Item C-23 1 of 20

MEMORANDUM

TO: Andrew Rivera, Land Use Commissions Liaison

Planning and Zoning Department

FROM: Andy Halm, Senior Property Agent

Land Management Section
Office of Real Estate Services

DATE: May 9, 2017

SUBJECT: F# 9783-1612 Aerial Encroachment of a portion of

Guadalupe Street and West 22nd Street by a 2nd Floor and roof structure. Surface Encroachment of a portion of West 22nd Street by an existing fire escape stairs near the

intersection of Guadalupe Street and West 22nd Street.

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. The area being requested for encroachment will be used for a new floor and roof structure and existing fire escape stairs. All affected departments and private utility franchise holders have reviewed this request and recommend approval.

The applicant has requested that this item be submitted for placement on the May 23, 2017, Planning Commission Agenda for their consideration.

Staff contact: Andy Halm at 974-7185 or landmanagement@austintexas.gov

Applicant: Mike McHone

Property Owner: Church of Scientology of Texas

Mr. Mike McHone will be present at the meeting to answer any questions regarding the project, if needed.

Andy Halm, Senior Property Agent Land Management Division

OFFICE OF REAL ESTATE SERVICES

Item C-23 2 of 20

DEPARTMENT COMMENTS FOR THE

AERIAL ENCROACHMENT OF GUADALUPE STREET & WEST 22^{ND} STREET BY A NEW FLOOR & ROOF STRUCTURE. SURFACE ENCROACHMENT OF A PORTION OF WEST 22^{ND} STREET BY AN EXISTING FIRE ESCAPE STAIRS NEAR THE INTERSECTION OF GUADALUPE STREET & WEST 22^{ND} STREET

APPROVE
APPROVE
APPROVE – Subject to: Use caution around existing underground facilities.
APPROVE

Item C-23 3 of 20



Proposed Right-of-Way encroachment at Guadalupe St at W 22nd St



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by CBoas, 5/9/2017

Item C-23 4 of 20

MEMORANDUM

Case No.: 9783-1612

Date: 12/6/16

SUBJECT: ENCROACHMENT OF STREET RIGHT OF WAY						
() Lucy Cabading () Melody Giambruno () Katrina Fenrick () Rob Spillar () Angela Baez () Roberto Gonzalez () Bruna Quinonez () Carlo DeMatos () Milissa Warren () Frank Alvarez () Scott Cunningham () Luis Mata	AT&T Austin Energy Austin Resource Recovery Austin Transportation Director Austin Water Capital Metro Code Compliance CTM – GAATN EMS Fire Google Grande Communication	() Jackie Chuter () David Marquez () Sangeeta Jain () Mark Walters () Humberto Rey () Wendy Rhoades () David Boswell () Chad Crager () Christian Barraza () Joseph Boyle () Katina Bohrer	PARD DSD (LUR-Engineering) DSD (LUR-Transportation) P&Z (Comp. Planning) P&Z (Urban Design) P&Z (Zoning Review) PWD – Office of City Eng'r PWD – Urban Trails Texas Gas Time Warner WPD (Engineering)			
surface encroachm	n received for aerial encroa nent of an existing fire esca treet (Adjacent to 2200 Gua	pe stairs of a portior				
address: landmanag	request and return your co gement@austintexas.gov or Fa es, 505 Barton Springs Ro	ax: 974-7088. Physic	cal address: Office of			
5	YESYes,	Subj. to Reqm't	No			
Comments:		94				
Please also review the	omprehensive Plan (Vacation request based on the Findership Plan (page 186).					
Comments:						
Reviewed by:	н .	_ Telepho	ne:			
Data						

Application for an Encroachment Agreement File No. Department Use Only DATE: Department Use Only 1. TYPE OF ENCROACHMENT Encroachment Type: Aerial Sub-surface Surface List TYPE OF ENCROACHMENT to be placed on Public Property: APPROXIMATELY 18" (INCh) 2200; & FINE ESCHAL STAIRS ON 22/10 STARRY Has encroachment been installed prior to application:

EXISTING SINCE EMPLY 1970'S JUST DISCOURMED Yes No Adjoins property at the following street address: 2200 Guabacupe 2. PROPERTY DESCRIPTION OF ENCROACHMENT AREA 0212010507 Parcel #: Survey & Abstract No. Lot(s) 31+31/2 Block Outlot 35 DIU D Subdivision Name: Louis Honsy's Plat Book 7 Page Number 5944613 Document Number County/Records: TRAVIS County; Deed Real Property Official Public NOTE: Attach three dimensional metes and bounds survey of Encroachment area. 3. RELATED CASES SP - 2015 - 0316 C.T. Existing Site Plan: YES/NO IN NEVILLO Subdivision: Case: YES / NO Building Permit: (YES)/ NO IN Mevilo 2016-130369 PR 4. APPLICANT INFORMATION MICHAEL R. MCHONE Firm Name: MIKE MCHOHE REAL ESTATE Address: P.O. Box B142 City: Austin Zin: 78713-8142 Phone: (5/2) 554-8440 Fax No.: (5/2) 48/-/002 EMAIL ADDRESS: MCHONE 1234@ SBC GLOBAC, NET 5. DEVELOPER INFORMATION Name: TBD Firm Name: CHUNCH OF SCIENTOLOGY OF TEXHS Address: 2200 Gunbalyal City: Auc71N State: TX 18705 Phone: (5/2) 474-6631 Fax No.: ()

Contact Person:

6. LANDOWNER INFORMATION
Name: CHunck of Scientology of Texas (as shown on Deed)
Address: 2200 Gun bacupe City: Austin State: TX
Zip: 78705 Phone: (5/2) \$74-6631 Fax No.: ()
Lienholder Name: CHYRCH OF SCIENTOLOGY RELIGIOUS TRUST Lienholder Address: 1710 IVAR, LOS ANGELLS, CA. 90028
Lienholder Address: 1710 Ivan, Los Angells, CA. 90028
Lienholder Phone Number: Fax Number:
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)
7. LICENSEE INFORMATION, if other than Landowner (Tenant)
Name: Sa me
Address: City: State:
Zip: Phone: () For No : ()

I the undersigned Applicant declare that the information provided in this application is true and correct. I have read and understand that the processing of this Application will be handled in accordance with the Procedure for Requesting an Encroachment Agreement and that no action on processing will be taken without payment of the non-refundable processing fee. I understand that acceptance of this application and fee in no way obligates the City to enter into an Encroachment Agreement. I understand that the value of the Right-of-Way, if allowed to be encroached, will be determined by the City of Austin, Real Estate Services Division, a certificate check will be required before scheduling an agenda item for Council review and Certificate of Insurance must be presented before an agreement, if approved, is executed. It is further understood that the City is not responsible for any cost or inconvenience incurred by the Applicant when the application is not approved.

Signed By:

Phone:

Applicant

Please check the appropriate box.

- □ Landowner
- □ Tenant
- Agent for Landowner
- □ Agent for Tenant

Item C-23 7 of 20

Mike McHone Real Estate

Encroachment Agreement Transmittal Letter for 2200 Guadalupe

The Church of Scientology of Texas located at 2200 Guadalupe has submitted building plans for the remodeling of their existing facility and the addition of one story for additional space. The church is located at 2200 Guadalupe and was originally built in the early 1970's by the University YMCA. The Church of Scientology of Texas purchased the property in 1979. There was a small remodel in 1987 and a License Agreement was created for stairs and a planter in the ROW. This property is in the UNO District and the Church has "opted-in" to the requirements of that District. UNO requires the developer to install streetscape improvements (street trees and pedestrian lighting) through a License Agreement. During this review the Real Estate determined that the building as originally built had what would now be "encroachments" that must be addressed.

These encroachments consist of an aerial encroachment of the roof overhang of 18 inches in to the ROW of both Guadalupe and 22nd Streets. Additionally, the existing fire exit stairs encroach into the wide sidewalk area on 22nd Street. (See attached surveys). These encroachments have existed for over 40 years and have not created any problem with the full use of the existing sidewalk area.

Responses to standard questions:

- 1. Civic Project; Religious Assembly
- 2. Separate instrument for the encroachment
- 3. Louis Horst's subdivision of Outlot 35 Div D (approx. 1869)
- 4. Encroachments have existed for over 40 years
- 5. No utilities are in the encroachment area
- 6. Fire exit from building and roof overhang
- 7. Site plan submitted
- 8. UDA not required as it was determined to be a Legal Lot
- 9. Not housing; so not SMART Housing
- 10. Scheduled to begin construction March 2017
- 11. All adjacent properties are developed
- 12. Parking for this project is located offsite per City Council Agreement with University YMCA in 1970's
- 13. Project is within UT Boundaries
- 14. NA
- 15. Pre existing conditions, this is a "corrective measure"

F#9783-1612

LEGAL DESCRIPTION AERIAL ENCROACHMENT AREA GUADALUPE STREET 0.002 ACRES

0.002 acres (105 square feet)of land being a portion of Guadalupe Street and West 22nd Street adjacent to Lot 31 1/2, and Lot 31, OutLot 35 of the Louis Horsts Subdivision, Division "D", of the City of Austin, according to the map or plat thereof recorded in Book Z, Page 594 and Page 613, Plat Records of Travis County, Texas and further being that same tract of land conveyed to the Church of Scientology of Texas and designated as Tract 1 in deed recorded in Volume 6759, Page 2023, Deed Records of Travis County, Texas; said 0.002 acres being more particularly described as follows:

BEGINNING, at a building corner marking the intersection of the westerly right of way line of Guadalupe Street with the northerly right of way line of West 22nd Street; said corner further marking the southwesterly corner of said Lot 31 1/2;

THENCE, North 03deg 39' 57" East, along the said westerly right of way line of Guadalupe Street, a distance of 115.72 feet, to a building corner;

THENCE, South 86deg 13' 57" East, into the Guadalupe Street right of way, a distance of 0.90 feet, to a point;

THENCE, South 03deg 39' 57" West, parallel with the westerly right of way line of Guadalupe Street, at a distance of 115.72 feet passing the northerly right of way line of West 22nd Street, a total distance of 116.62 feet, to a point;

THENCE, North 86deg 28' 45" West, parallel with the northerly right of way line of 22nd. Street, a distance of 0.90 feet, to a point;

THENCE, North 03deg 39' 57" East, a distance of 0.90 feet, to the **POINT OF BEGINNING** and containing 0.002 acres (105 square feet) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, Central Zone.

James W. Russell

Registered Professional Land Surveyor No. 4230

Kimley-Horn and Associates, Inc.

601 NW Loop 410, Suite 350

San Antonio, Texas 78216

Ph. 210-541-9166

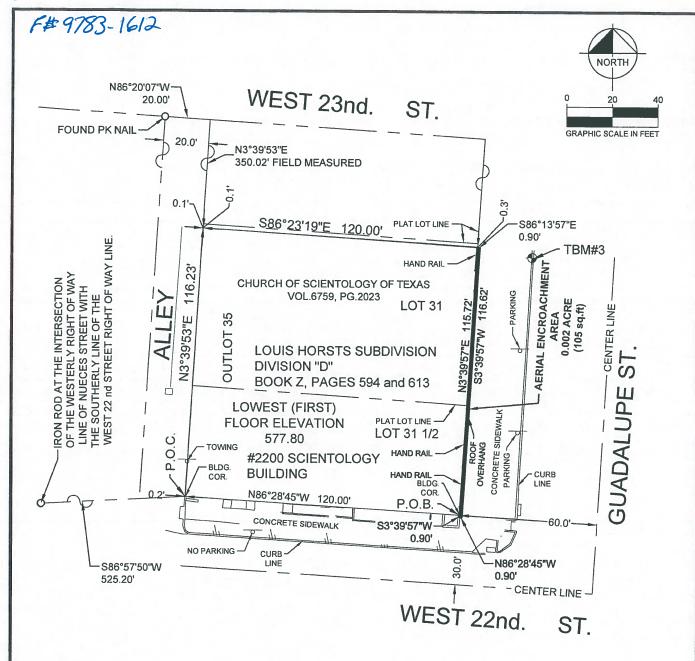
jim.russell@kimley-horn.com

TBPLS Firm No. 10193973

FIELD NOTES REVIEWED

By ANITAL Deto 04-16-2017

Engineering Support Section
Department of Public Works
and Transportation



NOTES

105 SQUARE FEET OF AREA, MORE OR LESS BEING AN AERIAL ENCROACHMENT OUT OF THE GUADALUPE STREET AND WEST 22nd ST. RIGHT OF WAY. SAID AERIAL ENCROACHMENT IS TO EXTEND FROM THE BOTTOM OF THE EXISTING CANTILEVERED CORNICE AT AN ELEVATION OF 606.80 FEET UP TO THE CANTILEVERED ROOF OF THE HIGHEST STORY OF THE BUILDING BEING AT AN ELEVATION OF 624.80 FEET, NAVD 88 DATUM. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

James W Linell

JAMES W. RUSSELL REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230 601 NW LOOP 410, SUITE 350 SAN ANTONIO, TEXAS 78216 PH. 210-541-9166

