

Exhibit 1: Brooks Atkinson Theater

Exhibit 1A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 1A, attached (i.e., in the same condition as they existed for the Government's inspection conducted on July 21, 2011).

Exhibit 1B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 1A and 1B.

Exhibit 1C: Seating

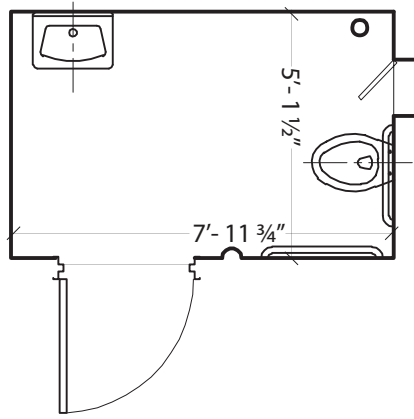
Nederlander shall implement the seating plan attached hereto as Exhibit 1C.

Wheelchair and Companion Seating:

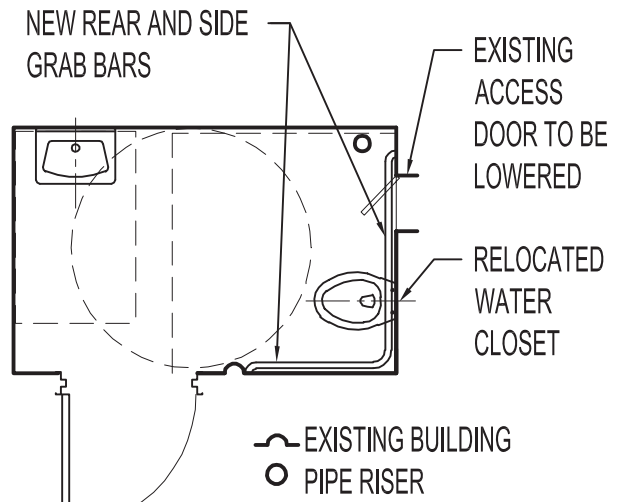
1. Nederlander shall maintain the two existing wheelchair and companion seating locations on the orchestra level, at P1/P3, and P5/P7/P9, which include companion seating locations.
2. Nederlander shall remove the black metal railings surrounding the existing wheelchair seating locations at P1/P3/P5/P7 on the Orchestra level.
3. Nederlander shall add three new wheelchair seating locations at Orchestra AAA101/AAA102/AA101/AA102; at O101/O102/P101/P102; and at O113/O114/P113/P114; with AA103, O103, and O112 being companion seating locations.

Aisle Transfer Seats:

4. Nederlander shall maintain the eight existing aisle transfer seats on the Orchestra level at C101, C114, J101, J114, N101, N114, N26, and P23.
5. Nederlander shall add three new aisle transfer seating locations on the Mezzanine level, at D1, D25 and D26.

