

# EXHIBIT B

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12 Attorneys for Plaintiffs and the Proposed Classes

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA-SAN JOSE DIVISION**

16 ABDUL NEVAREZ; PRISCILLA NEVAREZ,  
17 and SEBASTIAN DEFRANCESCO, on behalf of  
18 themselves and all others similarly situated;

19 Plaintiffs,

20 vs.

21 FORTY NINERS FOOTBALL COMPANY, LLC,  
a Delaware limited liability company, *et al.*,

22 Defendants.  
23  
24

Case No. 5:16-cv-07013-LHK (SVK)

**CLASS ACTION**

**DECLARATION OF GARY WATERS IN  
SUPPORT OF PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

Date: June 14, 2018  
Time: 1:30 p.m.  
Place: Courtroom 8  
Judge: Hon. Lucy H. Koh

1 I, Gary Waters, declare:

2 1. I am a resident of Sonoma County. I make these statements based on personal  
3 knowledge and would so testify if called as a witness at trial.

4 2. This Declaration is submitted in support of Plaintiffs' Motion for Class  
5 Certification in *Nevarez et al., v. Forty Niners Football Co., LLC, et al.*, Case No. 5:16-cv-07013-  
6 LHK (SVK), in the U.S. District Court, Northern District of California.

7 **QUALIFICATIONS AND BACKGROUND**

8 3. I am a licensed architect with over 25 years of experience in the practice of  
9 architecture. I currently am the President of Gary Waters Architectural Corporation. Since 2000, I  
10 have focused my practice on accessibility and universal design, providing access management  
11 consulting services. I have significant knowledge and experience in assessing compliance with all  
12 facility related disability access laws and regulations, including the 2010 Americans with Disabilities  
13 Act Standards for Accessible Design (2010 ADAS), the 1991 Americans with Disabilities Act  
14 Accessibility Guidelines (1991 ADAAG), and the California Building Code (CBC). In 2014, I was a  
15 founding Member of Pacific Access Consulting, LLC along with Anthony Goldsmith, providing  
16 access consulting services to business, governmental agencies, attorneys and architects & developers.  
17 In early 2017, Mr. Goldsmith returned to legal practice. I continue to provide access consulting  
18 services as Pacific Access Consulting, a DbA of Gary Waters Architectural Corporation.

19 4. As an access consultant, I maintain a balanced practice providing access litigation  
20 consulting services for both plaintiff and defense, working with businesses and governmental entities  
21 to assist them in meeting their respective obligations for barrier removal and program access, and as a  
22 specialized access consultant for design and construction of new facilities and alterations projects.  
23 Significant recent and current projects include for which I provided access consulting services for  
24 design and construction include:

- 25 • City College of San Francisco Chinatown Campus
- 26 • San Francisco Conservatory of Music
- 27 • Be Here Farm Nature Sanctuary
- 28 • Sonoma Bungalows Boutique Hotel

- 1 • MacArthur Place Resort and Spa
- 2 • Sutter Santa Rosa Regional Hospital.

3 A true and correct copy of my curriculum vitae is attached hereto as Exhibit A.

4 5. I am very familiar with the requirements of federal disability access design  
 5 standards, including the 2010 Americans with Disabilities Act Standards for Accessible Design  
 6 (ADAS), the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Uniform  
 7 Federal Accessibility Standards (UFAS). I am also very familiar with the requirements of California  
 8 accessibility design standards as codified within the California Building Code (CBC), also known as  
 9 Title 24 of the California Code of Regulations (Title 24). I am an accessibility consultant approved by  
 10 the Division of the State Architect for the review of K thru 12, Community College, and other public  
 11 projects. I review those plans for compliance with the CBC. I am familiar with both federal and state  
 12 disability access design standards as they relate to accessibility for persons with mobility and/or vision  
 13 disabilities.

14 6. I received my Bachelor of Architecture from California Polytechnic Institute, San  
 15 Luis Obispo in 1985. I am a member of the American Institute of Architects. I am a Certified Access  
 16 Specialist in California, CASp – 065.

17 **SCOPE OF MY WORK AND TESTIMONY IN THIS MATTER**

18 7. Counsel for Plaintiffs retained Pacific Access Consulting, Jeff Mastin of Facility  
 19 Access Consulting, Inc., and William “Scott” McBrayer of Construction Quality Group to survey  
 20 Levi’s Stadium in Santa Clara, California (“the Stadium”). I conducted the survey on behalf of  
 21 Pacific Access Consulting. We were asked to determine the extent to which Levi’s Stadium and its  
 22 physical elements comply with the standards set forth in the 2010 ADAS, the 1991 ADAAG and the  
 23 2010 CBC, and to assess the sufficiency of the policies, procedures, and practices of Defendants—the  
 24 City of Santa Clara (“the City”), the Santa Clara Stadium Authority (“the Stadium Authority”), Forty  
 25 Niners Football Co. LLC, Forty Niners SC Stadium Co. LLC, and Forty Niners Stadium Management  
 26 Co. LLC—with respect to disability access for persons with mobility disabilities.

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## **BASIS OF EXPERT TESTIMONY**

### **A. Published Materials**

8. The opinions I express in connection with this litigation are based upon various professional trainings and seminars that I have either presented or attended, upon articles, reports, codes and publications that I have studied, my professional experience interpreting and applying the requirements of the ADA (including the standards of the 2010 ADAS, the 1991 ADAAG, and UFAS) and the CBC in practice, and my experience in working with public entities and owners to educate them on their obligations under the ADA, the 2010 ADAS, the 1991 ADAAG, and the CBC with regard to providing facilities that are accessible to individuals with disabilities.

### **B. Review of Case Documents and Testimony**

9. The opinions I express in this Declaration are based on review and analysis of various documents, including the architectural plans for Levi's Stadium; the Design-Build Agreement between Santa Clara Stadium Authority, Forty Niners Stadium LLC, and Turner/Devcon, a Joint Venture ("the Design-Build Agreement"); and the transcripts of the deposition testimony to date of Jonathan Harvey, David Tran, and Robert Jay Harrison. Additionally, I have reviewed the site inspection reports prepared by Scott McBrayer and Jeff Mastin, the other disability access experts retained by Plaintiffs' counsel to inspect Levi's Stadium in this case. The analysis and conclusions contained in this report reflect my preliminary findings and conclusions, and these are subject to revision and supplementation, as further information becomes available through the discovery process in this case. My work is continuing. I may supplement, revise or change the opinions contained within this Declaration as I review additional documents produced and additional deposition testimony in this litigation and should I conduct any further site inspections of the Stadium and its facilities.

### **C. Federal Disability Access Design Standards**

10. With the passage of the ADA, the Department of Justice issued the ADAAG standards. Since January 26, 1992, public entities have been obligated to perform new construction and alterations in compliance with either ADAAG or UFAS. On September 15, 2010, the Department of Justice published updated accessible design standards, the 2010 ADA Standards for Accessible

1 Design (2010 ADAS). For new construction and alterations commenced between September 15, 2010  
2 and March 15, 2012, public entities had to choose and ensure compliance with one of the following  
3 three federal standards: the 2010 ADAS, ADAAG, or UFAS. Physical construction or alterations  
4 commenced by public entities on or after March 15, 2012 must comply with the 2010 ADAS.

5 11. It is considered the appropriate standard of professional care by California  
6 architects to ensure that new construction and alterations be performed in compliance with both the  
7 CBC and the applicable federal access standard, whichever is more restrictive. The goal in following  
8 the more restrictive standard is to ensure the greatest degree of compliance with applicable codes and  
9 regulations and consequently, to ensure the greatest usability for persons with disabilities, including  
10 persons with mobility disabilities. I have utilized the most restrictive requirements of the applicable  
11 federal access standard (2010 ADAS or ADAAG) and the CBC as the appropriate disability access  
12 standard for our work with public entities in California. It is widely accepted among California  
13 architects who work with public entities that compliance with the standards of both the applicable  
14 federal access standard and the CBC, whichever is more restrictive, is necessary to ensure that persons  
15 with mobility disabilities are able to use the public facilities safely and independently.

16 12. I have reviewed the Design-Build Agreement and the deposition testimony of the  
17 following individuals:

- 18 a. the witnesses designated by the City of Santa Clara and the Santa Clara Stadium  
19 Authority pursuant to Federal Code of Civil Procedure 30(b)(6) on the topics of the  
20 designs, plans, specifications, permits, construction, dimensional tolerances, punch  
21 lists, close-out procedures and certificate of occupancy or other approval process for  
22 Levi's Stadium and its parking lots, David Tran and Robert Jay Harrison; and  
23 b. the witness designated by Turner/Devcon pursuant to Federal Code of Civil  
24 Procedure 30(b)(6) on the topics of policies, procedures and practices regarding  
25 compliance with the applicable design access standards during the design,  
26 construction and operation of Levi's Stadium, Jonathan Harvey.

27 13. Based on my review of those materials and my knowledge of Title II of the ADA  
28 and its implementing regulations, specifically 28 C.F.R. § 35.151(c), it is my professional opinion that

1 the federal access design standard that applied to the design and construction of Levi's Stadium is the  
2 2010 ADAS. The Stadium is owned and was developed by the Santa Clara Stadium Authority, a part  
3 of the City of Santa Clara and therefore a public entity. Under Title II of the ADA, new construction  
4 by public entities commenced after September 15, 2010 and before March 15, 2012 must comply with  
5 the 2010 ADAS, the 1991 ADAAG, or the UFAS. New construction by public entities commenced  
6 after March 15, 2012 must comply with the 2010 ADAS. Based on my review of the case documents  
7 and deposition testimony, it is clear that construction of the Stadium began after March 15, 2012,  
8 thereby triggering a duty to comply with the 2010 ADAS. I understand that the City of Santa Clara  
9 and the Santa Clara Stadium Authority may argue that Stadium construction commenced between  
10 September 15, 2010 and March 15, 2012, thereby permitting the election of the 2010 ADAS, ADAAG  
11 or the UFAS. This is incorrect. To determine the required federal design standard, one must look at  
12 the commencement of construction. Site clean up to prepare for construction took place after March  
13 15, 2012. Temporary power was put in after March 15, 2012 in preparation for construction. The  
14 permit for the shell and core of the Stadium, and the beginning of the construction of the shell and  
15 core, all took place well after March 15, 2012. Thus, the 2010 ADAS applies.

16 14. To the extent the City or the Stadium Authority elected a federal accessibility  
17 standard under any mistaken conclusion that construction on the Stadium commenced prior to March  
18 15, 2012, it would have elected either the 1991 ADAAG or the 2010 UFAS. The Design-Build  
19 Agreement erroneously specifies Title III of the ADA, which applies to facilities owned and built by  
20 private entities, not public entities such as the City or the Stadium Authority. Nonetheless, Title III  
21 permits a choice between the 1991 ADAAG and the 2010 ADAS, but not UFAS, for new construction  
22 projects by private entities constructed between September 15, 2010 and March 15, 2012. For this  
23 reason, I analyzed compliance with both the 2010 ADAS and the 1991 ADAAG in my inspection of  
24 the Stadium.

#### 25 **SITE INSPECTION OF LEVI'S STADIUM AND ITS FACILITIES**

26 15. I was part of a team of three disability access consultants who surveyed Levi's  
27 Stadium from January 22-26, 2018. The other two consultants were Jeff Mastin and Scott McBrayer.  
28 Additionally, I surveyed the Stadium's restaurants, Michael Mina Bourbon Steak & Bourbon Pub and

1 Michael Mina Tailgate, on March 7, 2018. We were asked primarily to determine the extent to which  
2 the stadium and its physical elements comply with the standards set forth in the 2010 ADAS, the 1991  
3 ADAAG, and the 2010 version of the CBC. The Stadium is an extremely large facility, so in order to  
4 complete the inspection in the time allotted, each of us inspected different areas and/or elements of the  
5 Stadium according to a division of labor we agreed upon in advance.

6 16. I inspected the following elements of the Stadium:

- 7 a. Accessible routes of travel and related elevators
- 8 b. Wayfinding signage related to the location of the elevators
- 9 c. Box office windows
- 10 d. Forty Niners Team Stores
  - 11 i. Main Team Store at Gate A, 200 level and 300 level
  - 12 ii. Team stores at 700 level
- 13 e. Accessible seating (other than within suites)
  - 14 i. Field level accessible seating at the North end of the Stadium
  - 15 ii. Field level accessible seating from the Brocade Club East
  - 16 iii. Field level accessible seating from the Brocade Club West
  - 17 iv. Accessible seating from the 501 Club
- 18 f. Brocade Club East
- 19 g. Bay Mellon Club
- 20 h. Auditorium
- 21 i. Restrooms serving the following areas
  - 22 i. Men's and Women's field level seating Northeast
  - 23 ii. Men's and Women's field level seating Northwest
  - 24 iii. Two sets Men's and Women's restrooms serving Brocade and Bay Mellon
  - 25 Clubs
- 26 j. NRG Solar Terrace: Bars and seating areas
- 27 k. Michael Mina's Bourbon Steak & Bourbon Pub
  - 28 i. Men's and Women's restrooms serving the Bourbon Steak & Bourbon Pub



1 Commission on September 16, 1998, attached as Exhibit B to this Declaration, I did not record any  
2 conditions that would fall within the tolerances listed therein, including the following:

- 3 a. Concrete paving. Standard: Plus or minus 1/4" over 10' for drives, parking surfaces,  
4 sidewalks and other side paving.
- 5 b. Concrete slabs for flatness and straightness. Standard: Bull-float slab is plus or  
6 minus 1/2" over 10'.
- 7 c. Flatness of counter tops. Standard: 1/4" per 8'.
- 8 d. Clear opening at doors. Standard: plus or minus 3/8".
- 9 e. Plumbing fixture installation. Standard: plus or minus 1/2" measured from the  
10 finished wall or floor.
- 11 f. Handrail dimensions. Nominal handrails not to vary more than 3/16" in diameter  
12 from code dimension; height plus or minus 3/16" measured from finished floor.
- 13 g. Threshold. Standard: 1/8" variation in threshold height is permitted above the  
14 finished floor surface.
- 15 h. Knee clearance under wall mounted plumbing fixtures, including lavatories,  
16 drinking fountains, urinals and toilets. Standard: Mounting height above finished  
17 floor equals plus or minus 3/8". Within a 30" wide area, centered on the accessible  
18 basin or fixture, there may be a variation of 1/4" in height between the lower edge of  
19 the counter and the finished floor.
- 20 i. Switches, receptacles, pull stations, controls and similar devices. Standard: Plus or  
21 minus 1/2" vertically.
- 22 j. Door operating pressure. Standard: Plus or minus 1/2 pound.
- 23 k. Operating pressures for faucets, flush valves and miscellaneous hardware. Standard:  
24 Plus or minus 1/2 pound.

### 25 FINDINGS

26 19. The detailed survey findings and photographs of the areas and elements listed in  
27 Paragraph 16 are attached as Exhibits C and D. Below is a summary of those findings.

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**Elevators and Way-Finding**

20. One of the primary problems encountered by class members attempting to use Levi’s Stadium is wayfinding, in particular finding the appropriate elevator to their seat location and/or other facilities and amenities at the Stadium. Wayfinding is an essential element of facility access. The 2010 ADAS requires that information be provided to persons with disabilities regarding the existence and location of accessible services, activities and facilities. The 2010 CBC requires that information be provided along the entire accessible route of travel through a facility, specifically identifying decision points and deviations from the general circulation path.

21. There are nine elevator locations throughout the Stadium. They are used as primary vertical circulation at primary Stadium entries, but are hidden from the general public. At major entry points, including Gate A, Gate B, Gate C and Gate F, way-finding signage is not provided indicating the location of elevators. At the primary entry for Level 300, all elevators serving the above entry gates are accessed through exterior doors that are either not identified or only identified at the door without adequate way-finding signage to get to that location. At major vertical circulation elements in the Stadium, such as ramps and stairs, way-finding information identifying the location of corresponding elevator is not provided. At Level 700 approaching the escalator at the east side of the South Concourse, the nearest elevator is at the west end of the South Concourse, and no signs indicating the elevator’s location are visible from the escalator approach. Moreover, elevators in the Stadium are typically located through doors that are not clearly identified as leading to an elevator. The freight elevator (not one of the 9 passenger elevators) is identified by signage as a passenger elevator. As a result of these violations, patrons with mobility disabilities that necessitate the use of an elevator will inevitably experience difficulty and expend time and energy getting to their seats and other areas of the Stadium. See Exh. C at Nos. 57-60.

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**Path of Travel**

22. The path of travel does not comply with the 2010 ADAS, the 1991 ADAAG or the 2010 CBC.

*Intel Gate A*

23. The plaza at Intel Gate A is a large, open space connecting multiple facilities that are required to be accessible. These include the box office, the main 49ers Team Store, SAP Tower, 49ers Museum, and Michael Mina’s Bourbon Steak & Pub and Tailgate. As an identifiable accessible route of travel through the plaza is not provided, the entire area must be at 1:48, or 2.1%, slope in any direction. The cross slope on the direct route of travel from Gate A to the Box Office is consistently over 1:48, with cross slope measured up to 4.2%. See Exh. C at Item 1.

*Stadium Entry Level East Side Levi’s 501 Club Entry to Michael Mina’s Bourbon Steak, Bourbon Pub, and Tailgate*

24. The slope of the path of travel exceeds the maximum allowed slope of 1:20, or 5%. I measured a slope was measured of up to 6.1%. See Exh. C at Item 4.

**Restrooms**

25. The restrooms I inspected at Levi’s Stadium contain numerous access barriers that violate the 2010 ADAS, the 1991 ADAAG, and the 2010 CBC. The entrance doors do not have signs indicating the presence of an accessible restroom within. The door latches in the accessible stalls require two hands to operate, making it very challenging for persons with mobility disabilities, as many have limited manual dexterity, balance or strength. Many of the accessible stalls contain floor drains and an excessive floor slope, making it difficult and unsafe for wheelchair users to transfer between their wheelchairs and the toilet seat. In some of the accessible stalls, the baby changing station, when in the open position, prohibits entry to the stall by a wheelchair user. Moreover, the baby changing stations within the accessible stalls cannot be accessed by a wheelchair user because the knee clearance is inadequate. In some of the accessible stalls, the toilet paper dispenser is not in the required location, making it difficult, and in some cases impossible, for persons with mobility disabilities to access the toilet paper. Similarly, the seat cover dispensers in some of the accessible stalls are located above the side wall grab bar and outside of the reach range of a wheelchair user. In

1 some of the accessible restrooms, the hinge jamb of the stall door is too far from the side partition; as  
 2 a result, the stall door does not open onto the wide side of the toilet, hampering a wheelchair user from  
 3 pulling straight into the stall without having to maneuver around the toilet. See Exh. C at Items 61-81.  
 4 The restrooms in the Clubs and Restaurants are discussed in those sections.

5 **Accessible Seating**

6 26. The accessible seating in Levi’s Stadium does not comply with the requirements  
 7 of the 2010 ADAS, the 1991 ADAAG or the 2010 CBC.

8 *Field Level (100 Level) Accessible Seating*

9 27. Accessible seating in Sections 106-104, Row 1W; 146-102, Row 1W; and East  
 10 Brocade Field Level South is only 33" wide, rather than the required 36". Slopes within many of the  
 11 accessible seat locations exceed the minimum permissible slope of 2.1%, in some cases quite  
 12 significantly—5.3% in Sections 112-108, 3.5% at East Brocade Club Field Level North, 3.3% at East  
 13 Brocade Club Field Level South, 2.6% in Sections 146-102, 3.1% in Sections 144-142, and 3.8% at  
 14 West Brocade Club Field Level South. These slopes are uncomfortable and may cause a wheelchair  
 15 to roll backward or forward, depending on the orientation of the slope. The same is true of the cross  
 16 slope at the aisles behind the accessible and companion seats—5.4% at Sections 112-108, 3.2% at  
 17 East Brocade Field Level South, 3.2% at East Brocade Club Field Level North, 3.2% at Sections 144-  
 18 142, and 3.2% at West Brocade Club Field Level South. The route of travel to the accessible and  
 19 companion seating must be at least 36" wide; in Sections 112-108, Row 1W, and Sections 144-142,  
 20 Row 1W, the stairs to the seats above the accessible seating encroach into the clear accessible route  
 21 when wheelchair users are in place at the adjacent seating locations. See Exh. C at Items 14, 16, 18-  
 22 23, 25-28, 31-32, 36-40.

23 28. Ramps to the accessible seating in Sections 106-104, 112-108, have steep running  
 24 slopes, exceeding the permitted maximum of 8.33%, in some cases up to 9.2%, and making it difficult  
 25 for persons with mobility disabilities to access the seating. The handrail extensions on the ramps to  
 26 the accessible seating are not a full 12" in the direction of travel before returning to the wall, which  
 27 makes it difficult for persons with mobility disabilities to hold onto the handrail at the bottom or top of  
 28 the ramp in order to rest and stabilize. The ramp to the accessible seating at Sections 144-142 is

1 narrower than the 48" required. The bottom landing of the ramp to accessible seating in Sections 146-  
2 102 does not extend the required 72" in the direction of travel; instead there is a permanent concrete-  
3 filled bollard 36" from the end of the ramp slope, creating an obstacle and a hazard for persons with  
4 mobility disabilities. See Exh. C at Items 14-15, 17-18, 29-30, 33-35.

5 29. The door opening force to the lifts to the accessible seating in the East Brocade  
6 Club Field Level North and South exceeds the maximum 5 lb. for exterior doors (measured up to 8.5  
7 lb.). See Exh. C at Item 24.

8 *501 Club 400 Level*

9 30. Accessible seating in the 501 Club South Seating 400 Level is only 33" wide,  
10 rather than the required 36". Slopes within the accessible seat locations exceed the minimum  
11 permissible slope of 2.1%—3.6% in South Seating and 3.2% in North Seating. The same is true of the  
12 cross slope at the aisles behind the accessible and companion seats, measured up to 3.0% in South  
13 Seating and 3.0 and 5.0% in North Seating. See Exh. C at Items 41-43, 45, 47-48.

14 31. Ramps to accessible seating in both the South and North Seating have steep  
15 running slopes, exceeding the permitted maximum of 8.33%--8.7% in South Seating and 8.8% in  
16 North Seating. See Exh. C at Items 44, 46.

17 **Clubs**

18 32. In addition to the violations of the standards in the accessible seating, described  
19 above in Paragraphs 27 and 29-31, other elements in the clubs I inspected do not comply with the  
20 2010 ADAS, the 1991 ADAAG or the 2010 CBC.

21 *East Brocade Club, Level 100, South and North*

22 33. The bars in the Brocade Club East, North and South, do not have an accessible  
23 counter section. There is a lowered section at the end of the L-shaped bar that is visibly disconnected  
24 from the rest of the bar and not deep enough. Also, the accessible height counter is not the same depth  
25 as the rest of the bar. See Exh. C at Item 50.

26 34. The Men's and Women's Restrooms at Brocade Club East, North and South, are  
27 not identified as accessible. The baby changing station, when in the open position, prohibits entry to  
28 the stall by a wheelchair user. The toilet paper dispenser is not in the required location, making it

1 difficult, and in some cases impossible, for persons with mobility disabilities to access the toilet paper.  
2 In the Men's restrooms, the hinge jamb of the stall door is too far from the side partition; as a result,  
3 the stall door does not open onto the wide side of the toilet, hampering a wheelchair user from pulling  
4 straight into the stall without having to maneuver around the toilet.

5 *Bay Mellon Club East*

6 35. The bar is 42" high from the floor and is only accessible to standing patrons. A  
7 section that would be accessible to patrons with mobility disabilities, at a 34" maximum height, is not  
8 provided. See Exh. C at Item 49.

9 **Box Office**

10 36. There are twelve ticket windows; one must be accessible. The location of the  
11 ticket window intended to be accessible is not identified as such. A clear space for side approach is  
12 not provided at the ticket windows, and the ground slope exceeds the maximum 2.1%, measured up to  
13 2.5%. See Exh. C at Items 2, 3.

14 **Team Stores**

15 37. The team stores contained numerous elements that were not compliant with the  
16 2010 ADAS, the 1991 ADAAG, or the 2010 CBC.

17 *Main Team Store – Gate A 200 Plaza Level*

18 38. Multiple entry doors have an opening force that exceeds the permissible maximum  
19 of 5 lb. for exterior doors (measured up to 8.5 lb.), making them difficult to open for persons with  
20 mobility disabilities who often have limited upper body strength. At multiple doors, the sweep  
21 period—the amount of time it takes for the door to go from an open position of 90 degrees to a point  
22 12 degrees from the latch—is less than the five-second minimum required (measured at 3.88 seconds  
23 to 4.42 seconds). This is not sufficient time for many persons with mobility disabilities to pass  
24 through the door. See Exh. C at Items 5, 6.

25 39. There is only one dressing room, and it is not accessible. The door to the dressing  
26 room opens into the room and encroaches on the required pull-side maneuvering space of 60"  
27 (measured at 49"), making it very difficult for a wheelchair user to exit the dressing room. The  
28 clothing hook and pole are 68" above the finished floor, which not within reach range for a wheelchair

1 user. Of the multiple sales counters provided, the accessible counter is not clearly identified, which  
2 makes it difficult for persons with mobility disabilities to identify which line they should use. See  
3 Exh. C at Items 7-9.

4 *Team Store – Gate C 300 Level Concourse*

5 40. Of the multiple sales counters provided, the accessible counter is not clearly  
6 identified, which makes it difficult for persons with mobility disabilities to identify which line they  
7 should use. See Exh. C at Item 10.

8 *Team Store – Southeast 700 Level Concourse*

9 41. At the push side of the exit door, display shelving encroaches into the required  
10 clear maneuvering space. There is a 7/8-inch change in level at the entry door threshold, posing a  
11 tripping hazard for semi-ambulatory persons and a tipping hazard for wheelchair users, who may also  
12 have a difficult time overcoming the level change. See Exh. C at Items 11, 12.

13 *Team Store – Southeast 700 Level Concourse*

14 42. There is a 3/4-inch change in level at the entry door threshold, posing a tripping  
15 hazard for semi-ambulatory persons and a tipping hazard for wheelchair users, who may also have a  
16 difficult time overcoming the level change. See Exh. C at Item 13.

17 **Auditorium**

18 43. The auditorium does not comply with the 2010 ADAS, the 1991 ADAAG or the  
19 2010 CBC. The platform stage is accessed by three risers at either end, and there is no ramp or lift to  
20 the stage. The lectern height is not adjustable. The general seating is fixed and on a sloped floor, and  
21 there is no accessible seating provided, even though the standards require at least four accessible  
22 seating spaces. The left leaf on one set of entry doors has an opening force that exceeds the permitted  
23 15 lb. for fire doors (measured at 17 lb.). See Exh. C at Items 51-53.

24 **NRG Solar Terrace**

25 44. I inspected certain elements of the NRG Solar Terrace and Jeff Mastin inspected  
26 others, as noted in his declaration and inspection report. I noted a number of elements that do not  
27 comply with the 2010 ADAS, the 1991 ADAAG or the 2010 CBC.  
28

1 45. Paving stones appear to be installed on a raised pedestal system and are not  
 2 securely attached, allowing movement between the pavers. There are excessive level changes in  
 3 several locations changes in level between the pavers. See Exh. C at Item 56.

4 46. This terrace provides seating with field views. There are no identified wheelchair  
 5 seating locations with a companion seat. In front of the seating is a 7"-deep drink counter typically  
 6 mounted at 42-3/4" above the ground surface. It blocks the line of sight and cannot be used by a  
 7 person in a wheelchair because its height exceeds the 34-inch maximum allowed. Although there is  
 8 one lowered section, the measurements of that area do not constitute a compliant wheelchair seating  
 9 location with a companion seat. See Exh. C at Item 55.

10 47. There are two bar areas. At each, the accessible bar counter is located to the side  
 11 of the bar in a circulation path and separated from the bar activity. This location is not integrated with  
 12 the rest of the bar area, segregating guests with mobility disabilities from other patrons. The typical  
 13 bar counter is 30" deep. The bar counter at the accessible location is only 24 inches deep and not  
 14 equivalent to the bar counter for guests without mobility disabilities. Additionally, its location does  
 15 not provide a view of the televisions visible from the rest of the bar, further isolating fans with  
 16 disabilities from the game experience. See Exh. C at Item 54.

17 **Restaurants**

18 48. The Stadium's restaurants contain numerous elements that do not comply with the  
 19 2010 ADAS, the 1991 ADAAG and the 2010 CBC.

20 49. There are several "picnic"-style outdoor tables outside the entrance to the Michael  
 21 Mina restaurants, but no accessible seating locations are provided, despite a minimum requirement of  
 22 5% of the available seating. See Exh. D at Item 32.

23 *Bourbon Pub*

24 50. The primary double entry door is not identified as accessible. It has an opening  
 25 force that exceeds the maximum permissible of 5 lb. (measured at 18 lb. and 12 lb). The sweep period  
 26 is faster than the minimum 5 seconds permitted (measured at 3.87 seconds and 3.69 seconds). There  
 27 is not sufficient maneuvering space from the push side of the left door leaf, measuring at 41 1/2" even  
 28 though the minimum is 48". See Exh. D at Items 1-4.

1 51. There are 70 seats in Bourbon Pub. Under applicable standards, a minimum of  
2 four accessible tables must be provided. Only one accessible table is provided. There is a drink rail  
3 around the perimeter of the Bourbon Pub space, but there is not an accessible section provided. See  
4 Exh. D at Items 5, 6.

5 52. Loose floor mats in Bourbon Pub are a tripping hazard and should be removed or  
6 fixed in place. See Exh. D at Item 7.

7 53. Within the restaurant, a lift is provided for guests with mobility disabilities to  
8 travel from Bourbon Pub to Tailgate; this is not permitted. Moreover, the lift door does not open wide  
9 enough. During the inspection, restaurant employees were observed using the lift to move freight  
10 from one level to another, which is prohibited. See Exh. D at Items 8, 9.

11 54. The handrail extensions at the top and bottom of the interior stairs are not the full  
12 required horizontal dimension, which makes it difficult for persons with mobility disabilities to hold  
13 onto the handrail at the bottom or top of the stairs in order to rest and stabilize. See Exh. D at Items.  
14 10, 11.

15 *Bourbon Steak*

16 55. The double-entry door that enters directly on Bourbon Steak is not identified as  
17 accessible. There is not sufficient maneuvering space from the push side of the left door leaf,  
18 measuring at 34 1/2" even though the minimum is 48". See Exh. D at Items 12, 13.

19 56. Bourbon Steak has 88 seats. Therefore, a minimum of five accessible tables must  
20 be provided. There is only one. The restaurant thus does not have the required number of accessible  
21 table seating locations. See Exh. D at Item 14.

22 *Restrooms Serving Bourbon Steak and Bourbon Pub*

23 57. One must pass through a vestibule to access the restrooms serving Bourbon Steak  
24 and Bourbon Pub. The door to the vestibule has an opening force that exceeds the maximum  
25 permissible of 5 lb. (measured at 10 lb). The sweep period is faster than the minimum 5 seconds  
26 permitted (measured at 4.02 seconds). The geometric door sign, which allows a patron to determine  
27 whether the restrooms will meet their needs (Men's, Women's, Unisex, etc.) does not comply with the  
28 CBC contrast requirements. This makes the sign difficult to read without getting closer to the door.

1 Persons with mobility disabilities will have more difficulty backtracking if they discover that the  
2 restrooms will not meet their needs. See Exh. D at Items 15-17.

3 58. In both the Men's and Women's restrooms, the door opening force exceeds the  
4 permitted maximum of 5 lb. (measured at 9.5 lb. and 10 lb). The sweep period is faster than the  
5 permitted minimum of 5 seconds (measured at 3.04 and 3.76 seconds). The geometric door signs do  
6 not comply with CBC contrast requirements. The accessible stalls do not have door pulls on both  
7 sides of the door, just the outside. The seat cover dispensers are mounted less than 12" above the side  
8 grab bar, making it difficult to use the side grab bar. The opening of the dispensers is also mounted  
9 too high, 46" above the finished floor instead of the maximum of 40". The toilet roll dispensers are  
10 not in an accessible location. Additionally, in the Women's restroom, the clear knee space provided at  
11 the lavatories is obstructed by moveable items stored below the lavatory counter, making it difficult if  
12 not impossible for many wheelchair users to access them. See Exh. D at Items 18-30.

13 *Tailgate*

14 59. The double entry has an opening force that exceeds the permitted maximum of 5  
15 lb. (measured at 6.5 lb. and 9.5 lb). The sweep period is faster than the permitted minimum of 5  
16 seconds (measured at 3.78 seconds). See Exh. D at Items 31, 32.

17 60. There are two seating areas, and the accessible tables are not dispersed throughout  
18 the facility. Tailgate has a center bar area with table seating areas on each side, but the accessible  
19 seating locations were on one side only. See Exh. D at Item. 33.

20 61. Loose floor mats in Tailgate are a tripping hazard and should be removed or fixed  
21 to the floor. See Exh. D at Item 34.

22 *Restrooms Serving Tailgate*

23 62. The doors to the Men's restroom has an opening force that exceeds the permitted  
24 maximum of 5 lb. (measured at 7 lb.). The sweep period for the doors to both the Men's and  
25 Women's restrooms is faster than the permitted minimum of 5 seconds (measured at 3.56 seconds).  
26 See Exh. D at Items 36, 37, 46.

27 63. Neither of the two lavatories in the Men's restroom are located a minimum 18"  
28 from the sidewall to the centerline of the fixture (measured at 14 1/2" and 14 1/4"). Additionally, in

1 both restrooms, the clear knee space provided at the lavatories is obstructed by moveable items stored  
2 below the lavatory counter. The lavatory hot and waste lines in both restrooms are not completely  
3 insulated, posing a burn danger for persons with limited to no sensation in their lower bodies. See  
4 Exh. D at Items 38-40, 47, 48.

5 64. In both restrooms, the door pulls on the inside of the doors to the accessible stalls  
6 are not located below the latch and prevent one from using the latch. The seat cover dispensers are  
7 mounted less than 12" above the side grab bar, making it difficult to use the side grab bar. The  
8 opening of the dispensers is also mounted too high, 46" above the finished floor instead of the  
9 maximum of 40". The toilet roll dispensers are not in an accessible location. The required toe space  
10 beyond the stall partitions is not provided, which reduces the maneuvering space for a wheelchair  
11 user. In both restrooms, the baby changing stations are in the accessible stalls, and if left in the open  
12 position, block entry to the stall. See Exh. D at Items 41-45, 49-53.

### 13 *Tailgate Loft Meeting Rooms*

14 65. Tailgate contains Loft Meeting Rooms. The accessible route of travel at the first  
15 floor is through the employee-side of the food-serving counters to the elevator. At the second floor  
16 the elevator opens into the commercial kitchen. This is prohibited by the 2010 CBC. Additionally,  
17 the route through the kitchen area to the elevator is only 30", although 36" is the minimum permitted.  
18 There is also a ramp from the second-floor kitchen to the Loft. The handrail on one side of it is  
19 discontinuous; it is lined with kitchen equipment preventing use of the handrail. Moreover, the  
20 handrail extensions at the top and bottom are not the full required horizontal dimension. There are  
21 also interior stairs from Tailgate to the meeting rooms. The handrail extensions at the top of these  
22 stairs do not extend in the direction of the stair run, nor do they extend the full required length before  
23 return to the wall. See Exh. D at Items 54-59.

24 66. There are two Loft Meeting Rooms, Skybox 01 and Skybox 02. I was not able to  
25 inspect Skybox 01 because it was in use, but based on information provided by Defendants, it appears  
26 to have the same features as Skybox 02. Sufficient maneuvering space is not provided at the pull side  
27 of the entry door to Skybox 02 (58 3/4" rather than the required 60"). The counters in Skybox 02  
28

1 exceed the 34" maximum height (measured at 37 7/8" above the finished floor). See Exh. D at Items  
2 60-61.

3 67. There are two single-accommodation unisex restrooms serving the Loft Meeting  
4 Rooms. Both have excessive door opening forces (7.5 lb. and 7.1 lb.). The sweep period for the  
5 doors to both restrooms is faster than the permitted minimum of 5 seconds (measured at 3.49  
6 seconds). The geometric door signs do not comply with CBC contrast requirements. The lavatory hot  
7 and waste lines in both restrooms are not insulated. The seat cover dispensers are mounted less than  
8 12" above the side grab bar, making it difficult to use the side grab bar. The opening of the dispensers  
9 is also mounted too high, 46" above the finished floor instead of the maximum of 40". The toilet roll  
10 dispensers are not in an accessible location. In one of the restrooms, there is no clear space at the  
11 paper towel dispenser to permit parallel approach by a wheelchair user, making it difficult if not  
12 impossible to use. Additionally, the lavatory encroaches on the clear space near the toilet, making it  
13 difficult to maneuver near the toilet and/or perform a transfer from a wheelchair. See Exh. D at Items  
14 62-75.

### 15 CONCLUSIONS

16 68. Based on my site inspection and those of Jeff Mastin and Scott McBrayer, it is my  
17 expert opinion that Levi's Stadium contains repeated violations of the 2010 ADAS, the 1991 ADAAG  
18 and the 2010 CBC, which appear throughout the facility. It is my opinion that a public entity must put  
19 into place appropriate quality control policies and procedures for new construction projects to prevent  
20 these access barriers. It is my opinion that the widespread identification of access barriers represent a  
21 systemic problem in the administration of the Levi's Stadium design and construction project.

