

REVISED MASTER PLAN



*Development of a research park for the
University of Missouri-Columbia*

January 6, 2009

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EXECUTIVE SUMMARY

In October 2005 The Board of Curators of the University of Missouri identified the 1,452 acre South Farm located in southern Boone County and operated by the College of Agriculture, Food and Natural Resources (CAFNR) as the site of a research park pursuant to Statute 172.273 of the Missouri Revised Statutes. In May 2006 the Board approved the Master Plan of the park which designated approximately 114 acres as the initial phase for development. (See Exhibit 1.) The expectation was that additional phases of the research park would be added as needed.

During the past two years, infrastructure within the first phase of the park has been nearly completed, including roads, utility services, and improvements to the lake and drainage areas. An interchange and overpass spanning Highway 63, which serves the park, was recently opened. The University provided 8.66 acres to the Missouri Highways and Transportation Commission for the overpass project. This overpass property transfer reduced the area of the park to 105.1 acres. Infrastructure improvements further reduced the leasable acreage within the first phase of the park.

Two research laboratory and office facilities have been constructed in the park and are now in operation. The absorption of these two lots leaves only a little over 44 acres remaining to be leased in Phase I. In order to continue to attract tenants, a long term plan for expansion of the park has been prepared. Phase I has been expanded to include Lots 11, and 16-18 in addition to the original Lots now numbered 1 through 7. Phases II and III have been added plus an area for Future Development. A map of the expanded park is provided in Exhibit 2. These additions now bring Phase I to 139.0 acres, Phase II to 54.9 acres and Phase III to 143.5 acres, plus 212.6 acres for future expansion, for a total acreage within the park of 550.0 acres.

Although the University anticipates development in the park will progress sequentially through the phases identified, it is essential that options be available to future tenants whose needs may require movement into several phases. Therefore, this expanded Master Plan should be viewed in its entirety, rather than considered as incremental steps.

The current research, teaching and outreach now being conducted by CAFNR on land that will be encompassed by the expanded park will remain for the near future. The continued relationship of the activities on South Farm to the activities in the research park is essential to the mission of the University and the economic development of the region and state. These CAFNR activities, although not a conforming use in accordance with the Protective Covenants of the park, will be permitted until such time as the land is needed for park development. A variance for these activities will be granted. The Protective Covenants, which guide the development of the park such that it complements the University campus and strengthens the surrounding communities, will remain in effect for all other activities in the park.

The timeline for expansion into the additional phases of the park will be determined by the marketplace. The research park is a joint project between the University of Missouri Office of Research and Economic Development and the University of Missouri-Columbia.

CHAPTER 1: GOALS & OBJECTIVES

A. MASTER PLAN COMPATIBILITY WITH SOUTH FARM

The past few years have been filled with considerable planning and activities. The original plan was aided by the experience of MU campus master planners at Sasaki Associates, Inc. The goal for South Farm was to preserve the CAFNR research capacity within the Columbia area with minimal disturbance to ongoing programs.

An important consideration for the future of South Farm and the research park was the surrounding development and infrastructure. Across U.S. Highway 63 to the west of South Farm is the Phillips tract and a new city park, both in the initial stages of development. These improvements required highway access, and the construction of a new interchange on the north side of Gans Creek. In July 2007, The Board of Curators approved transfer of 8.66 acres to the Missouri Highway and Transportation Commission for this overpass. Construction began in 2007 and was completed in November of 2008. This overpass will impact the farm not only from the interchange, but also the construction of Discovery Parkway east from Highway 63 connecting to Rolling Hills Road.

It is the intersection of South Farm and these new road/infrastructure developments that created the best opportunity for dedicating a portion of South Farm for a research park. The land directly adjacent to the Highway 63 and the new interchange was the focus of the initial phase, and expansion of the park through additional phases will be in the southwest corner of South Farm.

B. UNIVERSITY GOALS & OBJECTIVES

Section 172.273 of the Missouri Revised Statutes provides that “the Curators of the University of Missouri may establish research, development and office park projects, in order to promote cooperative relationships and to provide for shared resources between private individuals, companies and corporations, and the University of Missouri, for the advancement of the University in carrying out its educational mission and such projects are declared to be in furtherance of the purposes of the University.” The development of a research park on South Farm, named Discovery Ridge, is consistent with this legislation, which affirms the University’s “legitimate and necessary role” in such economic development activities.

The Curators of the University of Missouri have identified economic development as the fourth mission of the University. Discovery Ridge is fully consistent with the University of Missouri System Strategic Plan approved by the Board of Curators in 2004. The third theme of the Strategic Plan is Community-University Engagement, which includes a goal of promoting innovation and economic development through public-private partnerships.

The University of Missouri wants to attract ground-lease tenants to the research park who will complement the University’s mission. Specifically, the University will look for tenants with whom the University can interact synergistically. Thus, the most desired commercial development entails uses that may involve technology transfer, student internships and

employment, joint appointments, tailored and expanded course opportunities, and faculty teaching and research opportunities, as well as academic exposure and image.

The University may also locate academic and research facilities within the park. The second facility in the park, completed in 2008, was constructed for RADIL. This is a department in the School of Veterinary Medicine which provides laboratory and testing services for clients throughout the country.

From the perspective of the future users of Discovery Ridge, this academic synergy will include employee education, faculty consulting, student employment, part-time faculty positions, internships and mentoring, seminars and conferences, shared use of facilities, sponsorships and scholarships, and advisory board positions. It will provide opportunities for academic exposure for employees, business exposure for faculty, and technology transfer such as management information systems, computer programming, and engineering.

C. SITE COMPATIBILITY FOR DEVELOPMENT

Discovery Ridge resides in the portion of South Farm draining into Gans Creek, and part of the larger Bonne Femme watershed. Much of this watershed, including portions of Discovery Ridge, has soils with poor internal drainage due to a claypan. Because of the soils/site, many of the techniques developed in other parts of the country are not effective in managing storm water and other aspects of watershed management. With the expertise of MU faculty, and the adjacent availability of South Farm as an agricultural landscape, plans are being made to work with the city and county to do both research and demonstration on low impact development techniques to reduce the environmental impact on the watershed. This may include working with the county to cost-share some of the features of Discovery Ridge.

D. PARK DEVELOPMENT

The infrastructure for the initial phase of the park is complete. The City of Columbia has constructed Discovery Drive, a roadway into the park serving the first 8 lots. Boone Electric Cooperative and the Consolidated Water District #1 have extended their services, sewer lines have been constructed, and telecommunications services provided. Storm water management has been enhanced by improvements to the existing lake and construction of a greenway to slow the overflow of water as it moves toward Gans Creek.

An overpass spanning Highway 63 is now open. The route of Gans Road, renamed Discovery Parkway, through the park and South Farm, has been laid out between the overpass and New Haven Road. A portion of this roadbed has had preliminary grading in preparation for future construction of the road by the city.

During 2009 the city will reconfigure Lenoir Drive as it approaches the park, and as development of Lots 9, 10 and 11 in the southernmost section of Phase I occurs, the city will extend Discovery Drive to serve those lots.

