Area to be Rezoned to TOD-MO COMMENCING at a National Geodetic Survey Monument "Freedom", having North Carolina NAD83 grid coordinates of, N: 530,589.14, E: 1,449,627.71 thence N 17°02'39" W a horizontal ground distance of 8,293.63 feet to a calculated point; said point lying in the centerline of Caldwell Street (a 60' Public right-of-way) as shown on Map Book 15, Page 19, recorded in the Mecklenburg County Public Registry and being the POINT OF BEGINNING; thence 8 09°01'21" E a distance of 30.07 feet; thence 8 51°34'06" W a distance of 805.67 feet; thence N 36°30'33" W a distance of 37.32 feet; thence N 53°31'00" E a distance of 30.25 feet; thence N 36°17'56" W a distance of 223.42 feet; thence N 53°36'45" E a distance of 238.40 feet; thenceN 36°12'52" W a distance of 170.00 feet; thence N 36°12'52" W a distance of 50.00 feet; thence N 53°33'02" E a distance of 139.66 feet; thence N 46°28'59" E a distance of 328.16 feet; thence S 35°24'11" E a distance of 298.77 feet; thence with the arc of a circular curve turning to the left with a radius of 172.36 feet, and an arc length of 188.69, (chord: S 66°45'57" E a distance of 179.41 feet), to the POINT OF BEGINNING.

## DISTRICT 2 LEGAL DESCRIPTION

A total area of 291,741 square feet or 6.6974 acres.

Area to be Rezoned to TOD-RO

COMMENCING at a National Geodetic Survey Monument "Freedom", having North Carolina NAD83 grid coordinates of, N: 530,589.14, E: 1,449,627.71 thence N 17°02'39" W a horizontal ground distance of 8,293.63 feet to a calculated point; said point lying in the centerline of Caldwell Street (a 60' Public right-of-way) as shown on Map Book 15, Page 19, recorded in the Mecklenburg County Public Registry and being the POINT OF BEGINNING; thence 8 09°01'21" E a distance of 30.07 feet; thence 8 51°34'06" W a distance of 805.67 feet; thence S 36°30'3" E a distance of 23.346 feet; thence S 46°22'47" E a distance of 136.13 feet; thence N 45°42'05" E a distance of 33.28 feet; thence S 46°36'49" E a distance of 119.75 feet; thence N 54°08'13" E a distance of 109.52 feet; thence S 35°48'49" E a distance of 100.25 feet; thence N 54°19'33"E a distance of191.29 feet; thence S 356°12'32" E a distance of 144.61 feet; thence N 53°57'12" E a distance of 678.75 feet; thence N 36°01'04" W a distance of 548.53 feet; thence S 50°22'43" W a distance of 143.46 feet; thence with a radius of 202.36 feet, and an arc length of 113.48 feet; to the POINT OF BEGINNING. A total area of 495.911 square feet or 11.385 acres.

NOTE: PROPOSED ZONING DISTRICT LINE BETWEEN DISTRICT 1 AND 2 FOLLOWS THE APPROXIMATE LOCATION OF CENTERLINE OF FUTURE PUBLIC STREET CONNECTING EXISTING CLEVELAND AVENUE AND CALDWELL STREET.