22 69. Having reviewed the deposition transcripts, I understand that Building Division of  
23 the City of Santa Clara reviewed the design plans for compliance with the 2010 CBC and not any  
24 federal access design standard. The City based approval of the permits for Levi's Stadium on  
25 compliance with the CBC only. Based on my professional experience, reliance on the approval  
26 agency's review of the construction documents is not an effective means to ensure that new  
27 construction projects are in compliance with the requirements of the applicable federal access  
28 standard, in this case the 2010 ADAS, or the 2010 CBC, whichever is most restrictive. Approval

1 agencies review construction documents in order to ensure compliance with the CBC only and not  
2 federal access standards.

3           70.           Ultimately, the responsibility for compliance with both the applicable federal  
4 access standard and the CBC lies with the facility owner—including a public entity owner—and its  
5 design team. Therefore, it is my professional opinion that it is critical for owners, including public  
6 entities, to develop and enforce appropriate policies and procedures regarding construction. Based on  
7 my professional experience, the following elements must be present in any effective policy and  
8 procedure of a public entity to ensure that construction is performed in compliance with the ADA and  
9 parallel California laws:

- 10           a. All elements of accessibility must be designed to the strictest requirements of the  
11 applicable federal access standard—in this case the 2010 ADAS—and the CBC.
- 12           b. The design plans must be reviewed not only for compliance with the CBC, but also  
13 with the applicable federal access standard.
- 14           c. It must be emphasized to the General Contractor and relevant sub-contractors at the  
15 pre-construction and subsequent construction meetings that conformance with the  
16 contract documents with regard to construction of accessible elements is critical.  
17 The obligation to comply with all applicable disability access standards—including  
18 federal access standards (in this case the 2010 ADAS)—should be stated within the  
19 contract documents themselves.
- 20           d. A person of responsibility must be assigned to monitor the construction for  
21 conformance with the contract documents throughout the construction process. This  
22 person must have the appropriate training and knowledge regarding disability access  
23 requirements and may be the architect, inspector of record, construction manager, or  
24 other representative of the public entity. This person should report directly to the  
25 Owner or the Owner’s Representative.
- 26           e. Inspections of the built facility must review not only for compliance with the CBC,  
27 but also with the applicable federal access standard.
- 28

1 f. Non-compliant work must be fixed prior to acceptance of the project by the Owner,  
2 filing of the notice of completion and payment of retention.

3 In my expert opinion, these are the policies and procedures that must be followed by a public  
4 entity, whether by its architect, or other specified responsible person, to ensure compliance with the  
5 federal disability access standards (in this case the 2010 ADAS) and the CBC accessibility  
6 requirements. Defendants did not employ these policies and procedures in the design and construction  
7 of Levi's Stadium, which has resulted in systemic violations of the 2010 ADAS, the 1991 ADAAG,  
8 and the 2010 CBC.

9 71. In my expert opinion, systemic failures have occurred at every stage of the new  
10 construction and operations process of Levi's Stadium. At the design stage, Defendants did not  
11 specify and the designer did not employ the 2010 ADAS or any federal standard, resulting in  
12 significant design errors which violate the 2010 ADAS and the 1991 ADAAG, which are described in  
13 Paragraphs 19-67 above and in greater detail in my reports, Exhibits C and D. Based on my review of  
14 the design plans and deposition testimony in this case, I understand that Defendants used the 2010  
15 CBC as its access design standard for the Stadium. There are significant differences between the 2010  
16 CBC and the 2010 ADAS which impacted the design and construction of Levi's Stadium. I have  
17 described some of the more significant differences below.

18 **Differences between the 2010 ADAS and the 2010 CBC**

19 *Van Accessible Parking Spaces*

20 72. The 2010 ADAS § 208.2.4 changes the requirement for the number of van  
21 accessible parking spaces from 1 for every 8 accessible parking spaces to 1 in every 6 accessible  
22 parking spaces provided. The 2010 CBC § 1129B.3.2, still required 1 van accessible space for every  
23 8 accessible parking spaces provided.

24 73. For parking serving Levi's Stadium this would be a significant increase in the  
25 number of van accessible parking spaces required.

26 *Slope at Wheelchair Seating Locations*

27 74. The 2010 ADAS § 802.1.1 specifically indicates that changes in level are not  
28 permitted and limits any slope to 1:48 max, or 2.1%. The 2010 CBC § 1104B.3.4 indicates that

1 wheelchair spaces are to be level, but then also states that wheelchair spaces shall comply with §  
2 1124B, which allows for changes in level at § 1124B.2. This leaves open to interpretation what it  
3 means to provide a “level” wheelchair space.

4 75. At Levi’s Stadium the accessible wheelchair seating spaces at the field level  
5 seating and at the 501 Club level seating have significant slopes, greatly exceeding the permissible  
6 maximum of 2.1%.

#### 7 *Size of Wheelchair Seating Spaces*

8 76. The size of a single wheelchair seating space is clearly defined by 2010 ADAS  
9 802.1.2 as being 36" wide minimum. The same section allows side-by-side wheelchair seating spaces  
10 to each be 33" wide minimum. CBC § 1104B.3.6 and Figure 11B-15 only define the width for side-  
11 by-side wheelchair seating spaces as being 66" wide minimum overall. The CBC does not define the  
12 width of a single wheelchair seating space.

13 77. At Levi’s Stadium many of the single wheelchair seating spaces were measured at  
14 33" wide, not 36" minimum wide as required by the 2010 ADAS.

#### 15 *Luxury Boxes, Club Boxes & Suites*

16 78. 2010 ADAS § 221.2.1.2 specifically requires that in each luxury box, club box and  
17 suite, accessible wheelchair spaces shall be provided and shall be calculated box by box and suite by  
18 suite. The 2010 CBC requires that persons with disabilities be provided with a choice of admission  
19 prices and lines of sight comparable with those of the general public. The CBC language does not  
20 require each luxury box, club box and suite in arenas, stadiums and grandstands to be accessible.

21 79. This specific requirement of the 2010 ADAS ensures that all specialty seating  
22 areas available to spectators are also available to persons with mobility disabilities. In addition, this  
23 requirement ensures that persons with mobility disabilities can visit friends and family in any luxury  
24 box, club box or suite. Levi’s Stadium has not designed each of the luxury boxes, club boxes and  
25 suites to be fully accessible, as identified in the site inspections by Jeff Mastin and Scott McBrayer.

#### 26 *Specialty Seating*

27 80. The 2010 ADAS in 28 C.F.R. § 36.308 requires that public accommodations  
28 ensure that accessible wheelchair and companion seating locations are provided in each specialty

1 seating area that provides spectators with distinct services or amenities. As in the case of luxury  
 2 boxes, club boxes and suites, the 2010 CBC requires that a person with disabilities be provided with a  
 3 choice of admission prices and lines of site comparable with those of the general public. The CBC  
 4 language does not ensure that each specialty seating area be accessible.

5 81. Although the stadium is owned and constructed by a governmental entity and  
 6 subject to Title II of the ADA (28 CFR Part 35), when operated by the Forty Niners as a public  
 7 accommodation it must also comply with the requirements of Title III of the ADA (28 CFR Part 36).

8 82. Two examples of specialty seating areas that do not provide wheelchair accessible  
 9 and companion seating are the Pepsi platforms (4-locations at level 700 north and south ends of the  
 10 Stadium) and the NRG Solar Terrace. The Pepsi platforms do not have an accessible route of travel to  
 11 them and do not provide wheelchair accessible and companion seating. At the NRG Solar Terrace,  
 12 wheelchair accessible seating and companion seating are not provided.

13 *Sight Lines*

14 83. The 2010 ADAS § 221.2.3 requires that wheelchair spaces be provided with  
 15 choices of seating locations and viewing angles that are substantially equivalent to or better than the  
 16 choices of seating locations and viewing angles available to all other spectators. The purpose of this  
 17 requirement is to ensure that the experiences of wheelchair users is substantially equivalent to that of  
 18 other members of the audience. The CBC § 1104B.3.5 uses performance language that does not  
 19 necessarily assure compliance with the more specific 2010 ADAS requirements. In the December 1,  
 20 2012 Comparative Analysis, DSA recommended the 2010 CBC be amended to adopt the language in  
 21 the 2010 ADAS.

22 84. At Levi’s Stadium, the lines of sight at nearly all suites are significantly inferior to  
 23 those of other spectators in the same suite, as identified in the site inspection by Jeff Mastin.

24 *Accessible Seating – Horizontal Dispersion*

25 85. The 2010 ADAS, 28 CFR Part 35.151(g)(2), requires that in assembly areas with  
 26 seating encircling, in whole or in part, a field of play, wheelchair seating and companion seating shall  
 27 be dispersed around that field of play. The 2010 CBC does not have a specific section that addresses  
 28

1 this issue and uses performance language that does not ensure compliance with this more specific  
 2 requirement.

3 86. This lack of specific language in the 2010 CBC addressing horizontal dispersion is  
 4 seen clearly in the design of Levi’s Stadium. At the field level, accessible wheelchair seating and  
 5 companion seating is only provided at the north side of the Stadium. No accessible wheelchair and  
 6 companion seating is provided at the field level south side of the Stadium as required by 28 CFR Part  
 7 35.151(g)(2).

8 *Queue Lines at Concessions*

9 87. The 2010 ADAS § 227.5 requires specific compliance for queue lines with the  
 10 requirements for walking surfaces under section 404, including requirements at turns under § 403.5.2  
 11 and in figure 403.5.2. It specifically requires that when an obstruction is less than 48" wide with  
 12 approaches less than 42" wide, then the end aisle must be 60" wide. Turning in a narrow queue line is  
 13 similar to making a tight U-turn; one needs a larger turning clearance based on the width of the object  
 14 around which the wheelchair must turn. The 2010 ADAS recognizes this by adjusting the required  
 15 turning clearance based on the width of the object around which the wheelchair must turn. The 2010  
 16 CBC § 1133B.6 and figure 11B5E(a) and (b) do not have this requirement.

17 88. Levi’s Stadium has queue lines painted on the walk surface typically at all  
 18 permanent concessions. The aisle width is typically 36", and the aisle width at the end is less than  
 19 60", not allowing a wheelchair user the required space to maneuver in the line. Maneuvering a  
 20 wheelchair outside the queue line can be particularly difficult due to the large numbers of people in  
 21 the concessions areas on event days.

22 *Reach Range*

23 89. The 2010 ADAS § 308.3.1 reduces the unobstructed side reach to an element from  
 24 54" above the floor to the highest operable part to 48" above the floor to the highest operable part.  
 25 The 2010 CBC allows the unobstructed side reach to be up to 54" above the floor to the highest  
 26 operable part. The 2010 ADAS provides significantly greater access than the 2010 CBC.

27 \\\

28 \\\

1           90.           This affects many elements within Levi’s Stadium. Two specific items included in  
2 the surveys are:

- 3           a.           At the condiment stations provided at the concession areas, the highest operable  
4 parts for many of the dispensers are more than 48" above the floor, but not more  
5 than 54" above the floor. These dispensers are compliant with the 2010 CBC but  
6 not the 2010 ADAS.
- 7           b.           At the suites, the highest operable parts at all the telephones are more than 48" above  
8 the floor, but not more than 54" above the floor. These telephones are compliant  
9 with the 2010 CBC but not the 2010 ADAS.

10 *Handrail Extensions at Ramps*

11           91.           The 2010 ADAS, in sections 505.10 & 505.10.1, specifically required handrail  
12 extensions at ramps to be in the same direction as the ramp run and to extend horizontally above the  
13 landing for 12" minimum. The extensions must then return to a wall, guard, or landing surface or be  
14 continuous to the handrail of an adjacent ramp run. CBC § 1133B.4.2.2 does not specifically require  
15 the handrail extension to be in the same direction as the ramp run. The result is that often the return  
16 begins before the full 12" extension.

17           92.           At Levi’s Stadium the handrail extensions at ramps (and typically at stairs that  
18 have similar requirements) do not extend the full 12" in the direction of the ramp run and horizontally  
19 above the landing. The purpose of the extension is to provide persons with mobility disabilities with  
20 support at the top and bottom of a ramp if they need to rest and recover from the added exertion  
21 needed to use the ramp. When the extension is less than 12", it makes the use of the extension for  
22 support more difficult and less effective.

23 *Doors – Closing Speed*

24           93.           The 2010 ADAS § 404.2.8.1 changes the requirements for the closing speed so the  
25 time it takes a door to move from an open position of 90-degrees to a point 12-degrees from the latch  
26 is not less than 5-seconds. CBC § 1133B.2.5.1 is less restrictive. In the December 1, 2012  
27 Comparative Analysis, DSA recommended the 2010 CBC be amended to adopt the language in the  
28 2010 ADAS.

1           94.           At Levi’s Stadium, this effects every door that has both a latch and a closer. The  
2 new standard under the ADAS provides improved usability for persons with mobility disabilities not  
3 provided under the CBC.

4 *Restrooms – Clear Space Above and Below Grab Bars*

5           95.           The 2010 ADAS § 609.3 provides specific requirements for the required clear  
6 space above and below a grab bar at a wheelchair accessible toilet or compartment and an ambulatory  
7 toilet compartment. The 2010 CBC does not specifically address this issue.

8           96.           At the restrooms that serve Michael Mina’s Bourbon Steak and Bourbon Pub,  
9 Michael Mina’s Tailgate and the loft meeting rooms above Tailgate, the seat cover dispensers are  
10 typically located above the side grab bar. This location could make it more difficult for a person with  
11 mobility disabilities to use the side grab bar and compromise their safety.

12 *Restrooms – Water Supply and Drain Pipes*

13           97.           The 2010 ADAS requires that water supply and drain pipes under lavatories and  
14 sinks be insulated or otherwise configured to protect against contact. The 2010 CBC only required  
15 hot water and drain pipes be insulated or otherwise configured to protect against contact. The 2010  
16 ADAS provide greater protection against possible injury for a person who uses a wheelchair when  
17 rolling under a lavatory or sink (where they cannot see if there is a potential hazard). The 2010 ADAS  
18 requirement recognizes there are other potentials for injury from exposed plumbing in a lavatory or  
19 sink than just burns.

20           98.           The restrooms serving Michael Mina’s Bourbon Steak and Bourbon Pub, as well  
21 as Michael Mina’s Tailgate, all have exposed water lines underneath.

22 *Restrooms – Toe Space at Wheelchair Accessible Compartments*

23           99.           The 2010 ADAS requires that the front partition and at least one side partition  
24 provide toe clearance at least 6" deep from the inside face of the partition and a minimum of 9" above  
25 the floor at restrooms used primarily by adults. This requirement provides additional maneuvering  
26 space within the wheelchair accessible stall for persons who use a wheelchair without increasing the  
27 overall footprint of the restroom when a toilet partition system is used. The 2010 CBC is silent on this  
28 issue.

1           100.       At the restrooms that serve Michael Mina’s Tailgate, the compartment partitions  
2 are less than 9" above the floor and do not provide the additional maneuvering space required by the  
3 2010 ADAS.

4 *Accessible Sinks*

5           101.       *The 2010 ADAS § 212.3 requires that where sinks are provided at least 5%, but no*  
6 *fewer than one, of each type provided in each accessible room or space must be accessible. CBC*  
7 *1117B.9 indicates that sinks required to be accessible must comply with the requirements of this*  
8 *section, however, there is not a clear requirement for what sinks and how many sinks are required to*  
9 *be accessible.*

10           102.       In Levi’s Stadium, each suite has at least two sinks, one used as a wash sink and  
11 one used as an ice sink. The 2010 ADAS clearly requires both types of sinks to be accessible. The  
12 2010 CBC does not clearly address this issue. The ice sinks are not accessible and, based on the  
13 completed construction, do not appear to have been held to the same standard as the wash sink at each  
14 suite, as noted in the site inspections by Jeff Mastin and Scott McBrayer.

15       **The Stadium Contains Violations of Both California and Federal Disability Access Standards**

16           103.       The number and severity of physical access barriers in the Stadium that violate the  
17 2010 CBC, as well as both the 2010 ADAS and the 1991 ADAAG, demonstrate that the appropriate  
18 and necessary professional care was not exercised by Defendants at the design or design review and  
19 approval processes. Based on my review of the Design-Build Agreement and the deposition  
20 testimony, the Design-Build Agreement specified Evan Terry Associates, P.C. as the “ADA  
21 Conformance Consultant.” However, officials at the City and the Stadium Authority responsible for  
22 approving the design permits and inspecting the Stadium did not speak with anyone from that firm nor  
23 even know who or what it was. Moreover, the person at the City with the most expertise in disability  
24 access standards is not familiar with federal disability access standards and does not review building  
25 permits for compliance with any federal disability access standard. Nor did the main agent for the  
26 Design-Build Contractor, Turner/Devcon, speak with Evan Terry or know who the firm was until this  
27 year. The Design-Build Contractor did not hire or contract with an expert or consultant on disability  
28 access for the Stadium project. There was no person with expertise on the ADA or federal disability

1 access standards within the City or to oversee the Stadium design and construction project. In my  
2 expert opinion, this lack of control for compliance with federal and state disability access standards in  
3 construction is another cause of the presence of widespread, significant access barriers in the Stadium.

4 104. Additionally, Defendants’ failure to consult a disability access expert or institute  
5 controls for compliance with the ADA, the 2010 ADAS and the 2010 CBC for operations and  
6 maintenance has resulted in the presence of widespread access barriers throughout the Stadium, such  
7 as improper heights and placement of moveable items like condiments, the use of a wheelchair lift to  
8 transport supplies, excessive door pressure and inadequate door sweep time, and the lack of accessible  
9 queues at the concessions.

10 105. Finally, the Stadium opened in the Summer of 2014, yet from my observation  
11 nothing has been done since that time to remove or remedy the physical access barriers outlined in my  
12 report or those of Jeff Mastin and Scott McBrayer. In my expert opinion, these problems are  
13 sufficiently significant and numerous to indicate that Defendants’ procedures and practices in the area  
14 of access for persons with mobility disabilities are not adequate to ensure that such persons have full  
15 and equal enjoyment of the Stadium’s accommodations. In my professional opinion, the number and  
16 severity of physical access barriers at the Stadium demonstrate that the appropriate and necessary  
17 professional care has not and is not being exercised by Defendants in the design, construction and  
18 operation of Levi’s Stadium.

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1           106.       In my professional opinion, no facility or portion of a facility can be considered  
2 fully accessible unless it complies with the minimum standards established by the applicable federal  
3 access standard, in this case the 2010 ADAS. This is the standard that has been established by the  
4 ADA and the Department of Justice as allowing most persons with disabilities to use buildings and  
5 facilities safely and independently, and on an equal basis with non-disabled persons. In my  
6 professional opinion, the widespread, repeated violations of these minimum standards in all parts of  
7 Levi's Stadium make it inevitable that any person with a mobility disability who attends an event at  
8 the Stadium will encounter significant access barriers that will impact their entire experience and deny  
9 them full and equal enjoyment of the facility and its accommodations.

10           I declare under penalty of perjury under the laws of the United States that the foregoing is true  
11 and correct.

12           Executed on April 6, 2018, in Santa Rosa, California.

13  
14  
15  


16           \_\_\_\_\_  
Gary K. Waters, AIA

# EXHIBIT A

## Curriculum Vitae



***Gary Waters, Architect, CASp***  
***Gary Waters Architectural Corporation***  
***Db a - Pacific Access Consulting***  
***Db a – Waters MacRae Architects***

***California Architect License No.: C-19677***

***California Certified Access Specialist: CASp 065***

***ICC Accessibility Inspector / Plans Examiner***

Gary Waters is the president of Gary Waters Architectural Corporation, doing business as Pacific Access Consulting and Waters MacRae Architects. Mr. Waters brings nearly 30 years of experience in the practice of architecture in a variety of projects types, including corporate offices, community centers, athletic facilities, neighborhood commercial/retail, regional retail, medical office, OSHPD approved medical facilities, childcare, educational facilities.

Since 2000, Mr. Waters has focused his practice on accessibility and universal design, providing comprehensive access management services to public and private clients. He is responsible for project development, client relations, and providing access consulting services and litigation support. Mr. Waters is a recognized expert in the field of accessibility with significant knowledge and experience in all facility related accessibility laws and regulations, including the Americans with Disabilities Act. Notable clients/projects include, County of Alameda, Sonoma Developmental Center, UC Riverside, Napa Valley College, City College of San Francisco, Santa Rosa Junior College, Division of the State Architect, McDonalds, YUM! Foods and Staples.

Preferring a proactive approach to access management, Mr. Waters has developed a suite of Comprehensive Access Management Services, designed to assist public and private entities in meeting their obligations for access in an efficient and effective systems approach. Services Include:

- |                        |                                     |
|------------------------|-------------------------------------|
| Access Consulting      | Access Surveys                      |
| Transition Planning    | Self Evaluations                    |
| Architectural Design   | Access Scope Development            |
| Access Plan Review     | Access Construction Observation     |
| Accessibility Training | Litigation Support & Expert Witness |

Mr. Waters provides accessibility consulting, litigation support and acts as an expert witness on accessibility issues. Notable cases he has been involved with include Lopez v. San Francisco Unified School District, Cherry v. City College of San Francisco and Kirola v. City and County of San Francisco.

**RELEVANT PROJECTS**

**City College of San Francisco – Chinatown Campus**

808 Kearny Street, San Francisco

The project included the construction of two new education towers, 14-stories and 5-stories, in the financial district of San Francisco. WMRA provided access consulting to the District. Services included design consultation and peer review of construction documents, periodic site visits during construction to review access compliance including rough-in of plumbing and electrical elements, verifying framing dimensions, working with general contractor and trades on critical access issues during construction, review of shop drawings and construction changes, final access punch list and project acceptance.

**City College of San Francisco – Conlan Hall**

Ocean Campus, 50 Phelan Avenue, San Francisco, CA

This project included the remodel of existing restrooms for access barrier removal. Services included plan review, review and consultation during construction, and final access punch list and project acceptance.

**City College of San Francisco – District Wide Access Barrier Removal**

Gary Waters, of Waters MacRae Architects was named in settlement agreement for Cherry v City College of San Francisco, an ADA class action lawsuit, to monitor the implementation of the agreement. Services included peer review of construction documents, final access punch list and project acceptance. In addition, Mr. Waters participated in Federal Court hearings reviewing the progress of the settlement agreement.

Ocean Avenue Campus

- |                       |                                    |
|-----------------------|------------------------------------|
| Science Hall          | Cloud Hall                         |
| Student Health Center | Batmale Hall                       |
| Creative Arts         | Visual Arts                        |
| Rosenberg Library     | Community Health & Wellness Center |
| Student Union         | Smith Hall                         |
| John Adams Campus     | Downtown Campus                    |
| Evans Campus          | Alemanly Campus                    |
| Mission Campus        |                                    |

**San Francisco Unified School District – Implementation of the Settlement Agreement in Lopez v SFUSD**

Gary Waters of Waters MacRae Architects was hired by the law firm of Schneider Wallace to conduct oversight of the District’s compliance with the settlement agreement. Services included peer review of construction plans for access compliance and post construction access compliance evaluation surveys and report.

**McDonald's Corporation – Sierra Pacific Region**

Gary Waters has been working with the Sierra Pacific Region of McDonald's for about 3-years providing access compliance services. The region covers Northern California and Northern Nevada. McDonald's has implemented a national comprehensive access management program to ensure access compliance. Services provided by Mr. Waters to the Sierra Pacific Region include access training seminars for McDonald's construction managers, architects and general contractors, Pre-construction access surveys, post construction access surveys and CASp determinations, peer review of construction documents including decor as-needed construction services and consultation. The following 50 locations represent a partial list of project sites:

|  |                                    |
|--|------------------------------------|
| Arcata – 4901 Valley West Blvd.        | Anderson – 3100 McMurray Dr.       |
| Auburn – 2865 Bell Rd.                 | Auburn – 13370 Lincoln Way         |
| Carson City NV – 3344 N. Carson St.    | Citrus Heights – 6212 Auburn Blvd. |
| Citrus Heights – 7632 Sunrise Blvd.    | Clovis – 412 W. Shaw St.           |
| Coalinga – 25145 W. Dorris St.         | Coalinga – 396 W. Elm St.          |
| Cupertino – 10990 N. Sterling Rd.      | Elk Grove – 2733 Elk Grove Blvd.   |
| Fair Oaks – 5288 Hazel Ave.            | Fremont – 40708 Grimmer Blvd.      |
| Dinuba – 1725 E. El Monte Way          | Concord – 4550 Clayton Rd.         |
| El Dorado Hills – 4312 Town Center Dr. | Fremont – 38860 Fremont Blvd.      |
| Fresno – 4505 Kings Canyon             | Fresno - 34898 E. Kings Canyon     |
| Fresno – 5600 E. Ashlan Ave.           | Fresno – 4190 N. West Ave.         |
| Fresno – 1248 N. Blackstone Ave.       | Fresno – 669 E. Nees Ave.          |
| Galt – 324 Pine St.                    | Hayward – 26253 Mission Blvd.      |
| Healdsburg – 110 Healdsburg Ave.       | Hollister – 1711 Airline Highway   |
| McKinleyville – 1500 Anna Sparks Way   | Eureka – 1730 4 <sup>th</sup> St.  |
| King City – 1350 Broadway St.          | Lemoore – 1089 N. Lemoore Ave.     |
| Lincoln – 290 G Street                 | Lindsay – 208 N. Highway 65        |
| Lodi – 6440 W. Banner St.              | Lodi – 200 W. Lodi Ave.            |
| Lodi – 841 E. Kettleman Ln.            | Los Banos – 1480 S. Mercy Springs  |
| Los Banos – 1550 W. Pacheco Blvd.      | Manteca – 1236 W. Yosemite Ave.    |
| Martell – 12201 Trade Center Dr.       | Merced – 1821 Motel Dr.            |
| Milpitas – 1795 Landess Ave            | Modesto – 4120 Dale Rd.            |
| Modesto – 2118 McHenry Ave.            | Modesto – 901 N. Carpenter Rd.     |
| Modesto – 2601 Oakdale Rd.             | Modesto – 1800 Prescott Rd         |
| Modesto – 3430 Tully Rd.               | Modesto – 1280 E. Whitmore         |

### **Sebastiani Theatre – Sonoma California**

The Sebastiani Theatre, located on the historic Sonoma Plaza in Sonoma California, is a designated historic landmark. The building is privately owned and leased by the City of Sonoma for the purposes of ensuring the continuing use as a theatre of this historic and iconic representation of the City Sonoma. The City in turn leases the theatre to a non-profit group operating group. The City commissioned and access evaluation of the facility for compliance with the Americans with Disabilities Act and the California Building Code as part of their lease renewal negotiations with the building owner. There were several overlapping accessibility issues that came into play including:

1. Historic Building Considerations
2. ADA Title II - for State and Local entities
3. ADA Title III – For Public Accommodations
4. Allocation of access responsibilities between Lessor, Lessee and Sub-Lessee

Gary is currently working as a consultant to the City of Sonoma to review plans and construction for an alteration project to remove access barriers.

### **Sonoma Bungalows Boutique Hotel**

Gary Waters is the project architect and access consultant for the design and construction of Sonoma Bungalows Boutique Hotel just off the square in Sonoma, CA. The project will incorporate 3-existing single family 2-bedroom, 2-bath homes and construct 5 new 1-bedroom guest suites and a hospitality room as part of a new luxury boutique hotel project.

### **San Francisco Conservatory of Music**

Pacific Access Consulting, led by principal Gary Waters, is currently providing access consulting services as part of the design team let by Mark Cavagnero Architects, for the design and construction of the new 12-story San Francisco Conservatory of Music project. The project includes teach and performance spaces, student housing, replacement rental housing and a restaurant. The project has a prominent on Van Ness Ave, in the San Francisco Civic Center across from the Louise M. Davies Symphony Hall.

### ***Selected CASp Surveys and Reports – A Partial List of Clients***

#### **Mending Wall Winery**

3730 Silverado Trail, St. Helena, CA 94574

#### **Marini's Inn & Restaurant**

2500 El Camino Real, Santa Clara, CA 95051

#### **G & G Supermarket**

1211 W. College Ave., Santa Rosa, CA 95401

#### **Carneros Deli & Bonneau's 76 Service Station**

12001 & 12003 Arnold Dr., Sonoma CA

**Acacia Winery**

2750 Las Amigas Road, Napa, CA

**Alderbrook Winery**

2306 Magnolia Dr. Healdsburg, CA

**Provenance Winery**

1695 St Helena Highway, Rutherford, CA

**Andy's Market**

1691 Gravenstein Highway North, Sebastopol, CA

**Café Trieste**

4045 Piedmont Avenue, Oakland, CA

**Café Trieste**

2500 San Pablo Avenue, Berkeley, CA

**Country Club Apartments**

2700 East Tabor Avenue, Fairfield, CA

**Burbank Heights and Orchard senior Apartments**

7777 Bodega Avenue, Sebastopol, CA

**Perko's Restaurant**

829 11<sup>th</sup> Street, Lakeport, CA

**Vineyard Business Park**

7419-7555 Southfront Road, Livermore, CA

**Fountain Grove Center**

3550, 3554, 3558 Round Barn Blvd., Santa Rosa, CA

**Waterfall Towers Business Park**

2455 Bennett Valley Road, Santa Rosa, CA

**Hookston Square Business Park**

3478 & 3489 Buskirk Avenue, Pleasant Hill, CA

**Digital Realty**

200 Paul Avenue, San Francisco, CA

**Canevari's Delicatessen & Catering**

695 Lewis Road, Santa Rosa, CA

**Exchange Bank**

Various branch location throughout Sonoma County and  
Administrative Offices -440 & 444 Aviation Blvd. Santa Rosa, CA

**Point West Professional Center**

2448 Guerneville Road, Santa Rosa, CA

**Winners Circle Beach and Tennis Resort**

550 Via De La Valle, Solana Beach, CA

**Elk Valley Rancheria and Casino**

Various Tribal buildings and facilities including Elk Valley Casino, Crescent City, CA

**Christian Brothers De La Salle Institute**

4405 Redwood Road, Napa, CA 94558

**Yum! Foods**

The project included conducting access surveys for more than 300 fast food restaurants (Taco Bell, Pizza Hut, Wing Stop, KFC) in 15 states.

**Staples**

The project included conducting access surveys at 15 staples locations in California.

**La Playa Carmel**

75 room luxury historic hotel in Carmel, Ca

**Chevron**

Access Consulting Services for various sites in California

**BP**

Access Survey and consulting for various Arco sites throughout Northern California

**O'Reilly Auto Parts**

Access Consulting Services for various sites in California

**Kaiser Medical Offices**

Access Consulting Services for Medical Office facilities in Sonoma and Marin Counties

**Medical Office Building, Sebastopol, CA**

Access Consulting Services and Barrier Report

**Annadel Medical Group Offices – St Joseph Health, Santa Rosa, CA**

Access Consulting for full tenant improvements for new medical offices

**Baechtel Creek Medical Clinic, Willits, CA**

Access Consulting Services and Barrier Report

***Division of the Architect Access Consulting Services***

As a principal of Architerra, LLP, Gary Waters managed the firm's work with the Division of the State Architect providing access consulting services. Gary personally provided or supervised access plan reviews, conducted back checks and providing in-house staffing at DSA Regional offices (Oakland, Sacramento, Los Angeles and San Diego) from 2001 thru 2011. During this time, the firm completed an estimated 500 plus plan reviews. Mr. Waters is currently providing services to DSA as a consultant to Synthesis Partners, Inc.

***CASp Surveys and Reports – California State Leased Facilities***

**California State Water Quality Control Board**

5550 Skylane Blvd., Santa Rosa, CA

**California Department of Fish and Game**

5355 Skylane Blvd., Santa Rosa, CA

**Hookston Square - State Leased Facility**

3478 Buskirk Ave 2<sup>nd</sup> Floor, Concord CA

**California Department of Fish & Wildlife**

3633 Westwind Blvd., Santa Rosa, CA

***Access Litigation Support and Expert Witness Services - Title II Cases – A Partial List of Cases***

**Lopez v San Francisco Unified School District**

Gary Waters conducted access surveys at multiple elementary, middle and high schools as part of the discovery process. Litigation support also included providing declarations, depositions and participation in settlement agreement discussions.

**Cherry v City College of San Francisco**

Gary Waters provided litigation support services including conducting access survey and compiling reports at many CCSF facilities, providing declarations, depositions and participation in settlement agreement discussions.

**Kirola v City and County of San Francisco**

Gary Waters's involvement in discovery in this case included conducting access survey and compiling reports for a wide variety of San Francisco City and County parks and recreation facilities and street and sidewalk surveys. Gary also participated in settlement discussions, provided declarations, depositions and expert trial testimony. The final outcome of this case is pending.

**Yates v County of Marin**

Gary Waters work in discovery in this case included conducting access survey and compiling reports for a wide variety of Marin County facilities, including County administration buildings and street and sidewalk surveys.

**Willits v. City of Los Angeles**

To date, Gary Waters has participated in conducting street and sidewalk surveys in this case; discovery is on-going.

***Selected Access Litigation Support and Expert Witness Services - Title III Cases – A Partial List of Cases***

**Jean Ryker vs. Beach Blanket Babylon**

**Al De La Campa vs. Benihana**

**Randall Wright vs. Café Trieste**

**Guy Jones vs. 3701 J Street LLC**

**Walter Delson vs. Montclair Egg Shop**

**Jeff Stivers vs. Radio Shack**

**Gail Moran vs. Hobby Lobby**

**Jean Ryker vs. Gar Woods Grille and Pier**

**Donna White vs. Lucky Supermarket**

**Roberta Hays vs. Sutter Lakeside Hospital**

**Wadman vs. Discovery Bay Yacht Harbor, LLC et al.**

**Jean Riker vs. Garden Court Hotel, et al.**

**Litigation Consulting Services**

- **McDonald's – 587 El Camino Real, South San Francisco, CA**
- **McDonald's – 16<sup>th</sup> & Mission, San Francisco, CA**
- **McDonald's- 3rd & Townsend San Francisco, CA**
- **Torta Ahogada – Oakland, CA**
- **Rio Nido Lodge – Rio Nido, CA**
- **Canevari's Deli & Catering, Santa Rosa CA**
- **Perkos Restaurant – Lakeport, CA**
- **Nella Oil – Placerville, CA**
- **Nella Oil – Clearlake, CA**

***Americans with Disabilities Act Title II Transition Plan***

**University of California Riverside – ADA Transition Plan Update**

Gary Waters, in addition to conducting access surveys, led the transition plan development process for the including implementing new standards at the time for housing at places of public education.

**San Ramon Valley Unified School District – ADA Self-Evaluation and Transition Plan Update Project**

Gary Waters and Pacific Access Consulting, LLC is assisting the San Ramon Valley USD in completing an update to the existing ADA Transition plan from 1998. There have been many changes in District facilities and in the applicable Access regulations since the original plan was completed. The Transition Plan Update Project will bring the plan current with respect to regulations, existing facilities and future development and construction planning.

**Napa Valley College ADA Transition Plan Update**

Gary Waters led this firm's work to conduct campus wide accessibility surveys and produce barrier reports. Gary worked with the NVC committees to develop the transition plan and establish priorities for barrier removal.

***Seminars and Workshops Presented***

**Welcome SB 1608 – New ADA Lawsuit Protection**

2009 Santa Rosa CA

**CSI / AIARE ADA Seminar – Accessibility in California: Welcome to the Future**

March 16, 2011, Santa Rosa, CA, 5-hour seminar for California and AIA continuing education learning units.

**AIAEB ADA Seminar – Accessibility in California: Welcome to the Future**

August 22, 2011, Oakland, CA, 5-hour seminar for California and AIA continuing education learning units.

**AIARE ADA Seminar – Accessibility in California: Welcome to the Future**

August 26, 2011, Santa Rosa, CA, 5-hour seminar for California and AIA continuing education learning units.

**McDonalds Regional ADA Summit 32013 – Sierra Pacific Region**

August 27, 2013, Walnut Creek, CA, A 4-hour seminar for McDonald's construction managers and architects to review the 2010 ADA and the recently adopted CBC.

**AIASJ ADA Seminar – Accessibility in California**

April 19, 2015, Fresno, CA, 5-hour seminar for California and AIA continuing education learning units.

**AIAEB ADA Seminar – Accessibility in California**

August 28, 2015, Oakland, CA, 5-hour seminar for California and AIA continuing education learning units.

