

STAFF REPORT 8/14/2019
APPLICATION NUMBER 19-6356
ADDRESS: 19563 CANTERBURY
HISTORIC DISTRICT: SHERWOOD FOREST
APPLICANT: BRYANT HARRIS

PREPARED BY: J. ROSS

PROPOSAL

The dwelling located at 19563 Canterbury is two stories in height and was erected ca. 1935. The resource features buff brick exterior cladding with stone detailing. A wrought iron balcony serves to shelter the building's primary entrance. Copper gutters and downspouts are located at the building's hipped roof. A two-story, 2 car garage/carriage house is connected to the rear of the house. The windows on the front elevation are original to the home and include steel casement units with fixed transoms. These windows are covered by metal exterior storm windows. Fiberglass casement and double-hung windows (approved by the Commission in 2017) are located at the side and rear elevations of the home.

With the current application the homeowner is seeking the Commission's approval to install three new "scalped" cloth awnings at the home. Specifically, the new awnings shall be located at the front elevation, over the second story windows. The awning at the central window/doorway will measure 11'-6"x2'-6"x2'-6", while the awnings at the two flanking windows will each measure 6'-6"x2'-6"x2'-6". The awnings will be black or brown. Note that the mounting details are currently not known.



19563 Canterbury, location of proposed new awnings

STAFF OBSERVATIONS

Please see the attached narrative and photos. In these documents, the applicant outlines the location of perforations in the brick/wall above the middle window at the second story and states that they indicate that awnings had previously existed at the home. He has also provided photos of two homes

in his neighborhood that have awnings at the front elevation.

As noted previously, the only remaining historic-age windows are located at the home's front elevation. In 2017, the Commission allowed the applicant to replace the then historic-age casement windows at the side and rear elevations with the condition that those historic-age steel casement units at the front elevation remain. It is staff's opinion that the remaining original sash at the front elevation, the proportion of their openings in the façade, and the stone trim are character defining features of the home. The proposed new awnings would cover/obscure the upper portion of the trim, window opening, and window sash. Though removable in nature, it is staff's opinion that the proposed awnings would visually alter features and spaces (the windows, window openings, and trim) that characterize the property. Also, the submitted renderings do not provide a true representation of the location of the awnings and the manner in which the awning hardware will be mounted to the facade. Staff did request that the applicant submit mounting details, but they have yet to receive this information. It was also unclear to staff that the proposed awnings conform to the district's Elements of Design.

Finally, please see the Technical Brief # 44, entitled "The Use of Awnings on Historic Buildings, Repair, Replacement and New Design", <https://www.nps.gov/tps/how-to-preserve/briefs/44-awnings.htm#summary>. These publications/technical briefs are authored by the National Park Service and provide guidance/recommendations for "...methods and approaches for rehabilitating historic buildings that are consistent with their historic character." It is noted that this awning application was discussed amongst HDC staff. While it is this author's opinion that the proposed awnings will visually alter features and spaces (the windows, window openings, and trim) that characterize the property and are therefore not compatible with the building, HDC design staff was of the opinion that the work does meet the Standards.

APPLICABLE ELEMENTS OF DESIGN

- (1) *Height.* The height of the majority of the residential structures full stories to two and one half (2½) stories tall, and have at least eighteen (18) feet of studding. These standards shall be met by new single-family residences and by two-family residences which are permitted only on Seven Mile Road. A few houses of one (1) and one and one-half (1½) stories exist. Additions to existing buildings shall be related to the existing structure. Garages range from one (1) to two (2) stories.
- (2) *Proportion of buildings front facades.* The typical front facades of residential buildings in the Sherwood Forest Historic District are predominantly wider than tall to their eaves.
- (3) *Proportion of openings within the facades.* Proportion of openings varies greatly according to the style of the building. Typical openings are taller than wide, but individual windows are often grouped together to fill a single opening which is wider than tall. Windows are usually subdivided; buildings designed in English Revival styles frequently display leaded glass in casement windows and transoms. In buildings derived from classical precedents, double-hung sash windows are further subdivided by muntins. A variety of arched openings and bay windows exist throughout the district. Modernistic style residential buildings have openings with a variety of proportional relationships, sometimes extending around the corners. In general, openings amount to between twenty percent (20%) and thirty-five percent (35%) of the front facades.
- (4) *Rhythm of solids to voids in front facades.* In buildings derived from classical precedents, voids are usually arranged in a symmetrical and evenly-spaced manner within the facades. In examples of other styles, particularly those of English Revival sub-styles, voids are arranged with more freedom, but usually result in balanced compositions. Windows are arranged by floor in asymmetrical arrangements in modernistic style houses.
- (5) *Rhythm of spacing of buildings on streets.* The spacing of the buildings is generally

determined by the lot sizes and setbacks from side lot lines. There is a general regularity in the widths of subdivision lots from one block to another, with the exception of those in the Sherwood Forest manor subdivision where some lot sizes are larger and single houses sometimes occupy more than one lot. Generally, all residences or part thereof, including cornices, balconies, pergolas or porches, are not permitted nearer than five (5) feet to the side lot line.

