FEB-26-2009(THU) 15:22 00

(FAX)313 224 2075

P. 002/004

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson Deputy City Clerk

# DEPARTMENTAL REFERENCE COMMUNICATION

Thursday, February 26, 2009

To:

The Department or Commission Listed Below

From:

Janice M. Winfrey, Detroit City Clerk



The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

CITY PLANNING COMMISSION DPW - CITY ENGINEERING DIVISION PLANNING AND DEVELOPMENT DEPARTMENT

3188

University Cultural Center Association, requesting approval of four easements necessary for UCCA to construct Phase One of the Midtown Loop Greenway in the areas of Kirby Street to John R to Canfield to Cass.



200 Coleman A. Young Municipal Center • Detroit, Michigan 48226-3400 (313) 224-3260 • Fax (313) 224-1466

FEB-26-2009(THU) 15:22 0001



3188

#### UNIVERSITY CULTURAL CENTER ASSOCIATION

February 17, 2009

Detroit City Council c/o City Clerk Janice M. Winfrey 200 Coleman A. Young Municipal Center Two Woodward Avenue Detroit, MI 48226

CIEY U.-....

## Dear Honorable City Council:

The University Cultural Center Association (UCCA) requests approval from the Council to accept four easements which are necessary in order for UCCA to construct Phase One of the Midtown Loop Greenway. These four easements include the following property:

- A portion of the side yard of the Detroit Public Library on Kirby Street
- A portion of the front yard of the Barat House Child & Family Services lot on John R
- A portion of the front yard of the Detroit Science Center lot on John R
- A portion of the front year of the VA Hospital on John R

The Midtown Loop will be a 2-mile greenway trail that will follow existing street patterns, specifically Kirby Street to John R to Canfield to Cass. This pedestrian trail will connect the campuses of Wayne State University, the Detroit Medical Center, and the Cultural Center, and will eventually link to greenway initiatives in the surrounding areas, including the Dequindre Cut and the Riverwalk.

The benefits of the Midtown Loop include.

- Expansion of the right-of-way for pedestrians by creating a widened walkway
- Introduction of a pedestrian crossing signal on John R between the Detroit Science Center and the Detroit Institute of Arts
- Introduction of a variety of native plantings to create a safety barrier between pedestrians and vehicular traffic
- Addition of unique LED lighting to improve visibility and safety
- · Addition of pocket parks throughout the trail

This project is part of the Community Foundation for Southeastern Michigan's regional greenway initiative. Funding is being provided by a federal earmark, MDOT funds and grants from a number of entities including the Community Foundation, Kresge Foundation, Michigan State University Land Policy Institute, Woodward Avenue Action Association, and Metropolitan Title Corporation.

735 CASS AVENUE ... DETROIT | MICHIGAN 48202 | 313.577.5088 | FAX 313.577.3332

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7/	

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UCCA will be executing a maintenance agreement with the City of Detroit. In addition, UCCA will be executing a funding agreement with the City of Detroit for the matching dollars required for the transportation enhancement grant awarded from MDOT.

If you have any questions regarding this request, please contact me at 313-577-5088. Thank you for your consideration of this request.

Sincerely,

Susan T. Mosey President 65 Cadillac Square, Suite 900 Detroit, Michigan 48226 Phone 313-224-3948 Fax 313-224-3471 WWW.Detroitmi.gov

April 20, 2009

Honorable City Council:

RE: Petition No. 3188 – University Cultural Center Association (UCCA), requesting approval of four easements necessary for UCCA to construct phase one of the Midtown Loop Greenway in the areas of Kirby Street to John R. to Canfield to Cass.

Petition No. 3188 of "University Cultural Center Association (UCCA)" whose address is 4735 Cass Avenue, Detroit, Michigan 48202 requests the Honorable City Council to accept easements over private properties located on Kirby Avenue, 52.78 feet wide, between Cass Avenue, 80 feet wide, and Woodward Avenue, 120 feet wide; John R Avenue, 60 feet wide, Between Frederick Douglass, 60 feet wide, and Warren Avenue, variable width; and John R. Avenue, 60 feet wide, between Hancock Avenue, 70 feet wide, and Canfield Avenue, 60 feet wide. The public easement is required to construct streetscape improvements on said Streets using federal Transportation Enhancement Funds administered by the Michigan Department of Transportation ("M-DOT"). This Enhancement Funding along with matching funds from the UCCA will cover the streetscape improvements along said Street rights-of-way.

The "Street Enhancement Area" will be placed on property owned by the Detroit Library Commission, the Detroit Science Center, Matrix Human Services (Barat House), and the U.S. Department of Veteran's Affairs which has agreed to give the University Cultural Center Association (UCCA) permission to maintain the Street Enhancement areas in perpetuity pursuant to terms and conditions set forth in Streetscape Improvement Project Agreement/Maintenance Agreement with the Department of Public Works.

One of the requirements of the M-DOT Transportation Enhancement Grant is that City Council authorize acceptance of land for public easement rights over the area required for construction of the Street Enhancement Areas.

An appropriate resolution is attached for consideration by your Honorable Body.