# EXHIBIT B

**ADMINISTRATIVE BULLETIN**

- AB-014** :
- DATE** : September 16, 1998 (Updated 01/01/08 for code references)
- SUBJECT** : Inspection
- TITLE** : **Dimensional Tolerances for New and Existing Construction**
- PURPOSE** : This bulletin details dimensional tolerances which can be accepted by field inspection personnel from the Department of Building Inspection when reviewing on-site construction work. This bulletin is the procedural implementation of the California Building Code, Section 1101B.4 and 1104B.5, Dimensional Tolerances, which amends the State code to permit jurisdictions to allow dimensional tolerances which meet industry standards. These tolerances should allow construction to proceed with dimensions as shown on the plans or in the code that are not exact but are within the standards accepted by the industry, the Department and the community.
- REFERENCES** : 2007 San Francisco Building Code  
 - Sections 1101B.4 and 1104B.5 Dimensional Tolerances  
 2007 San Francisco Plumbing Code  
 2007 San Francisco Electrical Code  
The Handbook of Construction Tolerances, McGraw Hill, 1994, David Kent Ballast, editor.
- DISCUSSION** : The application of dimensional construction tolerances is necessary because structures cannot be built which conform precisely to code defined absolute dimensions without deviation. This bulletin defines the limits of those deviations within which administrative approval can be routinely granted. Any deviations beyond these must be addressed in the form of "unreasonable hardships" through the standard Documentation of Unreasonable Hardship process. These tolerances are based on industry standards for materials and methods of construction and are not intended to approve any incorrect dimensions or design changes. These are not code changes but approvals for variance based on as-built conditions. This applies to both new construction and the remodeling of existing structures.

One of the bases of the Department's construction tolerance standards is the 1994 Edition of the Handbook of Construction Tolerances, edited by David Kent Ballast. This is a commonly used reference book regarding industry standards for tolerances and, as excerpted below, is adopted by this bulletin as representing the standards for tolerances within the City and County of San Francisco. Please note that some adjustments and additions to these tolerances have been made inasmuch as the Handbook of Construction Tolerances does not specifically address disabled access issues. Where specific accessibility conditions needed to be addressed, such standards have been added as needed. Per Section 1101B.4, dimensions that are not stated as "maximum" or "minimum" are absolute. The Department may administratively modify and/or add to the below referenced standards as necessary to meet the intent of the codes.

AB-014

2007 SAN FRANCISCO BUILDING CODE

Standard tolerances will be based upon the nominal manufactured dimensions of fabricated goods.

Note that the State Historical Building Code provides other remedies for variations which may be addressed through the provisions of Administrative Bulletin No. AB-013. This applies to all qualified historic properties. In cases where the State Historical Building Code is applied, that code takes precedence over the regular Building Code requirements.

The following tolerances are to be used:

- a. Concrete paving.  
Standard: Plus or minus 1/4" over 10' for drives, parking surfaces, sidewalks and other site paving.  
*Ref. AC1117-06*
- b. Concrete slabs for flatness and straightness.  
Standard: Bull-float slab is plus or minus 1/2" over 10'.  
*Ref. AC1117-06 and ASTM E1155-96*
- c. Cast-in-place concrete walls:  
Standard: Plumb is 1/4" in 10'.  
*Ref. AC1117-06*
- d. Concrete masonry unit and masonry construction.  
Standard: 1/4" in 10' vertical or horizontal  
*Ref. AC1117-06*
- e. Brick wall construction.  
Standard: 1/4" in 10' vertical or horizontal  
*Ref. AC1117-06*
- f. Granite and marble installation.  
Standard: 1/4" in 10' vertical or horizontal.  
*Ref. Dimension Stone Design Manual VII, Marble Institute of America, Inc. 2007*
- g. Limestone installation.  
Standard: 1/4" in 10' vertical or horizontal.  
*Ref. Various industry standards*
- h. Slate tile installation for flooring or walls.  
Standard: Vertical or horizontal 1/4" in 10'.
- i. Wood floor framing and sub-flooring.  
Standard: 1/4" in 10' horizontal tolerance.  
*Ref. Spectext, Section 06112, Framing and Sheathing by the Construction Sciences Research Foundation, 2006*
- j. Floor and wall tile.  
Standard: 1/4" in 8' for wall and flooring. This does not apply to thresholds.  
*Ref. ANSI A108.1, A108.4, and A108.5*

- k. Terrazzo flooring.  
Standard: 1/4" in 10'  
*Ref. Terrazzo Information Guide, the National Terrazzo and Mosaic Association, 1993*
- l. Wood flooring.  
Standard: 1/4" in 10'  
*Ref. ANSI/HPMA LHF, 1982*
- m. Other stone installation.  
Standard: 1/4" in 10'  
*Ref. Dimensions, Stone Design Manual IV, 1991*
- n. Cabinets and counter tops.  
Standard: 1/4" in 12' out of parallel with the floor; 1/8" variation in clear width.  
*Ref. Quality Standards for the Professional Remodeler, Second Edition, National Association of Homebuilders, Remodelers Council, 1991*
- o. Flatness of counter tops.  
Standard: 1/4" per 8'.  
*Ref. Architectural Woodwork Quality Standards, Architectural Woodwork Institute, 1993*
- p. Storefront installation.  
Standard: Storefront systems to be vertical plus or minus 1/8" in 12';  
*Ref. Aluminum Storefront and Entrance Manual, American Architectural Manufacturers Association, 1987*
- q. Framing for gypsum wallboard.  
Standard: 1/8" in 10' vertical and horizontal.  
*Ref. GA-216*
- r. Wallboard partitions, ceilings, and trim.  
Standard: 1/4" in 10'  
*Ref. ANSI A108.11, and GA-216*
- s. Installation of lath and plaster.  
Standard: 1/4" per 10'  
*Ref. ASTM C926*
- t. Clear opening at doors.  
Standard: plus or minus 3/8"  
*Ref. None.*
- u. Plumbing fixture installation  
Standard: plus or minus 1/2" measured from the finished wall or floor.  
*Ref. None*

AB-014

2007 SAN FRANCISCO BUILDING CODE

- v. Handrail dimensions.  
Nominal handrails not to vary more than 3/16" in diameter from code dimension; height plus or minus 3/16" measured from finished floor.  
*Ref. None.*
- w. Threshold.  
Standard: 1/8" variation in threshold height is permitted above the finished floor surface.  
*Ref. None*
- x. Knee clearance under wall mounted plumbing fixtures, including lavatories, drinking fountains, urinals and toilets.  
Standard: Mounting height above finished floor equals plus or minus 3/8". Within a 30" wide area, centered on the accessible basin or fixture, there may be a variation of 1/4" in height between the lower edge of the counter and the finished floor.  
*Ref. None*
- y. Switches, receptacles, pull stations, controls and similar devices.  
Standard: Plus or minus 1/2" vertically.  
*Ref. None*
- z. Door operating pressure.  
Standard: Plus or minus 1/2 pound.  
*Ref. None*
- aa. Operating pressures for faucets, flush valves and miscellaneous hardware.  
Standard: Plus or minus 1/2 pound.  
*Ref. None*
- bb. Other elements. Other constructed elements which are not specifically regulated shall be permitted to have a construction tolerance of 1/4" plus or minus unless, in the opinion of the district inspector, such variation impedes access, except that grab bars and handrails shall be not more than the maximum horizontal distance from the adjoining wall surface than is permitted by the regular code.

Approved by the Building Inspection Commission on September 16, 1998

Originally signed by:  
Frank Y. Chiu, Director  
November 12, 1998

# EXHIBIT C

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

| Item   | Description of Identified Barrier  | As-Built                                | 2010 ADAS        | 2010 CBC               | ADAAG        | Photos                                  | Discussion |
|--|--|---|------------------|------------------------|--------------|---|------------|
| <b>Levi's Stadium - Intel Gate A</b>   |  |   |                  |                        |              |   |            |
| <b>Plaza at Intel Gate A</b>   |  |   |                  |                        |              |   |            |
| The plaza at Intel Gate A is a large open space connecting multiple facilities that are required to be accessible such as the Box Office, the main 49er's Team Store, SAP Tower, 49er's Museum and Michael Mina's Bourbon Steak, Michael Mina's Bourbon Pub and Michael Mina's Tailgate. |  |   |                  |                        |              |   |            |
| 1  | An identifiable accessible route of travel is not provided connecting all the facilities and elements that are required to be accessible. The entire plaza therefore must not exceed 1:48 slope in any direction. The cross slope from Gate A to the Box Office is consistently more than 1:48 | Cross Slope measured up to 4.2%         | 403.3            | 1133B.7.1.3            | 4.3.7        | 8935 thru 8960                          |            |
| <b>Box Office</b>  |  |   |                  |                        |              |   |            |
| There are 12 ticket windows  |  |   |                  |                        |              |   |            |
| 2  | There are 12 ticket windows at the Box Office, not all ticket windows are accessible. At least one ticket window must be accessible. A clear space for a wheelchair side approach is not provided; the slope exceeds 1:48.   | See Photos<br>Slope measured up to 2.5% | 227.3<br>904.4.1 | 1104B.3.1.2<br>1122B.5 | 7.2(2)       | 8966 thru 8986                          |            |
| 3  | The location of the ticket window intended to be accessible is not identified by a sign.   | No signage is provided                  | 216.3            | 1117B.5.1              | 4.1.3(16)(b) | 8966                                    |            |
| <b>Path of Travel – Stadium Entry Level East Side 501 Club Entry to Michael Mina's Bourbon Steak &amp; Bourbon Pub and Michaels Mina's Tailgate</b>  |  |   |                  |                        |              |   |            |
| 4  | The slope of the walk exceeds 1:20.  | Measured up to 6.1%                     | 403.3            | 1133B.7.3              | 4.3.7        | 9021 thru 9035                          |            |
| <b>49's Team Stores</b>  |  |   |                  |                        |              |   |            |
| <b>Main Team Store – Gate A 200 Plaza Level</b>  |  |   |                  |                        |              |   |            |
| 5  | At multiple entry doors from the plaza the sweep period of the door from an open position of 90-degrees to a point 12-degrees from the latch is less   | Measured at 3.88 sec to 4.42 sec        | 404.2.8.1        | 1133B.2.5.1            | 4.13.10      | 9159 thru 9173;<br>9222, 9229 thru 9232 |            |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

| Item  | Description of Identified Barrier  | As-Built                    | 2010 ADAS                  | 2010 CBC          | ADAAG        | Photos                         | Discussion |
|---|--|-----------------------------|----------------------------|-------------------|--------------|--------------------------------|------------|
|   | than 5 seconds.  |                             |                            |                   |              |                                |            |
| 6   | At multiple entry doors the door opening force exceeds the maximum allowable 5 lb. for exterior doors  | Measured up to 8.5lb.       | NA                         | 1133B.2.5, Item 1 | NA           | 9162 thru 9171; 9222 thru 9228 |            |
| 7   | There are many sales counters provided. There are no sales counters identified as accessible so that a person with disabilities can identify the appropriate line.   | No signage is provided      | 216.3                      | 1117B.5.1         | 4.1.3(16)(b) | 9178 thru 9198                 |            |
| 8   | Staff indicated there is one dressing room at the Main Team Store. The door to the dressing room opens into the room and the required pull side maneuvering space; 60" minimum measured perpendicular to the door in the closed position, is not provided. | Measured 49"                | 404.2.4<br>Table 404.2.4.1 | 1133B.2.4.2       | 4.13.6       | 9202, 9204 & 9205              |            |
| 9   | At the one dressing room, the coat hook and pole are not within reach range.   | Measured at approx. 68" AFF | 222.2<br>803.5             | 1117B.8           | 4.2          | 9206 thru 9211                 |            |
| <b>Team Store – Gate C 300 Level Concourse</b>    |  |                             |                            |                   |              |                                |            |
| 10  | There are many sales counters provided. There are no sales counters identified as accessible so that a person with disabilities can identify the appropriate line.   | No signage is provided      | 216.3                      | 1117B.5.1         | 4.1.3(16)(b) | 9252 thru 9261                 |            |
| <b>Team Store – Southeast 700 Level Concourse</b> |  |                             |                            |                   |              |                                |            |
| 11  | The change in level at the threshold exceeds 1/2"  | Measured at 7/8" h x 3/4"w  | 404.2.5                    | 1133B.2.4.1       | 4.13.8       | 9528 thru 9536                 |            |
| 12  | At the push side of the exit door a shelf encroaches into the required clear maneuvering space at the push side of the door  | See Photos                  | 404.2.4                    | 1133B.2.4.2       | 4.13.6       | 9525 thru 9527                 |            |
| <b>Team Store – Northeast 700 Level Concourse</b> |  |                             |                            |                   |              |                                |            |
| 13  | The change in level at the threshold exceeds 1/2"  | Measured at +3/4" h x 1"w   | 404.2.5                    | 1133B.2.4.1       | 4.13.8       | 9528 thru 9536                 |            |

**Levi's Stadium**  
4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 & 26, 2018

Report Date: April 6, 2018

| Item  | Description of Identified Barrier  | As-Built              | 2010 ADAS     | 2010 CBC    | ADAAG    | Photos         | Discussion  |
|---|--|-----------------------|---------------|-------------|----------|----------------|---|
| <b>Accessible Seating</b>                             |  |                       |               |             |          |                |   |
| <b>Accessible Seating – Sections 106 – 104 Row 1W</b> |  |                       |               |             |          |                |   |
| <b>Ramp to Seating</b>                                |  |                       |               |             |          |                |   |
| 14  | At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.  | Approx. 8" extensions | 505.10.2 & .3 | 1133B.4.2.2 | 4.9.4(2) | 9424 thru 9430 |   |
| 15  | The ramp slope exceeds 1:12.   | Measured up to 9.2%   | 405.2         | 1133B.5.3   | 4.8.2    | 0141 & 1042    |   |
| <b>Accessible Seating</b>                             |  |                       |               |             |          |                |   |
| 16  | The width of a single accessible wheelchair viewing position is 36" is not provided.   | Measured at 33"       | 802.1.2       | 1104B.3.6   | 4.33.2   | 9435 thru 9437 | The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.   |
| <b>Accessible Seating – Sections 112 – 108 Row 1W</b> |  |                       |               |             |          |                |   |
| <b>Ramp to Accessible Seating</b>                     |  |                       |               |             |          |                |   |
| 17  | At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.  | Approx. 8" extensions | 505.10.2 & .3 | 1133B.4.2.2 | 4.9.4(2) | 9392 thru 9402 |   |
| 18  | The ramp slope exceeds 1:12.   | Measured up to 9.0%   | 405.2         | 1133B.5.3   | 4.8.2    | 0136 thru 1040 |   |
| <b>Accessible Seating</b>                             |  |                       |               |             |          |                |   |
| 19  | An accessible route of travel a minimum 36" wide is required to serve the accessible seating and companion seating. Stairs to seating levels above encroach into the clear accessible route when wheelchair users are in place at adjacent accessible seating locations. | See Photos            | 403.5.1       | 1133B.6.1.2 | 4.3.3    | 9410 & 9411    |   |
| 20  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 5.3%   | 802.1.1       | 1104B.3.4   | 4.33.4   | 0093 thru 0128 | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited |

**Levi's Stadium**  
4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

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|---|--|-----------------------|-----------|-------------------|--------|----------------|--|
|   |  |                       |           |                   |        |                | to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.   |
| 21  | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48                                   | Measured up to 5.4%   | 403.3     | 1133B.7.1.3       | 4.3.7  | 0093 thru 0128 |  |
| <b>East Brocade Club Accessible Field Level North Seating</b> |  |                       |           |                   |        |                |  |
| 22  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 3.5%   | 802.1.1   | 1104B.3.4         | 4.33.4 | 9874 & 9878    | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| 23  | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48                                   | Measured up to 3.2%   | 403.3     | 1133B.7.1.3       | 4.3.7  | 9879 thru 9882 |  |
| 24  | At exterior door to the lift to accessible seating the door opening force exceeds the maximum allowable 5 lb. for exterior doors | Measured up to 8.5lb. | NA        | 1133B.2.5, Item 1 | NA     | 9917 thru 9920 |  |
| <b>East Brocade Club Accessible Field Level South Seating</b> |  |                       |           |                   |        |                |  |
| 25  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 3.3%   | 802.1.1   | 1104B.3.4         | 4.33.4 | 9845 & 9846    | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| 26  | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48                                   | Measured up to 3.2%   | 403.3     | 1133B.7.1.3       | 4.3.7  | 9847 & 9848    |  |
| 27  | The width of a single accessible wheelchair viewing position is 36" is not provided at seat position 2.                          | Measured at 33"       | 802.1.2   | 1104B.3.6         | 4.33.2 | 9849 thru 9852 | The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.  |

**Levi's Stadium**  
4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 & 26, 2018

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|---|---|---|---------------|-------------------|----------|-------------------|--|
| 28  | At exterior door to the lift to accessible seating the door opening force exceeds the maximum allowable 5 lb. for exterior doors  | Measured up to 8.5lb.                     | NA            | 1133B.2.5, Item 1 | NA       | 9889, 9893 & 9894 |  |
| <b>Accessible Seating – Sections 146 – 102 Row 1W</b> |   |   |               |                   |          |                   |  |
| <b>Ramp to Seating</b>                                |   |   |               |                   |          |                   |  |
| 29  | The bottom landing of the ramp is required to be a clear space the width of the ramp x 72" in the direction of travel. There is a concrete filled bollard in the bottom landing of the ramp 36" from the end of the ramp slope. | 36" Bottom Landing in Direction of Travel | 405.7.3       | 1133B.5.4.2       | 4.8.4(2) | 9442 thru 9448    | The 2010 CBC is more restrictive than the 2010 ADAS or 1991 ADAAG  |
| 30  | The ramp slope exceeds 1:12.  | Measured up to 9.0%                       | 405.2         | 1133B.5.3         | 4.8.2    | 0169, 0172 & 0173 |  |
| <b>Accessible Seating</b>                             |   |   |               |                   |          |                   |  |
| 31  | The width of a single accessible wheelchair viewing position is 36" is not provided.  | Measured at 33"                           | 802.1.2       | 1104B.3.6         | 4.33.2   | 9452 thru 9455    | The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.  |
| 32  | The slope at accessible seating locations shall not exceed 1:48.  | Measured up to 2.6%                       | 802.1.1       | 1104B.3.4         | 4.33.4   | 9928 thru 9930    | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| <b>Accessible Seating – Sections 144 – 142 Row 1W</b> |   |   |               |                   |          |                   |  |
| <b>Ramp to Seating</b>                                |   |   |               |                   |          |                   |  |
| 33  | At stairs and ramps handrail extensions must extend horizontally the full required length in the direction of travel. The ramp handrails as constructed do not extend the full length before starting the return.               | Approx. 8" extensions                     | 505.10.2 & .3 | 1133B.4.2.2       | 4.9.4(2) | 9456 thru 9462    |  |
| 34  | The ramp slope exceeds 1:12.  | Measured up to 8.9%                       | 405.2         | 1133B.5.3         | 4.8.2    | 0162 thru 0164    |  |
| 35  | The width of the ramp is less than 48"  | Measured at 47" wide                      | 405.5         | 1133B.5.2         | 4.8.3    | 0165 thru 0167    | The 2010 CBC is more restrictive than the 2010 ADAS or 1991 ADAAG  |

**Levi's Stadium**  
4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

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Report Date: April 6, 2018

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|---|--|---------------------|-----------|-------------|--------|-----------------------------------|--|
| <b>Accessible Seating</b>                                     |  |                     |           |             |        |                                   |  |
| 36  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 3.1% | 802.1.1   | 1104B.3.4   | 4.33.4 | 9931 & 9932;<br>9938 & 9930       | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| 37  | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48   | Measured up to 3.2% | 403.3     | 1133B.7.1.3 | 4.3.7  | 9933 thru 9937;<br>9940 thru 9943 |  |
| 38  | An accessible route of travel a minimum 36" wide is required to serve the accessible seating and companion seating. Stairs to seating levels above encroach into the clear accessible route when wheelchair users are in place at adjacent accessible seating locations. | See Photos          | 403.5.1   | 1133B.6.1.2 | 4.3.3  | 9464 & 9472                       |  |
| <b>West Brocade Club Accessible Field Level South Seating</b> |  |                     |           |             |        |                                   |  |
| 39  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 3.8% | 802.1.1   | 1104B.3.4   | 4.33.4 | 9906 & 9907                       | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| 40  | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48   | Measured up to 3.2% | 403.3     | 1133B.7.1.3 | 4.3.7  | 9903 thru 9905                    |  |
| <b>501 Club – South Seating 400 Level</b>                     |  |                     |           |             |        |                                   |  |
| 41  | The width of a single accessible wheelchair viewing position is 36" is not provided.   | Measured at 33"     | 802.1.2   | 1104B.3.6   | 4.33.2 | 9376, 9379 thru<br>9385           | The size of a single wheelchair space is not specified in the 2010 CBC. The 2010 ADAS is the more restrictive standard.  |
| 42  | The slope at accessible seating locations shall not exceed 1:48.   | Measured up to 3.6% | 802.1.1   | 1104B.3.4   | 4.33.4 | 0187 thru 0196                    | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited  |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

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|--|--|---------------------|-----------|-----------------|--------|-----------------------------|--|
|  |  |                     |           |                 |        |                             | to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC.   |
| 43   | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48 | Measured up to 3.0% | 403.3     | 1133B.7.1.3     | 4.3.7  | 0185 & 0186;<br>0197 & 0199 |  |
| <b>501 Club – South Seating 400 Level – Seating Accessed by Ramp</b> |  |                     |           |                 |        |                             |  |
| 44   | The slope of the ramp leading to this accessible seating area exceeds 1:12.                    | Measured at 8.7%    | 405.2     | 1133B.5.3       | 4.8.2  | 0774 thru 0777              |  |
| <b>501 Club – North Seating 400 Level</b>                            |  |                     |           |                 |        |                             |  |
| 45   | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48 | Measured up to 3.0% | 403.3     | 1133B.7.1.3     | 4.3.7  | 0204 thru 0214              |  |
| <b>501 Club – North Seating 400 Level – Seating Accessed by Ramp</b> |  |                     |           |                 |        |                             |  |
| 46   | The slope of the ramp leading to this accessible seating area exceeds 1:12.                    | Measured at 8.8%    | 405.2     | 1133B.5.3       | 4.8.2  | 0761, 0769 & 0770           |  |
| 47   | The slope at accessible seating locations shall not exceed 1:48.                               | Measured up to 3.2% | 802.1.1   | 1104B.3.4       | 4.33.4 | 0760 thru 0762              | The 1991 ADAAG and the 2010 CBC do not specifically state the max slope at a wheelchair seating location shall be limited to 1:48. The Division of the State Architect recommended this change in its comparative analysis between the 2010 ADAS and 2010 CBC. |
| 48   | The slope at the aisle behind the accessible seating and companion seat locations exceeds 1:48 | Measured up to 5.0% | 403.3     | 1133B.7.1.3     | 4.3.7  | 0761, 0763 & 0764           |  |
| <b>Bay Mellon Club East</b>  |  |                     |           |                 |        |                             |  |
| 49   | The bar is standing only and does not provide a section at not more than 34" AFF.              | Measured at 42"     | 226.1     | 1104B.5, Item 4 | 5.1    | 0374 thru 0378              |  |
| <b>Brocade Club East – Both sides of Bay Mellon Club</b>             |  |                     |           |                 |        |                             |  |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

| Item                       | Description of Identified Barrier   | As-Built   | 2010 ADAS  | 2010 CBC                  | ADAAG  | Photos                            | Discussion |
|----------------------------|---|--|--|---------------------------|--|-----------------------------------|------------|
| 50                         | The bar does not have a counter section at 34" max. above the floor that is integrated with the bar as a whole. The lowered section is at the end of an "L" shaped bar that is visually disconnected from the rest of the bar. Also, the accessible height counter is not the same depth as the rest of the bar   | Accessible section 12" deep vs. 20" at the rest of the bar | 226  | 1104B.5                   | 5.2 & 5.4  | 0395 thru 0405;<br>0414 thru 0422 |            |
| <b>Auditorium 01.97.09</b> |   |  |  |                           |  |                                   |            |
| 51                         | At the left door leaf (viewed from the push side of the door) the door opening force exceeds the maximum allowable 15 lb. for interior fire doors.  | 17lb   | 404.2.9  | 1133B.2.5.1               | 4.13.11(1)   | 0672 thru 0679                    |            |
| 52                         | The stage is elevated from the adjacent floor and an accessible route to the stage is not provided.   | See Photos   | 206.2.6  | 1104B.3.11                | 4.33.5   | 0652 thru 0654                    |            |
| 53                         | At the auditorium there are a total of 126 fixed seats. A minimum of 4 accessible seat locations with an adjacent companion seat and integrated into the seating plan are required. No accessible seating locations with an adjacent companion seat are provided.   | No Accessible seat locations provided.                     | 221.2 & 221.3                                    | 1104B.3.4 & .5            | 4.1.3(19)(a) & 4.33.3                                  | 0658 thru 0671                    |            |
| <b>NRG Solar Terrace</b>   |   |  |  |                           |  |                                   |            |
| 54                         | Bars at 2-locations do not have a counter section at 34" max. above the floor that is integrated with the bar as a whole. The lowered section is at the end of a straight bar that is visually disconnected from the rest of the bar. Also, the location of the accessible height counter does not provide a view of the TV's visible from the rest of the bar, further separating the disabled fan from the game experience. | See Photos   | 226  | 1104B.5                   | 5.2 & 5.4  | 0725 thru 0739                    |            |
| 55                         | There are no accessible viewing locations with companion seats at the NRG Terrace.  | See Photos   | 28 CFR Part 36.308<br>201.1<br>221.2.1.1 & 221.3 | 1101B.1<br>1104B.3.4 & .5 | 28 CFR Part 36.308<br>4.1.3(19)(a)<br>4.33.2, .3. & .4 | 0701 thru 0710;<br>0740 thru 0749 |            |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

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|------|---|--|-----------|----------|-------|----------------|------------|
| 56   | The ground surface at the NRG Solar Terrace is 24" sq. pavers on a elevated support system. The pavers move when walked on and in some cases the movement creates changes in level between pavers that exceeds 1/4" vertically. | Measured up to 5/8" vertical change in level | 303.2     | 1124B.2  | 4.3.8 | 0684 thru 0696 |            |

**Vertical Circulation & Wayfinding**

One of the primary problems encountered by class members attempting to use Levi's Stadium is wayfinding, in particular finding the appropriate elevator to their seat location and/or other facilities and amenities available to them at the stadium. Wayfinding is an essential element of facility access. The 2010 ADAS requires that information be provided to persons with disabilities regarding the existence and location of accessible services, activities and facilities. The 2010 CBC, in fact, has an entire accessible path of travel requirement. Essentially, the 2010 CBC requires that information is provided along the entire accessible route of travel through a facility specifically identifying decision points and deviations from the general circulation path.

|    |   |                                       |   |               |   |  |   |
|----|---|---------------------------------------|---|---------------|---|--|---|
| 57 | There are 9 elevator locations throughout the stadium. Elevator locations are typically through doors that are not clearly identified as leading to an elevator or only identified once you reach the door. | See photos and attached elevator plan | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 1117B.5.8.1.2 | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 8995 thru 9001; 9002 thru 9009; 9016 thru 9018; 9021 thru 9025; 9042 thru 9045; 9079 thru 9083; 9094 thru 9097 | The 2010 ADAS include provisions in the referenced sections of the CFR that, when considered in the context of a facility as a whole, require information to be provide regarding the usability of the facility including signage indicating the accessible route of travel and the location of elevators.<br><br>The 2010 CBC specifically requires informational signage at decision points along the entire route of travel. This would require informational signage indicating locations of elevators where they are behind doors or in relation to other non-accessible vertical circulation, such as ramps, stairs and escalators. |
| 58 | At major vertical circulation elements in the stadium such as ramps and stairs, signage indicating the location of corresponding elevators is not adequately provided                                       | See photos and attached elevator plan | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 1117B.5.8.1.2 | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 9010 thru 9015; 9021 thru 9025; 9058 thru 9066; 9084 thru 9090   | See above   |
| 59 | The freight elevator is incorrectly identified as an accessible elevator.   | See Photos                            | NA  | 1116B.1       | NA  | 9341 & 9342, 9344 thru 9348  | See above   |

**Levi's Stadium**

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|---|--|---------------------------------------|---|----------------------|---|-----------------------------------|------------|
| 60  | At the approach to the escalator at the 700 level south east concourse there is not a sign indicating the elevator location at the south west concourse. | See photos and attached elevator plan | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 1117B.5.8.1.2        | 35.163(a) of 28 CFR Part 35<br><br>35.151(a)(1) of 28 CFR Part 35 | 9349 thru 9352;<br>9364 thru 9375 | See above  |
| <b>Restrooms Serving Field Level Seating North West</b> |  |                                       |   |                      |   |                                   |            |
| <b>Men's Restroom</b>                                   |  |                                       |   |                      |   |                                   |            |
| 61  | The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility   | See Photo                             | NA  | 1115B.6<br>1117B.5.1 | NA  | 9949                              |            |
| 62  | The baby changing station, does not provide a 27" high knee clearance for a forward approach.  | Measured at 26-1/2"                   | 306.3   | 1122B.3              | 4.32.3  | 9958 thru 9963                    |            |
| 63  | At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.  | See photos                            | 404.2.7   | 1133B,2,5,2          | 4.13.9  | 9990 thru 9992                    |            |
| 64  | At the ambulatory accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.  | See photos                            | 404.2.7   | 1133B,2,5,2          | 4.13.9  | 9979 thru 9981                    |            |
| <b>Women's Restroom</b>                                 |  |                                       |   |                      |   |                                   |            |
| 65  | The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility                                       | See Photo                             | NA  | 1115B.6<br>1117B.5.1 | NA  | 0020& 0021                        |            |
| 66  | The baby changing station, does not provide a 27" high knee clearance for a forward approach.  | Measured at 25-5/8"                   | 306.3   | 1122B.3              | 4.32.3  | 0084 thru 0090                    |            |
| 67  | At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.  | See photos                            | 404.2.7   | 1133B,2,5,2          | 4.13.9  | 0051 thru 0056                    |            |
| 68  | At the ambulatory accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.  | See photos                            | 404.2.7   | 1133B,2,5,2          | 4.13.9  | 0042 thru 0044                    |            |

**Levi's Stadium**

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**Access Compliance Evaluation Survey Barrier Report**

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|---|---|------------------------------------|-----------|-----------------------|------------------|-------------------|---|
| 69  | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6   | 1115B.8.4             | 4.17.3 & Fig. 30 | 0077 thru 0083    | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 70  | At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet   | Measured at 5-1/8"                 | 604.8.1.2 | 1115B.3.1.4, Item 4.3 | 4.17.5 & Fig. 30 | 0051, 0057 & 0058 |   |
| <b>Restrooms Serving Field Level Seating North East</b> |   |                                    |           |                       |                  |                   |   |
| <b>Men's Restroom</b>                                   |   |                                    |           |                       |                  |                   |   |
| 71  | The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA        | 1115B.6<br>1117B.5.1  | NA               | 0144 & 0145       |   |
| 72  | The baby changing station, does not provide a 27" high knee clearance for a forward approach.   | Measured at 25-1/2"                | 306.3     | 1122B.3               | 4.32.3           | 0151 thru 0157    |   |
| 73  | At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.   | See photos                         | 404.2.7   | 1133B,2,5,2           | 4.13.9           | 0238 thru 0241    |   |
| 74  | At the ambulatory accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.   | See photos                         | 404.2.7   | 1133B,2,5,2           | 4.13.9           | 0238 thru 0241    |   |
| 75  | The floor slope at the wheelchair accessible toilet stall exceeds 1:48.   | Measured up to 6.6%                | 305.1     | NA                    | NA               | 0260 thru 0263    |   |
| <b>Women's Restroom</b>                                 |   |                                    |           |                       |                  |                   |   |
| 76  | The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA        | 1115B.6<br>1117B.5.1  | NA               | 0264              |   |
| 77  | The baby changing station, does not provide a 27" high knee clearance for a forward approach.   | Measured at 25-5/8"                | 306.3     | 1122B.3               | 4.32.3           | 0284 thru 0287    |   |
| 78  | At the wheelchair accessible toilet stall two hands are required to close and latch the stall door. Door hardware is required to operate with one hand.   | See photos                         | 404.2.7   | 1133B,2,5,2           | 4.13.9           | 0298 thru 0300    |   |
| 79  | At the ambulatory accessible toilet stall two hands   | See photos                         | 404.2.7   | 1133B,2,5,2           | 4.13.9           | 0298 thru 0300    |   |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

| Item                              | Description of Identified Barrier   | As-Built                           | 2010 ADAS                     | 2010 CBC              | ADAAG            | Photos               | Discussion  |
|-----------------------------------|---|------------------------------------|-------------------------------|-----------------------|------------------|----------------------|---|
|                                   | are required to close and latch the stall door. Door hardware is required to operate with one hand.   |                                    |                               |                       |                  |                      |   |
| 80                                | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6                       | 1115B.8.4             | 4.17.3 & Fig. 30 | 0319 thru 326        | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 81                                | The floor slope at the wheelchair accessible toilet stall exceeds 1:48.   | Measured up to 7.3%                | 305.1                         | NA                    | NA               | 0312, 0335 & 0336    |   |
| <b>Restrooms at Brocade South</b> |   |                                    |                               |                       |                  |                      |   |
| <b>Men's Restroom</b>             |   |                                    |                               |                       |                  |                      |   |
| 82                                | The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA                            | 1115B.6<br>1117B.5.1  | NA               | 0423                 |   |
| 83                                | At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet   | Measured at 4-7/8"                 | 604.8.1.2                     | 1115B.3.1.4, Item 4.3 | 4.17.5 & Fig. 30 | 0438 thru 0440       |   |
| 84                                | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6                       | 1115B.8.4             | 4.17.3 & Fig. 30 | 0438, 0455 thru 0459 | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 85                                | The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance                         | See Photos                         | 404.2.4<br>Table<br>404.2.4.1 | 1133B.2.4.2           | 4.13.6           | 0437 & 0438          | The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.            |
| <b>Women's Restroom</b>           |   |                                    |                               |                       |                  |                      |   |
| 86                                | The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA                            | 1115B.6<br>1117B.5.1  | NA               | 0423                 |   |
| 87                                | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6                       | 1115B.8.4             | 4.17.3 & Fig. 30 | 0518 thru 0522       | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 88                                | The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into   | See Photos                         | 404.2.4<br>Table<br>404.2.4.1 | 1133B.2.4.2           | 4.13.6           | 0497 & 0498          | The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.            |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 &amp; 26, 2018

Report Date: April 6, 2018

| Item                              | Description of Identified Barrier   | As-Built                           | 2010 ADAS                     | 2010 CBC                 | ADAAG            | Photos            | Discussion  |
|-----------------------------------|---|------------------------------------|-------------------------------|--------------------------|------------------|-------------------|---|
|                                   | the required pull side door clearance   |                                    |                               |                          |                  |                   |   |
| <b>Restrooms at Brocade North</b> |   |                                    |                               |                          |                  |                   |   |
| <b>Men's Restroom</b>             |   |                                    |                               |                          |                  |                   |   |
| 89                                | The Men's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA                            | 1115B.6<br>1117B.5.1     | NA               | 0535 & 0537       |   |
| 90                                | At the wheelchair accessible stall the door opening is more than 4" maximum from the side wall farthest from the toilet   | Measured at 5"                     | 604.8.1.2                     | 1115B.3.1.4,<br>Item 4.3 | 4.17.5 & Fig. 30 | 0570, 0574 & 0575 |   |
| 91                                | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6                       | 1115B.8.4                | 4.17.3 & Fig. 30 | 0572, 0584 & 0585 | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 92                                | The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance                         | See Photos                         | 404.2.4<br>Table<br>404.2.4.1 | 1133B.2.4.2              | 4.13.6           | 0572 & 0573       | The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.            |
| <b>Women's Restroom</b>           |   |                                    |                               |                          |                  |                   |   |
| 93                                | The Women's restroom is not Identified as accessible by a sign including the International Symbol of Accessibility  | See Photo                          | NA                            | 1115B.6<br>1117B.5.1     | NA               | 0535 & 0537       |   |
| 94                                | A side by side double roll toilet paper dispenser is used. This does not allow both rolls to be located in an accessible location 7" to 9" from the front of the toilet to the centerline of the dispenser. | Side by side single roll dispenser | 604.9.6                       | 1115B.8.4                | 4.17.3 & Fig. 30 | 0612, 0623 & 0624 | The 2010 CBC required the dispenser to be a maximum 12" from the front of the toilet to the far end of the dispenser. |
| 95                                | The baby changing station, when left in the open position prevents entry into the wheelchair accessible stall. The open table encroaches into the required pull side door clearance                         | See Photos                         | 404.2.4<br>Table<br>404.2.4.1 | 1133B.2.4.2              | 4.13.6           | 0612 & 0613       | The 2016 CBC now specifically prohibits locating a baby changing table in the wheelchair accessible stall.            |

**Levi's Stadium**

4900 Marie P. DeBartolo Way, Santa Clara, CA 95054

**Access Compliance Evaluation Survey Barrier Report**

Survey Dates: January 24, 25 & 26, 2018

Report Date: April 6, 2018



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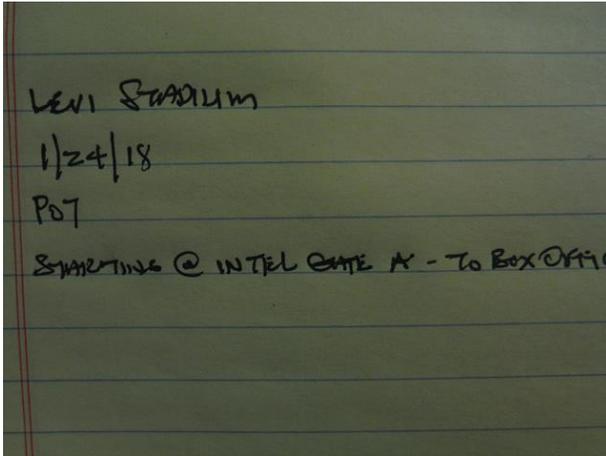
Gary Waters, CASp-065

