

Boone County, Missouri



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Recorded in Boone County, Missouri

Date and Time: 08/26/2013 at 04:17:18 PM

Instrument #: 2013022158 Book: 4209 Page: 107

Grantor: MILL CREEK MANOR INC

Grantee: WYNDHAM RIDGE HOMES ASSOCIATION OF ...

Instrument Type: AMEN

Recording Fee: \$51.00 S

No. of Pages: 10

Bettie Johnson
Bettie Johnson, Recorder of Deeds



**AMENDMENT TO ANNEXATION DECLARATION ANNEXING LOTS OF THE
VILLAGE AT WYNDHAM RIDGE, PLAT NO. 1, TO THAT DEVELOPMENT KNOWN
AS WYNDHAM RIDGE**

Developer/Grantor: Mill Creek Manor, Inc., a Missouri corporation [address: Attn: Fred W. Overton, Vice President, 2712 Chapel Wood View, Columbia, MO 65203]

Grantee: Wyndham Ridge Homes Association of Columbia, a not for profit corporation of the State of Missouri, and Lot Owners of Lots located within all plats of Wyndham Ridge [address: c/o Fred W. Overton, 2712 Chapel Wood View, Columbia, MO 65203]

Legal Description: The following described situated in Boone County, Missouri:

See Exhibit A hereto

Date: August 23, 2013

Nora Dietzel, Recorder of Deeds

Boone County, Missouri

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Re: The following described real estate situated in Boone County, Missouri, to wit:

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See Exhibit A hereto

AMENDMENT TO ANNEXATION DECLARATION ANNEXING LOTS OF THE VILLAGE AT WYNDHAM RIDGE, PLAT NO. 1, TO THAT DEVELOPMENT KNOWN AS WYNDHAM RIDGE

THIS AMENDMENT TO ANNEXATION DECLARATION (hereinafter referred to as "this Amended Annexation Declaration") is made on this 23rd day of August, 2013, by **Mill Creek Manor, Inc.**, a Missouri corporation [mailing address: Attn: Fred W. Overton, 2712 Chapel Wood View, Columbia, MO 65203], which such Mill Creek Manor, Inc. is hereinafter referred to as "the Developer."

BACKGROUND RECITALS [“Recitals”]

This Annexation Declaration is executed and recorded by the Developer in view of the following facts, matters and circumstances:

The Developer was the owner of a large parcel of land ("the Developer's Land") situated in Boone County, Missouri, which consists of 105.82 acres, more or less, which is described on Exhibit 1 to "Annexation Declaration, Annexing Land/Property and Lots to Wyndham Ridge . . ." ("the Original Annexation Declaration") as Exhibit 1 to such Original Annexation Declaration, which such Original Annexation Declaration is recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri, the said Exhibit 1 to the said Original Annexation Declaration being incorporated herein by reference, and being attached hereto as Exhibit A. The said tract of land is referred to herein as "the Developer's Land." The Developer still owns substantial parts of the Developer's Land.

The Developer committed a portion of the Developer's Land to a development known as "Wyndham Ridge" ("the Development") which is provided for by, and is subject to, a Declaration of Covenants, Easements and Restrictions of Wyndham Ridge ("the Declaration") recorded in Book 3358 at Page 165 of the Real Estate Records of Boone County, Missouri. Such Declaration of Covenants, Easements and Restrictions of Wyndham Ridge has been amended and supplemented as follows:

- By an Affidavit of Scrivener's Error recorded in Book 3690 at Page 33 of the Real Estate Records of Boone County, Missouri;
- By an Annexation Declaration Annexing Land/Property and Lots to Wyndham Ridge, a Subdivision of Columbia, Boone County, Missouri, which is referred to herein as "the Original

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Annexation Declaration” (and which is recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri);

- By a “Correction to Declaration of Covenants, Easements and Restrictions of Wyndham Ridge, a Subdivision of Columbia, Boone County, Missouri”, recorded in Book 3808 at Page 40 of the Real Estate Records of Boone County, Missouri; and

- By an Annexation Declaration Annexing Land/Property and Lots Constituting the Village at Wyndham Ridge, Plat No. 3 . . .” to the Development, recorded in Book 4082 at Page 66 of the Real Estate Records of Boone County, Missouri (“the Plat 3 Annexation Declaration”).

