то:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT	SPECIAL PROVISIONS SIFTON PROPERTIES LIMITED FOREST HILL SUBDIVISION (Phase 4C) 39T-99515
	MEETING ON MAY 4, 2015

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited for the subdivision of land over Part of Lot 11, Concession 6, (Geographic Township of London), City of London, County of Middlesex, situated west of Springridge Drive and north of Rollingacres Drive:

- (a) the <u>attached</u> Special Provisions, (Schedule "D"), to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Forest Hill Subdivision (39T-99515-4C) **BE APPROVED**;
- (b) the applicant **BE ADVISED** that the Director, Development Finance has summarized the claims and revenues to be as per Schedule "B", <u>attached</u> hereto;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached hereto as Schedule "A"; and
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

BACKGROUND

This application for plan of subdivision approval was accepted on April 1, 1999. The application was put on hold by the applicant to permit time to address concerns raised during the liaison process and it was subsequently appealed to the Ontario Municipal Board (OMB) due to the lack of a decision within the 90 time period permitted by the Planning Act. Draft plan of subdivision approval with conditions was granted by the OMB on March 7, 2000 to allow 274 single detached dwellings lots; 8 medium density blocks; 1 convenience commercial block; and several park, open space and SWM blocks.

Since the OMB granted draft approval in 2000, the plan has been extended and revised. Five phases have been registered to date containing 382 lots and several open space and park/walkway blocks, which also includes a school block which was developed into single family units.

The anticipated reimbursements from the Fund for the construction of a multi-pathway and park amenities in Block 82 and the construction of a multi-pathway in Block 83, all in accordance with the approved engineering drawings, is estimated to be \$75,000.

This subdivision shall be registered in one (1) phase, consisting of 176 single family detached Lots, and 2 park blocks.

The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

Agenda	Item	#	Page	#	2

\Box		

File Number: 39T-99515-4C This report has been prepared in consultation with the City's Solicitors Office.

A copy of the location plan is <u>attached</u> as Schedule "C" for the information of the Committee.

PREPARED BY:	RECOMMENDED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES DIVISION	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
JENNIE A. RAMSAY P. ENG. MANAGER, DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

NP/fg Attach. April 10, 2015

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Schedule A – Source of finance report

APPENDIX 'A'

#15066

Chair and Members
Planning and Environment Committee

April 17, 2015 (Award Contract)

RE: Construction of Multi-use Pathway
Capital Project PD2043-15 - 2015 New Major Open Space Network
Sifton Forest Hill Subdivision, Phase 4C - \$75,000.00

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Planning and City Planner, the detailed source of financing for this project is:

ESTIMATED EXPENDITURES	_	Approved Budget	This Submission	Balance for Future Work
Engineering		\$50,000		\$50,000
Construction		650,000	75,000	575,000
NET ESTIMATED EXPENDITURES	_	\$700,000	\$75,000	\$625,000
SOURCE OF FINANCING:				
Debenture Quota	1)	\$296,500	\$31,768	\$264,732
Drawdown from City Services-Parks & Rec Component (Development Charges)	2)	403,500	43,232	360,268
TOTAL FINANCING	_	\$700,000	\$75,000	\$625,000

1) NOTE TO CITY CLERK:

Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary authorizing by-laws.

An authorizing by-law should be drafted to secure debenture financing for project PD2043-15 - 2015 New Major Open Space Network for the net amount to be debentured of \$296,500.

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

Alan Dunbar

Manager of Financial Planning & Policy

Schedule B - Finance Summary Table

Agenda Item #	Page #	1
		Forest Hill – Phase 4C Subdivision Agreement File Number: 39T-99515 April 10, 2015

Appendix "39T-99515 - Phase 4C"

Related Estimated Costs and Revenues

Estimated Costs – This Agreement	
Claimable capital works to be constructed by developer: Construction of the multi-use pathway ⁽¹⁾	\$75,000
Estimated Revenues - This Agreement (2015 rates) (2)	
CSRF	\$2,090,124
UWRF	\$ 187,839
Total	\$2,277,963