- (6) *Rhythm of entrance and/or porch projections.* Entrance and porch types relate to the style of the building. Entrances and porches on the English revival buildings exhibit freedom of placement and orientation, while on buildings of classical inspiration they are centered on the front facade. Some houses have entrances that recede while others have porches, steps and/or entrances that project. A common entry arrangement on vernacular English Revival houses is that of a slightly projecting, steeply gabled vestibule or gabled wall punctured with an arched opening. Side and rear secondary entrances and porches and enclosed sunrooms are common. A rhythm of entrances and porches is not discerned due to the variety of house designs and the winding street plan.
- (7) *Relationship of materials.* The majority of houses are faced with pressed, wire cut or glazed brick, often combined with wood, stone and/or stucco. Stone trim is common, and wood is almost universally used for window frames, half-timbering and other functional trim. Windows are commonly either of the metal casement or wooden sash variety. Glass block exists as an original material in some window openings of modern buildings. Original metal balconets, balustrades and light fixtures exist on some properties. Roofs on the majority of the buildings in the Sherwood Forest historic district are either slate or slate-like asphalt shingles.
- (8) *Relationship of textures.* The major textural relationship is that of brick laid in mortar, often juxtaposed with wood or smooth or rough-faced stucco and/or stone elements and trim. Textured brick and brick laid in patterns creates considerable interest, as does half-timbering, leaded and subdivided windows, and wood shingled or horizontal sided elements. Slate roofs have particular textural values where they exist. Asphalt shingles generally have little textural interest, even in those types which purport to imitate natural materials. Garages correspond in materials to the main residential dwelling.
- (9) *Relationship of colors.* Natural brick colors -- such as red, yellow, brown, or buff -- predominate in wall surfaces. When brick is painted, it is in white or shades of cream. Natural stone colors also predominate; where stucco or concrete exists, it usually remains in its natural state, or is painted in a shade of cream. Roofs are in natural slate colors, and asphalt shingles are predominantly within this same dark color range. Paint colors often relate to style. The buildings derived from classical precedents, particularly those of classical styles, generally have woodwork painted the white or cream range. English Revival style buildings generally have painted wood trim and window frames of dark brown, gray, buff or shades of cream, depending on the main body color. Half timbering is most frequently stained or painted dark brown. Stained glass, where it exists as decoration visible on the front facade, contributes to the artistic interest of the building. The original colors of any building, as determined by professional analysis, are always acceptable for a house, and may provide guidance for similar houses. Colors used on garages should relate to the colors of the main dwelling.
- (10) *Relationship of architectural details.* The architectural elements and details of each structure generally relate to its style. Residential buildings derived from characteristic elements and details displayed on vernacular English revival-influenced buildings include arched windows and door openings, steeply pitched gables, towers, and sometimes half-timbering. Tall, clustered chimney stacks and decorative chimney pots are features of the district. Classical styles display modest detail, mostly in wood. Porches, shutters, window frames, cornices, and dormer windows are commonly, although not always, treated. Modern style buildings are generally characterized by smooth, unadorned wall surfaces, horizontal bands of

windows, and curved corners. A few cape cod style buildings and ranches are located in the northeastern section of the Sherwood Forest Manor subdivision. In general, the district is rich in early to mid-twentieth century architectural styles. Garages correspond in architecture to the main residential dwelling.