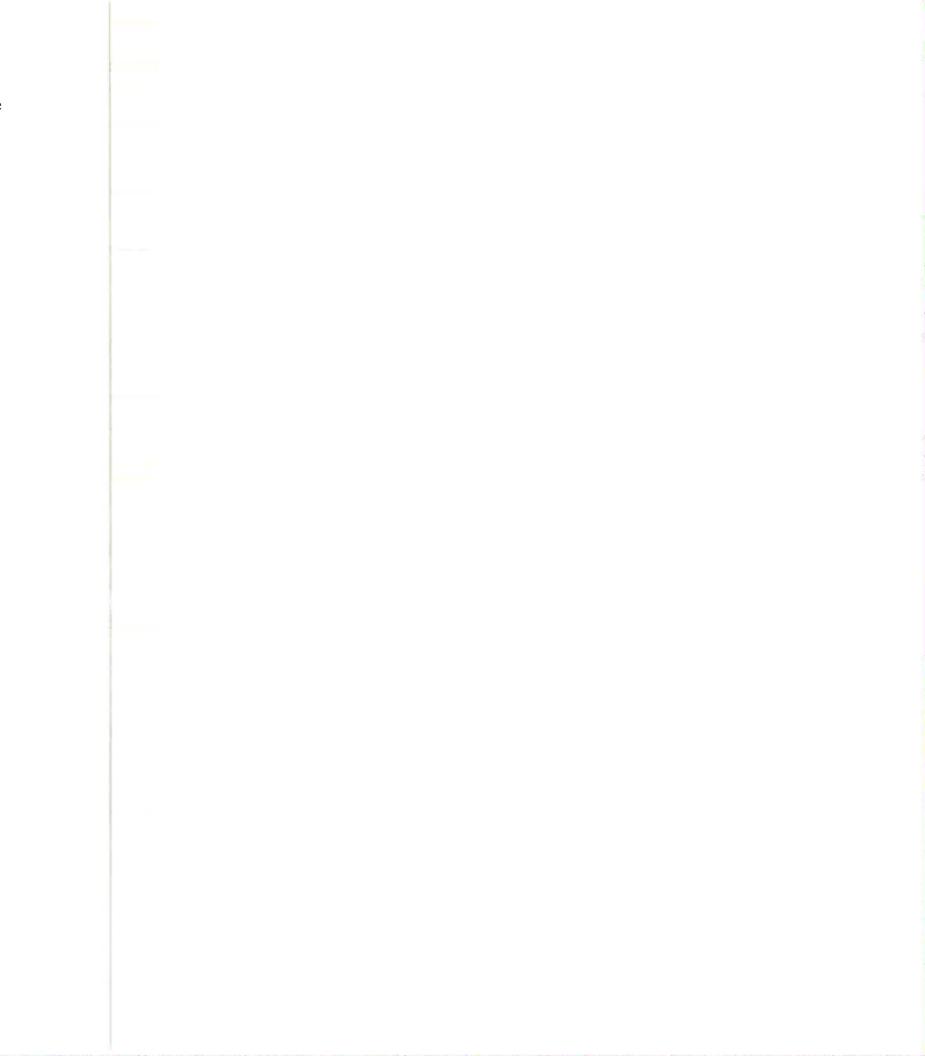
Respectfully submitted,

Jessy Jacob, City Engineer City Engineering Division – DPW

NRP\

Cc: Alfred Jordan, Director – DPW

Mayor's Office - City Council Liaison



## WAIVER OF RECONSIDERATION IS REQUESTED

WHEREAS, the Department of Public Works ("DPW") previously executed and entered into an Agreement with the UCCA under which the UCCA agreed, among other things, to be responsible for any Project costs deemed ineligible for Transportation Enhancement Grant funding and for maintenance of Project improvements, after completion, "in perpetuity"; and

WHEREAS, DPW has now approved the plans for Project improvements, but an unfulfilled condition precedent to Transportation Enhancement Grant funding is the grant by the Detroit Library Commission, the Detroit Science Center, Matrix Human Services (Barat House), and the U.S. Department of Veteran's Affairs, as property owner, agreed to give the University Cultural Center Association (UCCA) permission to maintain the public easement rights over and across the parcel proposed for development; and

WHEREAS, in order to meet the grant requirements, it is necessary that an Street Enhancement Area Easement be authorized by your Honorable Body and determined to be under DPW's control and jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the Detroit Library Commission, the Detroit Science Center, Matrix Human Services (Barat House), and the U.S. Department of Veteran's Affairs, offer to grant of public pedestrian easement rights over the land is hereby accepted and an Street Enhancement Area Easement is hereby authorized and established as being under DPW's control and jurisdiction for the parcel of land more particular described as:

Easement Exhibit "A" Legal Descriptions and Drawings Exhibit "B"

(Attached)

PROVIDED, that the University Cultural Center Association (UCCA) on which the Street Enhancement Area Easement is located, for itself and together with, for and by its successors and assigns, if any, shall be responsible for maintenance of the easement area "in perpetuity," which shall be defined as until such time as City Council, in its sole discretion, by resolution, relinquishes all right, claim and interest in public pedestrian easement rights over and across the subject parcel; and be it further

PROVIDED, that any work to be done in the public right-of-way is subject to plan review by the City Engineering Department, any and all necessary permits are acquired, and specifically with respect to park improvements constructed on the Street Enhancement Area Easement: (1) the top soil used as the final layer for the site shall be at least 6 inches thick of clean soil, with certification of such supported by laboratory data; and (2) the 6" thick clean soil layer shall be maintained "in perpetuity" for so long as the easement area is available for public access; and be it further

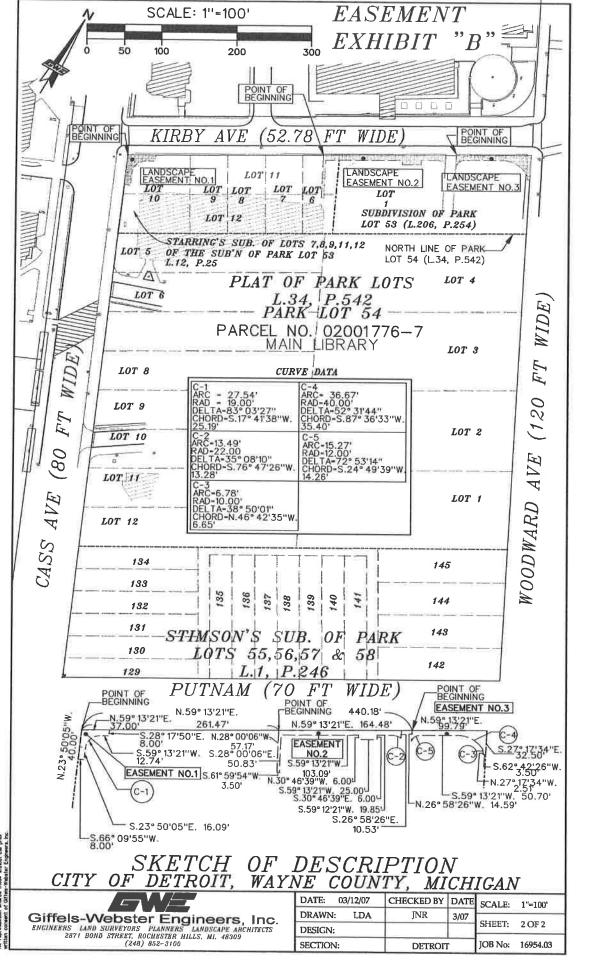
PROVIDED, that the University Cultural Center Association (UCCA) of the public easement rights over and across the Street Enhancement Area Easement, for itself, its successors and assigns, agrees to save harmless and indemnify the City of Detroit (the "City") from any and all liabilities, obligations, penalties, costs, charges, losses, damages, or expenses (including but not limited to, fees and expenses of attorneys, expert witnesses and other consultants) which may be imposed upon, incurred by or asserted against the City by reason of any of the following occurring:

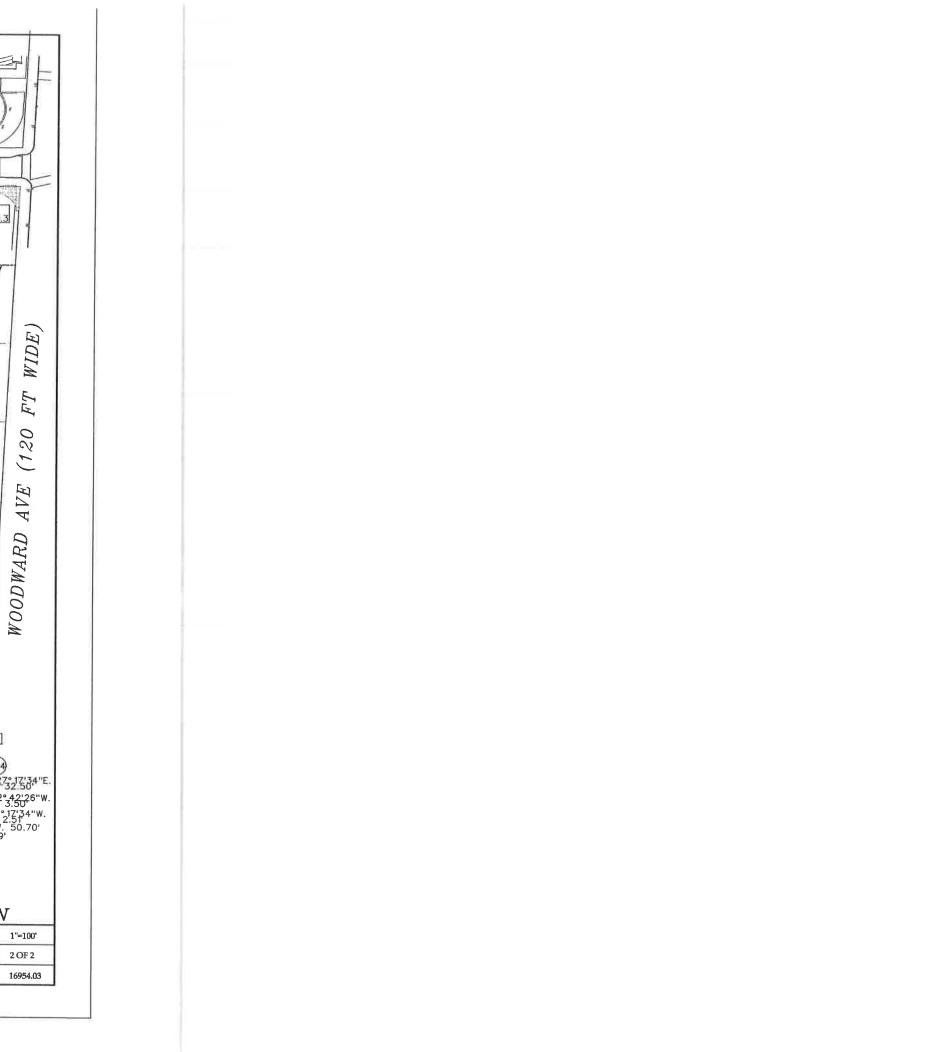
- (a) Any intentional, negligent or tortuous acts by Grantor, Grantor's contractors, agents, representatives and employees resulting in personal injury, bodily injury, sickness, disease or death, or injury to or destruction of tangible or real property, including the loss of use therefore, without regard for whether said act or claim arises prior to or subsequent to conveyance of the pedestrian easement to the City; or
- (b) Any environmental claim or violation of any environmental law, whether for personal injury, property damage or otherwise, without regard for whether said claim or violation arises prior to or subsequent to conveyance of the pedestrian easement to the City; or

