

July 29, 2020

Mr. Ron Davidson
Land Use Planning Consultant Inc.
265 Beattie Street
Owen Sound, ON, N4K 6X2
Sent Via Email

Re: Proposed Plan of Subdivision 42T-2017-05
Part Lot 27, Concession 3, Part 1 of Plan 16R-11376, and South Part of Lot 27,
Concession 3, Part 1 of Plan 16R-11378
Township of Georgian Bluffs (Geographic Township of Sarawak)
Owner: MJD Investments Inc., Patricia and Murray Davenport
Agent: Ron Davidson, Land Use Planning Consultant Inc.

Dear Mr. Davidson,

Pursuant to Subsection 51(31) of the Planning Act R.S.O. 1990, as amended, the above noted draft plan of subdivision is hereby given draft approval. The list of conditions that must be fulfilled prior to final approval are also attached. The County staff report that was presented to Committee of the Whole on July 23, 2020 can also be found on the County website at - <https://www.grey.ca/council/agendas-minutes>

The approval of this draft plan will lapse on **July 23, 2023**. The approval may be extended pursuant to Subsection 51(33) of the Act, but no extension can be granted once the approval has lapsed.

Please see the attached Notice of Decision for further information regarding this decision.

Yours truly,



Randy Scherzer, MCIP, RPP
Director of Planning & Development
519-372-0219 ext 1237
randy.scherzer@grey.ca

**** All via Email****

cc. MSO Southwest Ministry of Municipal Affairs and Housing (via email)
Township of Georgian Bluffs
Grey Sauble Conservation Authority
Canada Post – London Office
Grey County Transportation Services
Murray Davenport, MJD Investments Ltd. - Applicant
City of Owen Sound
Murray Harris
Robert Gibson
Brian MacIntosh
Beth Anne Currie
Marion Gibson
Barry Hargrave
Rose Peacock
Peter Peacock
Ron Campbell
David Rai, Northridge Homes
Sue Honer

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NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision

under Subsection 51(37) of the Planning Act

Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

WHEN AND HOW TO FILE A NOTICE OF APPEAL

Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above.

The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

- (1) set out the reasons for the appeal,
- (2) be accompanied by the fee required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
- (3) Include the completed appeal forms from the Tribunal's website.

WHO CAN FILE A NOTICE OF APPEAL

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person* or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions of the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Local Planning Appeal Tribunal (LPAT) as it relates to the proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Grey related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act. These are recent changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here - <https://www.ontario.ca/laws/statute/90p13>.

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For more information about these recent changes, please visit the LPAT website or contact LPAT - <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>.

The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.

RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

RELATED APPLICATIONS

Township of Georgian Bluffs Official Plan Amendment 7

Township of Georgian Bluffs Zoning By-law Amendment – Z-03-18 (By-law 2020-058)

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GETTING ADDITIONAL INFORMATION

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below. Please contact the Planning Office at 519-376-2205 or 1-800-567-GREY to schedule an appointment to review the information.

ADDRESS FOR NOTICE OF APPEAL

County of Grey
595-9th Avenue East
OWEN SOUND, Ontario N4K 3E3
Attention: Mr. Randy Scherzer, MCIP RPP
Director of Planning & Development

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Plan of Subdivision File No. 42T-2017-05 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

General Requirements

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2017-05 prepared by M.J. Davenport and Associates Ltd. and surveyed by Hewitt and Milne Ltd., dated February 10, 2020 showing:
 - a. Twenty-eight (28) lots to gain access off of roads to be constructed as part of the overall development shown as Streets 'A', 'B' and 'C',
 - b. Two blocks to create a temporary cul-de-sac at the south end of Street 'B', and
 - c. A Future Development Block (Block 31).

The legal description of the subject lands is Part of Lot 27, Concession 3, Part 1 or Plan 16R-11376, and South Part of Lot 27, Concession 3, Part 1 or Plan 16R-11378, geographic Township of Sarawak, Township of Georgian Bluffs, County of Grey.

