

Prepared by:



March 8, 2021

Prepared for:

James and Kristen Yasord 14437 Raider Run Road Reno, NV 89511

Prepared by:

Rubicon Design Group, LLC 1985 Chimney Rock Trail Reno, Nevada 89523 (775) 527-6710

March 8, 2021

Table of Contents

Introduction	. 1
Project Location	. 1
Project Summary	. 2
Impacts	. 7
Zoning Code	
Building Envelope	. 9
Abandonment Findings	
Washoe County Development Code Section 110.806.00	
List of Figures:	
Figure 1 – Vicinity Map	. 1
Figure 2 – Proposed Easement Abandonment	
Figure 3 – Site Plan	
Figure 4 – Maintained Access Routes	

Appendices:

Washoe County Abandonment Application Owner/Applicant Affidavit Property Tax proof of payment Title Report 8.5x11 Site Plan 24x36 Site Plan

Introduction

This submittal includes the following request:

An application to abandon a redundant access and utility easement on a residential parcel.

Project Location

The subject property is located at 14437 Raider Run Road, in the Government Homesites subdivision located south of Arrowcreek Parkway and north of Mt. Rose Highway. The APN is 142-241-26 and the parcel is a standard residential site of 2.5 acres. The parcel is a mix of High Density Rural (HDR) and General Rural (GR) zoning. All surrounding parcels are similarly zoned.

Figure 1 (below) depicts the project location.



Figure 1 Vicinity Map

Project Summary

The goal of the project is to abandon an unneeded access/utility easement across the eastern, northern, and western borders of the subject parcel. This easement is not needed for access to other parcels and serves no public purpose. Based on previous land planning work done in this area, Rubicon Design Group understands these easements were established as part of the Federal government patent system used to convey land from government ownership to private ownership. This system included many easements that were never constructed as roadways and are not now in use. Many of these patent easements did not respect natural topography or feasible access routes. They generally were laid along all sides of rectangular parcels and did not account for grades, rock outcroppings, watercourses, or other natural features. While this system had a certain efficiency in transferring land to the public, it is not consistent with the current layout of the area or with current Washoe County practice for designing access routes. It also created a large number of easements that are not needed. It has been common for many of these easements to be abandoned over the years as more logical access to a neighborhood is established.

During preliminary discussions about this request, the County Engineering Department did not identify any reasons to retain the easement.

The existence of these easements creates a potential problem for property owners and for neighborhoods. It's possible, with the existing easements, for any member of the public to claim a right to grade and improve roads through these areas. Obviously, this is not comfortable for property owners and does not conform to current Washoe County grading code. The grading code seeks to limit overall grading quantities and the disturbance of steep slopes. The existing easements were created without regard to grading realities or to logical travel routes.

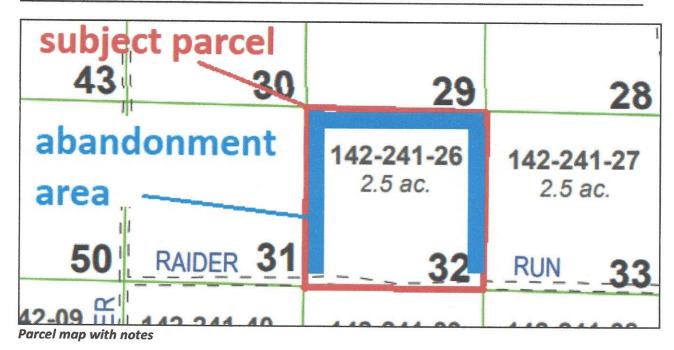
The total proposed abandonment area is 28,314 +/- square feet. All of the abandonment area is within the single parcel owned by the applicant.

Raider Run Road will not be altered with this request. No existing roadways will be affected with this request.

Figure 2 below shows the proposed abandonment area.

Figure 3 provides a parcel site plan.

Figure 4 shows how existing access will be maintained with the approval of this request.