- (11) *Relationship of roof shapes.* A variety of roof shapes exist, relating to the style of the buildings. Common on English Revival buildings are steeply sloped pitched or hipped roofs with complex arrangements of secondary roof shapes, including steeply sloped gables, clipped gables, and shed roofs. These roofs are commonly interrupted by gabled, shed and multi-sided dormers and substantial chimneys which are sometimes clustered. Classically inspired buildings display pitched or hipped roofs with less slope, with or without dormers. Roofs of houses built later in the period of development of the district, such as those of modern inspiration, tend to have significantly lower slopes, with the exception of cape cod style houses in the northeastern section of the district which display steeply pitched roofs with dormers. Flat roofs are not typical except on porches, sunrooms, and other small extensions of a primary building with a pitched roof; flat roofs as the main roof of a primary building shall not be permitted.
- (12) *Walls of continuity.* Where common setbacks of houses on relatively straight stretches of residential streets exist, strong walls of continuity are created. This is augmented by tall, fluted light standards and mature trees on the tree lawns. Where streets curve and the procession of houses is less visible, landscape features in the public right-of-way create a sense of continuity.
- (13) *Relationship of significant landscape features and surface treatments.* The typical treatment of individual properties is a that of a dwelling erected on a grade of approximately fifteen (15) to twenty (20) inches above the inner grade line of the public sidewalk. The front lawn area is generally covered with grass turf, subdivided by a straight or curving concrete, stone or brick walk leading to the front entrance and a single width side driveway leading to a garage, which is most often located at the rear of the lot but sometimes attached to the rear, side or, less frequently, the front of the main dwelling. On corner lots, garages are located on the side streets and the width of the driveway corresponds to the width of the garage. A single storage building, including garden and tool sheds, shall be permitted provided that it is placed at the rear of the property, is harmonious in color and design to the contiguous property, does not exceed six (6) feet by ten (10) feet in length and width, and six (6) feet in height. Foundation plantings, often of a deciduous nature and characteristic of the period between 1920 and 1960, are present virtually without exception. Large trees of many varieties shield some houses from view. There is variety in the landscape treatment of individual properties. Generally, boundary lines between lots forward of the building line are not marked with fences of any kind, but may have hedges no greater than two (2) feet in height. Hedges and fences of up to four (4) feet in height generally extend along boundary lines beyond the building line. On lots abutting the alley behind Warrington Drive and Livernois Avenue, a tight board fence or masonry wall of a uniform height of five (5) feet must be constructed on rear lot lines. The placement of trees on the tree lawn between the concrete public sidewalk and masonry curb varies from block to block or street to street. Replacement trees should be characteristic of the area and period. If American elm is planted, it should be disease resistant. Original street lighting throughout the district is of the tall fluted standard with crane neck pendant variety.
- (14) *Relationship of open space to structures.* The Sherwood Forest historic district has, as its main open space, the triangularly shaped Sherwood Forest Park, bounded by Warrington Drive, Saint Martins Road and Canterbury Road. That park, as well as other triangular lots created between the intersection of winding streets, are planted with grass and trees. All houses have ample rear yards as well as front yards. Where vacant lots exist between residences, their landscaping tends to be continuous with the adjacent lots or forested with

- mature trees.
- (15) *Scale of facades and facade elements.* The Sherwood Forest Historic District comprises a residential neighborhood of moderate to large scaled dwellings. Elements and details within are appropriately scaled, having been determined by the style, size and complexity of the individual buildings. Window sash are usually subdivided by muntins and casement windows are leaded, affecting the apparent scale of the windows within the facades.
 - (16) *Directional expression of front elevations.* The houses in the Sherwood Forest Historic District are horizontal in directional expression. Large architectural elements within facades are frequently vertical in directional Expression, such as multi-storied projecting gabled sections.
 - (17) *Rhythm of building setbacks.* Front yard setbacks are generally consistent on each residential street in the Sherwood Forest Historic District, although porch, entrance and window projections and irregular massing result in the appearance of variety. Where lots are combined or irregularly shaped at corners, the rhythm is sometimes irregular.
 - (18) *Relationship of lot coverages.* The lot coverage for the single- and two-family residences ranges generally from twenty-five percent (25%) to thirty-five percent (35%), including the either the freestanding or attached garage. Where lots are combined, the percentage of lot coverage may be less.
 - (19) *Degree of complexity within the facades.* The degree of complexity has been determined by what is typical and appropriate for a given style. Overall, there is a higher degree of complexity in the English Revival style buildings, where their facades are frequently complicated by gables, bays, irregularly placed openings and entrances, and irregular massing, than those of other styles. The facades of classically inspired buildings and modernistic buildings are straightforward in their arrangement of elements and details.
 - (20) *Orientation, vistas, overviews.* The orientation of buildings is largely determined by the winding streets created by the subdivision plans. All but a few buildings in the district are oriented towards the street; buildings situated on corner lots sometimes face the side street or, when the corner lot is curved, the intersection of the streets. The primary vistas are created by the winding streets. Sherwood Forest Manor subdivision has a different character because of its later development and the elliptical shape of its plan. While the streets through Sherwood Forest extend into the green acres subdivision on the north, they do not extend into the palmer woods subdivision on the east.
 - (21) *Symmetric or asymmetric appearance.* Front facades of buildings range from completely symmetrical to asymmetrical but balanced compositions. English revival style buildings are irregular in layout and asymmetrical in appearance. The classically inspired buildings are generally symmetrical; the modernistic buildings are not symmetrical but result in highly ordered compositions.
 - (22) *General environmental character.* The Sherwood Forest historic district is a fully-developed residential area of well-maintained, substantial single-family residences of the second quarter of the twentieth century complemented with fine examples of compatible houses from the 1950s and 1960s. On seven mile road, its southern boundary, are several duplexes; the east side of Livernois Avenue, outside the district's boundaries to the west, is an intact commercial thoroughfare of 1940's vintage. With the residential subdivisions of palmer woods to the east and green acres to north, Sherwood Forest is a part of a solid, well-maintained and handsome urban residential community.