Phase I of the park initially encompassed approximately 114 acres. After construction of the infrastructure, transfer of property for the overpass, and construction of facilities for occupants of the park on two lots, approximately 44 acres remained for lease in the first phase. Lots 11, and 16 through 18 will be added to Phase I to bring the total acreage in this Phase to 139.0 acres.

E. PARK EXPANSION

A long range plan has now been prepared to include two additional phases and an area designated for future development (See Exhibit 2). This will expand the park to a total of 550.0 acres. The Master Plan is presented in phases to show the expected progression of development. However, the configuration of the phases, and the lot lines shown on maps in this Master Plan are for informational purposes only. The sequence and timeline for development into the expanded area will be determined by the market and needs of future tenants.

The land included in the expanded area is currently used by CAFNR as part of the South Farm operations. Because these uses support the mission of the University for research, teaching and outreach, these operations may be continued until development activities commence in the area.

Acquisition of one privately held parcel on the southernmost edge of the park, is included in the Master Plan as part of Phase I. The University has initiated steps to acquire it. In the future, as properties become available, the University may seek to acquire additional land for the park or South Farm.

CHAPTER 2: LEGAL DESCRIPTIONS AND LOCATION

A. LEGAL DESCRIPTIONS

ORIGINAL PARK -- See Figure 1 on Page 9.

EXPANDED PARK – See Figure 2 on Page 10.

B. LOCATION

Discovery Ridge is located at the crossroads of Highway 63 and Gans Road, and provides users quick access not only to the University, but also to I-70, Columbia Regional Airport (ten minutes), University Hospital, Columbia Regional Hospital, downtown Columbia, Jefferson City (30 minutes) and many fine hotels, including the Marriott Courtyard Hotel and Conference Center immediately adjacent to Discovery Ridge. In addition, many fine housing developments, as well as excellent golf courses, are located within short driving distance. A city park, and a large commercial and residential development is planned for the west side of Highway 63, adjacent to the overpass which connects this area to Discovery Ridge.

CHAPTER 3: MASTER DEVELOPMENT PLAN AND COVENANTS

A. MASTER DEVELOPMENT PLAN

Exhibit 2 shows the master plan for developing Discovery Ridge. Using the location and configuration of the new Highway 63/Discovery Parkway interchange as the focal point, Discovery Ridge will further leverage the investments being made in this infrastructure improvement for the Phillips tract development, a new city park, and new route between Highway 63 and I-70. Development of the park began in the northwestern-most lots and will proceed southward and then north and east as interest and tenants make funding available. The re-routing of the frontage road for the new interchange, previously called Lenoir Street, and now Discovery Drive is the central corridor for Phase I of the park. Streets constructed in the park have and will conform to city street standards.

Discovery Drive provides parallel utility easements services to tenants in the park. The University constructed water lines, which are now serviced by the Consolidated Public Water District #1. Boone Electric installed underground lines and provides a redundant source of supply for electricity. Natural gas is supplied by Ameren UE at a pressure and flow rate for commercial use. Sewer lines have been constructed, and the city provides service.

Telecommunications services are provided by the University and Century Tel, with high capacity broadband voice, data, and video transmissions, including access to Internet2 and other high-speed national research networks.

Fire protection in the park is provided by the city, and reviews from the Columbia Fire Department will be solicited on all building plans, including the flows, spacing, and placement of fire hydrants.

Tenants are responsible for extending utilities from the lot lines to their facilities.

The two facilities in the park, constructed during 2008, are research/office buildings. Future tenants are expected to be businesses that are compatible and synergistic with the research programs at the University of Missouri-Columbia. Such tenants would obtain a ground lease from the University and construct their own facilities. Other kinds of possible facilities include multi-tenant buildings fitted with both laboratory and office space. Such space would be leased by the square foot. Occupants of such space could include on-going companies, start-ups, University faculty who are engaged in research/service which is advancing their research to the marketplace, and units of University Schools or Colleges.

The future and growth of Discovery Ridge will be market-driven. Expansion and/or property acquisition beyond the 550 acres, is possible in the future, and would require approval by the Board.

B. COVENANTS

The University provides tenants with long-term ground leases, subject to the Declaration of Covenants, Conditions, Restrictions and Easements for Discovery Ridge (Covenants). The Covenants guide design and development within the park, and restrict uses to offices, laboratories, and related technology-based, knowledge-driven uses or incidental supporting uses. Excluded uses are also enumerated, such as distribution facilities, and facilities that present operational nuisances such as excessive noises, obnoxious odors and environmentally hazardous emissions.

The Design Review Committee is appointed by the Executive Director of Discovery Ridge and consists of three or more members. The professional staff of the Office of Facilities Planning and Development (UM) serves as staff to the Design Review Committee. In accordance with the review procedures described in this section and applying its judgment on the intent of the Master Plan, the Design Review Committee will review and advise the Executive Director on all development proposals. As the design for the building and site evolves, each development proposal will be reviewed by the Design Review Committee. At the Executive Director's discretion, the Committee may retain the services of professional technical advisers in the fields of engineering, architecture, landscape architecture and/or planning to assist in evaluating submissions on the basis of design and other technical considerations.

The Covenants include design standards to guide the proposed development. These standards address setbacks, site and building density limitations the exterior appearance of buildings, utilities, parking and loading areas, disability access, signs, storm drainage, landscape design, site lighting, and storage areas and fences. Applicable University building codes are specified. The University has adopted the IBC codes, which meet, or exceed, the standards of the City of Columbia.

A variance to the Protective Covenants will be granted to CAFNR which will allow the continued use of the land in Phases II and III, and in the area designated for Future development for research, teaching and outreach until such time as it is needed for use by the research park. A notice identifying the acreage and location will be provided to CAFNR prior to the date CAFNR activities are to cease. Any new structures to support CAFNR activities within the park expansion area will require approval of the Design Review Committee.

FIGURE 1 – LEGAL DESCRIPTION – ORIGINAL PARK

Description for Discovery Ridge:

A portion of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 32, and a portion of all that part of Section 33 lying northeasterly of Missouri State Highway 63, all in Township 48 North, Range 12 West, being more particularly described as follows.