## ADJACENT OWNERS

RCEL 1	PROPERY OWNER	TAX PARCELID# 12303702 - 12303794	ZONING	PROPERY OWNER ADDRESS
2	ARLINGRON RESIDENTAIL HOLDINGS LLC	12303801 - 12303887, 12303901 - 12303928	UMUD	315 ARLINGTON AVE. CHARLOTTE, NC 28203
3	CRAM HOLDINGS LLC	12303608 - 12303611	TOD-MO	3409 MEADOWBLUFF DR. CHARLOTTE, NC 282
4	SKYWAY DRIVE PARTNERSHIP	12303603	B2	2325 SUNSET AV. ROCKY MOUNT, NC 27804
	CITY OF CHARLOTTE	12302505	R-22MF	600 E. 4TH ST. CHARLOTTE, NC 28202
6	THE PRITCHARD MEMORIAL BAPTIST CHURCH OF CHARLOTTE	12302502	R-22MF	1117 SOUTH BLVD. CHARLOTTE, NC 28203
7	THE PRITCHARD MEMORIAL BAPTIST CHURCH OF CHARLOTTE	12302201	0-2	1117 SOUTH BLVD. CHARLOTTE, NC 28203
8	CAROLINAS AGCINC	12302203	0-2	1100 EUCLID AVE. CHARLOTTE, NC 28203
	CAROLINAS AGCINC	12302213	0-2	1100 EUCLID AVE. CHARLOTTE, NC 28203
10	THE ASSOCIATED GENERAL CONTR OF AMERICA	12302205	0-2	PO BOX 30277 CHARLOTTE, NC 28230
11	WHITE BAY VENTURES LLC	12302212	0-2	PO BOX 35470 CHARLOTTE, NC 28235
12	CAROLINAS AGCINC	12302211	0-2	PO BOX 30277 CHARLOTTE, NC 28230
14	THE ASSOCIATED GENERAL CONTR OF AMERICA	12302206	0-3	1100 EUCLID AVE. CHARLOTTE, NC 28203
	MARY BYRD DOWD	12305501	R-5	701 TEMPLETON AVE. CHARLOTTE, NC 28203
	KIMBERLY NOFSINGER & DAVID NOFSINGER	12305519	R-5	1113 EUCLID AVE. CHARLOTTE, NC 28203
	SCOTT BROWN	12305519	R-8	1109 EUCLID AVE. CHARLOTTE, NC 28203
		12305517		
	MICHEAL OVERSTREET & JUDY OVERSTREET  CHRISTOPHER BRADLEY HECK & BRENDA VENIS	12305517	R-8	728 LEXINGTON AVE. CHARLOTTE, NC 28203
20	THOMAS JOSEPH BLACKWOOD III		R-5	705 TEMPLETON AVE. CHARLOTTE, NC 28203
	GUS P PSOMADAKIS & TERESA PSOMADAKIS	12305516	R-8	704 LEXINGTON AVE. CHARLOTTE, NC 28203
		12305503	R-5	709 TEMPLETON AVE. CHARLOTTE, NC 28203
	CRYSTAL REECE & JOEL REECE	12305515	R-8	708 LEXINGTON AVE. CHARLOTTE, NC 28203
	KIMBERLY BEAL	12305504	R-5	715 TEMPLETON AVE. CHARLOTTE, NC 28203
	LULA MILLER HOWIE	12305514	R-8	712 LEXINGTON AVE. CHARLOTTE, NC 28203
	MARY LEARY & GEORGE LEARY	12305505	R-5	719 TEMPLETON AVE. CHARLOTTE, NC 28203
	ASTRID GJAIN	12305615	R-5	716 TEMPLETON AVE. CHARLOTTE, NC 28203
	SCOTT SCHMANN & CYNTHIA SCHUMANN	12305616	R-5	712 TEMPLETON AVE. CHARLOTTE, NC 28203
28	THOMAS WHITLOCK & APRIL WHITLOCK	12305617	R-5	708 TEMPLETON AVE. CHARLOTTE, NC 28203
29	JAMES CARLTON HIXON & KATHY MORTEZ	12305618	R-5	704 TEMPLETON AVE. CHARLOTTE, NC 28203
30	JACKSON ORRIN HILTON & SHERI HILTON	12305619	R-5	5447 KERRY GLEN LN. CHARLOTTE, NC 28226
31	EUCLID STREET ASSOCIATES	12305620	R-22MF	605 LEXINGTON AVE. CHARLOTTE, NC 28203
32	BARBARA GAGNON	12305601	R-4	601 MOUNT VERNON AVE. CHARLOTTE, 2820
33	BERNARD GESING & FRANCES GESING	12305602	R-4	607 MT VERNON AVE. CHARLOTTE, NC 28203
34	PATRICIA D JOSLYM	12305603	R-4	611 MT VERNON AVE. CHARLOTTE, NC 28203
35	BENJAMIN BONNER	12305604	R-4	615 MT VERNON AVE. CHARLOTTE, NC 28203
36	KEVIN DUPUIS	12305718	R-4	600 MT VERNON AVE. CHARLOTTE, NC 28203
37	VIRGINIA'S WRIGHT	12305717	R-4	604 MT VERNON AVE. CHARLOTTE, NC 28203
38	WILLIAM BRODERS & JULIE BRODERS	12305716	R-4	610 MT VERNON AVE. CHARLOTTE, NC 28203
39	MILTON BLOCH & MARY KAREN VELLINES	12305715	R-4	46 WILLIAMS ST. CLINTON, NY 13323
40	MARIAN BOETTIGER	12305701	R-4	601 BERKELEY AVE. CHARLOTTE, NC 28203
41	ARTEMIS KLETO	12305702	R-4	605 BERKELEY AVE. CHARLOTTE, NC 28203
42	WILLIAM MCKINNELL IV	12305703	R-4	609 BERKELEY AVE. CHARLOTTE, NC 28203
43	JOAN A HEARN	12305704	R-4	613 BERKELEY AVE. CHARLOTTE, NC 28203
44	MECKLENBURG COUNTY AND REAL ESTATE FINANCE DEPT.	12308101	R-4	600 E. 4TH ST. CHARLOTTE, NC 28202
45	LISBETH MACK & GERARD MACK	12302913	R-5	121 HERMITAGE RD. CHARLOTTE, NC 28207
				2600 ONE FIRST UNION CENTER 3015 COLLEG
46	G ROBERT TURNER III & THOMAS BRIM	12302912	R-5	CHARLOTTE, NC 28202
47	WAYNE H CAMAS	12302911	R-5	1410 EUCLID AVE. CHARLOTTE, NC 28203
48	ROBERT HENDERSON & JUANITA HERDERSON	12302910	R-5	809 BERKELEY AVE. CHARLOTTE, NC 28203
	JANICE VALDER & BERNARD OFFERMAN	12302909	R-5	1418 EUCLID AVE. CHARLOTTE, NC 28203
	GWENDOLYN BRUCE	12302908	R-5	1424 EUCID AVE. CHARLOTTE, NC 28203
	IVAN S KIRSH & CAROLINKIRSH	12302908	R-5	1428 EUCLID AVE. CHARLOTTE, NC 28203
	NANCY WEEKLEY	12302914		
			R-5	425 RENSSELAER AVE. CHARLOTTE, NC 28203
	R&K HOLDINGS LLC	12307133 - 12307134	R-22MF	1500 EUCLID AVE. CHARLOTTE, NC 28203
	R&K HOLDINGS LLC	12307111	R-22MF	734 BERKELEY AVE. CHARLOTTE, NC 28203
	JOHN CATES & EVE CATES	12307112	R-22MF	2031 SHERWOOD AVE. CHARLOTTE, NC 28207
56	A CARREST BASIS & BATTONIA	12307138 - 12307156	R-22MF	
	ROBERT BOYD & PATRICIA BOYD	12302906	R-5	4223 DENBIGH DR. CHARLOTTE, NC 28226
	FRANCES JONES	12302905	R-5	417 RENSSELAER AVE. CHARLOTTE, NC 28203
59	JAMES HARRISON & TRACY HARRISON	12302904	R-5	415 RENSSELAER AVE. CHARLOTTE, NC 28203
60	CYNTHIA SCHWARTZ	12302903	R-5	409 RENSSELAER AVE. CHARLOTTE, NC 28203