Such Original Declaration recorded in Book 3358 at Page 165 of the Real Estate Records of Boone County, Missouri, as amended and corrected by such Affidavit of Scrivener’s Error, and as amended and supplemented by such Original Annexation Declaration and by such Correction to Declaration, and as supplemented by the Plat 3 Annexation Declaration (all hereinabove described) is referred to herein as “the Declaration” or “the Wyndham Ridge Declaration”. The Wyndham Ridge Declaration currently consists of the Original Declaration, the Affidavit of Scrivener’s Error, the Original Annexation Declaration and the Correction to Declaration, and the Plat 3 Annexation Declaration, all as hereinabove described, and all read together, collectively, and all collectively referred to herein as “the Declaration” or “the Wyndham Ridge Declaration”.

The Wyndham Ridge Declaration defines an “Annexation Parcel” as including “all of the Developer’s Land . . .”, other than the land located within Wyndham Ridge Plat 1, which was the land originally committed to the Development by the Original Declaration.

Pursuant to the Developer’s authorities to annex land to the Development and to subject same to the Declaration, the Developer executed and recorded “the Original Annexation Declaration” described above.

Among other land annexed to the Development by such Original Annexation Declaration was land and Lots referred to in such Original Annexation Declaration as “Parcel 3.” The said Parcel 3 is legally described as follows:

“Parcel 3: Lots 1, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B and 8 of the Village at Wyndham Ridge Plat No. 1, recorded in Plat Book 44 at Page 29 of the Real Estate Records of Boone County, Missouri”

The Original Annexation Declaration specifically stated, in paragraph SIXTH thereof, that while the said Parcel 3 was annexed to the Development and made subject to the Declaration, the said Parcel 3 would nevertheless be a part of a development to be known as “The Villas at Wyndham Ridge,” which is referred to in the Declaration as “the Villas Development.” Such Villas Development was intended to be a development consisting of township type buildings containing two (2) Living Units. As stated in paragraph SEVENTH of the Original Annexation Declaration,

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the Lots making up the said Parcel 3 were to be subject to a separate document, then being prepared by the Developer, to be entitled "Declaration of Covenants, Conditions, Reservations, Easements and Restrictions of The Villas at Wyndham Ridge, a Planned Unit Development."

The Developer has now determined that it is not practical to develop the said Parcel 3 as a separate so-called "Villas Development" and that the land and Lots of the said Parcel 3 should be annexed to the Wyndham Ridge Development, but should contain, as opposed to a Villas Development, Lots, each of which will contain a traditional, detached single family home.

The Developer still owns and controls all of the Lots of the above described Parcel 3 and still retains the Developer's Rights, powers and authorities, as provided for by the Declaration, to annex property to the Development, subject, however, to certain modifications in various provisions of the Declaration. The Declaration specifically states, in Article XIII thereof (entitled "Annexation") as follows:

“. . . as the Developer annexes parcels of real estate to the Development, the Developer may amend the effects of various parts of this Declaration, as same apply to various areas of real estate which are hereafter annexed to the Development. . . [meaning that] . . . Certain portions of this Declaration may be modified or amended, as they apply to various portions of the real estate. . .”

The Developer, therefore, has the power to annex the Lots of the above described Parcel 3 to the Development and to subject same to Architectural Control Provisions and other provisions which differ from those of the Declaration.

The Developer no longer intends that the Lots of Parcel 3 shall be a part of the Villas Development described above.

