

Boone County, Missouri



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Recorded in Boone County, Missouri

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Instrument #: 2012031724 Book: 4082 Page: 66

Grantor: MILL CREEK MANOR INC

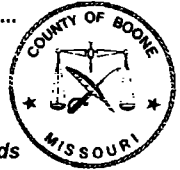
Grantee: WYNDHAM RIDGE HOMES ASSOCIATION OF ...

Instrument Type: ANEX

Recording Fee: \$39.00 S

No. of Pages: 6

Bettie Johnson
Bettie Johnson, Recorder of Deeds



**ANNEXATION DECLARATION ANNEXING LAND/PROPERTY AND LOTS
CONSTITUTING THE VILLAGE AT WYNDHAM RIDGE, PLAT NO. 3, AS SHOWN
BY PLAT RECORDED IN PLAT BOOK 46 AT PAGE 40 OF THE REAL ESTATE
RECORDS OF BOONE COUNTY, MISSOURI TO WYNDHAM RIDGE, A
SUBDIVISION OF COLUMBIA, BOONE COUNTY, MISSOURI, WHICH IS SUBJECT
TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS OF
WYNDHAM RIDGE RECORDED IN
BOOK 3358 AT PAGE 165 OF THE REAL ESTATE RECORDS OF
BOONE COUNTY, MISSOURI**

Developer/Grantor: Mill Creek Manor, Inc., a Missouri corporation [address: Attn: Fred W. Overton, 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:

All Land and Lots constituting and making up "the Village at Wyndham Ridge, Plat No. 3, as shown by a Plat recorded in Plat Book 46 at Page 40 of the Real Estate Records of Boone County, Missouri, including Lots 301 through 312, both inclusive, of the Village at Wyndham Ridge, Plat No. 3, as shown by such Plat.

Date: December 20, 2012

Nora Dietzel, Recorder of Deeds

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

All Land and Lots constituting and making up "the Village at Wyndham Ridge, Plat No. 3, as shown by a Plat recorded in Plat Book 46 at Page 40 of the Real Estate Records of Boone County, Missouri, including Lots 301 through 312, both inclusive, of the Village at Wyndham Ridge, Plat No. 3, as shown by such Plat.

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TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS OF
WYNDHAM RIDGE RECORDED IN
BOOK 3358 AT PAGE 165 OF THE REAL ESTATE RECORDS OF
BOONE COUNTY, MISSOURI**

THIS ANNEXATION DECLARATION ("this Annexation Declaration") is made on this 20th day of December, 2012, 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."

WITNESSETH:

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. 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

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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 Annexation Declaration", and which is recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri; and
- 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.

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 (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, all hereinabove described, and all read together, collectively, and all collectively referred to herein as "the Declaration" or "the Wyndham Ridge Declaration".

The Developer has previously committed portions of the Developer's Land to the Development provided for by the Wyndham Ridge Declaration, such Development being known as "Wyndham Ridge", and being referred to herein as "the Development".

The 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.

Included within the Annexation Parcel is a parcel of land which has been platted as "the Village at Wyndham Ridge, Plat No. 3", and which consists of Lots 301 through 312, both inclusive, of "the Village at Wyndham Ridge, Plat No. 3", as shown by the final plat of the Village at Wyndham Ridge, Plat No. 3 recorded in Plat Book 46 at Page 40 of the Real Estate Records of Boone County, Missouri. All of the land of the Village at Wyndham Ridge, Plat No. 3, being the land subject to such final plat of the Village at Wyndham Ridge, Plat No. 3, including the said Lots 301 through 312, both inclusive, and each of the said Lots, are referred to herein, collectively, as "the Parcel to be Annexed".

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The Developer desires to annex the Parcel to be Annexed, consisting of all of the Land and Lots which are the subject matter of the Village at Wyndham Ridge, Plat No. 3 hereinabove described to the Wyndham Ridge Development and to subject same to the Declaration, and this Annexation Declaration is executed accordingly.

NOW, THEREFORE, in view of the foregoing Recitals, the Developer does hereby declare that, subject to any modifications hereinafter provided for in this Annexation Declaration, and the provisions hereinafter set forth in this Annexation Declaration, all of the real estate of the Parcel to be Annexed as hereinabove described in the foregoing Recitals, meaning:

A All of and each of Lots 301 through 312 of the Village at Wyndham Ridge, Plat No. 3 hereinabove described; and

B. All of the Land which is the subject matter of and which is platted into Lots and a street by the Plat of the Village at Wyndham Ridge, Plat No. 3 hereinabove described,

shall be and the same are hereby:

a. Annexed to the Development provided for by the Declaration; and

b. Subjected to the terms, covenants, conditions, provisions, liens, charges and assessments as provided for by the Declaration;

provided, however, that:

A. the said Land of the Parcel to be Annexed and each of the said Lots 301 through 312, both inclusive, of the Village at Wyndham Ridge, Plat No. 3, as hereinabove described, shall be subject to the Architectural Control Provisions and requirements as they apply to Lots 201 through 264, both inclusive, of the Village at Wyndham Ridge, Plat No. 2; such Architectural Control Provisions being those set forth in the amended "ARTICLE VII" of the Declaration, which applies to the said Lots 201 through 264, both inclusive of the Village at Wyndham Ridge, Plat No. 2, as set forth in the Original Annexation Declaration recorded in Book 3760 at Page 68 of the Real Estate Records of Boone County, Missouri (such Original Annexation Declaration being incorporated herein by reference the same as though fully set forth herein verbatim, and the said ARTICLE VII ("Architectural Control Provisions") being those appearing on pages 6 through 29 of the Original Annexation Declaration); and

B. Each of the said Lots 301 through 312, both inclusive, of the Village at Wyndham Ridge, Plat No. 3 as hereinabove described, be subject to all of the use restrictions as set forth in ARTICLE XI ("Use Restrictions") of the Original Declaration recorded in Book 3358 at Page 165 of the Real Estate Records of Boone County, Missouri; and

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C. All other provisions of the Declaration shall apply to, and to be in full force and effect as to each of the Lots of the Parcel to be Annexed, meaning each of the said Lots 301 through 312, both inclusive, with each of the said Lots to be a "Lot" of the Development and with each Lot Owner of each of the said Lots to be a "Lot Owner" of the Development, and with each of the said Lots to be subject to all of the terms, covenants, conditions and provisions of the Declaration, amended, however, to conform with the provisions of this Annexation Declaration with respect to ARTICLE VII and ARTICLE XI.

IN WITNESS WHEREOF, the Developer has executed this 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 (President)
Doris Overton, President

ATTEST:

Fred W. Overton
Fred W. Overton, its secretary



Exhibit 1 - Legal description of Developer's Land

STATE OF MISSOURI)
) SS
COUNTY OF BOONE)

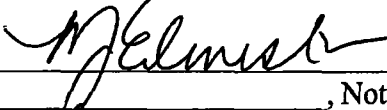
On this 20 day of Dec, 2012, before me appeared Doris Overton, to me personally known, who, being by me duly sworn did say that she is the president of Mill Creek Manor, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that 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.

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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.


_____, Notary Public
Boone County, State of Missouri
My commission expires: _____

MARY JO EDMISTON
Notary Public - Notary Seal
STATE OF MISSOURI
County of Boone
My Commission Expires January 9, 2016
Commission #11498146