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REZONING PLAN

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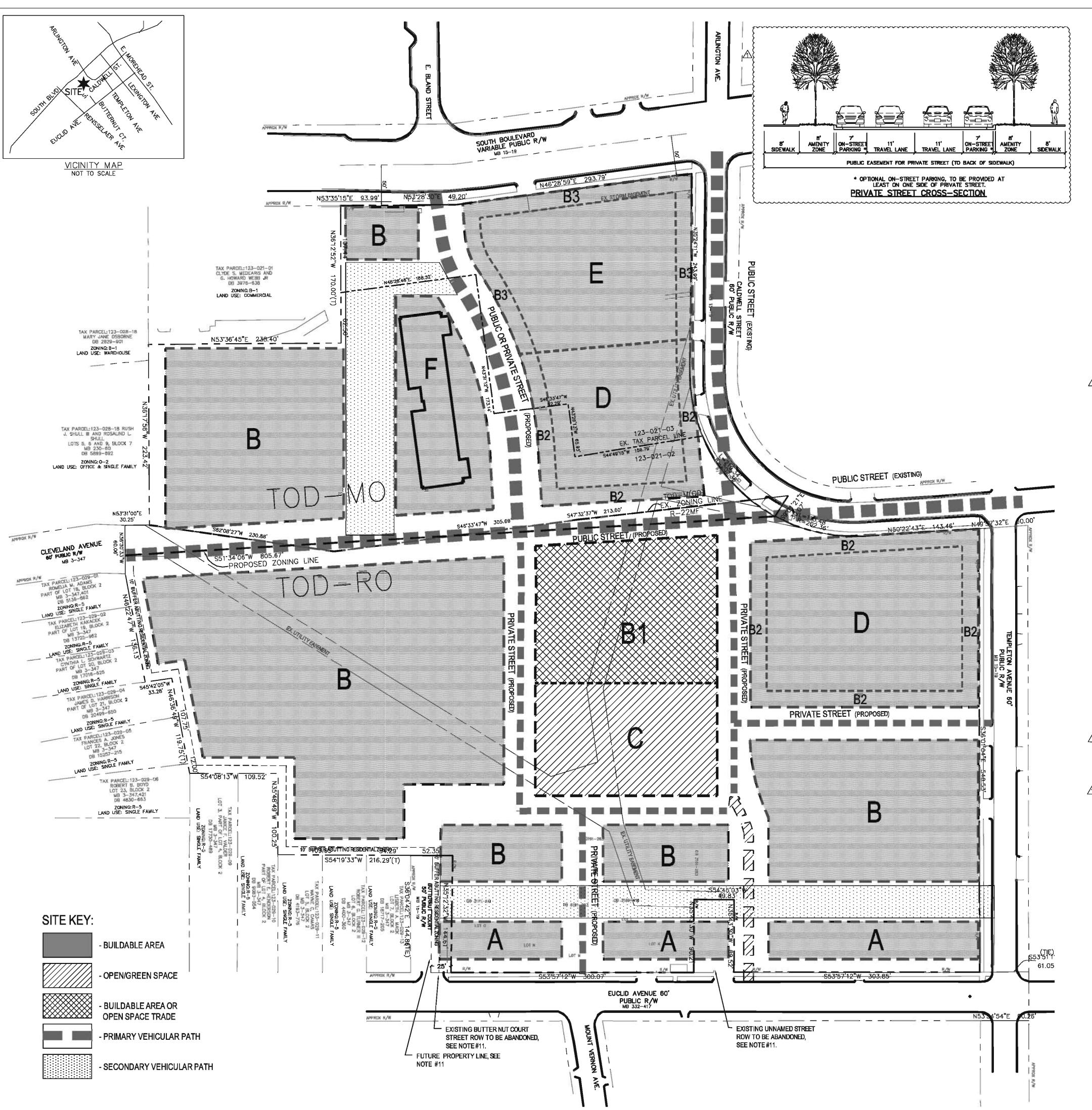
**EXISTING** CONDITIONS

