



Recorded in Boone County, Missouri

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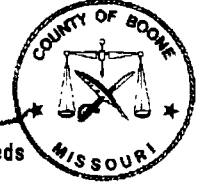
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Nora Dietzel
Nora Dietzel, Recorder of Deeds



ANNEXATION DECLARATION ANNEXING TO WYNDHAM RIDGE LOTS ESTABLISHED BY FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-A, RECORDED IN PLAT BOOK 49 AT PAGE 48 OF THE REAL ESTATE RECORDS OF BOONE COUNTY, MISSOURI, AND WYNDHAM RIDGE, PLAT NO. 3-B, RECORDED IN PLAT BOOK 49 AT PAGE 49 OF THE REAL ESTATE RECORDS OF BOONE COUNTY, MISSOURI, BUT EXCLUDING LOTS D-3A AND D-3B AS SHOWN BY SUCH FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-B, AND LOTS D-2A AND D-2B AS SHOWN BY SUCH FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-A, WHICH ARE RETAINED BY THE DEVELOPER FOR FUTURE ANNEXATION CONSIDERATION

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:

Lot 342 as shown by the final plat of Wyndham Ridge, Plat No. 3-B, recorded in Plat Book 49 at Page 49 of the Real Estate Records of Boone County, Missouri, and Lot 343, as shown by final plat of Wyndham Ridge, Plat No. 3-A, recorded in Plat Book 49 at Page 48 of the Real Estate Records of Boone County, Missouri

Date: October 2, 2015

Boone County, Missouri

BOONE COUNTY MO OCT 02 2015

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

Lot 342 as shown by the final plat of Wyndham Ridge, Plat No. 3-B, recorded in Plat Book 49 at Page 49 of the Real Estate Records of Boone County, Missouri, and Lot 343, as shown by final plat of Wyndham Ridge, Plat No. 3-A, recorded in Plat Book 49 at Page 48 of the Real Estate Records of Boone County, Missouri

ANNEXATION DECLARATION ANNEXING TO WYNDHAM RIDGE LOTS ESTABLISHED BY FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-A, RECORDED IN PLAT BOOK 49 AT PAGE 48 OF THE REAL ESTATE RECORDS OF BOONE COUNTY, MISSOURI, AND WYNDHAM RIDGE, PLAT NO. 3-B, RECORDED IN PLAT BOOK 49 AT PAGE 49 OF THE REAL ESTATE RECORDS OF BOONE COUNTY, MISSOURI, BUT EXCLUDING LOTS D-3A AND D-3B AS SHOWN BY SUCH FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-B, AND LOTS D-2A AND D-2B AS SHOWN BY SUCH FINAL PLAT OF WYNDHAM RIDGE, PLAT NO. 3-A, WHICH ARE RETAINED BY THE DEVELOPER FOR FUTURE ANNEXATION CONSIDERATION

THIS ANNEXATION DECLARATION ("this Annexation Declaration") is made on this 2nd day of October, 2015, 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, consisting of 105.82 acres, more or less, which is referred to in, and is described on that Exhibit 1, which is annexed to that "Annexation Declaration, Annexing Land/Property and Lots to Wyndham Ridge . . ." recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri ("the Original Annexation Declaration"). The description of the said Developer's Land, the 105.82 acres, first described in such Exhibit 1 to such Original Annexation Declaration, is incorporated herein by reference. The said land is referred to as "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 Original 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:

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- By an Affidavit of Scrivener's Error recorded in Book 3690 at Page 33 of the Real Estate Records of Boone County, Missouri ("Affidavit of Scrivener's Error");
- 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 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 ("the Correction to Declaration"); 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 Village at Wyndham Ridge Plat No. 3 Annexation Declaration"); and
- By an "Annexation Declaration Annexing to Wyndham Ridge Lots C-1, and 201 through 236, Both Inclusive, of Wyndham Ridge, Plat No. 2 as Shown by Plat of Wyndham Ridge, Plat No. 2 Recorded in Plat Book 47, Page 1 of the Real Estate Records of Boone County, Missouri," recorded in Book 4204 at Page 106 of the Real Estate Records of Boone County, Missouri ("the Wyndham Ridge Plat No. 2 Annexation Declaration"), and erroneously re-recorded in Book 4240 at Page 116 of such records; and
- By a "Clarification of Ambiguities and Uncertainties Existing as to the Existence or Non-Existence of Restrictions on the Renting or Leasing of Living Units/Dwelling Units Located Within Each of the Lots of the Village at Wyndham Ridge, Plat No. 2, the Village at Wyndham Ridge, Plat No. 3, and Wyndham Ridge, Plat No. 2, All Located in Columbia, Boone County, Missouri," recorded in Book 4298 at Page 81 of the Real Estate Records of Boone County, Missouri ("the Clarification Document"); and
- By an "Amendment to and Completion of Annexation Declaration Annexing Lots of the Village at Wyndham Ridge Plat No. 1, as Amended by "Administrative Replat, the Village at Wyndham Ridge, Plat 1-A," Recorded in Book 4197 at Page 82 of the Real Estate Records of Boone County, Missouri to That Development Known as Wyndham Ridge and Amendment/Modification of Use Restrictions for Wyndham Ridge as Same Apply to Lots 101 through 109 of the Administrative Replat of the Village at Wyndham Ridge, Plat No. 1-A, Recorded in Book 4197 at Page 82 of the Real Estate Records of Boone County, Missouri", recorded in Book 4317 at Page 60

of the Real Estate Records of Boone County, Missouri ("the Amendment to Annexation Declaration"); and

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– By an "Annexation Declaration Annexing to Wyndham Ridge Lots Within Wyndham Ridge, Plat No. 3, as Shown by Plat of Wyndham Ridge Plat No. 3 Recorded in Plat Book 48 at Page 19 of the Real Estate Records of Boone County, Missouri, Excluding Lots D-1, D-2, D-3 and D-4, Which Are Retained by the Developer for Future Annexation Consideration," recorded in Book 4338 at Page 134 of the Real Estate Records of Boone County, Missouri ("the Wyndham Ridge Plat No. 3 Annexation Declaration").

Such Original Declaration recorded in Book 3358 at Page 165 of the Real Estate Records of Boone County, Missouri ("the Original Declaration"), as amended and supplemented by each of the Affidavit of Scrivener's Error, the Original Annexation Declaration, the Correction to Declaration, the Village at Wyndham Ridge Plat No. 3 Annexation Declaration, the Wyndham Ridge Plat No. 2 Annexation Declaration, the Clarification Document, and the said Amendment to Annexation Declaration, and the Wyndham Ridge Plat No. 3 Annexation Declaration, all read together, collectively, are referred to herein as "the Declaration," with all references hereinafter set forth in this Annexation Declaration to "the Declaration" meaning and referring to the Original Declaration recorded 3358 at Page 165 of the Real Estate Records of Boone County, Missouri, as read together with all of the above described documents (with all of same read together, collectively).

A portion of the Developer's Land is described in and referred to in the Original Declaration as "the Annexation Parcel," which includes all of the Developer's Land, other than the land located within Wyndham Ridge Plat No. 1. Each of those parcels which have been previously annexed to that development known as Wyndham Ridge ("the Development") by the Original Annexation Declaration, the Village at Wyndham Ridge Plat No. 3 Annexation Declaration, and the Wyndham Ridge Plat No. 2 Annexation Declaration, together with the land and Lots which are the subject matter of the Final Plat of Wyndham Ridge, Plat No. 3 recorded in Plat Book 48 at Page 19 of the Real Estate Records of Boone County, Missouri ("the Wyndham Ridge Plat No. 3 Plat"), are located within the Annexation Parcel.

