DEVELOPMENT DATA

DEVELOPMENT OF THE REAL ESTATE IDENTIFIED ON THIS TECHNICAL DATA SHEET, CONSISTING OF 42.1877 ACRES, MORE OR LESS (THE "SITE"), WILL BE GOVERNED BY THE STANDARDS ESTABLISHED UNDER THE ZONING ORDINANCE OF THE CITY OF CHARLOTTE (THE "ORDINANCE") FOR THE CC CONDITIONAL DISTRICT UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THESE DEVELOPMENT STANDARDS OR TECHNICAL DATA SHEET.

PERMITTED DEVELOPMENT WITHIN THE SITE:

UP TO 340,000 SQUARE FEET OF BUILDING AREA MAY BE DEVELOPED ON THE SITE, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED UNDER THE ORDINANCE BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN A CC ZONING DISTRICT. ALL MERCHANDISE SALES SHALL BE IN ACCORDANCE WITH THE ORDINANCE.

THE FOLLOWING USES SHALL NOT BE PERMITTED:

SUBJECT TO APPROVAL BY NCDOT AND CDOT.

FUNERAL HOMES, EMBALMING AND CREMATORIES HOTELS AND MOTELS INDOOR RECREATION

THEATRES, MOTION PICTURE

VOCATIONAL SCHOOLS ADULT CARE CENTERS BARS AND LOUNGES (EXCEPT AS AN ANCILLARY USE IN CONNECTION WITH A SIT DOWN RESTAURANT) NIGHTCLUBS

VEHICULAR ACCESS POINTS:

THE NUMBER OF PERMANENT ACCESS POINTS TO/FROM ALBEMARLE ROAD, AND THE EAST WEST CIRCUMFERENTIAL ROAD SHALL BE LIMITED TO THOSE SHOWN ON THE TECHNICAL DATA SHEET. THESE ACCESS POINTS SHALL BE LOCATED IN THE GENERAL AREAS DEPICTED ON THE TECHNICAL DATA SHEET. FINAL LOCATION OF EACH ACCESS POINT IS SUBJECT TO ANY MODIFICATION REQUIRED TO ACCOMMODATE FINAL SITE CONSTRUCTIONS PLANS AND DESIGN; AND ARE FURTHER

A 25 FOOT WIDE DRIVEWAY SHALL BE INSTALLED IN THE REAR OF PARCEL 6 RUNNING BETWEEN (1) THE PARKING LOT OF THE SITE AND (2) THE COMMON BOUNDARY LINE OF THE SITE AND THE ADACENT PROPERTY TO THE SOUTH AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET

DESIGN GUIDELINES:

SECTION 1. YARD RESTRICTIONS

IN EVERY INSTANCE THE SIDE YARD, SETBACK, AND REAR YARD REQUIREMENTS IMPOSED UNDER THE ORDINANCE WILL BE SATISFIED WITH RESPECT TO DEVELOPMENT TAKING PLACE WITHIN THE SITE, UNLESS MORE STRINGENT REQUIREMENTS ARE ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS. SECTION 2. OFF STREET PARKING

(A) OFF STREET PARKING SHALL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE (B) NO OFF STREET PARKING MAY BE PROVIDED BETWEEN THE ELEVATION OF ANY BUILDING CONSTRUCTED WITHIN ANY OF THE OUTPARCELS WHICH FACES ALBEMARLE ROAD AND ALBEMARLE ROAD. HOWEVER, SO AS TO ENSURE THE PRACTICAL DEVELOPMENT OF EACH OUTPARCEL AND EFFICIENT USE, TRAFFIC CIRCULATION WILL BE PERMITTED ON ALL SIDES OF ANY SUCH BUILDING AND OFF STREET PARKING MAY BE PROVIDED ON EITHER SIDE OF THE ELEVATION WHICH FACES ALBEMARLE ROAD.

SECTION 3. STORM WATER MANAGEMENT

(A) STORM WATER SHALL BE MANAGED STRICTLY IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE.