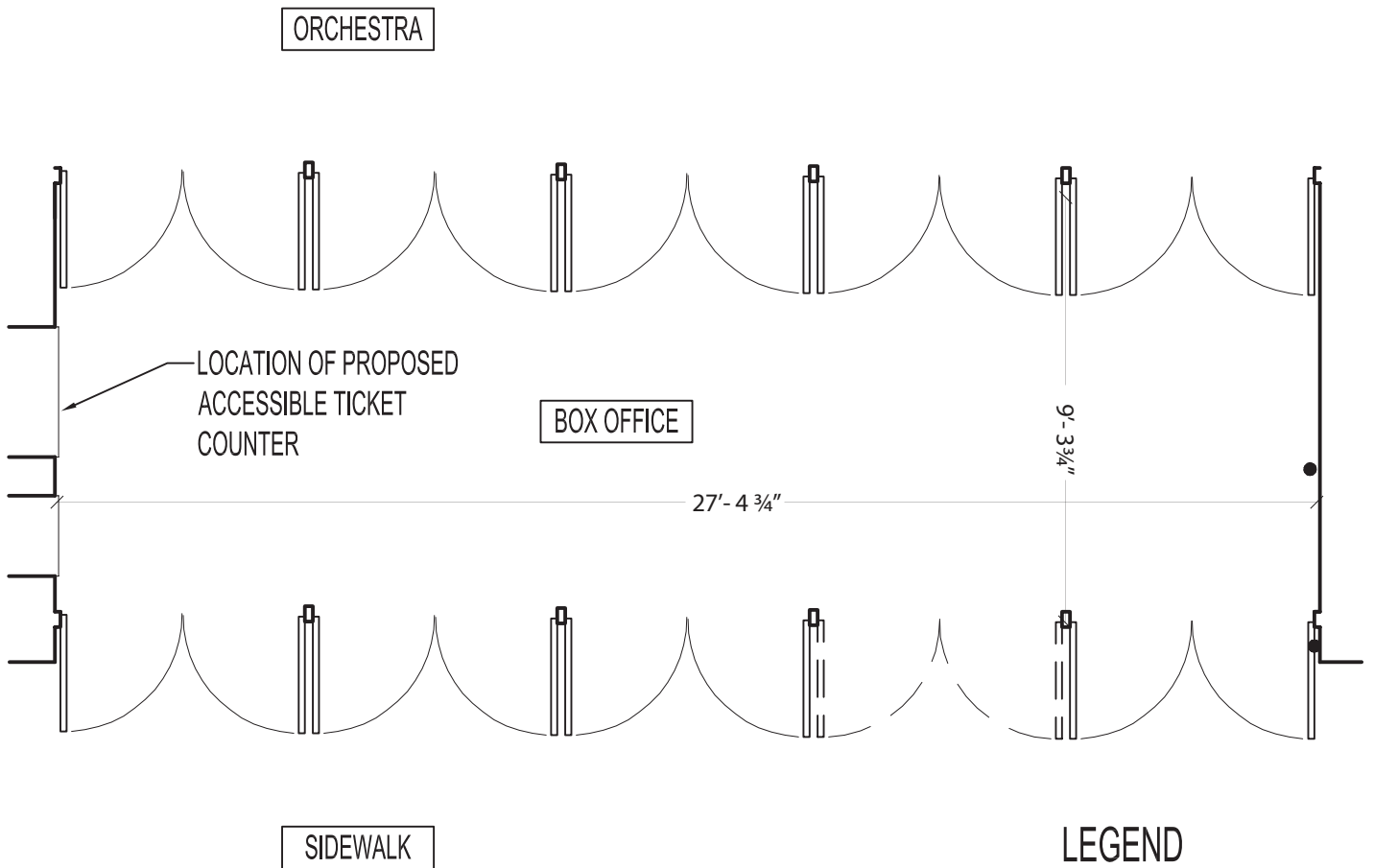


EXISTING CONDITIONS
N.T.S

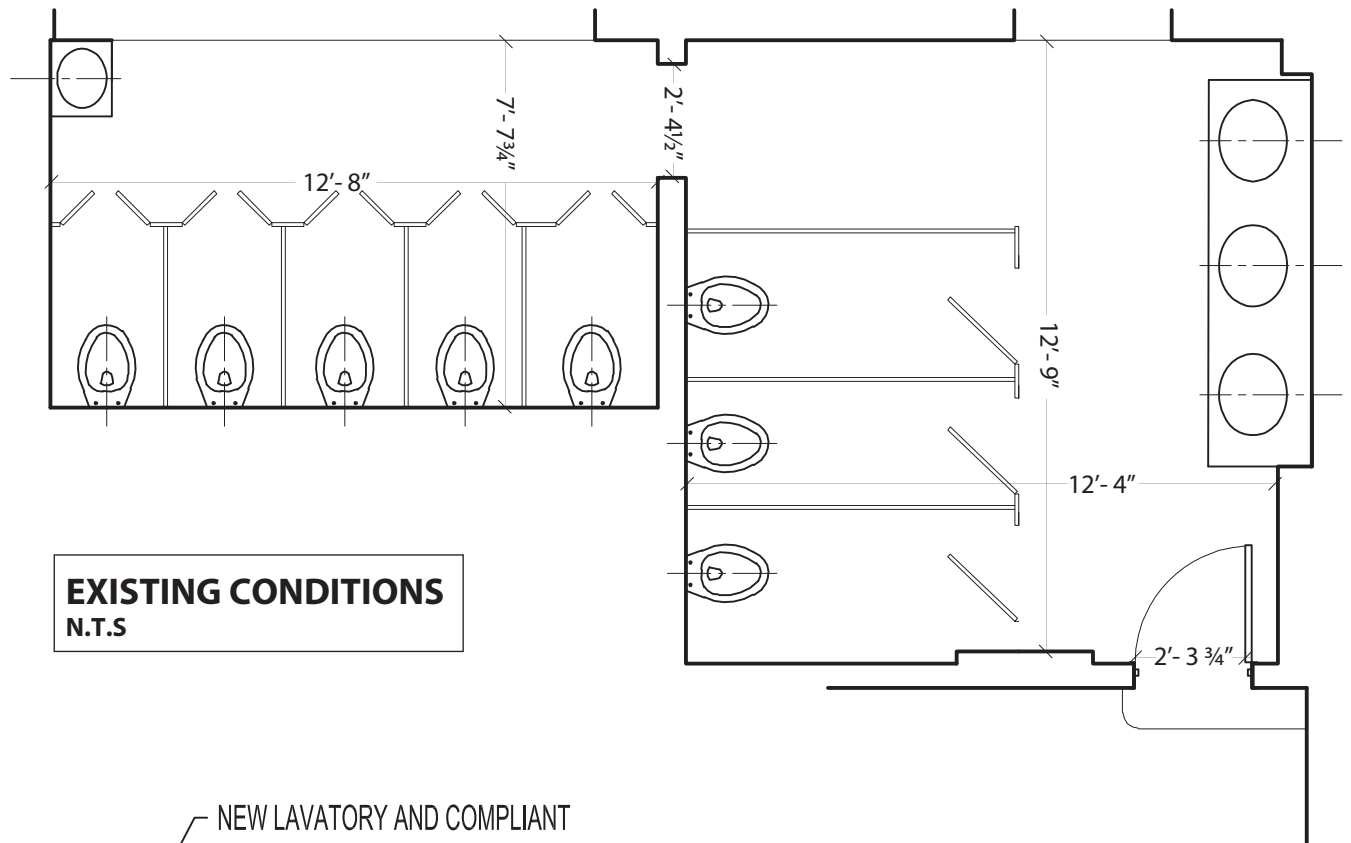


PROPOSED MODIFICATIONS
N.T.S

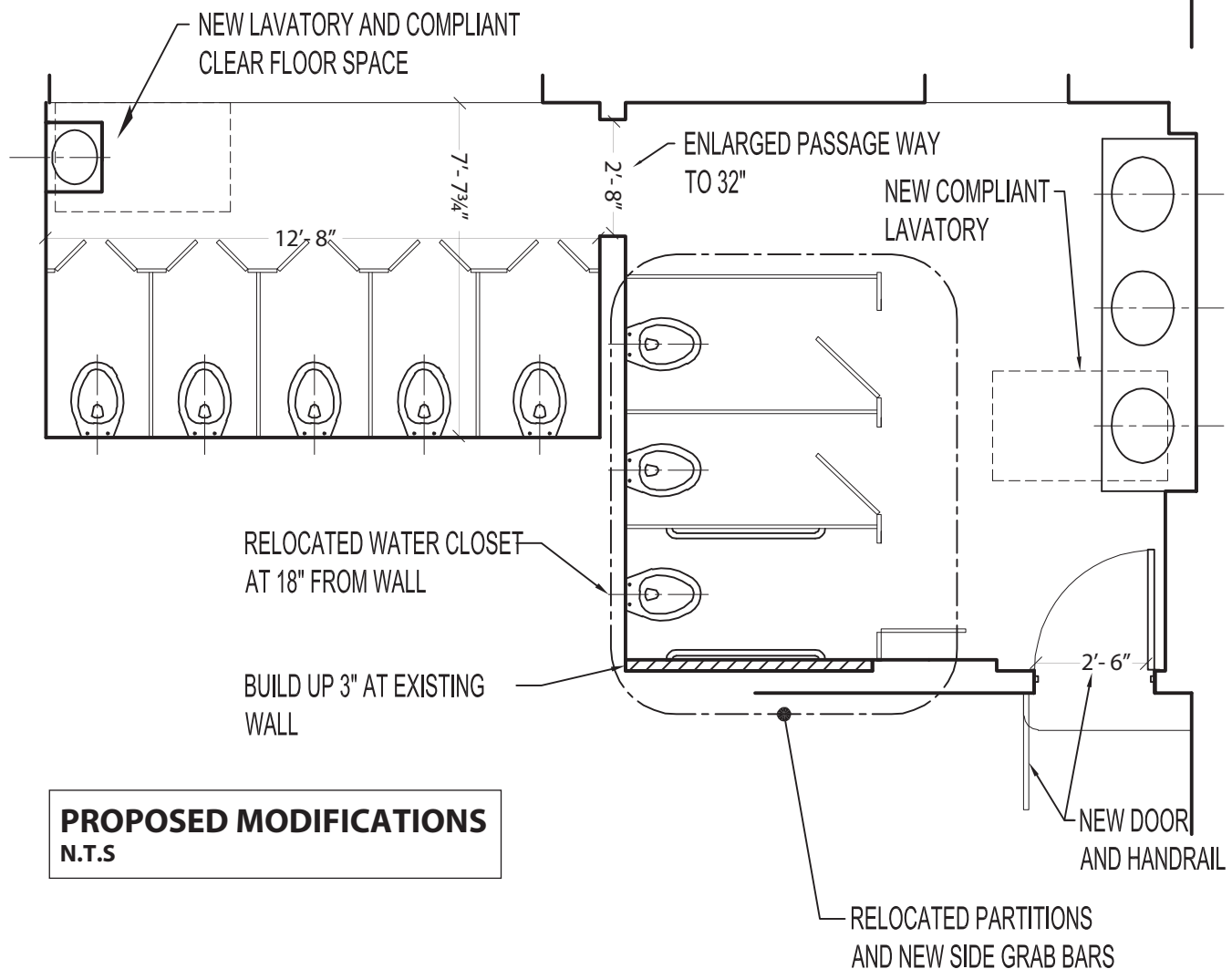
1. BROOKS THEATER
ORCHESTRA LEVEL ACCESSIBLE TOILET ROOM PLAN



1. BROOKS THEATER
BOX OFFICE/ENTRANCE PLAN



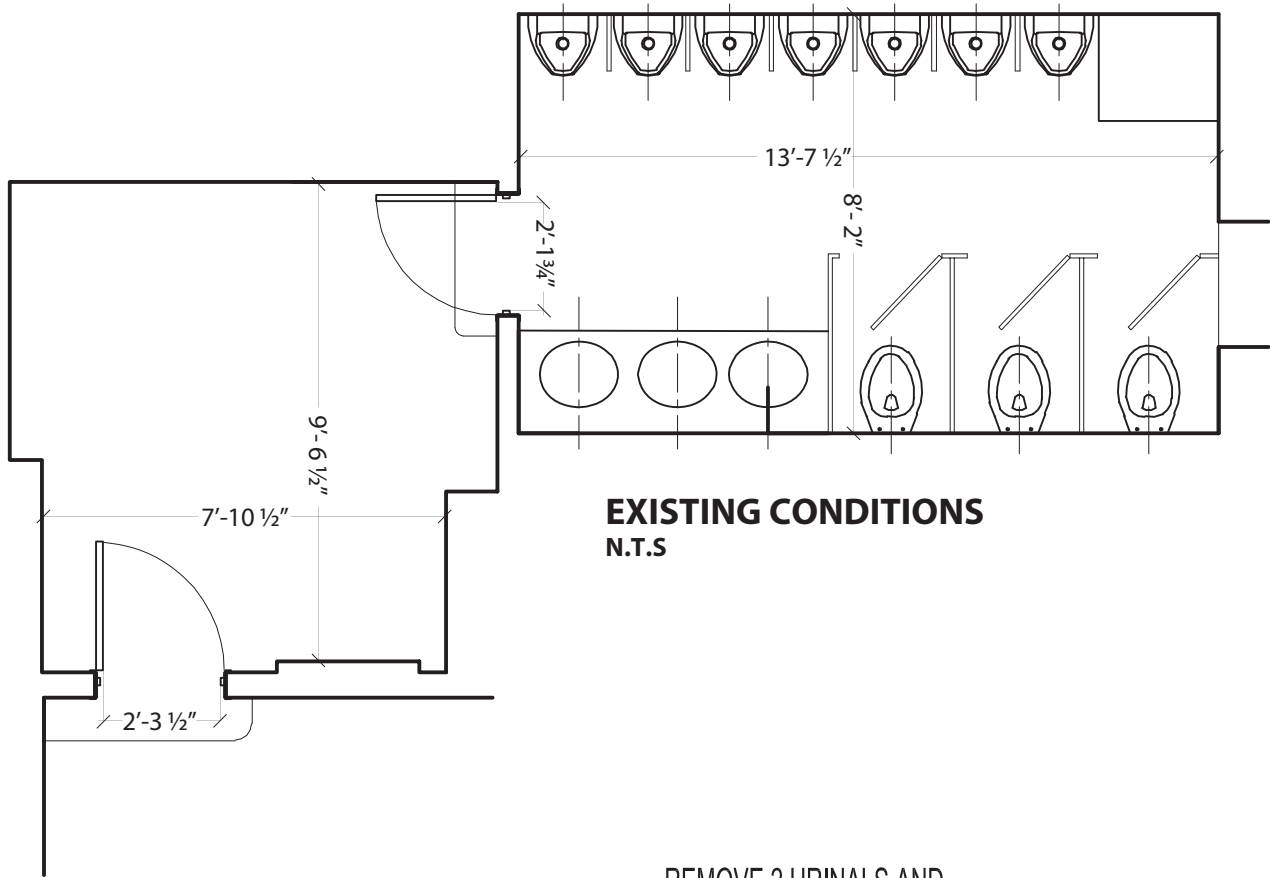
EXISTING CONDITIONS
N.T.S



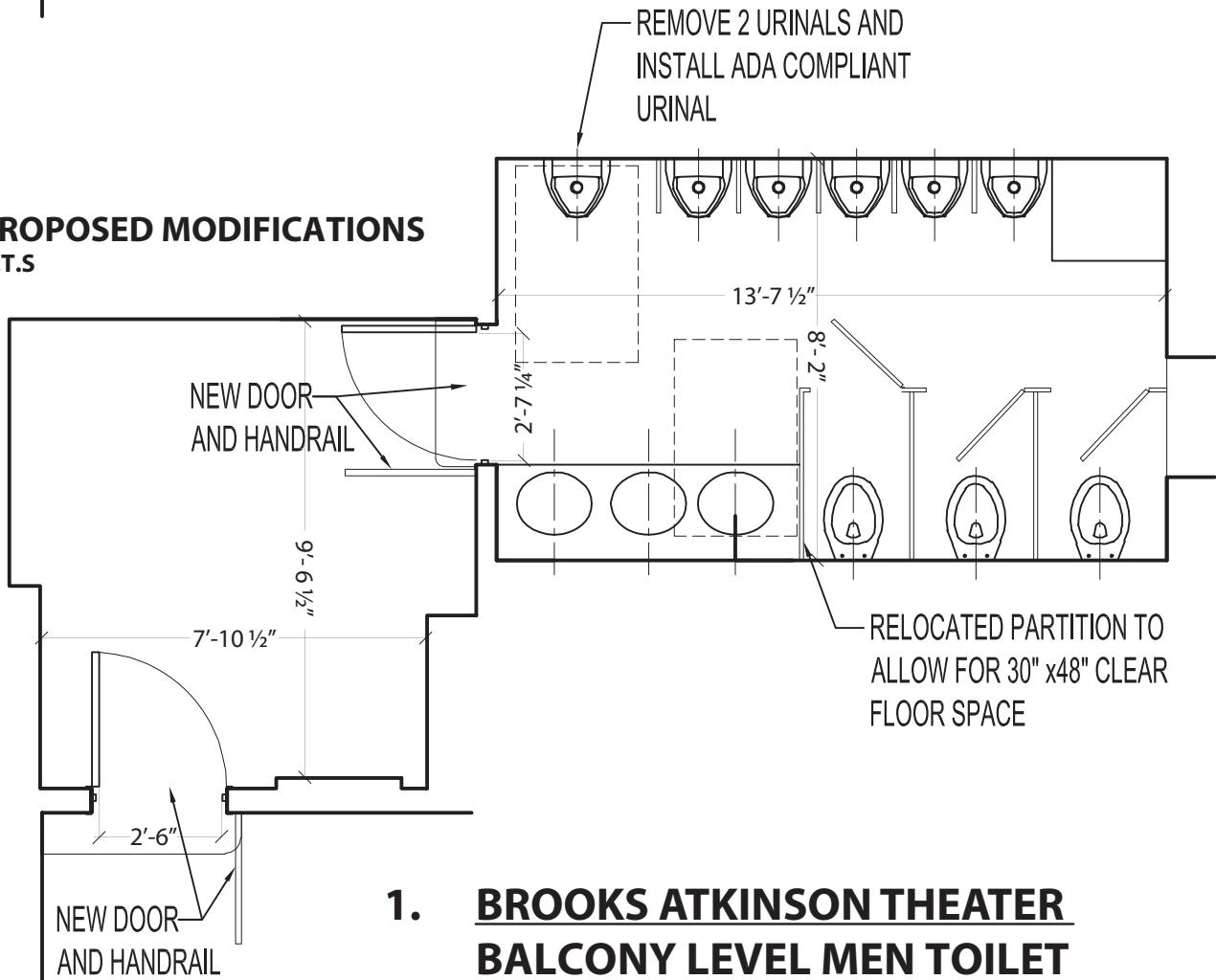
PROPOSED MODIFICATIONS
N.T.S

1. BROOKS ATKINSON THEATER
BALCONY LEVEL WOMEN TOILET ROOM PLAN

DWG **1A.2**



PROPOSED MODIFICATIONS
N.T.S



**1. BROOKS ATKINSON THEATER
BALCONY LEVEL MEN TOILET
ROOM PLAN**

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
1	Balcony Level	The concession bar is 44" AFF and has no lower section.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant will provide accessible counter.
2	Men's Toilet Room (Balcony Level)	The mirror is at 54" AFF.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant mirror.
4	Men's Toilet Room (Balcony Level)	There is one step up into the lounge through a 29" clear width door.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7), Fig. 24	Defendant will provide compliant door as far as readily achievable, at 30".
5	Men's Toilet Room (Balcony Level)	There is a second step into the toilet room from the lounge through a 26" clear width door which is held open with a hook.	Clearance width less than 32" at doorway.	4.13.5 4.1.3(7), Fig. 24	Defendant will provide compliant passageway.
6	Men's Toilet Room (Balcony Level)	There are 7 urinals between very narrow (18" average width) partitions.	Clearance width less than required in front of urinal (29" or 30" minimum or 36" minimum if in alcove 24" deep).	4.1.3(11) 4.22.5 4.18.3 4.2.4	Defendant will provide compliant width.