jim.russell@kimley-horn.com



Kimley» Horn
Tel. No. (210) 541-9166

San Antonio, Texas 78216 FIRM # 10193973

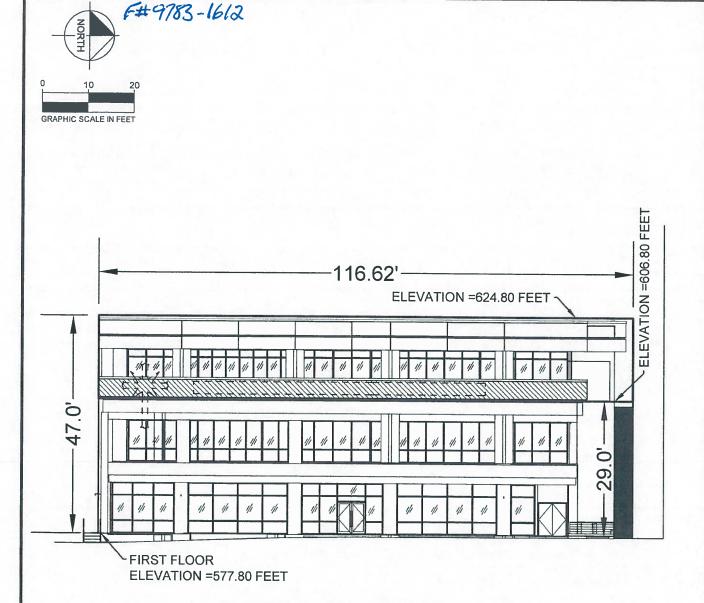
www.kimley-horn.com

148128067

1" = 40'

Drawn by Checked by MAV JWR

<u>Date</u> 08/11/2016 Sheet No. 2 OF 2



EAST ELEVATION - GUADALUPE STREET

NOTES

105 SQUARE FEET OF AREA, MORE OR LESS BEING AN AERIAL ENCROACHMENT OUT OF THE GUADALUPE STREET AND WEST 22nd ST. RIGHT OF WAY. SAID AERIAL ENCROACHMENT IS TO EXTEND FROM THE BOTTOM OF THE EXISTING CANTILEVERED CORNICE AT AN ELEVATION OF 606.80 FEET UP TO THE CANTILEVERED ROOF OF THE HIGHEST STORY OF THE BUILDING BEING AT AN ELEVATION OF 624.80 FEET, NAVD 88 DATUM. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

JAMES W. RUSSELL REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230 601 NW LOOP 410, SUITE 350 SAN ANTONIO, TEXAS 78216 PH. 210-541-9166

jim.russell@kimley-horn.com



Kimley » Horn

San Antonio, Texas 78216

FIRM # 10193973

www.kimley-hom.com

Scale 1" = 20' Drawn by MAV <u>Checked by</u> <u>Date</u> JWR 10/20/ 2016 Project No. Sheet No. 148128067 2 OF 2

F# 9783-1612

LEGAL DESCRIPTION AERIAL ENCROACHMENT AREA WEST 22nd STREET 0.003 ACRES

0.003 acres (108 square feet) of land being a portion of the West 22nd Street adjacent to Lot 31 1/2, and Lot 31, OutLot 35 of the Louis Horsts Subdivision, Division "D", of the City of Austin, according to the map or plat thereof recorded in Book Z, Page 594 and Page 613, Plat Records of Travis County, Texas; and further being that same tract of land conveyed to the Church of Scientology of Texas and designated as Tract 1 in deed recorded in Volume 6759, Page 2023, Deed Records of Travis County, Texas; said 0.003 acres being more particularly described as follows:

BEGINNING, at a building corner located on the northerly right of way line of West 22nd Street and marking the southwesterly corner of said Lot 31 1/2;

THENCE, South 86deg 28' 45" East, along the said northerly right of way line of 22nd. Street, a distance of 120.00 feet, to a building corner marking the intersection of the northerly right of way line of West 22nd Street with the westerly right of way line of Guadalupe Street;

THENCE, South 03deg 39' 57" West, parallel with the westerly right of way line of Guadalupe Street and into the 22nd Street right of way, a distance of 0.90 feet, to a point;

THENCE, North 86deg 28' 45" West, parallel with the northerly right of way line of 22nd. Street, a distance of 120.00 feet, to a point;

THENCE, North 03deg 39' 53" East, a distance of 0.90 feet, to the **POINT OF BEGINNING** and containing 0.003 acres (108 square feet) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, Central Zone.

James W. Russell

Registered Professional Land Surveyor No. 4230

Kimley-Horn and Associates, Inc.