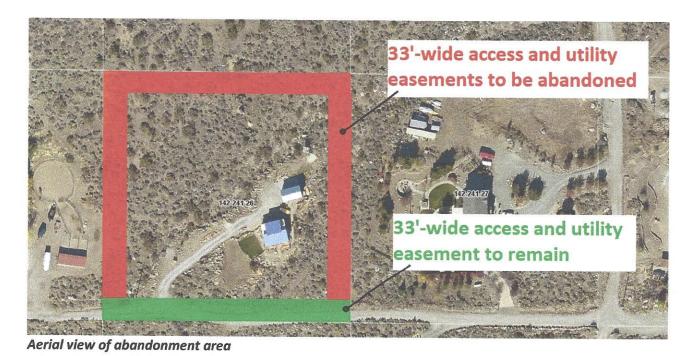


Figure 2 - Proposed Easement Abandonment

All homesites in the area are already connected to utilities that run within existing roads and driveways. There are no additional parcels needing to be connected.

The following photos show the condition of the easement areas. Note there are no roads, jeep trails, or other travel paths through these easements. They have been left undisturbed due to the existence of more logical travel routes in the area.

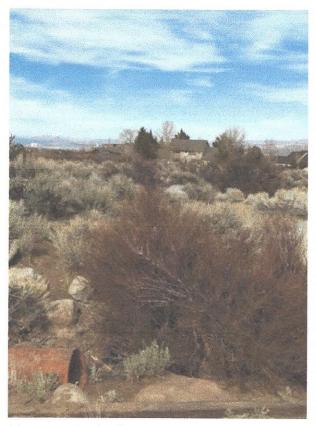


Photo 1 View looking north, along west easement



Photo 2 View looking east, along north easement

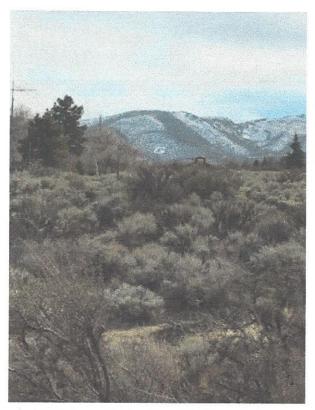


Photo 3 View looking south, along east easement

Figure 3, on the following page, provides a site plan of the parcel. This plan shows the recently constructed house and garage, as well as the surrounding easements. A full-size version of this plan is included with this report.

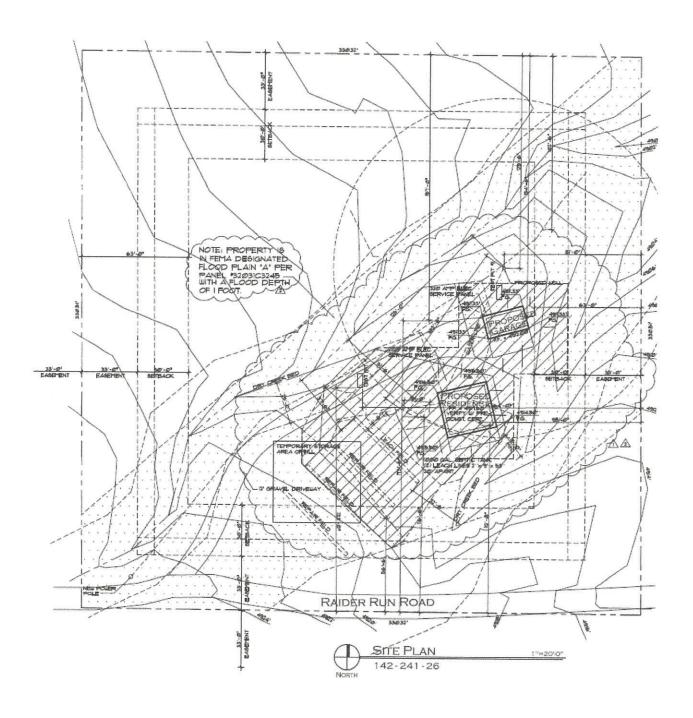


Figure 3 – Site Plan

Impacts

There are effectively no impacts from the proposed change. No new traffic, noise, or other adverse changes will occur. The overall use and intensity of the area will not change. No new land uses or development patterns will be introduced with this change.