(c) Any and all injury to the person or damage to the property of any person on, about, traversing, playing on or in any way using the pedestrian easement granted to the City, without regard for whether said claim or violation arises prior to or subsequent to conveyance of the pedestrian easement to the City; and further

PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

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	EASEMENT DESCRIPTION  LANDSCAPE EASEMENT NO.1  A PART OF THE LOT 10 OF STARRING'S SUBDIVISION OF LOTS 7, 8, 9, 10, 11, AND 12 OF THE SUBDIVISION OF PARK LOT 53, AS RECORDED IN LIBER 12, PAGE 25 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 10 OF SAID STARRING'S SUBDIVISION; THENCE N.59° 13'21"E., 37.00 FEET ALONG THE SOUTH LINE OF KIRBY AVENUE (52.78 FEET WIDE) ALSO BEING THE NORTH LINE OF LOT 10; THENCE S.28° 17'50"E., 8.00 FEET; THENCE S.59° 13'21"W., 12.74 FEET; THENCE ALONG A CURVE TO THE LEFT 27.54 FEET SAID CURVE HAVING A RADIUS OF 19.00 FEET, A CENTRAL ANGLE OF 83° 03'27" AND A LONG CHORD BEARING OF S.17° 41'38"W., 25.19 FEET; THENCE S.23"50'05"E., 16.09 FEET; THENCE S.66° 09'55"W., 8.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CASS AVENUE (80 FEET WIDE); THENCE N.23° 50'05"W., 40.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 616 SQUARE FEET.	
	LANDSCAPE EASEMENT NO.2  A PART OF THE LOT 6 OF STARRING'S SUBDIVISION OF LOTS 7, 8, 9, 10, 11, AND 12 OF THE SUBDIVISION OF PARK LOT 53, AS RECORDED IN LIBER 12, PAGE 25 OF PLATS, AND LOT 1 OF SUBDIVISION OF PARK LOT 53, AS RECORDED IN DEED LIBER 206, PAGE 254, PLAT ON PAGES 273, 276, 283, 286 AND 290, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10 OF SAID STARRING'S SUBDIVISION OF LOTS 7, 8, 9, 10, 11 IND 12 OF THE SUBDIVISION OF PARK LOT 53, AS RECORDED IN LIBER 12, PAGE 25 OF PLATS, WAYNE COUNTY RECORDS; THENCE N.59° 13'21"E., 261.47 FEET ALONG THE SOUTH LINE OF KIRBY AVENUE (52.78 FEET WIDE) ALSO BEING THE NORTH LINE OF SAID STARRING'S SUBDIVISION TO THE POINT OF BEGINNING; THENCE CONTINUING N.59° 13'21"E., 164.48 FEET; THENCE S.26° 58'26"E., 10.53 FEET; THENCE ALONG A CURVE TO THE LEFT 13.49 FEET SAID CURVE HAVING A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 35° 08'10" AND A LONG CHORD BEARING OF S.76° 47'26"W., 13.28 FEET; THENCE S.59° 13'21"W., 19.85 FEET; THENCE S.30° 46'39"E., 6.00 FEET; THENCE S.59° 13'21"W., 25.00 FEET; THENCE N.30° 46'39"W., 6.00 FEET; THENCE S.59° 13'21"W., 103.09 FEET; THENCE S.28° 00'06"E., 50.83 FEET; THENCE S.59° 13'21"W., 3.50 FEET; THENCE N.28° 00'06"W., 57.17 FEET TO THE POINT OF BEGINNING AND CONTAINING	
	LANDSCAPE EASEMENT NO.3  A PART OF LOT 1 OF SUBDIVISION OF PARK LOT 53, AS RECORDED IN DEED LIBER 206, PAGE 254 PLAT ON PAGES 273, 276, 283, 286 AND 290, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10 OF SAID STARRING'S SUBDIVISION OF LOTS 7, 8, 9, 10, 11 1ND 12 OF THE SUBDIVISION OF PARK LOT 53, AS RECORDED IN LIBER 12, PAGE 25 OF PLATS, WAYNE COUNTY RECORDS; THENCE N.59° 13'2'"E., 440.18 FEET ALONG THE SOUTH LINE OF KIRBY AVENUE (52.78 FEET WIDE) TO THE POINT OF BEGINNING; THENCE CONTINUING N.59° 13'21"E., 99.79 FEET TO A POINT ON THE WEST LINE OF WOODWARD AVENUE (120 FEET WIDE); THENCE S.27° 17'34"E., 32.50 FEET ALONG SAID WEST LINE; THENCE S.62° 42'26"W., 3.50 FEET; THENCE N.27° 17'34"W., 2.51 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT 6.78 FEET SAID CURVE HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 38° 50'01" AND A LONG CHORD BEARING OF N.46° 42'35"W., 6.65 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT 36.67 FEET SAID CURVE HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 52° 31'44" AND A LONG CHORD BEARING OF S.87° 36'33"W., 35.40 FEET; THENCE S.59° 13'21"W., 50.70 FEET; THENCE ALONG A NONTANGENT CURVE TO THE LEFT 15.27 FEET SAID CURVE HAVING A RADIUS 12.00 FEET, A CENTRAL ANGLE OF 72° 53'14" AND A LONG CHORD BEARING OF S.24° 49'39"W., 14.26 FEET; THENCE N.26° 58'26"W., 14.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 976 SQUARE FEET.	
pyright (© 2000 Office Whitelet Engineers, Inc.	LEGAL DESCRIPTION OF PROPERTY  PARCEL NO. 02001776-7  LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: LOT 1 OF PLAT OF SUBDIVISION OF PARK LOT 53 (ESTATE OF JAMES ABBOTT) AS RECORDED IN DEED LIBER 206, PAGE 254, WAYNE COUNTY RECORDS, EXCEPT THE PART TAKEN FOR WIDENING OF WOODWARD AVENUE, AND LOTS 6 THROUGH 10 INCLUSIVE OF STARRING'S SUBDIVISION OF LOTS 7, 8, 9, 11 AND 12 OF THE SUBDIVISION OF PARK LOT 53 (ABBOTT ESTATE) AS RECORDED IN DEED LIBER 12, PAGE 25, WAYNE COUNTY RECORDS, AND LOT 54 OF PLAT OF PARK LOTS, AS RECORDED IN DEED LIBER 34, PAGE 542, WAYNE COUNTY RECORDS AND LOTS 129 THROUGH 145 INCLUSIVE AND THE VACATED ALLEYS ADJACENT TO SAID LOTS AS RECORDED IN LIBER 1, PAGE 246 OF PLATS, WAYNE COUNTY RECORDS, EXCEPT THE PART TAKEN FOR WIDENING OF WOODWARD AVENUE.  SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHIGAN  BATE: 03/12/07 CHECKED BY DATE SCALE: NONE DRAWN: LDA JNR 3/07 DR	