(B) THE PETITIONER AGREES TO PROVIDE STORM WATER DETENTION FOR THE 25, 50, AND 100 YEAR STORM EVENTS SUCH THAT POST DEVELOPMENT RUNOFF RATES DO NOT EXCEED THOSE PRODUCED BY THE EXISTING ZONING'S (R-3) LAND COVER. HOWEVER, IN LIEU OF INCREASED DETENTION, THE PETITIONER RESERVES THE RIGHT TO PROVIDE A DETAILED ENGINEERING STUDY, COMPLETED BY A PROFESSIONAL ENGINEER LICENSED IN NORTH CAROLINA, WHICH SHOWS THAT THE DOWNSTREAM DRAINAGE SYSTEM IS SUFFICIENT TO CONVEY THE INCREASE IN FLOW DUE TO THE CHANGE IN ZONING CLASSIFICATION AND WILL REMAIN IN COMPLIANCE WITH CURRENT STANDARDS.

(C) THE FOLLOWING AGENCIES MUST BE CONTACTED PRIOR TO CONSTRUCTION REGARDING WETLAND AND WATER QUALITY PERMITS:

401/404 PERMIT NCDEHNR - RALEIGH OFFICE 401/404 PERMIT US ARMY CORPS OF ENGINEERS

919-733-1786 704-271-4854

(D) NO STORM WATER DETENTION SHALL BE PERMITTED WITHIN THE SETBACK(S) OR BUFFERS. THIS PROVISION SHALL APPLY TO THE PERMANENT POOL AND/OR TEMPORARY STORAGE OF RUNOFF, AND SHALL NOT BE CONSTRUED TO LIMIT GRADING WITHIN THE SETBACK OR BUFFERS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE.

SECTION 4. OUTDOOR AMENITIES OUTDOOR DINING AND/OR SEATING AREAS ARE PERMITTED THROUGHOUT THE SITE AS LONG AS THEY ARE NOT LOCATED WITHIN REQUIRED BUILDING SETBACKS. OUTDOOR DINING AND SEATING SUCH AS BUT NOT LIMITED TO ONE OR MORE PICNIC TABLE(S), SHALL BE LOCATED GENERALLY IN THE SOUTHWESTERLY PORTION OF THE SITE ON PARCEL 6. THE OUTDOOR DINING AREA MAY BE LOCATED WITHIN THE 100 FOOT BUFFER LOCATED ALONG THE WESTERLY PROJECT EDGE.

SECTION 4. BUFFER AREAS

SECTION 5. SIDEWALKS

ORDINANCE'S APPROVED PLANT LIST.

(A) THE BUFFER AREA ESTABLISHED ON THIS TECHNICAL DATA SHEET SHALL CONFORM TO THE PROVISIONS OF SECTION 12.302 OF THE ORDINANCE; SUBJECT, HOWEVER, TO THE

(B) THE PETITIONER RESERVES THE RIGHT WITHIN THE BUFFER AREA TO INSTALL PEDESTRIAN SIDEWALKS OR PATHWAYS, WALLS, BERMS, FENCES, UTILITY LINES AND FACILITIES AND DRIVEWAYS THAT ARE INDICATED ON THE TECHNICAL DATA SHEET.

(C) THE BUFFER AREA IS TO REMAIN AS OPEN SPACE, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE SIDEWALKS OR PATHWAYS, DRAINAGE PIPES OR CHANNELS, AND UTILITY LINES!

(D) IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN PATHS OR THE INSTALLATION OF UTILITY LINES, THE CLEARED UNIMPROVED AREAS WILL BE LANDSCAPED AS REQUIRED BY SECTION 12.302

(E) UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT INTERIOR ANGLES MEASURED AT PROPERTY LINES WHICH ARE NOT LESS THAN 75 DEGREES AND, TO THE EXTENT POSSIBLE, PATHS CLEARED FOR SUCH UTILITY LINES SHALL BE REPLANTED WITH PLANT MATERIALS FROM THE

(F) NO BUILDINGS, PARKING SPACES, MANEUVERING AREAS OR STORM WATER DETENTION FACILITIES MAY BE LOCATED WITHIN BUFFER AREAS.