601 NW Loop 410, Suite 350

San Antonio, Texas 78216

Ph. 210-541-9166

jim.russell@kimley-horn.com

TBPLS Firm No. 10193973

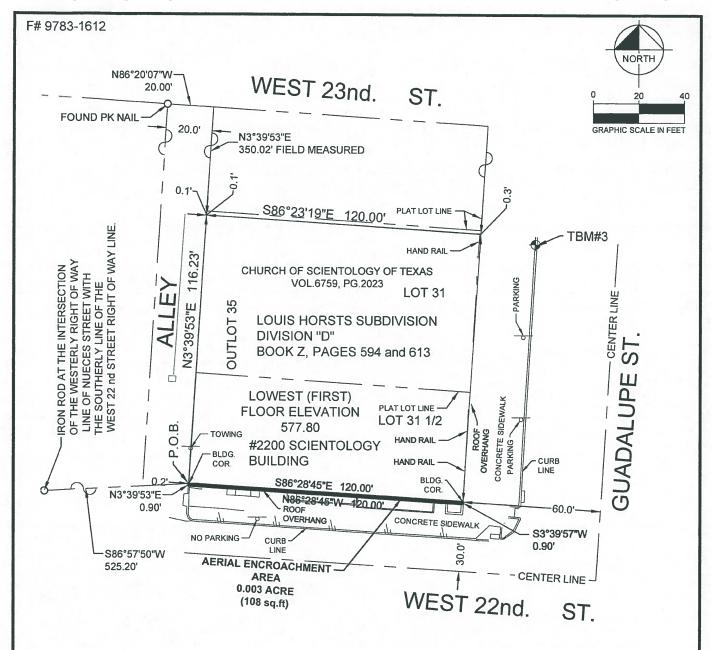
JAMES W. RUSSELL

4230

SURVE

FIELD NOTES REVIEWED

Engineering Support Section
Department of Public Works
and Transportation



NOTES

108 SQUARE FEET OF AREA, MORE OR LESS BEING AN AERIAL ENCROACHMENT OUT OF THE WEST 22nd STREET RIGHT OF WAY. SAID AERIAL ENCROACHMENT IS TO EXTEND FROM THE BOTTOM OF THE EXISTING CANTILEVERED CORNICE AT AN ELEVATION OF 606.80 FEET UP TO THE CANTILEVERED ROOF OF THE HIGHEST STORY OF THE BUILDING BEING AT AN ELEVATION OF 624.80 FEET, NAVD 88 DATUM.

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

JAMES W. RUSSELL

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230 601 NW LOOP 410, SUITE 350 SAN ANTONIO, TEXAS 78216 PH. 210-541-9166

jim.russell@kimley-horn.com

nley» Tel. No. (210) 541-9166 FIRM # 10193973

08/11/2016

Project No.

148128067

Sheet No.

2 OF 2

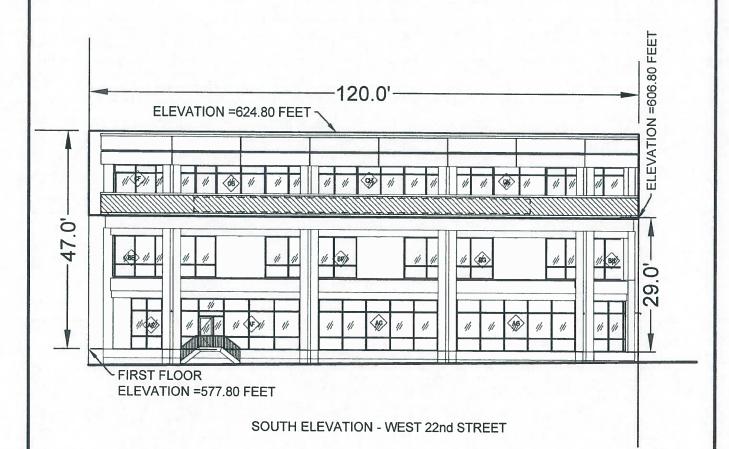
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MAV

1" = 40"

GRAPHIC SCALE IN FEET

F# 9783-1612 10 20



NOTES

108 SQUARE FEET OF AREA, MORE OR LESS BEING AN AERIAL ENCROACHMENT OUT OF THE WEST 22nd STREET RIGHT OF WAY. SAID AERIAL ENCROACHMENT IS TO EXTEND FROM THE BOTTOM OF THE EXISTING CANTILEVERED CORNICE AT AN ELEVATION OF 606.80 FEET UP TO THE CANTILEVERED ROOF OF THE HIGHEST STORY OF THE BUILDING BEING AT AN ELEVATION OF 624.80 FEET, NAVD 88 DATUM.

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

4/7/17

JAMES W. RUSSELL REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230 601 NW LOOP 410, SUITE 350 SAN ANTONIO, TEXAS 78216 PH. 210-541-9166

jim.russell@kimley-horn.com



mley»

10/20/ 2016

FIRM # 10193973

Scale 1" = 20" Drawn by

Checked by Date

Project No. Sheet No. 148128067

2 OF 2

LEGAL DESCRIPTION SURFACE ENCROACHMENT AGREEMENT 0.002 ACRES

0.002 acres (78 square feet) of land being a portion of the West 22nd Street and a portion of the Guadalupe Street adjacent to Lot 31 1/2, and Lot 31, OutLot 35 of the Louis Horsts Subdivision, Division "D", of the City of Austin, according to the map or plat thereof recorded in Book Z, Page 594 and Pagec613, Plat Records of Travis County, Texas and further being that same tract of land conveyed to the Church of Scientology of Texas and designated as Tract 1 in deed recorded in Volume 6759, Page 2023, Deed Records of Travis County, Texas; said 0.002 acres being more particularly described as follows:

COMMENCING, at a building corner located on the northerly right of way line of West 22nd Street and marking the southwesterly corner of said Lot 31 1/2;

THENCE, South 86deg 28' 45" East, along the said northerly right of way line of 22nd. Street, a distance of 15.73 feet, to a point for the **POINT OF BEGINNING** of herein described Encroachment Agreement;

THENCE, South 86deg 28' 45" East, along the said northerly right of way line of 22nd. Street, a distance of 16.18 feet, to a point for the northeasterly corner of herein described Encroachment Agreement;

THENCE, into said right of way line of 22nd. Street, the following courses;

South 03deg 31' 15" West, a distance of 4.90 feet, to a point for the southeasterly corner of herein described Encroachment Agreement;

North 86deg 03′ 59" West, a distance of 16.18 feet, to a point for the southwesterly corner of herein described Encroachment Agreement;

North 03deg 31' 15" East, a distance of 4.78 feet, to the **POINT OF BEGINNING** and containing 0.002 acres (78 square feet) of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, Central Zone.

James W. Russell

Registered Professional Land Surveyor No. 4230

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San Antonio, Texas 78216

Ph. 210-541-9166

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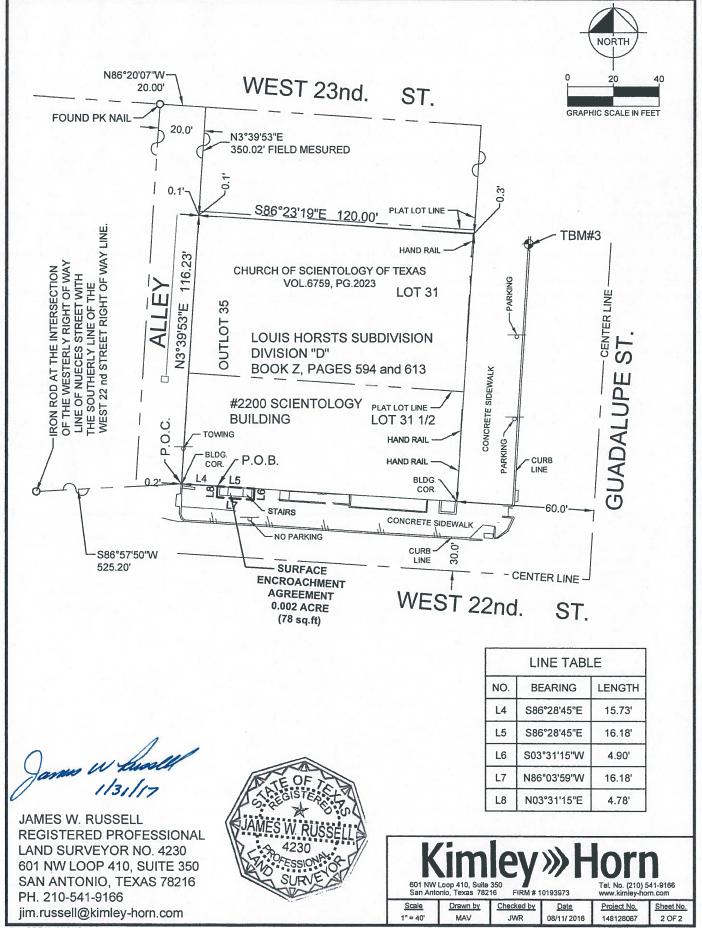
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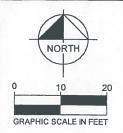