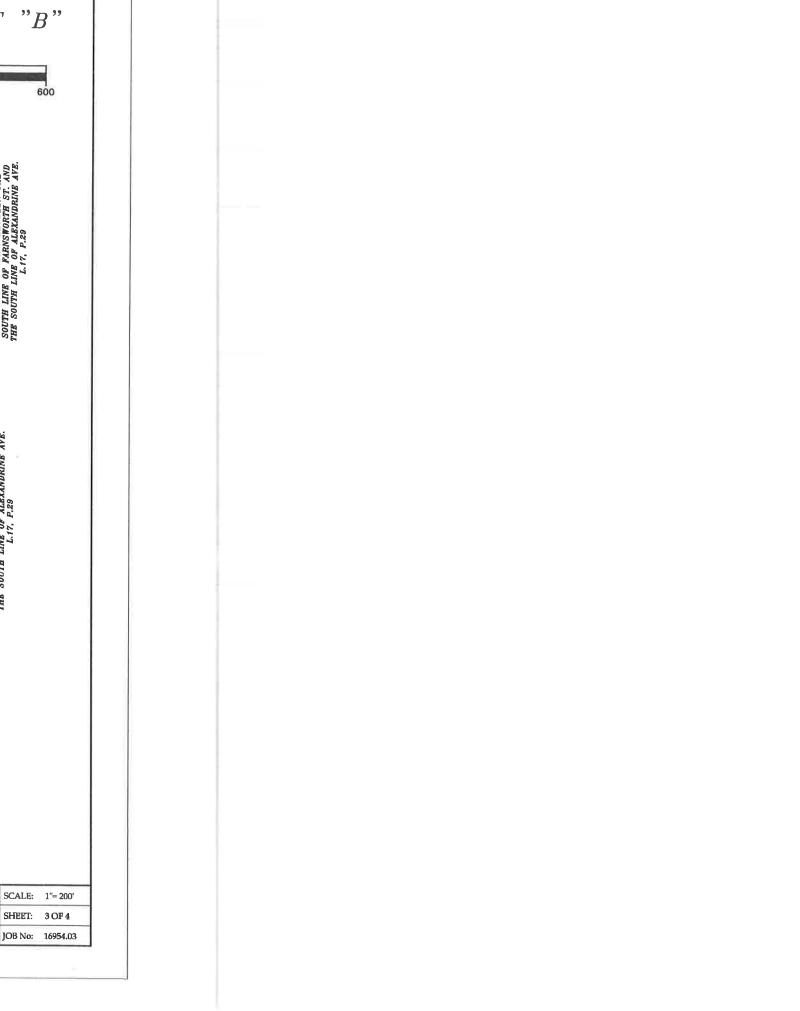




## EASEMENT EXHIBIT "B" SCALE: 1"=200" HANCOCK AVE HANCOCK AVE (70 FT. WIDE) POINT OF BEGINNING-LANDSCAPE EASEMENT NO.1 POINT OF BEGINNING BLK 21 LANDSCAPE EASEMENT NO.2 POINT OF BEGINNING LANDSCAPE EASEMENT NO.3 PARCEL NO. FOREST AVE (70 FT. WD.) O1004057.001 DEPARTMENT OF VETERANS AFFAIRS 8.865 FOREST AVE D. J. SMITH SUB.-L. 7, P. 65 09) POINT OF BEGINNING NAME OF ANDSCAPE NO.4 STGARFIELD AVE (65 FT. WD.) GARFIELD AVE POINT OF BEGINNING -HUBBARD & KING SUB. L. 7. P. 20 LANDSCAPE EASEMENT NO.5 POINT OF BEGINNING LANDSCAPE EASEMENT NO.6 CANFIELD AVE CANFIELD AVE (60 FT. WD.) POINT OF BEGINNING LANDSCAPE EASEMENT NO.7 SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DATE: 03/12/07 CHECKED BY DATE SCALE: 1"= 200' DRAWN: LDA Giffels-Webster Engineers, Inc. ENCINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS 2871 BOND STREET; ROCHESTER HILLS, MI. 48309 (248) 852-3100 JNR 3/0 SHEET: 3 OF 4 DESIGN:

SECTION:

DETROIT



# EASEMENT EXHIBIT "A"

# LEGAL DESCRIPTION OF PROPERTY PARCEL NO. 01004057.001

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: PART OF LOTS 13 AND ALL OF LOTS 14 THROUGH 24 OF FISHER AND SHEARER'S SUBDIVISION OF PARK LOTS 31 AND 32, AS RECORDED IN LIBER 1, PAGE 15 OF PLATS, WAYNE COUNTY RECORDS; AND LOTS 1 THROUGH 5 AND 10 THROUGH 14 INCLUSIVE OF BLOCKS 19, 20 AND 21 OF BRUSH'S SUBDIVISION OF THAT PART OF THE BRUSH FARM LYING BETWEEN THE SOUTH LINE OF FRANSWORTH ST. AND THE SOUTH LINE OF ALEXANDRINE AVENUE, AS RECORDED IN LIBER 17, PAGE 29 OF PLATS, WAYNE COUNTY RECORDS; AND A PART OF LOT 12 AND 35, AND ALL OF LOTS 13 THROUGH 34 OF HUBBARD AND KING'S SUBDIVISION OF PARK LOTS 32 AND PART OF PARK LOT 33, AS RECORDED IN LIBER 7, PAGE 20 OF PLATS, WAYNE COUNTY RECORDS; AND PART OF LOTS 15 AND AND ALL OF LOTS 16 THROUGH 26 ON THE NORTH SIDE OF FOREST AVENUE AND A PART OF LOT 19 AND ALL OF LOTS 20 THROUGH 26 ON THE SOUTH SIDE OF FOREST AVENUE OF BROOKS AND CARLISLE'S SUBDIVISION OF PARK LOTS NO. 34 AND 35 AND PART OF LOT NO. 33, AS RECORDED IN LIBER 1, PAGE 269 OF PLATS, WAYNE COUNTY RECORDS; AND A PART OF LOTS 1, 4 THROUGH 6 AND ALL OF LOTS 2 AND 3 OF D.J. SMITH SUBDIVISION OF LOTS 15, 16, 17, 18 AND WEST 5 FT. OF LOT 19 ON THE SOUTH SIDE OF FOREST AVENUE EAST, AS RECORDED IN LIBER 7, PAGE 65 OF PLATS, WAYNE COUNTY RECORDS; AND A PART OF LOTS 11 THROUGH 16 OF PARSON SUBDIVISION OF THE SOUTH 1/2 OF PARK LOT 36 AS RECORDED IN LIBER 15, PAGE 14 OF PLATS, WAYNE COUNTY RECORDS; AND A LOF THE VACATED FOREST AVENUE (70 FEET WIDE), GARFIELD AVENUE (65 FEET WIDE), AND THE VACATED FUBLIC ALLEYS BEING ADJACENT TO SAID LOTS.