(G) THE DEVELOPER SHALL MAKE A DILIGENT EFFORT TO PRESERVE AREAS OF REQUIRED BUFFERS WHERE SIGNIFICANT VEGETATION EXISTS. THESE AREAS SHALL REMAIN UNDISTURBED EXCEPT TO

THE EXTENT NECESSARY TO ACCOMMODATE THE ABOVE ITEMS OF THIS SECTION. (H) IN THE EVENT ABUTTING USES IN THE CC ZONING DISTRICT TO THE EAST OF THE SITE ARE MODIFIED SUCH THAT THE 50 FOOT CLASS C BUFFER IS NO LONGER WARRANTED, THEN THE 50 FOOT CLASS C BUFFER SHALL NOT BE REQUIRED.

(A) SIDEWALKS ALONG PUBLIC STREETS WITHIN THE SITE WILL BE INSTALLED ACCORDING TO THE

ORDINANCE AS NEW DEVELOPMENT OCCURS ADAJCENT TO THE STREETS. (B) FURTHER, THE PETITIONER AGREES TO INSTALL 5 FOOT WALKS WITH 4 FOOT PLANTING STRIPS ALONG THE SITE'S FRONTAGE ON ALBEMARLE ROAD AND THE EAST WEST CIRCUMFERENTIAL ROAD AS NEW DEVELOPMENT OCCURS ADAJENT TO THE STREETS. HOWEVER, THE PETITIONER RESERVES

THE RIGHT TO DEVIATE FROM THIS STANDARD IN ORDER TO MINIMIZE POTENTIAL IMPACTS TO LARGE MATURING TREES SHALL BE INSTALLED WITHIN THE 4 FOOT PLANTING STRIP ALONG ALBEMARLE ROAD IF NOT HINDERED BY OVERHEAD POWER LINES OR WETLANDS.

THE PETITIONER AGREES TO INSTALL AN INTERNAL PEDESTRIAN SIDEWALK SYSTEM AS GENERALLY DEPICTED ON RZ2 - SCHEMATIC SITE PLAN WHICH ACCOMPANIES THIS TECHNICAL DATA SHEET, AS NEW DEVELOPMENT OCCURS ON THE ADJACENT TRACTS.

(D) THE DEVELOPER OF PARCEL 6 SHALL INSTALL A SIDEWALK LEADING FROM THE REAR OF PARCEL 6 GENERALLY TO THE FRONT OF THE BUILDING TO BE LOCATED ON PARCEL 6 IN A LOCATION TO BE DETERMINED BY THE DEVELOPER OF PARCEL 6. SUCH SIDEWALK MAY BE, BUT IS NOT REQUIRED TO BE, LOCATED WITHIN THE 100 FOOT BUFFER LOACTED ALONG THE WESTERLY EDGE OF THE SITE. SECTION 6. LANDSCAPING AND SCREENING

(A) LANDSCAPING AND SCREENING SHALL, AT A MINIMUM, SATISFY THE REQUIREMENTS OF SECTION 12.303 OF THE ORDINANCE.

(B) LANDSCAPING WILL BE INSTALLED IN PHASES IN ACCORDANCE WITH THE ORDINANCE AS EACH PHASE OF THE SITE IS DEVELOPED.

(C) ALL PARKING LOTS WITHIN THE SITE WILL BE LANDSCAPED IN ACCORDANCE WITH THE

(D) ALL DUMPSTERS SHALL BE SCREENED WITH SOLID ENCLOSURES AND GATES.

SECTION 7. SIGNS

(A) ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

(B) DETACHED SIGNAGE FOR THE OUTPARCELS SHALL BE LIMITED TO GROUND MOUNTED SIGNS 7 FEET IN HEIGHT WITH 50 SQUARE FEET SIGN AREA FOR EACH OUTPARCEL.

SECTION 8. LIGHTING

(A) ALL FREESTANDING LIGHTING FIXTURES INSTALLED WILL BE UNIFORM IN DESIGN AND THE MAXIMUM HEIGHT OF ANY SUCH LIGHTING FIXTURE, INCLUDING ITS BASE, MAY NOT EXCEED

(B) ALL DIRECT LIGHTING WITHIN THE SITE (EXCEPT STREETLIGHTS, WHICH MAY BE ERECTED ALONG ALBEMARLE ROAD AND THE EAST WEST CIRCUMFERENTIAL ROAD) WILL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE. CÓNSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND WITHOUT THE PERIMETER OF THE SITE. ITEMS FOR COSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY, AND SHIELDING SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS PUBLIC STREETS AND ADJACENT RESIDENTIAL PROPERTIES.

