



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

AGENDA

TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, APRIL 16, 2014, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum
Explanation of Public Hearing Procedures
Presentation of Exhibits
Governing Statutes

Public Hearings:

SMBZ LLC
Dennis & Christine McClintic
Ted Underhill LLC

Review and Action:

Minutes, February 2014

Old and New Business:

Tentative

Adjournment

**MINUTES
TANEY COUNTY BOARD OF ADJUSTMENT
WEDNESDAY, FEBRUARY 19, 2014, 7:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Vice-Chairman Dave Nelson called the meeting to order. A quorum was established with four members present. They were: Dave Nelson, Mark Weisz, Tony Mullin, and new member Shawn Pingleton. Staff present: Bob Atchley and Bonita Kissee-Souttee.

Election of 2014 Officers: Mark Weisz nominated Dave Nelson as chairman. Tony Mullen seconded. The vote to elect Dave Nelson as Chairman was unanimous. Tony Mullen nominated Mark Weisz as Vice-Chairman, seconded by Shawn Pingleton. The vote to elect Mark Weisz as Vice-Chairman was unanimous.

Mr. Atchley read a statement explaining the meeting procedures and placed the Taney County Development Guidance Code into evidence as Exhibit A, the staff report as Exhibit B, and the staff files including all pertinent information as Exhibit C, and the Board of Adjustment Bylaws as Exhibit D. The state statutes that empower and govern the Board of Adjustment were read.

The speakers were sworn in before the hearing.

Public Hearing:

Carl Ross Variance Request; a request by Carl Ross represented by Thomas Motley for a variance from Section 7 Table 3, Lot size and frontage requirements of the Taney County Development Guidance Code and Article 9 Section 3 Table 1 of the Taney County Subdivision Regulations concerning the two acre minimum lot size. The property is approximately 3.1 acres and is located in the Pond-Erosa Heights Subdivision part of Tract 8. The parcel in question is 6.77 acres located in the Pond-Erosa Heights Subdivision Tract 7. The request is to replat utilizing the existing fence line as the new property line, leaving approximately 0.875 acre tract of land, creating a separate parcel of land that would include the two single family residences, septic system, and well. The applicant has entered into a contract to sell the remaining property Tract 7 and the remainder of Tract 8 if the variance is granted. Mr. Atchley read the staff report and presented pictures, maps, and a video of the site. Mr. Motley representing Mr. Ross stated that he is also the party who wishes to purchase the property. He reported that one of the structures is being used as a garage but has plumbing and could be turned

into a residence, but is in a bad state of repair. At this time it is being used for storage. Mr. Motley explained the situation of the Ross family and that they are in bad health and need to sell the property. Mr. Weisz asked if Mr. Motley was ok with the deed restriction that would limit the future subdivision of the property in question, and he stated that he was and that he wanted to build a home to live there and would not subdivide it. There was no other discussion. Mr. Weisz made a motion to approve the request based upon the decision of record. Mr. Pingleton asked if the deed restriction addressed no subdividing, and Mr. Weisz stated that his motion included that. After discussion, Mr. Mullen seconded the motion. The vote to approve the request was unanimous.

Review and Action:

Minutes, November 20, 2013; with no additions or corrections a motion was made by Mr. Weisz to approve the minutes as written. Seconded by Tony Mullen. Mr. Pingleton abstained. The vote to approve the minutes was unanimous.

Old and New Business:

Mr. Atchley gave the Board a brief synopsis of the year-end report, and flood buyout. He stated that his goals for the year would be to update the master plan and re-write the Code.

Adjournment:

With no other business on the agenda for February 19, 2014 the meeting adjourned at 7:24 p.m.



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Adjournment:

With no other business on the agenda for February 19, 2014 the meeting adjourned at 7:24 p.m.



TANEY COUNTY BOARD OF ADJUSTMENT

APPEAL STAFF REPORT

HEARING DATE: April 16, 2014

CASE NUMBER: 2014-0001A

APPLICANT: SMBZ LLC (Steven Creedon)

LOCATION: The subject property is Lot 47 of the Mill Creek, Phase II Subdivision, located at 172 Moberly Mill Road, Branson, MO, in the Branson Township; Section 9, Township 23, Range 21.

REQUEST: The applicant, SMBZ LLC (Steven Creedon) is seeking to appeal the Planning Administrator's denial of the Division I Permit application, received by the Planning Department office on January 30, 2014, seeking to construct a single-family residence at 172 Moberly Mill Road.

BACKGROUND and SITE HISTORY:

On March 15, 2004 the Taney County Planning Commission approved Division III Permit # 2004-0011 authorizing the development of +/- 10.73 acres into a seventeen (17) lot single-family residential subdivision, later to be referenced as the Mill Creek Phase I Subdivision. On October 26, 2004 First Community Bank of Taney County issued Letter of Credit Number 1019, for the sum of \$60,000.00, to serve as a security for the construction of the infrastructure within Mill Creek Phase I, allowing for the approval of the plat on November 1, 2004. At that time the minimum requirement for roads was for a gravel road surface and so it appears that the letter of credit was released. A copy of the Decision of Record for Division III Permit # 2004-0011, a recorded copy of the Mill Creek Phase I plat and information regarding the letters of credit have each been attached.

On February 12, 2007 the Taney County Planning Commission approved Division III Permit # 2006-0086 authorizing the development of +/- 19.65 acres into up to forty-four (44) lot single-family residential subdivision, later to be referenced as the Mill Creek Phase II Subdivision. A copy of the Decision of Record for Division III Permit # 2004-0011 has been attached.

On July 6, 2009, the Taney County Commission adopted the Taney County, Missouri Road Standards. This "stand alone" set of standards was developed to provide the minimum criteria for the construction of roads within Taney County. Per the provisions of Table 2.3 (Road Surfacing) roads with a lot size of "less than 2-Acres" are to be constructed with either an asphalt or concrete surface

On November 19, 2010 the Taney County Planning Administrator approved the Final Plat of Mill Creek Phase II Subdivision, on behalf of the Taney County Planning Commission. On December 1, 2010, this Final Plat was filed with the Recorder of Deeds. No evidence has been found indicating that a security was required by the former Planning Administrator for the costs associated with infrastructure construction, prior to plat approval.

In 2013 SMBZ, LLC (Steven Creedon) purchased the remaining lots within the Mill Creek Phase II Subdivision. On February 6, 2014 the Planning Administrator sent a letter to SMBZ, LLC (Steve Creedon) serving as a denial of the Division I Permit Application for a single-family residence proposed to be constructed at 172 Moberly Mill Road (Lot 47, Mill Creek Phase II – Parcel # 08-2.0-09-000-000-013.062).

GENERAL DESCRIPTION:

The applicant, SMBZ, LLC (Steven Creedon) is seeking to appeal the Planning Administrator's denial of the Division I Permit application, received by the Planning Department office on January 30, 2014, seeking to construct a single-family residence at 172 Moberly Mill Road (Lot 47, Mill Creek Phase II).

REVIEW:

The Division I Permit Application was denied upon both an onsite review of the property in question and also consultation with the Taney County Attorney. It was determined that per the provisions of Section 10 (*Improvements, Installation, Phasing and Maintenance*) of the Taney County Development Guidance Code, a Division I Permit **cannot** be issued at the aforementioned location, until such time that the installation of the road infrastructure serving said lot is guaranteed by one of the methods listed below:

1. Installation of all required improvements prior to the issuance of the Division I Permit.
2. Posting of a surety bond as a performance Guarantee.
3. Submission of an Irrevocable Letter of Credit from a certified lending institution

Currently the road infrastructure serving the lot in question is non-existent. The only work that has been completed concerning the roadways is the initial grading of the road right-of-way area.

