

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1634

91ST GENERAL ASSEMBLY

Reported from the Committee on Local Government and Economic Development, May 15, 2002, with recommendation that the Senate Committee Substitute do pass.

4105S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 141.610, 141.720, 141.750, 141.770, 141.790, 447.620, 447.622, 447.625, 447.632, 447.636, 447.638 and 447.640, RSMo, relating to land trusts and transfers, and to enact in lieu thereof seventeen new sections relating to the same subject.

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

2 Section A. Sections 141.610, 141.720, 141.750, 141.770, 141.790, 447.620, 447.622,
3 447.625, 447.632, 447.636, 447.638 and 447.640, RSMo, are repealed and seventeen new
4 sections enacted in lieu thereof, to be known as sections 141.610, 141.720, 141.750,
5 141.770, 141.790, 447.620, 447.622, 447.625, 447.632, 447.636, 447.638, 447.640, 1, 2, 3,
6 4 and 5, to read as follows:

 141.610. Each court administrator's or sheriff's deed given pursuant to the
2 provisions of the land tax collection law shall be presumptive evidence that the suit and
3 all proceedings therein and all proceedings prior thereto from and including assessment
4 of the lands affected thereby and all notices required by law were regular and in
5 accordance with all provisions of the law relating thereto. **The court administrator**
6 **or sheriff shall record its deed and shall collect said recording fee at the time**
7 **of sale.** After [two years] **one year** from the date of the [recording of such] court
8 administrator's [or sheriff's deed] **foreclosure sale**, the presumption shall be conclusive
9 pursuant to sections 141.210 to 141.810. Notwithstanding section 516.010, RSMo, no
10 suit to set aside or to attack the validity of any such court administrator's or sheriff's
11 deed shall be commenced or maintained unless the suit is filed within [two years] **one**
12 **year** from the date **of** the court administrator's [or sheriff's deed is recorded]

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 foreclosure sale.

141.720. 1. The land trust shall be composed of three members, one of whom
2 shall be appointed by the county **executive, or if the county does not have a**
3 **county executive, the county** commission of the county, one of whom shall be
4 appointed by the city council of that city in the county which then has the largest
5 population according to the last preceding federal decennial census, and one of whom
6 shall be appointed by the board of directors of the school district which then has the
7 largest population according to such census in the county.

8 2. The terms of office of the land trustees shall be for four years each, except the
9 terms of the first land trustees who shall be appointed by the foregoing appointing
10 authorities, respectively, not sooner than twelve months and not later than eighteen
11 months after sections 141.210 to 141.810 take effect.

12 3. Each land trustee shall have been a resident of the county for at least five
13 years next prior to appointment, shall not hold other salaried or compensated public
14 office by election or appointment during service as land trustee, the duties of which
15 would in any way conflict with his duties as land trustee, and shall have had at least ten
16 years experience in the management or sale of real estate.

17 4. Of the first land trustees appointed under sections 141.210 to 141.810, the
18 land trustee appointed by the county commission shall serve for a term ending February
19 1, 1946, the land trustee appointed by the board of directors of the school district then
20 having the largest population in the county shall serve for a term expiring February 1,
21 1947, and the land trustee appointed by the city council of the city then having the
22 largest population in the county shall serve for a term expiring February 1, 1948. Each
23 land trustee shall serve until his successor has been appointed and qualified.

24 5. Any vacancy in the office of land trustee shall be filled for the unexpired term
25 by the same appointing authority which made the original appointment. If any
26 appointing authority fails to make any appointment of a land trustee within the time the
27 first appointments are required by sections 141.210 to 141.810 to be made, or within
28 thirty days after any term expires or vacancy occurs, then the appointment shall be
29 made by the mayor of that city in the county then having the largest population,
30 according to the last preceding federal decennial census.

31 6. The members shall receive for their services as land trustees a salary of two
32 thousand four hundred dollars per year.

33 7. Each land trustee may be removed for cause by the respective appointing
34 authority, after public hearing, if requested by the land trustee, and an opportunity to
35 be represented by counsel and to present evidence is afforded the trustee.

