

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 105-14

### **AN ORDINANCE**

approving the Final Plat of Wyndham Ridge, Plat No. 3, a major subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby approves the Final Plat of Wyndham Ridge, Plat No. 3, as certified and signed by the surveyor on April 14, 2014, a major subdivision located on the east side of Scott Boulevard, west of State Route KK and north of Astoria Way, containing approximately 30.48 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with Mill Creek Manor, Inc. in connection with the approval of the Final Plat of Wyndham Ridge, Plat No. 3. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

## PERFORMANCE CONTRACT

This contract is entered into on this day \_\_\_\_ of \_\_\_\_\_, 2014 between the City of Columbia, MO ("City") and **Mill Creek Manor, Inc.** ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of **Wyndham Ridge Plat No. 3**, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.
2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.
3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until all improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.
4. No occupancy permit shall be issued to the Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.
5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection, or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by the City in collecting amounts owed by Subdivider under this paragraph.
6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.
7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.

8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.
9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHERE OF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: \_\_\_\_\_  
Mike Matthes, City Manager

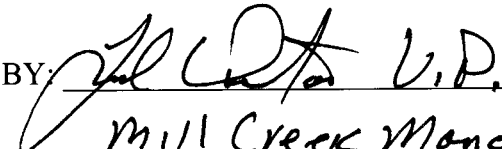
ATTEST:

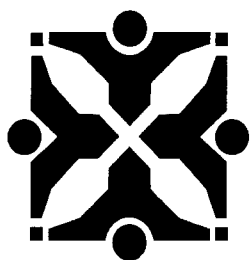
\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Nancy Thompson, City Counselor

Subdivider

BY:  V.P.  
Mill Creek Manor



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Apr 21, 2014

Re: Wyndham Ridge, Plat #3 - final major plat (Case #14-5)

**EXECUTIVE SUMMARY:**

A request by David Butcher (agent) on behalf of Mill Creek Manor, Inc. (owner) for a final major subdivision to create 46 lots on 30.48 acres of R-1 (One-family Dwelling District) zoned land. The subject site is located east of Scott Blvd, west of St Rt KK, and north of Astoria Way. (Case #14-5)

**DISCUSSION:**

The applicant is requesting approval of a 46-lot plat on R-1 (One-family Dwelling District) zoned land to accommodate the construction of 41 single-family detached houses. The plat is the final phase of the Wyndham Ridge/Village at Wyndham Ridge development.

While the overall site layout is consistent with the Wyndham Ridge, Plat #1 preliminary plat (approved February 19, 2007), the proposed final plat reduces the number of platted residential lots from 49 to 41. This was due to the removal of lots along the north side of Steinbrooke Terrace, when it was shifted north at the time the final plats of Wyndham Ridge No. 1 and No. 2 were recorded and due to the designation of a stream buffer on Lot C1 that reduced the original size of the lots along the south side of Steinbrooke Terrace. Lots D1-D4 will be maintained by the current owner and could be included in a future residential subdivision to the north. No plans have been submitted at this time. Any new development that proposed incorporating these lots in a new subdivision would require approval of a replat.

The 46-lot plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat, and performance contracts are attached.

**FISCAL IMPACT:**

None

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

**SUGGESTED COUNCIL ACTIONS:**

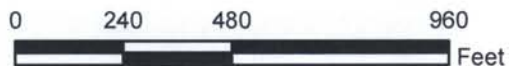
Approval of the proposed final major plat

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA





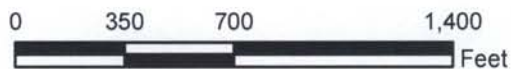
## 14-5: Wyndham Ridge, Plat No. 3 Final Major