Note that no portions of the proposed abandonment area have been driven on in the past. This shows that the easements are not logical travel areas and are not needed to access adjacent parcels. Removing these easements could therefore be considered a reduction to potential impacts to the area, by removing the potential for unwanted development.

Existing access patterns will remain in place for all parcels in the area. As demonstrated in Figure 4, no parcels rely on these easements for access. The parcels to the south, west, and east are accessed directly from Raider Run Road. The parcels to the north and northeast are accessed from Torvinen Way. The parcel to the northwest is accessed via both Cinder Lane and Whites Creek Lane. See Figure 4 below for a graphic depiction of access routes.

Preliminary discussion with the Washoe County Planning and Engineering Departments did not identify any reasons to maintain the existing easements.

Rubicon Design Group has worked with other property owners in this area on abandoning these government patent easements. In general, it has been found that these easements are indeed redundant, do not conform to the desired development pattern of the area, and deserve to be abandoned.



Figure 4 - Maintained Access Routes

As shown in Figure 4, all parcels have existing access. The proposed easement abandonment will not impact these access routes.

Zoning Code

The parcel in question is a mix of High Density Rural (HDR) and General Rural (GR) zoning. The lot is a legally established parcel and contains a single family house in conformance with the zoning.

Building Envelope

Granting this request will slightly enlarge the building envelope of this property. However, the site is already developed with a single-family house. Site topography somewhat limits additional development. This request will not substantially alter the development potential of the site.

The HDR zone standards include 30-foot front and rear yard setback requirements, along with a 15-foot side yard setback requirement (Washoe County Development Code, Section 110.406.05). These standards will remain in place, as will the County standards for accessory buildings and structures.

Abandonment Findings

Section 110.806.20 of the Washoe County Development Code includes findings that must be made by the Planning Commission in order to approve an abandonment. These findings are listed below in *italics* and are addressed in **bold face** type.

(a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the applicable area plans;

The proposed abandonment has no impact on the goals of the Master Plan. Access to all parcels is maintained, no new parcels are being created, and the subject property will remain in a use (single family housing) that is compatible with the area.

(b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and

The abandonment will have no impact on the public. The easement is not in use by the public and serves no public benefit. The existing access pattern for all parcels in the area will remain intact.

(c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

The public utility easements are not in use. No utilities will need to be moved. Logical and direct routes for both access and utilities will continue to exist for all parcels in the area.

Washoe County Development Code, Section 110.806.00

Washoe County Development Code, Section 110.806 defines the procedures for processing an abandonment. This code section, in its entirety, is *included below in italics*, with **explanations/responses in bold**.

Purpose. The purpose of this article, Article 806, Vacations and Abandonments of Easements or Streets, is to provide for the vacation or abandonment of easements or streets.

Section 110.806.05 Requirements for Application. Applications for the vacation or abandonment of a street or easement owned by the County, or a government patent easement, may be initiated by the Board of County Commissioners, Planning Commission, the Director of Community Development or an owner of real property abutting an easement or public street right-of-way through an application to the Department of Community Development or as part of a tentative subdivision map application if the abandonment or vacation application is related to the tentative map proposal. If the application for the vacation or abandonment of an easement or street is included as part of a tentative subdivision application, the noticing of the tentative subdivision map application shall include a description of the street or easement to be vacated or abandoned. No application shall be processed when the information necessary to review and decide upon it is deemed to be incomplete by the Director of Community Development.

Application materials are included. The proposed easement to be abandoned is not part of a tentative subdivision application.