All Lots within the Wyndham Ridge Plat No. 3 Plat, as shown by plat recorded in Plat Book 43 at Page 19 of the Real Estate Records of Boone County, Missouri, excluding Lots D-1, D-2, D-3 and D-4 as shown by such Wyndham Ridge Plat No. 3 Plat, were annexed to the Development by that Wyndham Ridge Plat No. 3 Annexation Declaration described above, excluding, however, Lots D-1, D-2, D-3 and D-4 as shown by such Wyndham Ridge Plat No. 3, which were, by such Wyndham Ridge Plat No. 3 Annexation Declaration, excluded from the annexation provided for by such Wyndham Ridge Plat No. 3 Annexation Declaration, and were reserved by the Developer for future development purposes (or for purposes of later establishing them as "Common Area" of the Development), all as stated in such Wyndham Ridge Plat No. 3 Annexation Declaration.

The Developer has now caused Lots D-2 and D-3, as shown by the Wyndham Ridge Plat No. 3 Plat recorded in Plat Book 48 at Page 19, to be subdivided as follows:

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- Lot D-2 has been subdivided into Lot 343, and Lots D-2A and D-2B, by Final Plat of Wyndham Ridge, Plat No. 3-A, recorded in Plat Book 49 at Page 48 of the Real Estate Records of Boone County, Missouri;

- Lot D-3 has been subdivided into Lot 342, and Lots D-3A and D-3B, by Final Plat of Wyndham Ridge, Plat No. 3-B, recorded in Plat Book 49 at Page 49 of the Real Estate Records of Boone County, Missouri.

The Developer desires to annex to the Development, and to subject to the provisions of the Declaration, modified as hereinafter described in this Annexation Declaration, the said Lots 342 and 343, but to exclude such Lots D-3A, D-3B, D-2A and D-2B, which shall continue to be reserved by the Developer for future development purposes or for purposes of establishing same as additional Common Area, all as stated in the Wyndham Ridge Plat No. 3 Annexation Declaration.

The said Lots 342 and 343 shall be subject to the same Architectural Control requirements and Use Restrictions as are applicable to each of Lots 301 through 341 of the Wyndham Ridge Plat No. 3 Plat, as such Architectural Control Provisions and Use Restrictions are described in the Wyndham Ridge Plat No. 3 Annexation Declaration recorded in Book 4338 at Page 134 of the Real Estate Records of Boone County, Missouri.

AGREEMENTS AND ANNEXATION

NOW, THEREFORE, in view of the foregoing Recitals, the Developer does hereby state, declare, promise, covenant and agree as follows:

1. Annexation of Lots Within Wyndham Ridge Plat No. 3-A and 3-B to the Development. Each of Lots 342, as shown by the Final Plat of Wyndham Ridge, Plat No. 3-B, recorded in Plat Book 49 at Page 49 of the Real Estate Records of Boone County, Missouri, and 343 of Wyndham Ridge, Plat No. 3-A, as shown by the Final Plat of Wyndham Ridge Plat No. 3-A recorded in Plat Book 49 at Page 48 of the Real Estate Records of Boone County, Missouri, shall be and the same are hereby annexed to the Development, and are hereby made subject to the Declaration (as the "Declaration" is described in the foregoing Recitals), with each of the said Lots 342 and 343 to henceforth be a "Lot" of the Development, and with all present and future owners of each of such Lots to be a Lot Owner of the Wyndham Ridge Development, and with each of such Lots to be subject to all provisions of the Declaration, amended and supplemented as provided for by this Annexation Declaration. However, the Developer does not annex to the Development, and does not subject to the provisions of this Annexation Declaration or the Declaration, Lots D-2A and D-2B, as shown by such Final Plat of Wyndham Ridge, Plat No. 3-A, and Lots D-3A and D-3B, as shown by the Final Plat of Wyndham Ridge, Plat No. 3-B, such Lots being retained by the Developer who may, in the future, in the Developer's discretion, annex or not annex said Lots to the Development provided for by the Declaration, or cause such Lots or parts or such Lots to be developed or not developed (same being reserved for future development purposes), or to be treated as Common Area.