## 14-5: Wyndham Ridge, Plat No. 3 Final Major

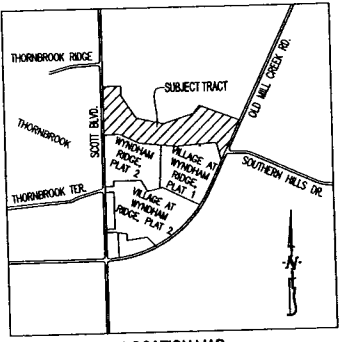




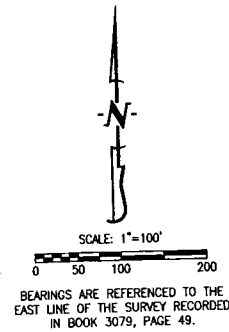
FILED FOR RECORD IN BOONE COUNTY, MISSOURI  
BETIE JOHNSON, RECORDER OF DEEDS

# FINAL PLAT WYNDHAM RIDGE, PLAT No. 3

A MAJOR SUBDIVISION LOCATED IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST  
COLUMBIA, BOONE COUNTY, MISSOURI  
JANUARY 13, 2014



- LEGEND:**
- E EXISTING
  - S SET
  - 1/2" IRON PIPE (UNLESS NOTED OTHERWISE)
  - STONE PERMANENT MONUMENT
  - (M) MEASURED DISTANCE
  - (REC) RECORDED DISTANCE
  - (R) RADIAL LINE
  - DRILL HOLE
  - W/ CHISELED X
  - RIGHT-OF-WAY MARKER
  - P.O.B. POINT OF BEGINNING



**NOTES:**

- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAP 29019C02700 DATED MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI STATUTE 20 CSR 2030-16.040(2)(A).
- CURRENT TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY.
- THIS TRACT IS SUBJECT TO THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. (HUNTSDALE QUADRANGLE)
- ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETE.
- THERE SHALL BE NO DIRECT ACCESS TO SCOTT BOULEVARD FROM LOTS 301, 302, 303, 304, C1 AND LOT D1.
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- A PORTION OF LOT D3 AND ALL OF LOT D4 ARE TO BE A TEMPORARY CONSTRUCTION EASEMENT WHICH WILL ALLOW GRADING TO BE DONE WITH FUTURE DEVELOPMENT TO THE NORTH. ONCE THE STREET IS EXTENDED TO THE NORTH, THE EASEMENT WILL TERMINATE.

**CERTIFICATION:**

I HEREBY CERTIFY THAT IN JANUARY 2014, I COMPLETED A SURVEY FOR MILL CREEK MANOR, INC., OF A TRACT OF LAND LOCATED IN SECTION 4 OF TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE TRUSTEES DEEDS RECORDED IN BOOK 2804, PAGE 11 AND BOOK 3060, PAGE 2 AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 3079, PAGE 49 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 214 OF WYNDHAM RIDGE, PLAT NO. 2, RECORDED IN PLAT BOOK 47, PAGE 1, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 144 OF WYNDHAM RIDGE, PLAT NO. 1, RECORDED IN PLAT BOOK 41, PAGE 68, THENCE WITH THE NORTH LINES OF SAID WYNDHAM RIDGE, PLAT NO. 2, N 69°17'50"W, 314.95 FEET; THENCE S 72°52'10"W, 326.18 FEET; THENCE S 89°43'10"W, 50.00 FEET TO THE WEST LINE OF SAID SECTION 4; THENCE LEAVING THE LINES OF SAID WYNDHAM RIDGE, PLAT NO. 2, AND WITH THE SAID WEST LINE OF SAID SECTION 4, N 0°16'50"W, 980.68 FEET TO THE NORTHWEST CORNER OF TRACT 1 OF SAID SURVEY RECORDED IN BOOK 3079, PAGE 49; THENCE LEAVING THE WEST LINE OF SAID SECTION LINE AND WITH THE LINES OF SAID TRACT 1, N 89°44'00"E, 360.02 FEET; THENCE S 0°16'00"E, 169.42 FEET; THENCE S 33°16'00"E, 467.99 FEET; THENCE S 76°46'00"E, 480.00 FEET; THENCE N 72°14'00"E, 540.00 FEET; THENCE N 37°14'00"E, 175.00 FEET; THENCE S 68°49'00"E, 740.86 FEET; THENCE 143.08 FEET ALONG A 1115.73 FOOT-RADIUS, NON-TANGENT, CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 25°47'15"W, 142.96 FEET; THENCE S 29°27'35"W, 649.20 FEET TO THE EAST LINE OF LOT 147 OF SAID OF SAID WYNDHAM RIDGE PLAT NO. 1; THENCE N 3°22'35"W, 282.82 FEET; THENCE N 50°56'15"W, 46.81 FEET; THENCE S 85°33'40"W, 667.75 FEET; THENCE N 83°38'35"W, 638.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 30.48 ACRES.