Section 110.806.10 Supplemental Guidelines, Standards and Criteria. In addition to the standards and findings set forth in the Development Code, the Director of Community Development may prepare supplemental guidelines for the submission of applications and minimum standards and criteria for approval of applications.

This application has addressed all applicable standards.

Section 110.806.15 Review Procedures of Planning Commission. The Planning Commission shall review applications for abandonments and vacations in accordance with the provisions of this section.

(a) General Provisions. The Planning Commission shall conduct a public hearing for the purpose of receiving evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.

The applicant will participate in the required hearing.

(b) Time Period for Hearing and Action. The Planning Commission shall hold a public hearing on the application for vacation or abandonment of an easement or street not less than 10 business days after the newspaper notice as required below is first published.

No action required by applicant.

(c) Notice of Planning Commission Hearing.

(1) Notice of Vacation or Abandonment, Only. Notice of a vacation or abandonment application to be heard by the Planning Commission shall be given by mailing to each owner of property abutting or connected to the proposed vacation or abandonment a notice of the proposed vacation or abandonment application through a delivery method that does not require signature of receipt of the notice by the abutting property owner, but does confirm delivery of the notice to the abutting property owner. Mailing of the notice shall occur at least 10 business days prior to the date of the Planning Commission's public hearing. Furthermore, a notice shall be published at least once in a newspaper of general circulation in the County not less than 10 business days prior to the date of the Planning Commission's public hearing.

No action required by applicant.

(2) Notice of Vacation or Abandonment Combined with Tentative Subdivision Map Application. If the vacation or abandonment application is part of a tentative subdivision map application, the notice of the proposed vacation or abandonment shall be contained in the notice for the tentative subdivision map, and each owner of property abutting or connected to the proposed vacation or abandonment shall be provided notice of the combined proposed vacation or abandonment and tentative subdivision notice pursuant to the requirements of subsection (1). Notice shall be published at least once in a newspaper of general circulation in the County pursuant to the requirements of subsection (1).

No action required by applicant.

(3) Notice of Public Utility and Community Antenna Television Company. Each public utility as defined in NRS 360.815 and each community antenna television company as defined in NRS 711.030 serving the area in which an easement or street is proposed to be abandoned shall receive a notice no later than 10 business days prior to the date of the Planning Commission's public hearing on the application. Accompanying the application shall be a request that the public utility and/or community antenna television company indicate in writing whether that entity wishes to have an easement for its purposes provided.

No action required by applicant.

(d) Action by the Planning Commission. Except as provided in Section 110.806.40, if, upon public hearing, the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Planning Commission may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. Notwithstanding the final decision of the Planning Commission, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection (c)(3), an easement in favor of the public utility and/or community antenna television company shall be provided and the County shall ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.35 Appeals to Board of County Commissioners.

(a) An appeal of the Planning Commission's decision regarding a vacation or abandonment of an easement or street may be appealed to the Board of County Commissioners following the procedure set out in WCC 110.912.20 of the Development Code.

No action required by applicant.

(b) Except as provided in Section 110.806.40, if, upon public hearing on the appeal of the Planning Commission's final action on an abandonment or vacation of an easement or street, the Board is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Board may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. The action of the Board of County Commissioners shall be final for the purposes of judicial review. Notwithstanding the final decision of the Board of County Commissioners, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection 110.806.15(c)(3), an easement in favor of the public utility and/or community antenna television company shall be provided and the County shall ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.40 Utility or Community Antenna Television Company Easement. If a public utility or community antenna television company has an easement over the property, the Planning Commission or the Board, after a hearing on the appeal of the Planning Commission final action, shall provide in its order for the continuation of that easement.

Not applicable.

Section 110.806.45 Legal Description. The applicant shall submit to the Engineering Division, a legal description for the area of the vacation or abandonment prepared by a Nevada Professional Land Surveyor, prior to publication of the order of vacation or abandonment, to the satisfaction of the Engineering Division.