Commencing at a 1/2" iron found at the northwest corner of Section 33, Township 48 North, Range 12 West; thence S1°05'30"W, 554.84 feet along the west line of Section 33 to a one inch iron pipe found and the Point of Beginning;

Thence continuing S01°05'30"W, 177.66 feet along said west line;
Thence leaving said west line, N90°00'00"E, 1390.45 feet;
Thence N60°05'55"E, 61.67 feet;
Thence N90°00'00"E, 296.00 feet;
Thence N22°21'00"E, 380.00 feet;
Thence N90°00'00"E, 300.00 feet;
Thence N39°44'00"E, 337.99 feet to a point lying 50.0 feet south of the north line of Section 33;
Thence S89°02'00"E, 407.15 feet along a line described as 50.0 feet south of and parallel to the north line of Section 33;
Thence leaving said line, S00°58'00"W, 325.00 feet;
Thence S28°33'00"W, 820.00 feet;
Thence S61°27'00"E, 340.00 feet;
Thence S39°53'55"W, 600.00 feet;
Thence S41°15'30"E, 559.40 feet;
Thence S20°56'25"E, 1200.00 feet to a point on the north line of tract b of a survey recorded in book 400, page 865;
Thence N88°15'25"W, 285.00 feet along said north line to a 1/2" iron rod found;
Thence continuing northwesterly along said north line, N20°56'25"W, 228.70 feet;
Thence continuing westerly along said north line, S64°26'35"W, 343.47 feet to a 1/2" iron rod found on the northeast right of way of US Highway 63;
Thence N61°25'30"W, 186.59 feet along said northeast right of way;
Thence continuing along said right of way, N49°57'55"W, 900.00 feet to a point being 170 feet left of centerline station 275+00 of Missouri State Highway 63;
Thence continuing along said right of way S40°02'05"W, 20.00' to a point being 150 feet left of centerline station 275+00 of Missouri State Highway 63;
Thence continuing along said right of way, N50°06'05"W, 2563.75 feet;
Thence leaving said right of way, N45°47'00"E, 545.29 feet to the Point of Beginning.

The above tract of land contains 113.98 acres, more or less, and is a portion of the same land described by deeds recorded in Book 217, Page 177, Book 222, Page 417, Book 238, Page 459, and Book 272, Page 9 of the Boone County Records. Subject to easements and restrictions of record or not of record, if any.

NOTE: 8.66 acres of this tract was transferred to the Missouri Highways and Transportation Commission for the construction of the Highway 63 overpass.

FIGURE 2 – LEGAL DESCRIPTION – EXPANDED PARK

Description for Discovery Ridge:

A TRACT OF LAND BEING A PART OF SECTIONS 27, 28, 32, 33, AND 34, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF SECTION 33.

THENCE S88°26'10"E ALONG THE NORTH LINE OF SECTION 33, A DISTANCE OF 2,628.12 FEET TO A 4" CONCRETE MONUMENT WITH BRASS DISK SET AT THE QUARTER CORNER OF SECTIONS 28 AND 33;

THENCE CONTINUE ALONG THE NORTH LINE OF SECTION 33 N89°59'10"E, A DISTANCE OF 340.92 FEET TO A 1/2" IRON ROD SET;

THENCE 662.24 FEET ALONG A 847.25 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (HAVING A CHORD BEARING OF N66°31'40"E, A DISTANCE OF 645.51 FEET) TO A 1/2" IRON ROD SET;

THENCE N87°44'30"E, A DISTANCE OF 1,117.49 FEET TO A 1/2" IRON ROD SET;

THENCE 433.47 FEET ALONG A 990.00 FOOT RADIUS CURVE TO THE LEFT (HAVING A CHORD BEARING OF N75°11'55"E, A DISTANCE OF 430.01 FEET) TO A 1/2" IRON ROD SET;

THENCE N62°39'20"E, A DISTANCE OF 3,307.02 FEET TO A 1/2" IRON ROD SET AT THE INTERSECTION WITH THE EAST LINE OF SECTION 27;

THENCE ALONG SAID EAST SECTION LINE S01°19'00"W, A DISTANCE OF 1,303.73 FEET TO A 1/2" IRON ROD SET;

THENCE ALONG THE CENTERLINE OF ROLLING HILLS ROAD AS FOLLOWS:

1. S14°45'50"W, A DISTANCE OF 176.47 FEET TO A 1/2" IRON ROD SET;
2. S20°46'50"W, A DISTANCE OF 312.39 FEET TO A 1/2" IRON ROD SET;
3. S19°58'00"W, A DISTANCE OF 139.83 FEET TO A 1/2" IRON ROD SET;
4. S11°52'30"W, A DISTANCE OF 58.46 FEET TO A 1/2" IRON ROD SET;
5. S05°54'10"W, A DISTANCE OF 276.90 FEET TO A 1/2" IRON ROD SET;
6. S09°38'40"W, A DISTANCE OF 257.35 FEET TO A 1/2" IRON ROD SET;
7. S00°34'30"W, A DISTANCE OF 90.54 FEET TO A 1/2" IRON ROD SET;
8. S09°04'00"E, A DISTANCE OF 75.76 FEET TO A 1/2" IRON ROD SET;
9. S17°24'40"E, A DISTANCE OF 65.89 FEET TO A 1/2" IRON ROD SET;
10. S20°52'50"E, A DISTANCE OF 449.00 FEET TO A 1/2" IRON ROD SET;
11. S18°49'50"E, A DISTANCE OF 157.75 FEET TO A 1/2" IRON ROD SET;

THENCE LEAVING SAID CENTERLINE S62°35'10"W, A DISTANCE OF 4,155.39 FEET TO A 1/2" IRON ROD SET AT THE NORTHEAST CORNER OF BOONE COUNTY SURVEY #7650;

THENCE N88°32'50"W, A DISTANCE OF 536.04 FEET TO A 1 1/2" IRON PIPE FOUND;

THENCE S00°49'30"W, A DISTANCE OF 635.58 FEET TO A 1/2" IRON PIPE FOUND;

THENCE S40°10'30"W, A DISTANCE OF 326.18 FEET TO A 1/2" IRON ROD SET AT THE INTERSECTION WITH THE NORTHEAST RIGHT OF WAY OF U.S. HIGHWAY 63;

THENCE ALONG U.S. HIGHWAY 63 RIGHT OF WAY AS FOLLOWS:

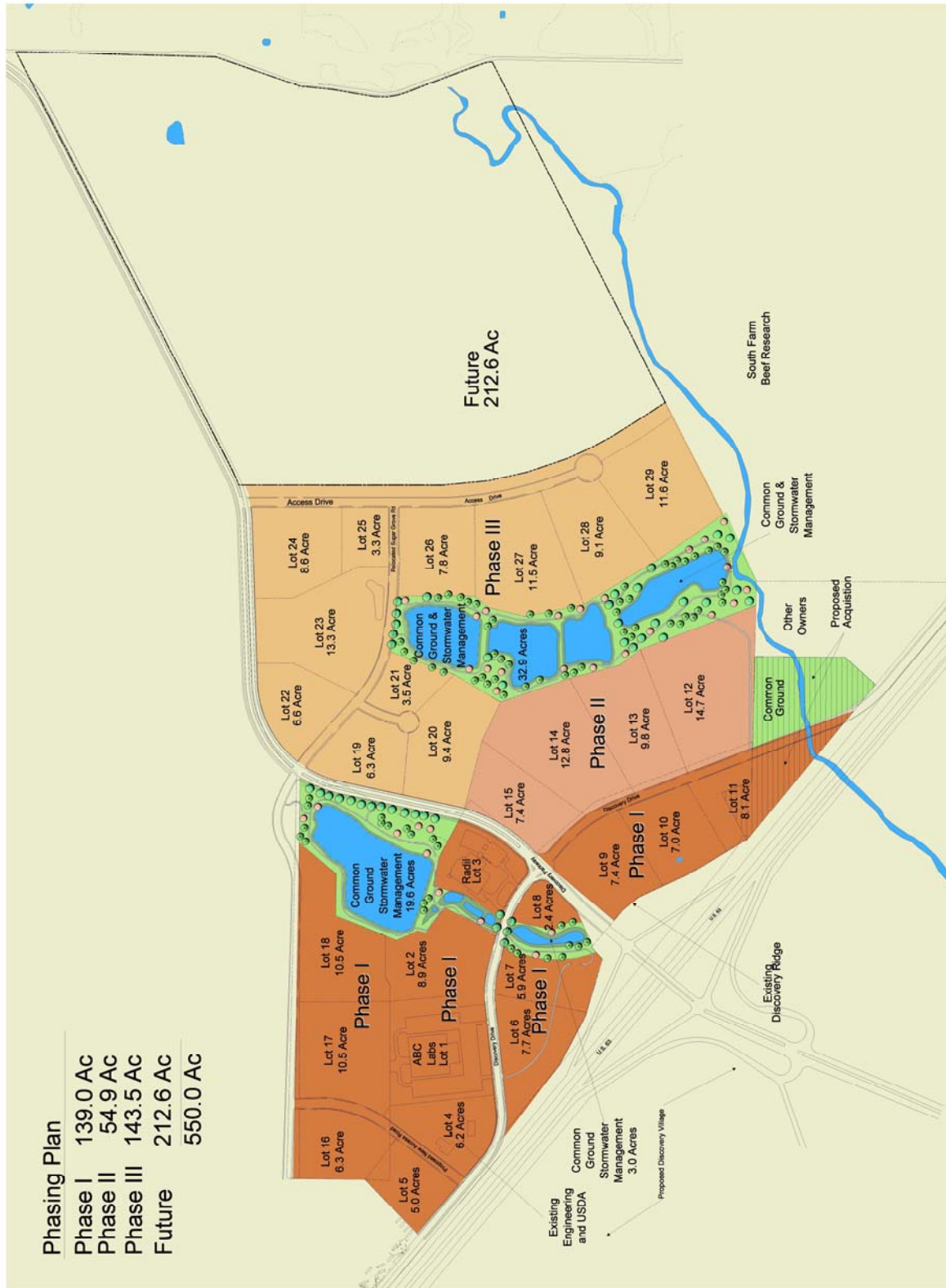
1. N49°58'00"W, A DISTANCE OF 536.04 FEET TO A 1/2" IRON ROD SET;
2. N41°26'10"W, A DISTANCE OF 202.24 FEET TO A 1/2" IRON ROD SET;
3. N49°58'00"W, A DISTANCE OF 307.69 FEET TO A 1/2" IRON ROD SET;
4. N38°17'30"W, A DISTANCE OF 296.49 FEET TO A 1/2" IRON ROD SET;
5. N65°18'45"W, A DISTANCE OF 199.35 FEET TO A 1/2" IRON ROD FOUND;
6. N30°15'50"W, A DISTANCE OF 408.63 FEET TO A 1/2" IRON ROD FOUND;
7. N24°45'50"W, A DISTANCE OF 375.77 FEET TO A 1/2" IRON ROD FOUND;
8. N38°43'00"W, A DISTANCE OF 150.20 FEET TO A 1/2" IRON ROD FOUND;

9. N49°57'55"W, A DISTANCE OF 345.26 FEET TO A 1/2" IRON ROD FOUND;
10. S46°31'20"W, A DISTANCE OF 110.00 FEET TO A 1/2" IRON ROD FOUND;
11. N74°07'55"W, A DISTANCE OF 427.46 FEET TO A 1/2" IRON ROD FOUND;
12. N62°15'40"W, A DISTANCE OF 399.16 FEET TO A 1/2" IRON ROD FOUND;
13. N49°57'55"W, A DISTANCE OF 1,563.13 FEET TO A 1/2" IRON ROD FOUND;

THENCE N45°47'00"E, A DISTANCE OF 539.20 FEET TO A 1" IRON PIPE FOUND;
THENCE N01°05'30"E, A DISTANCE OF 554.84 FEET TO THE POINT OF BEGINNING;

THE ABOVE TRACT OF LAND CONTAINS 550.00 ACRES MORE OR LESS, AND IS A PORTION OF THE SAME LAND DESCRIBED BY DEEDS RECORDED IN BOOK 217 PAGE 177, BOOK 222 PAGE 417, BOOK 238 PAGE 459, AND BOOK 272 PAGE 9 OF THE BOONE COUNTY RECORDS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR NOT OF RECORD, IF ANY.

EXHIBIT 2 – MAP OF EXPANDED PARK



Discovery Ridge

January 5, 2009



APPENDIX –

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS FOR DISCOVERY RIDGE

**DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR
DISCOVERY RIDGE**

Columbia, Missouri

December 21, 2006



**THE CURATORS OF THE UNIVERSITY OF MISSOURI, GRANTOR
227 University Hall
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PROTECTIVE COVENANTS FOR DEVELOPMENT OF DISCOVERY RIDGE

1.0 DEVELOPMENT OBJECTIVES FOR DISCOVERY RIDGE

Discovery Ridge is being developed pursuant to the provisions of Section 172.273 of the Revised Statutes of Missouri, which provides that "the Curators of the University of Missouri may establish research, development and office park projects in order to promote cooperative relationships and to provide for shared resources between private individuals, companies and corporations and the University of Missouri."

The controls and guidelines described in the Protective Covenants are intended to:

1. preserve confidence that the overall quality of development within Discovery Ridge will be permanently protected,
2. maintain a consistently high quality of architectural and landscape design, integrated into a carefully preserved and sensitively enhanced natural setting, and
3. ensure that all building and land uses within Discovery Ridge are consistent with the provisions of Section 172.273 of the Revised Statutes of Missouri.

2.0 LAND AND BUILDING USES

The University of Missouri System (the "University") has established the following criteria for defining land and building uses appropriate to the mission and environment of Discovery Ridge.

2.1 PERMITTED ACTIVITIES

1. Laboratories dedicated to research, product or process development, and testing.

2. Facilities intended for production or assembly of products or processes of a technological nature, provided that this production is supported by on-site research and development.
3. Pilot plants in which prototype production processes can be tested and used for assembly of products of a technological nature.
4. Corporate, regional and divisional headquarters of technology-based or knowledge-driven companies and organizations.
5. Technology-dependent or computer-based service facilities dedicated to the processing of data or analysis of information, provided that these information services facilities are supported by on-site research and development.
6. Offices and related facilities of not-for-profit research or educational institutes, as well as professional, training, research, scientific or engineering associations.
7. Corporate and professional training facilities provided that these facilities maintain ongoing cooperative relationships with related programs within the University.
8. Services and retail uses incidental to, and in support of, any uses permitted in Paragraphs 1 through 7 above, such as conference/hotel centers, restaurants, banking facilities, day-care centers, and recreational facilities.
9. Incidental operations required to maintain or support any uses permitted in Paragraphs 1 through 7 above, such as maintenance shops, hazardous-materials handling facilities, water-treatment facilities, and machine shops.
10. Any other facilities reasonably related to the intended mission of Discovery Ridge, provided these uses are specifically approved by

the Board of Curators of the University of Missouri, pursuant to the provisions of Section 172.273 of the Revised Statutes of Missouri.