THIS SURVEY WAS MADE IN CONFORMANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKETT ENGINEERING CONSULTANTS, LLC  
2608 NORTH STADIUM BLVD.  
COLUMBIA, MO 65202

CORPORATE NUMBER: 2000151304



DAVID T. BUTCHER, PLS-2002014095  
4/14/2014  
DATE

STATE OF MISSOURI } SS  
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 2014.

DANIELLE GRIFFITH  
NOTARY PUBLIC  
MY COMMISSION EXPIRES OCTOBER 28, 2016  
COMMISSION NUMBER 12409201



**KNOW ALL MEN BY THESE PRESENTS:**

THAT MILL CREEK MANOR, INC. BEING THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID CORPORATION HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ADJACENT DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ADJACENT DRAWING IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "WYNDHAM RIDGE, PLAT NO. 3".

IN WITNESS WHEREOF, MILL CREEK MANOR, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT AND SECRETARY, WITH SEAL TO BE AFFIXED THIS \_\_\_\_ DAY OF \_\_\_\_, 2014.  
MILL CREEK MANOR, INC.

FRED W. OVERTON, VICE PRESIDENT & SECRETARY

STATE OF MISSOURI } SS  
COUNTY OF BOONE }

ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2014 BEFORE ME PERSONALLY APPEARED FRED W. OVERTON, TO ME KNOWN, WHO BY ME DULY SWORN, DID SAY THAT HE IS AN OFFICER OF SAID CORPORATION AND THAT HE FURTHER ACKNOWLEDGES THIS INSTRUMENT TO BE HIS FREE ACT AND THE FREE ACT AND DEED OF SAID CORPORATION.

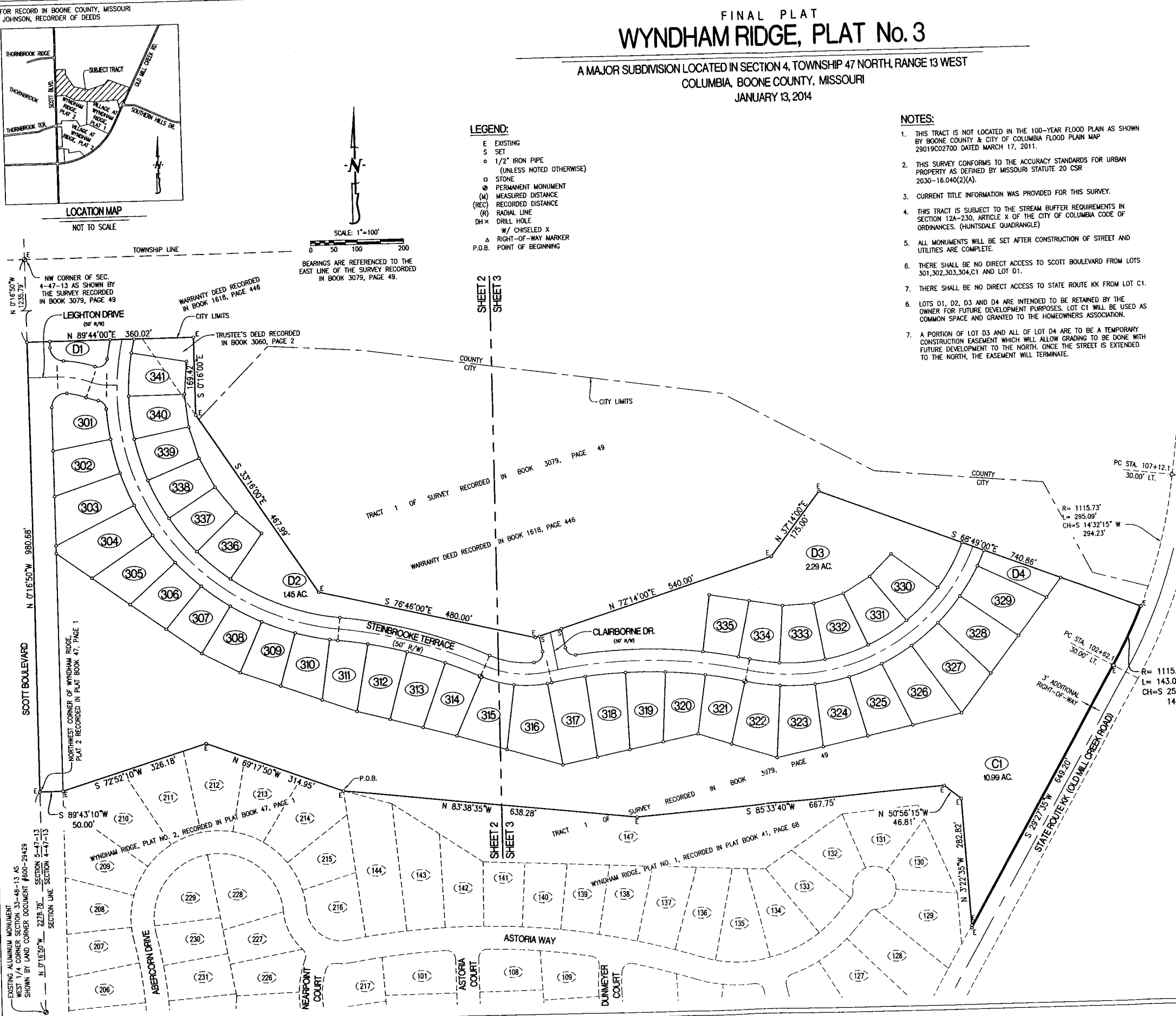
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE DAY AND YEAR AFORESAID. MY COMMISSION EXPIRES: OCTOBER 28, 2016.