- Estimated construction cost of pathway was provided by developer and confirmed reasonable by City Parks Planning staff.
- 2. Estimated Revenues are calculated using 2015 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the cost with the Revenue section.
- 3. This subdivision, like others in the area, relies on recently constructed roadworks (Sunningdale Road East of Adelaide Street) and SWM facilities (Stoney Creek 1N), the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues This Agreement" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 4. The Developer is responsible, through their Consulting Engineer, to prepare and submit for City approval, a work plan for any claimable work (excluding works payable according to a specified oversizing subsidy based on pipe size) all as provided for in DC by CP1496-244, Schedule 8, or its successor by-laws.

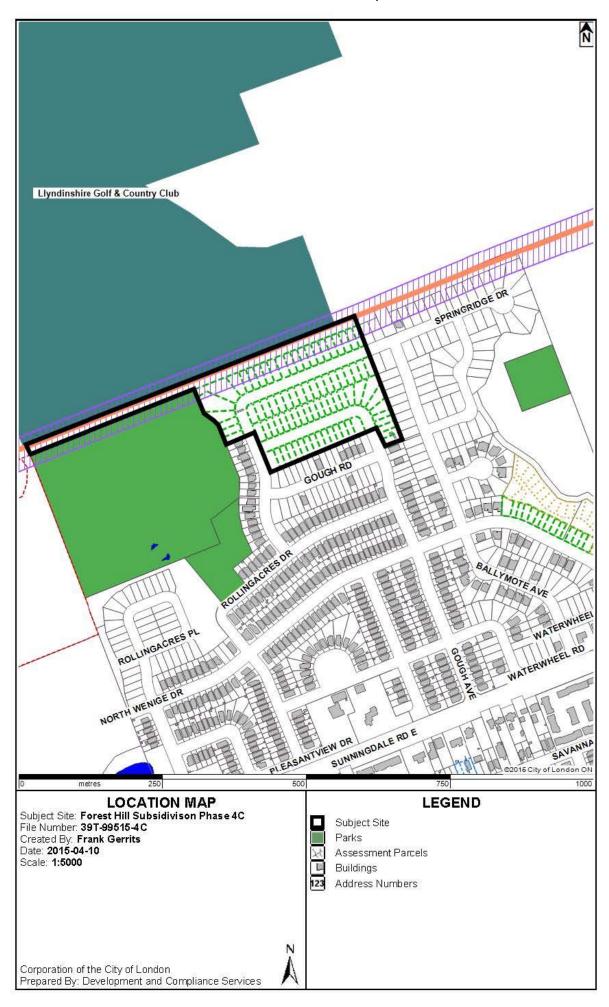
Reviewed By:

Peter Christiaans Director, Development Finance

P. Clinis



Schedule C - Location Map



Schedule D - Special Provisions

STANDARD OF WORK

The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 8, 26, 27 and 56 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule** "I" and on the servicing drawings accepted by the City Engineer.

The Owner shall register against the title of Lots which incorporate private storm subdrains, which includes Lots 1 to 15 and 21 to 38 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, by not constructing any structure and not disturbing the private storm subdrains within the area where the private storm subdrains are located on the said lots. This protects these subdrains from damage or adverse effects during and after construction.

STANDARD REQUIREMENTS

The Owner shall ensure that all parties responsible for construction activity, installation of facilities, or maintenance of encroachments around the Sun-Canadian Pipe Line or the right-of-way must obtain the written consent of Sun-Canadian and adhere to the conditions set out in the consent.

CLAIMS

- (a) Where the Owner undertakes works at their entire expense as a capital cost incurred on behalf of the City and as authorized by the City subject to a claim and the claim is made from the City Services Reserve Fund or the Capital Works Budget, the Owner must conform with the By-law and policies governing the administration thereof as included in the requirement of City of London By-law C.P.-1496-244 as amended (the "Development Charges By-law"). For any claim from any fund, the Owner must comply with the rules of eligibility applied under Schedule 8, of the above by-law including requirements for tendering and completeness of claims.
- (b) If the Owner alleges an entitlement to any reimbursement or payment from the City Services Reserve Fund as a result of the terms hereof, the Owner may, upon approval of this Agreement, make application to the Director Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer and the Director Development Finance and the payment will be made pursuant to any policy established by Council to govern the administration of the said City Services Reserve Fund.