141.750. 1. Such land trust shall be a continuing body and shall have and adopt
2 an official seal which shall bear on its face the words "Land Trust of County,
3 Missouri", "Seal", and shall have the power to sue and issue deeds in its name, which
4 deed shall be signed by the chairman or vice chairman, and attested by the secretary or
5 assistant secretary and the official seal of the land trust affixed thereon, and shall have
6 the general power to administer its business as any other corporate body.

7 2. The land trust may convey title to any real estate sold or conveyed by it by
8 general or special warranty deed, and may convey an absolute title in fee simple, without
9 in any case procuring any consent, conveyance or other instrument from the beneficiaries
10 for which it acts; provided, however, that each such deed shall recite whether the selling
11 price represents a consideration equal to or in excess of two-thirds of the appraised value
12 of such real estate so sold or conveyed, and if such selling price represents a
13 consideration less than two-thirds of the appraised value of said real estate, then the
14 land trustees shall first procure the consent thereto of not less than two of the three
15 appointing authorities, which consent shall be evidenced by a copy of the action of each
16 such appointing authority duly certified to by its clerk or secretary attached to and made
17 a part of said deed, **except the land trust may sell or convey a vacant residential**
18 **tract of land containing four thousand square feet or less with an assessed**
19 **value of less than two hundred fifty dollars to the owner or owners of**
20 **residential property contiguous to the tract being sold for a price equal to**
21 **fifty percent of the assessed value of the tract without first obtaining an**
22 **appraisal of the tract.**

141.770. 1. Each annual budget of the land trust shall be itemized as to objects
2 and purposes of expenditure, prepared not later than December [fifteenth] **tenth** of each
3 year **with copies delivered to the county and city that appointed trustee**
4 **members**, and shall include therein only such appropriations as shall be deemed
5 necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal
6 year. **That budget shall not become the required annual budget of the land**
7 **trust unless and until it has been approved by the governing bodies of the**
8 **county or city that appointed trustee members. If either of the governing**
9 **bodies of the county and city that appointed trustee members fail to notify**
10 **the land trust in writing of any objections to the proposed annual budget on**
11 **or before December twentieth, then such failure or failures to object shall be**
12 **deemed approval. In the event objections have been made and a budget for**
13 **the fiscal year beginning January first has not been approved by the**
14 **governing bodies of the county and city on or before January first, then the**

15 **budget for the previous fiscal year shall become the approved budget for that**
16 **fiscal year.** Any unexpended funds from the preceding fiscal year shall be deducted
17 from the amounts needed to meet the budget requirements of the forthcoming year.

18 2. Copies of the budget shall be made available to the public on or before
19 December [fifteenth] **tenth**, and a public hearing shall be had thereon prior to December
20 twentieth, in each year. **The approved and adopted budget may be amended by**
21 **the trustee members only with the approval of the governing bodies of the**
22 **county and city that appointed trustee members.**

23 3. **If at any time there are not sufficient funds available to pay** the
24 salaries and other expenses of such land trust and of its employees, incident to the
25 administration of sections 141.210 to 141.810, including any expenditures authorized by
26 section 141.760, **funds sufficient to pay such expenses** shall be advanced and paid
27 to the land trust upon its requisition therefor, fifty percent thereof by the county
28 commission of such county, and the other fifty percent by all of the municipalities in
29 such county as defined in section 141.220, in proportion to their assessed valuations at
30 the time of their last completed assessment for state and county purposes. The land
31 trust shall have power to requisition **such funds in an amount** not to exceed
32 twenty-five [thousand dollars] **percent of the total annual budget of the land trust**
33 **from such sources for [each] that** fiscal year of the land trust **for which there are not**
34 **sufficient funds otherwise available to pay the salaries and other expenses of**
35 **the land trust**, but any amount in excess of twenty-five [thousand dollars per] **percent**
36 **of the total annual budget in any fiscal** year may be requisitioned by and paid to
37 the land trust only if such additional sums are agreed to and approved by the county
38 commission and the respective municipalities in such county so desiring to make such
39 payment. All moneys so requisitioned shall be paid in a lump sum within thirty days
40 after **such requisition or** the commencement of [each] **the** fiscal year of the land trust
41 **for which such requisition is made, whichever is later**, and shall be deposited to
42 the credit of the land trust in some bank or trust company, subject to withdrawal by
43 warrant as herein provided.