7	Men's Toilet Room (Balcony Level)	None are accessible height.	Urinal(s) is(are) provided but there is not an accessible urinal.	4.1.3(11) 4.22.5 4.18.3	Defendant will provide accessible urinals.
8	Men's Toilet Room (Balcony Level)	Entrance to toilet room is up one step from main balcony level without compliant handrails.	Toilet room lounge is not on an accessible route.	4.1.3(1) 4.1.3(3) 4.1.3(4) 4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will provide compliant handrails.
9	Men's Toilet Room (Balcony Level)	Entrance to toilet room from lounge is up a second step from main balcony level without compliant handrails.	Toilet room is not on an accessible route.	4.1.3(1) 4.1.3(3) 4.1.3(4) 4.1.3(7)(c) 4.3.2(3) 4.3.8	Defendant will provide compliant handrails.
10	Men's Toilet Room (Balcony Level)	Signage is mirrored.	Existing signage does not have nonglare finish.	4.1.3(16)(a) 4.30.5	Defendant will provide compliant signage.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
11	Men's Toilet Room (Balcony Level)	Faucet handles require grasping, twisting, and 10-20 pounds of force to operate.	Faucet controls require more than 5 pounds of force and grasping, pinching, or twisting to operate.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.
12	Men's Toilet Room (Balcony Level)	There are 3 stalls which are approximately 54" deep x 29" wide, none of which have grab bars.	No accessible toilet stall.	4.1.3(11) 4.22	Accessible toilet is provided at Orchestra Level; Defendant will provide signage directing users to that toilet.
13	Men's Toilet Room (Balcony Level)	There are three lavatories that do not provide any knee space. Rims are at 36" AFF.	The counter mounted lavatory rim is above 34" AFF and has no knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