DANIELLE GRIFFITH  
NOTARY PUBLIC  
MY COMMISSION EXPIRES OCTOBER 28, 2016  
COMMISSION NUMBER 12409201

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS \_\_\_\_ DAY OF \_\_\_\_, 2014.

ROBERT MCDONALD, MAYOR

SHEELA AMIN, CITY CLERK





# FINAL PLAT WYNDHAM RIDGE, PLAT No. 3

A MAJOR SUBDIVISION LOCATED IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST  
COLUMBIA, BOONE COUNTY, MISSOURI  
JANUARY 13, 2014

## LEGEND:

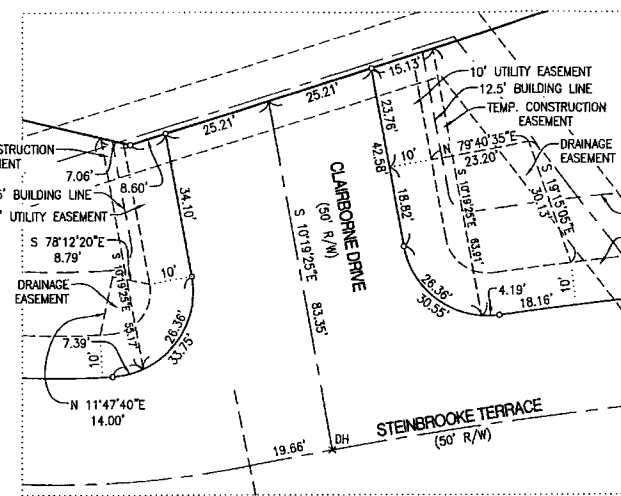
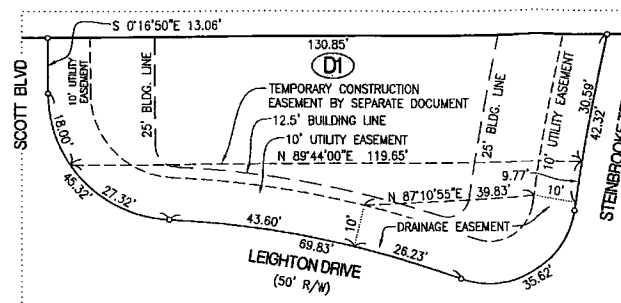
- E EXISTING
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- 1/2" IRON PIPE (UNLESS NOTED OTHERWISE)
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- (R) RADIAL LINE
- DH X DRILL HOLE
- RIGHT-OF-WAY MARKER
- P.O.B. POINT OF BEGINNING

SCALE: 1" = 50'

BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SURVEY RECORDED IN BOOK 3079, PAGE 49.