April 6, 2018

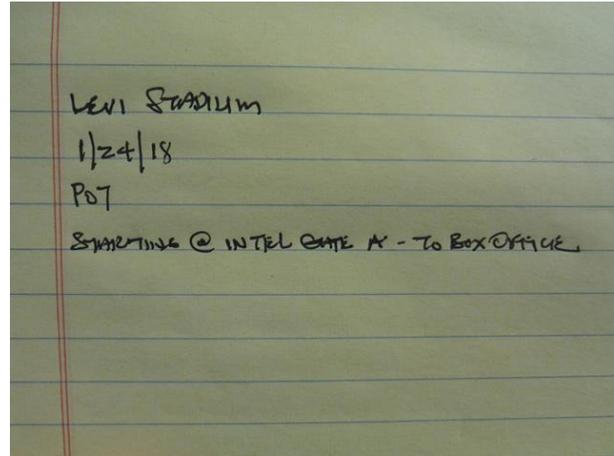
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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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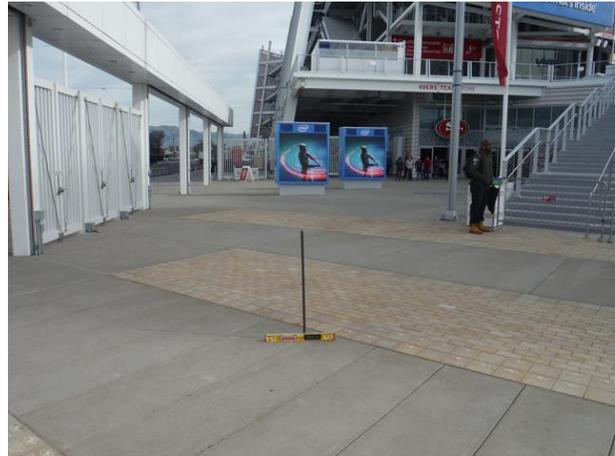
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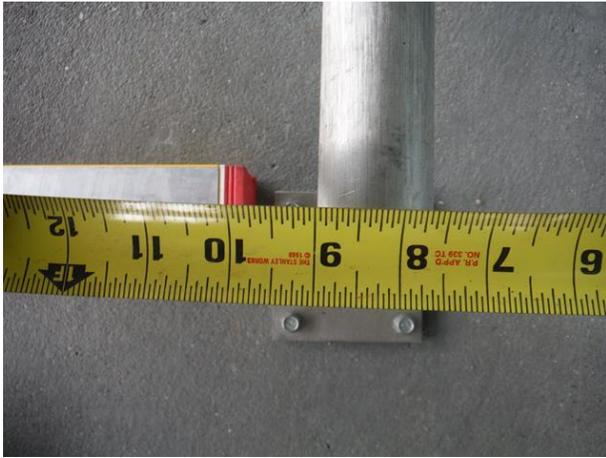


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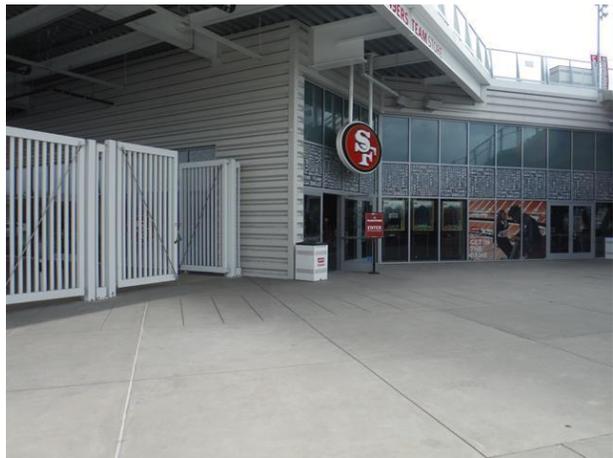
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Survey Dates: January 24, 25 & 26, 2018



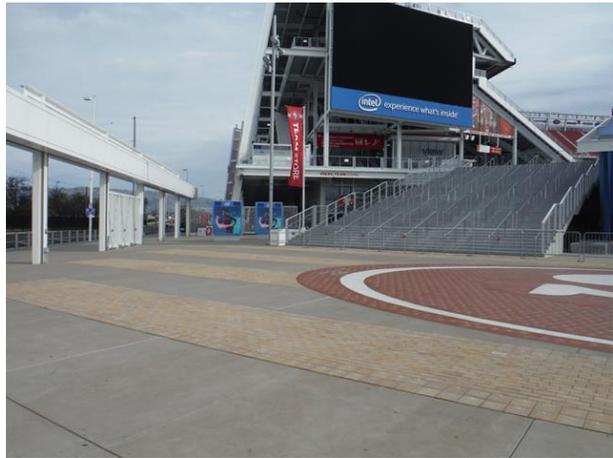
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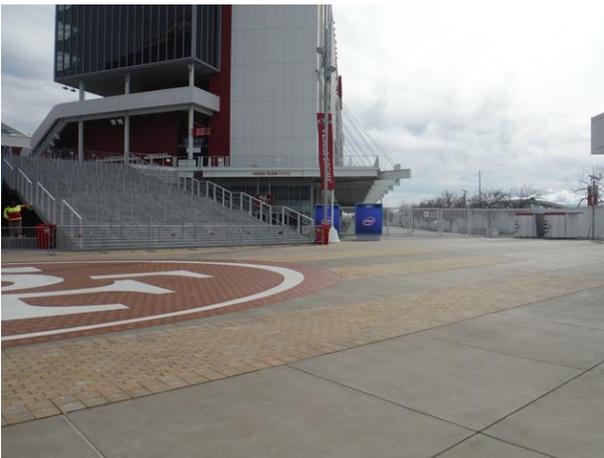
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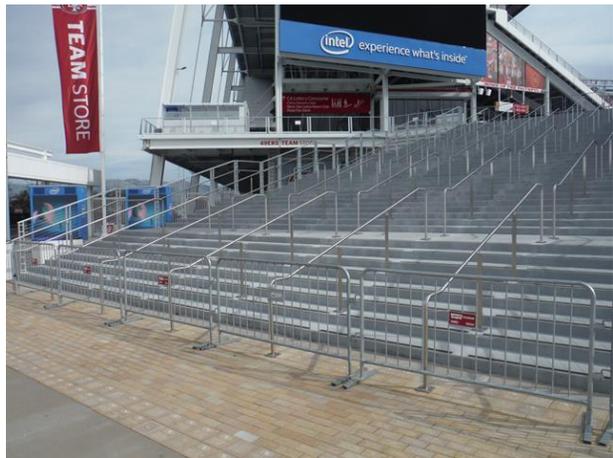
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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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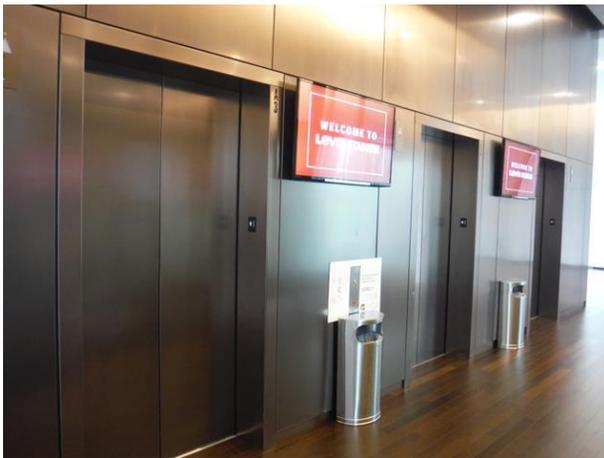
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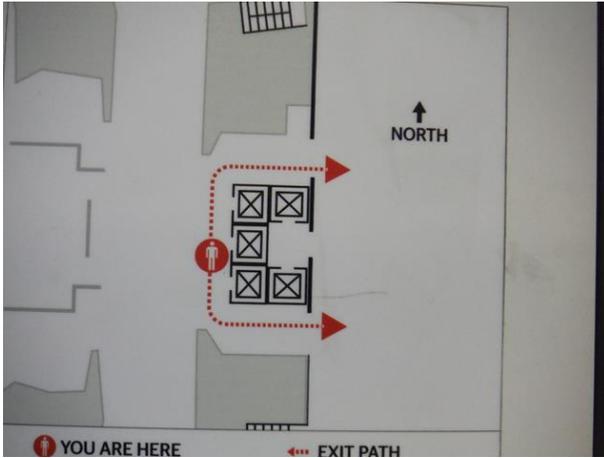


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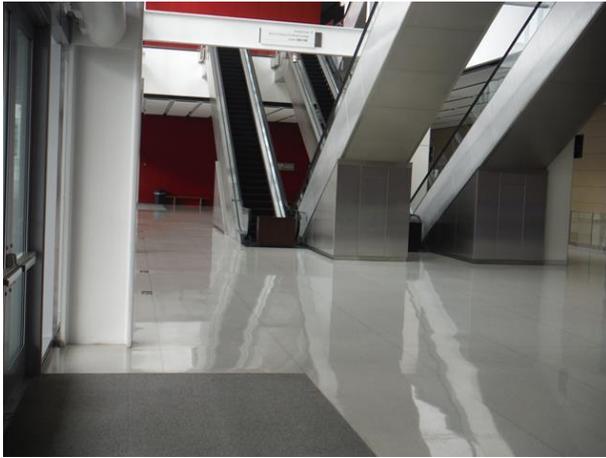


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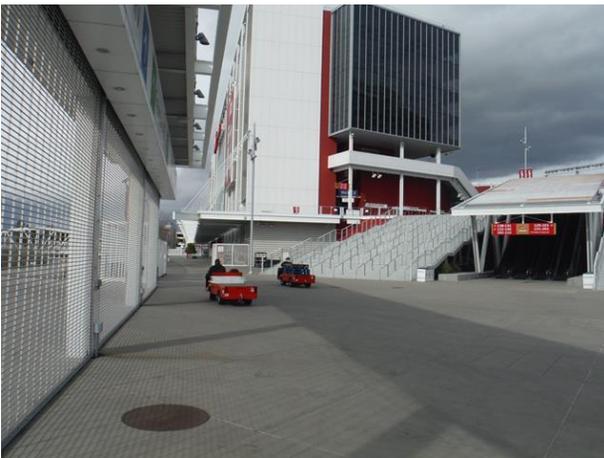
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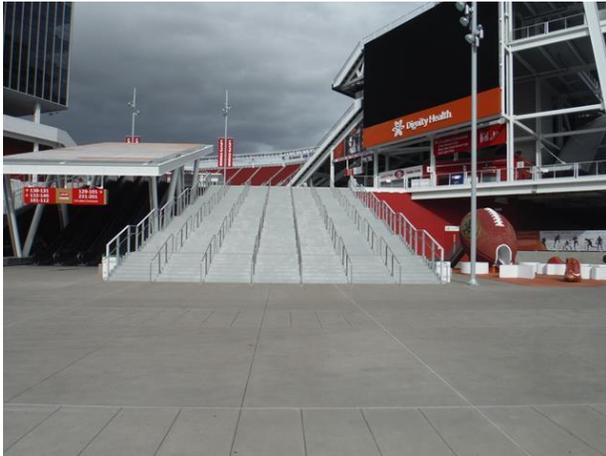


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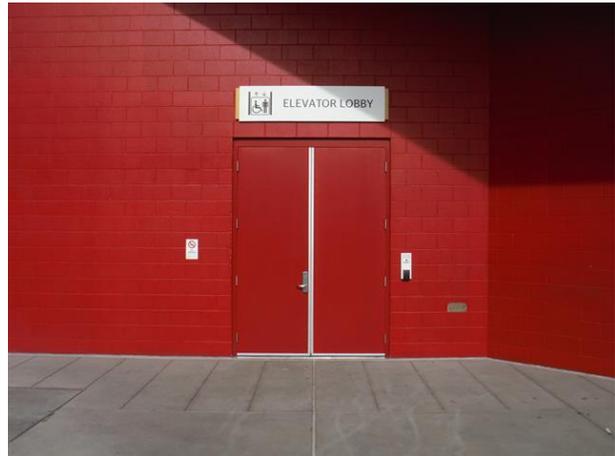
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Survey Dates: January 24, 25 & 26, 2018



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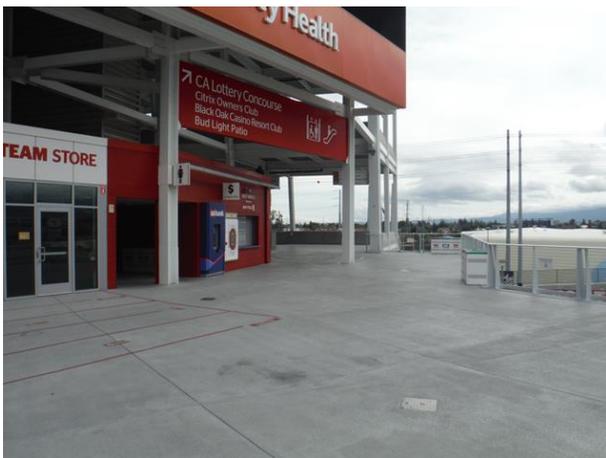
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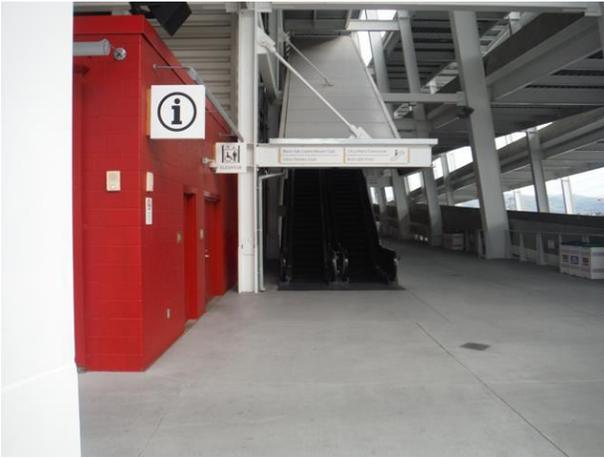


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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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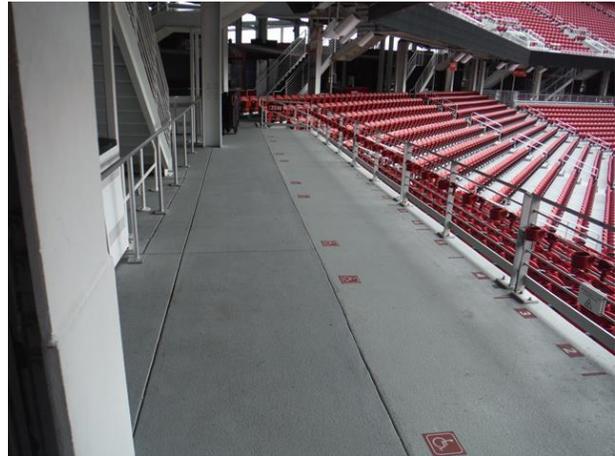
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Survey Dates: January 24, 25 & 26, 2018



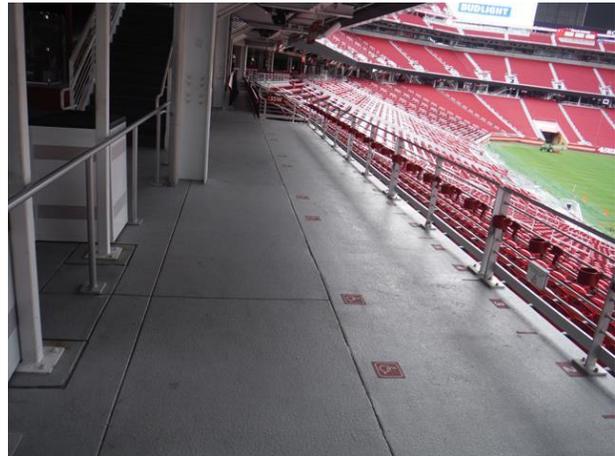
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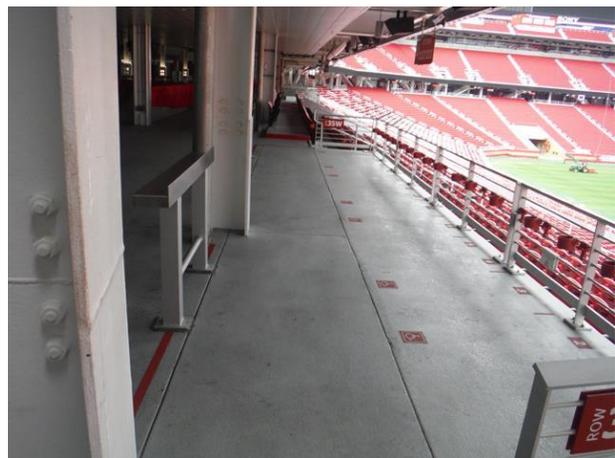
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Survey Dates: January 24, 25 & 26, 2018



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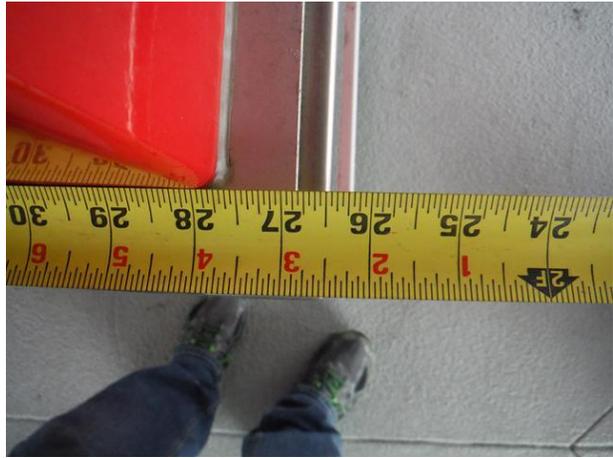
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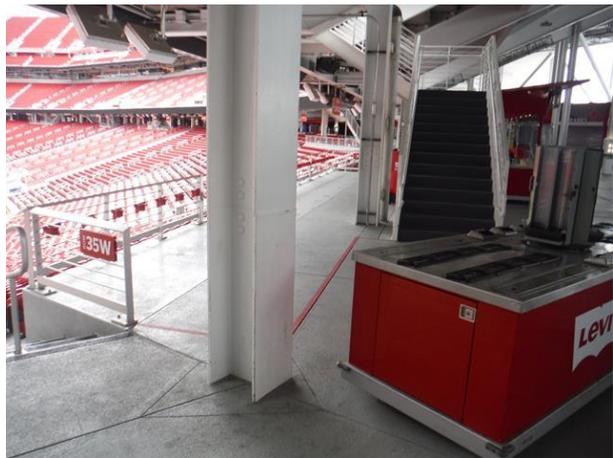
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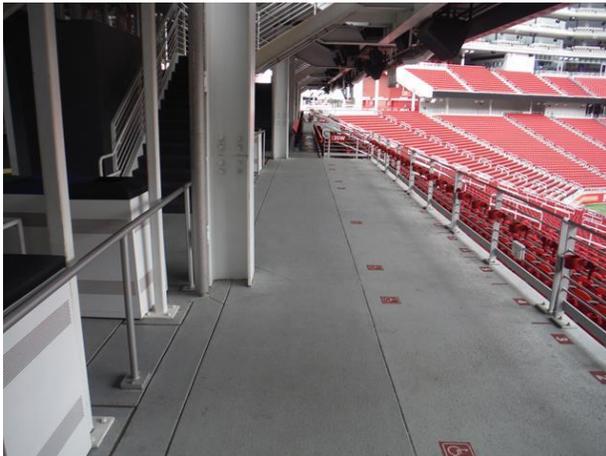
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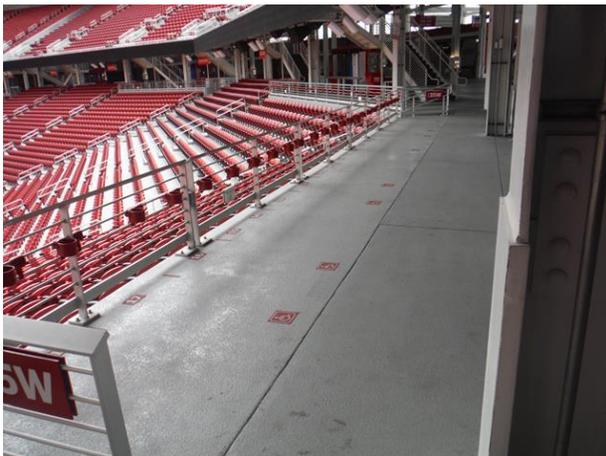
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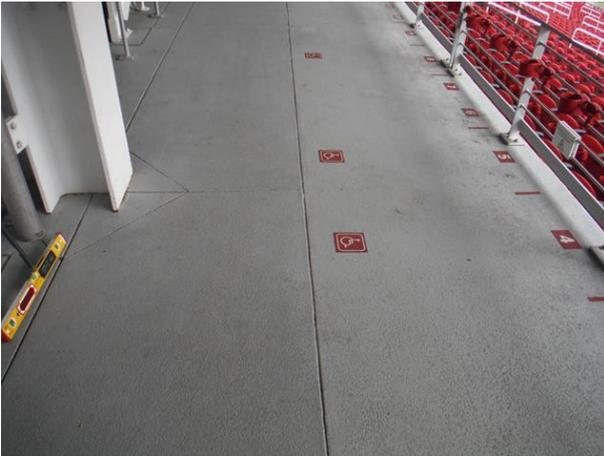


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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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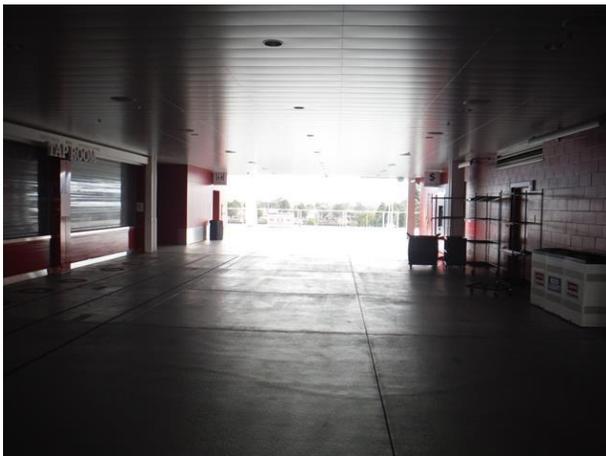
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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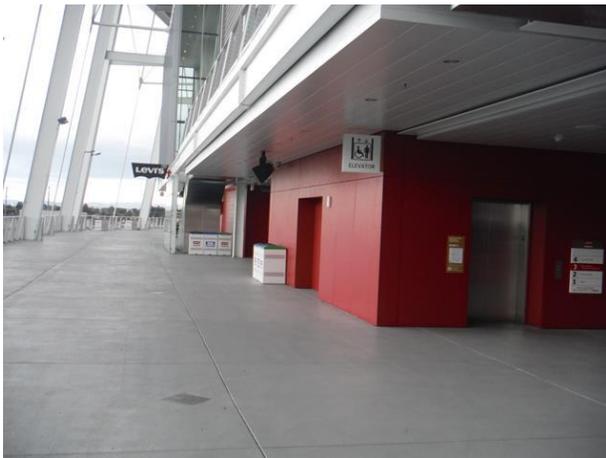
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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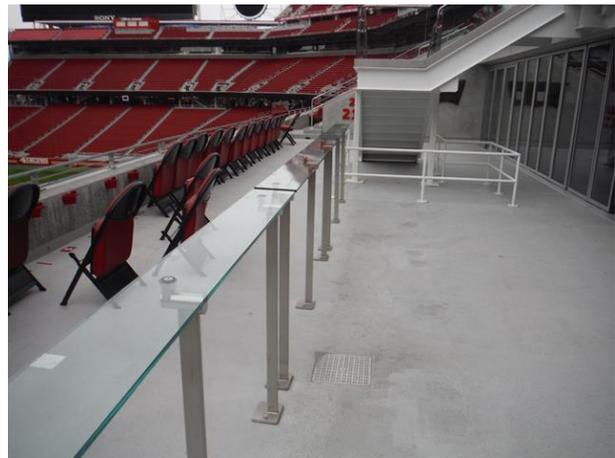
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



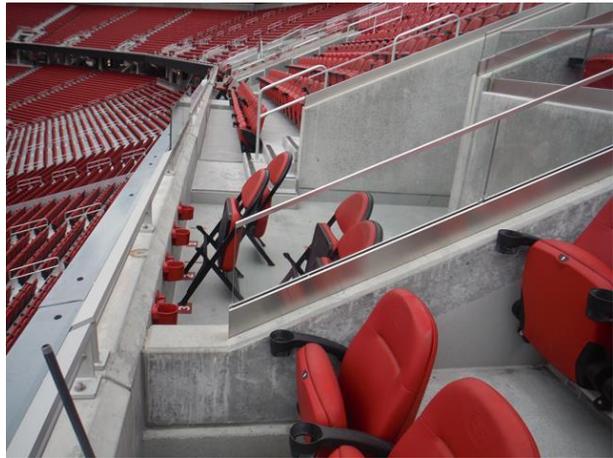
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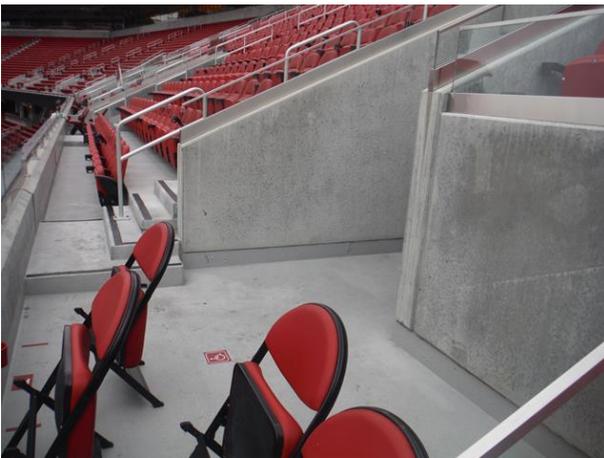
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



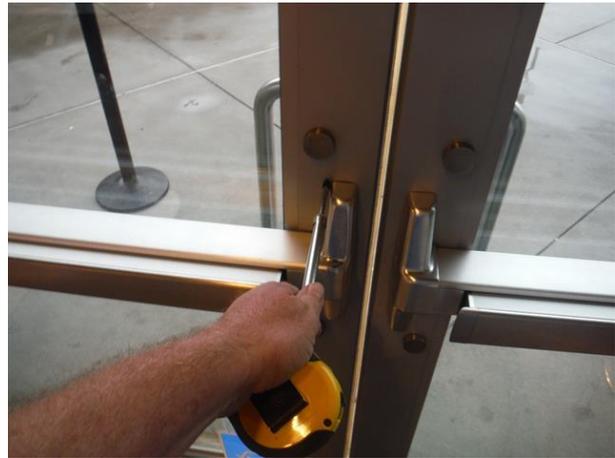
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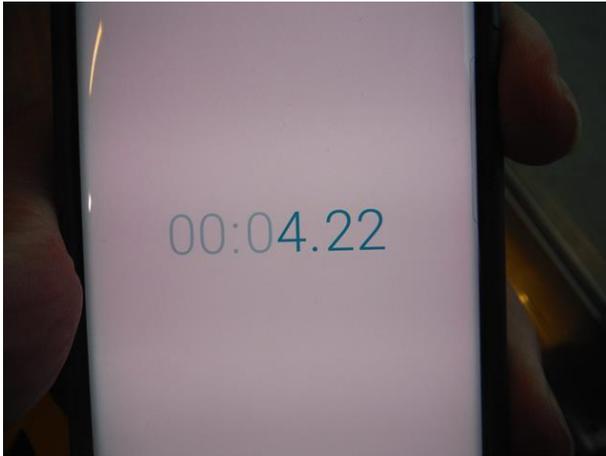


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**Levi's Stadium Access Inspection**

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Survey Dates: January 24, 25 & 26, 2018



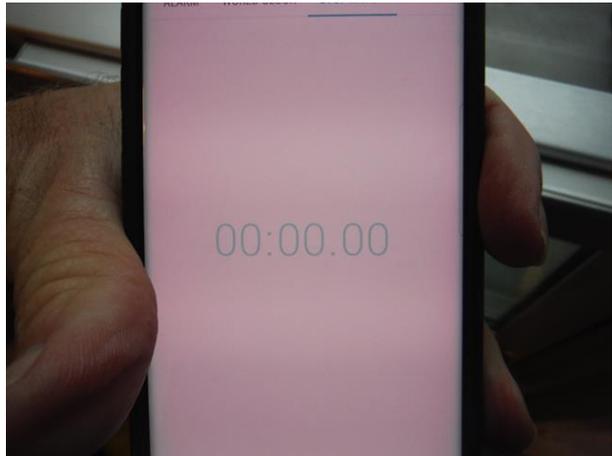
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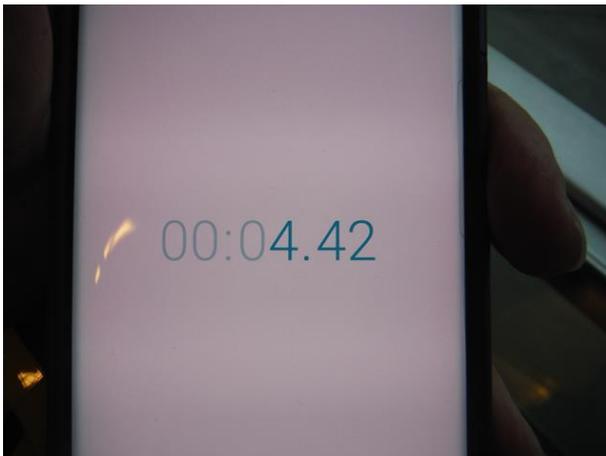
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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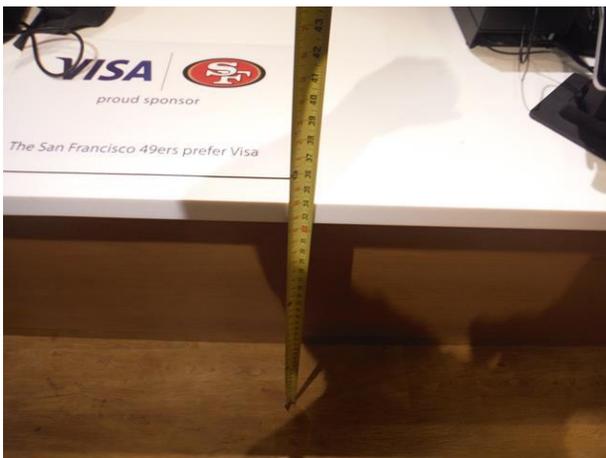
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



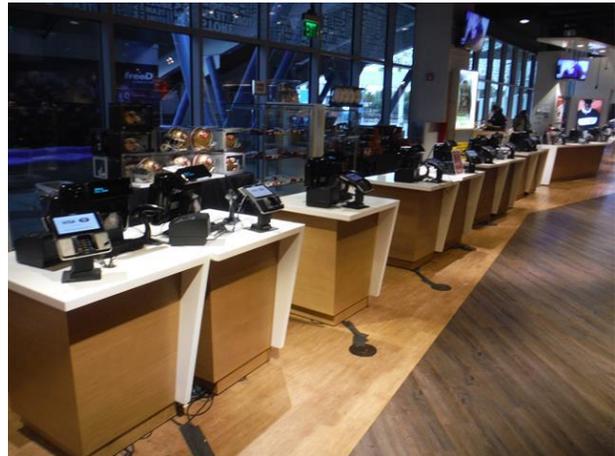
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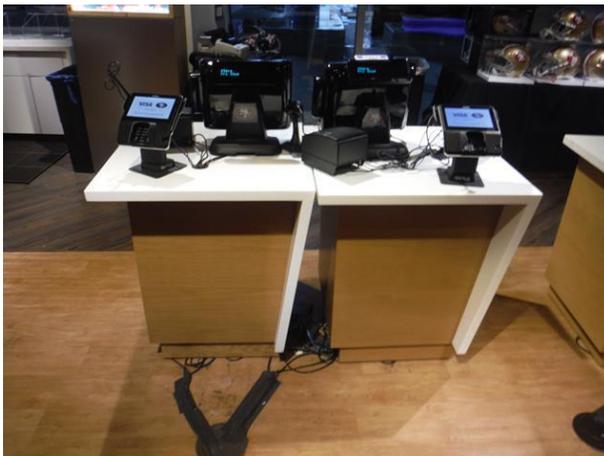
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### Levi's Stadium Access Inspection

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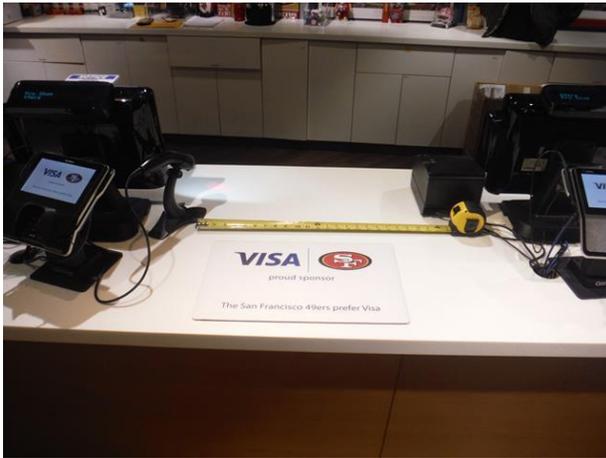
Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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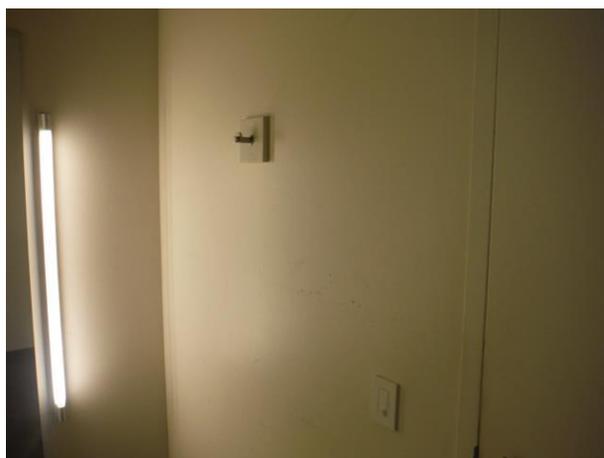
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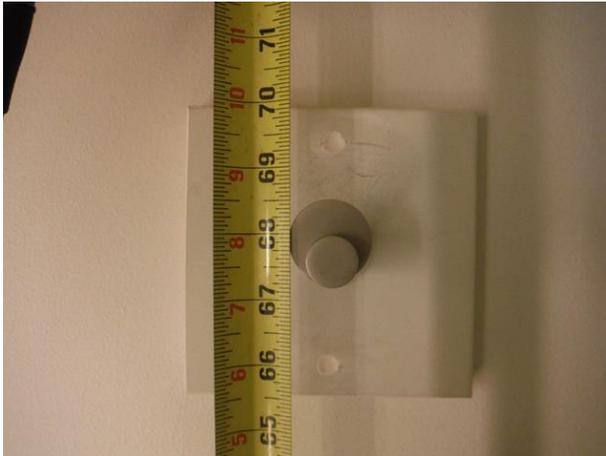