The anticipated reimbursements from the Fund are:



(i) for the construction of a multi-pathway and park amenities in Block 82 and the construction of a multi-pathway in Block 83, all in accordance with the approved engineering drawings, the estimated cost of which is \$75,000;

The estimated amounts herein will be adjusted in accordance with contract prices in the year in which the work is carried out.

(c) Upon approval of an application for a claim to the CSRF, the City shall pay the approved claim in full to the Owner subject to the limits of discussed above and in accordance with the Council approved "Source of Financing Report" and the then in force Development Charges By-law and any policies established thereunder.

STORM WATER MANAGEMENT

- (a) The Owner shall have its Professional Engineer supervise the construction of the stormwater servicing works, including any temporary works, in compliance with the drawings accepted by the City Engineer, and according to the recommendations and requirements of the following, all to the satisfaction of the City Engineer:
 - i) The accepted Municipal Class EA Study for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (2008) and the minor revision/amendments to the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011);
 - ii) The approved Stormwater Management Functional Design Report SWM Facility 1N Stoney Creek Community (September 18, 2008);
 - iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - iv) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - v) The SWM criteria and environmental targets for the Stoney Creek Subwatershed Study and any addendums/amendments.
 - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - vii) The City of London Design Specifications and Requirements Manual, as revised:
 - viii) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
 - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

SANITARY AND STORM SEWERS

(a) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which in the Stoney Creek Subwatershed, and connect them to the City's existing storm sewer system being the 375 mm diameter storm sewer on Gough Avenue and the 525 mm diameter storm sewer on Springridge Drive, both located within Plan 33M-610 and the existing 300 mm diameter storm sewer on Gough Avenue in Plan 33M-651. The storm sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.



- (b) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm (8 inch) diameter sanitary sewer on Gough Avenue and the 200 mm diameter sanitary sewer on Springridge Drive, both located in Plan 33M-610 and the existing 200 mm diameter sanitary sewer on Gough Avenue in Plan 33M-651. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.
- (c) The Owner shall construct the storm drainage system to accommodate external lands, particularly, along the north border of the plan accommodating the open space area, to the satisfaction of the City, at no cost to the City.
- (d) The Owner shall address any decommissioning of any temporary storm servicing works and make arrangements with the City to release any redundant easements and/or transfer new easements to the City, as necessary, to the satisfaction of the City, at no cost to the City.

WATER SERVICING

(a) The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing water supply system, all to the specifications of the City Engineer.

The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing water supply system, being both 250 mm watermain stubs on Springridge Drive, both 250 mm watermain stubs on Gough Avenue, both in Plans 33M-610 and 33M-651 and the existing 250 mm diameter watermain on Springridge Drive in Plan 33M-632, to the specifications of the City Engineer.

The Owner shall provide looping of the water main system, as required by and to the satisfaction of the City Engineer.

HYDROGEOLOGICAL WORKS

(a) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall have its professional engineer implement all required mitigating measures as identified in Golders Report 901-3281, Section 5.2.1. Water Balance and any addendum, including any possible impact to the existing woodlot, all to the satisfaction of the City.

ROADWORKS

- (a) The Owner shall construct or install all of the following required works to the specifications of the City and in accordance with the plans accepted by the City:
 - (i) a fully serviced road connection where Gough Avenue in this plan joins with Gough Avenue in Plan 33M-651, including all underground services and all related works as per the accepted engineering drawings;
 - (ii) a fully serviced road connection where Springridge Drive in this plan joins with Springridge Drive in Plan 33M-610, including all underground services and related works as per the accepted engineering drawings;
 - (iii) a fully serviced road connection where Springridge Drive in this plan joins with Springridge Drive in Plan 33M-632, including all underground services and all related works as per the accepted engineering drawings; and
 - (iv) relocation of any constructed private drain connections on Gough Avenue (eg. Lots 79, 80 and 81) which serve lands in this plan, in standard location, and in accordance with the approved final lot layout for the lands inside this



9

plan and approved revised servicing drawings, which were constructed under Plan 33M-651, at no cost to the City.