The applicant has indicated that he is appealing the decision of the Planning Administrator to deny a Division I Permit application because he feels that the denial is baseless. He is requesting that the County utilize bond funds to construct the road infrastructure within the Mill Creek Phase II Subdivision.

STATUTORY REQUIREMENTS OF APPROVAL OF AN APPEAL:

Per the requirements of the Missouri Revised Statutes the Board of Adjustment shall have the following powers and it shall be its duty:

To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by an administrative official in the enforcement of the county zoning regulations;

In exercising the above powers, the board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may take such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

Any owners, lessees or tenants of buildings, structures or land jointly or severally aggrieved by any decision of the board of adjustment or of the county commission, respectively, under the provisions of sections 64.845 to 64.880, or board, commission or other public official, may present to the circuit court of the county in which the property affected is located, a petition, duly verified, stating that the decision is illegal in whole or in part, specifying the grounds of the illegality and asking for relief therefrom. Upon the presentation of the petition the court shall allow a writ of certiorari directed to the board of adjustment or the county commission, respectively, of the action taken and data and records acted upon, and may appoint a referee to take additional evidence in the case. The court may reverse or affirm or may modify the decision brought up for review. After entry of judgment in the circuit court in the action in review, any party to the cause may prosecute an appeal to the appellate court having jurisdiction in the same manner now or hereafter provided by law for appeals from other judgments of the circuit court in civil cases.

SUMMARY:

If the Taney County Board of Adjustment approves this appeal request, the Planning Administrator's denial of the Division I Permit authorizing the construction of a single-family residence at 172 Moberly Mill Road, Branson, MO, due to a lack of road infrastructure serving the property shall be reversed. The following requirements shall apply, unless revised by the Board:

1. The applicant shall be allowed to constructed a single-family residence at 172 Moberly Mill Road, Branson, MO (Lot 47, Mill Creek Phase II – Parcel # 08-2.0-09-000-000-013.062), without the provision of a roadway to serve said lot.
2. Compliance with all of the other provisions of the Taney County Development Guidance Code.
3. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter 7.3.4 Taney County Development Guidance Code).

14-1A

TANEY COUNTY BOARD OF ADJUSTMENT
APPLICATION and AFFIDAVIT
FOR VARIANCE OR APPEAL

(Circle one)

Variance (\$125.00) Appeal (\$125.00)

PLEASE PRINT

DATE 2/24/14

Applicant SMBZ LLC Phone 294-4549

Address, City, State, Zip PO Box 1700 Hollister MO 65673

Representative Steve Creedon Phone 294-4549

Owner of Record SMBZ LLC Signature: [Signature]

Name of Project: 272 Moberly

Section of Code Protested: (office entry) See attached "A11"

Address and Location of site: 272 Moberly

Subdivision (if applicable) Mill Creek

Section 9 Township 23 Range 2 Number of Acres or Sq. Ft. _____

Parcel Number 08-20-09-000-000-013.061

Does the property lie in the 100-year floodplain? (Circle one) Yes _____ No.

Required Submittals:

- ☐ Typewritten legal description of property involved in the request
- ☐ Postage for notifying property owners within 600 feet of the project
- ☐ Proof of public notification in a newspaper of county-wide circulation
- ☐ Proof of ownership or approval to proceed with request by the owner
- ☐ Sketch plan/survey of the project which completely demonstrates request


Please give a complete description of your request on page two.

Describe in detail the reason for your request:

Planning + Zoning (Bob Atchley) has Denied Building permit for 172 Mobely Mill Rd. Denial is Baseless, By Pt2 Rules I should not have to Do this, Pt2 Required Bond prior to plat being platted. I request the County now use those funds to complete Ashalting of Road to the standard as aproved at time Bond was required. I further request a refund of time + \$ spent having to come before BOA.

VERIFICATION

In signing this application, I fully understand, and will comply with, the responsibilities given me by the Taney County Development Guidance Code. I certify that all submittals are true and correct to the best of my knowledge and belief, and that my request may or may not be approved by the Taney County Planning Commission's Board Of Adjustment.



Signature of Applicant

2/27/14

Date of Application

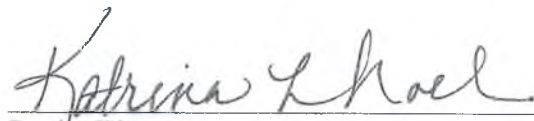
STATE OF MISSOURI)

S.S. On this 27 day of FEB, 2014

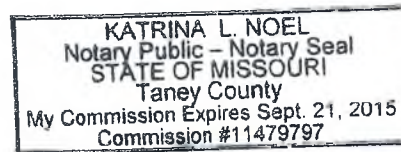
COUNTY OF TANEY)

Before me Personally appeared STEVEN J. CREEDON, to me known to be the person described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Mo. The day and year first above written. My term of office as Notary Public will expire ~~2/6/2014~~ 9/21/15



~~Bonita Kissece~~, Notary Public



LEGAL DESCRIPTION

ALL OF LOT 47 OF THE MILL CREEK SUBDIVISION PHASE II



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APPLICATION FOR DIVISION I PERMIT

This application must be filled out completely with BLACK INK and signed by
The property owner.

NAME OF APPLICANT: SMBZ Construction LLC

MAILING ADDRESS: PO Box 1700 CITY & ZIP: Hollister MO 65673

911 ADDRESS OF PROJECT: 172 Moberly Mill Rd CITY & ZIP: Branson MO 65616

TELEPHONE: 417-294-4549 OTHER: 417-263-0722

Will this structure be used for any commercial operation? Yes ☐ No ☒

PROPERTY OWNER

PRINT NAME: SMBZ LLC

SIGNATURE: Lois Robbins

The following submittals must be provided with this application:

1. A recorded deed including any and all attachments.
2. Taney County Regional Sewer District approval (if applicable). SD Permit # _____
Sewer District Permit exempted _____
3. Site plan showing lot lines, dimensions, location of access and structures, distance from lot lines of structure, setbacks and easements.

In signing this application, I understand that if the information provided here is not true, my application will be revoked. I understand and agree to abide by the requirements of the Taney County Development Guidance Code. I agree to all inspections on the property necessary to secure compliance with all county codes, relevant to this application. The property owner is responsible for adherence to all existing private restrictions and requirements.

SIGNATURE OF APPLICANT: Lois Robbins

DATE OF APPLICATION: 1-27-14

Division I Permit Application (continued)

THIS PORTION TO BE COMPLETED BY THE APPLICANT:

PARCEL NUMBER: 08-2.0-09-000-000-013.062

(Parcel # can be found on the top left hand corner of your property tax statement and appears as: 00-0.0-000-000-000.000. If you have not paid taxes on the property, you must have the name of the previous owner of record.)