14	Men's Toilet Room (Balcony Level)	The door requires 8 pounds of force to open. This door is binding in its frame and does not close.	The main toilet room entry door is non fire-rated and requires more than 5 pounds of force to open.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door.
15	Men's Toilet Room (Balcony Level)	Public pay telephone is 64" AFF with side approach only.	The operable parts of the public pay telephone are outside reach range (48" AFF maximum for forward approach and 54" AFF maximum for parallel approach).	4.1.3(17) 4.31 4.30.7 Fig. 44 4.2.4 4.2.5 4.2.6 4.4	Defendant will remove pay telephone.
16	Men's Toilet Room (Balcony Level)		There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
17	Men's Toilet Room (Balcony Level)	The drinking fountain in the men's lounge is 40" AFF to the spout outlet. The control is located at the top of the drinking fountain at the back side.	There is only one drinking fountain on this floor and it does not meet the requirement to provide service to people who use wheelchairs as well as to those who have problems bending or stooping.	4.1.3(10)(a) 4.15 Fig.27a	Defendant will provide compliant drinking fountain.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
18	Men's Toilet Room (Balcony Level)	The paper towel dispenser is out of reach at 54" AFF in corner above lavatory counter.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height.
19	Stairs to Balcony Level	Handrails at stairs do not extend. There are mirror image stairs at the other side of the back of orchestra level seating.	Handrail top extension(s) < 12" and/or bottom extension(s) < 1 tread width at 12".	4.1.3(4) 4.2.4(2) 4.4 Fig. 19 c & d	Defendant will provide handrails extension in compliance with means of egress width requirements.