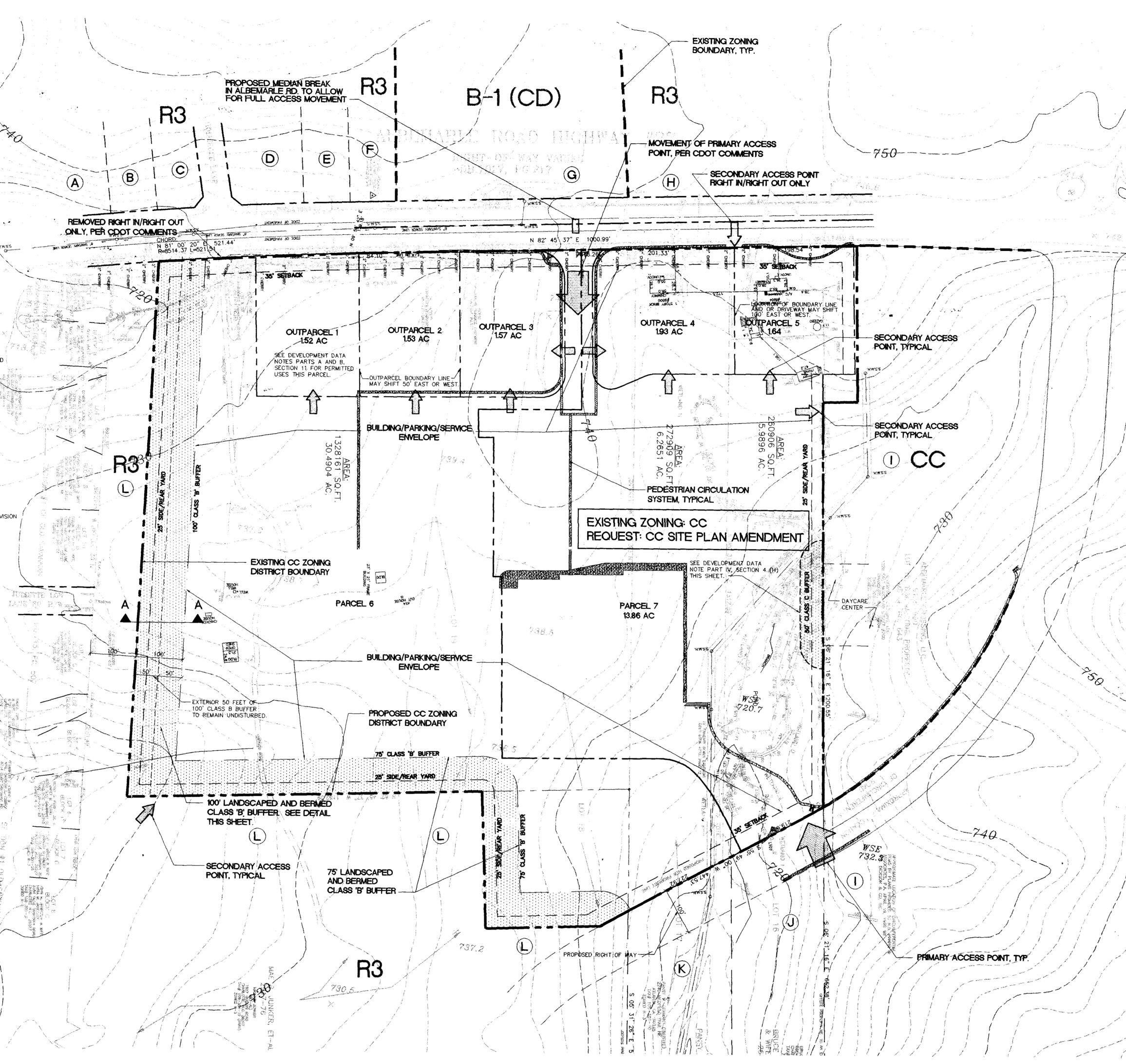
SECTION 9. FIRE HYDRANTS

FIRE HYDRANTS SHALL BE LOCATED WITHIN 750 FEET OF THE MOST REMOTE POINT OF BUILDINGS AS THE TRUCK TRAVELS.