2. That prior to final approval the owner enter into a subdivision agreement with the Township, to be registered on title to the property and then upon each lot once the plan has been registered.
3. That the owner agrees in writing, to satisfy all the requirements, financial and otherwise, of the Township of Georgian Bluffs, concerning roads, installation of services, drainage, parkland, security, and other matters as determined by the Township including the payment of all applicable development charges in accordance with the applicable Development Charges By-law. Other requirements could include easements as necessary to allow the future extension of services to adjacent lands. Any street lights and lighting required for this development shall also be 'dark sky' compliant.
4. Prior to final approval and registration of the subdivision, an amending Zoning By-law implementing the subject plan shall be approved and be in force and effect under Section 34 and 36 of the *Planning Act*.

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5. Prior to final approval and registration of the subdivision, Local Official Plan Amendment 7 to the Township of Georgian Bluffs shall be in force and effect under Section 17 of the *Planning Act*.

Parkland and Open Space Requirements

6. That the owner convey 5% cash-in-lieu of parkland, parkland dedication or a combination thereof, to the Township and that the subdivision agreement contain a provision to effect this.

Servicing, Grading and Road Requirements

7. That the roads shall be dedicated as a public highway, and named to the satisfaction of the Township. All roads and entrances shall be designed and constructed to a standard acceptable to the Township, and such design shall be included in the subdivision agreement. The owner agrees to provide detailed plans and specifications indicating that the roads and drainage will be constructed to the standards of the Township. The final plan shall also include any one-foot reserves deemed necessary by the Township of Georgian Bluffs.
8. That entrances to lots from the internal road of the subdivision be to the satisfaction of the Township of Georgian Bluffs.
9. That wording be included in the subdivision agreement requiring the developer to pay a portion of the off-site drainage works in lieu of providing stormwater quantity control and that the Developer is responsible to pay for a portion of the costs to improve the roadside ditch and replace the Balmy Beach Road crossing culvert, prior to final approval of the subdivision and to the satisfaction of the Township.
10. That the subdivision agreement contain the provision, "No site work is to be completed until the downstream municipal drainage infrastructure is adequately sized to accommodate increased flows from the site."
11. That prior to final approval of the plan of subdivision, a final storm and surface water management report and grading and drainage plan be prepared and submitted for review, at the expense of the owner, by the Township and the Grey Sauble Conservation Authority. The report shall include such matters as building envelopes, lot grading, sediment control measures. The report should also ensure that run-off, including the storm water and spring snow melt, does not adversely affect neighboring properties, and detail all necessary upgrades to existing road and or drainage structures. This report should detail all easements or rights of way required to be dedicated to the Township.

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12. That prior to final approval, that a detailed servicing plan be provided to the satisfaction of the Township. The servicing plan should consider capacity for future connections including the future development block and any future potential connections to adjacent lands.

Natural Environment

13. The subdivision agreement shall include provisions for protecting the ecological and natural heritage features of the lands, and to implement the recommendations in Section 9, items 1 to 9, of the Environmental Impact Assessment dated November 27, 2017 completed by Niblett Environmental Associates Inc. to the satisfaction of the Grey Sauble Conservation Authority.
14. That wording be included in the subdivision agreement that a permit be required from GSCA for development and/or site alterations within the areas subject to Ontario Regulation 151/06. This would include the infilling of the portion of a wetland related to the construction of 'Street A'.
15. That prior to final approval, a habitat management/compensation plan regarding the loss of potential habitat for meadowlark and bobolink habitat be provided to the satisfaction of the County, the Township, and the Grey Sauble Conservation Authority and that addresses the requirements of the Endangered Species Act, 2007 and the corresponding regulations. Please note that a permit may be required from the Ministry of Environment, Conservation and Parks.