The Owner shall complete all work on the said street(s) in accordance with current City standards, procedures and policies, and restore the road(s), and ensure that adequate precautions are taken to maintain vehicular and pedestrian traffic and existing water and sewer services at all times during construction, except as approved otherwise by the City Engineer. The Owner shall provide full-time supervision by its Professional Engineer for all works to be constructed on Gough Avenue and Springridge Drive in accordance with current City policies. Upon completion of these works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.

The Owner shall complete the works specified above on a schedule acceptable to the City or as otherwise specified herein. Where the Owner is required to close any City of London road section the Owner shall have available for submission to the City a Traffic Protection Plan acceptable to the City Engineer (or his/her designate), a schedule of construction for the proposed works on the above-noted street(s) and a detail of the proposed timing and duration of the said works in accordance with the Ministry of Labour and Ministry of Transportation requirements within the Ontario Traffic Manual Book 7. Further, the Owner shall obtain a Permit for Approved Works from the City prior to commencing any construction on City land or right-of-way.

Where required by the City Engineer, the Owner shall establish and maintain a Traffic Management Plan (TMP) intended to harmonize a construction project's physical requirements with the operational requirements of the City, the transportation needs of the travelling public and access concerns of area property owners in conformity with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this Plan of Subdivision. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP shall be submitted by the Owner at the time of submission of servicing drawings for this Plan of Subdivision, and shall become a requirement of the said drawings.

PARKS

- (a) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks (Lots 16, 17, 18, 19 and 20 on this Plan) adjacent to any park and/or open space Blocks, in accordance with City Standard S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
 - Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate to the City Plan that identifies that the fencing has been installed as per the approved plan.
- (b) Within one (1) year of registration of this Plan, the Owner shall construct the multiuse pathway and park amenities with Park Block 82 in conformity with approved engineering plans and to the satisfaction of the Manager of Environmental and Parks Planning.
- (c) Within one (1) year of registration of the Plan, the Owner shall construct the multiuse pathway within Park Block 83 in conformity with approved engineering plans and to the satisfaction of the Manager of Environmental and Parks Planning. Prior to construction of the multi-use pathway, the Owner shall coordinate all necessary approvals for the construction of the multi-use pathway.
- (d) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks (Lots 16, 17, 18, 19 and 20 on this Plan) adjacent to any park and/or open space Blocks, in accordance with City Standard



File Number: 39T-99515-4C S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.

- (e) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks (Lots 21-38 inclusive on this Plan) adjacent to the Sun-Canadian Pipe Line easement and along the entire length of the north limit of the Sun-Canadian Pipe Line easement, in accordance with City Standard S.P.O. 4.8, to the satisfaction of the City and Sun-Canadian Pipe Line Company Limited, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City and Sun-Canadian Pipe Line Company Limited.
- (f) The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the park or open space zones shall be to the satisfaction of the City.
- (g) Within one (1) year of registration of the Plan, the Owner shall remove any tree hazards within15 meters of the drip line of Lots 16 to 20, to the satisfaction of the City Planner, at no cost to the City.
- (h) The Owner shall prepare, and deliver to the all homeowners adjacent to all open space and park blocks, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City Planner.

	Agenda Item #	Page	#	11
			File Number:	39T-99515-4C
	SCHEDULE "C"			
This is Schedule "C" to the Subdivision between The Corporation of the City of				
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SPECIAL WORKS AND SERVICES

Roadways

 Gough Avenue and Springridge Drive shall have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20.0 metres (66').

