| Introduced by | у | | |
|--|------------------------------------|--|--|
| First Reading | | Second Reading | |
| Ordinance No | | Council Bill No | <u>B 286-12</u> |
| | AN ORDINA | NCE | |
| approving the Final major subdivision; a and easements; auth the time when this or | accepting the conorizing a perfo | ledication of rights mance contract; ar | -of-way |
| BE IT ORDAINED BY THE COUFOLLOWS: | NCIL OF THE | CITY OF COLUM | BIA, MISSOURI, AS |
| SECTION 1. The City Cour Plat No. 2, dated September 10, 20 on Abercorn Drive, containing app County, Missouri, and hereby auth plat evidencing such approval. | 012, a major su proximately 15. | bdivision located ea 28 acres in the City | ast of Scott Boulevard of Columbia, Boone |
| SECTION 2. The City Coun easements as dedicated upon the | • | epts the dedication c | of all rights-of-way and |
| SECTION 3. The City Man contract with Mill Creek Manor, In Wyndham Ridge, Plat No. 2. The fiset forth in "Exhibit A" attached her verbatim. | nc. in connection orm and conter | on with the approvent of the contract sh | al of the Final Plat of all be substantially as |
| SECTION 4. This ordinand passage. | ce shall be in | full force and effe | ct from and after its |
| PASSED this d | ay of | | 2012. |
| ATTEST: | | | |
| City Clerk | <u>_</u> | layor and Presiding | n Officer |

| APPROVED AS TO FORM: |
|----------------------|
| |
| |
| City Counselor |

PERFORMANCE CONTRACT

| This contract is | entered | into on this day | of | , 2012 | between the |
|------------------------|---------|------------------|----------|-----------------|-------------|
| City of Columbia, MO (| "City") | and Mill Cree | k Manor, | Inc. ("Subdivid | ler"). |

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. 2**, 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 and 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 obligation s 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: | |
| Fred Boeckmann, City Counselor | |

Mill Creek Manor, Inc.

BY: Jel le. Oton U.P.



Source: Community Development - Pla

To: City Council

From: City Manager and Staff

Council Meeting Date:

Oct 15, 2012

Agenda Item No:

Re:

Wyndham Ridge, Plat No. 2, final plat request (Case #12-150)

EXECUTIVE SUMMARY:

A request by Crockett Engineering, on behalf of Mill Creek Manor, Inc., for approval of a 37-lot final plat to be known as "Wyndham Ridge, Plat No. 2." The 14.28-acre property is located east of Scott Boulevard on Abercorn Drive. (Case #12-150)

DISCUSSION:

The subject site consists of approximately 14.28 acres, and is currently undeveloped. It is zoned R-1. The plat is part of the phasing for the overall Wyndham Ridge/Village at Wyndham Ridge development. Lots and the street arrangement do vary slightly from the preliminary plat, but all lots comply with applicable standards, such as those for the R-1 zoning district. Other, previously approved final plats for this development have varied slightly from the preliminary plat, but also met the appropriate standards. The plat has been reviewed by pertinent City departments and other agencies, and complies with the Subdivision Ordinance.

Locator maps and a reduced size copy of the plat are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