44 4. The fiscal year of the land trust shall commence on January first of each
45 year. [Said] **Such** land trust shall audit all claims for the expenditure of money, and
46 shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time
47 to time.

48 5. No warrant for the payment of any claim shall be drawn by such land trust
49 until such claim shall have been approved by the land commissioner and shall bear [his]
50 **the commissioner's** certificate that there is a sufficient unencumbered balance in the

51 proper appropriation and sufficient unexpended cash available for the payment
52 thereof. For any certification contrary thereto, such land commissioner shall be liable
53 personally and on [his] **the commissioner's** official bond for the amounts so certified,
54 and shall thereupon be promptly removed from office by the land trustees.

55 **6. In addition to the annual audit provided for in section 141.760, the**
56 **land trust may be performance audited at any time by the state auditor or by**
57 **the auditor of any home rule city with more than four hundred thousand**
58 **inhabitants and located in more than one county that is a member of the land**
59 **trust. The cost of such audit shall be paid by the land trust, and copies shall**
60 **be made available to the public within thirty days of the completion of the**
61 **audit.**

141.790. 1. Such land trust shall set up accounts on its books relating to the
2 operation, management, or other expense of each individual parcel of real estate.

3 2. When any parcel of real estate is sold or otherwise disposed of by the land
4 trust, the proceeds therefrom shall be applied and distributed in the following order:

5 (1) To the payment of the expenses of sale;

6 (2) To the payment of any penalties, attorney's fees or costs which were included
7 in the judgment originally entered against said parcel of real estate, plus its proportional
8 part of the costs of sheriff's foreclosure sale, as shown on the books of the collector;

9 (3) To the payment of the costs of the care, improvement, operation, and
10 management of such parcel of real estate as determined by the land trustees and
11 apportioned to such parcel;

12 (4) The balance to be **retained by the land trust to pay the salaries and**
13 **other expenses of such land trust and of its employees, incident to the**
14 **administration of sections 141.210 to 141.810, including any expenditures**
15 **authorized by section 141.760, as provided for in its annual budget;**

16 (5) **Any funds in excess of those necessary to meet the expenses of the**
17 **annual budget of the land trust in any fiscal year, and including a reasonable**
18 **sum to carry over into the next fiscal year to assure that sufficient funds will**
19 **be available to meet initial expenses for that next fiscal year, may be** paid to
20 the respective taxing authorities and tax bill owners, if any, in the proportion that the
21 principal amounts of the tax bills of each such party bears to the total principal amount
22 of all the tax bills included in the original judgment relating to such parcel of real estate
23 and in the order of their respective priorities. After deduction of all sums charged to
24 each account for various expenses, distribution shall be made to the respective taxing
25 authorities and to tax bill owners having an interest in such parcel of real estate, on

26 January first and July first of each year, and at such other times as the land trustees
27 in their discretion may determine.

2 447.620. As used in sections 447.620 to 447.640, the following terms mean:

3 (1) "Housing code", a local building, fire, health, property maintenance, nuisance
4 or other ordinance which contains standards regulating the condition or maintenance of
5 residential buildings;

6 (2) "Last known address", the address where the property is located or the
7 address as listed in the property tax records;

8 (3) ["Low- or moderate-income housing", housing for persons and families who
9 lack the amount of income necessary to rent or purchase adequate housing without
10 financial assistance, as defined by such income limits as shall be established by the
11 Missouri housing development commission for the purposes of determining eligibility
12 under any program aimed at providing housing for low- and moderate-income families
13 or persons;

14 (4)] "Municipality", any incorporated city, town or village;