**DECEMBER 28, 2009** 

1. FEB. 15, 2010 PER CITY COMMENTS 2. MAR. 19, 2010 PER CITY COMMENTS

FOR PUBLIC HEARING PETITION #2010-022

RZ-1



## SITE DATA

SITE AREA: 16.6985 ACRES

TAX PARCEL ID: 123-021-02 & 123-021-03

**EXISTING ZONING:** DISTRICT 1- TOD-M(CD) -PETITION # 2009-034 DISTRICT 2- R-22MF

PROPOSED ZONING: DISTRICT 1 - TOD-M0 DISTRICT 2 - TOD-R0

YARD REQUIREMENTS:

MIN. FRONT SETBACK 1\ (FROM BACK OF CURB) (16' @ SOUTH BLVD. W/ ON-STREET PARKING) (30' @ EUCLID AVE.)

MIN. SIDEYARD 0' OR 5' MIN. 0' OR 5' MIN. (5' ABUTS EX. RES. STRUCTURE OR ZONING)d (5' ABUTS EX. RES. STRUCTURE OR ZONING)

MIN. REAR YARD (20' ABUTS EX. RES. STRUCTURE OR ZONING) (20' ABUTS EX. RES. STRUCTURE OR ZONING) MAX. BUILDING HT. AS NOTED AT NOTE #4 AS NOTED AT NOTE #4

0' OR

# THE SITE IS LOCATED WITHIN THE SOUTH END TRANSIT STATION AREA PLAN (2005). **DEVELOPMENT STANDARDS**

- 1. GENERAL PROVISIONS: UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE ORDINANCE) FOR THE TOD-MO AND TOD-RO ZONING CLASSIFICATIONS, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW, SHALL GOVERN.
- THE SITE MAY DEVELOPED TO USES AND ASSOCIATED ACCESSORY USES AS ALLOWED UNDER THE RESPECTIVE TOD-MO AND TOD-RO ZONING DISTRICTS OF THE ORDINANCE.
- 3. UNIFIED DEVELOPMENT PROVISIONS: SETBACKS, YARDS, OPEN SPACE AND PARKING: EXCEPT SET FORTH IN "OPTIONAL DEVELOPMENT PROVISIONS" BELOW, SETBACKS, YARDS, OPEN SPACES AND PARKING SHALL BE PROVIDED IN

THE ATTACHED SITE PLAN OVERVIEW DELINEATES BROADLY THE VARIOUS BUILDABLE SITES THAT WILL EMERGE FROM THE REZONING PLAN:

THE EDGE PARCELS THAT FRONT ON FLICLID AVENUE WILL BE LIMITED TO TOWNHOUSE, OR CONDOS DEVELOPMENTS THAT ARE DESIGNED AS TOWNHOUSES WITH VERTICAL PARTY WALLS. THESE UNITS WILL BE DIRECTLY FRONTING EUCLID AVENUE. ALL VEHICULAR CIRCULATION WILL BE BEHIND THE UNITS, NO DIRECT VEHICULAR ACCESS TO INDIVIDUAL UNITS OFF OF EUCLID AVENUE TO BE PROVIDED. THE HEIGHT OF THESE UNITS WILL BE LIMITED TO 40 FEET TO THE TOP OF ANY FLAT ROOF PORTION OR TO MID-POINT OF A IPITCHED OR SLOPING ROOF.