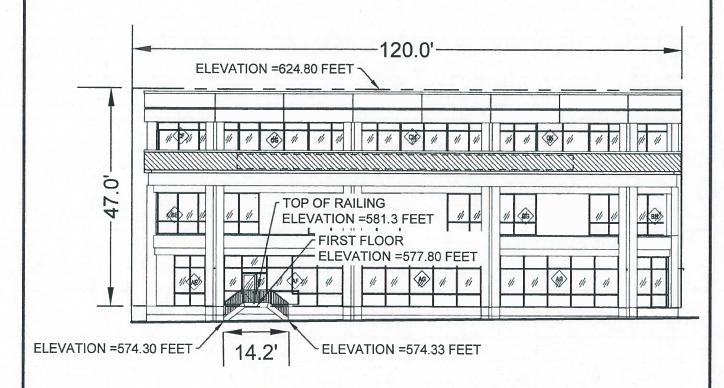
FIELD NOTES REVIEWED

By: Wak David Date 05.05.201

Engineering Support Section
Department of Public Works
and Transportation







SOUTH ELEVATION - WEST 22nd STREET

NOTES

78 SQUARE FEET OF AREA, MORE OR LESS BEING A SURFACE ENCROACHMENT OUT OF THE WEST 22nd STREET RIGHT OF WAY. SAID SURFACE ENCROACHMENT IS TO EXTEND FROM THE LOWEST GROUND ELEVATION 574.30' UP TO THE TOP OF RAILING ELEVATION OF 581.3 FEET, NAVD 88 DATUM.

BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE.

JAMES W. RUSSELL REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230 601 NW LOOP 410, SUITE 350 SAN ANTONIO, TEXAS 78216 PH. 210-541-9166

jim.russell@kimley-horn.com



Kimley» Horn

Tel. No. (210) 541-9166

10/20/ 2016

 San Antonio, Texas 78216
 FIRM # 10193973

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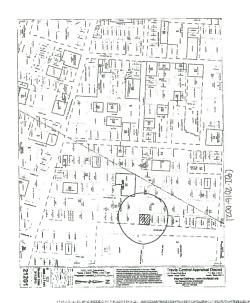
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Project No. Sheet No.

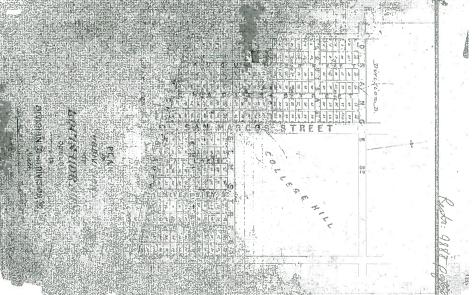
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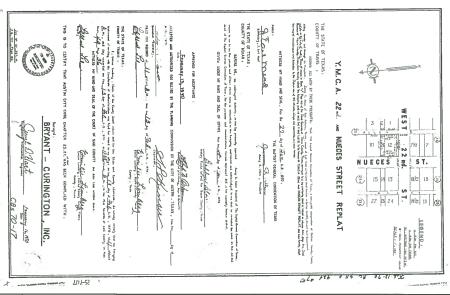


Address: 2309 GUADALIPE ST

Tax Next GUADALIP







CHURCH OF SCIENTOLOGY
2200 GUADALUPE STREET &
603 WEST 22nd STREET
AUSTIN,TRAVIS COUNTY, TEXAS

SP-2015-0316C

OF 26

PLAT & LAND STATUS DETERMINATION







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No.	REVISIONS	\exists	DATE	BY

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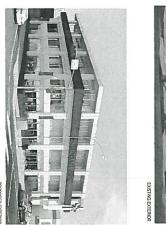
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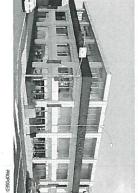
13'-6'
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UNO EXHIBIT - SOUTH ELEVATION - WEST 22nd STREET SCALE: 118"=1"-0" REFERENCE SHEET: WAY1.01



212 La-aca Shed Austro, IX 78701 Urrised States

Tel 512,867,8100





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999 Practimes Street, NE
Stude 1020
Alterat, CA, 30309
Unded States

5,15,15 8.05,15	4.10.15	Date
DESIGN DEVELOPMENT CITY SITE PLAN SUBMITTAL	SCHEMATIC DESIGN	Description

SECTION 12 - U.N.O. ZONING DISTRICT DESIGN REGULATIONS SECTION 9 - U.N.O. DISTRICT REQUIREMENTS

12.1.2. INSECTING DISTRIBUTED STANDARDS:
PROJECT MANT GOODE A MANAGEMENT OF A POINTS
TOTAL POINTS ACHIEVED: 9 FORMS A INTERREPTIONS IN THE PARKE OF THE BILL DRIG FACADE FINAL BE WITH COUNTY AS PLACEMENT TO EXCEED AN PROCESSELE FORMERS 1; POSHERS ACCHIEVED: 2

C. INTRODUCTION OF WANDOWS & OPENINGS THAT INTERVED IN STRUCE & STREET POSITES & POINTS ACHIEVED: 2 9 LISE OF CONTRASTING MATERIALS, TEXTURES & COLDRS PORRELE PORTS: 2, POINTS ACREVED: 2

VARETY OF THE ROOF LINE
POMBLE POWTE: 1; POMTE ACHIEVED: 1 USE OF WARRICH OR COLLOWADES AT STREET LEVEL POWERS 1; POWERS ACHIEVED: 8

T.O. ROOF 47'-0"