The Developer, who caused the Plat of "The Village Wyndham Ridge, Plat No. 1" to be prepared, and to be recorded in Plat Book 44 at Page 29 of the Real Estate Records of Boone County, Missouri (such Plat being the one which describes the Lots of the above described Parcel 3), also has the right and power, under the provisions of the Declaration, to amend any plat as to any Lot or land owned by the Developer. Section 24 of Article I of the Declaration, and Section 18 of Article I of the Declaration, specifically provide that the Developer reserves the right to amend the Plat as to any portion of the Parcel which is owned by the Developer. The Developer, therefore, which owns the entirety of the land constituting "Parcel 3" (as hereinabove described) as described in the Original Annexation Declaration, therefore, has the right and power to amend the Plat pertaining to the said Parcel 3, same being the above described Plat of The Village at Wyndham Ridge, Plat No. 1.

The Developer, pursuant to the reserved powers and authority to amend such Plat, has caused an "Administrative Replat, The Village at Wyndham Ridge, Plat No. 1-A" to be prepared and to be recorded in Book _____ at Page _____ of the Real Estate Records of Boone County, Missouri. Such Administrative Replat ("the Amended Plat") amends the Plat of "The Village at Wyndham

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Ridge, Plat No. 1” recorded in Plat Book 44 at Page 290 of the Real Estate Records of Boone County, Missouri, so as to combine the A and B Lots described in and provided for by the said The Village at Wyndham Ridge, Plat No. 1, into single Lots, Lots 101 through 109, both inclusive, as shown by the Amended Plat, each of which such Lots 101 through 109 is intended to contain a single Building, each of which such Buildings will be a traditional, Single Family Dwelling Building, meaning a separate, detached Building, that will contain one (1) Living Unit. Each of such Lots 101 through 109, both inclusive, as shown by the Amended Plat, is, therefore, intended to contain a single, detached Building/One Family Dwelling, or a traditional detached house such as is usually and customarily found in Zoning District R-1 within the city limits of the City of Columbia, Missouri.

The Developer, therefore, desires to amend the original Annexation Declaration, which annexed Parcel 3 (as hereinabove described) to the Wyndham Ridge Development, and to cause such Parcel 3, as now subject to the Amended Plat, and Lots 101 through 109, both inclusive, as shown by the Amended Plat, to be annexed to the Development, but to be subject to all of the terms, covenants, conditions and provisions of the Declaration (there being no recorded Declaration for The Villas at Wyndham Ridge), with each of the said Lots 101 through 109, both inclusive, to be subject to all of the provisions, terms, covenants and restrictions of the Declaration; provided, however, that Article VII of the Declaration (as it provides for “Architectural Control”), as to the said Lots 101 through 109, both inclusive, as shown by the Amended Plat, shall be that amended Article VII which is provided for by the Original Declaration to apply to Lots 201 through 264, both inclusive, of The Village at Wyndham Ridge, Plat No. 2; provided, however, that the following changes in the amended Article VII which applies to the said Lots 201 through 264, both inclusive, of The Village at Wyndham Ridge Plat No. 2 (as provided for by the Original Annexation Declaration, which is incorporated herein by reference the same as though fully set forth herein verbatim) shall be amended as follows:

1. Minimum Size Requirement for Single Level/Ranch Style or One and One-Half Story Dwelling, Built on a Slab. The Original Annexation Declaration, as it imposes an amended Article VII on the said Lots of Wyndham Ridge Plat No. 2, provides that the Minimum Size Requirement for a Single Level/Ranch Style or One and One-Half Story Dwelling built on a slab shall be 1,600 square feet of finished floor space, and such requirement shall be amended as to each of Lots 101 through 109, both inclusive, as shown by the Amended Plat, to reduce such Minimum Size Requirement for such a Dwelling from 1,600 square feet to 1,500 square feet of finished floor space; and

2. Side of Building on Lots 101 and 109. The side of the Building on each of Lots 101 and 109, which faces the street (the north side of Lot 101 faces Thornbrook Terrace and the south side of Lot 109 faces Abbington Terrace) must be covered with (meaning clad with) either stone, brick or EFIS (i.e., synthetic stucco, such as Dryvit).