20	Women's Toilet Room (Balcony Level)	The feminine products dispenser in the adjoining toilet room is 56" AFF to the coin slot and the control requires grasping.	Accessory is mounted outside of reach range and control is not accessible.	4.1.3(11) 4.22.7 4.27.3	Accessible accessories, dispenser and controls will be provided.
21	Women's Toilet Room (Balcony Level)	The mirror is mounted at 48" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant mirror.
22	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	The mirror is mounted at 45" AFF to the bottom of the reflecting surface in the adjoining toilet room.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant height of mirror.
23	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	Adjacent connected toilet room is accessed through a 28" framed opening.	Clearance width is less than 32" at cased opening.	4.13.5 Fig. 24	Defendant will provide compliant clearance width.
24	Women's Toilet Room (Balcony Level)	Toilet room is up 2 steps without compliant handrails through a 29" clear width door.	Toilet Room is not on an accessible route and entrance door has less than 32" of clear width. Steps serving level not served by an accessible route do not have compliant handrails.	4.13.5 4.1.3(7) Fig. 24	Defendant will provide compliant door as far as readily achievable, at 30", with handrails.
25	Women's Toilet Room (Balcony Level)	Signage is mirrored.	Existing signage does not have nonglare finish.	4.1.3(16)(a) 4.30.5	Defendant will provide compliant signage.