RECOMMENDATION

As noted above, it the true location and mounting details of the awnings are unclear to staff. Staff therefore cannot proffer a recommendation for the project at this time. Staff will request that the applicant provide the missing information to the Commission for review at the 8/14/2019 meeting.



Designation Slide

HISTORIC DISTRICT COMMISSION PROJECT REVIEW REQUEST

CITY OF DETROIT
PLANNING & DEVELOPMENT DEPARTMENT
2 WOODWARD AVENUE, ROOM 808, DETROIT, MI 48226

DATE: 6-1-2019

PROPERTY INFORMATION

ADDRESS: 19563 CANTERBURY AKA: _____

HISTORIC DISTRICT: SHERWOOD FOREST

APPLICANT IDENTIFICATION

☒ Property
Owner/
Homeowner

☐ Contractor

☐ Tenant or
Business
Occupant

☐ Architect/
Engineer/
Consultant

NAME: BRYANT HARRIS COMPANY NAME: _____

ADDRESS: 19563 CANTERBURY CITY: DET STATE: MI ZIP: 48221

PHONE: (313) 342-2352 MOBILE: (313) 477-5800 EMAIL: harrisbryante@yahoo.com

PROJECT REVIEW REQUEST CHECKLIST

Please attach the following documentation to your request:

☒ Photographs of ALL sides of existing building or site

☒ Detailed photographs of location of proposed work (photographs to show existing condition(s), design, color, and material)

☒ Description of existing conditions (including materials and design)

☒ Description of project (including an explanation as to why replacement--rather than repair--of existing and/or construction of new is required)

☒ Detailed scope of work (formatted as bulleted list)

☒ Brochure/cut sheets for proposed replacement material(s) and/or product(s)

NOTE:

Based on the scope of work, additional documentation may be required
See www.detroitmi.gov/hdc for scope-specific requirements

SUBMIT COMPLETED
REQUESTS TO: **HDC@DETROITMI.GOV**

Proposal

SPECIFICATIONS &
ESTIMATE

J.C. GOSS COMPANY

274 S. Waterman St
Detroit, MI 48209



313/259-3520

Proposal submitted to: BRYANT HARRIS		Phone: 313-477-5800		Proposal Date: 9/25/2018	
Street: 19563 CANTERBURY		City, State & Zip: DETROIT, MI 48221			
Job Name:		Job Location:			
Architect/Contractor:		Telephone No.:		Job Phone:	
Mfg. Color/Pattern #:		Valance:		Approx. Installation Date: 4 - 6 Weeks	
Scalloped Pattern:		Binding Color:		Stripe/Applique:	
Painted Frame Color:		Back-sprayed:		N/A	
Anwork: N/A		Opaque-Painted: N/A		Inserted: N/A	
Translucent: N/A		Vinyl-Applied: N/A		Back-Lit: N/A	
Lights: N/A		Ceiling: N/A		Shadowless Frame: N/A	

We hereby submit specifications and estimates for:

FABRICATE & INSTALL (3) MODERN WINDOW AWNINGS COMPLETE, CHOICE OF COLOR AND STENCIL IF DESIRED.

*** Permits & Engineering if required are not included unless specified

WE PROPOSE hereby to furnish material and labor as described above.

AUTHORIZED
SIGNATURE

Robert H. Brobst

A PROPOSAL SHALL AUTOMATICALLY EXPIRE THIRTY (30) DAYS
AFTER DATE OF ISSUE.