Directions to Property: 65 N to HWY E to Jefferson to Mill Creek to Moberly

Description of Request: ☒ New House ☐ Addition to House ☐ Manufactured Home
☐ Addition to Manufactured Home ☐ Garage ☐ Carport
☐ Other. Explain: _____

Size of Structure: 2012 Sq ft Area of Property: _____

Section: 09 Township: 23 Range: 21

Name of Subdivision: Mill Creek PH II

Lot Number: 47 Block / Phase Number: _____

Purpose of Structure: New Single Family Residence

Access to Property (road number / name): Mill Creek / Moberly

Water Supply: ☐ private ☐ public ☒ district - number / name: Public Water #3

Electric Supplier: ☐ Empire District ☒ White River ☐ Carroll County Electric

Does the property lie in the 100-year Floodplain? ☐ Yes ☒ No

THIS PORTION TO BE COMPLETED BY THE PLANNING & ZONING OFFICE:

Fire District: ☐ Western ☐ Central ☐ None ☐ Other: _____

Watershed: _____ Map Location: _____

Permit Inspector: _____ PZ Permit #: _____

Permit Issue Date: _____

Summary: _____

Is there a BOA Decision of Record? ☐ No ☐ Yes, Case #: _____

Computer Entry Date: _____ By: _____

Division I Permit Application (continued)

SITE PLAN

Name of Applicant: SMBZ Construction LLC

Please draw a diagram of your property lot lines with dimensions. Show locations of streets / roads and accesses to property, structures (both proposed and existing), easements and distances from the proposed structure(s) to all of your property lot lines.

See attached

NOTE: All measurements are from the requested structure to your property lines.

Structure will face: _____ ☐ Private ☐ County ☐ State
(name of street / road)

Front Setback (feet): _____ Rear Setback (feet): _____

Side Setback (feet): _____ Side Setback (feet): _____

Height of Structure (feet): _____ (at highest point from ground level)

Setback requirements can be found in the Taney County Development Guidance Code book in Section 9, Tables 1 and 2. Height requirements are defined in Section 4.12 of the Code.

EASEMENT

6

UTILITY
SEMENT

N47°36'47"E
200.09'

224.43'

172 Moberly Mill Rd
Lot 47





TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
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February 6, 2013

SMBZ Construction
P.O. Box 1700
Hollister, MO 65673

**Re: Denial of the Division I Permit for a Single-Family Residence at 172 Moberly Mill Road
(Lot 47, Mill Creek Phase II) (Parcel # 08-2.0-09-000-000-013.062)**

Dear Mr. Creedon:

This letter is to serve as a denial of the Division I Permit application that was received by the Planning Department office on January 30, 2014, seeking to construct a single-family residence at 172 Moberly Mill Road, Branson, MO, located on parcel # 08-2.0-09-000-000-013.062 (Lot 47, Mill Creek Phase II). Upon both an onsite review of the property in question and also consultation with the Taney County Attorney; it was determined that per the provisions of Section 10 (*Improvements, Installation, Phasing and Maintenance*) of the Taney County Development Guidance Code, a Division I Permit **cannot** be issued at the aforementioned location, until such time that the installation of the road infrastructure serving said lot is guaranteed by one of the methods listed below:

1. Installation of all required improvements prior to the issuance of the Division I Permit.
2. Posting of a surety bond as a performance Guarantee.
3. Submission of an Irrevocable Letter of Credit from a certified lending institution.

Please note that per the provisions of Section 8 (*Performance Guarantees*) of the Development Guidance Code, should you choose to provide the Planning Department Office with a security; the amount will need to be based upon cost estimates provided by a certified engineer.

Section 5.2 (*Right to Appeal*) of the Development Guidance Code and RSMo 64.870, "grants the right of appeal to any person aggrieved by his or her inability to obtain a permit, by the issuance of a permit, or by any other decision made in administration of these Codes (such as a particular condition imposed on a permit)."

I have enclosed the aforementioned Sections of the Development Guidance Code for your review. Please feel free to contact the Planning Department Office if you will be guaranteeing the infrastructure utilizing one of the three methods enumerated above or to begin the appeal process. Frank Cottey, the Taney County Attorney has requested that all other inquires be directed to his attention. Mr. Cottey may be reached at (417) 890-5770. Thank you in advance for your immediate attention to this matter.

Sincerely,

Bob Atchley
Taney County Planning Administrator

enclosures

Relative Policies

Usable Open Space

Residential developments including more than twenty-five (25) units (if the gross density is <1 dwelling unit per acre) are encouraged to develop and maintain at least twenty-five (25) percent of their total open space for recreational purposes.

9.2.11. SOLID WASTE DISPOSAL

Absolute Policies

None.

Relative Policies

- (a) All developments and subdivisions are encouraged to present a letter from a solid waste pick-up service indicating weekly solid waste service is available.

10. IMPROVEMENTS, INSTALLATION, PHASING, AND MAINTENANCE

10.1. Required Improvements

Required improvements include, to the extent they are used to either comply with any Absolute Policy or to score a Relative Policy, the following:

- (a) temporary and permanent, structural and nonstructural soil conservation measures and re-vegetation plants
- (b) sewage collection and treatment facilities
- (c) temporary and permanent, structural and nonstructural, stormwater runoff control measures
- (d) measures intended to mitigate potential off-site nuisances
- (e) structural screening or landscaped buffers
- (f) all utilities, including water service
- (g) roads and road improvements, including culverts and bridges, and school bus loading or turn-around facilities
- (h) sidewalks and trails, including bicycle trails or lanes and bicycle racks
- (i) parking and loading areas
- (j) recreational facilities

10.2. Installation

The installation of all required improvements shall be at the developer's expense.

10.3. Phasing

In large developments, improvements installation may be phased in accordance with a plan submitted with the application for a permit and approved by the Planning Commission. In subdivisions, a separate final plan shall be filed for each phase of the development.

10.4. Financing

Installation of required improvements in a development or for any phase of a development may be guaranteed by any of the methods listed below:

- 10.4.1. Installation of all required improvements prior to (a) filing the final plat, (b) any occupancy, or (c) land sales in the development.
- 10.4.2. Posting of a surety bond as a Performance Guarantee.
- 10.4.3. Submission of an Irrevocable Letter of Credit by the developer from a certified lending institution, utilizing a form for use by the Planning & Zoning department.

TABLE 3
Lot Size and Frontage Requirements

Area Measurements	Lot Area Public / Central Sewer	Lot Area On-Site Wastewater System	Minimum Frontage
Single-Family Dwelling	8,000 Square Feet	2 Acres	70 Feet
Two-Family Dwelling	8,000 Square Feet	4 Acres	70 Feet
Multi-Family Dwelling	3,000 Square Feet Per Dwelling Unit	---	70 Feet
Commercial Use	8,000 Square feet	2 Acres	70 Feet

8. PERFORMANCE GUARANTEES

Upon approval of one or more required Technical Plans and before the issuance of an associated permit, the developer may, as a good-faith Performance Guarantee, be required to post a bond with good and sufficient sureties (as set out in sections 64.825 and 107.080 RSMo 1996 incorporated herein by reference with such provisions) as will guarantee the faithful performance of all required work to be done in accordance with the submitted plans.

8.1. Sediment and Erosion, Stormwater Management, Re-vegetation Bonds

8.1.1. POSTING REQUIREMENTS

The developer shall provide the necessary surety through certified check, establishment of an escrow account, or one-hundred (100) percent bond for the estimated cost of the required improvements, plus twenty (20) percent, as a guarantee that all improvements will be installed in accordance the Technical Plan submitted (at most within two years) in the amount of all required work to be done under the submitted Plan(s). Any work shown in the submitted plans that is considered above and beyond minimum county standards may be deducted from the required financial posting.

Note: Bonds for land grading are addressed in section 8.2, below.

8.1.2. AMOUNT OF BOND

The amount of the surety for the Performance Guarantee is specific to the type of work to be performed and will be based on cost estimates provided by a certified engineer.

8.1.3. RELEASE OF FUNDS

Prior to a release of funds, either partial or in full, a statement of plan compliance shall be submitted. The statement of compliance shall establish what portions of the plan have been met and to what standard. Up to ninety (90) percent of the funds can be released after all code requirements are met and approved by the Designated Official. Ten (10) percent will be held until the public improvements are accepted by the County to ensure that the required control measures are satisfied.