Utilities and Canada Post

16. That all easements and or agreements for drainage, gas line or utility purposes shall be dedicated to the appropriate authority or public authority. Should the relocation of any utilities be required as a result of this development, that all associated costs be at the Developer's expense.
17. The Owner shall make satisfactory arrangements with Canada Post and the Township, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:
 - a) An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required vehicle lay-bys, walkway access and/or curb depressions for wheelchair access.
 - b) A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been

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completed at the permanent Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.

Administration

18. Prior to the signing of the final plan by the County of Grey, the applicant is to provide to the County written correspondence from the Township of Georgian Bluffs indicating that all the Draft Plan Conditions have been carried out to the Township's satisfaction.
19. Prior to the signing of the final plan by the County of Grey, the applicant is to provide to the County written correspondence from the Grey Sauble Conservation Authority how Draft Plan Conditions 10, 11, 13, 14 and 15 have been addressed to GSCA's satisfaction.
20. Prior to the signing of the final plan by the County of Grey, the County is to be advised by the applicant in writing from Canada Post how Draft Plan Condition 17 has been addressed to the Canada Post's satisfaction.
21. If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the *Planning Act, RSO 1990*, as amended. If the owner wishes to request an extension to draft approval, a written explanation along with the applicable application fee and a resolution from the local municipality must be received.
22. That the Owner shall provide the Township of Georgian Bluffs and County of Grey with digital copies of the Final Plan in a format acceptable to the Township and the County.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the

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Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.

3. Clearances or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:

Township of Georgian Bluffs
177964 Grey Road 18, RR#3
Owen Sound, ON N4K 5N5

Grey Sauble Conservation Authority
237897 Inglis Falls Road, RR4
Owen Sound, ON N4K 5N6

Canada Post Corporation
300 Wellington Street
London, ON N6B 3P2

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:

- a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
- b) subsection 144(2) allows certain exceptions.

The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment Conservation and Parks under the Ontario Water Resources