## CURVE TABLE

CURVE	L	R	Δ	CHORD
1	75.39'	200.00'	21°35'45"	74.94'
2	33.36'	100.00'	19°06'55"	33.21'
3	886.78'	525.00'	96°46'40"	785.05'
4	328.02'	1025.00'	18°20'10"	328.62'
5	142.11'	225.00'	36°11'15"	138.76'
6	432.29'	1000.00'	24°46'05"	428.94'
7	607.69'	425.00'	81°55'30"	557.23'
8	50.67'	30.00'	96°46'05"	44.86'
9	45.32'	30.00'	86°33'30"	41.13'
10	35.62'	20.00'	102°02'15"	31.09'
11	26.94'	20.00'	77°10'05"	24.95'
12	33.75'	20.00'	96°40'25"	29.88'
13	30.55'	20.00'	87°31'55"	27.67'

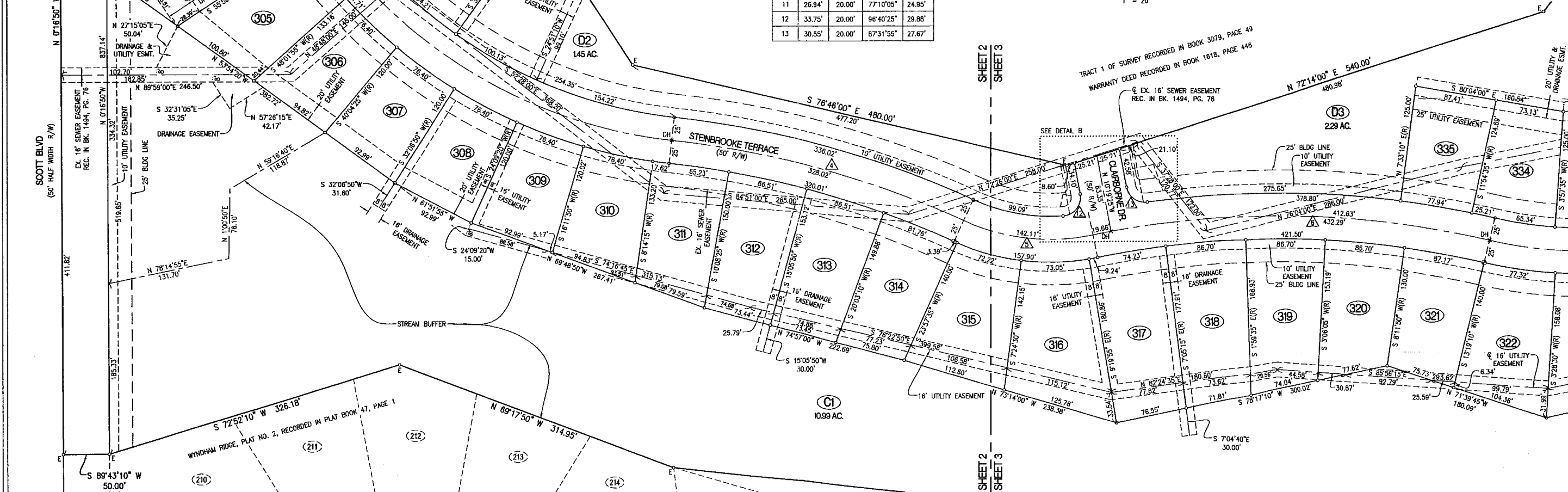


## NOTES:

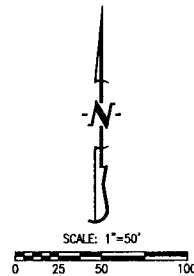
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DAVID T. BUTCHER, PLS-2002014095  
4/14/2014  
DATE