8.1.4. FAILURE TO PERFORM

If all planned improvements are not been completed on time and in compliance with the submitted and approved plan(s), the County will call the account or bond for completion. The Commission may, with sufficient proof of cause, extend the completion deadline, however no additional phase of the development shall be permitted to begin if an extension has been granted.



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TANEY COUNTY PLANNING COMMISSION
DIVISION III DECISION OF RECORD
MARCH 15, 2004
MILL CREEK SUBDIVISION
PERMIT #04-11

On March 15, 2004 the Taney County Planning Commission (grantor) approved a request by Steve Matlock, Affiliated Inv., Inc. (grantee) to develop a 17 lot single-family residential subdivision for medium density residential use. In accordance with this approval a Division III Permit #04-11 is issued for the property located at the attached legal description.

The following Decision of Record details this approval and lists all applicable conditions:

Steve Matlock of Affiliated Investors, Inc. is authorized to develop 10.73 acres located off the north side of Jefferson St. and a mile east of St. Hwy. 65 Outer Road into 17 lots for single-family residential use. With seven out of nine Planning Commissioners present the vote to approve was unanimous. The following conditions shall be complied with:

1. Compliance with the Taney County Development Guidance Code (Divisions I and III), that include plans for the following:
 - a. Sediment and erosion control
 - b. Stormwater management
 - c. Land grading permit
 - d. Delineation of the 100 year floodplain
 - e. Utility easements and building line setbacks
 - f. Improvements with scale of streets and utilities, including hammerhead turnarounds with 30' depth, for all streets that stub into future phases (medium density)
2. Compliance letters from the Fire, Sewer, and Water Districts.
3. Covenants and restrictions, which provide for the continued maintenance of the streets.
4. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire.

Legal description attached

ltr of Credit
Expires ~~3-30-05~~
9-30-05

Mill Creek Sub.

**LETTER OF CREDIT
EXTENSION**

Amount (U.S. Currency)
\$60,000.00

**Renewed in the amount
of \$30,000.00**

Letter of Credit Number
1019

Date of Issuance
10-26-2004
Extended on
03-30-2005

At the request of (Owner's Name)
Affiliated Investors, Inc.

Doing Business as
Affiliated Investors, Inc.

of

P.O. Box 6498
Branson, MO.

State of
County of

Missouri
Taney

We hereby issue an extension of our Letter of Credit referenced above in favor of
The Taney County Planning Commission in the aggregated sum of **Thirty
Thousand dollars (\$30,000.00).**

The Letter of Credit shall expire in full and finally on September 30, 2005 at
2:00pm.

All other terms and conditions of the Letter of Credit shall remain the same.

Issuing Bank/Financial Institution

Address

City, State, Zip

FIRST COMMUNITY BANK OF
THE OZARKS

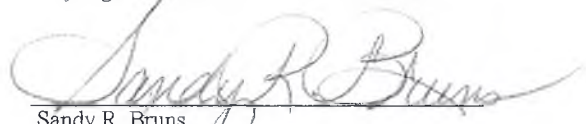
121 S. COMMERCIAL
P.O. BOX 1187

BRANSON, MO. 65615-1187

Bank/Financial Institution Routing Transit #

081506646

By Signature and Title of Bank Official


Sandy R. Bruns,
Senior Executive Vice President



FIRST COMMUNITY BANK OF TANEY COUNTY

"Built on the foundation of community banking."

Amount (U.S. Currency) \$60,000.00
Date of Issuance October 26, 2004

Letter of Credit Number 1019

At the request of (Owner's Name) AFFILIATED INVESTORS, INC.

Doing Business As AFFILIATED INVESTORS, INC.

Of P.O. BOX 6498, BRANSON, MO.

Of (County) TANEY

State of MISSOURI

We hereby issue our Letter of Credit in favor of The Taney County Planning Commission in the aggregated sum of Sixty Thousand Dollars (\$60,000.00) available by your drafts drawn at sight on First Community Bank of Taney County bearing reference to this Letter of Credit Number.

Drafts drawn under this irrevocable Letter of Credit must be accompanied by your signed statement that "the draft amount represents monies owed which Affiliated Investors, Inc. has failed to pay" and marked "drawn against (Name of Bank) First Community Bank of Taney County". The original Letter of Credit and amendment(s), if any, must be presented for all drawings.

This Letter of Credit shall be deemed non-renewable beyond the current expiration date. This Letter of Credit will expire in full and finally on March 30, 2005.

This Letter of Credit is governed by the Uniform Commercial Code of the State of Missouri.

We hereby engage with you that drafts drawn under and presented in conformity with the terms of this Irrevocable Letter of Credit will be duly honored on presentation.

Issuing Bank/Financial Institution First Community Bank of Taney County
Address: P.O. Box 1187, Branson, MO 65615

Bank/Financial Institution Routing Transit Number 081506646
By Signature and Title of Bank Official :


Sandy R. Bruns, Senior Executive Vice President



GRE
GREAT RIVER
ENGINEERING

September 29, 2005

Mr. Kurt Larsen
Taney County Planning & Zoning
P.O. Box 383
Forsyth, MO 65653

Re: Mill Creek Subdivision Phase 1

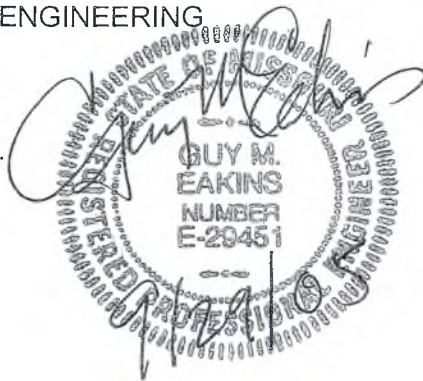
Dear Mr. Larsen,

Based on a site visit conducted today, it appears that the developer has constructed the infrastructure for Mill Creek Subdivision Phase 1 in general conformance to the plans prepared by Great River Engineering. The roads are being constructed with an asphalt surface. The base course has been placed but the wearing surface has not. The County's minimum requirement is for a gravel surface; therefore the asphalt base course is above the required minimum.

If you have any questions, please feel free to contact me.

Very truly yours,
GREAT RIVER ENGINEERING

Mel Eakins, P.E.





TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

September 9, 2005

Steve Matlock
Summerbrooke, LLC
P.O. Box 6498
Branson, MO 65615

Dear Mr. Matlock,

In order for this office to release the letter of credit on your subdivision, we must receive a sealed statement from an engineer, which says that all improvements have been completed. The date that it expires is September 30, 2005. We must have either the engineer's statement, or an extension letter from the bank, or we will be forced to cash the bond.

Sincerely,

Kurt Larsen
Division II Inspector

FINAL PLAT

MILL CREEK PHASE I

A SUBDIVISION IN TANEY COUNTY, MISSOURI

SHEET 14 PAGE 170

OWNER/DEVELOPER:
AFFILIATED INVESTORS, INC.
PO BOX 6498
BRANSON, MO 65615

DOCUMENT 2004P00148

FILED
TIME 3:45 P.M.
NOV 01 2004

Robert A. Dixon,
Recorder of Deeds
TANEY COUNTY.

DEDICATION

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED ARE THE SOLE OWNERS OF THE PROPERTY BEING SUBDIVIDED IN TANEY COUNTY, MISSOURI, DESIGNATED ON THE PROPOSED FINAL PLAT AS MILL CREEK PHASE I SUBDIVISION, AND THAT NO DEEDS OF TRUST OR OTHER LIENS EXIST AGAINST THE PROPERTY, EXCEPT AS INDICATED. ALL STREETS SHOWN ARE HEREBY DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, STEVE MATLOCK, VICE PRESIDENT, OF AFFILIATED INVESTORS, INC. A MISSOURI CORPORATION, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 29th DAY OF OCTOBER, 2004.