2.2 EXCLUDED ACTIVITIES

No building or land in Discovery Ridge shall be used for:

1. Distribution or warehouse operations, except as such operations are incidental to an approved production or information-service operation.
2. Facilities of the type that could cause an operational nuisance, such as excessive noise, noxious odors, or emission of environmentally hazardous effluents or gasses.

3.0 DESIGN REVIEW PROCEDURES

3.1 DESIGN REVIEW COMMITTEE

The Design Review Committee is appointed by the Executive Director of Discovery Ridge and consists of three or more members. The professional staff of the Office of Facilities Planning and Development (UM) serves as staff to the Design Review Committee. In accordance with the review procedures described in this section and applying its judgment on the intent of the Master Development Plan, the Design Review Committee will review and advise the Executive Director on all development proposals. As the design for the building and site evolves, each development proposal will be reviewed by the Design Review Committee. At the Executive Director's discretion, the Committee may retain the services of professional technical advisers in the fields of engineering, architecture, landscape architecture and/or planning to assist in evaluating submissions on the basis of design and other technical considerations.

The Office of Facilities Planning and Development (UM) shall be responsible for coordinating the review and approval process for Discovery Ridge. This coordination includes receipt of submittals, communication of Committee responses and comments, coordination of meetings, and monitoring of and compliance with the Protective

Covenants and the Master Development Plan before, during and after construction.

3.2 PRE-DESIGN CONFERENCE

Before the design for a proposed development is initiated, the Design Review Committee will meet with the applicant, the applicant's architect and other consultants to clarify mutual design objectives, the characteristics of the particular lot, and technical issues related to design review procedures. At this meeting, the applicant will be provided with a topographical survey at the scale of one inch equals forty feet and an outboundary plat of the subject parcel. The preliminary planning survey, which is not intended for construction, will contain the following information:

1. Property boundaries, including relationship to adjacent land and access roads.
2. Topography within site boundaries, shown by two-foot contour intervals.
3. Locations of existing utilities, easements, and other existing improvements on or adjacent to the site.

3.3 DEVELOPMENT AND SUBMITTAL OF PRELIMINARY PLANS

Prior to submitting the Preliminary Plans for approval, the applicant should submit conceptual and schematic drawings for review by the University as they evolve. Submittal of Preliminary Plans by the applicant should consist of three (3) sets of drawings, outline specifications, photographs or other materials detailing the lot, site and building information described below. Each drawing shall include the project name, name of consulting firm(s), date (latest revision); scale (where appropriate) and north arrow (where appropriate).

The drawings to be submitted include:

1. Site Plan showing building, walks, parking areas, service areas,

entrance drive, and signing. Dimensions and other related site development information and calculations should also be included.

2. Clearing, grading and drainage plans showing proposed clearing limits, existing and proposed contours at two foot (2') intervals, existing vegetation to be protected or removed, and drainage plan with erosion control measures indicated, including percentage of slope for side slopes and flow lines of proposed drainage swales.
3. Landscape and irrigation plan showing preliminary massing and type of plant material (e.g., evergreen, shade trees) and areas to be irrigated.
4. Elevations of building(s) from all sides at an appropriate scale to indicate the placement and massing of the building(s). The following building details should be provided: a) height of all improvements, b) location of all exterior building openings, and c) notation of exterior building materials, colors and textures.
5. Cross sections of the site at a minimum scale of 1" = 16' in longitudinal and transverse directions, indicating the relationship of the building and site grades to the street, adjacent properties and edges of wooded areas, sufficiently complete and accurate to permit analysis of visual screening, tree protection and landscape architectural design.
6. Signage plans for the major entrance sign and building identification sign, if any, including dimensioned location, materials, lettering, color and informational lighting, and elevations of the prototype for on-site directional signs showing format, letter face and colors.
7. Expansion plans identifying initial and ultimate improvements, including buildings, paved areas, grading and landscaping.

The following additional material should also be provided:

1. Calculations for building density, site coverage and parking, showing basis for determining parking spaces (use/floor area or number of employees).
2. A description of proposed operating characteristics in sufficient detail to identify the extent of noise, odor, glare, vibration, smoke, dust, gases, radiation, hazardous wastes or liquid wastes that may be created.

3.4 REVIEW AND APPROVAL OF PRELIMINARY PLANS

After review of the Preliminary Plans submittal materials, the Design Review Committee will meet with the applicant and architect/engineering consultants to discuss the design of the project . The applicant will receive written notification of the approval of the Preliminary Plans by the Design Review Committee.

3.5 DEVELOPMENT AND SUBMITTAL OF CONSTRUCTION DOCUMENTS

After approval of Preliminary Plans, sealed Construction Documents are to be developed and submitted for approval by the University. As the Construction Documents are being developed, the applicant should notify the University in writing in the event of any changes in the approved design concept, as illustrated in the Preliminary Plans or changes in the project scope. Information provided by the Construction Documents should include construction drawings and specifications describing all proposed improvements to the site.

3.6 REVIEW AND APPROVAL OF CONSTRUCTION DOCUMENTS

Approval or rejection of the Construction Documents by the University will be based on a review of their compliance with the Master Development Plan, the Protective Covenants and Design Guidelines, and applicable codes and regulations as listed in Section 4.0. The

University will meet with the applicant and the applicant's architect to discuss the Construction Documents.

The University will return to the applicant one complete set of the approved Construction Documents signed by the Executive Director. Grading and construction shall not begin prior to written approval from both the University.

Construction documents submitted for approval shall include the following statement signed by the responsible professional consultant.

"I hereby certify these drawings and/or specifications have been prepared by me, or under my supervision. I further certify that to the best of my knowledge these drawings and/or specifications are as required by and in compliance with the Building Codes of the University of Missouri."

Signature

Prior to issuance of a Final Certificate of Compliance, the University will require a certified copy of the Architect's final inspection list of items to be completed or corrected. Inspection list must specify that all items have been duly inspected and approved by Architect and are in conformance with the Construction Documents submitted prior to construction. Inspection list must be signed and dated by the Architect.

4.0 CODES AND STANDARDS

4.1 SCOPE AND JURISDICTION

All projects shall be designed and constructed per the codes and standards of the University.

The University, as "authority having jurisdiction," has established that all facilities shall comply with International Code Council (ICC) Codes. Codes and standards required by accreditation agencies will also be

used unless the ICC requirements are more stringent. In the event that special design features and/or construction systems are not covered in the ICC codes, the applicable edition of the National Fire Protection Association (NFPA) family of standards and/or the NFPA 101 Life Safety Code shall be used.

Codes that apply to University design & construction.