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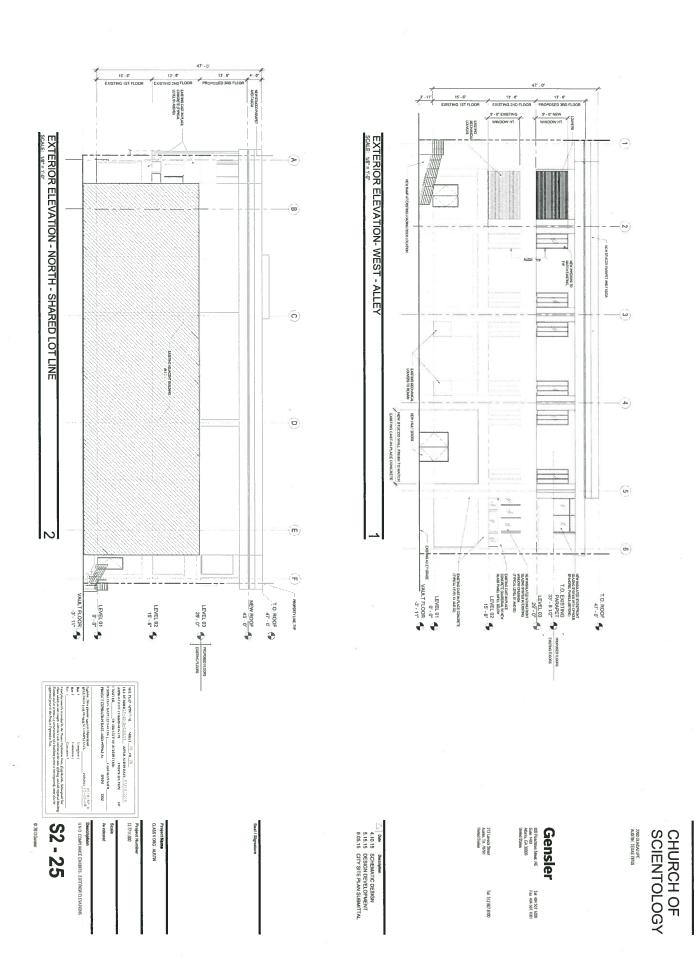
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2	B 72	948	piczel (st)	B) AT LEAST TWO OF THE RECURRING DOCUMENT SPACE MUST SEC ON A STREET THAT RUNS SHATWAST MENORISE LAST - BY'S COMPLES WITH 25 7 74 A CES RECURRENCE (COMPLES)	EAST - ITRICATE VALUE AND COMPLETE BEAUTY TO COMPLETE HAVE COMPLETE BEAUTY TO COMPLETE HAVE COMPLETE BEAUTY	N.136_HEIGHT: NAMEMAN HOSHISTOR STRUCTURES HE PRESCRUED BY APPENDANC BY GRAT HELDRED FOR THIS STE PROJECT HIDSEN - 4T (COMPLES)	B) PER IN(4) MERIANA DESTANZO RETWEEN FRONTOS ARCURO A COR AND STRUCTURAN PROVINCIA (5 OF 12 PER INVESTIGATO).	TALTH - UNE REQUATIONS AN PER PROVIDE GROUND TOOK MAST NOLUDE AT LEAST 75% OCCUPANT SPACE ALDING THE NET LANGING STREAT PROMINGE THE NET LANGING STREAT PROMINGE
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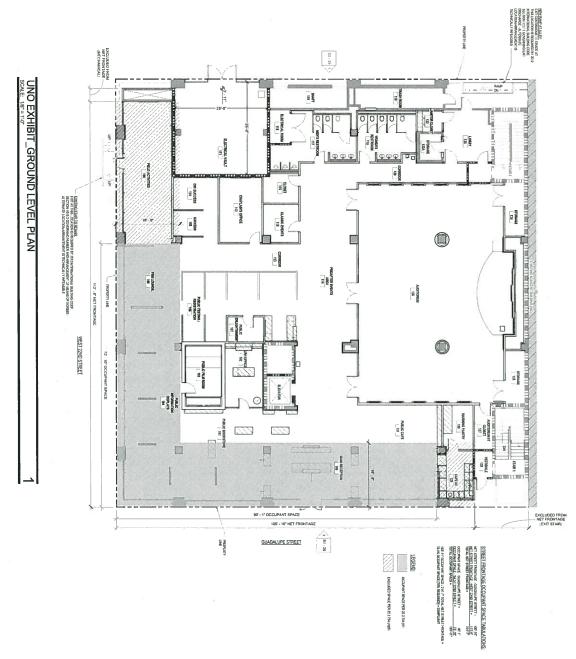
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