ATTEST:
STEVE MATLOCK, VICE PRESIDENT

IN WITNESS WHEREOF, SANDY BRUNS, EXECUTIVE VICE PRESIDENT, OF FIRST COMMUNITY BANK OF TANEY COUNTY, A MISSOURI CORPORATION, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 29th DAY OF OCTOBER, 2004.

ATTEST:
SANDY BRUNS, EXECUTIVE VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF TANEY SS:

ON THIS 29th DAY OF OCTOBER, IN THE YEAR 2004, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED STEVE MATLOCK, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE VICE PRESIDENT, OF AFFILIATED INVESTORS, INC., A MISSOURI CORPORATION, AND THAT SAID DOCUMENT WAS SIGNED ON BEHALF OF SAID CORPORATION, AND SAID STEVE MATLOCK ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID MISSOURI CORPORATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC
My Commission Expires: Nov. 13, 2004

My Commission Expires: Nov. 13, 2004

ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF TANEY SS:

ON THIS 29th DAY OF OCTOBER, IN THE YEAR 2004, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED SANDY BRUNS, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT SHE IS THE EXECUTIVE VICE PRESIDENT OF FIRST COMMUNITY BANK OF TANEY COUNTY, A MISSOURI CORPORATION, AND THAT SAID DOCUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID SANDY BRUNS ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC
My Commission Expires: Nov. 13, 2004

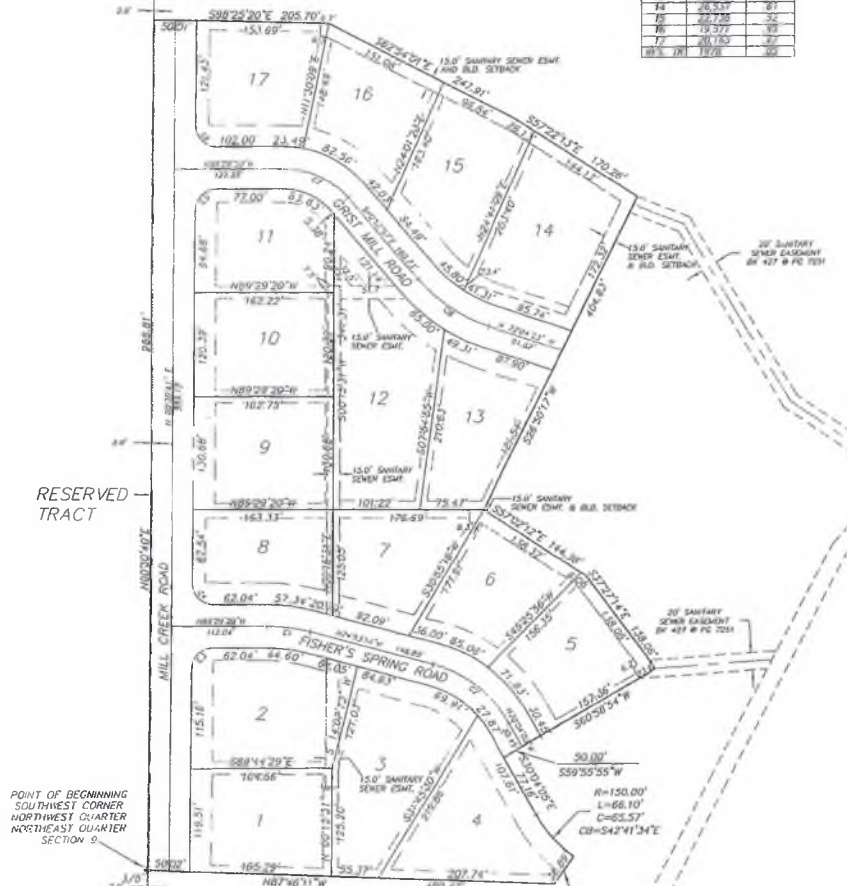
NOTES:
FOR REQUIRED IMPROVEMENTS SEE TANEY COUNTY DEVELOPMENT GUIDANCE CODE, ADOPTED BY THE TANEY COUNTY COMMISSION NOVEMBER 13, 1984, UPDATED OCTOBER 1998.

THE RESERVED TRACT IS A 2 FOOT WIDE STRIP OF LAND BETWEEN THE WEST RIGHT-OF-WAY LINE OF MILL CREEK ROAD AND THE WEST SUBDIVISION BOUNDARY LINE AND WILL BE MAINTAINED BY THE OWNER/DEVELOPER.

BUILDING SETBACKS:
FRONT 25 FEET
SIDE 7 FEET
REAR 10 FEET
UNLESS OTHERWISE SHOWN ON PLAT

LOT #	SO. FT.	ACRES
1	20.180	4.6
2	20.180	4.6
3	20.180	4.6
4	20.180	4.6
5	20.180	4.6
6	20.180	4.6
7	20.180	4.6
8	20.180	4.6
9	20.180	4.6
10	20.180	4.6
11	20.180	4.6
12	20.180	4.6
13	20.180	4.6
14	20.180	4.6
15	20.180	4.6
16	20.180	4.6
17	20.180	4.6
18	20.180	4.6

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	BEARING
C1	50.97	200.00	14°36'08"	25.62	50.93	S82°11'17"E
C2	117.34	150.00	44°49'08"	61.85	114.37	S52°28'39"E
C3	39.27	25.00	80°00'00"	25.00	35.36	S45°30'40"W
C4	39.27	25.00	80°00'00"	25.00	35.36	S44°28'20"E
C5	39.27	25.00	80°00'00"	25.00	35.36	S45°30'40"W
C6	39.27	25.00	80°00'00"	25.00	35.36	S44°28'20"E
C7	84.83	100.00	48°38'22"	45.16	82.31	N65°11'08"W
C8	100.71	185.00	31°11'28"	51.64	99.47	S56°28'40"E



- LEGEND**
- = 5/8" IRON PIN SET (TYPICAL)
 - = GREAT RIVER 2001011476
 - = EXISTING IRON PIN (AS NOTED)
 - = PERMANENT MONUMENT
 - = 5/8" IRON PIN SET
 - = 24" IN LENGTH & CAPPED WITH A ALUMINUM CAP
 - = STAMPED GREAT RIVER 2001011476

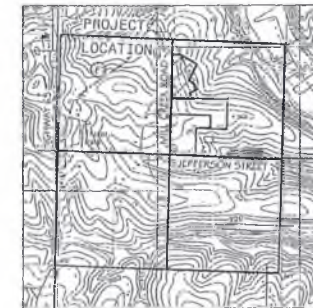
SCALE: 1 INCH = 100 FEET

GRID NORTH BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983 CENTRAL ZONE

FLOOD HAZARD NOTE:

NONE OF THIS SUBDIVISION FALLS IN ANY FLOOD HAZARD AREA DESIGNATED BY FEMA. MAPPING SHOWN ON COMMISSION 10-20-2004, SHEET 09 OF 33, TANEY CO. MO.

TYPE	SG. FT.	ACRES
BOUNDARY	487.485	10.71
RIGHT-OF-WAY	17.200	0.39
TOTAL	504.685	11.10



LOCATION MAP
SECTION 9, TOWNSHIP 23, RANGE 21
SCALE: 1"=2000'

PLANNING COMMISSION CERTIFICATION
APPROVED BY THE TANEY COUNTY PLANNING COMMISSION THIS 29th DAY OF OCTOBER, 2004.