SECTION 10. ARCHITECTURAL DESIGN GUIDELINES

(A) A MINIMUM OF 80 PERCENT OF ALL OPAQUE VERTICAL SURFACES OF THE FRONT AND SIDE ELEVATIONS (EXCLUDING THE REAR/SOUTH ELEVATION) OF THE SHOPPING CENTER WILL BE BRICK WHICH REASONABLY MATCHES THE BRICK THAT HAS BEEN USED IN CONNECTION WITH CONSTRUCTION OF THE ADJOINING ALBEMARLE CROSSING SHOPPING CENTER. THIS PROVISION SHALL NOT APPLY HOWEVER TO THE BUILDING WALL(S) THAT ARE INTERIOR TO OR FACE THE LOWE'S GARDEN CENTER.

(B) A MINIMUM OF 80 PERCENT OF ALL OPAQUE VERTICAL SURFACES OF THE FRONT, SIDES, AND REAR ELEVATIONS OF EACH BUILDING CONSTRUCTED ON ANY OUTPARCEL WILL BE BRICK WHICH REASONABLY MATCHES THE BRICK THAT HAS BEEN USED IN CONNECTION WITH CONSTRUCTION OF THE ADJOINING ALBEMARLE CROSSING SHOPPING CENTER.



SECTION 11. OUTPARCEL DEVELOPMENT GUIDELINES

(A) THE FOLLOWING RESTRICTIONS AGAINST USAGES SHALL APPLY WITH RESPECT TO THE OUTPARCELS: ONLY ONE GAS STATION MAY BE DEVELOPED ON THE SITE

ONLY ONE CONVENIENCE STORE MAY BE DEVELOPED ON THE SITE, AND ONLY TWO FAST FOOD RESTAURANTS (WITH DRIVE THROUGH WINDOWS) MAY BE DEVELOPED ON THE SITE

(B) NONE OF THE FOLLOWING USES WILL BE ALLOWED ON OUTPARCEL 1

GAS STATION CONVENIENCE STORES, OR FAST FOOD RESTAURANTS (WITH DRIVE THROUGH WINDOWS)

SECTION 12. DELIVERIES AND MAINTENANCE

(A) SWEEPING OF THE PARKING LOT SERVING THE ENTIRE RETAIL DEVELOPMENT SHALL ONLY OCCUR BETWEEN THE HOURS OF 6:30 AM AND 11:00 PM DAILY.

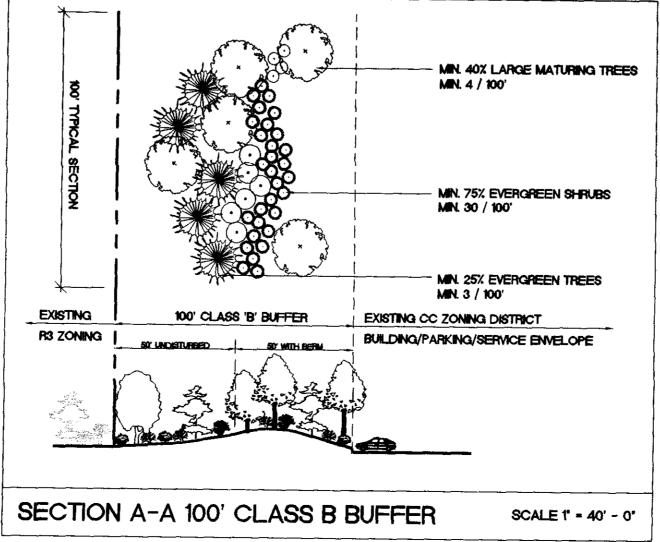
(B) OPERATIONS AT THE LOADING DOCKS, INCLUDING GARBAGE PICK UP, FOR THE RETAIL ESTABLISHMENT SHALL ONLY OCCUR BETWEEN THE HOURS OF 7:00 AM AND 11:00 PM DAILY.