ALL PARCELS WITH THIS DESIGNATION WILL CONFORM TO SIZE, SCALE, HEIGHT, AND SETBACKS AS PRESCRIBED IN THE TOD ORDINANCE

MINIMUM SETBACKS ALONG THE BLAND AND ARLINGTON STREET EXTENSIONS TO 20' FROM BACK OF CURB (ENABLING WIDER PHYSICAL AND

WILL BE LIMITED TO A MAXIMUM HEIGHT OF 65' (4-5 STORIES DEPENDING ON USE) WITH AN ADDITIONAL CONDITION REQUIRING AT LEAST 10% GROUND LEVEL RETAIL TO BE MIXED WITH THE ADJACENT RESIDENTIAL USES.

WILL BE LIMITED TO A MAXIMUM HEIGHT OF 65' (4-5 STORIES DEPENDING ON USE) WITH AN ADDITIONAL CONDITION REQUIRING AT LEAST 80%

ACCESSIBLE TO GENERAL PUBLIC. THE MINIMUM SIZE OF THIS SPACE WILL BE AS DEFINED IN THE TOD ORDINANCE. THIS OPEN SPACE MAY GROW BEYOND THE PRESCRIBED MINIMUM TO INCLUDE SOME OR ALL OF THE ADJACENT BUILDABLE PARCEL WITHIN THE DESIGNATED

THE BUILDABLE ENVELOPES AND CIRCULATION PATH. GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET MAY BE SUBJECT TO MINOR VARIATIONS THAT DO NOT CHANGE

### . OPTIONAL DEVELOPMENT PROVISIONS:

THE ATTACHED SITE PLAN OVERVIEW DELINEATES BROADLY THE VARIOUS BUILDABLE SITES THAT WILL EMERGE FROM THE REZONING PLAN WITH THE FOLLOWING OPTIONAL DEVELOPMENT PROVISIONS:

THE PETITIONER SEEKS THE OPTIONAL PROVISION OF A MINIMUM 30' SETBACK FROM BACK OF CURB OF EUCLID AVENUE TO ANY PORCH OR MAIN STRUCTURE, EXCEPT THAT STEPS MAY ENCROACH INTO THIS SETBACK. THESE UNITS WILL EACH ADDRESS EUCLID AVENUE WITH A FRONT PORCH OF AT LEAST 6 FEET DEEP, AND BE DESIGNED IN A STYLE COMPATIBLE TO THE ARCHITECTURE DESIGN OF DILWORTH COMMUNITY. THERE WILL BE NO VINYL SIDING, AND THE ROOFS SHALL BE PREDOMINATELY PITCHED WITH ROOF SHINGLE DESIGN

THE MAXIMUM HEIGHT WILL BE 120 FEET WITHIN THE 20' B2 PERIMETER WITHOUT PROVIDING ADDITIONAL SETBACK.

A MIXTURE OF USES SHALL BE PROVIDED ALONG ALL PUBLIC ROADWAY. THE MAXIMUM HEIGHT WILL BE 200 FEET WITHOUT PROVIDING ADDITIONAL SETBACK.

THE EXISTING STRAWN RESIDENTIAL TOWER IS APPROXIMATELY 120' IN HEIGHT, WHICH DOES NOT MEET THE CURRENT ZONING ORDINANCE WITH RESPECT TO SINGLE FAMILY ADJACENCY. THE CURRENT HEIGHT OF THE TOWER IS THE MAXIMUM LIMIT AND ALL FUTURE DEVELOPMENTS WILL NOT EXCEED THIS HEIGHT.

OUTDOOR LIGHTING PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE ZONING ORDINANCE, SECTION 9.1208. (10). ALL LIGHTING TO BE SHIELDED WITH FULL

6. SOUTH END TRANSIT AREA PLAN:

THE DEVELOPMENT TO WILL MEET THE ADOPTED STREET SCAPE STANDARDS OF THE SOUTH END TRANSIT AREA PLAN.

PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE ZONING ORDINANCE, OFF-STREET PARKING REQUIREMENTS.