TANEY COUNTY RECORDER
RECORDED BY THE TANEY COUNTY RECORDER IN PLAT BOOK _____ AT _____ THIS _____ DAY OF _____, 2004.

RECORDED

911 LOT ASSIGNMENTS

THE LOT ASSIGNMENTS IN MILL CREEK PHASE I SUBDIVISION HAVE BEEN APPROVED THIS 29th DAY OF OCTOBER, 2004.

911 REPRESENTATIVE

PROPERTY DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 21 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE WEST LINE OF SAID QUARTER QUARTER, N00°30'40"E, 888.81 FEET; THENCE LEAVING THE AFOREREMENTIONED LINE, S88°25'20"E, 205.70 FEET; THENCE, S62°54'01"E, 247.91 FEET; THENCE, S57°22'13"E, 170.28 FEET; THENCE, S36°50'17"W, 404.83 FEET; THENCE, S57°02'12"E, 144.58 FEET; THENCE, S32°27'14"E, 138.06 FEET; THENCE, S 60°58'54"W, 157.36 FEET; THENCE, S59°55'55"W, 50.00 FEET; THENCE, S30°04'05"E, 77.18 FEET; THENCE, 66.10 FEET ALONG A 150.00' RADIUS TANGENT CURVE LEFT, WHOSE CHORD BEARS S42°41'34"E, 65.57 FEET; THENCE, S31°19'26"W, 38.80 FEET, TO A POINT LYING ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG SAID SOUTH LINE, N 87°45'11"W, 460.42 FEET, TO THE POINT OF BEGINNING, CONTAINING 10.73 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESERVATIONS, AND RESTRICTIONS OF RECORD.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, KENNETH E. MESSICK, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY KENNETH E. MESSICK, AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH TANEY COUNTY SUBDIVISION REGULATIONS AND IN ACCORDANCE WITH CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES.

DATE PREPARED 10-22-2004

SIGNATURE

MISSOURI L.S. NO. 2971



NW1/4, NE1/4, SEC 9, T23N, R21W
TANEY COUNTY, MISSOURI
MILL CREEK PHASE I SUBDIVISION
FINAL PLAT

SHEET
1 OF 1



BOOK PAGE

2007L26932

05/18/2007 12:19:50PM

REC FEE:30.00

NON-STD FEE:

PAGES: 3

REAL ESTATE DOCUMENT
TANEY COUNTY, MISSOURI
RECORDERS CERTIFICATION

Robert A. Dixon

ROBERT A. DIXON



TANEY COUNTY PLANNING COMMISSION
DIVISION III DECISION OF RECORD
FEBRUARY 20, 2007
MILL CREEK PHASE 2
#06-86

On February 20, 2007 the Taney County Planning Commission (grantor) approved a request by Affiliated Investors, Inc. to develop a single family residential subdivision. In accordance with this approval a Division III Permit #06-86 is issued for the property located at the attached legal description.

The following Decision of Record details this approval and lists all applicable conditions:

Affiliated Investors, Inc. is authorized to develop 19.65 acres for single family residential located at Mill Creek Road. With six out of nine Planning Commissioners present the vote to approve was unanimous. The following conditions shall be complied with:

1. Compliance with the provisions of the Taney County Development Guidance Code that include plans for the following:
 - a. Sediment and erosion control (Appendix B Sec. VI Item 2)
 - b. Stormwater management (Appendix B Item 3)
 - c. Land grading permit (Appendix B)
 - d. Delineation of the 100 year floodplain (Taney County Floodplain Management Ordinance 60.3b Sec. A)
 - e. Utility easements and building line setbacks (Table 12)
 - f. Foliage screening or fencing for commercial are that adjoins residential tracts (Appendix C)
 - g. Improvements with scale of buildings, streets, onsite parking and utilities (Table 6)
2. Compliance letters from the Fire, Sewer and Water Districts (Chapter VI-VII).
3. No outside storage of equipment or solid waste materials.
4. Division I Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
5. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

Legal description attached

PROPERTY DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 21 WEST, TANEY COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE WEST LINE OF SAID QUARTER QUARTER, N00°30'40"E, 988.81 FEET; THENCE LEAVING THE AFOREMENTIONED LINE, S 88°25'20"E, 205.70 FEET; THENCE S 62°54'01"E, 247.91 FEET; THENCE S 57°22'13"E, 170.26 FEET; THENCE S 26°50'17"W, 404.83 FEET; THENCE S 57°02'12"E, 144.38 FEET; THENCE S 37°27'14"E, 138.06 FEET; THENCE S 60°58'54"W, 157.36 FEET; THENCE S59°55'55"W, 50.00 FEET; THENCE S 30°04'05" E, 77.16 FEET; THENCE 66.10 FEET ALONG A 150.00 FOOT RADIUS TANGENT CURVE LEFT, WHOSE CHORD BEARS S42°41'34"E, 65.57 FEET; THENCE S 36°16'26" W, 38.89 FEET, TO A POINT LYING ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG SAID SOUTH LINE, N 87°46'11"W, 480.42 FEET, TO THE POINT OF BEGINNING. CONTAINING 10.73 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, COVENANTS, RESERVATIONS, AND RESTRICTIONS OF RECORD.

OWNER/DEVELOPER: AFFILIATED INVESTORS, INC.
P.O. BOX 6498
BRANSON, MISSOURI 65615

TOTAL SITE ACREAGE: 10.73 ACRES

In signing this record of decision I understand that any breach in the terms of the Division III Record of Decision will result in the revocation of this permit. I further agree to abide by and comply with all the requirements of the Taney County Planning Commission and the Development Guidance Code.

Signature Steve Matlock
Steve Matlock

As the Designated official for the Taney County Planning Commission, I hereby issue the foregoing document as the permit and decision of record as detailed above.

Greg Smith
Greg Smith, Taney County Planning Administrator

STATE OF MISSOURI)

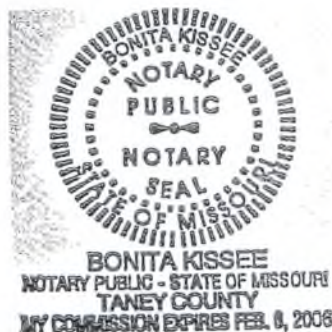
S.S. On this 22nd day of May, 2004

COUNTY OF TANEY)

Before me personally appeared Greg Smith and Steve Matlock to me known to be the persons described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Missouri the day and year first above written. My term of office as Notary Public will expire 2/6/06

Bonita Kisse
Bonita Kisse, Notary Public



END OF DOCUMENT

FINAL PLAT

MILL CREEK PHASE II

A SUBDIVISION IN THE NW 1/4 OF THE NE 1/4 OF SECTION 9,
TOWNSHIP 23 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN
IN TANEY COUNTY, MISSOURI

FILED

TIME 4:14 P.M.
DEC 01 2010

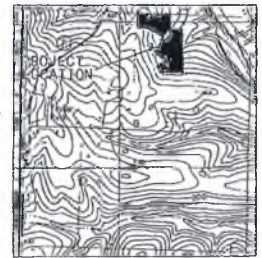
RECORDING FEE \$ 65.00
STATE SURVEY FEE \$ 4.00
TOTAL \$ 69.00

ROBERT A. DIXON
RECORDER OF DEEDS
TANEY COUNTY

DETAIL "A"
SCALE: 1"=40'

GRID NORTH,
MISSOURI COORDINATE
SYSTEM OF 1983,
CENTRAL ZONE

100' 0' 100'
SCALE: 1 INCH = 100 FEET



LOCATION MAP
SECTION 9, TOWNSHIP 23, RANGE 21
SCALE: 1"=2000'

OWNER/DEVELOPER:
AFFILIATED INVESTORS, INC.,
PO BOX 6498
BRANSON, MO 65615

SOURCE OF TITLE:
BOOK 444, PAGE 54
BOOK 462, PAGE 1982

NOTES:
SURVEY ACCURACY STANDARDS:
TYPE SUBURBAN PROPERTY
FOR REQUIRED IMPROVEMENTS SEE TANEY
COUNTY DEVELOPMENT GUIDANCE CODE,
ADOPTED BY THE TANEY COUNTY COMMISSION
NOVEMBER 11, 1984, UPDATED OCTOBER 1998.