AMENDMENTS TO REZONING PLAN:

THE OWNER OR OWNERS OF THE SITE, IN ACCORDANCE WITH THE ORDINANCE, MAY APPLY FOR FUTURE AMENDMENTS TO THIS TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS.

BINDING EFFECT OF THE REZONING PETITION:

IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE OWNERS (FROM TIME TO TIME) AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.



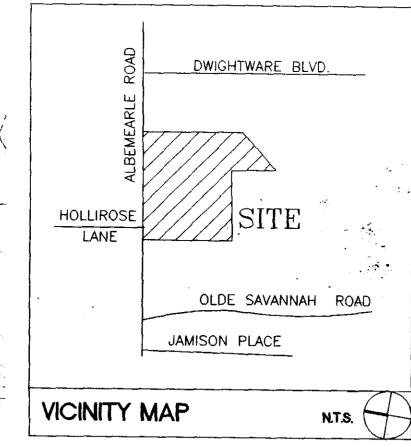
100' CLASS B BUFFER NOTES:

1. ALL BUFFER PLANTING TO BE FROM THE APPROVED PLANT LIST OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

. MINIMUM OF 12 TREES AND 40 SHRUBS PER 100 FEET

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3. ALL TREES TO BE 2" CALIPER MINIMUM AND 8' HEIGHT. ALL SHRUBS TO BE 30" HEIGHT MINIMUM.



NOTES

OVERVIEW/PURPOSE OF SITE PLAN AMENDMENT

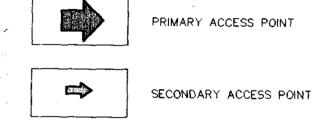
This Site Plan Amendment (and the accompanying Technical Data Sheet and Schematic Site Plan) seeks to clarify the number and location of buildings and outparcels that may be developed on the Site and to provide for certain improvements to the pedestrian circulation on portions of the Site. This Site Plan Amendment is in follow up to that certain Administrative Site Plan Amendment to Rezoning Petition No. 99-114 approved as of February, 2004 (the "2004 Administrative SPA"). The 2004 Administrative SPA confirmed certain minor modifications to site elements such as access locations (many of which were requested by Charlotte Department of Transportation), together with a separation in the principal Shopping Center building located to the rear of the Site and the combination of OutParcel 1 and Outparcel 2, as shown on the original approved rezoning plan. The combination of these outparcels was required by the Charlotte Mecklenburg Planning Director in connection with certain minor changes to the development plan requested by the Petitioner, including a separation in the principal Shopping Center building located to the rear of the Site, to ensure compliance with certain technical provisions of the Zoning Ordinance relating to the number of buildings shown on the rezoning plan. The Petitioner seeks approval of this Site Plan Amendment to confirm the changes set forth in the 2004 Administrative SPA, to reinstate OutParcel 1 and Outparcel 2, and to make certain improvements to the pedestrian circulation on portions of the Site as shown on the Schematic Site Plan

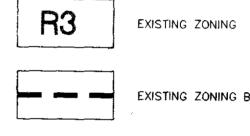
1. REFERENCE BOUNDARY SURVEY PREPARED BY R. B. PHARR & ASSOCIATES PA, 420 HAWTHORN LANE, CHARLOTTE, NC, 28204; (704) 376-2186; DATED

APRIL 7, 1999, LAST REVISED SEPTEMBER 20, 1999. 2. TOPOGRAPHY OBTAINED FROM MECKLENBURG COUNTY MAPPING/GIS SERVICES. CDROM 2: 1993 - 1996.

LOT LINES FOR OUTPARCELS ARE ILLUSTRATIVE AND SUBJECT TO REVISION 3. IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE.