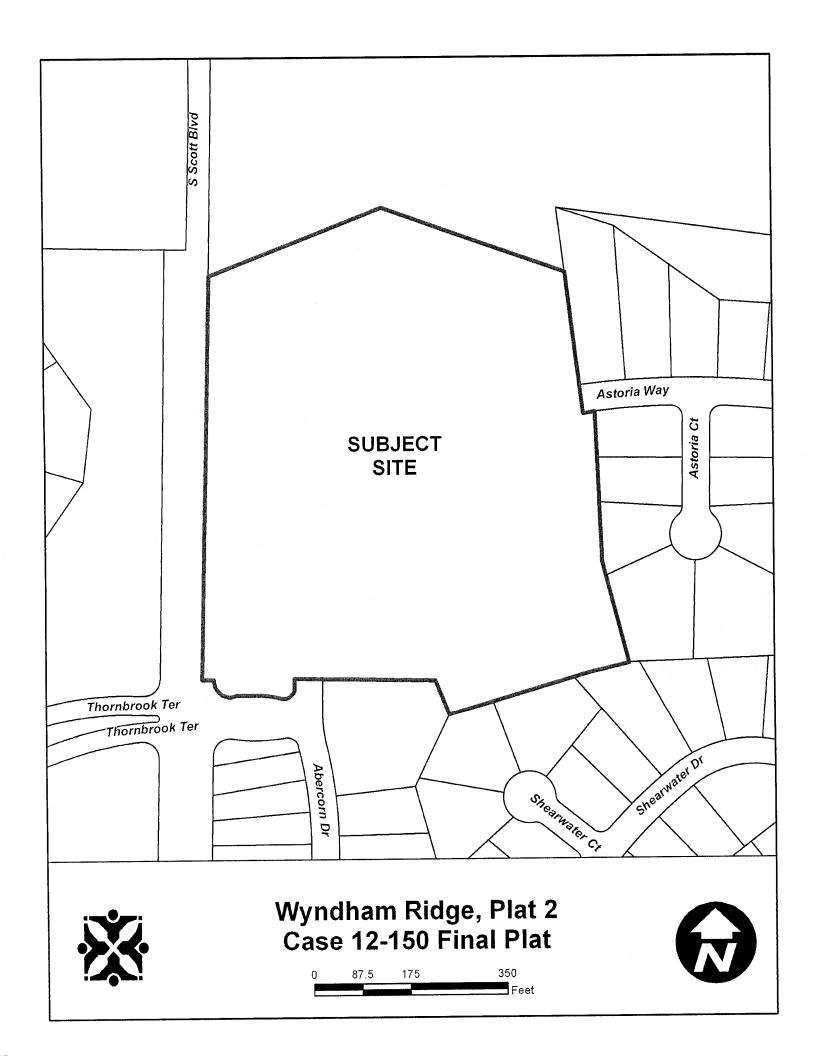
http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

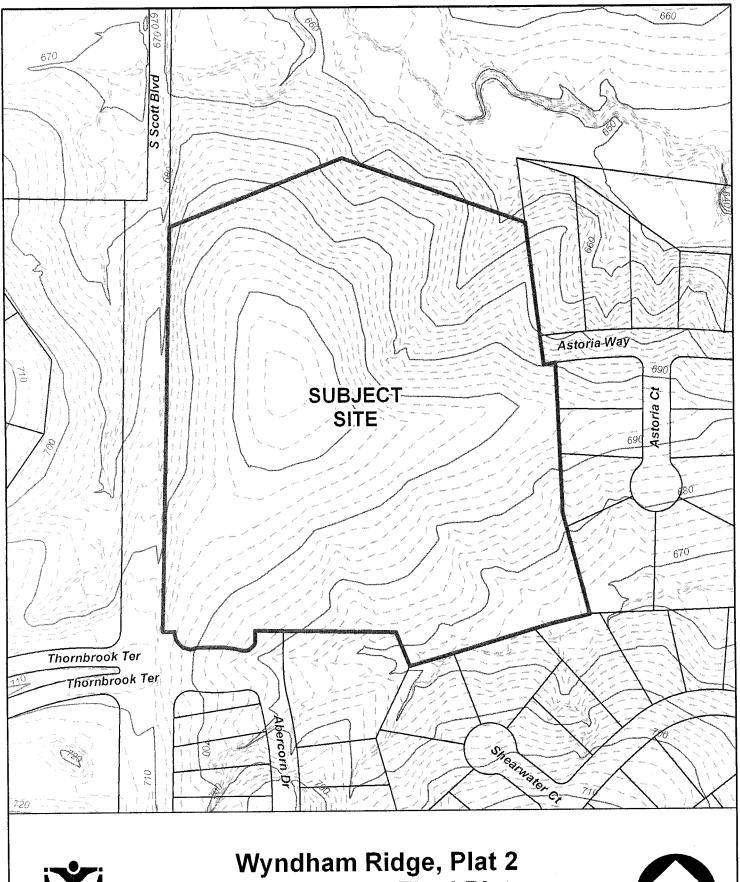
None.

SUGGESTED COUNCIL ACTIONS:

Staff recommends approval of the final plat.

| FISCAL and VISION NOTES: | | | | | | |
|--|---------------|---|-----|--|-----|--|
| City Fiscal Impact Enter all that apply | | Program Imp | act | 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/Epands 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 | ar net costs: | Resources Required | | Vision Impact? | No | |
| One Time | \$0.00 | Requires add'l FTE Personnel? | No | Primary Vision, Strategy and/or Goal Item # | N/A | |
| Operating/ Ongoing | \$0.00 | Requires add'I facilities? | No | Secondary Vision, Strategy and/or Goal Item # | N/A | |
| | | Requires add'l capital equipment? | No | Fiscal year implementation Task # | N/A | |







Case 12-150 Final Plat