THE RESERVED TRACT IS A 2 FOOT WIDE
STRIP OF LAND BETWEEN THE WEST
RIGHT-OF-WAY LINE OF MILL CREEK ROAD
AND THE WEST SUBDIVISION BOUNDARY LINE,
WHICH SHALL BE MAINTAINED BY THE
OWNER/DEVELOPER.

BUILDING SETBACKS:
FRONT 25 FEET (EXCEPT AS SHOWN)
SIDE STREET 12.5 FEET ON CORNER LOTS
SIDE 7 FEET
REAR 10 FEET

FLOOD HAZARD NOTE:
NO PART OF THIS SUBDIVISION FALLS IN ANY
FLOOD HAZARD AREA DESIGNATED BY FEMA.
HAPPING SHOWN ON COMMUNITY NO.280435A,
SHEET 03 OF 33, TANEY CO. MO.

LINE TABLE		
LINE	LENGTH	BEARING
L1	77.54	N63°21'30"W
L2	51.16	N69°08'59"W
L3	61.80	N57°25'21"E
L4	108.87	N86°06'18"E
L5	56.36	N57°20'50"E
L6	57.55	N57°20'50"E
L7	108.66	N86°06'18"E
L8	54.22	N57°25'21"E
L9	29.58	S30°04'11"E
L10	16.25	S86°15'26"E
L11	27.86	S36°48'56"E

LEGEND
* EXISTING 5/8" IRON PIN
CAPPED "GREAT RIVER 2001011476"
(EXCEPT AS NOTED)

* PERMANENT MONUMENT SET
5/8" IRON PIN, 24" IN LENGTH
WITH ALUMINUM CAP STAMPED
"GREAT RIVER 2001011476"

LOT AREAS

LOT #	SQ. FT.	ACRES
24	13,350	.31
25	13,588	.31
26	13,524	.31
27	13,524	.31
28	13,524	.31
29	13,524	.31
30	16,148	.37
31	15,737	.36
32	11,583	.27
33	11,473	.26
34	17,065	.39
35	21,433	.49
36	18,922	.43
37	12,937	.30
38	14,249	.33
39	18,527	.43
40	14,983	.34
41	15,952	.37
42	22,288	.51
43	17,391	.40
44	26,030	.55
45	15,211	.35
46	12,548	.29
47	19,169	.44
48	19,642	.45
49	18,419	.42
50	24,426	.56
51	11,772	.27
52	22,086	.51
53	15,226	.35
54	26,532	.61
55	36,132	.80
56	30,947	.71
57	20,126	.46
58	19,937	.46
59	19,834	.46

TOTAL AREAS

TYPE	SQ. FT.	ACRES
SUBDIVISION	815,503	18.72
TOTAL	1,101,997	25.10
RESERVED TRACT	337	.01

LAND SURVEYING CORPORATION CERTIFICATE OF AUTHORITY #2001011476

SHEET
1 OF 2

DRAWN BY: MMH
CHECKED BY: RDV
JOB NUMBER: 03-1692
FILE NAME: P02



GRA
GREAT RIVER
ASSOCIATES
786 S. NEWELL AVE., BRANSON, MO 65615
PHONE: (417) 885-7171 FAX: (417) 885-7251
www.greatriverassoc.com

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	TANGENT	CHORD
C1	105°00'14"	92.51	50.00	66.35	79.87
C2	33°28'50"	29.22	50.00	15.04	28.80
C3	50°02'14"	13.10	15.00	7.00	12.69
C4	84°57'45"	17.05	11.50	10.53	15.53
C5	8°00'29"	28.40	203.17	14.22	28.37
C6	52°01'12"	13.62	15.00	7.32	13.16
C7	85°04'02"	74.24	50.00	45.87	67.60
C8	43°58'24"	38.31	49.95	20.15	37.38
C9	63°15'51"	55.21	50.00	30.80	52.45
C10	52°01'07"	13.62	15.00	7.32	13.16
C11	88°11'55"	12.70	11.50	11.14	16.01
C12	52°02'34"	13.62	15.00	7.32	13.16
C13	53°08'15"	46.37	50.00	25.00	44.73
C14	47°01'48"	41.04	50.00	21.76	39.90
C15	76°34'10"	66.82	50.00	39.47	61.96
C16	43°11'49"	37.70	50.00	19.79	36.81
C17	6°08'15"	55.94	50.00	31.31	53.07
C18	51°59'51"	13.61	15.00	7.32	13.15
C19	52°01'12"	13.62	15.00	7.32	13.16
C20	25°43'32"	22.45	50.00	11.42	22.26
C21	86°15'11"	75.27	50.00	46.83	68.36
C22	52°17'45"	50.00	50.00	27.32	47.94
C23	55°15'08"	48.22	50.00	26.17	46.37
C24	59°30'49"	51.94	50.00	28.59	49.63
C25	52°01'12"	13.62	15.00	7.32	13.16
C26	12°36'09"	19.50	169.00	18.64	35.41
C27	12°30'43"	37.35	169.00	18.75	37.27
C28	13°02'33"	50.17	219.00	25.20	50.06
C29	12°55'41"	49.41	219.00	24.81	49.31
C30	81°40'13"	16.39	11.50	9.94	15.04
C31	84°33'39"	16.97	11.50	10.46	15.47
C32	13°46'08"	48.06	200.00	24.15	47.95
C33	126°43'39"	168.50	75.00	156.27	135.23
C34	12°36'09"	27.57	125.00	13.84	27.81
C35	48°02'37"	105.00	125.00	55.82	101.94
C36	67°30'22"	147.28	125.00	83.53	138.91
C37	10°58'49"	25.49	133.03	12.79	25.45
C38	57°42'06"	160.38	159.25	87.73	153.69
C39	7°49'20"	34.13	250.00	17.09	34.10
C40	13°46'08"	54.07	225.00	27.17	53.94
C41	128°22'18"	224.20	100.00	180.11	129.44
C42	57°42'06"	185.55	184.25	101.30	177.81
C43	26°03'14"	88.22	194.00	44.88	87.46
C44	13°08'28"	11.47	50.00	5.76	11.44
C45	28°22'34"	24.84	50.00	12.68	24.58

3/8" IRON PIN
SOUTHWEST CORNER
NORTHWEST QUARTER
NORTHEAST QUARTER
SECTION 9



FILED

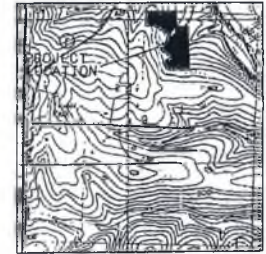
TIME 4:14 p.m.