Legal descriptions for the abandonment area will be produced and submitted to the engineering division.

Section 110.806.50 Recordation. The order must be recorded in the Office of the County Recorder if all the conditions of the order have been fulfilled and, upon the recordation, title to the street or easement reverts to the abutting property owners in the approximate proportion that the property was dedicated by the abutting property owners or their predecessors in interest.

The applicant will act as required to record the documents.

Section 110.806.55 Sale of Vacated Portion. In the event of a partial vacation of a street where the vacated portion is separated from the property from which it was acquired by the unvacated portion of it, the Board may sell the vacated portion upon such terms and conditions as it deems desirable and in the best interests of the County. If the Board sells the vacated portion, it shall afford the right of first refusal to each abutting property owner as to that part of the vacated portion which abuts his/her property, but no action may be taken by the Board to force the owner to purchase the portion and that portion may not be sold to any person other than the owner if the sale would result in a complete loss of access to a street from the abutting property.

Not applicable.

Section 110.806.60 Payments. If the street was acquired by dedication from the abutting property owners or their predecessors in interest, no payment is required for title to the proportionate part of the street reverted to each abutting property owner. If the street was not acquired by dedication, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may make its order conditional upon payment by the abutting property owners for their proportionate part of the street of such consideration as the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines to be reasonable. If the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines that the vacation has a public benefit, it may apply the benefit as an offset against any determination of reasonable consideration which did not take into account the public benefit.

Not applicable.

Section 110.806.65 Light and Air. Any easement for light and air adjacent to any vacated street is vacated upon the vacation of the street.

Not applicable.

Section 110.806.70 Reservations. In any vacation or abandonment of any street or portion of it, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may reserve and except therefrom any easements, rights, or interests therein which it deems desirable for the use of the County or any public utility. The abandonment or vacation of a government patent easement pursuant to this section addresses only the County's interest in the subject easement and cannot be relied upon for purposes of clearing title to the property.

It is unlikely that the easements present any value to the County as they serve privately-owned parcels.

Section 110.806.75 Consistency with Plan. No procedures or approvals that are provided for in this article may be in contravention to the Master Plan.

This request has no impact on Master Plan policies or implementation.

Section 110.806.80 Reapplication. When an application for a vacation or abandonment of an easement or street has been denied, a subsequent application for the same easement or street right-of-way shall not be submitted for the next six (6) consecutive months commencing from the date of the final action by the Planning Commission or Board of County Commissioners, whichever is later.

No action required by applicant.

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information	s	taff Assigned Case No.:		
Project Name: Yasord Property Easement Abandonment				
Project Request to aba Description: residential parc		t access and utility easeme	ent on a private	
Project Address: 14437 Raider F	Run Road, Reno, NV 8	9511		
Project Area (acres or square fee	et): 28,314 +/- square	feet		
Project Location (with point of re	ference to major cross	streets AND area locator):		
Raider Run Road,	west of the i	ntersection with To	rvinen Way.	
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
142-241-26	2.5			
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	ion:	
Applicant Info	ormation (attach	additional sheets if necess	sary)	
Property Owner:		Professional Consultant:		
Name: Kristen and James Yasord		Name: Rubicon Design Group		
Address: 14437 Raider Run Road		Address: 1985 Chimney Rock Trail		
Reno, NV Zip: 89511		Reno, NV	Zip: 89523	
Phone: 206-877-2295	Fax:	Phone: 775-527-6710	Fax:	
Email:		Email: dwilson@rubicondesigng	roup.com	
Cell:	Other:	Cell:	Other:	
Contact Person: James Yasord		Contact Person: Derek Wilson		
Applicant/Developer:		Other Persons to be Contacted:		
Name: same as above		Name:		
Address:		Address:		
	Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:	
Email:		Email:		
Cell:	Other:	Cell:	Other:	
Contact Person:		Contact Person:		
	For Office	Use Only		
Date Received:	Initial:	Planning Area:		
County Commission District:		Master Plan Designation(s):		
CAB(s):		Regulatory Zoning(s):		

Abandonment Application Supplemental Information

(All required information may be separately attached)

1. What and where is the abandonment that is being requested?

The abandonment is for an access and utility easement contained on parcel APN 142-241-26.