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



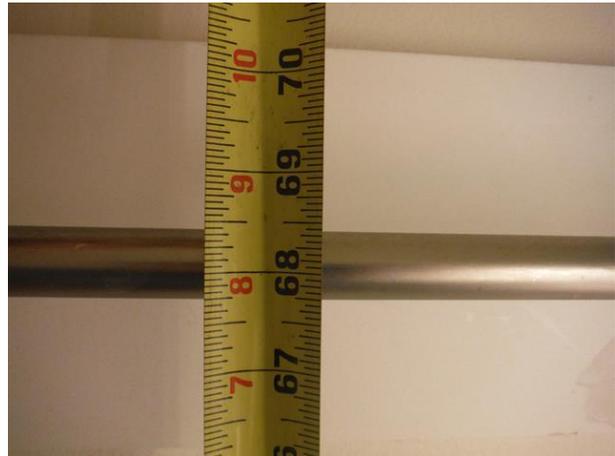
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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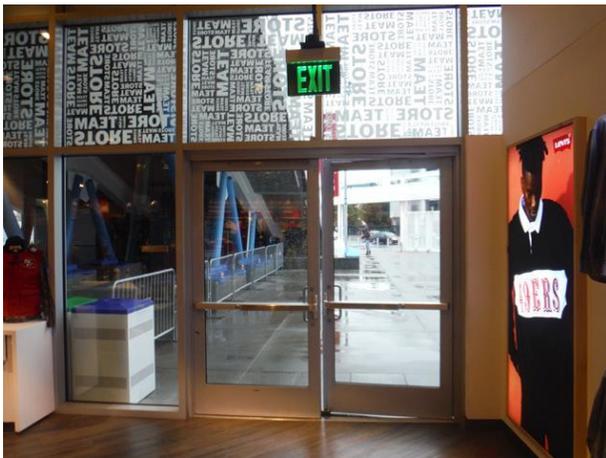
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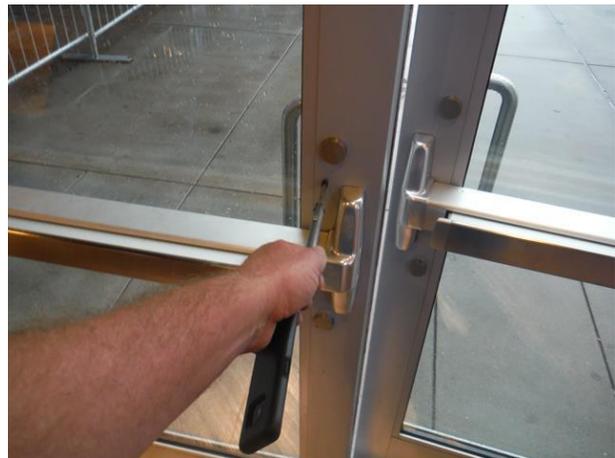
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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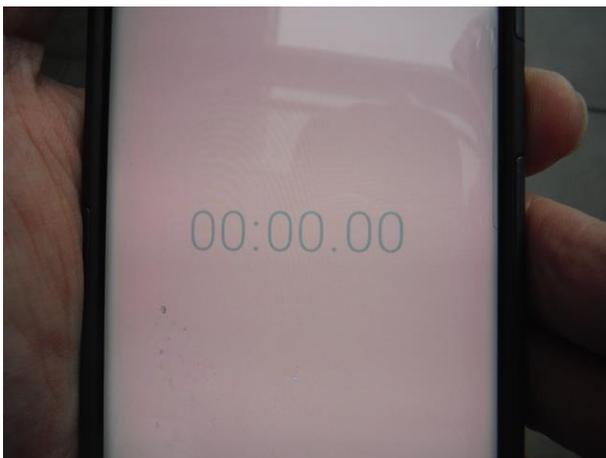
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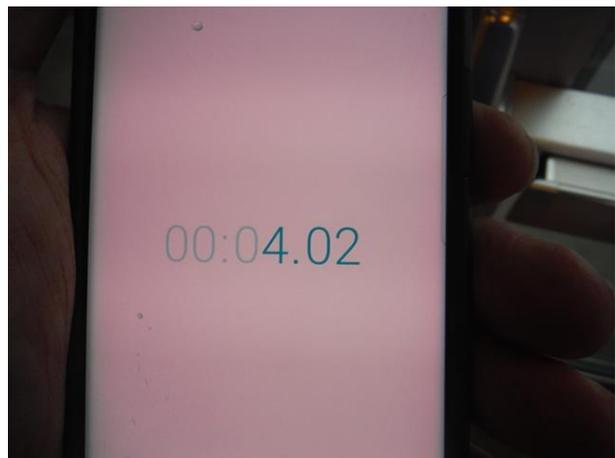
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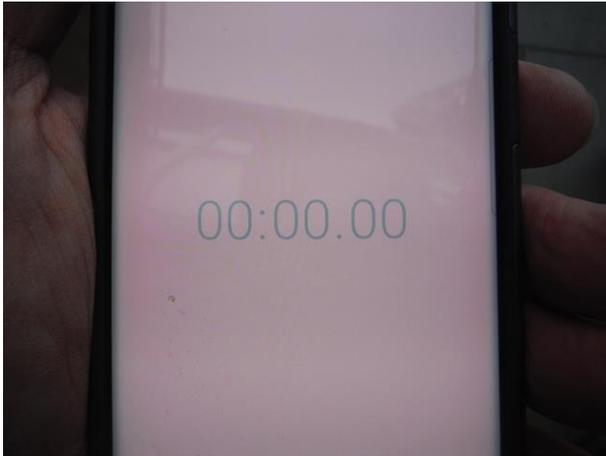


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



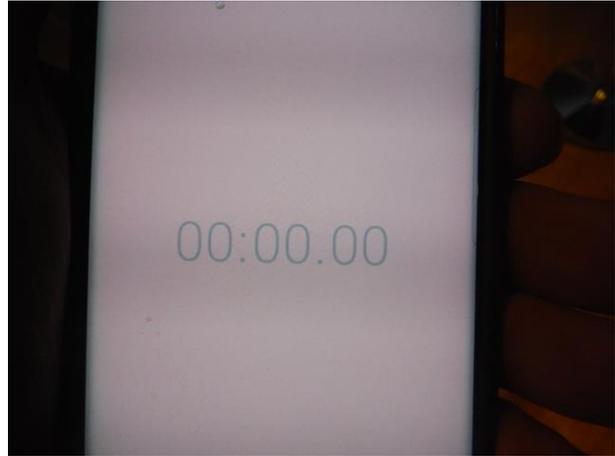
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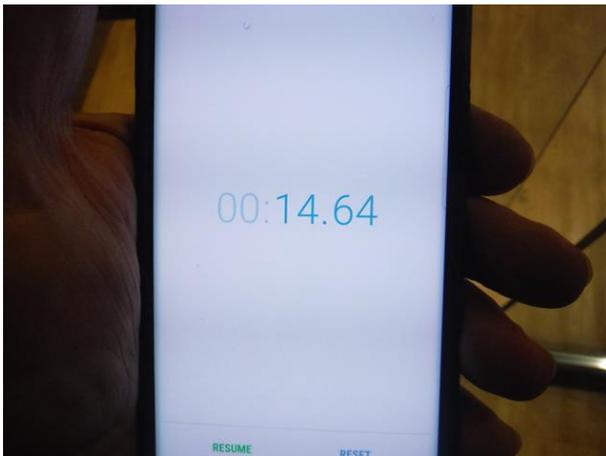
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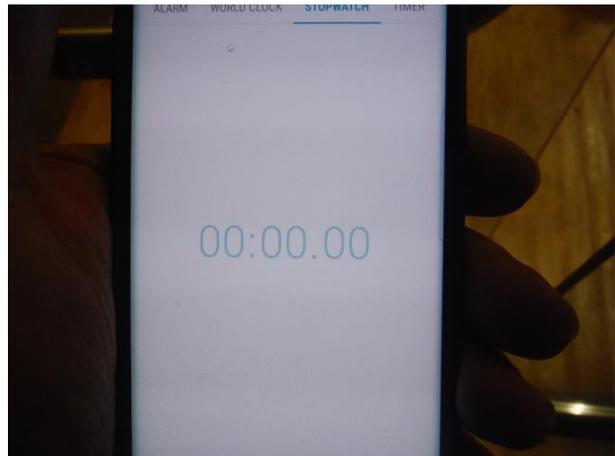
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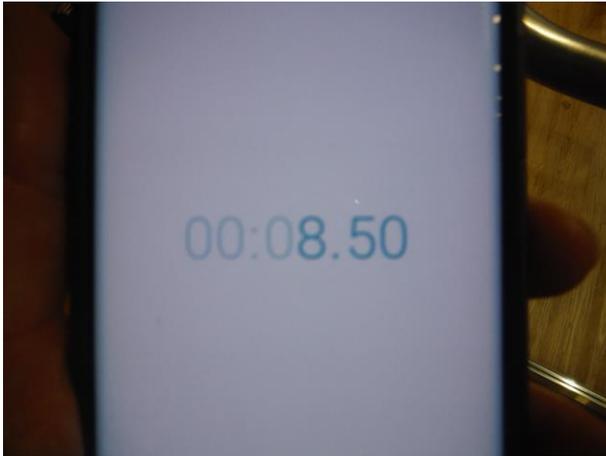


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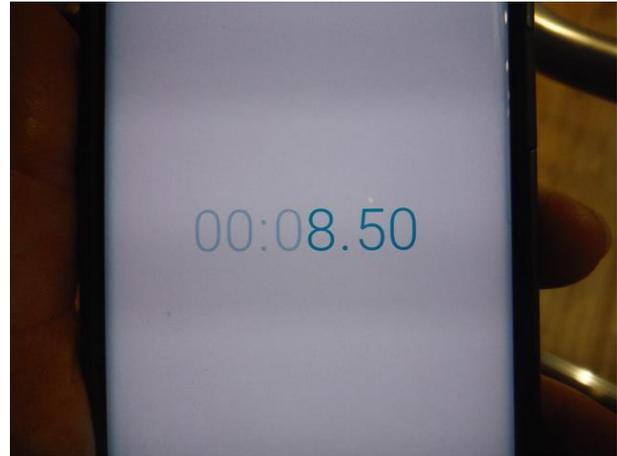
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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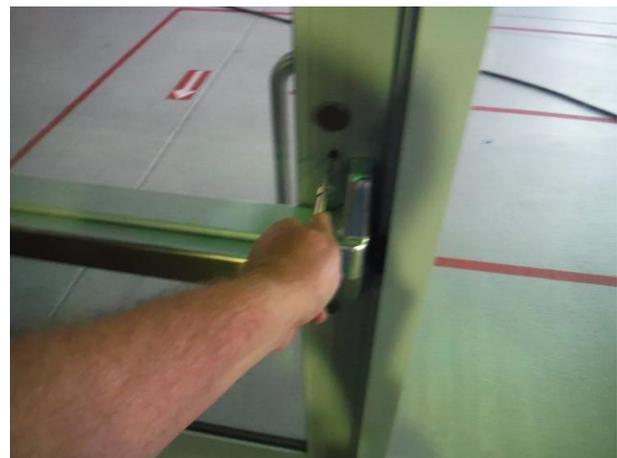
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### Levi's Stadium Access Inspection

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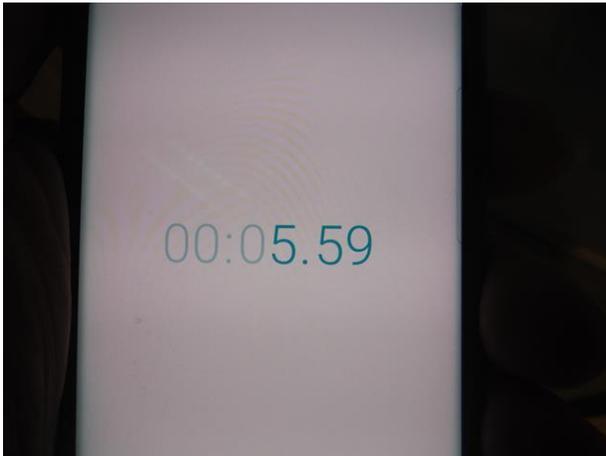
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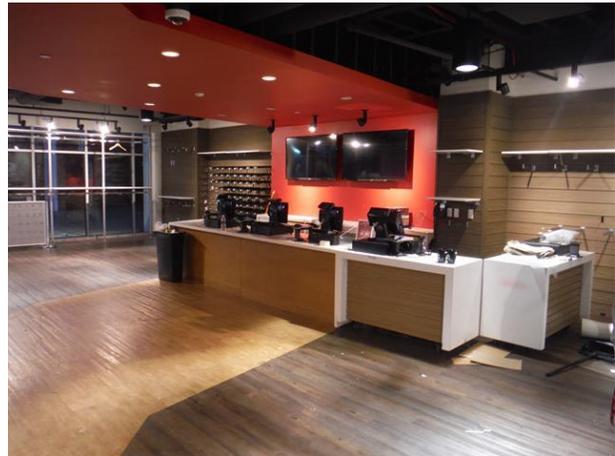
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Survey Dates: January 24, 25 & 26, 2018



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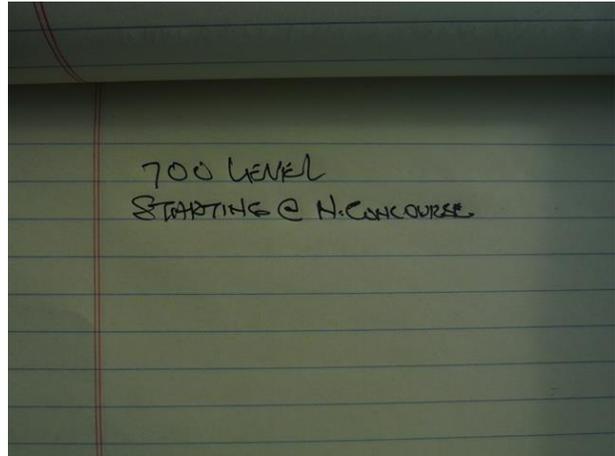
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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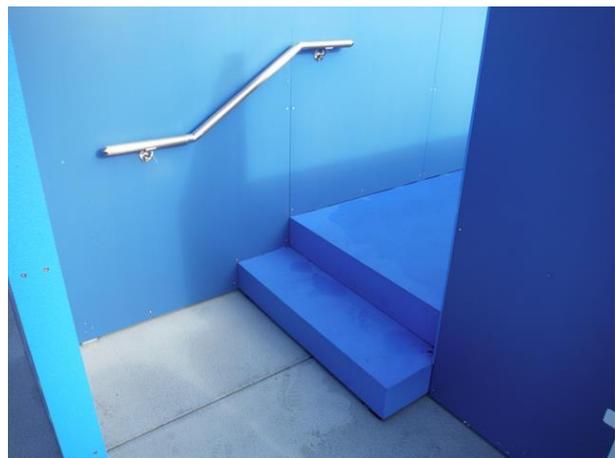
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



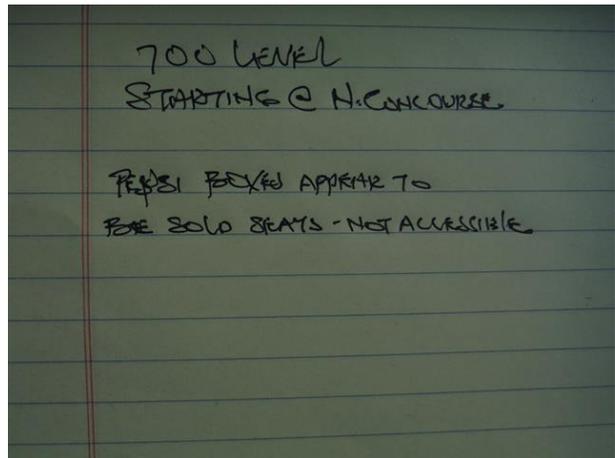
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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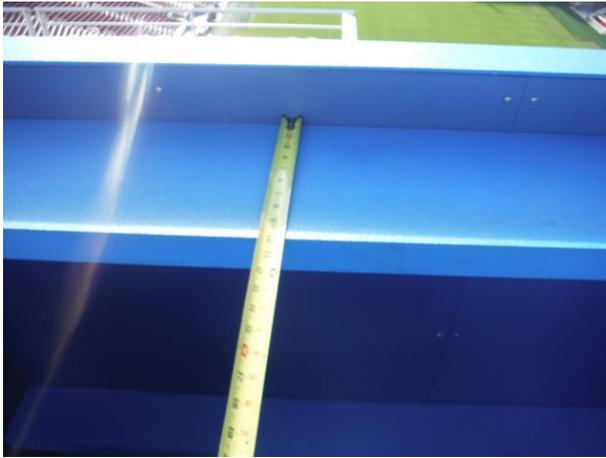


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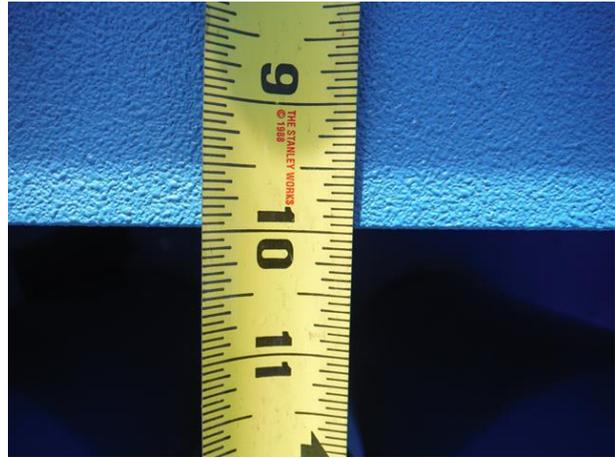
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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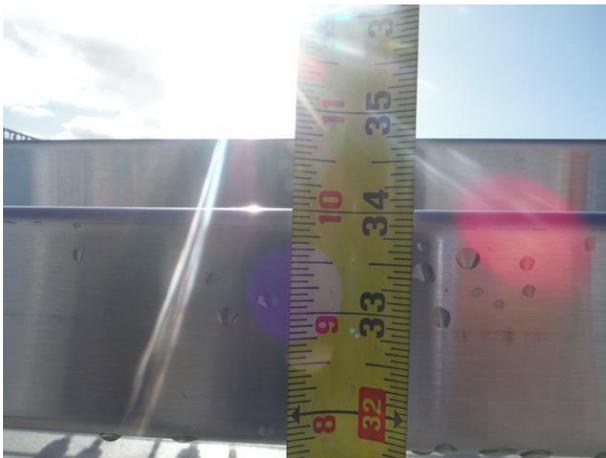
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### Levi's Stadium Access Inspection

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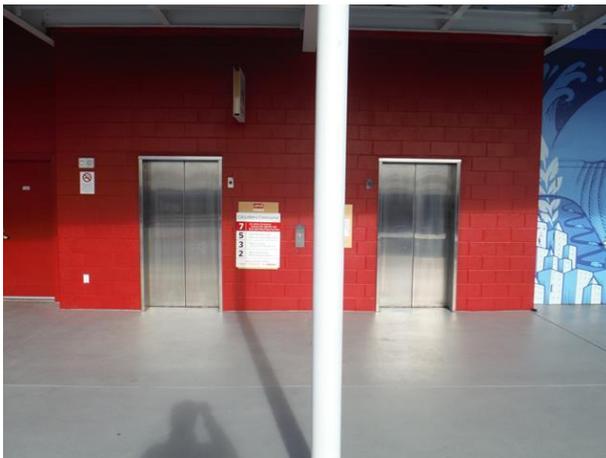
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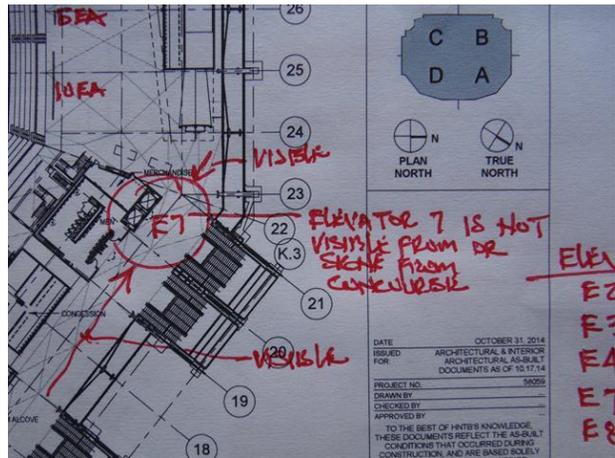
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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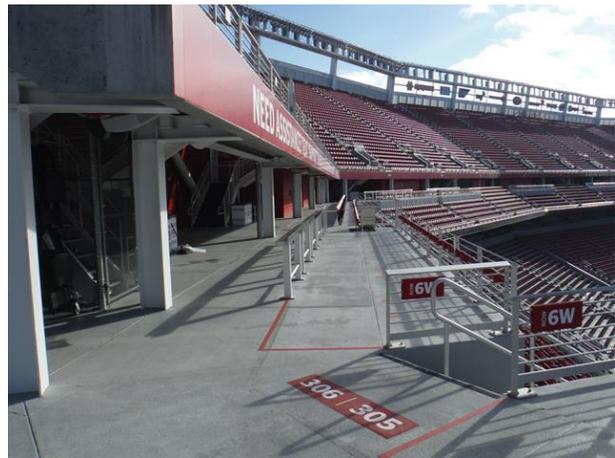
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## Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



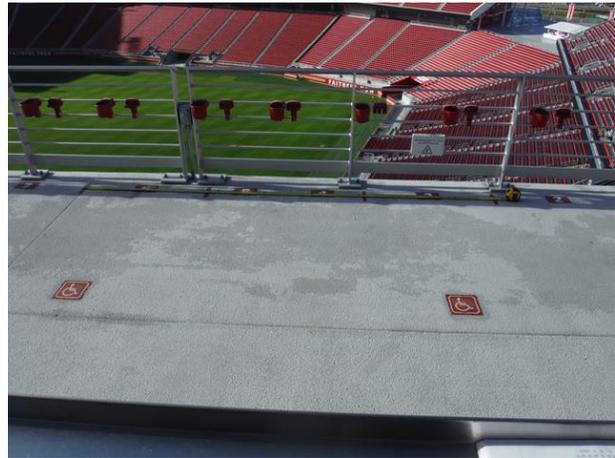
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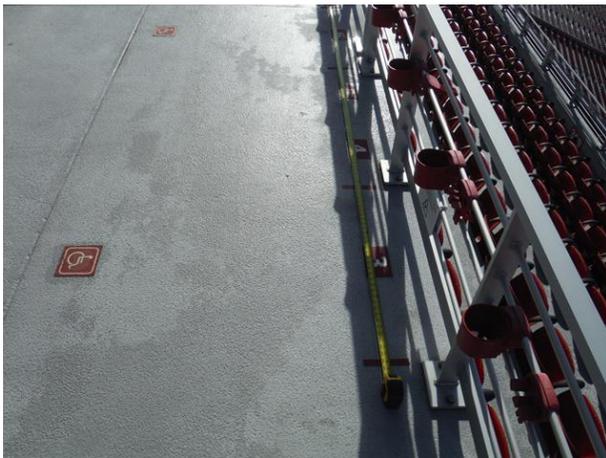
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### Levi's Stadium Access Inspection

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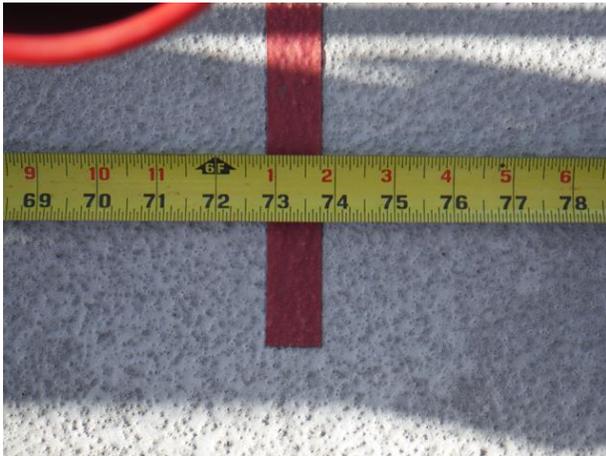
Survey Dates: January 24, 25 & 26, 2018



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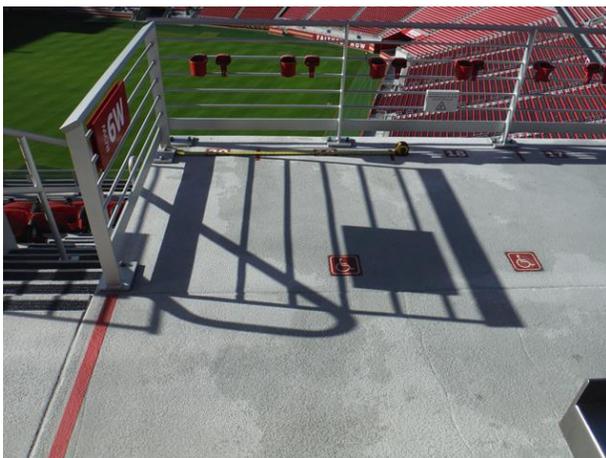
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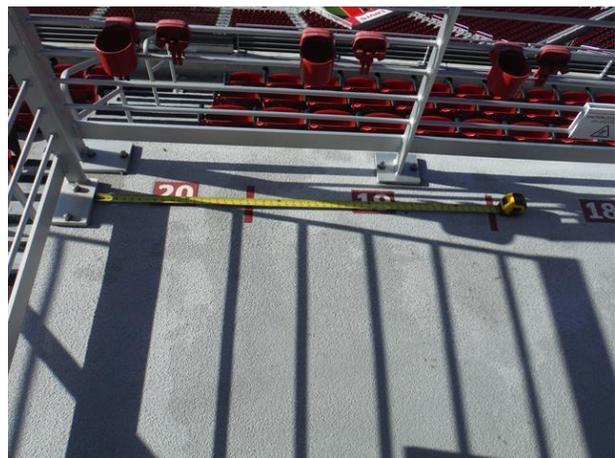
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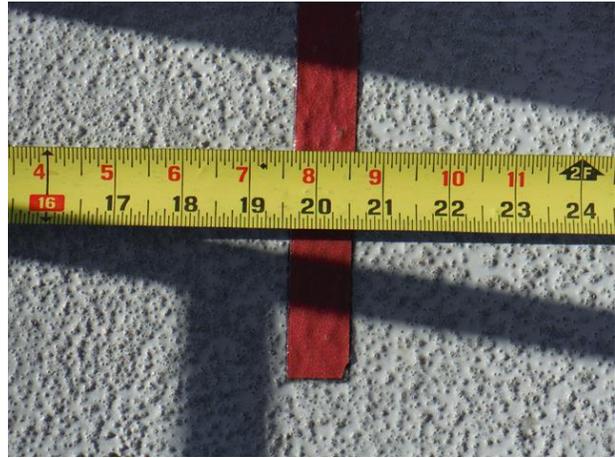
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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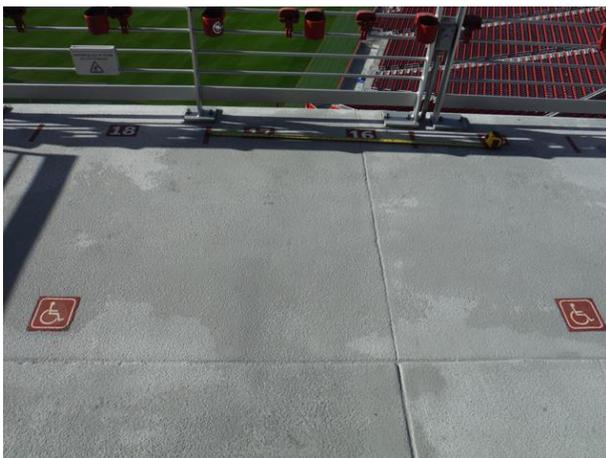
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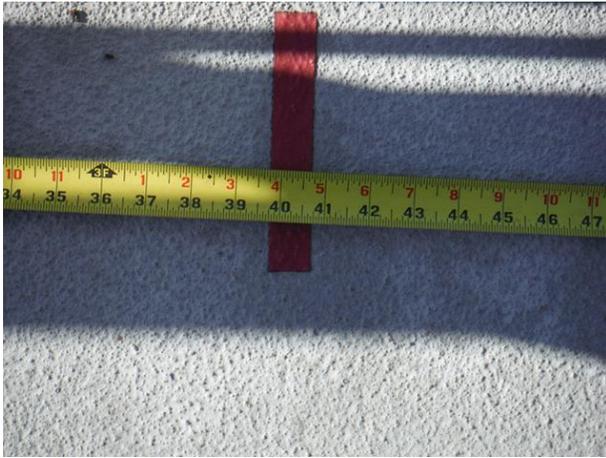


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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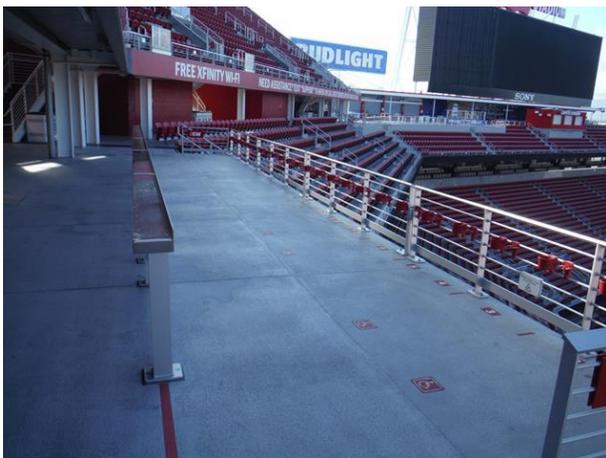
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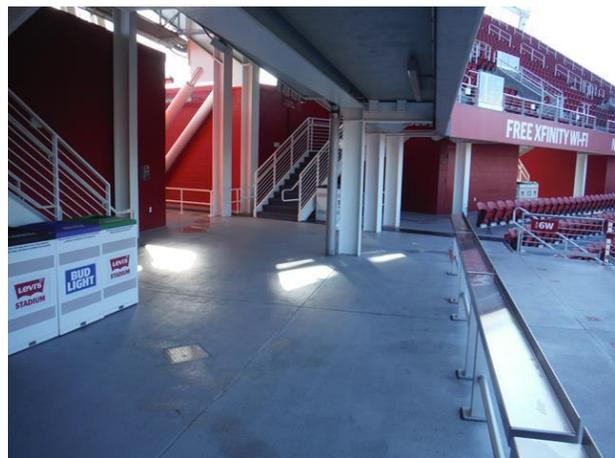
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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

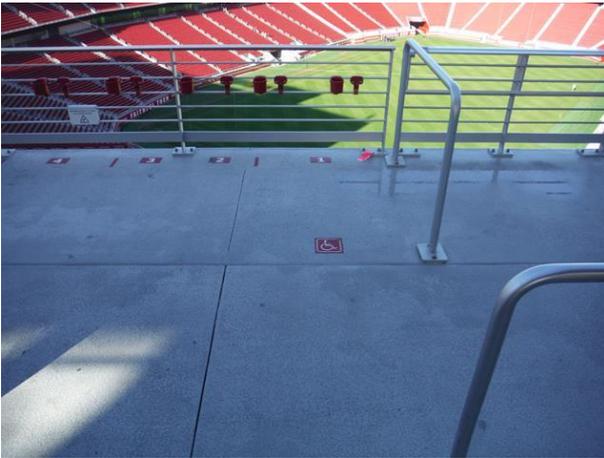
Survey Dates: January 24, 25 & 26, 2018



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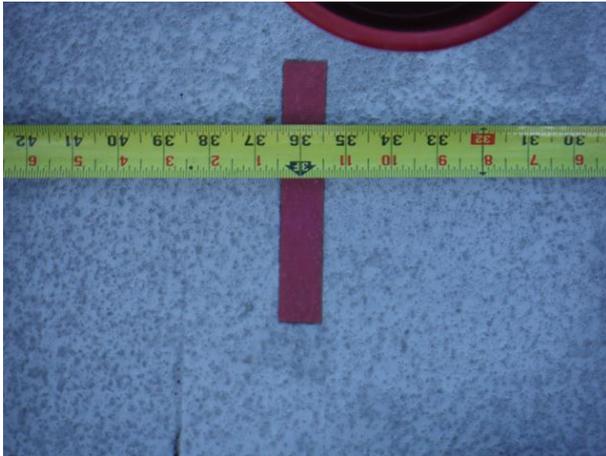


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### Levi's Stadium Access Inspection

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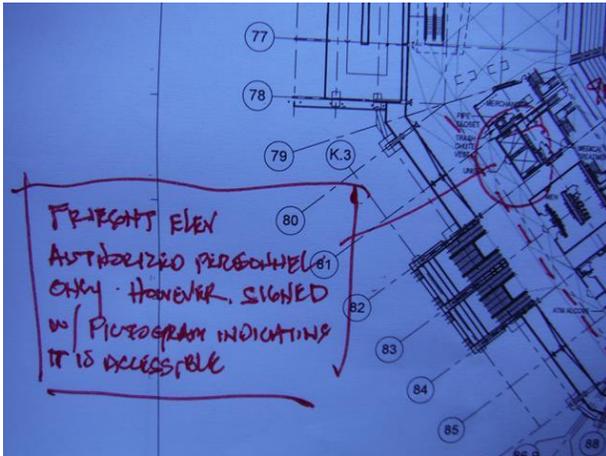
Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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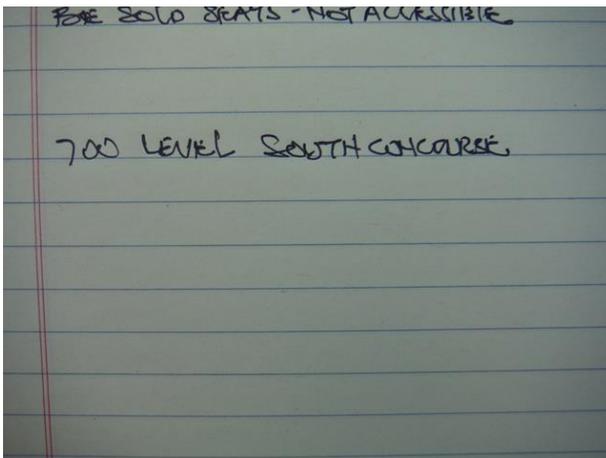
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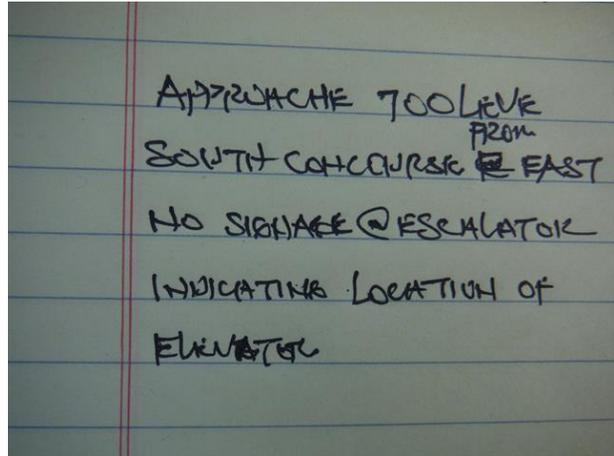
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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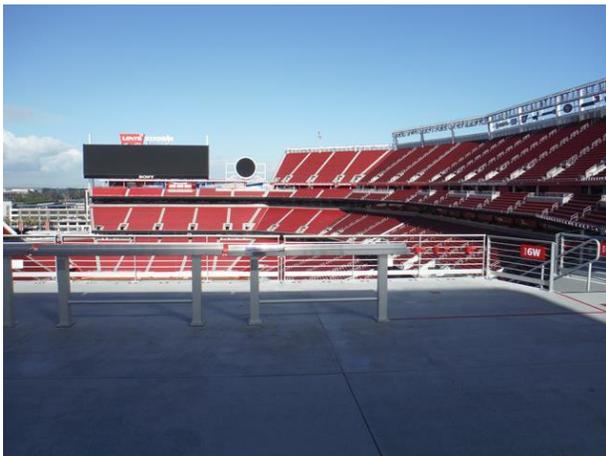
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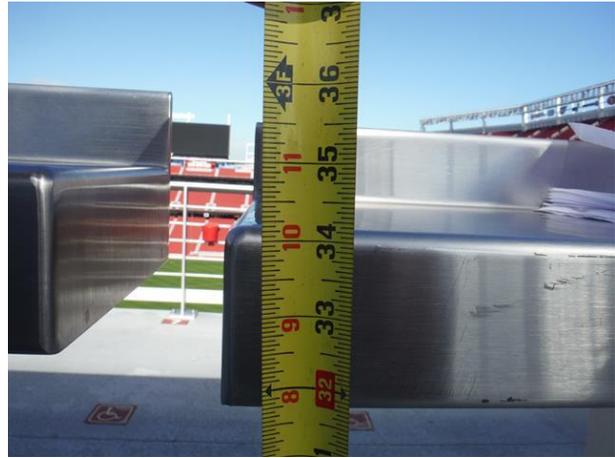
### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95054

Survey Dates: January 24, 25 & 26, 2018



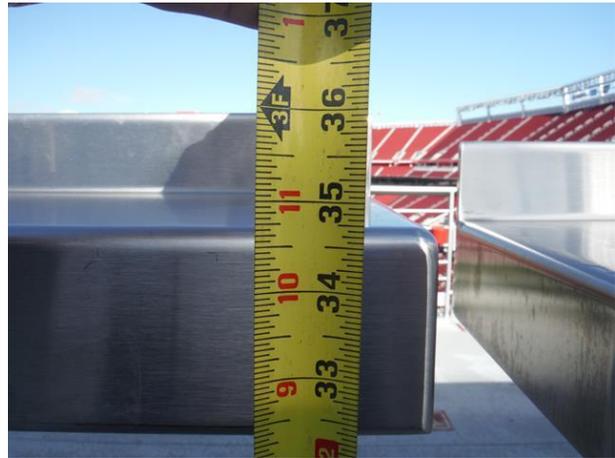
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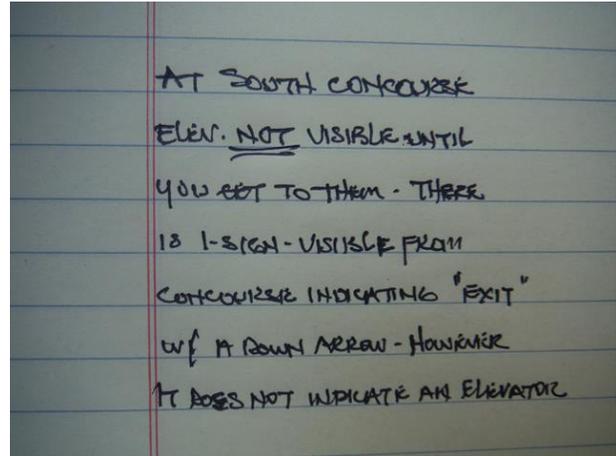
### Levi's Stadium Access Inspection