DEC 01 2010

ROBERT A. DIXON
RECORDER OF DEEDS
TANEY COUNTY

FINAL PLAT

MILL CREEK PHASE II

A SUBDIVISION IN THE NW 1/4 OF THE NE 1/4 OF SECTION 9,
TOWNSHIP 23 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN
IN TANEY COUNTY, MISSOURILOCATION MAP
SECTION 9, TOWNSHIP 23, RANGE 21
SCALE: 1"=2000'

OWNER'S CERTIFICATE AND DEDICATION

ON BEHALF OF AFFILIATED INVESTORS, INC., THE SOLE OWNER OF THE REAL ESTATE DESCRIBED AND SHOWN HEREON, I DO HEREBY CERTIFY THAT I HAVE CAUSED SAID REAL ESTATE TO BE SUBDIVIDED AND PLATTED AS SHOWN HEREON AND THAT SAID SUBDIVISION SHALL BE DEDICATED AS "MILL CREEK PHASE II"; THAT ALL STREETS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC, AND THAT EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR THE USES INDICATED.

MILL CREEK PHASE II SHALL BE SUBJECT TO COVENANTS AND RESTRICTIONS ON FILE AT THE TANEY COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 1716 AT PAGE 59-140

IN WITNESS WHEREOF, I, THE DULY AUTHORIZED REPRESENTATIVE OF THE SOLE OWNER, HAVE HEREUNTO SET MY HAND AND AFFIXED THE CORPORATE SEAL THIS 17th DAY OF November 2010

STEVE MATLOCK, PRESIDENT
AFFILIATED INVESTORS, INC.

ACKNOWLEDGEMENT

STATE OF MISSOURI

COUNTY OF Taney

ON THIS 17th DAY OF November 2010 A.D. BEFORE ME APPEARED STEVE MATLOCK, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF AFFILIATED INVESTORS, INC., A CORPORATION OF THE STATE OF MISSOURI, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND SAID STEVE MATLOCK ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, AT MY OFFICE IN Taney County, Missouri, THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC

PRINT NAME: Vicki Bailey
MY TERM OF OFFICE EXPIRES: August 24, 2013

"NOTARY SEAL"



CERTIFICATE OF CONSENT BY LIEN HOLDER

ON BEHALF OF LIBERTY BANK, HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED AND SHOWN HEREON, I HEREBY CONSENT TO THE EXECUTION OF THIS PLAT BY AFFILIATED INVESTORS, INC.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 17th DAY OF November 2010

VERN LEWIS, PRESIDENT
LIBERTY BANK

ACKNOWLEDGEMENT

STATE OF MISSOURI

COUNTY OF Taney

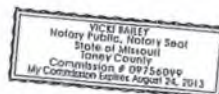
ON THIS 17th DAY OF November 2010 A.D. BEFORE ME APPEARED VERN LEWIS, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF LIBERTY BANK, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED AND SEALED AS HIS FREE ACT AND DEED IN BEHALF OF SAID LIBERTY BANK.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, AT MY OFFICE IN Taney County, Missouri, THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC

PRINT NAME: Vicki Bailey
MY TERM OF OFFICE EXPIRES: August 24, 2013

"NOTARY SEAL"



PLANNING COMMISSION CERTIFICATION

APPROVED BY THE TANEY COUNTY PLANNING COMMISSION THIS 17th DAY OF November 2010.

CHAIRPERSON
Jason Cox FO-10-15

TANEY COUNTY RECORDER

RECORDED BY THE TANEY COUNTY RECORDER IN PLAT BOOK
AT 20 THIS DAY OF

RECORDER

911 LOT ASSIGNMENTS

THE LOT ASSIGNMENTS IN MILL CREEK PHASE II SUBDIVISION HAVE BEEN APPROVED THIS 17th DAY OF November 2010

911 REPRESENTATIVE

PROPERTY DESCRIPTION:

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 21 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, S87°46'11"E, 480.42 FEET, FOR A POINT OF BEGINNING; THENCE N36°19'28"E, 36.89 FEET; THENCE 66.10 FEET ALONG A 150.00 FOOT RADIUS NON-TANGENT CURVE, RIGHT; THENCE CHORD BEARS N42°41'34"W, 65.57 FEET; THENCE N30°04'05"W, 77.16 FEET; THENCE N59°55'55"E, 50.00 FEET; THENCE N60°58'54"E, 157.36 FEET; THENCE N37°27'14"W, 138.06 FEET; THENCE N57°02'12"W, 144.38 FEET; THENCE N26°50'17"E, 404.83 FEET; THENCE N57°22'13"W, 170.28 FEET; THENCE N62°54'01"W, 247.91 FEET; THENCE N89°25'20"W, 205.70 FEET; THENCE N00°30'40"E, 545.20 FEET; THENCE S87°41'15"E, 760.38 FEET; THENCE S00°30'40"W, 358.90 FEET; THENCE S00°00'50"E, 270.30 FEET; THENCE S00°00'00"E, 986.84 FEET; THENCE N87°46'11"W, 559.15 FEET TO THE POINT OF BEGINNING. CONTAINING 18.72 ACRES, MORE OR LESS.

SURVEYOR'S DECLARATION

I, BRIAN D. VIELE, DO HEREBY DECLARE THAT THIS PLAT WAS PREPARED UNDER MY PERSONAL SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS (10 CSR 30-2) AND THE TANEY COUNTY, MISSOURI SUBDIVISION REGULATIONS.

BRIAN D. VIELE

LS-2472

DATE

November 17, 2010



LAND SURVEYING CORPORATION CERTIFICATE OF AUTHORITY #2001011476

SHEET 2 OF 2	DRAWN BY: JMW
	CHECKED BY: BDV
	JOB NUMBER: 05-1472
	FILE NAME: 010


GRA
GREAT RIVER
ASSOCIATES
 203 S. MICHIGAN AVE. SUITE 200, INDEPENDENCE, MO 64601
 PHONE: (417) 556-7171 FAX: (417) 556-1591
 www.grasurveying.com



BOA SMBZ LLC, 272 Moberly











NOTICE OF PUBLIC HEARING

THE TANEY COUNTY BOARD OF ADJUSTMENT

Will hold a public hearing concerning the
following requested variance or appeal.

Applicant: SMBZ

Request: Appeal
of denial of DIV I permit

Property Location: 172 Moberly
Mill Road

Hearing Location: Taney County Courthouse

Time: 7:00pm Date: Wednesday, 4-16-14

Phone: (417) 546-7225







**NOTICE
OF PUBLIC HEARING**
A Public Hearing will be held on the 15th day of March, 2010, at 7:00 P.M. at the Town of New Canaan, New York, to hear testimony and receive suggestions from the public regarding the proposed subdivision of the land owned by the Town of New Canaan, New York, into lots for the purpose of residential development. The proposed subdivision is located in the Town of New Canaan, New York, and is bounded by the Town of New Canaan, New York, to the north, south, east and west. The proposed subdivision is located in the Town of New Canaan, New York, and is bounded by the Town of New Canaan, New York, to the north, south, east and west. The proposed subdivision is located in the Town of New Canaan, New York, and is bounded by the Town of New Canaan, New York, to the north, south, east and west.



NOTICE
OF PUBLIC HEARING
FOR THE PROPOSED
CONVERSION OF
LAND TO A
RESIDENTIAL
SUBDIVISION
IN THE
TOWN OF
MOUNTAIN VIEW
COUNTY, ARIZONA
ON FEBRUARY 1, 2007
AT 10:00 AM
AT THE
MOUNTAIN VIEW
COMMUNITY CENTER
1000 N. 1ST AVENUE
MOUNTAIN VIEW, ARIZONA 85901