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2. Architectural Control Provisions. Each of such Lots 342 and 343 (each of which shall be a "Lot" of the Development) shall be subject to the same Architectural Control Provisions and requirements, as are to apply to each of Lots 301 through 341 of the Wyndham Ridge Plat No. 3 Plat, as such Architectural Control Provisions and requirements are described in the Wyndham Ridge Plat No. 3 Annexation Declaration recorded in Book 4338 at Page 134 of the Real Estate Records of Boone County, Missouri, which such Architectural Control Provisions are specifically described in paragraph 4 of such Wyndham Ridge Plat No. 3 Annexation Declaration, such paragraph 4 being incorporated herein by reference the same as though fully set forth herein verbatim.

3. Use Restrictions. All of the Use Restrictions which apply to each of Lots 301 through 341, both inclusive, of the Wyndham Ridge Plat No. 3 Plat, as established by the Wyndham Ridge Plat No. 3 Annexation Declaration recorded in Book 4338 at Page 134 of the Real Estate Records of Boone County, Missouri, and specifically described in paragraph 5 of such Wyndham Ridge Plat No. 3 Annexation Declaration, shall apply to each of the said Lots 342 and 343, which are hereby annexed to the Declaration, meaning that each of Lots 342 and 343 shall be subject to the same Architectural Control Provisions and Use Restrictions as are applicable, pursuant to the provisions of the Declaration, as modified and made applicable to Lots 301 through 341 of the Wyndham Ridge, Plat No. 3 Plat, by such paragraphs 4 and 5 of such Wyndham Ridge Plat No. 3 Annexation Declaration, which such paragraphs 4 and 5 are incorporated herein by reference the same as though fully set forth herein verbatim.

4. Further Intentions. For all purposes and intentions, the said Lots 342 and 343 as are hereinabove described shall be treated as if same were annexed to the Development, together with the other Lots of Wyndham Ridge, Plat No. 3, meaning Lots 301 through 341, both inclusive, of the Wyndham Ridge Plat No. 3 Plat.

5. Declaration as Hereby Amended Shall Remain in Full Force and Effect. The Declaration, as the "Declaration" is described in the foregoing Recitals for this Annexation Declaration, shall, as hereby amended, be in full force and effect as to each of such Lots 342 and 343. All provisions of the Declaration as described in the foregoing Recitals, to the extent not amended by this Annexation Declaration, shall be in full force and effect as to each of said Lots.

6. Retained Easement for Grading and Excavation. Each of such Lots 342 and 343, which are annexed to the Development and made subject to the provisions of the Declaration (modified as hereinabove described in this Annexation Declaration) by this Annexation Declaration, shall be subject to an easement ("the Grading Easement") over the rear forty feet (40') of each of such Lots (the rear of Lot 343 being the northeasterly lot line, the rear lot line, and the rear of Lot 342 being the northerly lot line, the rear of Lot 342). Such Grading Easement shall accrue to the benefit of the Developer and the Developer's successors in ownership of each of Lots D-3A and D-3B (as to Lot 342) and D-2A and D-2B (as to Lot 343). Such Grading Easement shall run with the land of the "Benefitted Lots," meaning Lots D-3A and D-3B (in the case of Lot 342) and Lots D-2A and D-2B (in the case of Lot 343), and the land of each of the "Burdened Lots," meaning such Lots 342 and 343. Such Grading Easement shall be in full force and effect until the first development, and

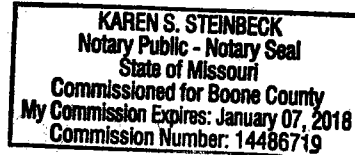
Boone County, Missouri

BOONE COUNTY MO OCT 02 2015

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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.

Karen S. Steinbeck
Karen S. Steinbeck, Notary Public
Boone County, State of Missouri
My commission expires: 1-7-2018



Nora Dietzel, Recorder of Deeds