Otherwise the Architectural Control Requirements of Article VII of the Declaration, as same shall apply to each of the Lots 101 through 109, both inclusive, as shown by the Amended Plat, shall be the same Architectural Control Requirements (the same amended Article VII) as apply to Lots

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201 through 264, both inclusive, of The Village at Wyndham Ridge Plat No. 2; the said requirements (the same Article VII) being those of the amended Article VII of the Declaration provided for by the Original Annexation Declaration, with said Article VII appearing on pages 6 through 29 of the Original Annexation Declaration, which is incorporated herein by reference the same as though fully set forth herein verbatim.

NOW, THEREFORE, in view of the foregoing Recitals, the Developer hereby states, covenants, declares and agrees as follows:

FIRST. Annexation of Lots 101 through 109. Each of Lots 101 through 109, both inclusive, as shown by the "Amended Plat" referred to herein, meaning the "Administrative Replat of The Village at Wyndham Ridge, Plat No. 1-A," recorded in Book _____ at Page _____ of the Real Estate Records of Boone County, Missouri, shall be and it is hereby annexed to the Development provided for by the Declaration, subject, however, to the provisions of this Amended Annexation Declaration.

SECOND. Paragraphs Sixth and Seventh of Original Annexation Declaration of No Effect. All of the provisions of paragraphs Sixth and Seventh of the Original Annexation Declaration, meaning that Annexation Declaration which annexed the above described Parcel 3 to the Development, and which is recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri, shall be and the same are abrogated, terminated and rendered of no further force or effect. The said paragraphs Sixth and Seventh shall have no effect whatsoever on the Lots 101 through 109, both inclusive, as described herein, which are annexed to the Development by this document.

THIRD. Amended Plat. The Plat of "The Village at Wyndham Ridge, Plat No. 1," recorded in Plat Book 44 at Page 29 of the Real Estate Records of Boone County, Missouri, shall be amended, pursuant to the Developer's reserved powers to amend Plats for land owned by the Developer, as provided for by the Amended Plat, with Lots 101 through 109, both inclusive, as shown by the Amended Plat, being hereby annexed to the Development.

FOURTH. Lots 101 through 109 to be Lots of the Development. Each of Lots 101 through 109, both inclusive, as shown by the Amended Plat, shall be a "Lot" of the Development, as provided for by and as described in the Declaration.

FIFTH. Amended Article VII. All provisions of the Declaration and specifically those of Article VII of the Declaration notwithstanding, Article VII of the Declaration, as it applies to the Lots hereby annexed, meaning Lots 101 through 109, both inclusive, as shown by the Amended Plat, shall be and it is hereby amended so as to be the same amended Article VII made applicable to each of Lots 201 through 264, both inclusive, of The Village at Wyndham Ridge Plat No. 2, by way of that Original Annexation Declaration hereinabove described (which such amended Article VII appears beginning at the bottom of page 6 of the Original Annexation Declaration – such Original Annexation Declaration being incorporated herein by reference the same as through fully set forth herein, verbatim); provided, however, that subparagraph B of Section 5 of the said Article VII, as

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such subparagraph B appears beginning at the bottom of page 6 of the Original Annexation Declaration, shall be and it is hereby amended as it applies to each of Lots 101 through 109, both inclusive, as shown by the Amended Plat, so as to strike therefrom the reference to "not less than one thousand six hundred (1,600) square feet of finished floor space," and so as to substitute in lieu thereof ". . . not less than one thousand five hundred (1,500) square feet of finished floor space." In addition, an additional Architectural Control Requirement is imposed upon the Building to be located on each of Lots 101 and 109, as shown by the Amended Plat, so as to require that the north side of the Building on Lot 101, and the south side of the Building located on Lot 109, must be covered with (finished with, meaning clad with) either brick, stone or EFIS (meaning synthetic stucco, such as Dryvit) of a color, type, quality and texture approved, in advance, by the Developer.

SIXTH. Elimination of The Villas at Wyndham Ridge. Lots 101 through 109, both inclusive, shall **NOT** be a part of a Villas Development, meaning The Villas at Wyndham Ridge, as described in the Declaration, but shall remain a part of the Wyndham Ridge Development.