15 [(5)] (4) "Nuisance", any property which because of its physical condition or use
16 is a public nuisance or any property which constitutes a blight on the surrounding area
17 or any property which is in violation of the applicable housing code such that it
18 constitutes a substantial threat to the life, health or safety of the public. For purposes
19 of sections 447.620 to 447.640, any declaration of a public nuisance by a municipality
20 pursuant to an ordinance adopted pursuant to sections 67.400 to 67.450, RSMo, shall
21 constitute prima facie evidence that the property is a nuisance;

22 [(6)] (5) "Organization", any Missouri not-for-profit organization validly
23 organized pursuant to law and whose purpose includes the provision or enhancement of
24 housing opportunities in its community;

25 [(7)] (6) "Parties in interest", any owner or owners of record, occupant, lessee,
26 mortgagee, trustee, personal representative, agent or other party having an interest in
27 the property as shown by the land records of the recorder of deeds of the county wherein
28 the property is located, except in any municipality contained wholly or partially within
29 a county [with a population of over six hundred thousand and less than nine hundred
30 thousand] **with a charter form of government and with more than six hundred**
31 **thousand but less than seven hundred thousand inhabitants**, "parties in interest"
32 shall mean owners, lessees, mortgagees or lienholders whose interest has been recorded
33 or filed in the public records;

34 [(8)] (7) "Rehabilitation", the process of improving the property, including, but
35 not limited to, bringing the property into compliance with the applicable housing code.

447.622. Any organization may petition to have property declared abandoned
2 pursuant to the provisions of sections 447.620 to 447.640 and for temporary possession
3 of such property, if:

4 (1) The property has been continuously unoccupied by persons legally entitled to
5 possession for at least one month prior to the filing of the petition;

6 (2) The taxes are delinquent on the property;

7 (3) The property is a nuisance; and

8 (4) The organization intends to rehabilitate the property [and use the property
9 as low- or moderate-income housing].

447.625. 1. Any petition filed under the provisions of sections 447.620 to 447.640
2 which pertains to property located within any [municipality contained wholly or partially
3 within a county with a population of over six hundred thousand and less than nine
4 hundred thousand] **home rule city with more than four hundred thousand**
5 **inhabitants and located in more than one county** shall meet the requirements of
6 this section.

7 2. Summons shall be issued and service of process shall be had as in other in rem
8 or quasi in rem civil actions.

9 3. The petition shall contain a prayer for a court order approving the
10 organization's rehabilitation plan and granting temporary possession of the property to
11 the organization. The petition shall also contain a prayer for a sheriff's deed conveying
12 title to the property to the organization [at the expiration of the one-year period
13 following entry of the order granting temporary possession of the property to the
14 organization] **upon the completion of rehabilitation** when no owner has regained
15 possession of the property pursuant to section [447.438] **447.638**.

16 4. The court shall stay any ruling on the organization's prayer for a sheriff's deed
17 until [the one-year period has expired] **rehabilitation has been completed**.

18 5. The owner [shall be entitled to regain possession of the property by motion
19 instead of a new petition under section 447.638. The compensation to be paid shall be
20 set] **may file a motion for restoration of possession of the property prior to the**
21 **completion of rehabilitation. The court shall determine whether to restore**
22 **possession to the owner and proper compensation to the organization** in the
23 same manner as in section 447.638.

24 6. [The] **Upon completion of rehabilitation the** organization may file a
25 motion for sheriff's deed in place of a petition for judicial deed under section 447.640.

26 7. The provisions of sections 447.620 to 447.640 shall apply except where they
27 are in conflict with this section.

447.632. The court shall grant the organization's petition if the court finds that
2 the conditions alleged by the plaintiff as specified in section 447.622 [exist] **existed at**
3 **the time the verified petition was filed in the circuit court**, that the plan for the
4 rehabilitation of the property submitted to the court by the plaintiff is feasible and
5 defendant has failed to demonstrate that the plaintiff should not be allowed to
6 rehabilitate the property.