PETITIONER SHALL PROVIDE ON STREET PARKING ON ALL. NEW PUBLIC AND PRIVATE STREETS, WHERE FEASIBLE. ON STREET PARKING SHALL

8. PRIVATE STREET THE CITY OF CHARLOTTE "URBAN STREET DESIGN GUIDELINES.

9. SCREENING. BUFFER, LANDSCAPING, AND OPEN SPACE AREAS PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE ZONING ORDINANCE, SECTION 9.1208. A 10' BUFFER TO BE PROVIDED AT AREAS ADJOINING RESIDENTIAL ZONING.

10. ABANDONMENT OF EXISTING UTILITY EASEMENT SOME EXISTING UTILITY EASEMENT TO BE ABANDONED, AN ALTERNATIVE ROUTE TO BE PROVIDED UPON ESTABLISHMENT OF SITE DEVELOPMENT LAYOUT PLAN.

11. ABANDONMENT OF EXISTING PUBLIC STREETS OFF OF EUCLID AVENUE

EXISTING BUTTER NUT COURT AND A UNNAMED STREET ROW TO BE ABANDONED. THE OWNER TO APPLY FOR THE STREET ABANDONMENT UPON APPROVAL OF THIS REZONING PETITION.

PEDESTRIAN SCALE INTEREST AND ACTIVITY THROUGH ARCHITECTURAL DETAIL, A VARIATION OF MATERIALS, AND ACTIVE USES CONSISTENT WITH SECTION 9.1209 - URBAN DESIGN STANDARDS AS OUTLINED IN THE TOD ORDINANCE.

THE STREET LEVEL OF ALL BUILDINGS, ALONG PUBLIC AND PRIVATE ROADWAYS, WILL BE DESIGNED TO ENCOURAGE AND COMPLIMENT

BUILDING ELEVATIONS ABOVE THE STREET LEVEL SHALL BE DESIGNED TO PROMOTE VISUAL INTEREST ALONG PUBLIC STREET RIGHT OF WAYS THROUGH THE USE OF ARCHITECTURAL ELEMENTS, DETAIL, MATERIALS, ARTICULATION AND VARIATION CONSISTENT WITH SECTION 9.1209 - URBAN DESIGN STANDARDS AS OUTLINED IN THE TOD ORDINANCE.

12 ARCHITECTURAL STANDARDS

IF THE REZONING PETITION IS APPROVED. ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, E BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



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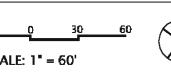


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**REZONING PLAN** 



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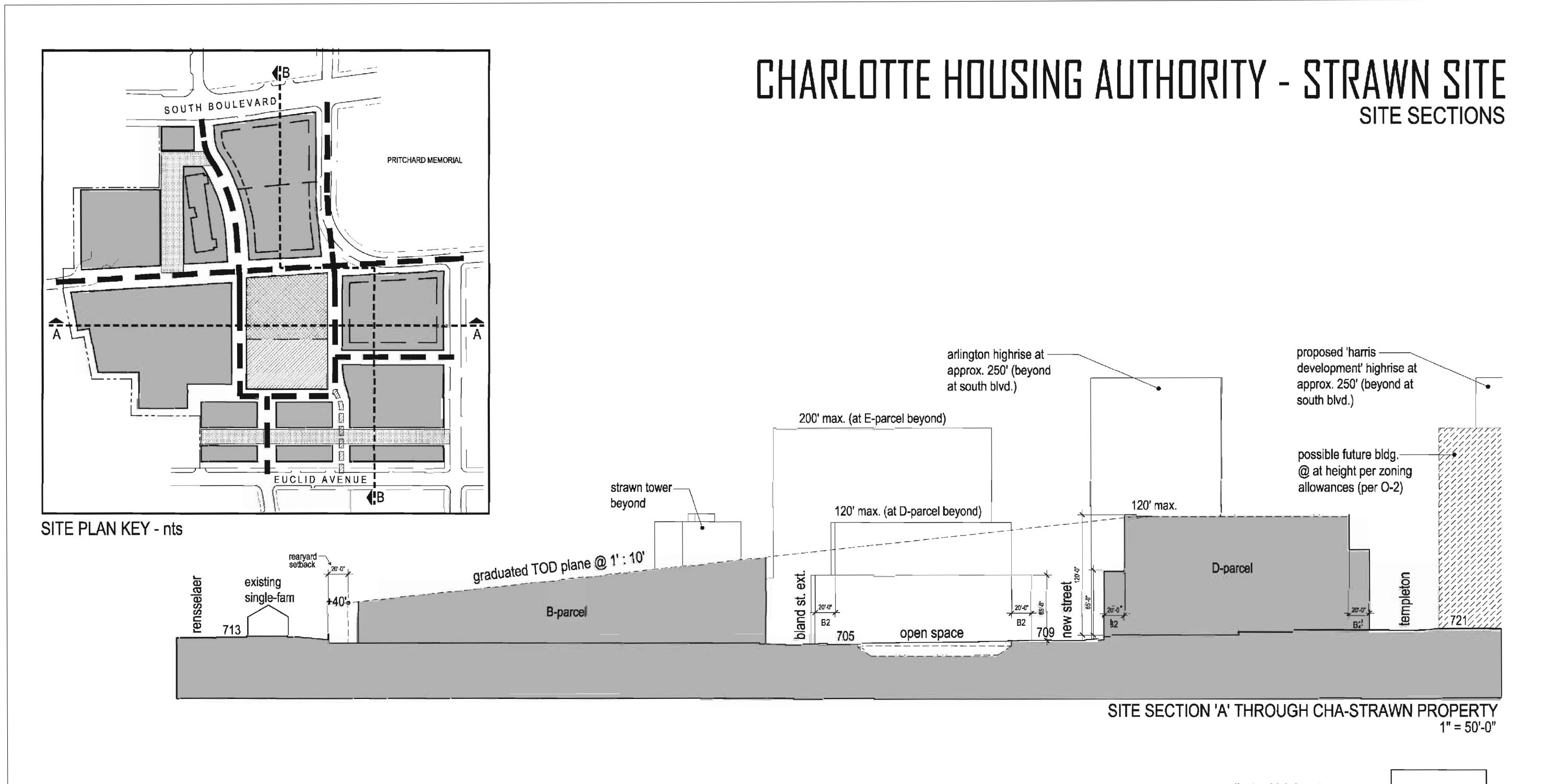
**TECHNICAL DATA SHEET** 