#### EASEMENT DESCRIPTION

#### LANDSCAPE EASEMENT NO.1

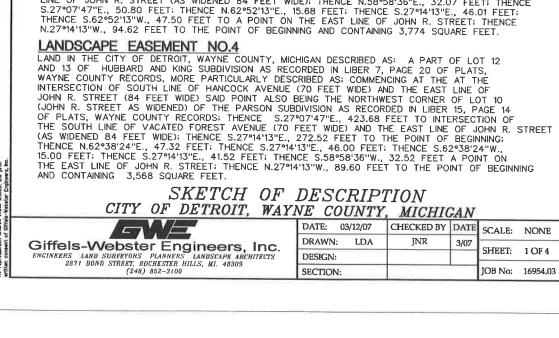
LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 10 AND A PART OF THE VACATED ALLEY ADJACENT TO SAID LOT OF PARSON SUBDIVISION OF THE SOUTH 1/2 OF PARK LOT 36, AS RECORDED IN LIBER 14, PAGE 14 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE AT THE INTERSECTION OF SOUTH LINE OF HANCOCK AVENUE (70 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (60 FEET WIDE) SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 10 (JOHN R. STREET AS WIDENED) OF THE PARSON SUBDIVISION; THENCE S.27°07'47"E., 154.32 FEET TO THE POINT OF BEGINNING; THENCE N.62°52'13"E., 8.00 FEET; THENCE S.27°07'47"E., 15.00 FEET; THENCE S.62°52'13"W., 8.00 FEET TO A POINT ON THE EAST LINE OF SAID JOHN R. STREET; THENCE N.27°07'47"W., 15.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 120 SQUARE FEET.

#### LANDSCAPE EASEMENT NO.2

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 15 OF BROOKS AND CARLISLE'S SUBDIVISION OF PARK LOTS NO.34 AND 35 AND PART OF LOT NO. 33 AS RECORDED IN LIBER 1, PAGE 269 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS; COMMENCING AT THE AT THE INTERSECTION OF SOUTH LINE OF HANCOCK AVENUE (70 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (60 FEET WIDE) SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 10 (JOHN R. STREET AS WIDENED) OF THE PARSON SUBDIVISION AS RECORDED IN LIBER 15, PAGE 14 OF PLATS, WAYNE COUNTY RECORDS; THENCE S.27°07'47"E., 336.16 FEET TO THE POINT OF BEGINNING; THENCE ALONG A NONTANGENT CURVE TO THE RIGHT 19.22 FEET SAID CURVE HAVING A RADIUS OF 58.12 FEET, CENTRAL ANGLE OF 18°57'04" AND A LONG CHORD BEARING OF S.56°13'28"E., 19.14 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE S.58°58'36"W., 9.33 FEET; THENCE N.27°07'47"W., 17.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 91 SQUARE FEET.

#### LANDSCAPE EASEMENT NO.3

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 1
AND 2 OF D. J. SMITH SUBDIVISION AS RECORDED IN LIBER 7, PAGE 65 OF PLATS, WAYNE COUNTY
RECORDS, MORE PARTICULARLY DESCRIBED AS; COMMENCING AT THE AT THE INTERSECTION OF
SOUTH LINE OF HANCOCK AVENUE (70 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (60 FEET
WIDE) SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 10 (JOHN R. STREET AS WIDENED)
OF THE PARSON SUBDIVISION AS RECORDED IN LIBER 15, PAGE 14 OF PLATS, WAYNE COUNTY
RECORDS; THENCE S.27°07'47"E., 423.68 FEET TO THE POINT OF BEGINNING SAID POINT BEING ON
THE INTERSECTION OF THE SOUTH LINE OF VACATED FOREST AVENUE (70 FEET WIDE) AND THE EAST
LINE OF JOHN R. STREET (AS WIDENED 84 FEET WIDE); THENCE N.58°58'36"E., 32.07 FEET; THENCE
S.27°07'47"E., 50.80 FEET; THENCE N.62°52'13"E., 15.68 FEET; THENCE S.27°14'13"E., 46.01 FEET;
THENCE S.62°52'13"W., 47.50 FEET TO A POINT ON THE EAST LINE OF JOHN R. STREET; THENCE
N.27°14'13"W., 94.62 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.774 SQUARE FEFT





# EASEMENT EXHIBIT "A"

#### EASEMENT DESCRIPTION

### LANDSCAPE EASEMENT NO.5

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 34 AND 35 OF HUBBARD AND KING SUBDIVISION AS RECORDED IN LIBER 7, PAGE 20 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE AT THE INTERSECTION OF NORTH LINE OF CANFIELD AVENUE (60 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (84 FEET WIDE AS WIDENED) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 13 OF FISHER AND SHEARER'S SUBDIVISION AS RECORDED IN LIBER 1, PAGE 15 OF PLATS, WAYNE COUNTY RECORDS; THENCE N.27°29'44"W., 335.85 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N.27°29'44"W., 22.03 FEET; THENCE N.58°58'36"E., 12.66 FEET; THENCE ALONG A NONTANGENT CURVE TO THE RIGHT 26.79 FEET SAID CURVE HAVING A RADIUS OF 39.00 FEET, CENTRAL ANGLE OF 39°21'42" AND A LONG CHORD BEARING OF S.01°32'11"W., 26.27 FEET TO THE POINT OF BEGINNING SAID POINT BEING ON THE EAST LINE OF JOHN R. STREET AND CONTAINING 182 SQUARE FEET.

#### LANDSCAPE EASEMENT NO.6

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 35 AND VACATED PUBLIC ALLEY OF HUBBARD AND KING SUBDIVISION AS RECORDED IN LIBER 7, PAGE 20 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE AT THE INTERSECTION OF NORTH LINE OF CANFIELD AVENUE (60 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (84 FEET WIDE AS WIDENED) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 13 OF FISHER AND SHEARER'S SUBDIVISION AS RECORDED IN LIBER 1, PAGE 15 OF PLATS, WAYNE COUNTY RECORDS; THENCE N.27°29'44"W., 187.73 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING N.27°29'44"W., 15.00 FEET; THENCE N.62°30'16"E., 9.00 FEET; THENCE S.27°29'44"E., 15.00 FEET; THENCE S.62°30'16"W., 9.00 FEET TO THE POINT OF BEGINNING SAID POINT BEING ON THE EAST LINE OF JOHN R. STREET AND CONTAINING 135 SQUARE FEET.

### LANDSCAPE EASEMENT NO.7

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 13 AND 14 OF FISHER AND SHEARER'S SUBDIVISION AS RECORDED IN LIBER 1, PAGE 15 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE AT THE INTERSECTION OF NORTH LINE OF CANFIELD AVENUE (60 FEET WIDE) AND THE EAST LINE OF JOHN R. STREET (84 FEET WIDE AS WIDENED) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 13; THENCE N.27°29'44"W., 61.18 FEET ALONG SAID EAST LINE; THENCE S.84°33'47"E., 11.91 FEET: THENCE S.27°29'44"E., 26.00 FEET; THENCE N.77°27'02"E., 25.88 FEET; THENCE S.27°29'44"E., 20.00 FEET TO A POINT ON THE NORTH LINE OF CANFIELD AVENUE (60 FEET WIDE); THENCE S.59°11'24"W., 35.06 FEET TO THE POINT OF BEGINNING SAID POINT BEING AND CONTAINING 1,178 SQUARE FEET.

SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

Giffels-Webster Engineers, Inc.
ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2871 BOND STREET, ROCHESTER HILLS, MI. 48309
(248) 852-3100

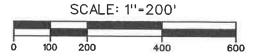
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 03/12/07
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 DATE
 SCALE:
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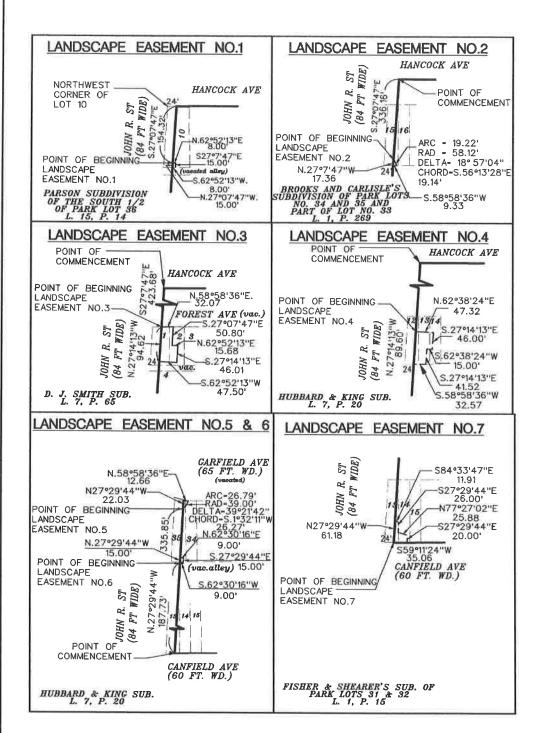
 DRAWN:
 LDA
 JNR
 3/07
 SHEET:
 2 OF 4

 DESIGN:
 JOB No:
 16954.03



# EASEMENT EXHIBIT "B"





SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

Giffels-Webster Engineers, Inc. ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS 2871 BOND STREET, ROCHESTER HILLS, MI. 48309 (248) 852-3100

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DATE: 03/12/07	CHECKED BY	DATE	SCALE:	1" = 200'
DRAWN: LDA	JNR	3/07		
DESIGN:			SHEET:	4 OF 4
SECTION:			JOB No:	16954.03



**EASEMENT** EXHIBIT "A"

## EASEMENT DESCRIPTION LANDSCAPE EASEMENT

A PART OF LOT 42 OF FARNSWORTH'S SUBDIVISION OF PARK LOTS 38 AND 39, AS RECORDED IN LIBER 1, PAGE 16 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 42: THENCE N.59° 13'31"E., 6.01 FEET ALONG THE NORTH LINE OF SAID LOT: THENCE S.27° 17'14"E., 118.57 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 42: THENCE S.29° 13.31"W., 6.01 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT, POINT ALSO BEING ON THE EAST LINE OF JOHN R STREET; THENCE N.27° 17'14"W., 118.57 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 712 SQUARE FEET.

### LEGAL DESCRIPTION OF PROPERTY

PARCEL NO. 01001428-31

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: LOTS 38 THROUGH 42 INCLUSIVE OF FARNSWORTH'S SUBDIVISION OF PARK LOTS 38 AND 39, AS RECORDED IN LIBER 1, PAGE 16 OF PLATS, WAYNE COUNTY RECORDS.

## SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

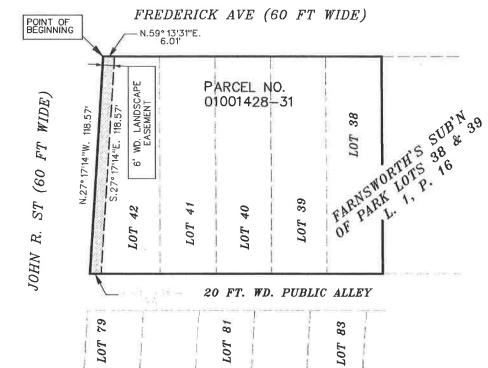
Giffels-Webster Engineers, Inc.

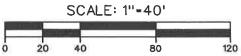
\*\*RIGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS\*\*
2871 BOND STREET, ROCHESTER HILLS, MI. 48309
(248) 862-3100

DATE: 03/12/07	CHECKED BY	DATE	SCALE:	NONE
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Giffels-Webster En ENCINEERS LAND SURVEYORS PLANNER 2871 BOND STREET, ROCHESTER (248) 852-3100

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SECTION:	DETROIT	****	JOB No:	16954.03

		EASEM EXHIB		
FREDERICK AT N.59° 13'31"E. 6.01'	VE (60 FT	WIDE)		_
6' WD. LAND EASEME	CEL NO. 1428-31	LOT 38	11110	18 <sup>1</sup> 39
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ngineers, Inc.	DRAWN: LDA		3/0	T: 2 OF 2
$\epsilon$ HILLS MI 4R309	DESIGN: SECTION:	DETROIT		lo: 16954.03

## EASEMENTEXHIBIT "A"

## EASEMENT DESCRIPTION

## LANDSCAPE EASEMENT NO.1

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 1 OF ELLEN L. WALLACE SUBDIVISION OF PART OF THE SOUTH HALF OF PARK LOT 38 AS RECORDED IN LIBER 8, PAGE 54 OF PLATS, WAYNE COUNTY RECORDS AND PART OF LOT 102 OF FARNSWORTH SUBDIVISION OF PARK LOTS 38 AND 39 AS RECORDED IN LIBER 1, PAGE 16 OF PLATS, WAYNE COUNTY RECORDS ALSO A PART OF THE VACATED ALLEYS A DAJACENT TO SAID LOTS, MORE PARTICULARLY DESCRIBED AS; BEGINNING AT THE INTERSECTION OF SOUTH LINE OF FARNSWORTH AVENUE (60 FEET WIDE) WITH THE EAST LINE OF JOHN R. STREET (60 FEET WIDE) SAID POINT N.59° 13'31"E., 6.51 FEET ALONG SAID SOUTH LINE; THENCE S.27° 17'14"E., 9.32 FEET; THENCE N.59° 13'31"E., 22.30 FEET; THENCE S.30° 46'29"E., 17.50 FEET; THENCE S.59° 13'31"W., 23.37 FEET; THENCE S.27° 17'14"E., 176.21 FEET; THENCE S.62° 47'25"W., 6.50 FEET TO A POINT ON THE EAST LINE OF SAID 1,718 SQUARE FEET.

## LANDSCAPE EASEMENT NO.2

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 1 OF ELLEN L. WALLACE SUBDIVISION OF PART OF THE SOUTH HALF OF PARK LOT 38 AS RECORDED IN LIBER 8, PAGE 54 OF PLATS, WAYNE COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE INTERSECTION OF SOUTH LINE OF FARNSWORTH AVENUE (60 FEET WIDE) WITH THE EAST LINE OF JOHN R. STREET (60 FEET WIDE) SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 102 OF FARNSWORTH SUBDIVISION OF PARK LOTS 38 AND 39 AS RECORDED IN THE EAST LINE OF JOHN R. STREET TO THE POINT OF BEGINNING: THENCE N.62° 47'25"E., 3.50 FEET; SAID JOHN R. STREET; THENCE N.62° 47'25"W., 3.50 FEET TO A POINT ON THE EAST LINE OF BEGINNING AND CONTAINING 45.5 SQUARE FEET.