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Assessor's parcel map 142-24, included in application.

3. What is the proposed use for the vacated area?

Open space.

4. What replacement easements are proposed for any to be abandoned?

No replacements are necessary as the easements are not being used and are not needed.

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

No other property relies on these easements for access or utilities.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

* Yes	* No X
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IMPORTANT

NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Property Owner Affidavit

Applicant Name: James Yasord & Kristen YASORD
The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.
STATE OF NEVADA)
COUNTY OF WASHOE)
1,
being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and
Building. (A separate Affidavit must be provided by each property owner named in the title report.)
Assessor Parcel Number(s): 142 - 241 - 26
Signed Gason Knoth Jagon Signed Gason Knoth Jagon Knot
STATE OF NV. COUNTY OF WASHOE Reno, NV 89511
Subscribed and sworn to before me this 25 day of FERRIARY , 2021. (Notary Stamp)
Notary Public in and for said county and state My commission expires: 12/29/20 214 ZHONG WEI CHIEN Notary Public State of Nevada County of Washoe APPT. NO. 97-0064-2 My App. Expires Dec. 29, 2024
*Owner refers to the following: (Please mark appropriate box.)
Ø Owner
□ Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
Power of Attorney (Provide copy of Power of Attorney.)
Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
☐ Property Agent (Provide copy of record document indicating authority to sign.)
Letter from Government Agency with Stewardship

Account Detail

Back to Account Detail

Change of Address

Print this Page

CollectionCart

Collection Cart

Items 0 Total \$0.00

Checkout View

Pay Online

No payment due for this account.

Washoe	County	Parcel	Information
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Parcel ID	Status	Last Update
14224126	Active	3/6/2021 1:39:48 AM

Current Owner:

YASORD, JAMES & KRISTEN

SITUS: 14437 RAIDER RUN RD WASHOE COUNTY NV

14437 RAIDER RUN RD RENO, NV 89511

Taxing District

4000

Geo CD:

Tax Bill (Click on desired tax year for due dates and further details)

				. N. N. B. B. M. B.	
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
2020	\$2,058.94	\$2,058.94	\$0.00	\$0.00	\$0.00
2019	\$1,655.12	\$1,672.12	\$0.00	\$0.00	\$0.00
2018	\$581.16	\$581.16	\$0.00	\$0.00	\$0.00
2017	\$557.74	\$580.04	\$0.00	\$0.00	\$0.00
2016	\$544.02	\$563.06	\$0.00	\$0.00	\$0.00
200				Total	\$0.00

Disclaimer

- ALERTS: If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.
- For your convenience, online payment is available on this site.
 E-check payments are accepted without a fee.
 However, a service fee does apply for online credit card payments.
 See Payment
 Information for details.

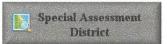
Pay By Check

Please make checks payable to: WASHOE COUNTY TREASURER

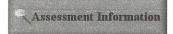
Mailing Address: P.O. Box 30039 Reno, NV 89520-3039