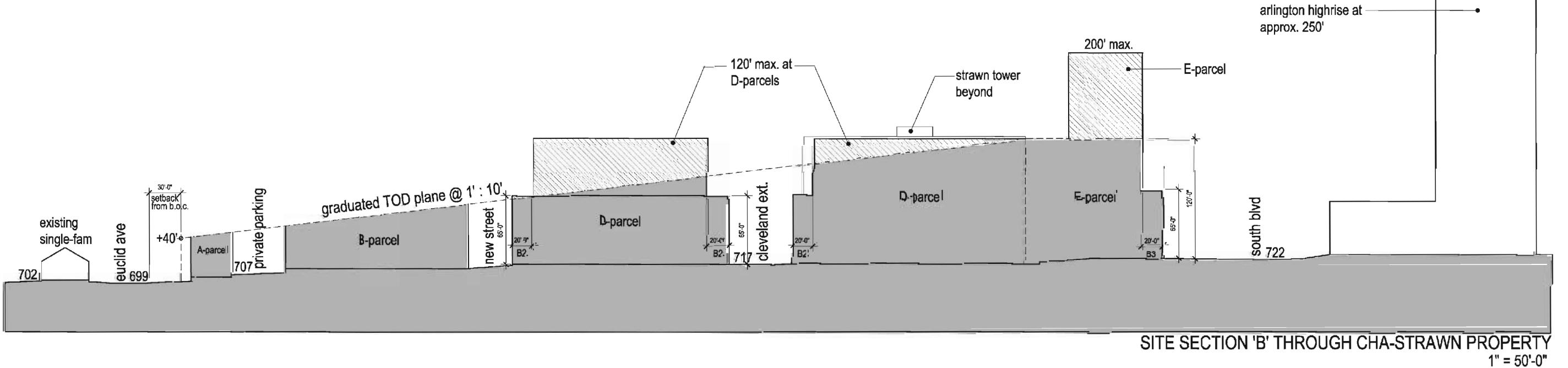
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REVISIONS:

1. FEB. 15, 2010 PER CITY COMMENTS 2. MAR. 19, 2010 PER CITY COMMENTS

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STRAWI

REZONING PLAN

PROJECT #: DRAWN BY:

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SITE **SECTIONS** 

**DECEMBER 28, 2009** 

2. MAR. 19, 2010 PER CITY COMMENTS

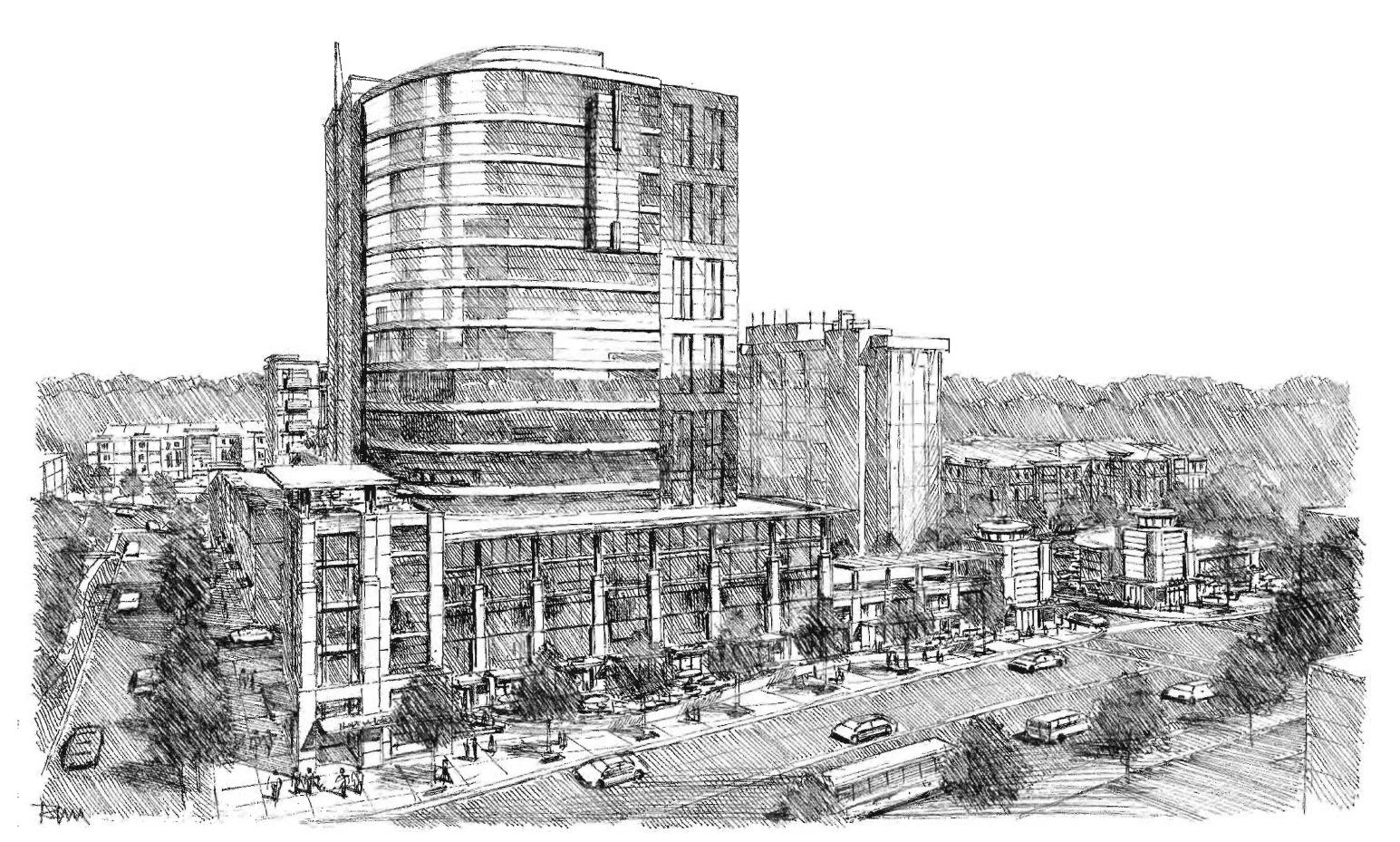
1. FEB. 15, 2010 NEW SHEET

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FOR PUBLIC HEARING PETITION #2010-022



STREETSCAPE VIEW ALONG CLEVELAND EXTENSION (PARCEL 'D' VIEW)



STREETSCAPE VIEW ALONG SOUTH BOULEVARD (PARCEL 'E' VIEW)



AERIAL VIEW FROM EUCLID AND TEMPLETON



AERIAL VIEW FROM EUCLID AVENUE



AERIAL VIEW FROM SOUTH BOULEVARD



AERIAL VIEW FROM SOUTH AND LEXINGTON

The renderings and perspectives are schematic in nature and are intended for illustrative and massing study only. Actual buildings, when designed for specific programming requirements, will conform to the notes included with this petition



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**REZONING PLAN** 

PERSPECTIVE RENDERING

1. MAR. 19, 2010 NEW SHEET

FOR PUBLIC HEARING PETITION #2010-022

RZ-4



The renderings and perspectives are schematic in nature and are intended for illustrative and massing study only. Actual buildings, when designed for specific programming requirements, will conform to the notes included with this petition

AERIAL VIEW WITH NEIGHBORHOOD CONTEXT



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**REZONING PLAN** 

PERSPECTIVE RENDERING

DECEMBER 28, 2009

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1. MAR. 19, 2010 NEW SHEET

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