## LANDSCAPE EASEMENT NO.3

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: A PART OF LOT 19 OF ELLEN L. WALLACE SUBDIVISION OF PART OF THE SOUTH HALF OF PARK LOT 38 AS RECORDED IN LIBER 8, PAGE 54 OF PLATS, WAYNE COUNTY RECORDS, AND PART OF LOT 17 OF MOORE AND PALMER SUBDIVISION OF PARK LOTS 37 AS RECORDED IN LIBER 3, PAGE 40 OF PLATS, WAYNE COUNTY RECORDS AND A PART OF THE VACATED ALLEYS ADJACENT TO SAID LOTS, MORE PARTICULARLY DESCRIBED AS; COMMENCING AT THE INTERSECTION OF SOUTH LINE OF FARNSWORTH AVENUE NORTHWEST CORNER OF LOT 102 OF FARNSWORTH SUBDIVISION OF PARK LOTS 38 AND 39 AS RECORDED IN LIBER 1, PAGE 16 OF PLATS, WAYNE COUNTY RECORDS; THENCE S.25° 7'1'14"E., 304.10 FEET 10.00 FEET; THENCE S.27° 17'14"E., 179.18 FEET TO THE POINT OF BEGINNING; THENCE N.62° 47'25"E., EAST LINE OF SAID JOHN R. STREET; THENCE S.62° 47'25"W., 10.00 FEET TO A POINT ON THE THE POINT OF BEGINNING AND CONTAINING 1,792 SQUARE FEET.

## LEGAL DESCRIPTION OF PROPERTY PARCEL NO. 01001323,001

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN DESCRIBED AS: ALL OF LOTS 17
AND 18 AND PART OF LOTS 19 THROUGH 26 OF MOORE AND PALMER SUBDIVISION OF PARK
LOTS 37 AS RECORDED IN LIBER 3, PAGE 40 OF PLATS, WAYNE COUNTY RECORDS AND PART OF
LOTS 37 AS RECORDED IN LIBER 3, PAGE 40 OF PLATS, WAYNE COUNTY RECORDS AND PART OF
WALLACE SUBDIVISION OF PART OF THE SOUTH HALF OF PARK LOT 38 AS RECORDED IN LIBER 8,
102 OF FARNSWORTH SUBDIVISION OF PARK LOTS 38 AND 39 AS RECORDED IN LIBER 1, PAGE 16 OF
PLATS, WAYNE COUNTY RECORDS ALSO INCLUDING THE VACATED ALLEYS ADJACENT TO SAID LOTS
AND VACATED THEODORE STREET (50 FEET WIDE) WITHIN THE BOUNDS OF THIS PARCEL MORE
(147 FEET WIDE) WITH THE EAST LINE OF JOHN R. STREET (60 FEET WIDE) SAID POINT ALSO BEING THE
SOUTHWEST CORNER OF LOT 17 OF SAID MOORE AND PALMERS SUBDIVISION; THENCE N.60° 06'00"E., 67.03
1858.00 FEET AND A LONG CHORD DISTANCE OF 116.98 FEET. BEING 3.68 FEET AT RIGHT TO SOUTH
LINE OF LOT 22; THENCE N.56° 29'31"E., 87.91 FEET: THENCE N.25° 15'11"W., 260.60 FEET; THENCE
A POINT ON THE SOUTH LINE OF FARNSWORTH AVENUE; THENCE N.29° 54'00"W., 231,30 FEET TO
THE NORTHWEST CORNER OF LOT 102 OF SAID FARNSWORTH'S SUBDIVISION; THENCE S.26° 01'W., 517.43
FEET TO THE POINT OF BEGINNING.

# SKETCH OF DESCRIPTION

REV. LANDSCAPE ESMT. NO.1, NO.2 & NO.3 (10-15-07) LDA COUNTY, MICHIGAN

Giffels-Webster Engineers, Inc. ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS 2871 BOND STREET, ROCHESTER BILLS, MI. 48309 (248) 852-3100

A Person				
ATE: 03/12/07	CHECKED BY INR	DATE	SCALE.	NONE
RAWN: LDA		3/07	DCALE.	
ESIGN:			SHEET:	1 OF 2
CTION:			JOB No:	16954.03

EASEME **EXHIBI** N.59° 13'31"E. FARNSWORTH AVE (60 FT W. -6.51' S.27° 17'14"E. S.59'13'31"W.(M) N.59° 13'31"E. S.60'06'00"W.(R) POINT OF BEGINNING EASEMENT NO.1 -S.30" 46|29|E. 17.50 S.59 13'31"W. 23.37 98 96 IOT TOTTOTS.27° 17'14"E. S.27° 17'14"E. N.27° 17'14"W. 517.43 WIDE) 16 FT. WD. VALATED ALLEY 30.46.29"W( 29.54.00"W( PARCEL NO. 01001323.001 60 DETROIT SCIENCE CENTER LLPOINT OF BEGINNING N.5612 10 zz EASEMEN1 09) N.5519 TOTLOT 15.4 S.62° 47'25"W. 6.50' N.62° 47'25"E. 3.50' S.27" 17'14"E. 13.00 S.63'3'22"\ ZIS.63\*55'51" 34.00 LANDSCAPE THEODORE ST.
EASEMENT NO.2 (50 FT. WIDE) VACATED S.62° 47'25"W. POINT OF BEGINNING EASEMENT NO.3 N.62° 47'25"E. S.2717'14"E.(M) S.26'19'E. (R) 17 FT. WD. VACATED ALLEY PLAT OF MOORE & PARK OF PARK 3, I 1.26.7'40"W.(M) 21 23 TOTTOT N.55 37'02"E.(M) N.56 29'31"E.(R) ARC=117.0' RAD=1858' zż S.62° 47'25"W. CHORD=116.98' 87.91 N.59°07'09"E (M) N.60°06'00"E.(R) 67.03 WARREN AVE SCALE: 1"-60" SKETCH OF DESCRIPTION CITY OF DETROIT, WAYNE COUNTY, MICHI REV. LANDSCAPE ESMT. NO.1, NO.2 & NO.3 (10-15-07) LDA DATE: 03/12/07 CHECKED BY DATE DRAWN: LDA 3/0 Giffels-Webster Engineers, Inc.
ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
2871 BOND STREET, ROCHESTER HILLS, MI. 48309
(248) 852-3100 JNR DESIGN: SECTION: DETROIT

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LOT 13				
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JOB No: 16954.03				

B. .ard J. Youngblood
Wayne County Register of Deeds
April 10, 2008 03:26 PM
Liber 47138 Page 16-18
#208130966 EAS FEE: \$21.00

# **EASEMENT**To the City of Detroit

MATRIX HUMAN SERVICES (formerly called metroMatrix Human Services), a Michigan nonprofit corporation (the "Grantor"), whose address is 120 Parsons Street, Detroit, Michigan 48201, for the sum of One (\$1.00) Dollar, receipt and sufficiency of which is hereby acknowledged by the Grantor, does hereby grant and convey to the CITY OF DETROIT, a municipal corporation, whose address is City-County Building, 2 Woodward Avenue, Detroit, Michigan 48226 (the "Grantee") a permanent easement over and upon the real estate located in the City of Detroit, County of Wayne, described as:

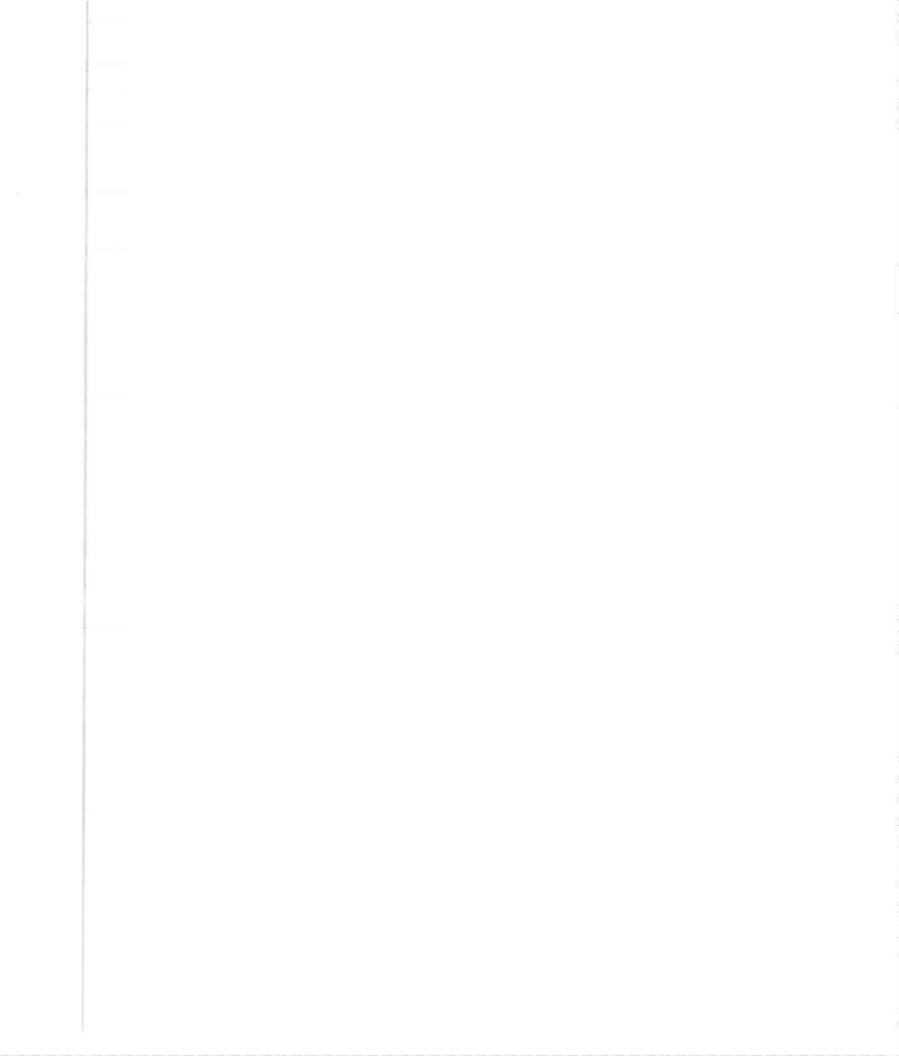
A Part of Lot 42 of Farnsworth's Subdivision of Park Lots 38 and 39, as recorded in Liber 1, Page 16 of Plats, Wayne County Records, more particularly described as: Beginning at the Northwest corner of Lot 42; thence N.59°13'31"E., 6.01 feet along the North line of said lot; thence S.27°17'14"E., 118.57 feet to a point on the South line of said Lot 42; thence S.59°13'31"W., 6.01 feet along said South line to the Southwest corner of said Lot 42, point also being on the East line of John R. Street; thence N.27°17'14"W., 118.57 feet along said East line to the Point of Beginning, containing 712 square feet more or less and constituting part of the property described on **Exhibit A** attached,

for the purposes of the construction, installation, operation and maintenance of part of the Midtown Greenway Loop Project, including public walkways, plantings, lighting, signage and other improvements.

The grant of the easement herein is expressly subject and subordinate to all currently existing and in-place easements for sanitary or storm sewers, water mains, natural gas, electricity, steam, telephone, television, communications lines, facilities, pipes, apparatus and the like. The Grantor expressly consents and agrees that the all future mortgages of the property described in Exhibit A shall be subject and subordinate to the easement granted herein.

This instrument is exempt from County Transfer Tax under MCLA § 207.505(a) and from State Transfer Tax under MCLA § 207.526(a).

[Signatures continue on following page.]



Signed this 2<sup>th</sup> day of April, 2008.

Drafted by/return to:

Jane Forbes
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243

## EXHIBIT A

## Legal Description of Property

Parcel No. 01001428-31

Land in the City of Detroit, Wayne County, Michigan described as: Lots 38 through 42 inclusive of Farnsworth's Subdivision of Park Lots 38 and 39, as recorded in Liber 1, page 16 of Plats, Wayne County Records.

DET01\556789.2 IDUFO

PETITION 3188 UNIVERSITY CULTURAL CENTER ASSOCIATION 4735 CASS AVENUE DET., MI. 48202 c/o SUSAN T. MOSEY, PRESIDENT PHONE NO. 313-577-5088 FAX NO. 313-577-3332

NOTE: PLEASE SEE ATTACHED DRAWINGS FOR MORE DETAILS OF THE **DEDICATIONS OF LANDSCAPE** EASEMENTS.



HANCOCK 70 FT.WD.

04

FOREST 70 FF.WD.

SUB'N

60 FT.WD

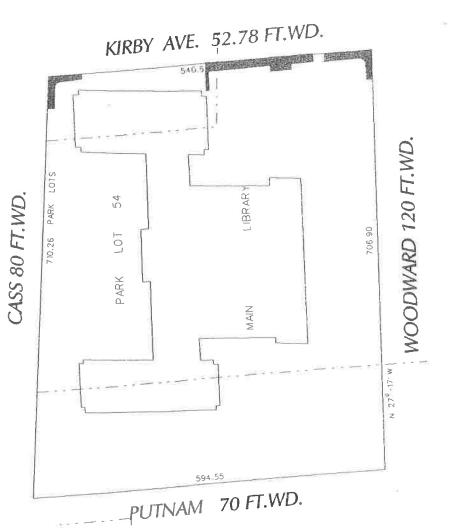
JOHN R.

9/25/91 JCC PGS 2093-2102

GARFIELD 65 FT.WD.

9/25/91 JCC PGS 2099-2102

CANFIELD 60 FT.WD.



FREDERICK DOUGLASS 60 FT.WD.



DUGWOPTH 60 FT.WD.

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	WARREN AVENUE
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JOHN R. 60 FT.WD.

- REQUESTED AREA OF DEDICATION(S) (FOR LANDSCAPE EASEMENTS)



CARTO 30 A, B, & F

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DESCRIPTION		DRWN	CHKD	APPD	DATE
	REV	ISIONS		- Mary Mary	
DRA	WN BY NP	CHEC	KED		
DAT	3-11-09	APPR	OVED		

REQUESTED AREAS OF DEDICATION OF LAND FOR LANDSCAPE EASEMENTS IN KIRBY AVENUE, 52.78 FT.WD, BETWEEN CASS AVENUE AND WOODWARD AVENUE; IN JOHN R, 60 FT.WD. BETWEEN HANCOCK AND CANFIELD; AND IN JOHN R AVENUE, 60 FT.WD. BETWEEN FREDERICK DOUGLASS AND WARREN AVENUE.

C	ITY	OF	D	ETROIT
CITY	ENGI	VEERII	1G	DEPARTMENT
	SU	RVEY	BU	REAU

JOB NO

DRWG. NO.