- (1) ICC International Building Code and reference standards
- (2) ICC International Fire Code
- (3) ICC International Plumbing Code
- (4) ICC International Mechanical Code
- (5) NFPA 70 National Electric Code (NEC)
- (6) Americans with Disabilities Act Accessibility Guidelines (ADAAG) and American National Standards Institute (ANSI) 117.1 Guidelines for Accessible & Useable Buildings & Facilities.
- (7) NFPA 101 Life Safety Code (as noted above)
- (8) American Society of Mechanical Engineers (ASME) Safety Code of Elevators and Escalators A17.1 (1996) and other codes as adopted by The Missouri Division of Fire Safety, Elevator Safety Unit.

The University is the "authority having jurisdiction" and may waive specific code requirements where it has precedent to do so. The University's general policy is not to grant code deviations.

The tenant is responsible to design and construct the facility in conformance with the University Building Codes. Further, the tenant's professional design consultant shall certify the facility has been designed and constructed in conformance with the University Building Codes (See Section 3.6).

4.2 CONSTRUCTION PROCEDURES AND APPROVALS

4.2.1 Trenching or Blasting. No site user shall use explosives for the purpose of constructing foundations, trenches, etc., without the expressed permission of the University. Such explosives shall only be used by licensed personnel to ensure

that adjoining buildings do not suffer structural damage resulting from actions of the party utilizing the explosives. Any site user utilizing explosives will inform adjacent building owner/occupants within the blasting area of their use and time of explosion.

4.2.2 Project Supervision. The applicant agrees to allow the University's project construction manager, and the University's agents, free access onto the lot for the purpose of assuring the University that the facility is being constructed in accordance with the approved Construction Documents.

4.2.3 Maintenance Escrow and Contractor Responsibility. Prior to commencing construction, the General Contractor or Construction Manager will be required to submit a Cashier's Check in the amount of \$5,000.00 made payable to The Curators of the University of Missouri. This money will be held in escrow, and, if necessary, be used for repairs in the event the contractor or subcontractors are responsible for damage done to either common ground (e.g., streets, berms, existing utilities, landscaping) or adjacent sites.

During construction, it will be the responsibility of the contractor and all subcontractors to maintain siltation control devices along the main road of the park, and in any other areas, that are determined necessary through review and approval by the University.

It will be the responsibility of the contractor to maintain a clean work site, including the maintenance of the access roads leading to the site.

During construction, periodic inspections will be made by the University and notification of deficiencies will be sent to the contractor. The contractor will be given a reasonable time to remedy deficiencies; however, should the contractor fail to

respond accordingly, the corrective work will be completed by others and payment for this work will come from the funds available in escrow.

At the completion of the project, and upon final inspection and approval by the University, all remaining moneys in escrow will be promptly refunded.

4.2.4 Construction Parking. All construction parking must remain on the site under construction. It will be the responsibility of the contractor to provide adequate space for and maintenance of a suitable area for parking of workers.

Unless prior approval is given by the University, no parking will be permitted offsite or on the street. Any vehicle parked in violation of these conditions will be subject to towing.

4.2.5 Site Cleanup. It will be the responsibility of the contractor to maintain a clean work environment on the entire site. Appropriate cleanup should be performed daily to prevent trash from spreading to adjacent sites. Proper trash containment is required.

During all stages of construction, especially grading, the contractor must maintain the cleanliness of the main road. To this end, it will be expected that at least once per week a thorough cleaning of the road be done either by washing or broom cleaning, and that at least once per month a power sweeping of the road be completed. During the grading phase of the contract, the contractor must clean the road at the completion of each and every work day.

4.2.6 Issuance of Certificates of Compliance. Upon final inspections and approvals by the University, the University shall issue temporary or final Certificates of Compliance. No

building shall be occupied without these Certificates of Compliance

Prior to issuance of a final Certificate of Compliance, the University will require a certified copy of the Architect's Final Inspection List of items to be completed or corrected. Inspection list must specify that all items have been duly inspected and approved by Architect.

5.0 DEVELOPMENT DESIGN STANDARDS

5.1 MINIMUM LOT SIZE

The minimum lot size for development is two acres (87,120 square feet).

5.2 SETBACKS

Unless otherwise specified in these standards, no structure of any kind and no part thereof may be sited within these setback lines described below. Dimensions are from the legal lot line as illustrated on the property plat. The University retains the right to waive certain setback requirements.

5.2.1. Front Setbacks. A building must be set back a minimum of thirty (30) feet from any public street right-of-way. An additional five (5) feet setback should be added for each story above the first story of a building. As an alternative, the minimum thirty (30) feet set back line can be maintained if each story above the first floor is stepped back a minimum of five (5) feet from the floor below it.

5.2.2. Side Setbacks. The sideyard of each lot must be a minimum of fifteen (15) feet from the property line of the adjacent lot. Side setbacks abutting residential or highway property shall meet the same requirements as the rear setback discussed in 5.2.3. below.

5.2.3. Rear Setbacks. The rear yard of each lot must be a minimum of fifteen (15) feet from the property line of the adjacent property. The rear yard of each lot must be a minimum of fifty (50) feet from the property line when a lot is adjacent to a residential property or the Highway 63 right-of-way.

5.2.4. Setbacks from Designated Wooded Areas. All proposed construction shall be outside of the drip line of existing wooded areas.

5.2.5. Exceptions. The following improvements are expressly excluded from these setback restrictions:

1. Steps, walks and driveway access to the site.
2. Landscaping, including landscaped earthen berms.
3. Planters not to exceed four (4) feet in height or two (2) feet in height where they would interfere with visual safety at site access points.
4. Illumination.
5. Identification graphics.

5.3 DENSITY OF DEVELOPMENT

The density of development will be subject to design review by the Design Review Committee. It will be evaluated with the objective of creating a campus-like environment. A floor area ratio (F.A.R.) of .25 will be used as a general guideline in evaluating proposed projects, computed as follows:

$$\text{Floor Area Ratio} = \frac{\text{Gross Building Area (all floors)}}{\text{Total Site Area}}$$

This ratio will be subject to change by the Design Review Committee if warranted on specific projects.

5.4 MINIMUM OPEN SPACE AND LANDSCAPED AREAS

The amount of undeveloped open space and developed landscaped areas (including plazas or similar type areas) will be subject to design review by the Design Review Committee. Landscape plans will be evaluated with the objective of creating a campus-like environment. A minimum of 30% of the site (preferably 35%) shall be open for landscaping and, therefore, shall not be covered by buildings or paving for access, circulation, loading and parking.

5.5 BUILDING HEIGHT

Building height will be subject to review by the Design Review Committee and evaluated in concert with the overall architectural character of each building and the relationship of the building to existing and proposed development within Discovery Ridge.

5.6 EXTERIOR APPEARANCE OF BUILDINGS

5.6.1 Architectural Character and Materials. The Architectural character of each proposed building or structure shall be contemporary, rather than traditional in style. Eclectic styles such as gothic or colonial will not be permitted. Architectural designs will be evaluated in terms of the sensitive integration of form, textures and colors with the particular landscape and topographical character of each site and adjacent sites.