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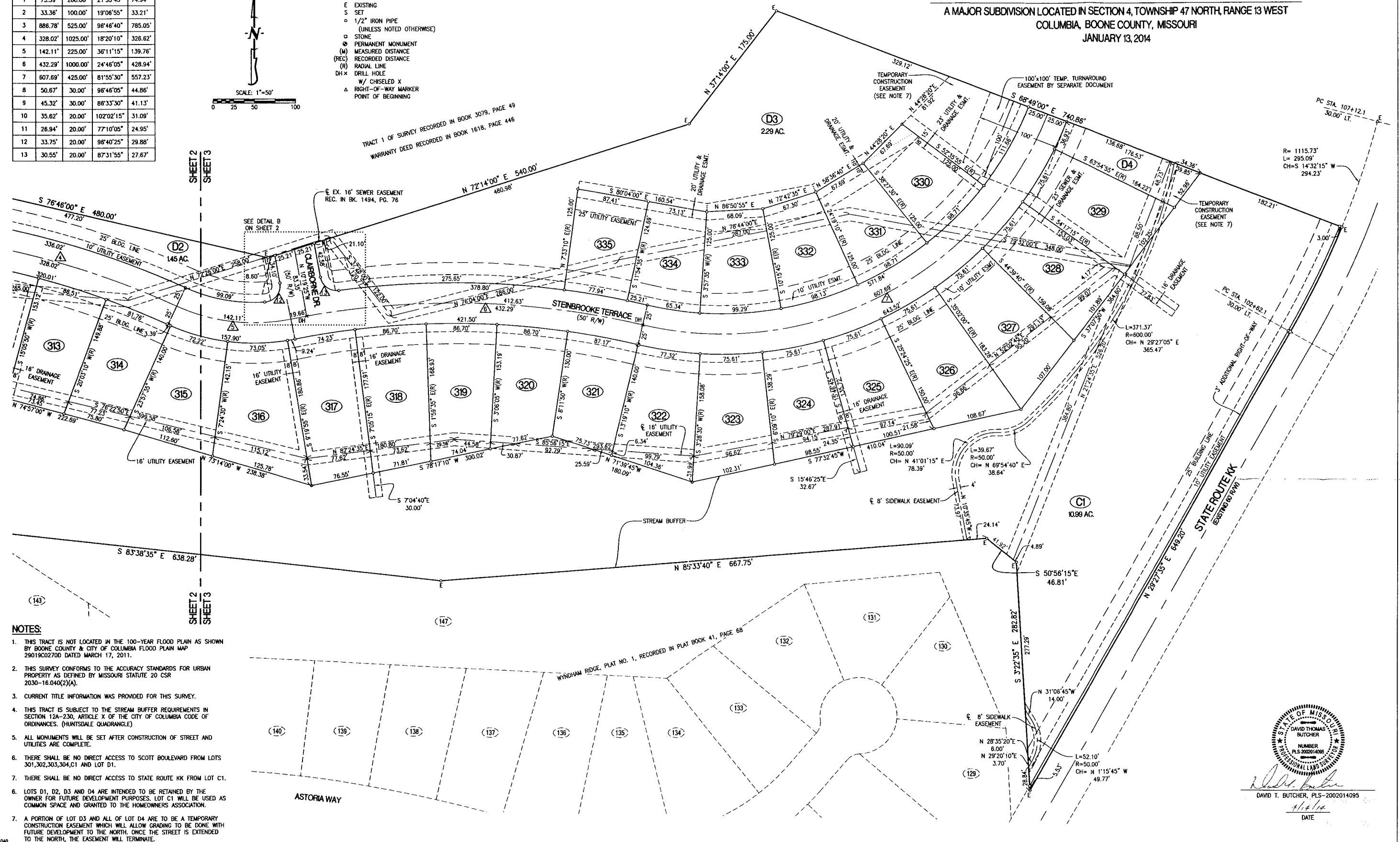
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TRACT 1 OF SURVEY RECORDED IN BOOK 3079, PAGE 49  
WARRANTY DEED RECORDED IN BOOK 1618, PAGE 446

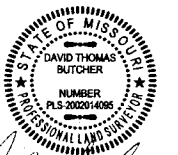
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