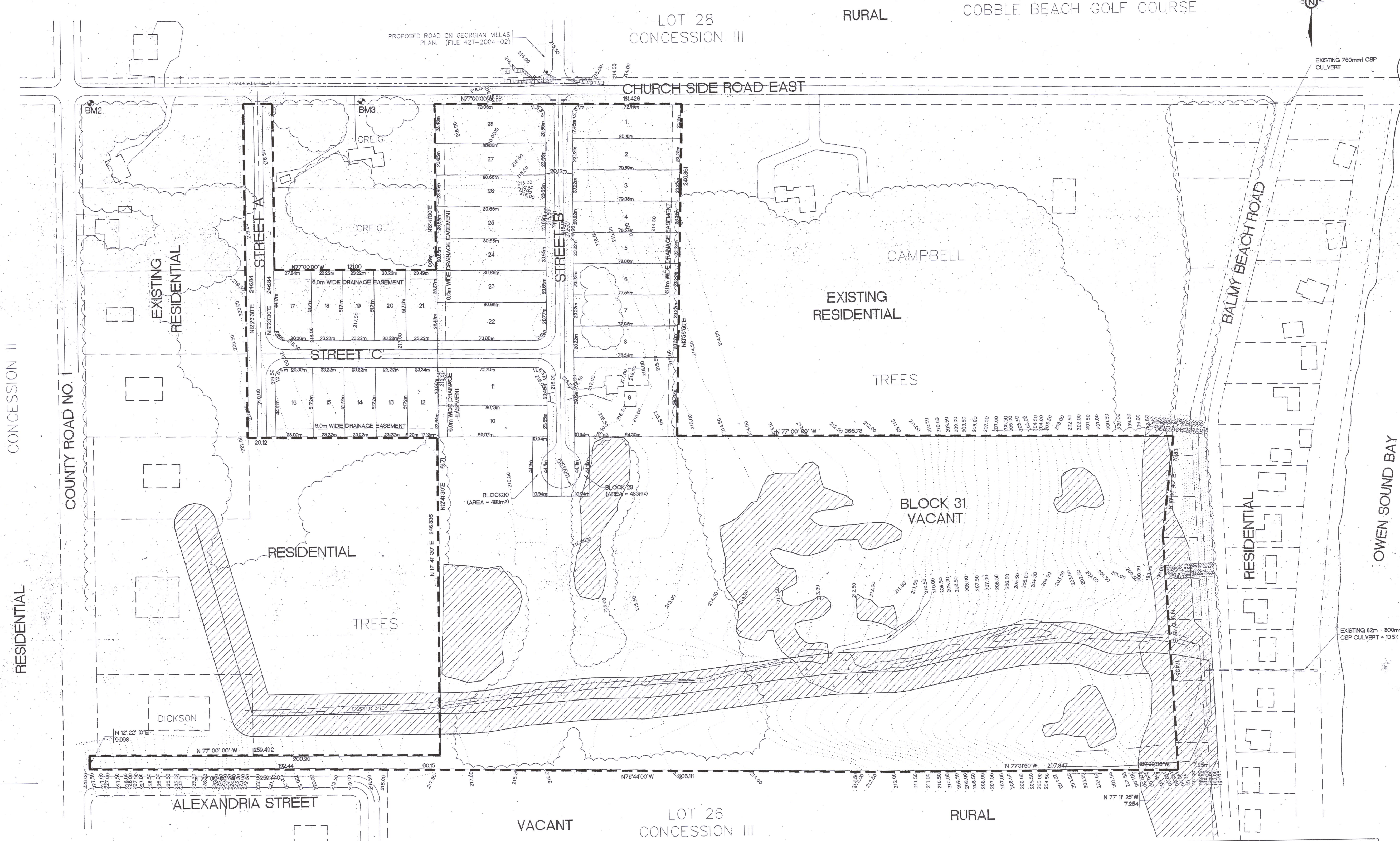
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Act, RSO 1990, as amended.

6. All measurements in subdivision final plans must be presented in metric units.
7. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.



PLAN
OF PROPOSED SUBDIVISION ON PART
OF LOT 27, CONCESSION III
IN THE TOWNSHIP OF SARAWAK
IN THE TOWNSHIP OF GEORGIAN BLUFFS
IN THE COUNTY OF GREY.

SCALE = 1" = 500'

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND
TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE
ADJACENT LANDS ARE ACCURATELY AND CORRECTLY
SHOWN ON THIS PLAN.

HEWITT AND MILNE LIMITED
ONTARIO LAND SURVEYORS
BOX 112,
302 8TH STREET EAST,
OWEN SOUND, ONT.
N4K 5P1

NEIL C. MILNE
ONTARIO LAND SURVEYOR

INFORMATION REQUIRED UNDER
SECTION 51, SUBSECTION 17,
OF THE PLANNING ACT.

A. EXISTING ROADS ARE AS SHOWN ON PLAN.
B. AREA INDICATED ON KEY PLAN SHOWS COMPLETE HOLDINGS OF
SUBDIVIDER.
C. ADJOINING SUBDIVISIONS AND LOT LIMITS ARE AS SHOWN HEREON.
D. PROPOSED LOT USAGE - RESIDENTIAL
E. ADJACENT LOT USAGE - RESIDENTIAL, AGRICULTURAL, VACANT.
F. LOT DIMENSIONS ARE AS SHOWN ON PLAN.
G. TOPOGRAPHIC FEATURES ARE AS SHOWN ON PLAN.
H. WATER SUPPLY - MUNICIPAL
I. SOIL - RED CLAY
J. ALL CONTOURS ARE AS SHOWN ON PLAN.
K. MUNICIPAL WATER SUPPLY AND SEPTIC SYSTEMS
L. NO RESTRICTIVE COVENANTS OR EASEMENTS.