NOTE: The acceptance of payment as follows:

50% Deposit Balance C.O.D.

This proposal is subject to Credit Approval by Contractor's Credit Department.

PRICE	\$4,080.00
SALES TAX	\$244.80
PERMITS	
TOTAL	\$4,324.80
DEPOSIT	
BALANCE DUE	

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Customer is responsible for all permits unless otherwise specified.

Notes:

Customer Signature _____

Date of Acceptance _____

C.C.: _____

****READ CONDITIONS OF SALE ON REVERSE SIDE.**

Bryant Harris

19563 Canterbury Rd

Detroit, Michigan 48221

Historic district Commission

2 Woodward Avenue, Room 808, detroit, Michigan 48226

Dear Historic District

I am requesting permission to install Awnings on the upper part of my property to prevent ice built up in the winter while preserving the historic character of the neighborhood. I have included a picture of the front, side and rear of property showing that awnings where on the property. before

The previous owners removed the awning and never replaced them. I have also included two photo's of properties in Sherwood Forest with awnings. Attached is the brand of material and a photo of the cloth along with a estimate that I received from a Awning company.

I am asking the board to please approve the re-installation of my awning so that I can complete this project this summer. Also, I did see where you can remove cloth awnings on existing frames without approval, but I don't have the frames up just the attachments.

Thanking you in advance for your consideration in this matter.


Bryant Harris

Sherwood Forest Association (SFA)
Application For Home Repairs and Alterations

Please submit a detailed description of your project, with relevant attachments, to Phillip Caldwell, Chair, Historic Preservation Committee. We strongly advise that you not purchase materials or services or proceed with work, until board approval is obtained.

Applicant's Name: Bryant Harris Address: 19563 Canterbury

Phone: (313) 477-5800 Email: harrisbryant@yahoo.com

Project Description: Please include attachments to the application (photos, sketches, architectural drawings, samples of building materials).

I Am Asking For Approval To Have
Awnings Install Over my Upper Windows.
I Need the Awning Over my Door
where a Awning Installed Before to
Protect the Tanning Over my Front
Door. A Photo is Attached Showing
that a Awning was Here
Thanks

(Attach additional sheets if needed)

Signature of Applicant: Bryant Harris Date: 4-3-19

FOR COMMITTEE AND BOARD USE ONLY

Date Application Received: _____

Date of Historic Preservation Committee Review: _____

☐ Approval Recommended ☐ Additional Documentation Requested ☐ Approval Not Recommended