26	Women's Toilet Room (Balcony Level)	Faucets require grasping, twisting, and 7 pounds of force to operate.	Faucet controls require more than 5 pounds of force and grasping, pinching, or twisting to operate.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
27	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	There are 3 stalls at 48" deep, none of which are accessible or have grab bars. There is an adjoining toilet room which has 5 additional stalls, none of which are accessible or have grab bars. These stalls are 48" deep. One of these stalls is 26" wide, three are 29" wide, and one is 33" wide.	There is no accessible toilet stall.	4.1.3(11) 4.22	Defendant will provide an accessible alternate stall.
28	Women's Toilet Room (Balcony Level)	The lavatories have no knee space, countertop rim is 36" AFF.	The counter mounted lavatory rim is above 34" AFF and has no knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
29	Women's Toilet Room (Balcony Level)	Toilet room door requires 21 pounds of force at point where door is binding in the frame and 3 pounds for remaining travel to open position.	The door requires more than 5 pounds of force to open.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door.
30	Women's Toilet Room Adjoining Toilet Room (Balcony Level)	Lavatories in the adjoining toilet room provide 27" AFF knee space at front edge and 24" AFF at 8" back with the rim at 31" AFF.	The wall hung lavatories have less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
31	Women's Toilet Room (Balcony Level)		There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
32	Women's Toilet Room (Balcony Level)	The paper towel dispenser is 49" AFF above a 16" deep round waste receptacle.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of dispenser.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