447.636. The organization shall file [an annual] **a quarterly** report of its
2 rehabilitation and use of the property, including a statement of all expenditures made
3 by the organization and all income and receipts from the property for the preceding
4 [years] **quarters**.

447.638. The owner [shall be entitled to regain possession of the property by
2 petitioning] **may petition** the circuit court for restoration of possession **of the**
3 **property** and, upon due notice to the plaintiff organization, for a hearing on such
4 petition. At the hearing, the court shall determine **whether the owner has the**
5 **capacity and the resources to complete rehabilitation of the property if such**
6 **work has not been completed by the organization. If the court determines**
7 **that the owner does not have the capacity or the resources to complete**
8 **rehabilitation of the property, the court shall not restore possession to the**
9 **owner. If the court determines that the rehabilitation work has been**
10 **completed by the organization or that the owner has the capacity and the**
11 **resources to complete the rehabilitation, the court shall then determine** proper
12 compensation to the organization for its expenditures, including management fees, based
13 on the organization's reports to the court. The court, in determining the proper
14 compensation to the organization, may consider income or receipts received from the
15 property by the organization. After the owner pays the compensation to the organization
16 as determined by the court, the owner shall resume possession of the property, subject
17 to all existing rental agreements, whether written or verbal, entered into by the
18 organization.

447.640. If an owner [takes no action to] **does not** regain possession of the
2 property in the one-year period following entry of an order granting temporary
3 possession of the property to the organization, the organization may file a petition for
4 judicial deed and, upon due notice to the named defendants, an order may be entered
5 granting a quitclaim judicial deed to the organization. A conveyance by judicial deed
6 shall operate to extinguish all existing ownership interests in, liens on, and other
7 interest in the property, except tax liens.

Section 1. 1. The governor is hereby authorized and empowered to sell,

2 transfer, grant, and convey all interest in fee simple absolute in property
3 owned by the state in the Battle of Athens State Historic Site to the Robert
4 F. French Trust. The property to be conveyed is more particularly described
5 as follows:

6 All that part of the Southwest quarter of section nineteen
7 in Township sixty seven North, Range seven West described in
8 instrument recorded at microfilm drawer 3M card 2156 of the
9 Clark county records being WEST of the following described
10 line. Beginning at the Southeast corner of a tract of land
11 described in instrument recorded at microfilm drawer 9M card
12 926 of the Clark County records and shown on survey dated
13 February 05, 1999 recorded with the Department of Natural
14 Resources as Document number 750-26794, thence along the south
15 boundary of section nineteen North 87 degrees 03' 25" West 8.0
16 feet to a fence and the true point of beginning, thence along said
17 fence North 3 degrees 00' 33" East 1139.6 feet, thence North 4
18 degrees 38' 44" East 956.9 feet to a corner fence post, thence
19 continue North 4 degrees 38' 44" East on a projection of the fence
20 to the low water mark of the Des Moines River.

21 2. In consideration for the conveyance in subsection 1 of this section,
22 the Missouri department of natural resources is hereby authorized to receive
23 via quitclaim deed property from the Robert F. French Trust. The property
24 to be conveyed to the department is more particularly described as follows:

25 All that part of the Southwest quarter of section nineteen
26 in Township sixty seven North, Range seven West described in
27 instrument recorded at microfilm drawer 3M card 2156 of the
28 Clark county records being EAST of the following described
29 line. Beginning at the Southeast corner of a tract of land
30 described in instrument recorded at microfilm drawer 9M card
31 926 of the Clark County records and shown on survey dated
32 February 05, 1999 recorded with the Department of Natural
33 Resources as Document number 750-26794, thence along the south
34 boundary of section nineteen North 87 degrees 03' 25" West 8.0
35 feet to a fence and the true point of beginning, thence along said
36 fence North 3 degrees 00'33" East 1139.6 feet, thence North 4
37 degrees 38' 44" East 956.9 feet to a corner fence post, thence
38 continue North 4 degrees 38' 44" East on a projection of the fence

39 to the low water mark of the Des Moines River.