AREA SUMMARY		
DESCRIPTION	AREA (sq.m)	COVERAGE (%)
RESIDENTIAL (LOT 1-28)	50,265.67	25.12
STREETS	14,922.33	7.46
BLOCK 29 AND 30	965.17	0.48
FUTURE DEVELOPMENT (BLOCK 31)	133,972.22	66.94
TOTAL	200,125.39	100.00

LOT SUMMARY					
LOT	FRONTAGE (m)	DEPTH (m)	AREA (sq.m)	LOT	FRONTAGE (m)
1	17.45	80.10	2,005.35	11	20.48
2	23.22	79.59	1,854.00	12	23.34
3	23.22	79.08	1,842.18	13	23.22
4	23.22	78.57	1,830.36	14	23.22
5	23.22	78.06	1,818.55	15	23.22
6	23.22	77.55	1,806.73	16	23.22
7	23.22	77.04	1,794.92	17	23.22
8	23.22	76.54	1,783.10	18	23.22
9	23.22	76.03	1,771.29	19	23.22
10	23.22	75.52	1,759.47	20	23.22

OWNER'S CERTIFICATE:
I AUTHORIZE M.J. DAVENPORT & ASSOCIATES LTD.
TO SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO
THE MINISTRY OF MUNICIPAL AFFAIRS.

10/02/2020
DATE

February 10, 2020
DATE

February 10, 2020
DATE

KEY PLAN

4.	DRAINAGE EASEMENTS ADDED	13/11/19	JC	MJD
3.	NEW LOT ARRANGEMENT	14/11/18	JZ	MJD
2.	NEW LOT ARRANGEMENT	13/03/18	JZ	MJD
1.	NEW LOT ARRANGEMENT	28/04/17	JC	MJD
NO.	REVISIONS	DATE	BY	APP'D

BENCHMARKS

BM 1 ELEV. 216.32
NAIL IN EAST FACE OF HYDRO POLE LOCATED AT INTERSECTION OF
SUBJECT PROPERTY ROADWAY AND CHURCHSIDE ROAD EAST.

BM 2 ELEV. 225.320
SPIKE IN FACE OF HYDRO POLE LOCATED AT INTERSECTION OF
GREY COUNTY ROAD #1 AND CHURCHSIDE ROAD EAST.

BM 3 ELEV. 219.04
NAIL IN FACE OF HYDRO POLE 20.6m EAST TO NORTHWEST CORNER
OF THE SUBJECT PROPERTY, SOUTH SIDE OF CHURCHSIDE ROAD EAST.

LEGEND

- PROPERTY LIMIT
- PHASE LIMIT
- NEW SANITARY SEWER
- NEW STORM SEWER
- NEW WATERMAIN
- PROPOSED DRAINAGE
- PROPOSED LOT CORNER ELEVATION
- PROPOSED ELEVATION AT HOUSE
- PROPOSED SWALE ELEVATION
- EXISTING DRAINAGE
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATERMAIN
- EXISTING LOT CORNER ELEVATION
- EXISTING ELEVATION TO REMAIN THE SAME

**DRAFT APPROVAL
GIVEN
DATE: July 23/2020**

**M.J. DAVENPORT
& ASSOCIATES LIMITED**

P.O. BOX 2452 STN MAIN
LOCATION: 2010 KEENE ROAD
OWENSBEE, ONTARIO
K9J 7Y8

TEL : (705) 745-6678
FAX : (705) 745-7328

**DAVENPORT SUBDIVISION
PART OF LOT 27
CONCESSION III
TOWNSHIP OF SARAWAK
TOWNSHIP OF GEORGIAN BLUFFS**

DRAFT PLAN

DESIGNED BY: M.J. DAVENPORT	SCALE: 1" = 500'
DRAWN BY: J. ZHOU	
DATED: MARCH, 2018	
PROJECT NO: 06-D-3969	3969-DP10