SEVENTH. Use Restrictions. Each of the said Lots 101 through 109, both inclusive, as shown by the Amended Plat, shall be subject to all of the "Use Restrictions" as set forth in Article XI ("Use Restrictions") of the original Wyndham Ridge Declaration recorded in Book 3358 at Page 165 of the Real Estate Records of Boone County, Missouri, as amended by the Affidavit of Scrivener's Error recorded in Book 3690 at Page 33 of the Real Estate Records of Boone County, Missouri, and the "Correction to Declaration of Covenants, Easements and Restrictions of Wyndham Ridge, a Subdivision of Columbia, Boone County, Missouri," recorded in Book 3808 at Page 40 of the Real Estate Records of Boone County, Missouri.

EIGHTH. Remaining Provisions. All provisions of the Declaration, as the Declaration is amended by way of this document, shall be in full force and effect as to each of Lots 101 through 109, both inclusive, as shown by the Amended Plat, except to the extent any such provision is amended by this document.

IN WITNESS WHEREOF, the Developer has executed this Amended Annexation Declaration on the day and year hereinabove first written.

THIS DOCUMENT CONTAINS A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES.

MILL CREEK MANOR, INC.

(Corporate Seal)

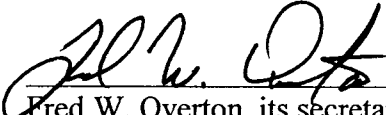
By: Doris Overton
Doris Overton, President

Boone County, Missouri

ATTEST:

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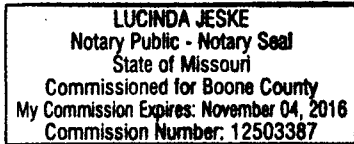
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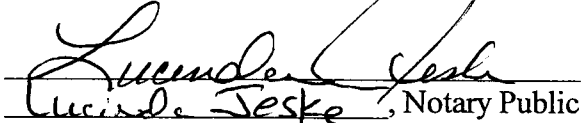

Fred W. Overton, its secretary

STATE OF MISSOURI)
) SS
COUNTY OF BOONE)

On this 23rd day of August, 2013, before me appeared Doris Overton, to me personally known, who, being by me duly sworn did say that she is the president of Mill Creek Manor, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Doris Overton acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and notarial seal at my office in the State and County aforesaid, on the day and year hereinabove first written.




Lucinda Jeske, Notary Public
Boone County, State of Missouri
My commission expires: 11-4-2016

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AUGUST 31, 2010

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BOONE COUNTY MO JAN 19 2011

A TRACT OF LAND LOCATED IN THE NORTH FRACTIONAL HALF OF SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING ALL OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 3079 AT PAGE 49 ALSO BEING THE LAND DESCRIBED BY THE TRUSTEE'S DEEDS RECORDED IN BOOK 2804, PAGE 11, AND IN BOOK 3060, PAGE 2 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 4 AS SHOWN IN LAND CORNER DOCUMENT NUMBER 600-29429; THENCE WITH THE WEST LINE OF SAID SECTION 4, N0°16'50"W, 19.45 FEET TO THE POINT OF BEGINNING;
THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE WEST LINE OF SAID SECTION 4, N0°16'50"W, 3240.00 FEET TO THE NORTH LINE OF SAID TRUSTEE'S DEED RECORDED IN BOOK 2804, PAGE 11; THENCE WITH THE NORTH LINE OF SAID DEED, N89°44'00"E, 360.02 FEET TO THE NORTHEAST CORNER OF SAID TRUSTEE'S DEED RECORDED IN BOOK 3060, PAGE 2; THENCE WITH THE EAST LINE OF SAID DEED, S0°16'00"E, 169.42 FEET TO AFORESAID NORTH LINE OF THE TRUSTEE'S DEED RECORDED IN BOOK 2804, PAGE 11; THENCE LEAVING THE LINES OF SAID DEED RECORDED IN BOOK 3060, PAGE 2 AND WITH SAID NORTH LINE, S33°16'00"E, 467.99 FEET; THENCE S76°46'00"E, 480.00 FEET; THENCE N72°14'00"E, 540.00 FEET; THENCE N37°14'00"E, 175.00 FEET TO THE SOUTH LINE OF SAID TRUSTEE'S DEED RECORDED IN BOOK 3060, PAGE 1; THENCE LEAVING SAID NORTH LINE AND WITH SAID SOUTH LINE, S68°49'00"E, 740.86 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK; THENCE LEAVING SAID SOUTH LINE AND WITH SAID WESTERLY RIGHT-OF-WAY LINE, 143.37 FEET ALONG A 1115.73-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S25°47'15"W, 142.96 FEET; THENCE S29°27'35"W, 937.00 FEET; THENCE 247.42 FEET ALONG A 2835.26-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S31°57'35"W, 247.34 FEET; THENCE S34°27'35"W, 1471.20 FEET; THENCE 521.27 FEET ALONG A 543.03-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S61°57'35"W, 501.49 FEET; THENCE S89°27'35"W, 450.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 105.82 ACRES