Date Forwarded to SFA Board of Directors: _____

Decision of SFA Board of Directors: ☐ Approved ☐ Not Approved



PO Box 21031, Detroit, MI 48221

May 6, 2019

Bryant Harris
19563 Canterbury Rd.
Detroit, MI 48221

Dear Mr. Harris,

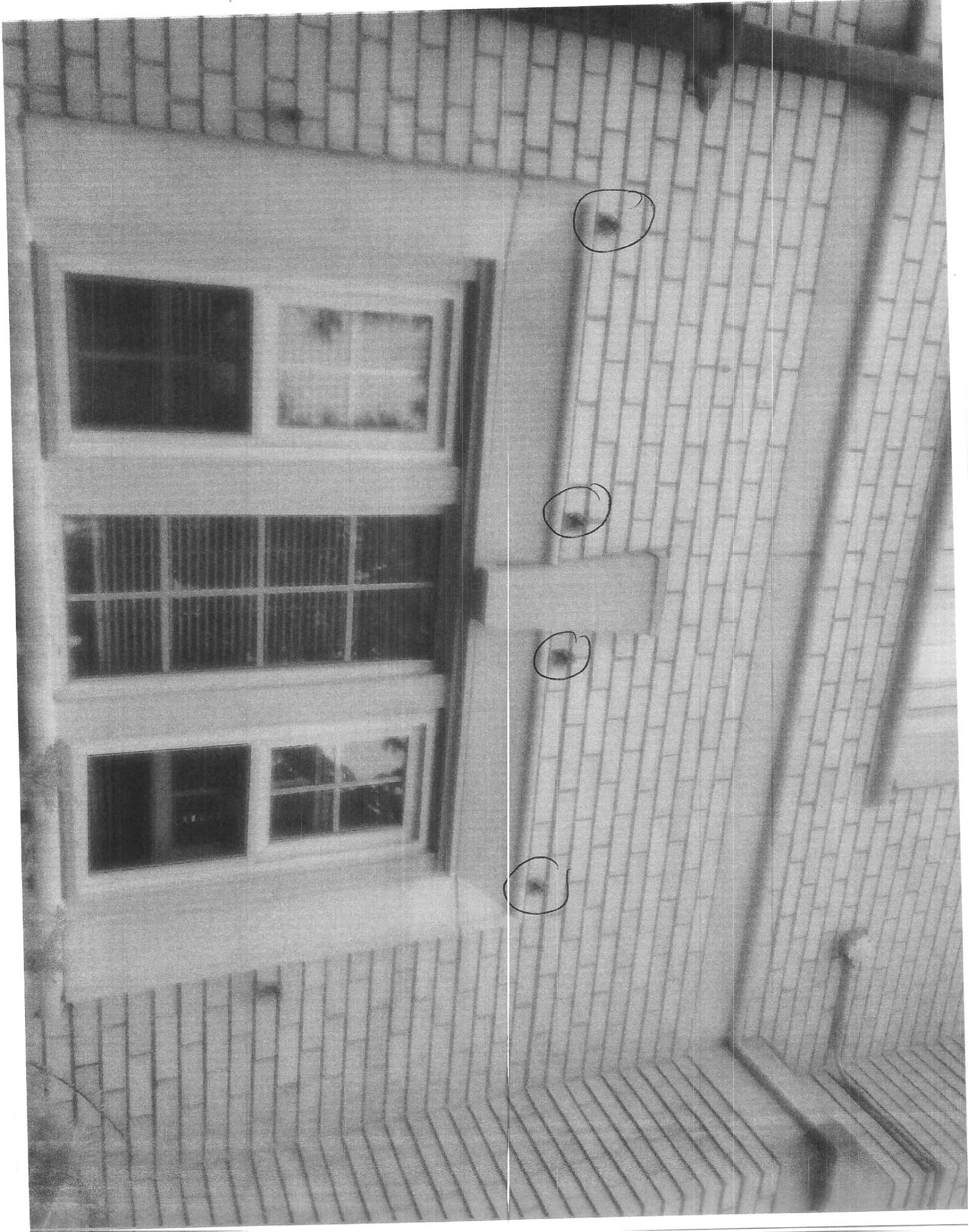
The Sherwood Forest Board of Directors is in receipt of your application to install awnings. An historic photograph taken of your property at the time of designation does not picture awnings. As such, we cannot approve your application at this time. Please contact the Detroit Historic District Commission staff at (313) 224-8907 and/or hdc@detroitmi.gov to further discuss historic guidelines regarding signs and awnings.

Also, please keep in mind that any future renovations or exterior improvements, such as gutter roof replacement or windows modifications require Sherwood Forest Association approval and permits where applicable. Please do not hesitate to contact us should you have additional questions/concerns.

Kind regards,

Phillip Caldwell, II
President, Board of Directors
Sherwood Forest Association





What Requires Review

Call the Commission before:	Go ahead with your project if:
Changing paint colors	Painting in the same colors
Removing large trees, shrubbery, plantings	Trimming or pruning trees, shrubs, plantings
Installing new or replacement fencing	Repairing a few sections of fence with like materials and sizes
Replacing roofing, flashing, gutters	Repairing a few shingles, flashing, gutters
Reconstructing areas of masonry walls, chimneys, floors, porches, etc.	Replacing a few panes of glass with matching glass, switching seasonal storms/screens
Installing new storm and security doors, installing new storm windows	Tuckpointing small areas of mortar with matching mortar
Reconstructing all or part of a porch	Installing or removing existing storms and screens for the season
Installing new doors, garage doors, security doors	Replacing small deteriorated areas with identical materials and sizes
Installing or replacing signage, including awnings	Repairing existing doors with identical materials
Cleaning the building	Putting out or removing cloth awnings on existing frames for the season.
Demolishing all or part of a building, including garages	
Constructing a new building or addition	
Installing new or replacement storm windows	
Removing, repairing, or replacing existing windows; installing new windows	

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The above lists are NOT all inclusive. If you do not see your project on this list, CALL THE COMMISSION!!



