

Answer by letter-Blackmar, A.

July 31, 1970

OPINION LETTER NO. 432

Mr. Gene Sally, Director  
Department of Community Affairs  
Jefferson State Office Building  
Jefferson City, Missouri 65101



Dear Mr. Sally:

This letter is in response to your request for an opinion concerning a new townsite for the City of Pattonsburg, Missouri. You state:

"The City of Pattonsburg is being inundated due to the construction of a reservoir by the United States Army Corps of Engineers. The City of Pattonsburg is at this time preparing for relocation, and has been granted certain privileges by Senate Bill No. 200.

"Senate Bill No. 200 enables a city to plat a parcel of land outside the present city limits to serve as a location for the new townsite. A question has arisen as to how many acres are required in the plat for the new townsite. Will your office please give official opinion clarifying the number of acres necessary in the new townsite. Thank you very much."

Senate Bill No. 200, 75th General Assembly, was enacted into law and is now found in Sections 71.016 through 71.019, RSMo 1969. Those sections make no mention of the number of acres required in a plat for a new townsite. In Section 71.017 it is provided that the plat shall contain the same information as required by the laws of this state to be contained in a plat for a new townsite. Laws relating to plats for new townsites are found in Chapter 445, RSMo 1969. Chapter 445 makes no reference to the number of acres required for a plat for a new townsite. We find no other statutory

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section that would be applicable to the question of how many acres are required in the plat for the new townsite. Therefore, we are of the opinion that the legislature has imposed no specific requirements concerning the number of acres required for a new townsite organized under the provisions of Sections 71.016 to 71.019, RSMo 1969, and that the number of acres required is within the discretion of the legislative body of the city, town or village concerned, in this case the City of Pattonsburg.

Yours very truly,

JOHN C. DANFORTH  
Attorney General