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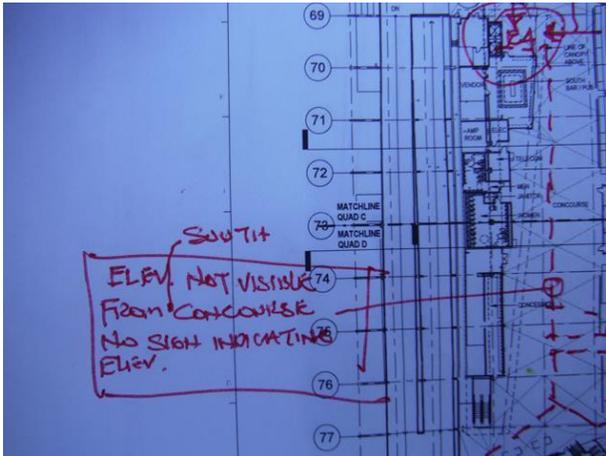
Survey Dates: January 24, 25 & 26, 2018



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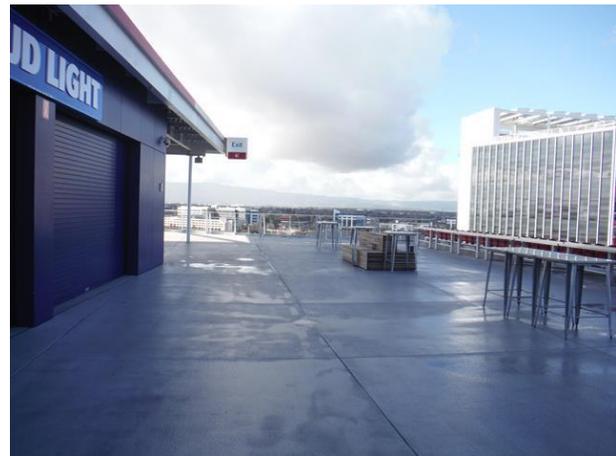
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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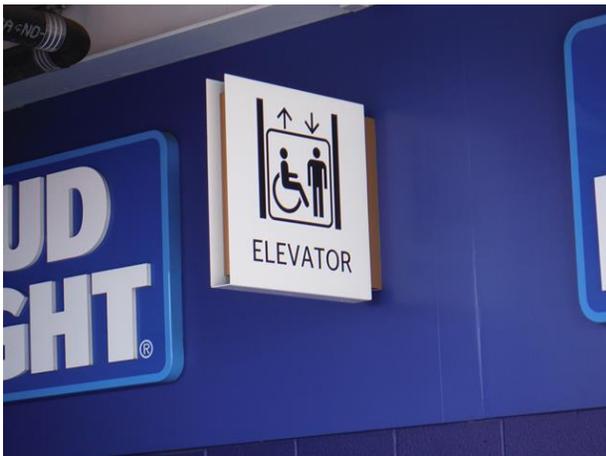
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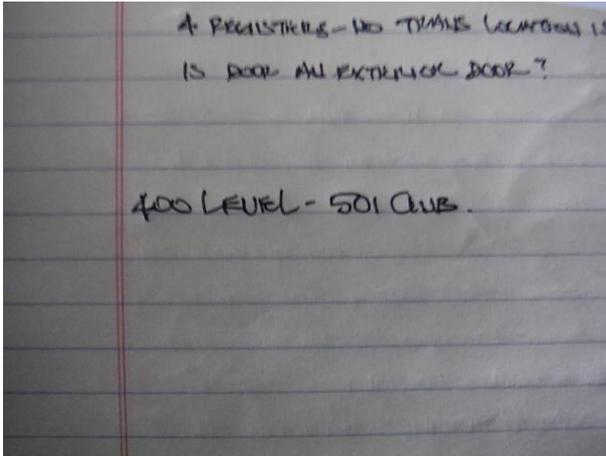


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### Levi's Stadium Access Inspection

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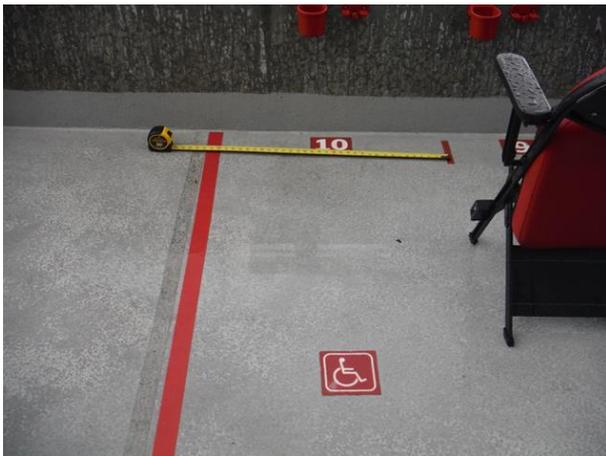
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### Levi's Stadium Access Inspection

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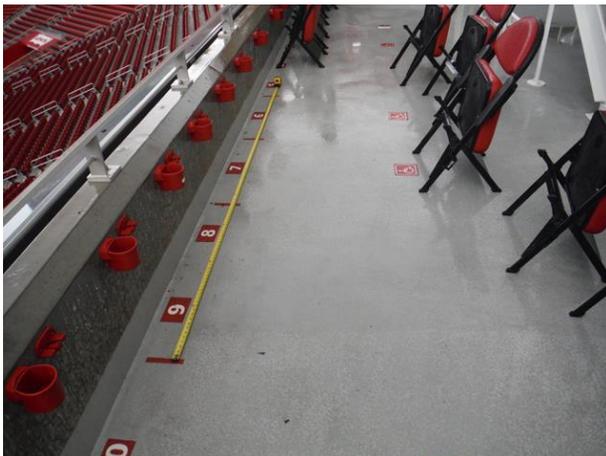
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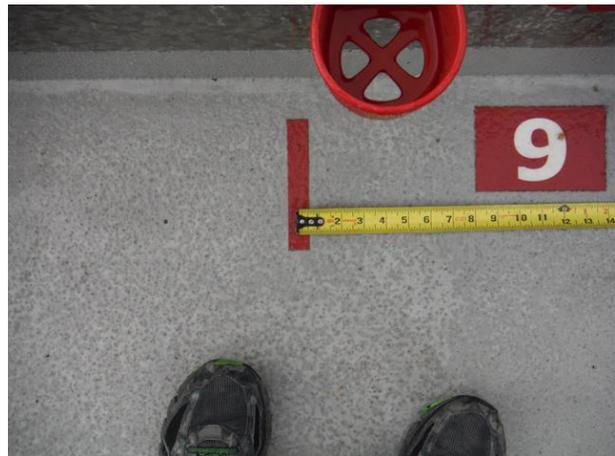
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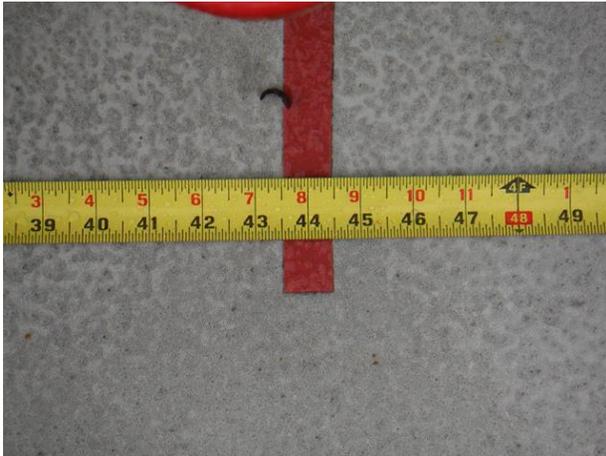


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### Levi's Stadium Access Inspection

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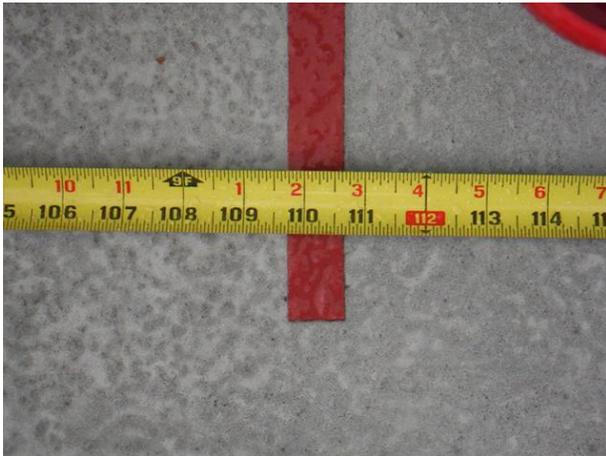
Survey Dates: January 24, 25 & 26, 2018



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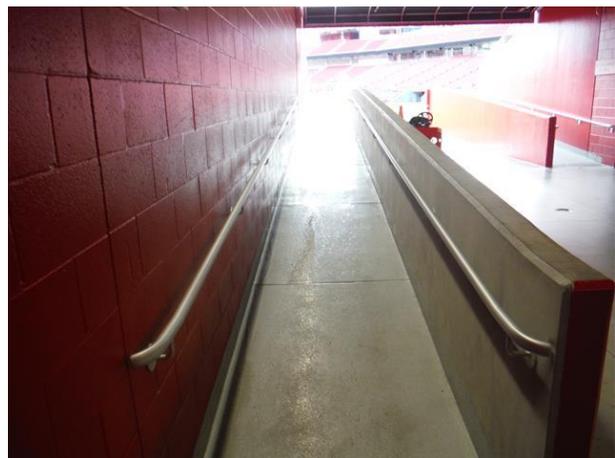
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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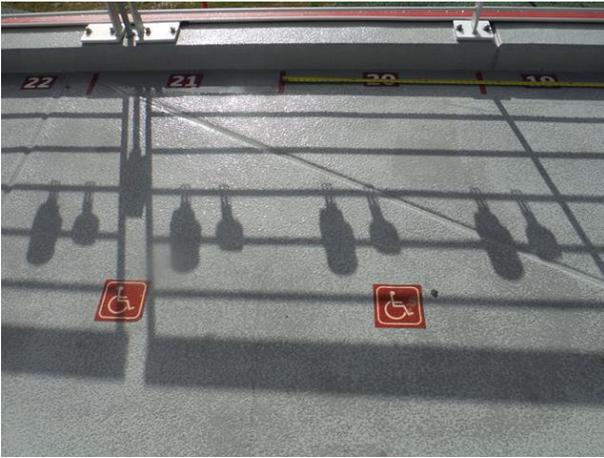


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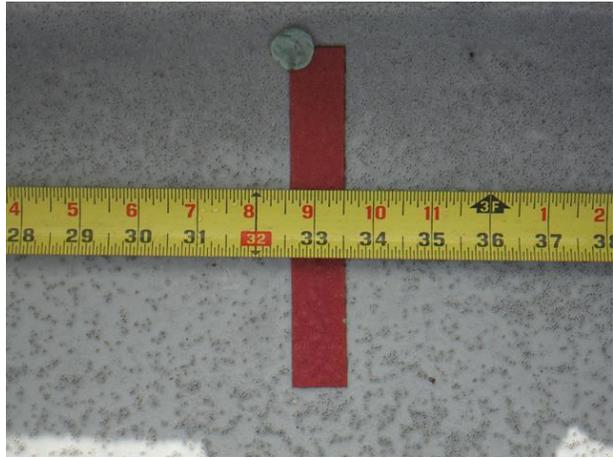
### Levi's Stadium Access Inspection

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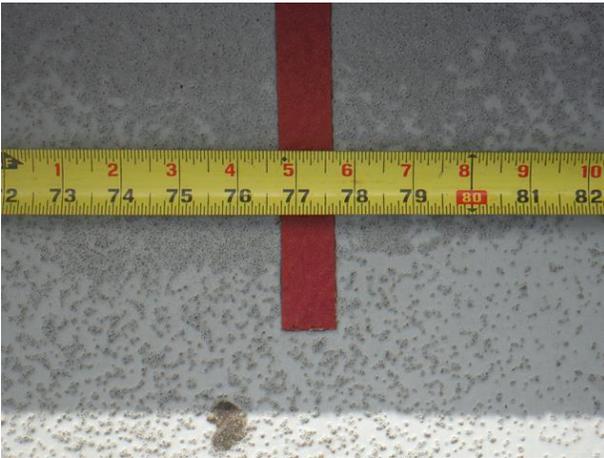
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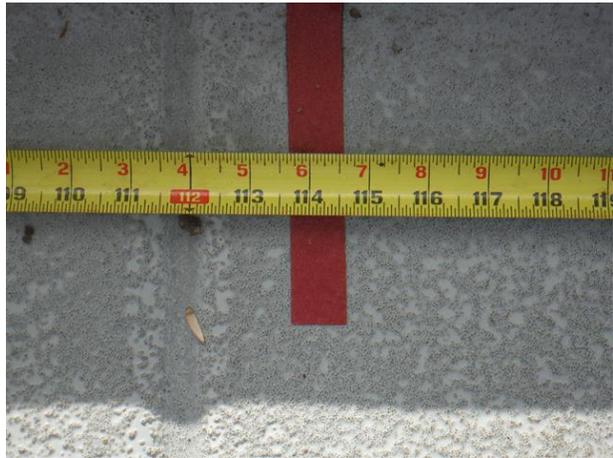
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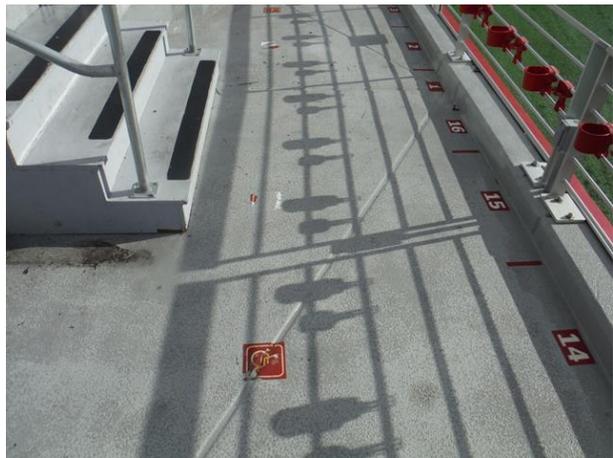
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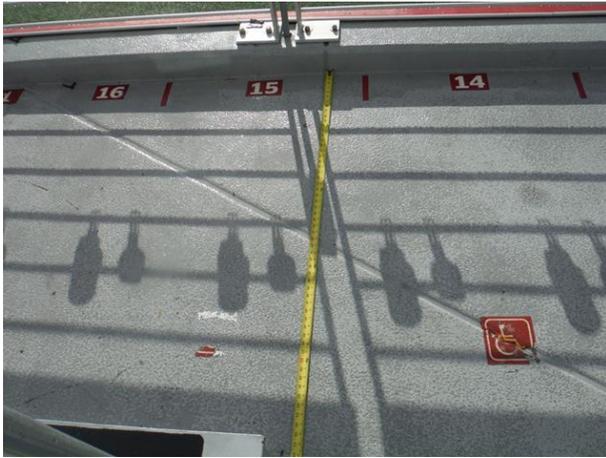


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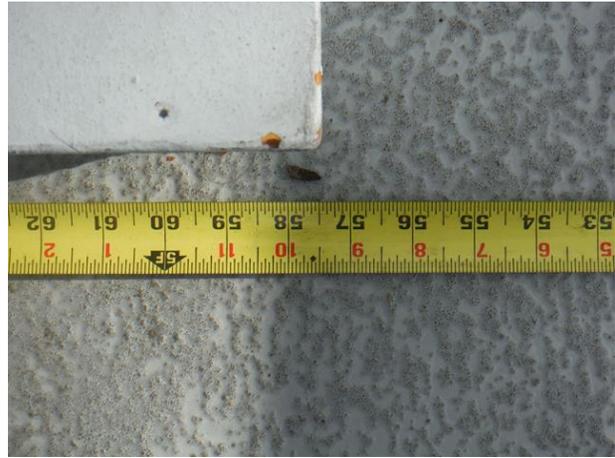
### Levi's Stadium Access Inspection

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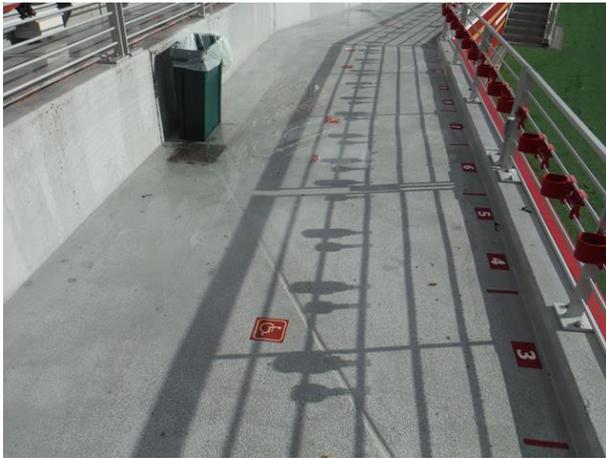
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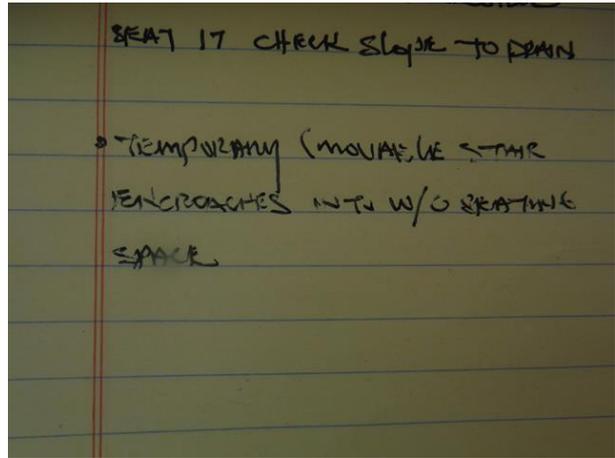
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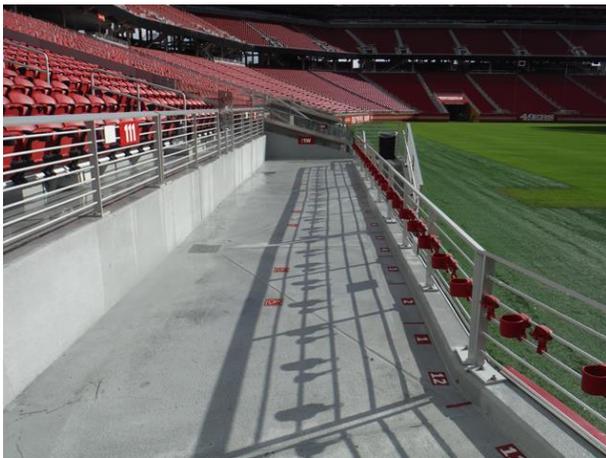
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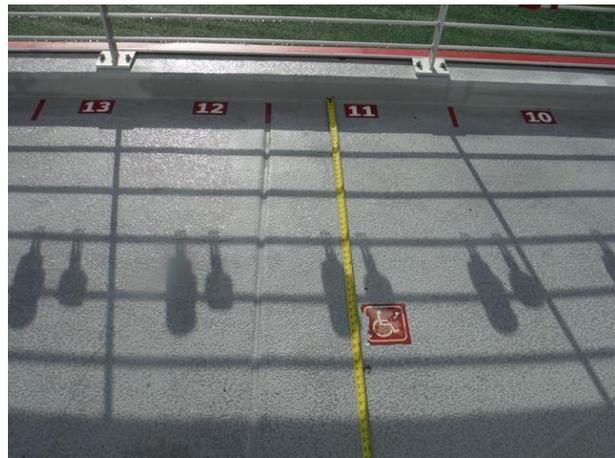
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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## Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



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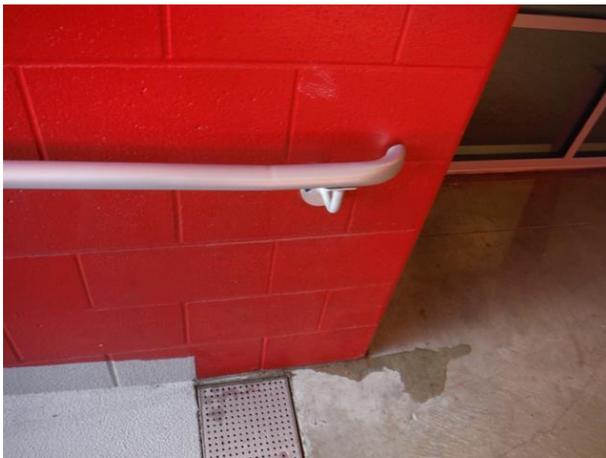
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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



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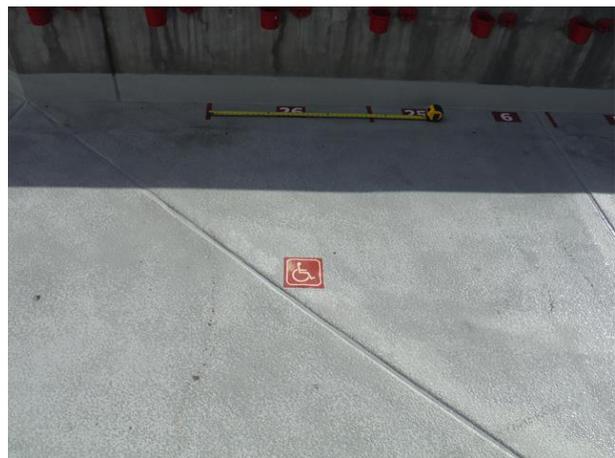
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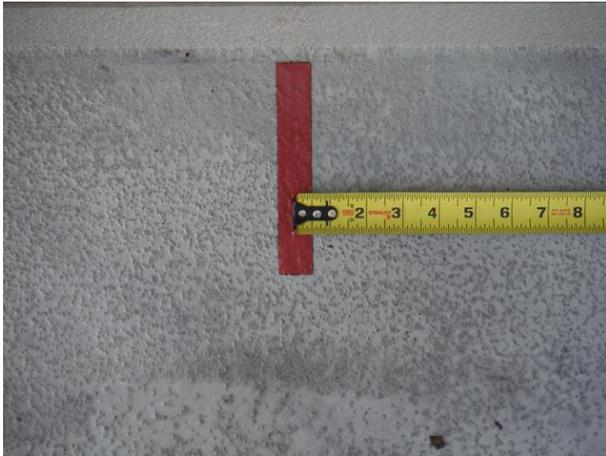


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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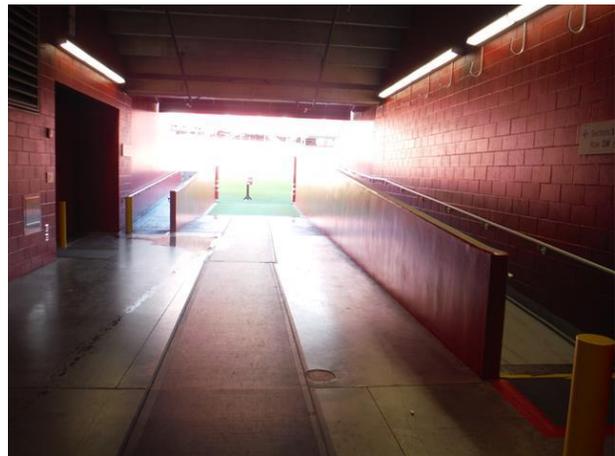
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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



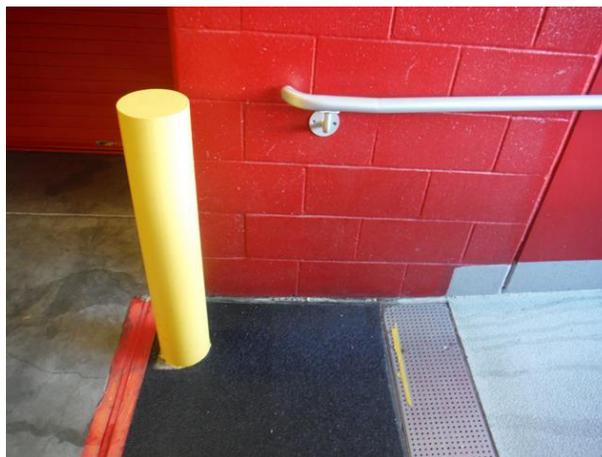
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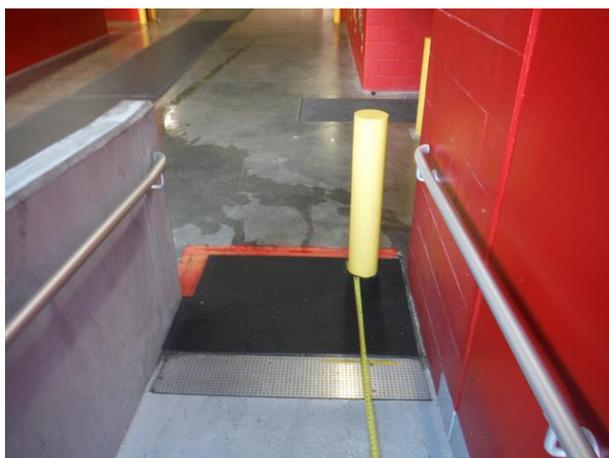
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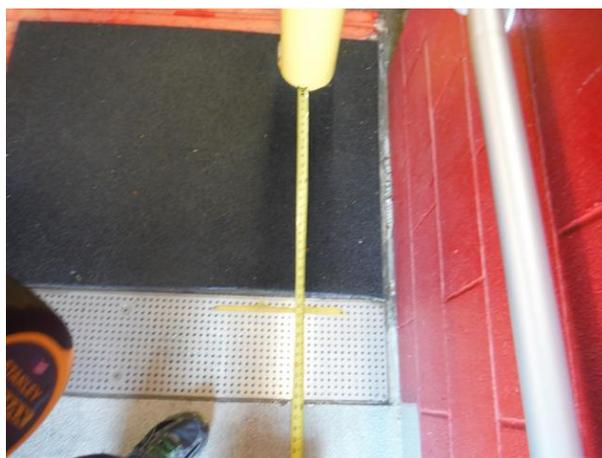
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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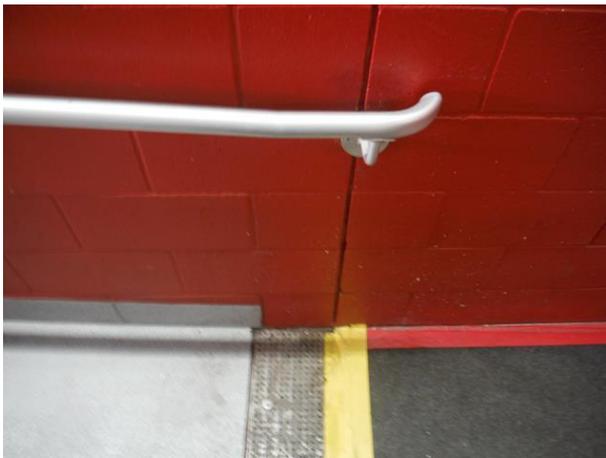
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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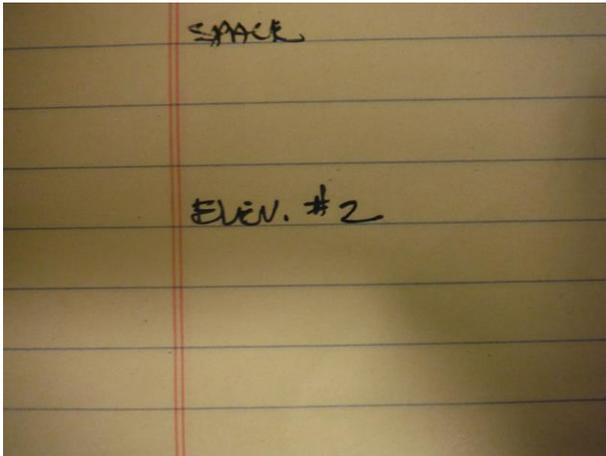
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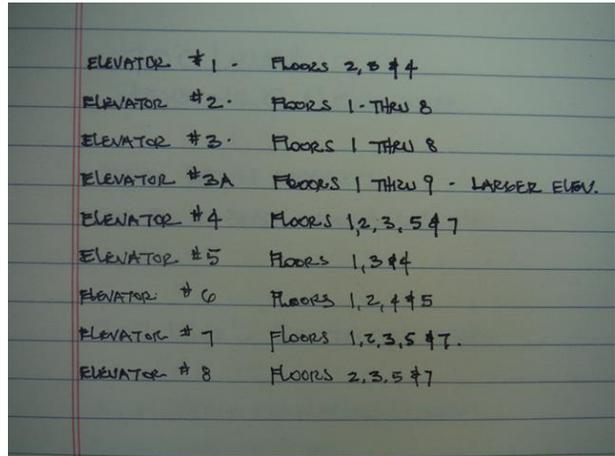
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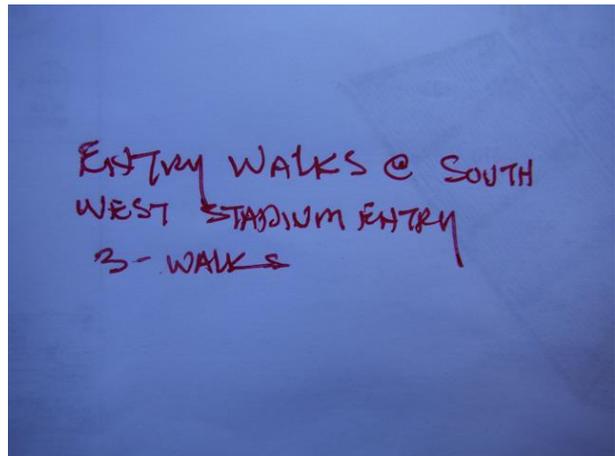
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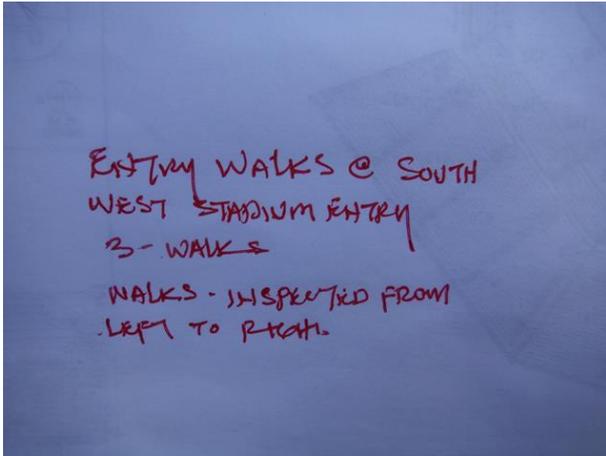


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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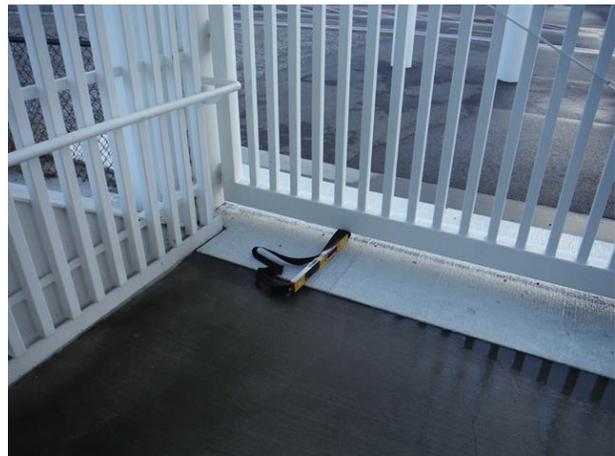
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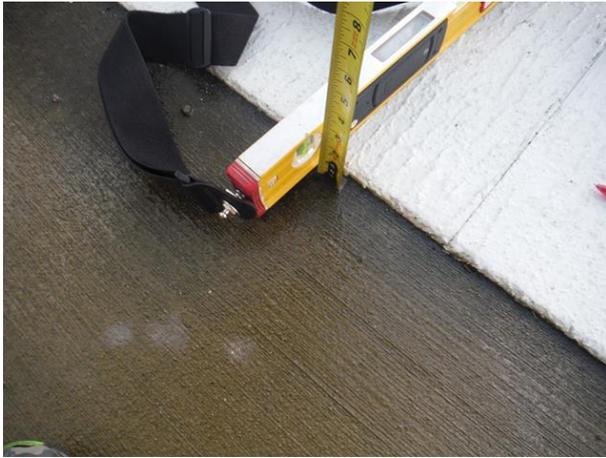


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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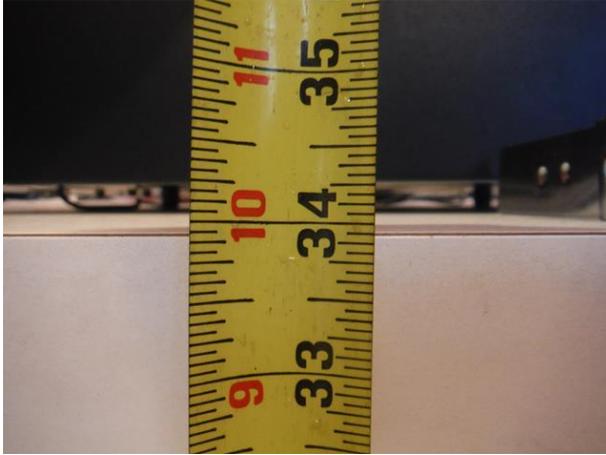


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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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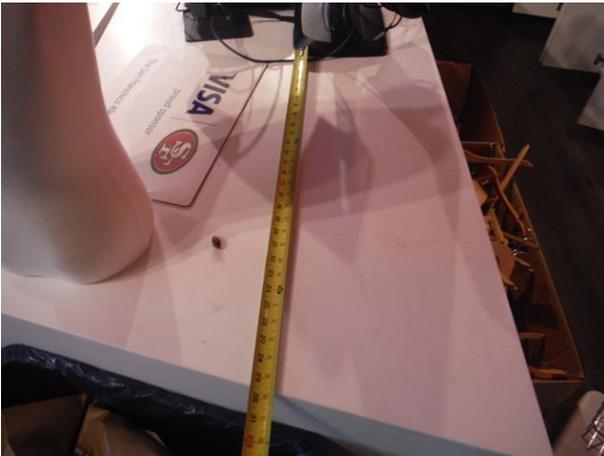
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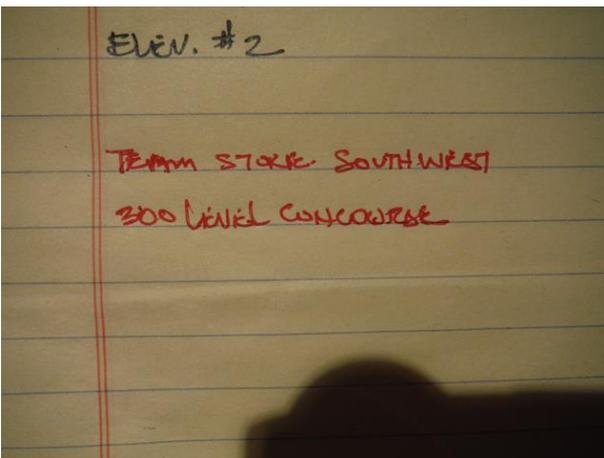
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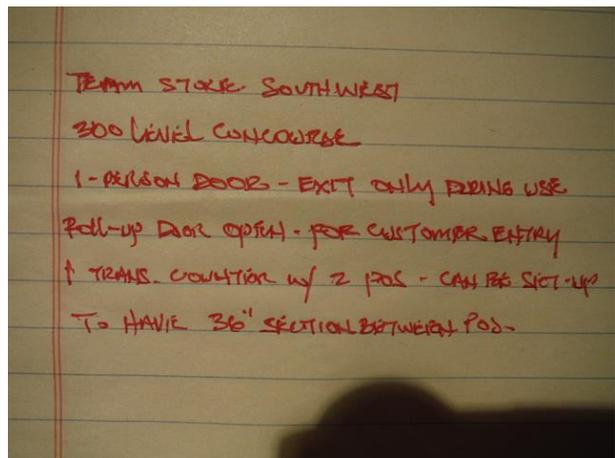
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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