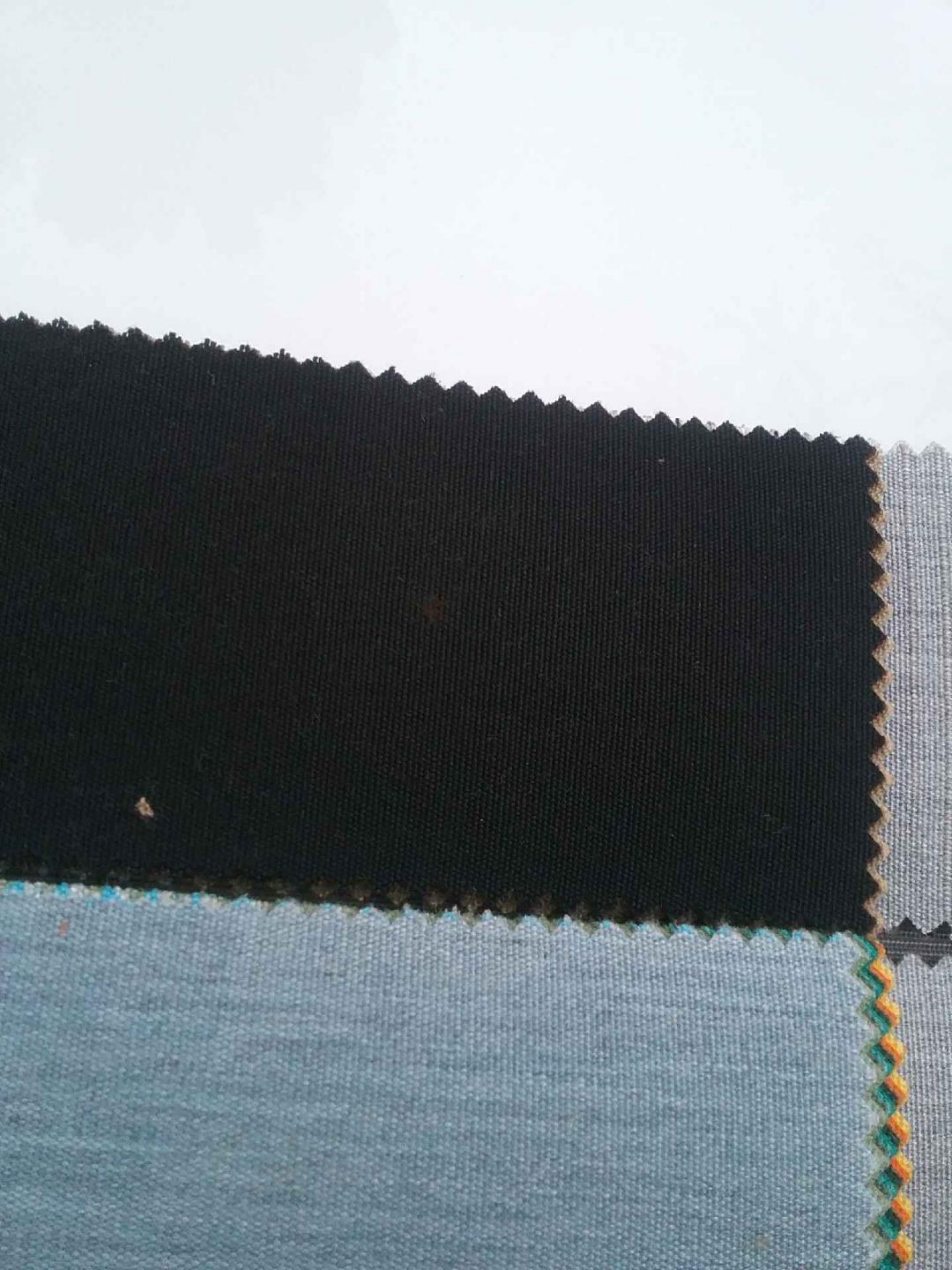




ON

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sunbrella®






CUST: _____
PROD: _____
www.marygrove.com



Lead Source: _____
Sales Person: _____
12700 Merriman Road
Livonia, MI 48150
1-800-44AWNING