To maintain a high standard of construction and appearance and to provide architecturally unified and interesting design, the exterior walls of each building are to be constructed of durable, permanent materials, tastefully handled (carefully selected brick, treated concrete, glass and other architectural panels). No temporary or flammable material will be approved.

5.6.2 Screening of Mechanical or Electrical Equipment and Vents. Major systems requiring large components (e.g., air-conditioning, storage tanks, etc.) should be located in mechanical rooms within the buildings. Alternatives, including

those required to meet mandated health and safety standards, might include an exterior location at, or depressed below, ground level, as necessary to limit heights to a maximum eight feet overall above grade, with screening on all sides, or be fully recessed into roof wells, with allowance for future equipment. Surface-mounted roof equipment should not be considered, unless screening is low profile and completely integral with the overall architectural design of the building.

Vertical roof projections, such as vents, stacks or roof-mounted equipment must be organized and screened in a manner integral to the architectural form of the building.

Of particular concern to the University is the complete concealment from visual impact -- from on or off the site -- of: 1) storage tanks, 2) air conditioning or other mechanical equipment, 3) duct work, 4) cooling towers, 5) generators, 6) transformers, 7) all but small flues and vents, 8) temporary buildings and 9) any other non-architectural appurtenance.

5.7 UTILITIES

5.7.1 Underground Utilities. Water mains, sanitary sewers, gas mains, electric and telecommunications service will be located underground in the street right-of-way or easements provided in the open space system and either adjacent to or within the lot area.

5.7.2 Utility Contacts. The site user must coordinate hook-ups with the utility companies. The utility contacts responsible for coordinating development in Discovery Ridge are:

Water

City of Columbia, Bill Watkins, City Manager
701 E. Broadway
Columbia, Mo. 65201

Sanitary Sewers

City of Columbia, Bill Watkins, City Manager
701 E .Broadway
Columbia, Mo. 65201

Electric

Boone Electric Cooperative
Ryan Euliss, Manager of Eng. & Technical Svcs.
1413 Rangeline St.
Columbia, Mo. 65205-0797
573/441-7231

Gas

Ameren UE
Gary J. Wipfler, Customer Service Consultant
Little Dixie District
210 Orr Street
Columbia, Mo. 65201
573/876-3030

Fire Protection

William Markgraf, Fire Chief
Columbia Fire Department
201 Orr street
Columbia, Mo. 65201
573/874-7391

Telephone/Data Services

Gary Allen, IAT Services Administration
University of Missouri
Columbia, Mo. 65211
573/ 882-3503

5.7.3 Responsibility for Damage to Utilities. The site user is responsible for utility location, for prompt and proper repair of damages caused by his project work, and for all work, coordination and payment for the repair, movement or alteration of any portion of the existing Discovery Ridge infrastructure.

5.8 PARKING AND LOADING AREAS

5.8.1 Parking Ratios. The number of acceptable parking spaces and loading spaces per building will be approved by the Design Review Committee on an individual basis. All parking, loading and unloading areas must be sufficient to serve the

activities being conducted on the parcel. If parking requirements increase as a result of a change in use or in number of employees, additional off-street parking shall be provided to satisfy the intent of this section. However, general minimum guidelines are as follows:

- Three (3) spaces per 1,000 s.f. of gross building area (G.B.A.) for service center/high tech buildings.
- Five (5) spaces per 1,000 s.f. of G.B.A. for office buildings.
- Four and one-half (4.5) spaces per 1,000 s.f. of G.B.A. for retail/commercial buildings.

In cases where activities cannot be classified in the categories listed above, parking will be calculated on the following basis:

- One parking space for 1.5 general office, manufacturing, technical or research persons.
- One parking space for each management person.
- One visitor space per ten management persons.

5.8.2 Location of Parking and Loading Areas. Parking and loading will not be permitted on adjacent streets. Each site will provide adequate off-street parking for employees, visitors and company vehicles. Parking areas should be located at the sides or rear of building. However, where appropriate, parking may be allowed in front of the building if set back a minimum of thirty (30) feet from public street right-of-way and if landscaping provisions are made to screen parking from view from street.

Service areas should be located at rear or side of a building and should allow for easy access, while minimizing travel through parking areas or access drives.

5.8.3 Screening. Parking and service areas should be screened from view from any adjacent property, street or public way by use of earth berms, landscape plants, suitable fencing or designs combining these elements.

5.8.4 Layout of Parking Areas. Parking areas must be designed and landscaped so as to break up the monotony of a single large paved area, and to provide for stacking plowed snow. No contiguous open parking area will exceed one-half acre without being subdivided with islands containing trees or other landscape materials, using a minimum ratio of one 180 square-foot planting area per 20 parking spaces.

The following additional criteria should be applied to the layout of parking areas:

1. All parking areas and drives shall be paved with concrete, asphalt, brick or other approved materials, have a concrete curb and gutter, and be properly marked. The top of curbs shall be at natural grade.
2. No parking will be permitted closer than 20 feet to a building.
3. Lighting of parking and walkways is to be done in a manner such that there is minimal glare. Indirect methods of illumination that highlight the structures and landscape elements, such as uplighting or downlighting of trees, light washes across building facades and indirect source luminaries, are recommended.
4. Roadways accessing parking areas should be separated from internal drives and parking lots using

landscaped areas, raised walls, or other visual dividers.

5. Adequate loading, trash storage and maneuvering areas will be provided for each building and separated from the parking areas with appropriate screening or planting.
6. The suggested parking module is at least 180 square feet per space (10' x 18' x or 9' x 20'), with 24' aisles for a 90- degree system. An equivalent layout as appropriate to site conditions and landscaping concept may be acceptable.
7. The number of access drives per building is subject to design review, with the intent to minimize the number of drives provided.
8. Disabled parking shall be located as near to the main building entrance as possible. The number and width of disabled parking spaces should meet the ADA Accessibility Guidelines for cars and vans.

5.9 DISABLED ACCESSIBILITY

All sites and buildings should be accessible to disabled individuals in compliance with ADA Accessibility Guidelines for new buildings.

5.10 SIGNS

5.10.1 General. All exterior signs will be subject to design review and must be designed in keeping with the architectural character of Discovery Ridge.

5.10.2 Identification Signs. One identification sign may be erected at the entrance to each lot in an area to be approved by the University. The design, format and materials of the sign will be consistent with the lot design

and building architecture. No flashing or moving elements shall be permitted. All illuminated signs shall be illuminated internally. Maximum permitted size shall be 40 s.f. of sign area per sign face. Top of sign shall not exceed 8' above the average grade surrounding the proposed sign.

A second identification sign may be placed on the building or at another entrance. Free-standing signs will be subject to the height and size restrictions of the first sign. Building mounted signs may not project above any roof or parapet.

5.10.3 Directional Traffic and Parking Control Signs. Any directional, traffic or parking control signs on the lot will be reviewed by the University with the intent that the signs will be restricted to the minimum necessary, will be visually unobtrusive and will be consistent with other Discovery Ridge signage in format, lettering and coloring. Traffic and parking signs shall use the international pictographic system, as modified for consistency with the design concept.