40 3. The attorney general shall approve the form of the instrument of
41 conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell,
2 transfer, grant, and convey all interest in fee simple absolute in property
3 owned by the state at Cuivre River State Park to Steve and Ellen Piacentini,
4 husband and wife. The property to be conveyed is more particularly
5 described as follows:

6 Part of lands located in the County of Lincoln and the
7 State of Missouri, lying in part of the southwest quarter of
8 Section 16 and part of the northwest quarter of Section 21,
9 Township 49 North, Range 1 East of the Fifth Principal Meridian,
10 being all that part north and east of the following described
11 courses:

12 Commencing at a standard aluminum monument, described in
13 MoDNR document # 600-65596 and located per survey filed as
14 document # 750-26854 in the records of the Missouri Department
15 of Natural Resources, marking the southeast corner of the
16 northeast quarter of the northwest quarter of said Section 21;
17 thence along the east line of said northeast quarter of the
18 northwest quarter of Section 21, north 00 degrees 51 minutes 55
19 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the
20 TRUE POINT OF BEGINNING of the herein described courses;
21 thence departing said east line north 89 degrees 08 minutes 05
22 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from
23 which a found 3/8 inch rebar bears south 89 degrees 08 minutes
24 05 seconds east, a distance of 18.1 feet; thence north 00 degrees
25 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8
26 inch rebar, from which a standard aluminum monument,
27 described in MoDNR document # 600-65595 and located per said
28 survey filed as document # 750-26854, bears south 89 degrees 05
29 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2
30 inch rebar with orange plastic cap marked "RLS 1851" bears
31 south 79 degrees 19 minutes 30 seconds east, a distance of 16.1
32 feet; thence north 89 degrees 05 minutes 55 seconds west, a
33 distance of 155.40 feet to a set 5/8 inch rebar; thence north 00
34 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a

set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set 5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Steve and Ellen Piacentini. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from

72 **which a found 3/8 inch rebar bears south 89 degrees 08 minutes**
73 **05 seconds east, a distance of 18.1 feet; thence north 00 degrees**
74 **51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8**
75 **inch rebar , from which a standard aluminum monument,**
76 **described in MoDNR document # 600-65595 and located per said**
77 **survey filed as document # 750-26854, bears south 89 degrees 05**
78 **minutes 55 seconds east, a distance of 45.00 feet and a found ½**
79 **inch rebar with orange plastic cap marked "RLS 1851" bears**
80 **south 79 degrees 19 minutes 30 seconds east, a distance of 16.1**
81 **feet; thence north 89 degrees 05 minutes 55 seconds west, a**
82 **distance of 155.40 feet to a set 5/8 inch rebar; thence north 00**
83 **degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a**
84 **set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds**
85 **west, a distance of 409.29 feet to the east line of a tract of land**
86 **conveyed to Loyd E. Groshong by instrument recorded in Deed**
87 **Book 220 at page 575 of the Lincoln County land records, marked**
88 **by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round**
89 **rod bears north 00 degrees 34 minutes 30 seconds east, a distance**
90 **of 253.60 feet; thence along the east line of said Groshong tract,**
91 **south 00 degrees 34 minutes 30 seconds west, a distance of 53.80**
92 **feet to the section line between said Sections 16 and 21, marked**
93 **by a set 5/8 inch rebar, the point of termination of the herein**
94 **described courses, from which a found 7/8 inch O.D. iron pipe**
95 **bears south 00 degrees 34 minutes 30 seconds west, a distance of**
96 **7.55 feet and a 5/8 inch rebar with aluminum cap, described in**
97 **MoDNR document # 600-65594 and located per said survey filed**
98 **as document # 750-26854, bears north 89 degrees 05 minutes 55**
99 **seconds west, a distance of 710.45 feet.**
100 **3. The attorney general shall approve the form of the instrument of**
101 **conveyance.**