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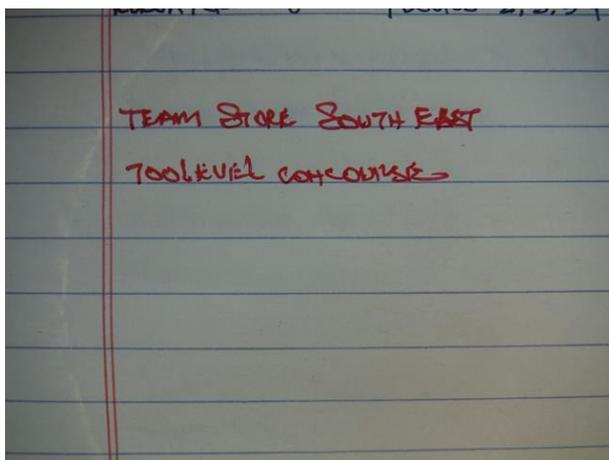
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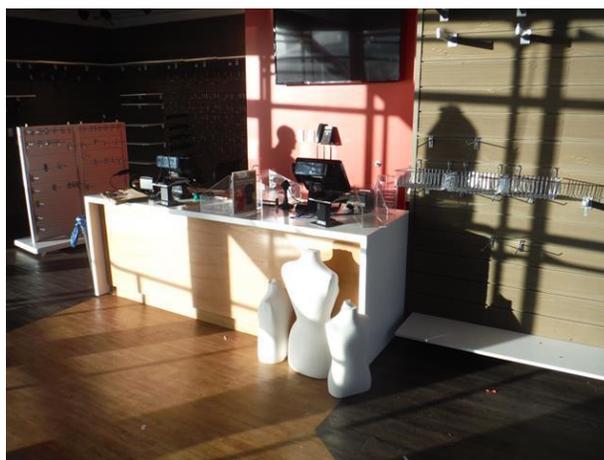
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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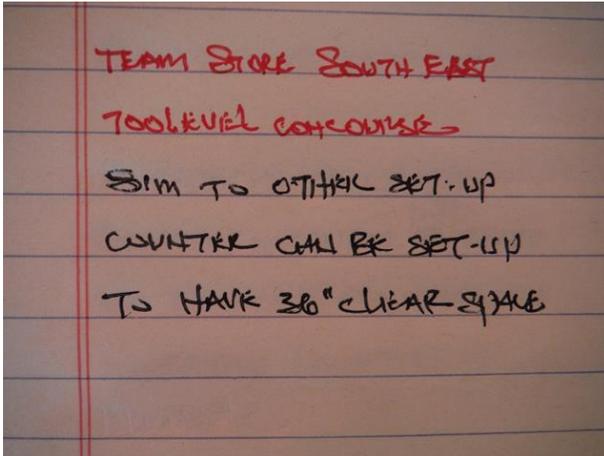


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



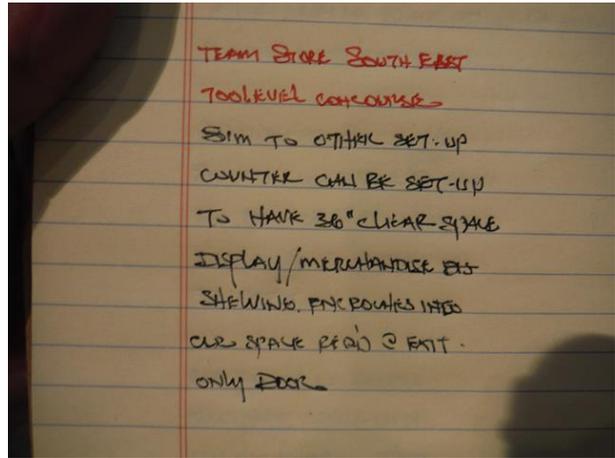
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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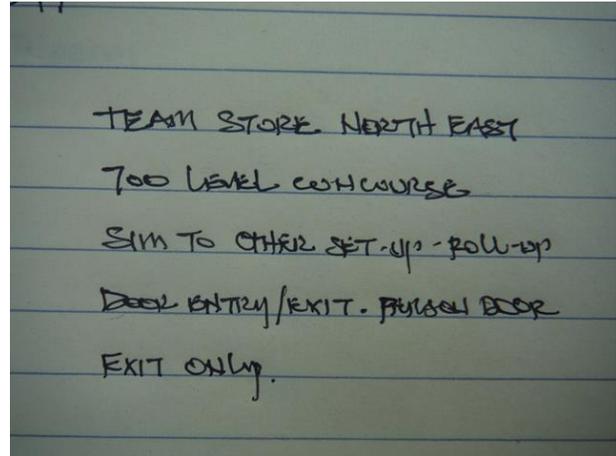
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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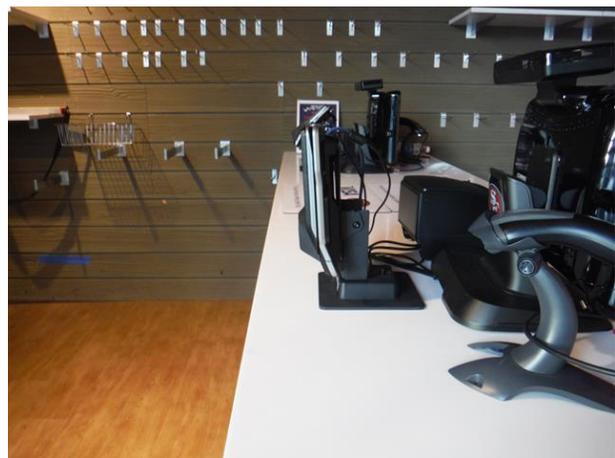
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



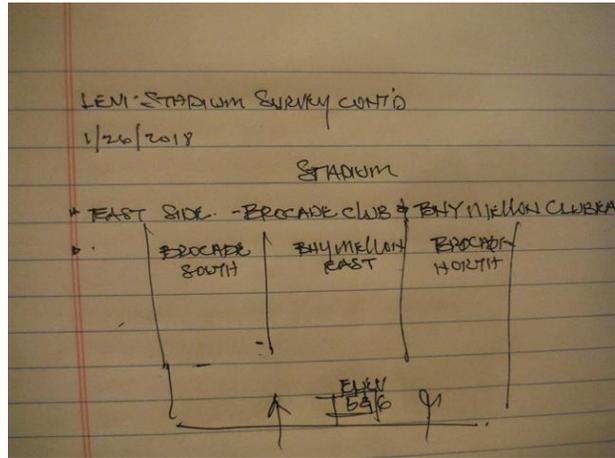
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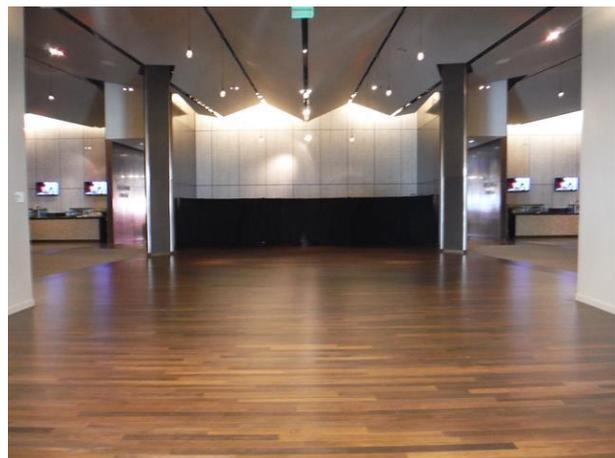
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## Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95054

Survey Dates: January 24, 25 & 26, 2018



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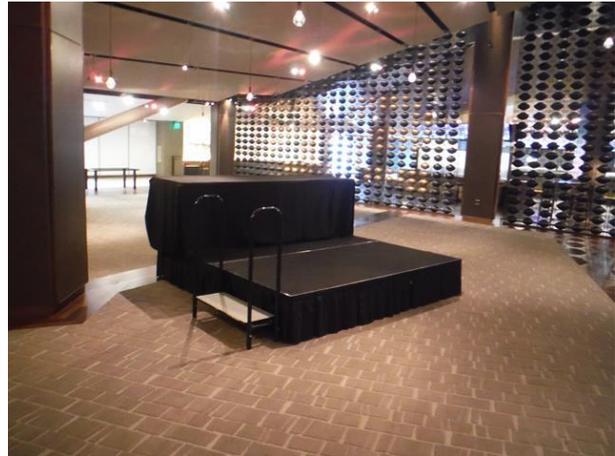
### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

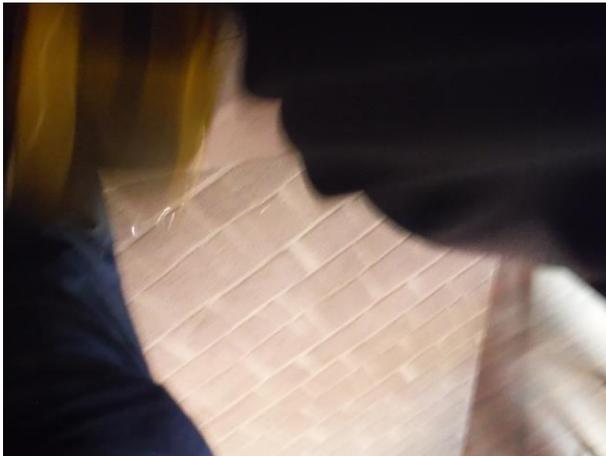
Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



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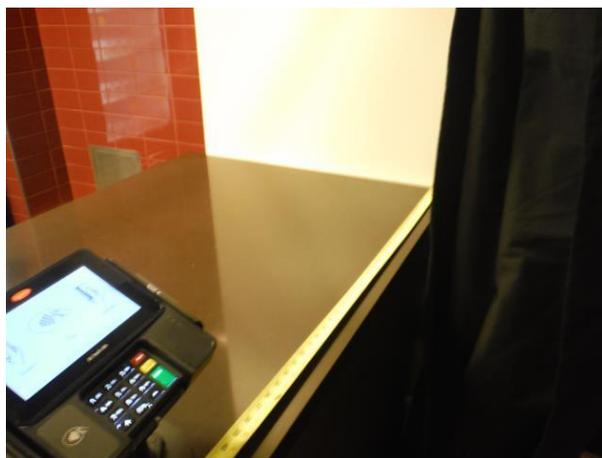
### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



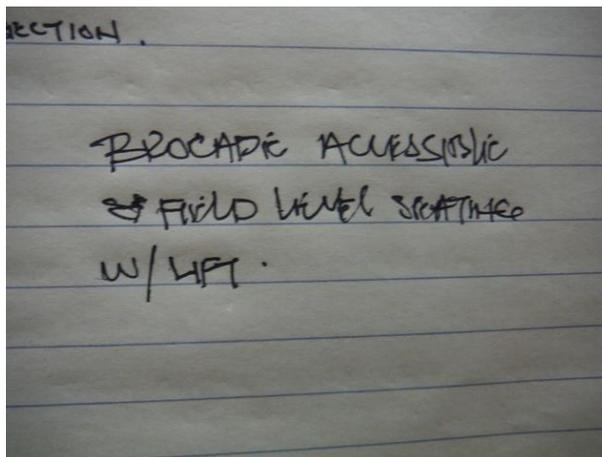
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### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

Survey Dates: January 24, 25 & 26, 2018



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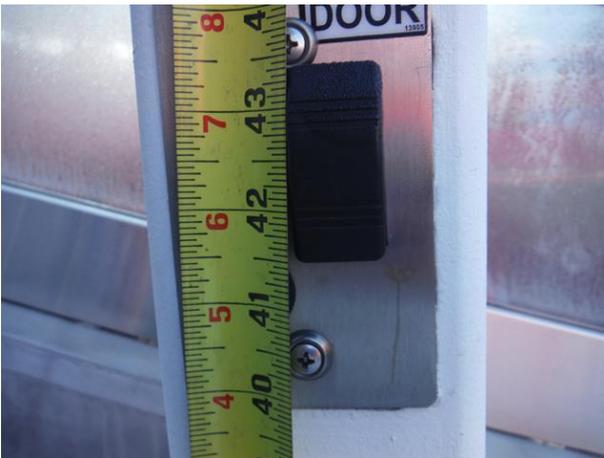
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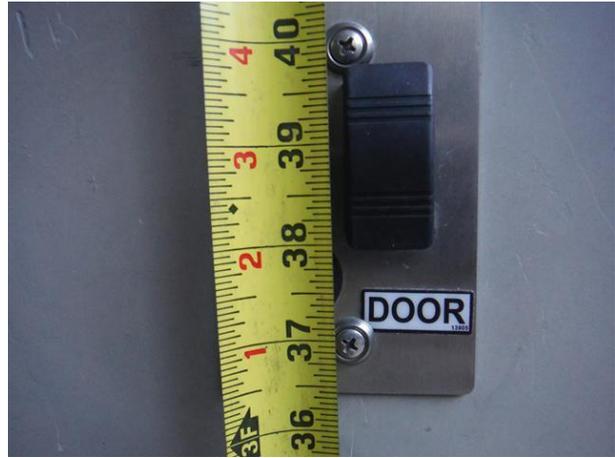
### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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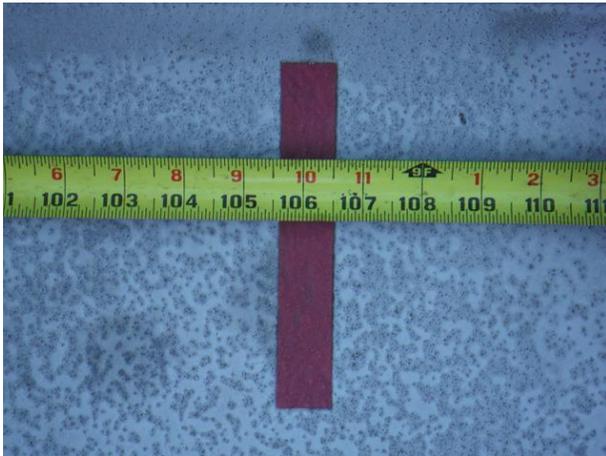
Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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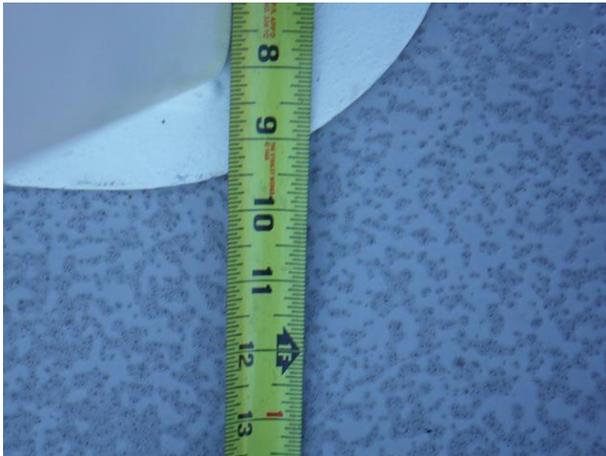
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### Levi's Stadium Access Inspection

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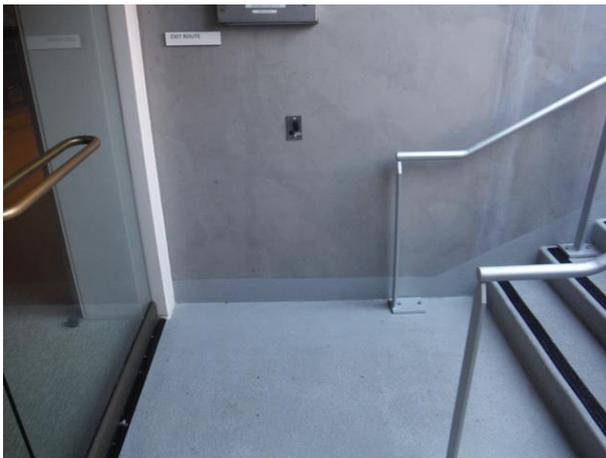
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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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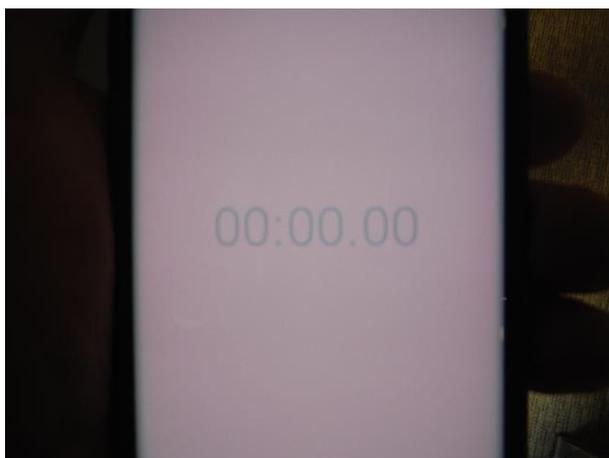
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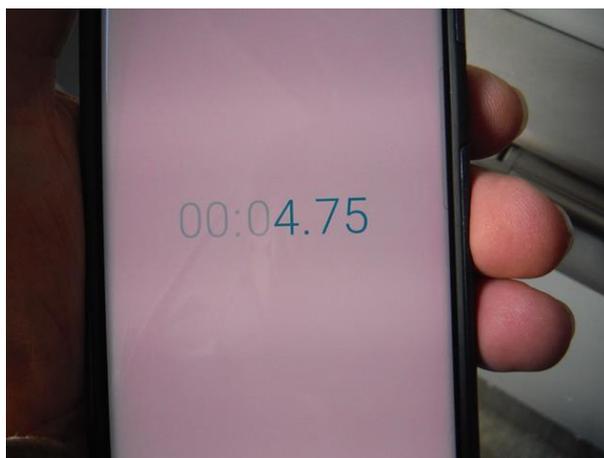
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### Levi's Stadium Access Inspection

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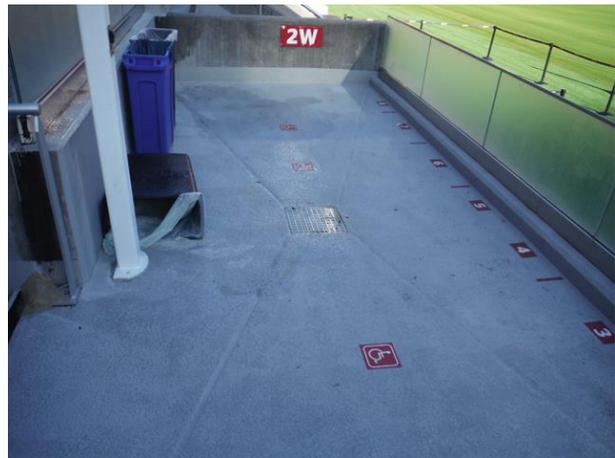
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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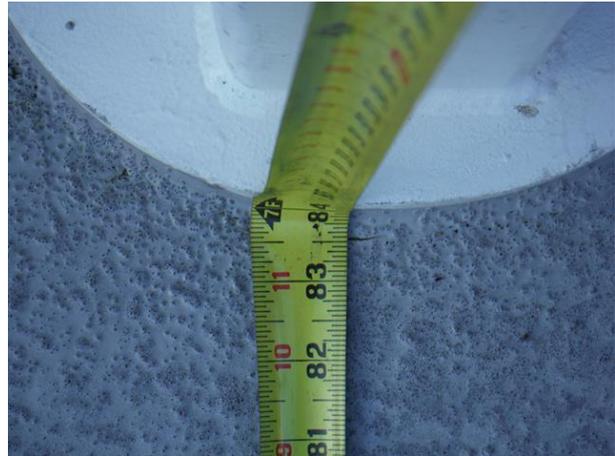
### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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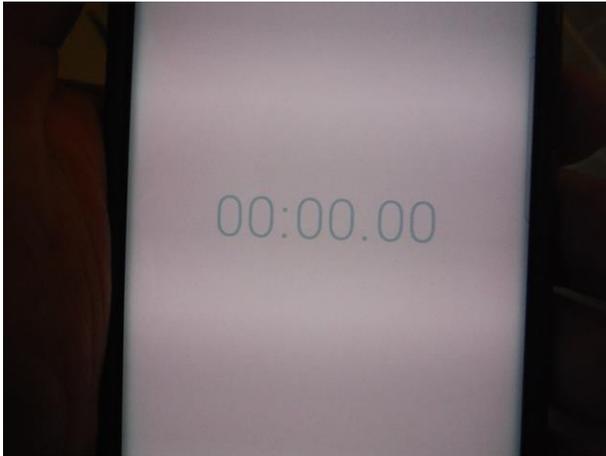


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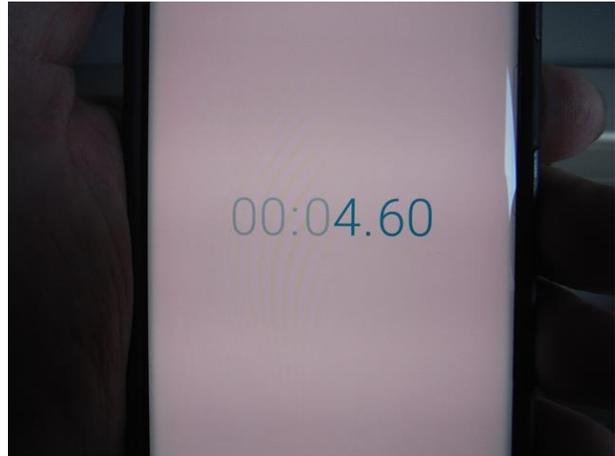
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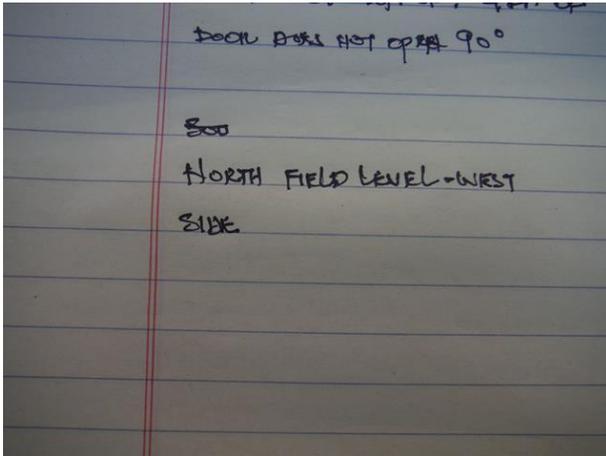
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### Levi's Stadium Access Inspection

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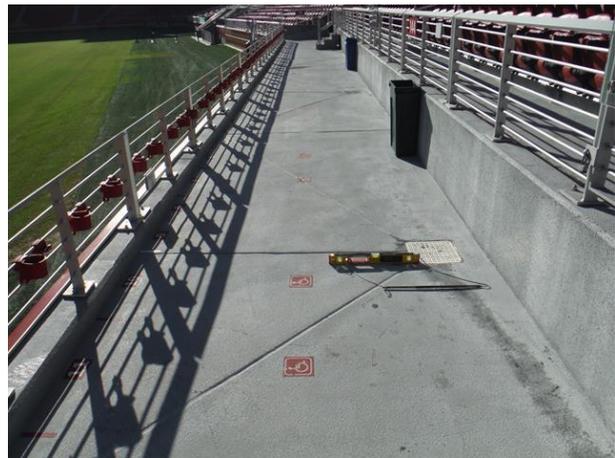
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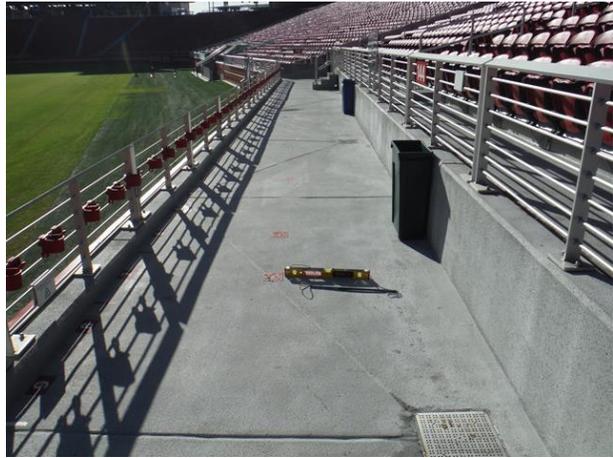
### Levi's Stadium Access Inspection

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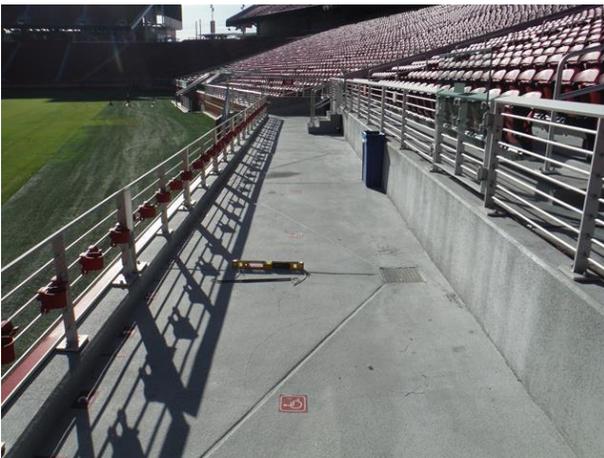
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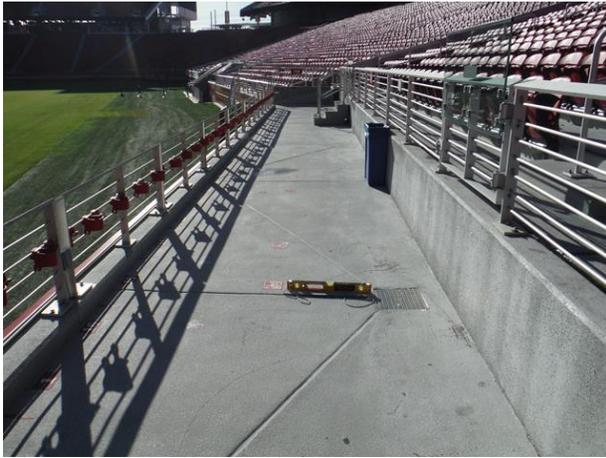


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### Levi's Stadium Access Inspection

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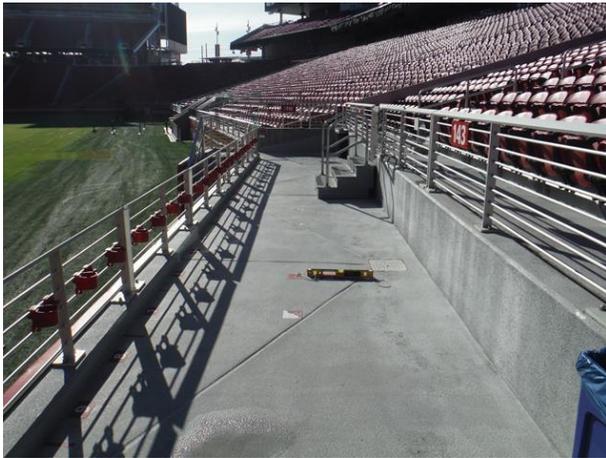
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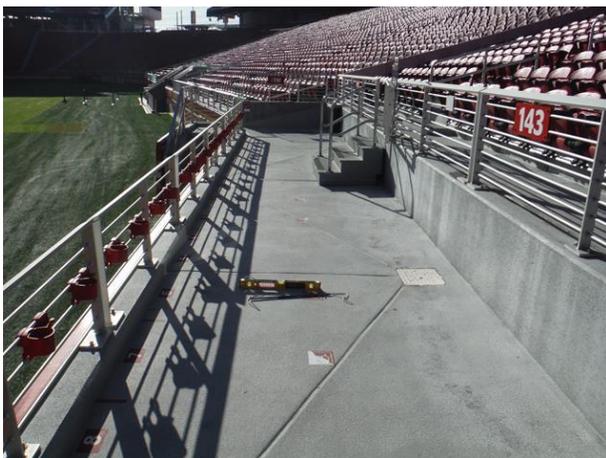
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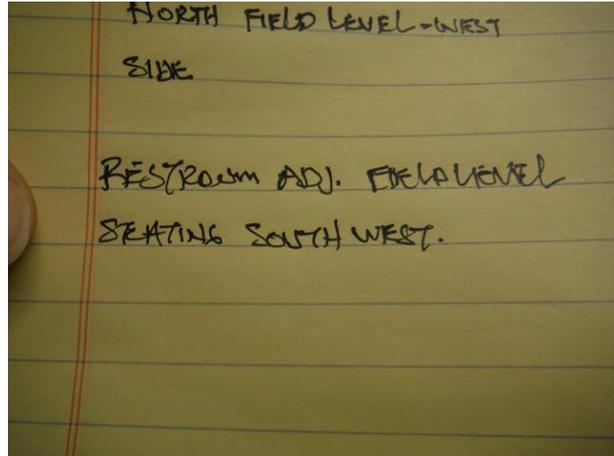
### Levi's Stadium Access Inspection

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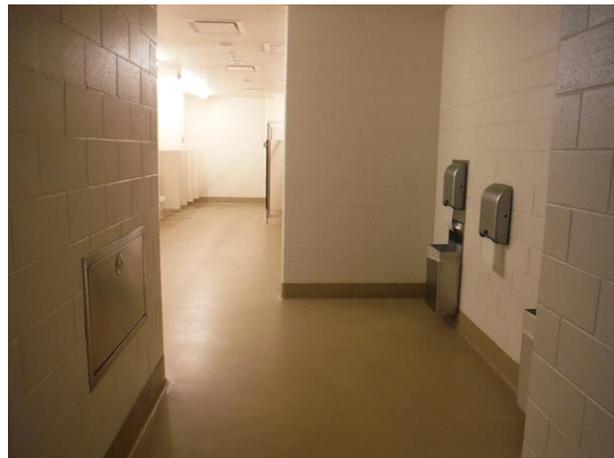
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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



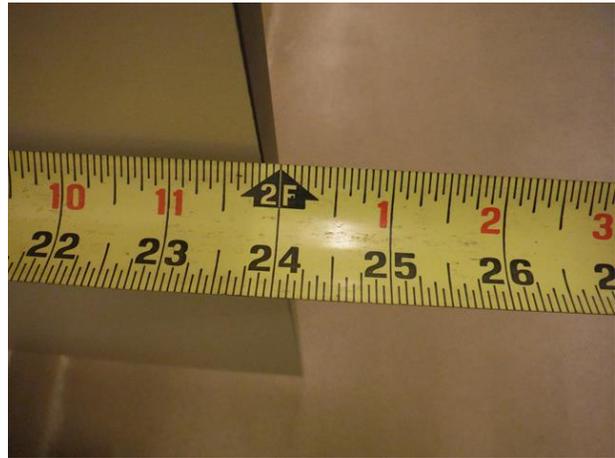
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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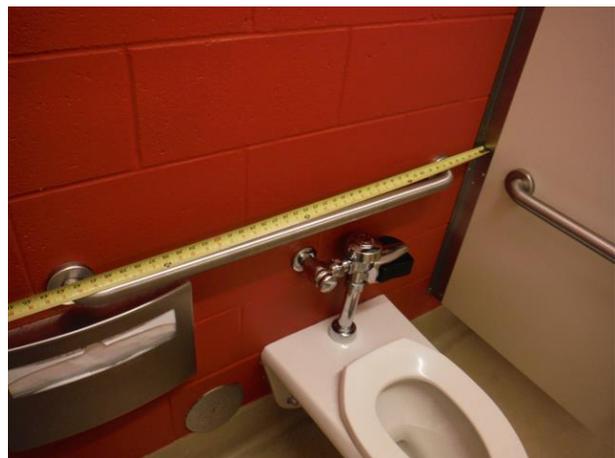
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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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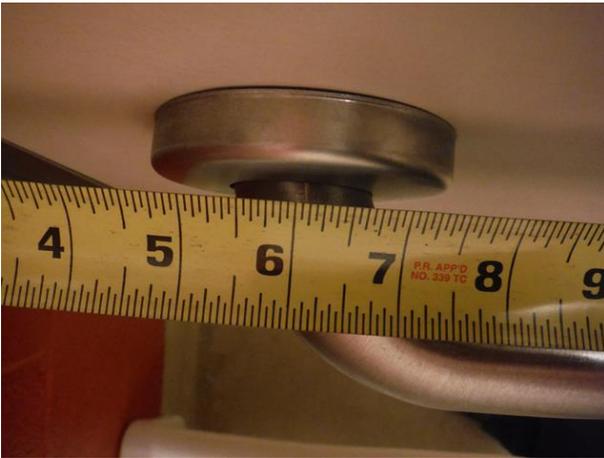
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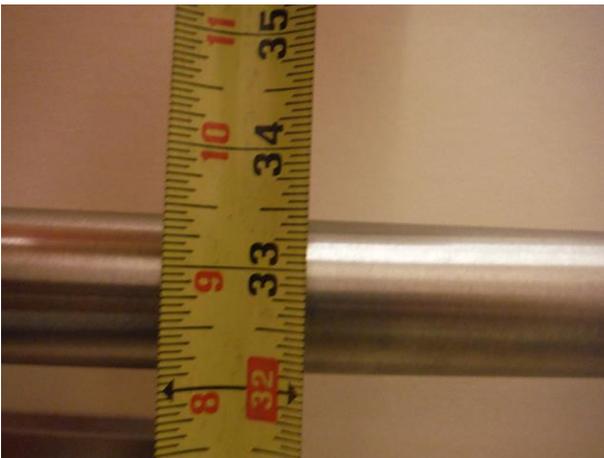
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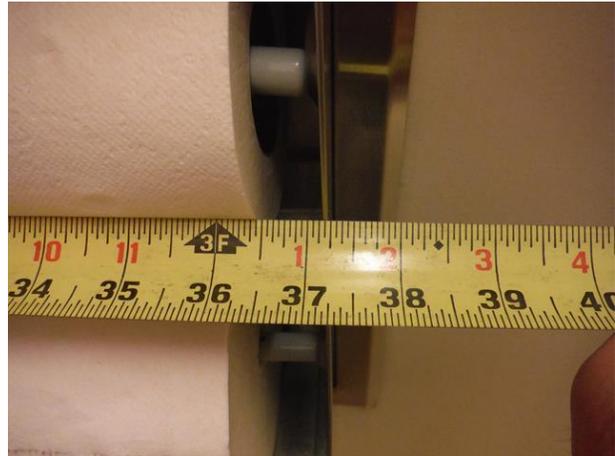
### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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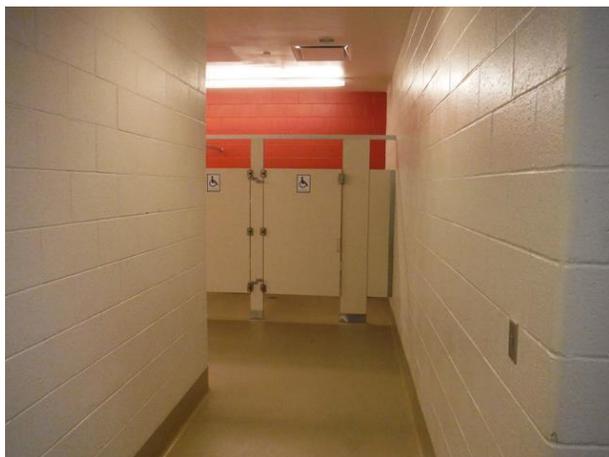
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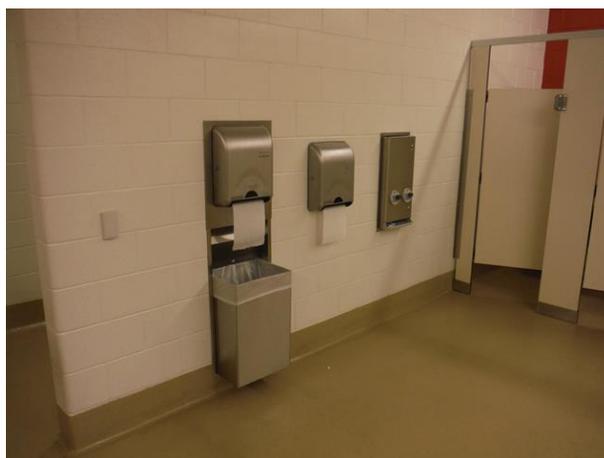
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### Levi's Stadium Access Inspection

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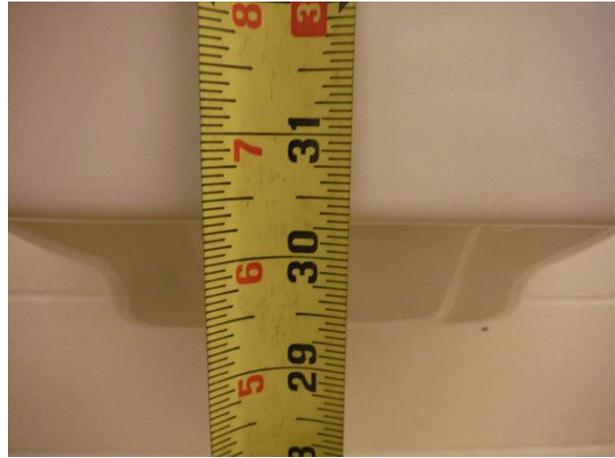
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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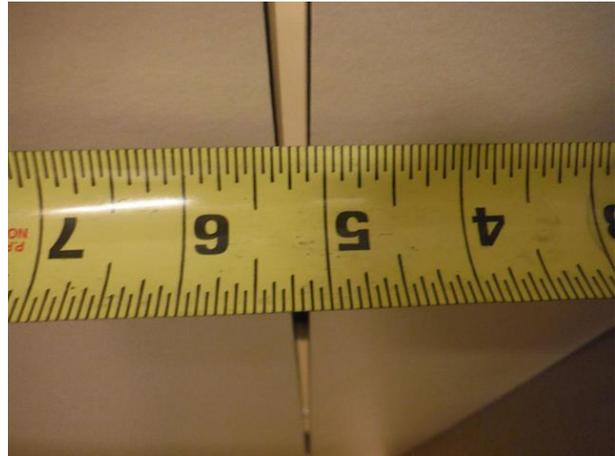
### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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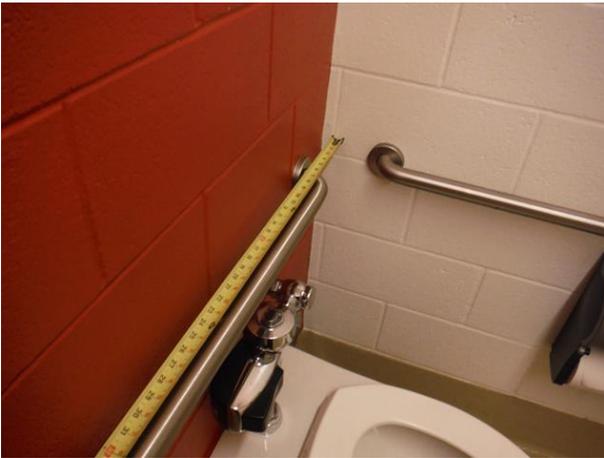
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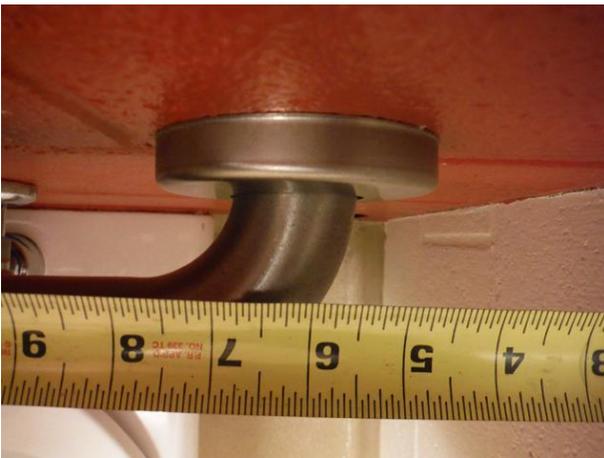
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### Levi's Stadium Access Inspection