LEGEND

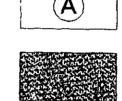




EXISTING ZONING BOUNDARY

ADJACENT PROPERTY OWNER

PEDESTRIAN CIRCULATION SYSTEM



SITE SUMMARY

SITE AREA: 42.1887 ACRES 109-301-60 109-301-73 109-301-76 109-301-79 TAX PARCEL #'S: 109-301-71 109-301-74 109-301-77 109-301-72 109-301-75 109-301-78

EXISTING ZONING: CC PROPOSED ZONING: CC SITE PLAN AMENDMENT

PROPOSED BUILDING AREA: 340,000 SF MAXIMUM BUILDING HEIGHT: 40' MAXIMUM

ADJACENT PROPERTY OWNERS

A. 109-072-06 SANDERS, PAUL D. SR. 8711 ALBEMARLE RD. CHARLOTTE, NORTH CAROLINA 28227 B. 109-072-07 DENNIS, DAVID F. 8719 ALBEMARLE RD. CHARLOTTE, NORTH CAROLINA 28212 C. 109-082-06 McCABE, STEPHEN L. AND WE MARTHA O.

8801 ALBEMARLE RD. CHARLOTTE, NORTH CAROLINA 28227 109-102-01A KOREAN CENTRAL BAPTIST CHURCH OF CHARLOTTE 8823 ALBEMARLE RD.

CHARLOTTE, NORTH CAROLINA 28227 109-102-03 NORWOOD, BENNY R. AND WE CAROL S. 8837 ALBEMARLE RD. 109-102-04 CHARLOTTE, NORTH CAROLINA 28227 F. 109-102-05 HUNTLEY, MARION BUFORD JR. AND WE KATHLEEN PORTER

8901 ALBEMARLE RD. CHARLOTTE, NORTH CAROLINA 28227 CORNERSTONE BAPTIST CHURCH G. 109-102-06 8947 ALBEMARLE RD CHARLOTTE, NORTH CAROLINA 28212

1. 109-301-16 MCLAUGHLIN, CURTIS J. AND WF KIMBERLY R

H. 109-301-12 ALBEMARLE ROAD DEVELOPERS LLC 109-301-80 6857 FAIRVIEW RD #100 CHARLOTTE, NORTH CAROLINA 28210

6900 OLDE SAVANNAH RD CHARLOTTE, NORTH CAROLINA 28227-0601 J. 109-301-17 LACKIE, OLIVER H. AND WF PHYLLIS L 8716 ELI WHITNEY CT CHARLOTTE, NORTH CAROLINA 28227

K. 109-301-18 GILBERT, RICHARD O. AND WE PATRICIA C CHARLOTTE, NORTH CAROLINA 28227 L. 109-301-22 SAUNDERS, DINA E.

8701 JULIETTE LOW LN CHARLOTTE, NORTH CAROLINA 28227 M. 109-301-23 MASSEY, GALEN E. AND WF BETHANIE C. 8704 JULIETTE LOW LN CHARLOTTE, NORTH CAROLINA 28227

N. 109-301-26 HOWARD, WILLIAM AND ELSIE PRATT 6720 OLDE SAVANNAH RD CHARLOTTE, NORTH CAROLINA 28227 0. 109-301-27 CAMACHO, RITA 6714 OLDE SAVANNAH RD

CHARLOTTE, NORTH CAROLINA 28227 P. 109-301-28 PERRY, BENNY G. JR. AND WF JANET M. 6708 OLDE SAVANNAH RD CHARLOTTE, NORTH CAROLINA 28227

Q. 109-301-52 SINE, AMY L. 1216 MARLWOOD CR CHARLOTTE, NORTH CAROLINA 28227-4063 R. 109-301-54 JENKINS, DEREK

6914 OLDE SAVANNAH RD

CHARLOTTE, NORTH CAROLINA 28277 S. 109-301-65 ALBFMARLE CROSSING LLC 109-301-67 1228 E MOREHEAD ST STE 200 109-301-68 CHARLOTTE, NORTH CAROLINA 28204-2889



Land Planning Landscape Architecture Civil Engineering Urban Design

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SUISSE

(704) 376-6523

INVESTORS, LLC 1228 E. MOREHEAD ST. SUITE 200 CHARLOTTE, NORTH CAROLINA

ALBEMARLE RD. **PROPERTY REZONING PLAN**

CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL

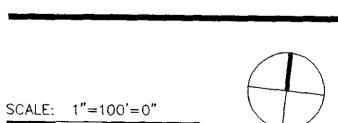
TECHNICAL

05/24/04 - FOR CMPC REVIEW

Revised

10/06/04 - REVISED PER CMPC COMMENTS

08/20/04 - REVISED PER CMPC COMMENTS



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