Sidewalks

A 1.5 metre (5 foot) sidewalk shall be constructed on one side of

- (i) Gough Avenue north and east boulevard
- (ii) Springridge Drive north and west boulevard

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

Agenda I	Item #	Page #	12
<u>SCHE</u>	EDULE "D"		er: 39T-99515-4C
This is Schedule "D" to the Subdivision Agree between The Corporation of the City of London forms a part.			
Prior to the Approval Authority granting final a City, all external lands as prescribed herein. Further, the Owner shall further transfer all lands	urthermore, v	within thirty (30) days o	
0.3 metre (one foot) reserves:	NIL		
Road Widening (Dedicated on face of plan):	NIL		
Walkways:	NIL		
5% Parkland Dedication:		ks 82 and 83 as partia and requirement.	l satisfaction of the
Dedication of land for Parks in excess of 5%:	NIL		
Stormwater Management:	NIL		

NIL

LANDS TO BE HELD IN TRUST BY THE CITY:

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:

Temporary access to lands north of this Plan: NIL

		Agenda Item #	Page #		13
			File	Number:	39T-99515-4C
		SCHEDULE	"E"		
betwe	s Schedule "E" to the Subdi en The Corporation of the Cit a part.	_			
The to	stal value of security to be su	pplied to the City is	s as follows:		
		CASH PORTION: BOND PORTION: TOTAL			
(a)	Treasurer at the time of sig	The following secuning this agreement CASH PORTION: BOND PORTION:	nt:	sited with t	he City
(b)	Treasurer, before the issua	The following secu	•		-

The security shall be supplied to the City in accordance with the policy adopted by the City Council on April 6, 1987, when it approved Clause 15 of the 11th Report of the Planning Committee, and its

CASH PORTION:

BOND PORTION:

NIL

\$1,341,343

within this subdivision:

amendments.

Please refer to Section 9. <u>Initial Construction of Services and Building Permits of Part 1 – Provisions of Development</u>, which may limit the issuance of a building permit until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the <u>CONSTRUCTION LIEN ACT</u>, R.S.O. 1990.

Agenda I	Item # Pag	e #	14
		File Number:	39T-99515-4C
SCHE	EDULE "F"		
This is Schedule "F" to the Subdivision Agree between The Corporation of the City of London			
forms a part.			
Prior to the Approval Authority granting final a City, all external easements as prescribed here of the Plan, the Owner shall further transfer al	ein. Furthermore, wit	hin thirty (30) da	ys of registration
Multi-Purpose Easements:			
(a) Multi-purpose easements for storm se	rvicing shall be dee	ded to the City in	n conjunction

with this Plan, within this Plan, on an alignment and of sufficient width acceptable to the

City Engineer as follows:

(i) Lots 26 and 27 for rear yard catchbasin leads

Agenda Item	#	Page #	1	5

LACA MATERIAL CONTACTOR OF THE PARTY IN 39T-99515 PLAN OF SUBDIVISION
CONTITIONORESSION 6
(GEORGE-PROTE TOWNSHIELD OF LONDON)
CITY OF LONDON
COUNTY OF MIDDLE SEX
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DEVELOPMENT SERVICES P467 S, P248 336-17150 RECEIVED BY 3 JAN 2 7 2015 Prince of the Colons of the Co Services 17. The 15 00 12 000 12 12.00 12.00 12.00 12.00 12.70 1 CEAS CEBN 177 Sept. 1477 AVENUE Watterley THE PARTY 20,000 12 13 13 13 10 13 12 10 13 10 BLOCK 83 Ļ 25 1112 25 55 SPRINGRIDGE DRIVE GOUGH AVENUE PLIX OF US DALL GOUGH ROAD CEA-SE 97 14.78 12.800 1.2.800 14.78 17.200 11.000 22 g L 99 12 VGRIDGE -BLOCK, 723 no. 120001, 6220,000 to 650, and 2000 to 1552, 1952, 100 (3) (3) (1) 701.581 Hefra 302 121 B OCK 178 201 818 THE STREET OF THE STORY OF STREET OF STREET AND STREET OF STREET O BLOCK 83 AMA - 81972 No. ## OCCUT MANAGEMENT (PARK

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