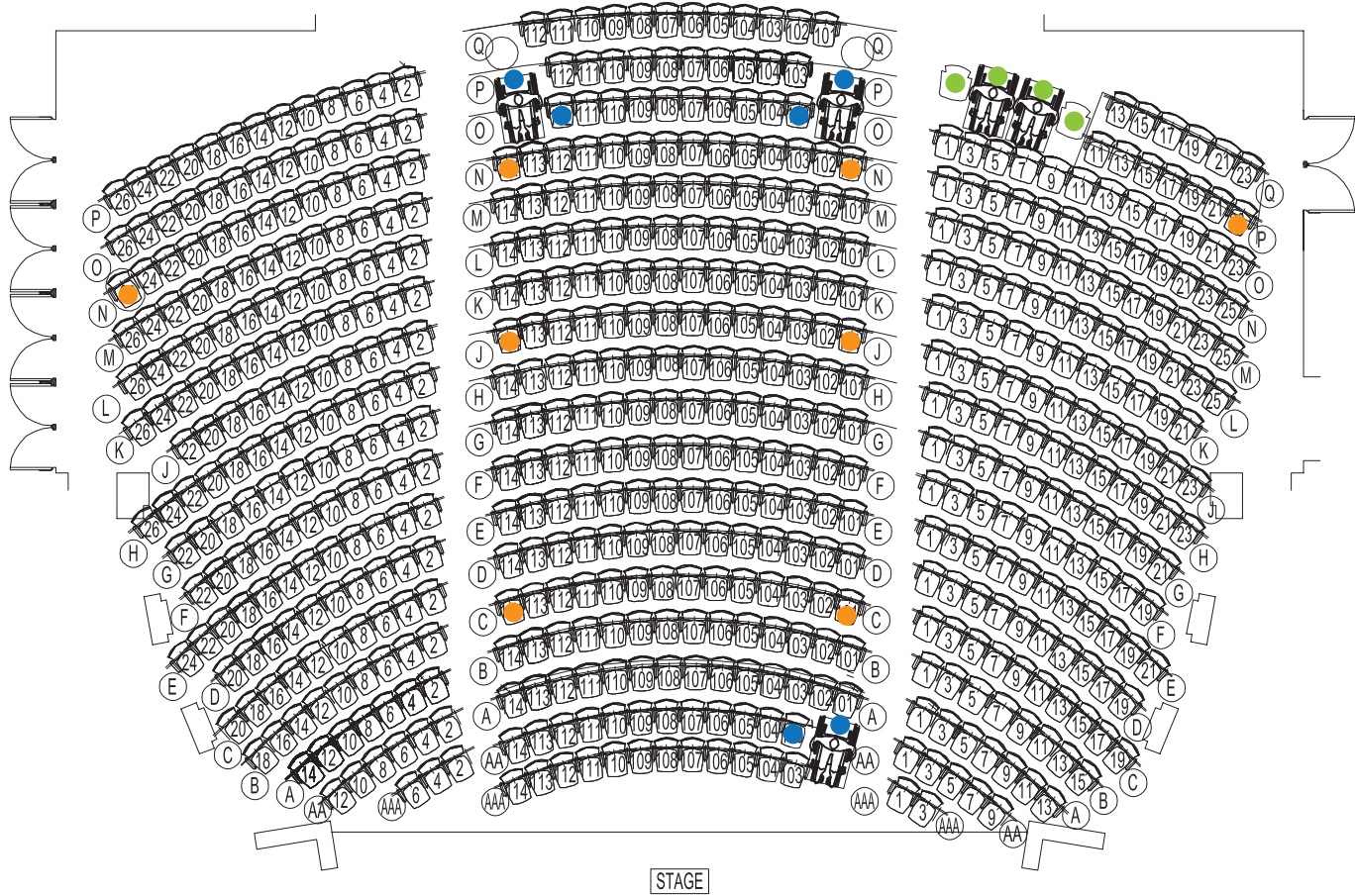
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
33	Women's Toilet Room Adjoining Toilet Room (Balcony Level)	The paper towel dispenser is 55" AFF. Although some paper towels are also stacked on the window sill at 35" AFF, that does not provide equivalent facilitation.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of dispenser.
34	Box Office	There are 5 pairs of 31" wide doors that provide only 28" clear width at the main entry.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7) Fig. 24	Automatic doors have been provided during course of investigation.
35	Box Office	Exit door #4 between theatre & box office has no center mullion and, therefore provides 54" clear width when both doors are open (still insufficient width with only one door open). The panic hardware is 33" AFF and the clear width between the panic bars is 44" with both doors open.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7) Fig. 24	The entrance to, and the exit from, the theater is through the alleyway east of the Box office, where theater personnel are at all times located to assist the public.
36	Box Office	There is no folding armrest signage.	No signage is provided at the ticket office notifying patrons of the availability of seating with folding or removable armrests.	4.1.3(19)(a)	Defendant will provide compliant signage.
37	Box Office		No signage is provided at the ticket office notifying patrons of the availability of an assistive listening system.	4.1.3(19)(b) 4.33 4.30.7, Fig. 43(d)	Defendant has provided ALS, and will continue to do so. Defendant shall post signage advising patrons of the availability of ALS.
38	Box Office	The ticket sales counters are 41" AFF and 44" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant will provide compliant ticket counter.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
39	Building	There are no visual alarm signaling devices in this building.	There is no obvious alarm system in the building. If building has an audible alarm system, visual signaling devices are required.	4.1.3(14)	Visual alarms are not permitted in this facility.
40	Building	There are no raised letter and Braille signs where required (exits, entrance to auditorium, toilet rooms, etc.).	Raised letter and Braille signs are not provided in all places required by the ADA Standards (including, at least, all emergency exits, toilet rooms, and numbered rooms)	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
41	Orchestra Level (Exit #8)	Exit door #8 has a 2.5" drop in the direction of travel.	Exit route is not accessible due to a step at the door.	4.5.2	Defendant will provide compliant floor transition at Exit #8.
42	Orchestra Level (Accessible Toilet Room)	Toilet room is 61" deep from wall adjacent to water closet to lavatory wall. This leaves less than 30" clear between front edge of lavatory and side of water closet and far less than the 60" required in an alcove placement.	Toilet room is 61" deep from wall adjacent to water closet to lavatory wall. This leaves less than 30" clear between front edge of lavatory and side of water closet and far less than the 60" required in an alcove placement.	4.2.4 4.19.3	Defendant will provide compliant clearance.
43	Orchestra Level (Accessible Toilet Room)	The rear grab bar is 24" long, located 8" from the side wall.	Rear grab bar < 36" long and is not within 6" of side wall.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig.30	Defendant will provide compliant rear grab bar.
44	Orchestra Level (Accessible Toilet Room)	The side grab bar is 24" long, located 8" from the rear wall extending to 32" from rear wall instead of 54" minimum. Door and vertical element at side wall complicate solution.	Side grab bar is less than 42" long.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	Defendant will provide compliant side grab bar, and extend and coordinate grab bar with existing building pipe riser.
45	Orchestra Level (Accessible Toilet Room)	The water closet is 22" from centerline to side wall.	The centerline of the water closet is more than 18" from the side wall.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig.30	Defendant will relocate water closet at compliant distance from the side wall.
46	Orchestra Level (Accessible Toilet Room)	Missing signage.	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