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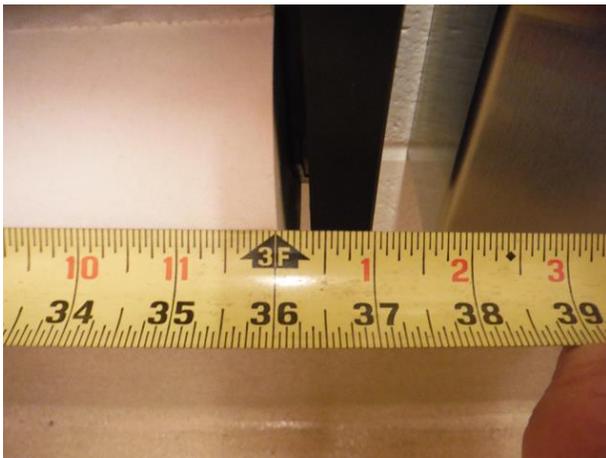
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



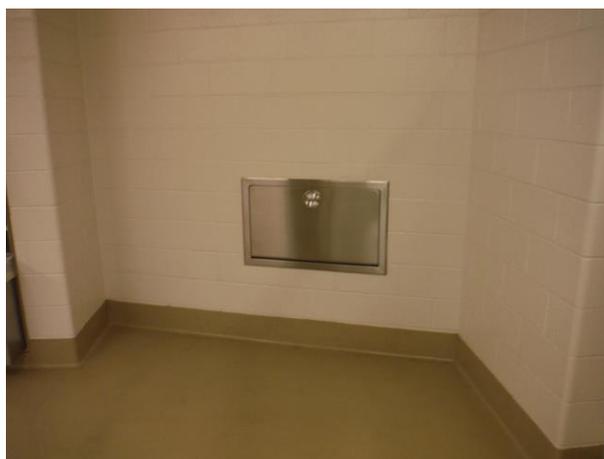
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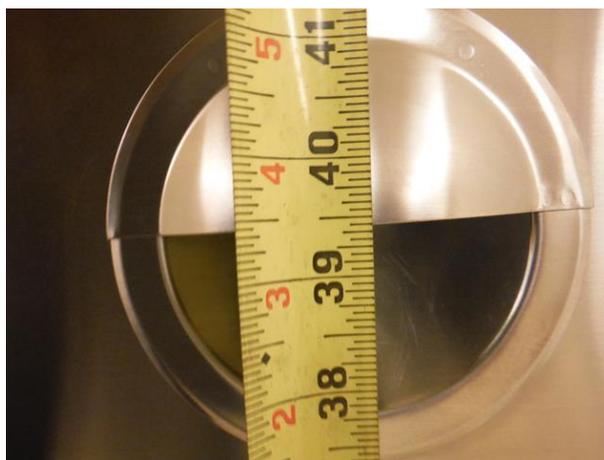
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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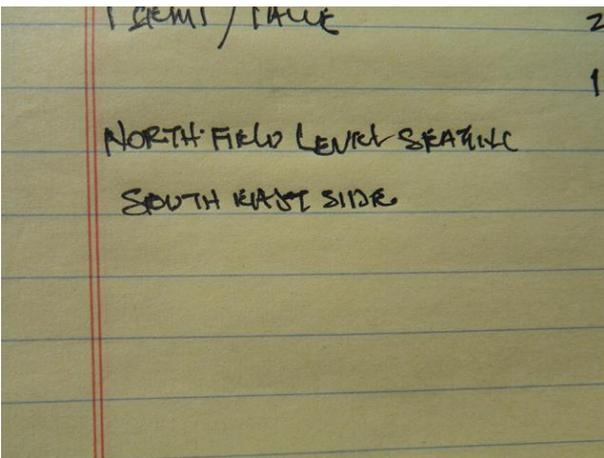
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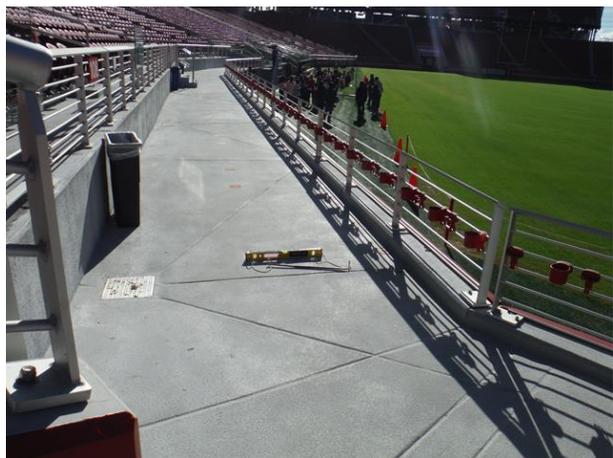
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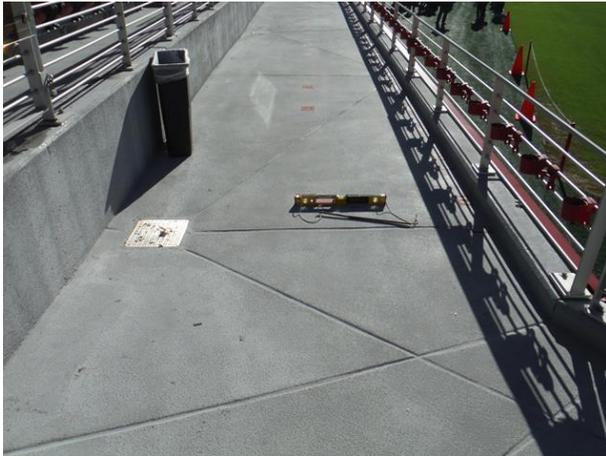


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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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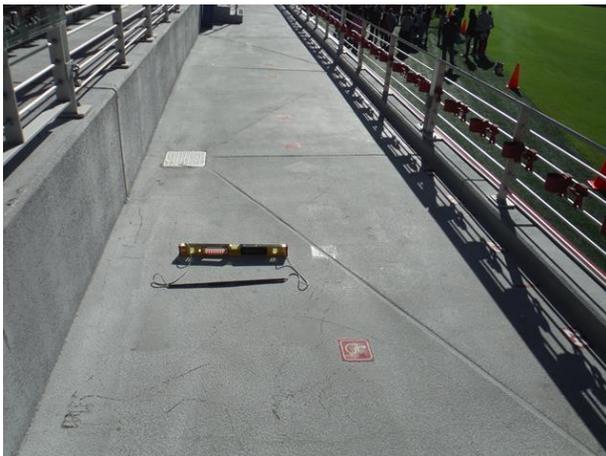
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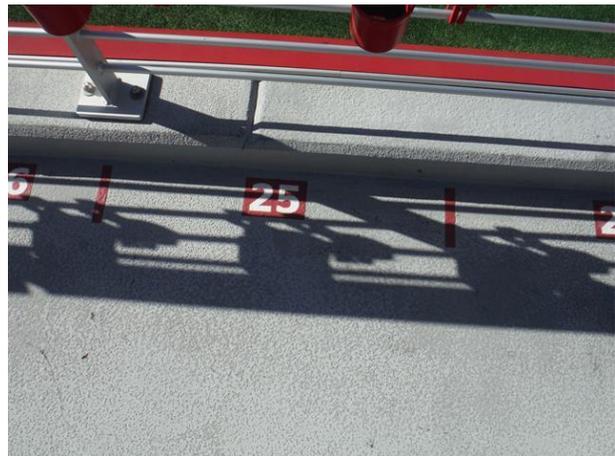
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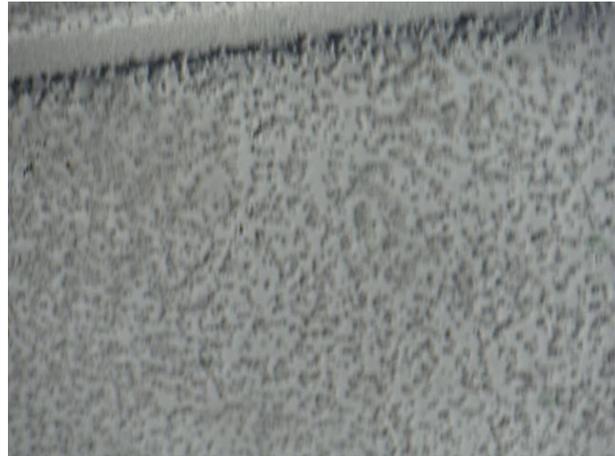
### Levi's Stadium Access Inspection

4900 Marie P DeBartolo Way, Santa Clara, California 95954

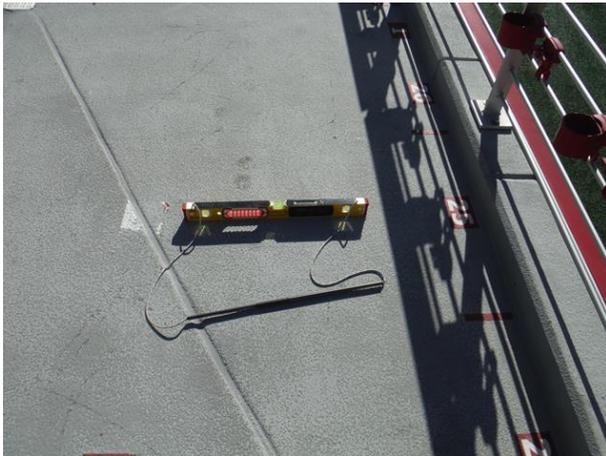
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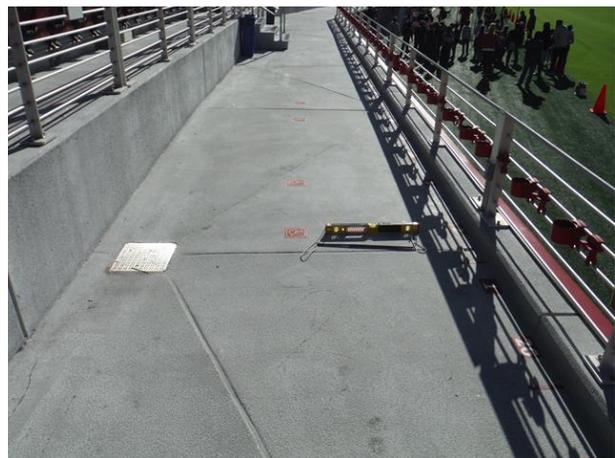
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### Levi's Stadium Access Inspection

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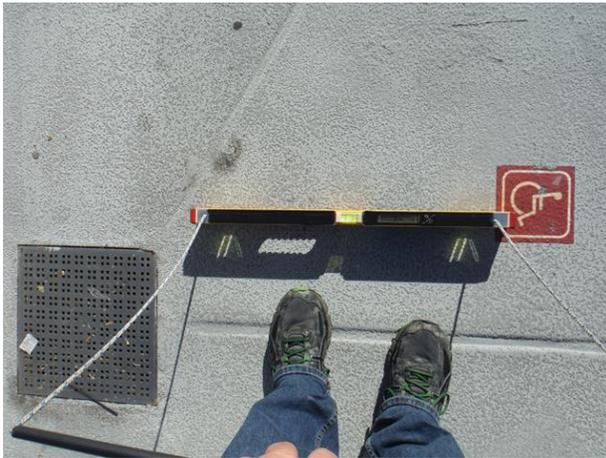
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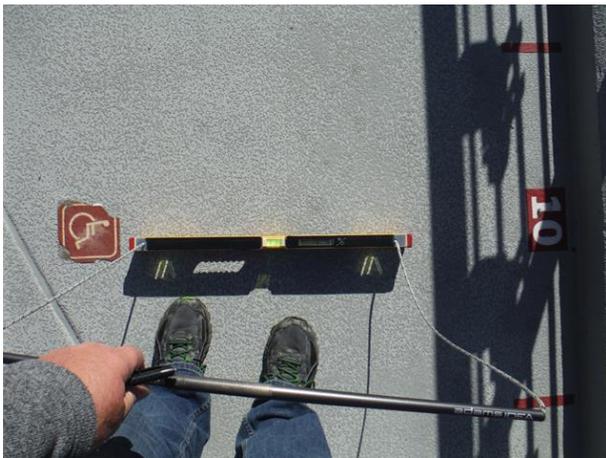
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



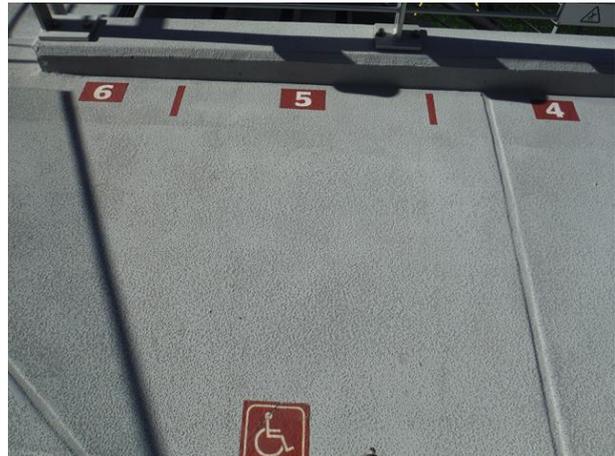
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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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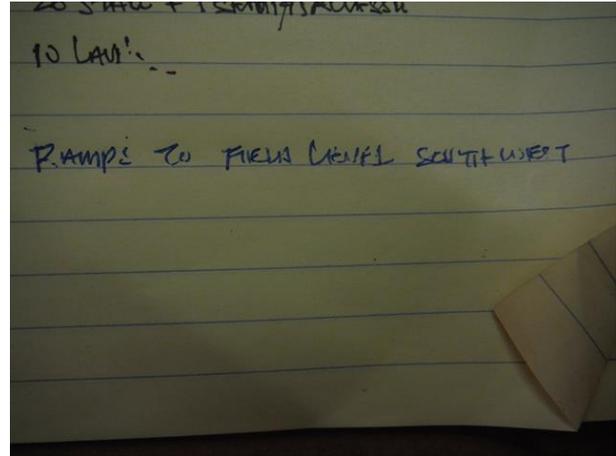
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



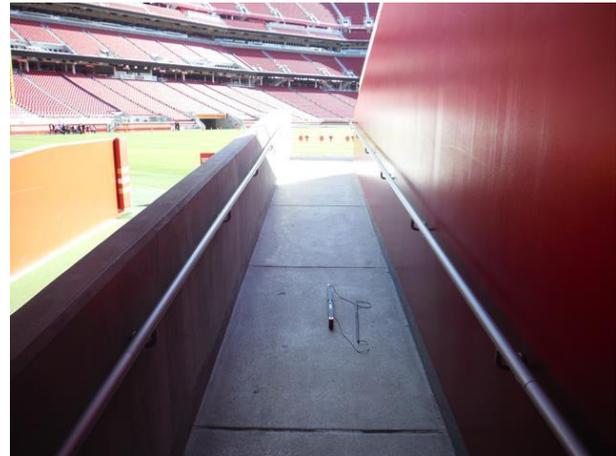
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



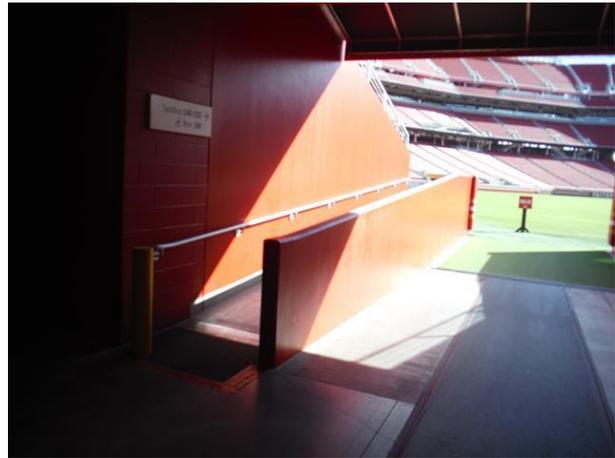
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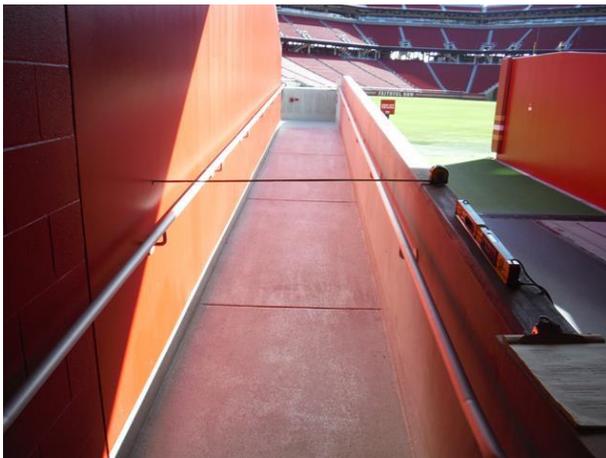
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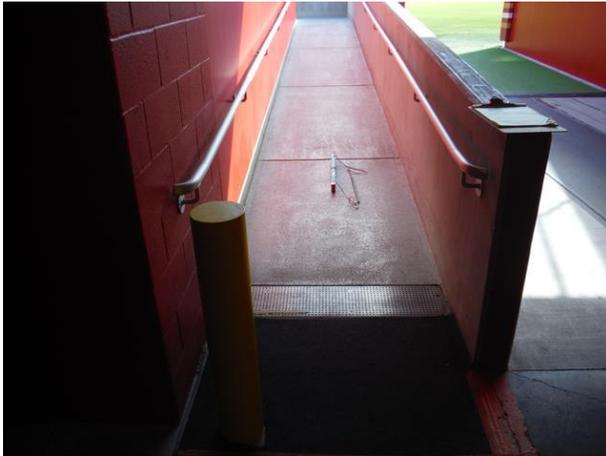


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### Levi's Stadium Access Inspection

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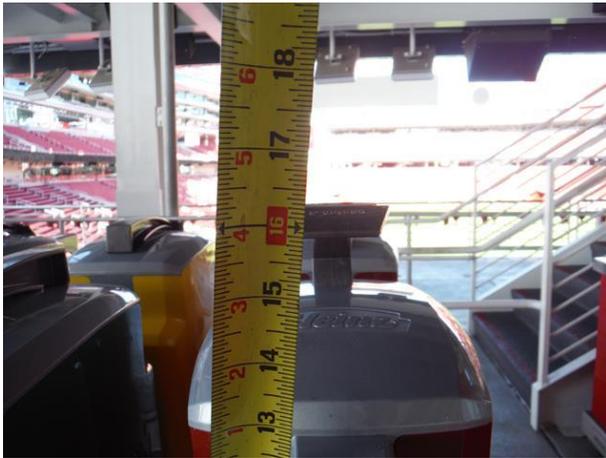
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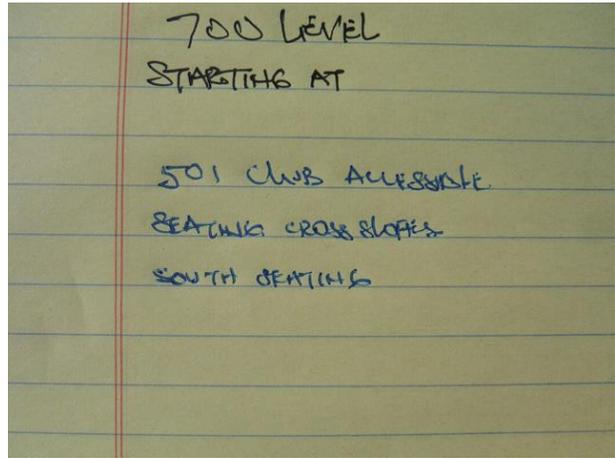
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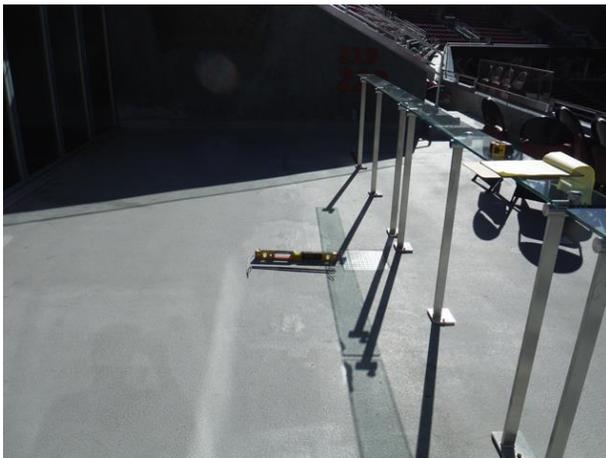
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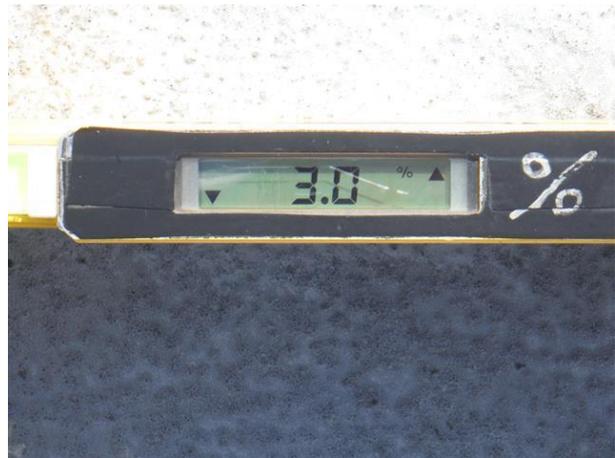
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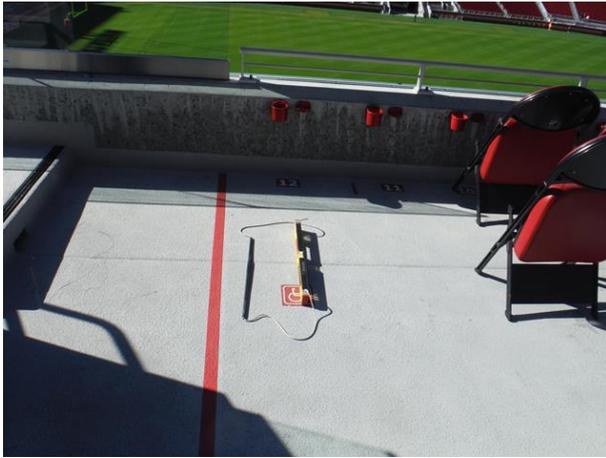


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### Levi's Stadium Access Inspection

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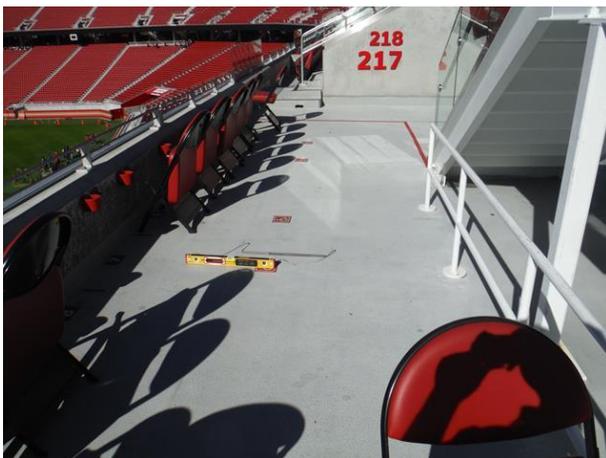
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### Levi's Stadium Access Inspection

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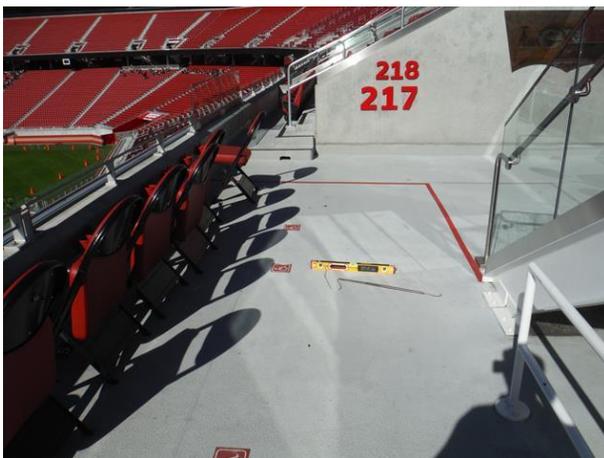
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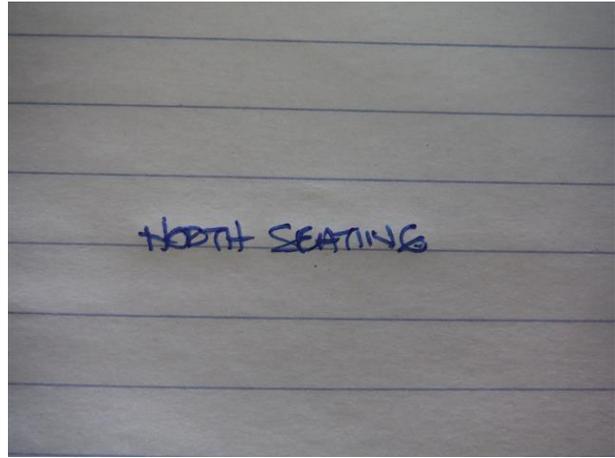
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



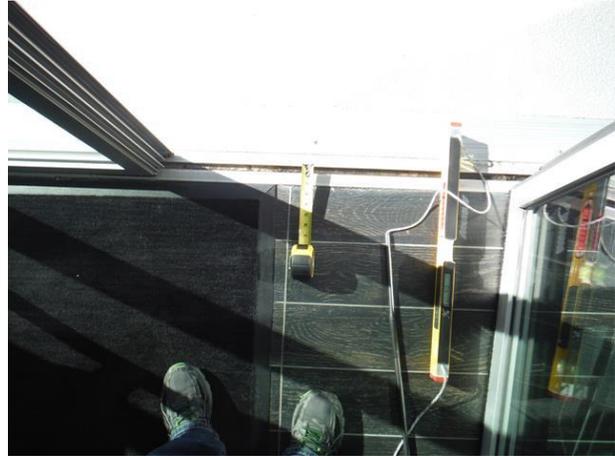
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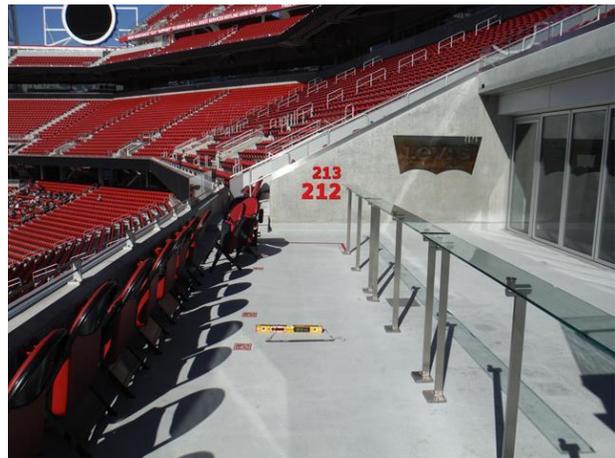
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### Levi's Stadium Access Inspection

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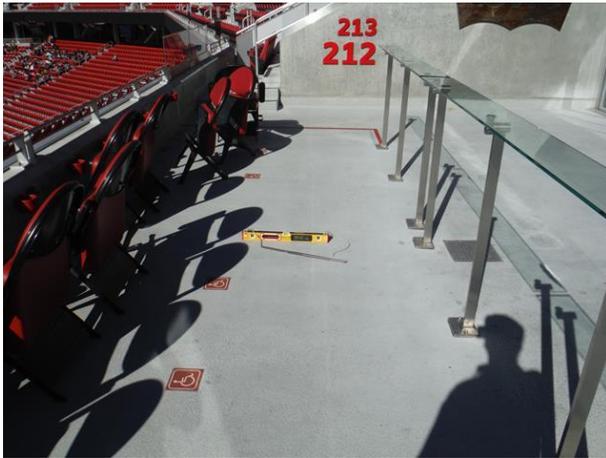
Survey Dates: January 24, 25 & 26, 2018



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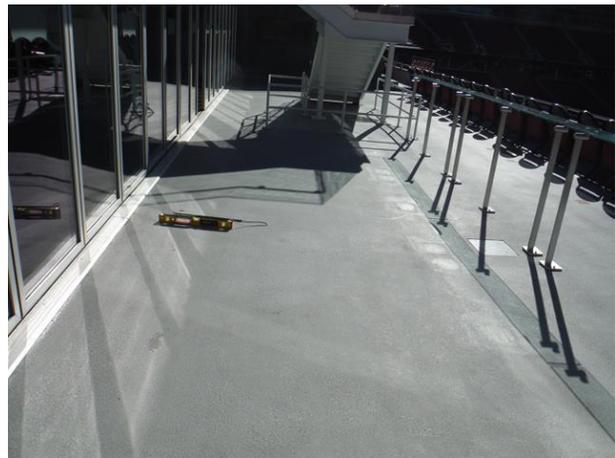
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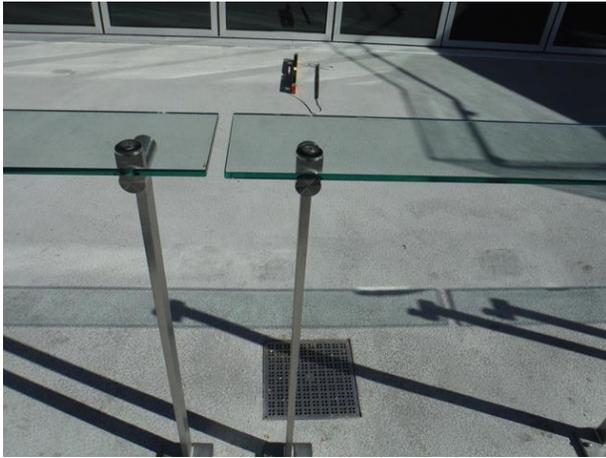


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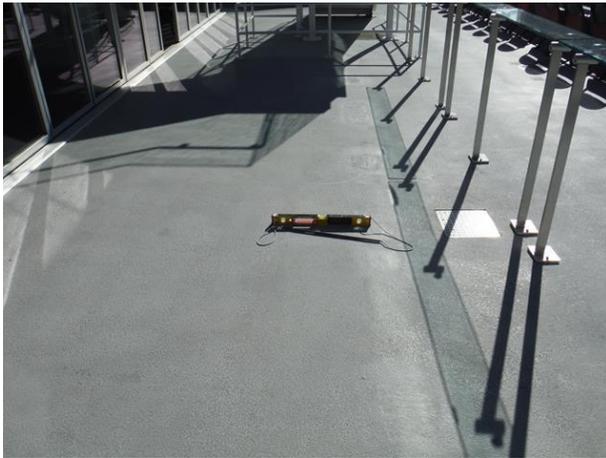
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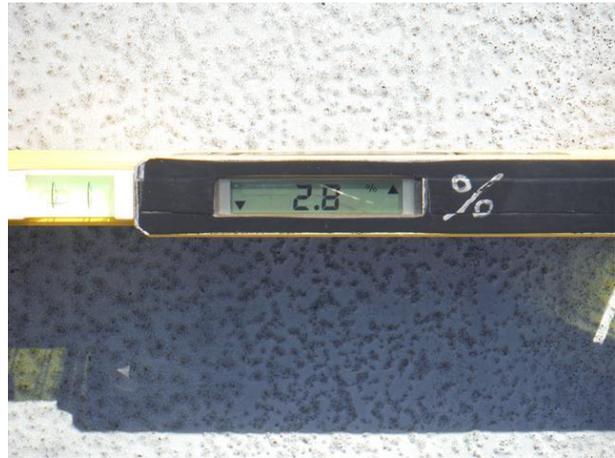
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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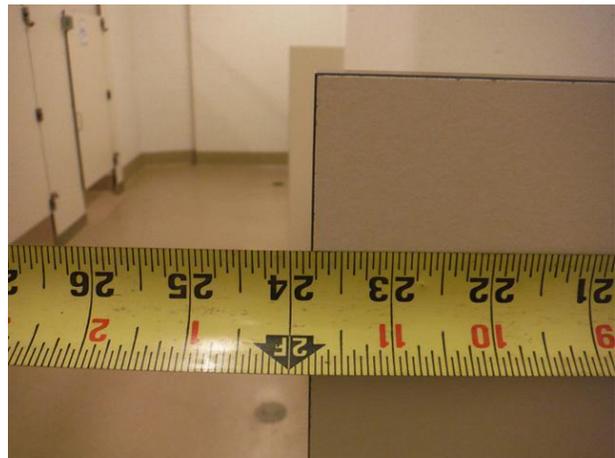
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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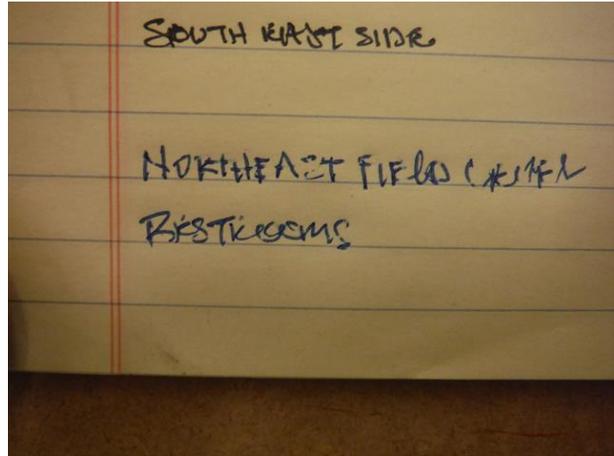
### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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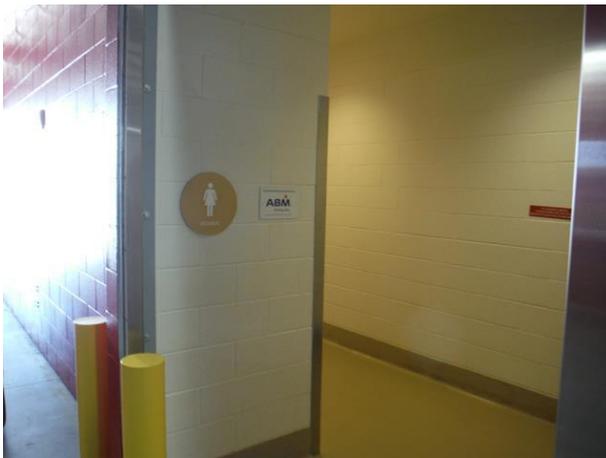
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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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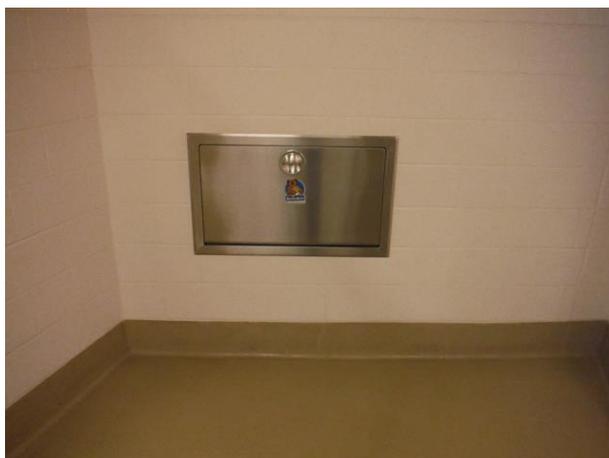


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Survey Dates: January 24, 25 & 26, 2018



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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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### Levi's Stadium Access Inspection

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Survey Dates: January 24, 25 & 26, 2018



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