Section 3. 1. The governor is hereby authorized and empowered to sell,
2 **transfer, grant, and convey all interest in fee simple absolute in property**
3 **owned by the state at Washington State Park to Rachel DeClue and Patricia**
4 **Westoff. The property to be conveyed is more particularly described as**
5 **follows:**

6 **Part of lands located in the County of Washington and the**
7 **State of Missouri, lying in the west half of the northeast quarter**

8 **of Section 29, Township 39 North, Range 3 East of the Fifth**
9 **Principal Meridian, being all that part enclosed by the following**
10 **described courses:**

11 **Commencing at a standard aluminum monument, described in**
12 **MoDNR document # 600-66813 and located per survey filed as**
13 **document # 750-26906 in the records of the Missouri Department**
14 **of Natural Resources, marking the southeast corner of said west**
15 **half of the northeast quarter of Section 29; thence north 88**
16 **degrees 06 minutes 30 seconds west, a distance of 807.05 feet to**
17 **a found 1 inch round rod (as called for in Deed Book 125 at page**
18 **61 of the land records of Washington County), lying within the**
19 **right-of-way of Missouri Route 21; thence north 39 degrees 15**
20 **minutes 30 seconds west, a distance of 711.15 feet to a found 3/4**
21 **inch smooth round rod (as called for in Deed Book 125 at page**
22 **202 of said land records); thence north 80 degrees 28 minutes 30**
23 **seconds east, a distance of 7.0 feet to the easterly right-of-way of**
24 **said Route 21, marked by a set 5/8 inch rebar, being the TRUE**
25 **POINT OF BEGINNING of the herein described courses; thence**
26 **continuing north 80 degrees 28 minutes 30 seconds east, a**
27 **distance of 413.00 feet to a set 5/8 inch rebar; thence south 14**
28 **degrees 20 minutes 00 seconds east, a distance of 295.15 feet to a**
29 **set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds**
30 **west, a distance of 290.00 feet to said easterly right-of-way, from**
31 **which a found t-post bears south 87 degrees 00 minutes 00**
32 **seconds west, a distance of 7.7 feet; thence northwesterly along**
33 **said easterly right-of-way to the true point of beginning.**

34 **2. In consideration for the conveyance in subsection 1 of this section,**
35 **the Missouri department of natural resources is hereby authorized to receive**
36 **via quitclaim deed property from Rachel DeClue and Patricia Westoff. The**
37 **property to be conveyed to the department is more particularly described as**
38 **follows:**

39 **Part of lands located in the County of Washington and the**
40 **State of Missouri, lying in the west half of the northeast quarter**
41 **of Section 29, Township 39 North, Range 3 East of the Fifth**
42 **Principal Meridian, being all that part north and east of the**
43 **following described courses:**
44 **Commencing at a standard aluminum monument, described in**

45 **MoDNR document # 600-66813 and located per survey filed as**
46 **document # 750-26906 in the records of the Missouri Department**
47 **of Natural Resources, marking the southeast corner of said west**
48 **half of the northeast quarter of Section 29 and being the TRUE**
49 **POINT OF BEGINNING of the herein described courses; thence**
50 **south 87 degrees 37 minutes 35 seconds west, a distance of 123.69**
51 **feet to a found ½ inch rebar with yellow plastic cap marked**
52 **"ELGIN PS 1682", per said document # 750-26906; thence north 47**
53 **degrees 49 minutes 00 seconds west, a distance of 508.45 feet to**
54 **a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30**
55 **seconds west, a distance of 270.10 feet to a set 5/8 inch rebar;**
56 **thence north 14 degrees 20 minutes 00 seconds west, a distance**
57 **of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28**
58 **minutes 30 seconds west, a distance of 413.00 feet to the easterly**
59 **right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar**
60 **, said rebar being the point of termination, from which a found**
61 **¾ inch smooth round rod (as called for in Deed Book 125 at page**
62 **202 of the land records of Washington County) bears south 80**
63 **degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a**
64 **found ½ inch rebar with yellow plastic cap marked "ELGIN PS**
65 **1682", per said document # 750-26906, bears north 39 degrees 20**
66 **minutes 00 seconds west, a distance of 110.90 feet.**
67 **3. The attorney general shall approve the form of the instrument of**
68 **conveyance.**