SOLD TO <u>Bryant Harris</u>		SALES DATE <u>4/5/19</u>		ESTIMATED INSTALL DATE <u>4-6 weeks</u>	
ADDRESS <u>19563 Canterbury</u>		CONTACT PERSON		PRODUCT PRICE \$	
CITY <u>Det 48221</u>		PH. HOME (313) <u>477</u>		TOTAL PRICE \$	
SHIP TO		PH. WORK () <u>5800</u>		DEPOSIT	
ADDRESS		FAX ()		CHECK #	
CITY		CELL:		CARD #	
DIRECTIONS		EMAIL:		EXP. ____/____/____	
<input type="checkbox"/> RECOVER COMPLETE		STYLE		BALANCE / C.O.D. / INVOICE (CIRCLE ONE)	
SUPPLIER		MATERIAL #		COLOR	
STAPLE STITCH <input type="checkbox"/> YES <input type="checkbox"/> NO		WELDED <input type="checkbox"/> YES <input type="checkbox"/> NO		NON-WELDED <input type="checkbox"/> YES <input type="checkbox"/> NO	
ZIP STRIP: ACRYLIC OR PVC		COLOR #			
VALANCE STYLE SEAWAVE		STRAIGHT		REGULAR	
STYLE LINES <input type="checkbox"/> YES <input type="checkbox"/> NO		COLOR:			
BRAID <input type="checkbox"/> YES <input type="checkbox"/> NO		COLOR #		STENCIL <input type="checkbox"/> YES <input type="checkbox"/> NO	
STYLE #		COLOR:			
DOUBLE FRONT BAR		RAFTER BANDS		FRAME REPAIR	
INSTALLATION HANGING POINT		BOTTOM FINISH		MT ON WOOD <input type="checkbox"/> Brick <input type="checkbox"/> Other <input type="checkbox"/>	
FIELD CHECK <input type="checkbox"/> YES <input type="checkbox"/> NO		WITH SALESPERSON <input type="checkbox"/> YES <input type="checkbox"/> NO		REMOVE FRAME <input type="checkbox"/> YES <input type="checkbox"/> NO	
SPECIAL INSTRUCTIONS:					



RESIDENTIAL CUSTOM AWNING ORDER

Front Left - $7'6" \times 2'6" \times 2'6"$ 125 spec 809

Center - $11'6" \times 2'6" \times 2'6"$ 1089

Right - $7'6" \times 2'6" \times 2'6"$ 809


Joe 313 819 5879

#283200

Traditional

4-6 weeks

BLACK or BROWN



PAYMENT: Payment is due and payable in full upon the delivery of units as noted above. All warranties will be void unless all money due Marygrove The Awning Store & More is paid in full when due.

The Products listed above are to be custom made for purchases and therefore in this agreement cannot be changed, cancelled, modified, or discharged in whole in part by the Purchaser except in accordance with the law or with the written consent of the Seller. Seller does not guarantee performance in case of strikes, floods, or other conditions beyond its control.

It is being agreed that, in the event of cancellation by the Purchaser prior to the commencement of manufacturing of the above goods, the Seller would suffer damages in an amount which would be substantial but would be uncertain and difficult of proof, it is agreed, and it is the intention of the parties hereto that in the event Purchaser breaches this contract prior to the commencement of manufacturing of the above goods, he shall pay, as liquidation damages and not as a penalty, to the Seller, the sum of thirty-three (33%) of the total cash price of this Contract. In the event Purchaser breaches thereafter, he shall be liable for the total cash price of this Contract.

Upon completion of the above work, the undersigned agrees to execute a note and completion certificate as requested by the Contractor.

It is mutually agreed that this contract may be assigned or sub-contracted by the Seller and that where the term "Seller" is used herein, it shall be construed to mean assigns, and that the terms and agreements herein contained shall bind, apply and inure the heir, assigns, successors, executors and administrators of the parties thereto.

The undersigned represents that he is (they are) the owners of the above mentioned premises and that the legal title thereto stands of record in his or their names. The undersigned acknowledges receipt of a true copy of the Contract. He further acknowledges that he has read and knows the contents thereof, understands that no other agreements, verbal or otherwise, are binding upon the parties hereto and that this Contract contains the full agreement between the parties and that this and no other agreement exists, and that all previous conversations are undersigned further acknowledges receipt of separate copies of notice of his right to cancel this agreement. The awning remains the property of Marygrove Awning until the invoice is paid in full.

*YOU THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION.

IN WITNESS WHEREOF the undersigned have hereunto subscribed their names the day and year first above written.

COLLECTION COSTS: Customer agrees to pay 1.5% service charge per month on any outstanding or late balance. Customer also agrees to pay all of Marygrove's collection cost reasonably related to Marygrove's efforts to collect payment for their services including: (1) attorney's fees; (2) cost of suit; (3) \$200.00 to cover Marygrove's internal collection overhead; (4) all other reasonable collection costs. You agree now that the above amounts are reasonable predictions of what Marygrove's actual costs and overhead will be and are not penalties.

Marygrove, The Awning Store & More	Purchaser's Signature	Date of Signature
Sales Representative <u>Joseph J. [Signature]</u>	By _____	_____
	By _____	_____