EXCEPTING THEREFROM ALL OF WYNDHAM RIDGE PLAT 1 AS RECORDED IN PLAT BOOK 41 AT PAGE 68 BEING DESCRIBED AS: A TRACT OF LAND LOCATED IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 3079, PAGE 49 AND BEING PART OF TRUSTEE'S DEED RECORDED IN BOOK 2804, PAGE 11 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK AS SHOWN IN SAID SURVEY RECORDED IN BOOK 3079, PAGE 49 AT PT STATION 76+03.7; THENCE WITH SAID RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID SURVEY, N34°27'35"E, 1169.96 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID RIGHT-OF-WAY LINE, N62°55'05"W, 529.31 FEET; THENCE S86°44'45"W, 294.33 FEET; THENCE N15°55'50"W, 189.13 FEET; THENCE N3°50'20"W, 269.39 FEET; THENCE 21.25 FEET ALONG A 1530.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S82°02'05"W, 21.25 FEET; THENCE N8°21'50"W, 371.62 FEET; THENCE S83°38'35"E, 638.28 FEET; THENCE N85°33'40"E, 667.75 FEET; THENCE S50°56'15"E, 46.81 FEET; THENCE S3°22'35"E, 282.82 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK; THENCE WITH SAID WESTERLY RIGHT-OF-WAY LINE, S°29'27'35"W, 287.80 FEET; THENCE 247.42 FEET ALONG A 2835.26-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S31°57'35"W, 247.34 FEET; THENCE S34°27'35"W, 301.24 FEET TO THE POINT OF BEGINNING AND SAID EXCEPTION CONTAINING 22.70 ACRES.

THE NET AREA OF THIS DESCRIBED TRACT IS 83.12 ACRES.

"EXHIBIT A "

Nora Dietzel, Recorder of Deeds

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Wyndham Ridge Plat No. 1

A TRACT OF LAND LOCATED IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 3079, PAGE 49 AND BEING PART OF TRUSTEES DEED RECORDED IN BOOK 2804, PAGE 11 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK AS SHOWN IN SAID SURVEY RECORDED IN BOOK 3079, PAGE 49 AT PT STATION 76+03.7; THENCE WITH SAID RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID SURVEY, N34°27'35"E, 1169.96 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID RIGHT-OF-WAY LINE, N62°55'05"W, 529.31 FEET; THENCE S86°44'45"W, 294.33 FEET; THENCE N15°55'50"W, 189.13 FEET; THENCE N3°50'20"W, 269.39 FEET; THENCE 21.25 FEET ALONG A 1530.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S82°02'05"W, 21.25 FEET; THENCE N8°21'50"W, 371.62 FEET; THENCE S83°38'35"E, 638.28 FEET; THENCE N85°33'40"E, 667.75 FEET; THENCE S50°56'15"E, 46.81 FEET; THENCE S3°22'35"E, 282.82 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK; THENCE WITH SAID WESTERLY RIGHT-OF-WAY LINE, S°29'27'35"W, 287.80 FEET; THENCE 247.42 FEET ALONG A 2835.26-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S31°57'35"W, 247.34 FEET; THENCE S34°27'35"W, 301.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 22.70 ACRES.

Nora Dietzel, Recorder of Deeds