5.10.4 Construction Signs. One construction sign denoting the architect, engineer, contractor and other related professionals will be permitted on a lot upon the commencement of construction. Maximum size shall be 96 s.f. (8.92 square meters), and shall not be more than 12' (3.66 meters) above ground level. Location of the construction sign is to be shown on the site plan and approved by the University.

5.10.5 Limitations. Signs containing moving devices, flashing lights, or banners are prohibited. No portable or temporary signs, other than construction signs will be allowed.

5.10.6 Flags. Flags may be installed only as follows: The flag of the USA; State of Missouri; official government or corporate seal. A maximum of three (3) flag poles may be installed.

United States flags must follow the rules and regulations stated in Title 4, United States Code, Chapter 1.

5.11 STORM DRAINAGE

Discovery Ridge has prepared a master stormwater management plan. All development plans shall conform to the criteria and standards found in this plan.

On-site storm-water drainage and/or detention plans will be subject to design review and must be approved by the University.

5.12 LANDSCAPE DESIGN

5.12.1 General Design Guidelines. Landscape designs should adhere to the following criteria:

1. All unpaved ground (excluding vacant lots) will be landscaped in a manner that is complementary to the architecture, provides the required screening and forms an attractive transition to the natural landscape features of the site. Landscaping will consist of an effective combination of street trees, trees, grass, ground cover and shrubbery.
2. Landscape elements shall relate to architectural design elements. Landscape materials are considered to be a strong unifying element and, therefore, should reflect the physical, functional and aesthetic qualities of the site.
3. Landscape treatment shall not interfere with sight line requirements at street or driveway intersections.
4. Use of plants known to produce materials which interfere with modern mechanical devices (such as cottonwood or sycamore) or which cause other maintenance problems should be avoided. Deciduous

hardwoods, native to this area, are preferred for large or tall tree needs.

5.12.2 Preservation of Existing Vegetation. A premium will be placed on preservation of natural vegetative cover. It is desirable to preserve the intrinsic environmental values and continuity of existing mature native tree cover wherever possible. Disturbance of existing vegetation during construction should be limited to the immediate construction area to minimize erosion, destruction of wildlife habitat or damage to existing trees, shrubs, and ground cover.

5.12.3 Lot Grading and Erosion Control. The plan for lot grading and erosion control should take into consideration the following criteria:

1. Grades, berms, channels and swales should be an integral part of the grading and paving design.
2. Sediment-control provisions should be incorporated in the planning or preliminary engineering stage of all projects. These erosion and siltation-control measures must be approved and in place before construction can begin. Landscaping plans will incorporate provisions for erosion control on all graded sites which will remain vacant prior to building construction.
3. In all cases, the smallest practical area of land should be exposed at any one time during development or construction, and exposed soil should be replanted at the earliest possible date. Erosion and siltation-control devices should be regularly inspected and maintained during development.
4. Where fill is necessary to attain the approved finish grade of any lot in Discovery Ridge, it shall be free of

waste materials and shall not contain noxious materials that will give off odors of any kind.

5. No top soil shall be allowed to be stripped from any lot within Discovery Ridge and removed from within the boundaries of Discovery Ridge without the express written consent of the University. Top soil shall be stripped, stockpiled on the site and redistributed in landscaped areas before seeding and planting.

5.13 SITE LIGHTING

5.13.1 General. Site lighting should create safe lighting conditions for visibility, accent important elements of the landscape, create clear visual night-time order to the site, and distinguish between various site uses such as roads, parking, walkways, recreation spaces, etc.

5.13.2 Type of Lighting. Color corrected lighting, mercury vapor, metal halide, or incandescent light sources are to be used in "people oriented" places -- plazas, walks, etc. Well designed soft wash light of buildings is permitted.

5.13.3 Minimum Lighting Requirements.

The minimum light levels accepted are:

Building entrances	-	5 FC (foot candles)
Collector roads/drives	-	1 FC
Walks	-	1 FC
Parking areas	-	0.5 FC

All wiring for lighting shall be underground.

5.14 STORAGE AREAS AND FENCES

No outside storage or operations of any kind will be permitted in any lot area unless properly screened. Screening must be approved by University. All fire and hazard regulations must be followed regarding inside and outside storage.

Screening fences, walls and vegetative buffers, at mature height, shall be at least 6' high or rise 2' above material or equipment being stored, whichever is greater. If vegetation materials are used, they must provide total visual screening. In no location on the site, may the tenant utilize an open-mesh chain-link fence. Storage of materials of 8' in height or more must be screened by a wall built of similar material to those of the building. The placement of all fences and the design and materials utilized shall be subject to the approval of the University.

6.0 IMPLEMENTATION

6.1 MAINTENANCE AGREEMENTS

In order to ensure that the high quality of development planned for Discovery Ridge is achieved, the University retains the following rights:

1. The University shall have the right to maintain all designated common areas and roadways, and, for this purpose, to enter into contracts for maintenance and replacement of landscaping, snow removal, and the repair of improvements within the common areas. The University shall also have the right to enter into contracts for trash collection, fire protection, security, and other services that it deems beneficial to all tenants in the development.
2. The University shall bill a pro-rata share of the cost of such services to the site user, plus an administrative service fee of fifteen percent (15%) of the amount billed to offset the cost incurred in negotiating and administering these service contracts.
3. Each site user may contract with the University's service contractor(s) for landscape, snow removal and other maintenance services.
4. In the event that the obligations for meeting the standards of these guidelines are not kept by the site user, the University shall have the right, thirty (30) days after written notice of intent to do

so has been mailed to the site user, to enter the property, perform the required maintenance and upgrading, including, but not limited to, replacement of dying landscape materials, building repairs, removal of non-conforming signs and lighting standards. The University may assess the site user for the cost of such work on the basis described in paragraph 2 (above).

5. Unpaid financial obligations of the site user with respect to maintenance charges shall become a lien on the real and personal property of the site user within the leasehold.

6.2 RIGHTS-OF-WAY/EASEMENTS

Each site user hereby agrees to cooperate with the University in the planning and granting of all easements necessary and reasonable for the further development of Discovery Ridge.

6.3 GENERAL MAINTENANCE BY SITE USER

Each site user shall at all times keep his lot, buildings and improvements in a safe, clean, neat and sanitary condition and shall comply with all laws, ordinances and regulations pertaining to health and safety. Each site user shall provide for the timely mowing of lawn areas, as well as removal of trash and rubbish from his lot.

During construction, it shall be the responsibility of each site user to ensure that, while improvements are under construction, lots, common roadways and common areas are kept free of unsightly accumulations of rubbish and scrap materials, and that construction materials, trailers and the like are kept in a neat and orderly manner.

7.0 VARIANCE

The Design Review Committee may modify or authorize a variance to all provisions of these Protective Covenants when the following circumstances apply:

- a) When the strict application of requirements in these Protective Covenants would impose unforeseen practical difficulties or particular hardship.
- b) The granting of a variance will not be detrimental to the interests of the owner and the tenants of Discovery Ridge.

In granting variances the Design Review Committee may require such conditions as in the Committee's judgment secure the obligations of these Protective Covenants.