Section 4. 1. The governor is hereby authorized and empowered to sell,
2 **transfer, grant, and convey all interest in fee simple absolute in property**
3 **owned by the state at Washington State Park to Oscar and Margaret**
4 **Rulo. The property to be conveyed is more particularly described as follows:**

5 **Part of lands located in the County of Washington and the**
6 **State of Missouri, lying in the west half of the northeast quarter**
7 **of Section 29, Township 39 North, Range 3 East of the Fifth**
8 **Principal Meridian, being all that part south and west of the**
9 **following described courses:**

10 **Commencing at a standard aluminum monument, described in**
11 **MoDNR document # 600-66813 and located per survey filed as**
12 **document # 750-26906 in the records of the Missouri Department**
13 **of Natural Resources, marking the southeast corner of said west**

half of the northeast quarter of Section 29; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, being the TRUE POINT OF BEGINNING of the herein described courses; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to the point of termination at the easterly right-of-way of Missouri Route 21, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Oscar and Margaret Rulo. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey tiled as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar,

51 **said rebar being the point of termination, from which a found 3/4**
52 **inch smooth round rod (as called for in Deed Book 125 at page**
53 **202 of the land records of Washington County) bears south 80**
54 **degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a**
55 **found ½ inch rebar with yellow plastic cap marked "ELGIN PS**
56 **1682", per said document # 750-26906, bears north 39 degrees 20**
57 **minutes 00 seconds west, a distance of 110.90 feet.**

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

Section 5. 1. The director of the department of natural resources is
2 **hereby authorized and empowered to grant and convey certain land in**
3 **Jefferson County described as follows:**

4 **Parcel 11: Part of a larger tract of 42.26 acres located and being**
5 **all that part of the South one-half of the northeast quarter of**
6 **Section 20, Township 43 North, Range 5 East, in Jefferson**
7 **County, Missouri and described as follows: Beginning at an iron**
8 **pipe in the South line of the Northeast Quarter of said Section**
9 **20, being South 88 degrees 25 minutes East, distance 507.41 feet**
10 **from the center of said Section 20; thence leaving the said South**
11 **line of said Northeast Quarter of said Section 20, North 30**
12 **minutes East 159.11 feet to an iron pipe; thence North 88 degrees**
13 **25 minutes East 588.47 feet to a point in the center-line of a**
14 **branch from which an iron pipe bears South 88 degrees 25**
15 **minutes West, distance 146.66 feet; thence along the said center-**
16 **line of said branch South 27 degrees 02 minutes West 181.29 feet**
17 **to a point from which an iron pipe bears South 88 degrees 25**
18 **minutes West, distance 65.60 feet; thence leaving the said center-**
19 **line of said branch and along the South line of said Northeast**
20 **Quarter of said Section 20 South 88 degrees 25 minutes West**
21 **507.41 feet to the point of beginning, containing two (2) acres.**

22 **Also an easement 20 feet wide lying East of and South of the**
23 **following described line: Beginning at a point located in the**
24 **North line of the above described tract said point being South 88**
25 **degrees 25 minutes West 75 feet more or less from the Northeast**
26 **corner; thence North 28 degrees 48 minutes East 760 feet, more**
27 **or less to a point; thence South 49 degrees 45 minutes East to the**
28 **West right-of-way line of Romain Creek County Road.**

29 **2. Tammy L. Edwards shall have the right of first refusal to purchase**
30 **the property described in subsection 1 of this section based on the fair**
31 **market value of the property as determined by an appraiser contracted with**
32 **by the department of natural resources. In the event that Tammy L. Edwards**
33 **is unable or unwilling to purchase the property for the price determined by**
34 **the department of natural resources, the department of natural resources**
35 **shall then sell the property at a public auction under such terms and**
36 **conditions as the department shall set.**

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

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