to the said northwesterly
109 Airport tract boundary; thence along said boundary, North 37 degrees 06
110 minutes 10 seconds East, a distance of 46.45 feet; thence departing said Airport
111 boundary, northwesterly along the arc of a non-tangent curve to the left, having a
112 radius of 824.0 feet, a radius point bearing South 66 degrees 50 minutes 03
113 seconds West and a central angle of 27 degrees 13 minutes 43 seconds, an arc
114 distance of 391.59 feet to a point of tangency; thence North 50 degrees 23 minutes
115 40 seconds West, a distance of 491.7 feet to a point of curvature; thence along the
116 arc of a curve to the right, having a radius of 590.0 feet and a central angle of 27
117 degrees 31 minutes 37 seconds, an arc distance of 283.46 feet to a point of
118 compound curvature; thence along the arc of a curve to right, having a radius of
119 25.0 feet and a central angle of 110 degrees 59 minutes 12 seconds, an arc
120 distance of 48.43 feet to the true point of beginning.

121 Said road to the airport observation area shall be subject to a maintenance
122 agreement.

123 RESERVING from said Airport tract a nonexclusive, permanent easement for
124 access, described as commencing at the previously referenced Aluminum Pipe
125 Monument marking the Quarter Section corner between Sections 22 and 23;
126 thence along the section line between said Sections 22 and 23, South 00 degrees
127 42 minutes 50 seconds West, a distance of 705.45 feet to the northwesterly
128 boundary of the aforescribed Airport tract; thence along said boundary, South
129 37 degrees 06 minutes 20 seconds West, a distance of 257.27 feet to the TRUE
130 POINT OF BEGINNING of the herein described access easement; thence North
131 67 degrees 57 minutes East, a distance of 147.35 feet to a point of curvature;

thence along the arc of a curve to the left, having a radius of 115.0 feet and a central angle of 40 degrees 17 minutes, an arc distance of 80.85 feet to a point of tangency; thence North 27 degrees 40 minutes East, a distance of 61.34 feet; thence North 38 degrees West, a distance of 16.94 feet to a point of curvature; thence along the arc of curve to the left, having a radius of 65.0 feet and a central angle of 31 degrees, an arc distance of 35.17 feet to a point of tangency; thence North 69 degrees West, a distance of 30.27 feet to the northwesterly boundary of the aforescribed Airport tract; thence along said boundary, North 37 degrees 06 minutes 20 seconds East, a distance of 31.23 feet; thence departing said boundary, South 69 degrees East, a distance of 21.61 feet to a point of curvature; thence along the arc of a curve to the right, having a radius of 95.0 feet and a central angle of 31 degrees, an arc distance of 51.4 feet to a point of tangency; thence South 38 degrees East, a distance of 58.25 feet; thence South 27 degrees 40 minutes West, a distance of 71.66 feet to a point of curvature; thence along the arc of a curve to the right, having a radius of 165.0 feet and a central angle of 40 degrees 17 minutes, an arc distance of 116.0 feet to a point of tangency; thence South 67 degrees 57 minutes West, a distance of 231.08 feet to said northwesterly Airport boundary; thence along said boundary, North 37 degrees 06 minutes 20 seconds East, a distance of 97.52 feet to the true point of beginning.

ALSO RESERVING from said Airport tract a nonexclusive, permanent easement described as commencing at the previously referenced Aluminum Pipe Monument marking the Quarter Section corner between Sections 22 and 23; thence along the section line between said Sections 22 and 23, South 00 degrees 42 minutes 50 seconds West, a distance of 705.45 feet to the northwesterly boundary of the aforescribed Airport tract; thence along said boundary South 37 degrees 06 minutes 20 seconds West, a distance of 463.05 feet to a 1/2 inch rebar; thence South 52 degrees 54 minutes 20 seconds East, a distance of 650.0 feet to a 1/2 inch rebar; thence South 37 degrees 06 minutes 10 seconds West, a distance of 847.22 feet to the TRUE POINT OF BEGINNING of the herein described easement; thence continuing South 37 degrees 06 minutes 10 seconds West, a distance of 46.45 feet; thence departing said northwesterly Airport boundary, South 18 degrees 20 minutes East, a distance of 109.2 feet; thence South 20 degrees 15 minutes East, a distance of 73.95 feet; thence North 38 degrees 30 minutes East, a distance of 209 feet; thence North 82 degrees 30 minutes West, a distance of 152 feet; thence North 23 degrees West, a distance of 29 feet to the true point of beginning.

168 **ALSO RESERVING** from said Airport tract a nonexclusive, permanent
169 easement for trails described as commencing at the previously referenced
170 Aluminum Pipe Monument marking the Quarter Section corner between
171 Sections 14 and 23; thence South 43 degrees 48 minutes East, a distance of
172 728.75 feet to a 1/2 inch rebar at a corner of the aforescribed Airport tract;
173 thence along the boundary of said Airport tract, South 52 degrees 53 minutes 20
174 seconds East, a distance of 1054.9 feet to a 1/2 inch rebar; thence South 37
175 degrees 06 minutes 20 seconds West, a distance of 9397.55 feet to the TRUE
176 POINT OF BEGINNING of the herein described easement; thence continuing
177 South 37 degrees 06 minutes 20 seconds West, a distance of 900 feet to a 1/2 inch
178 rebar; thence North 52 degrees 53 minutes 30 seconds West, a distance of 528
179 feet; thence departing said Airport boundary, South 89 degrees 41 minutes East,
180 a distance of 407 feet; thence North 32 degrees 55 minutes 35 seconds East, a
181 distance of 658 feet; thence South 52 degrees 53 minutes 30 seconds East, a
182 distance of 250 feet to the true point of beginning.

183 **ALSO RESERVING** all mineral rights not heretofore reserved. This reservation
184 shall not preclude Grantee's right to withdraw groundwater.

185 **SUBJECT TO** existing leases, licenses, agreements, easements, utilities,
186 conditions, reservations, restrictions and roadways of record or now in effect.

187 **ALSO SUBJECT TO** reservation by the United States of America of any
188 uranium, thorium, or other materials which are or may be determined to be
189 peculiarly essential to the production of fissionable materials, whether or not of
190 commercial value, together with the right through its authorized agents or
191 representatives at any time to enter upon the lands and prospect for, mine, and
192 remove the same as noted in document filed for record in Miller County Deed
193 Book 72 at page 312.

194 **2. The commissioner of administration shall set the terms and conditions for the**
195 **conveyance as the commissioner deems reasonable. Such terms and conditions may**
196 **include, but not be limited to, the number of appraisals required and the time, place,**
197 **and terms of the conveyance.**

198 **3. The ordinances of the City of Osage Beach shall be in force and effect on land**
199 **conveyed under this section.**

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

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