Overnight Address: 1001 E. Ninth St., Ste D140 Reno, NV 89512-2845

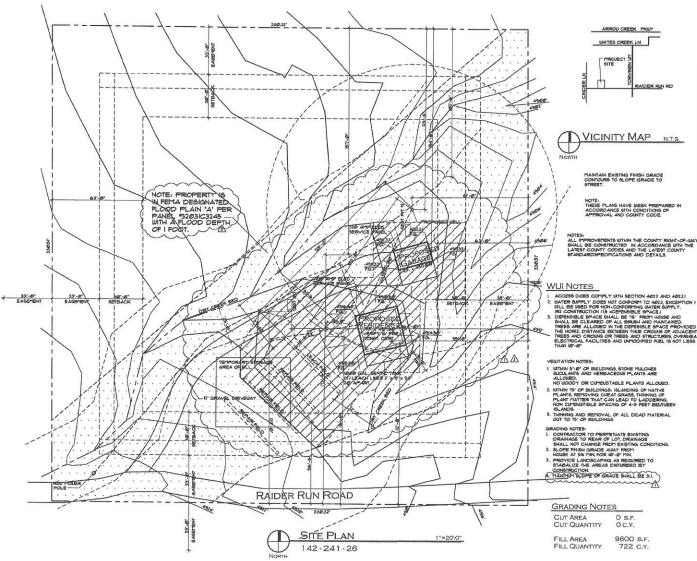








A New Residence Jami & Kris Yasord



CONSULTANTS

RESIDENTIAL DESIGNER MICHAEL T. PETERSON 3710 GRANT DRIVE SUITE C RENO NEVADA 89509 PHONE: (775) 856-1400 CELL: (775) 240-4564 MIKE@MTPETERSON.COM ENGINEER

JTN ENGINEERING LLC P.O.Box 19666 RENO, NEVADA 89511 PHONE: (775) 626-3391 JOSH @ JTNENGINEERING.COM

OWNER INFORMATION

JAMI & KRIS YASORD 1041 NW FEDERAL ST. BEND, OREGON 97703 PHONE (206) 877 - 2295

DESIGN INFORMATION

RESIDENTIAL CODE 2012 LR.C. ELECTRICAL CODE 2011 N.E.C PLUMBING CODE 2012 U.P.C. MECHANICAL CODE 2012 U.M.C. ENERGY CONS. CODE 2012 IECC STRUCTURAL DESIGN 2012 I.B.C. WIND LOAD VULT 130 MPH EXP C SEISMIC ZONE D-2 ROOF LL 21 PSF SNOW WUI FIRE ZONE HIGH AND ANY APPLICABLE LOCAL ORDINANCES UNION APPLICE THIS PROJECT

GENERAL NOTES

- ALL TRADE CONTRACTORS SHALL VERIFY CONDITIONS AND DIME!
 IN THE FIELD, ALL QUESTIONS AS TO DIMENSIONS AND RELD CON
 SHALL BE RESOLVED BEFORE THE AFFECTED WORK PROCEEDS.
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- THAT HOPPOTER OR THAT IS AN ANY PROPERTY OF THE PROPERTY OF TH

RESIDENCE INFORMATION

FIRST FLOOR LIVING AREA 840 Sq. Ft. DETACHED GARAGE

BUILDING INFORMATION

BUILDING OCCUPANCY GROUP: TYPE OF CONSTRUCTION : 142-241-26 A. P. N.: 2.5 ACRES

LOT: 32 BLOCK: SUB DIVISION: GOVERNMENT HOMESITES

SHEET SCHEDULE

COVER SHEET & SITE PLAN FLOOR PLAN A-2 A-3 **EXTERIOR ELEVATIONS**

ROOF PLAN & SECTION ELECTRICAL PLAN

F-1 SEPTIC PLAN SO. 1 GENERAL NOTES

50.2 TYPICAL DETAILS 50.3 TYPICAL DETAILS

S1.1 FOUNDATION PLANS SHEARWALL & HOLDOWN PLANS

FRAMING PLANS 53.1 STRUCTURAL DETAILS S3.2 STRUCTURAL DETAILS ichael T. Peterson sidential Designer wmtpeterson.com 3710 Grant Dr. Suit Reno, Nevada 89;





A	a Description
diament .	PLAN CHECK PLAN CHECK
Dram By	Date December 13, 2016
MTP.	Project No.

COVER SHEET AND SITE PLAN