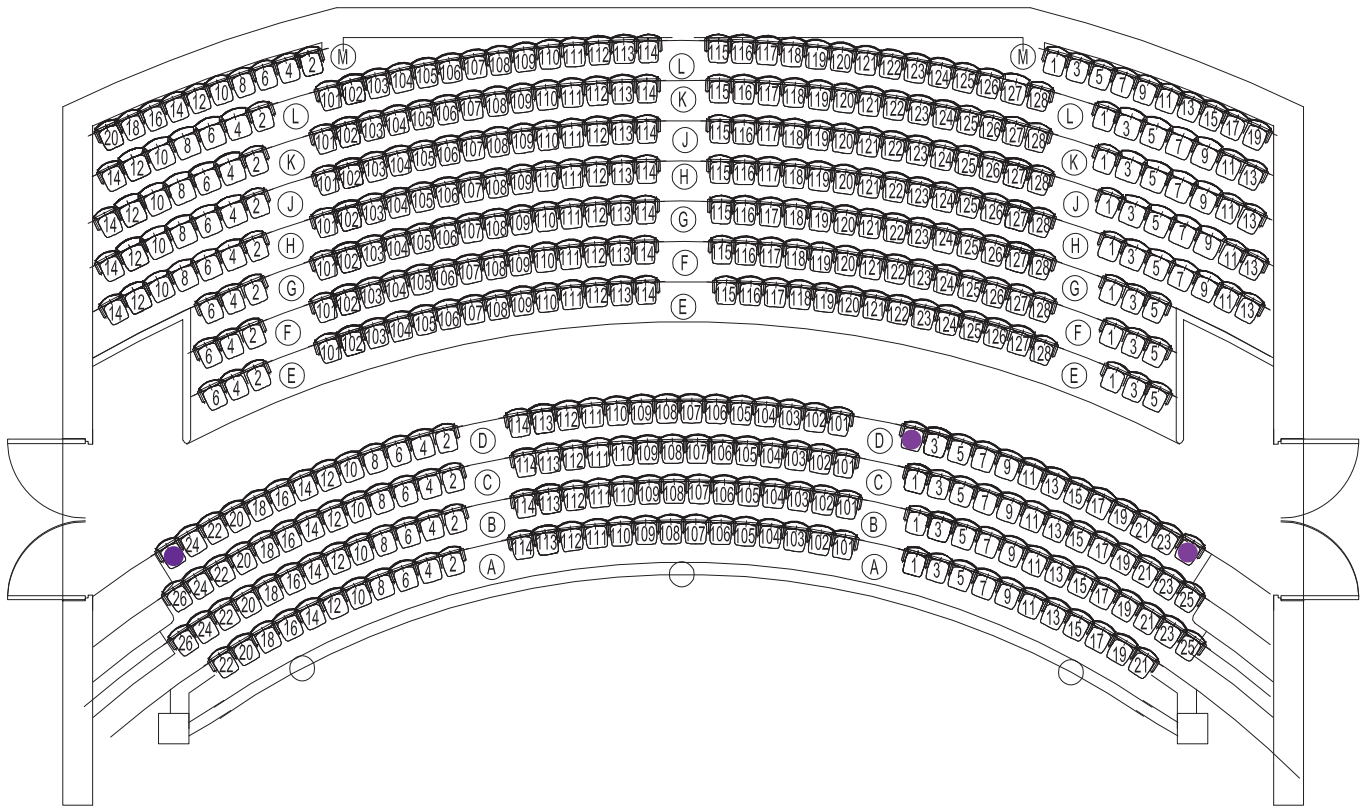
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
47	Orchestra Level (Accessible Toilet Room)	The toilet paper dispenser is located 3" above the side grab bar which blocks access. The current Standards show 18" clear minimum in Figure 39(d). Under New ADAAG, where the dimension is most clearly specified, at least 12" must be maintained.	Toilet paper dispenser obstructs grab bar.	4.26.2 Fig. 39(d) 2010 ADAAG 604.7	Defendant will install compliant toilet dispenser.
48	Orchestra Level (Accessible Toilet Room)	The lavatory rim height is 37" AFF, knee space is 24" AFF.	Wall-mounted lavatory has rim above 34" AFF with less than 29" minimum AFF knee clearance at front and 27" minimum AFF at 8" deep.	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
49	Building	There is no directional signage to the accessible toilet room.	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant will provide compliant signage.
50	Toilet Rooms		Not all toilet fixtures (water closets) are accessible.	4.1.3(11) 4.1.6(3)(e)(i)	Accessible fixtures are provided at each toilet room of the theater.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Brooks Atkinson, 2 wheelchair seating and companion locations, and all 11 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Brooks Atkinson, 2 wheelchair seating and companion locations, and all 11 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 2: Gershwin Theater

Exhibit 2A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, as set forth on Exhibit 2A (i.e., in the same condition as they existed for the Government's inspection conducted on July 20, 2011).

Exhibit 2B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 2A and 2B. In addition, Nederlander shall maintain the wheelchair accessible unisex restroom in the same condition as set forth on Exhibit 2B (i.e., as it existed for the Government's inspection conducted on July 20, 2011) and shall also (i) provide signage, including Braille signage, indicating the location of the restroom; (ii) reinstall the mirror to comply with the Standards; (iii) extend the grab bar to comply with Standards § 4.16; and (iv) reinstall the towel dispenser as required by Standards § 4.27.3.

Exhibit 2C: Seating

Nederlander shall implement the seating plan attached hereto as Exhibit 2C.

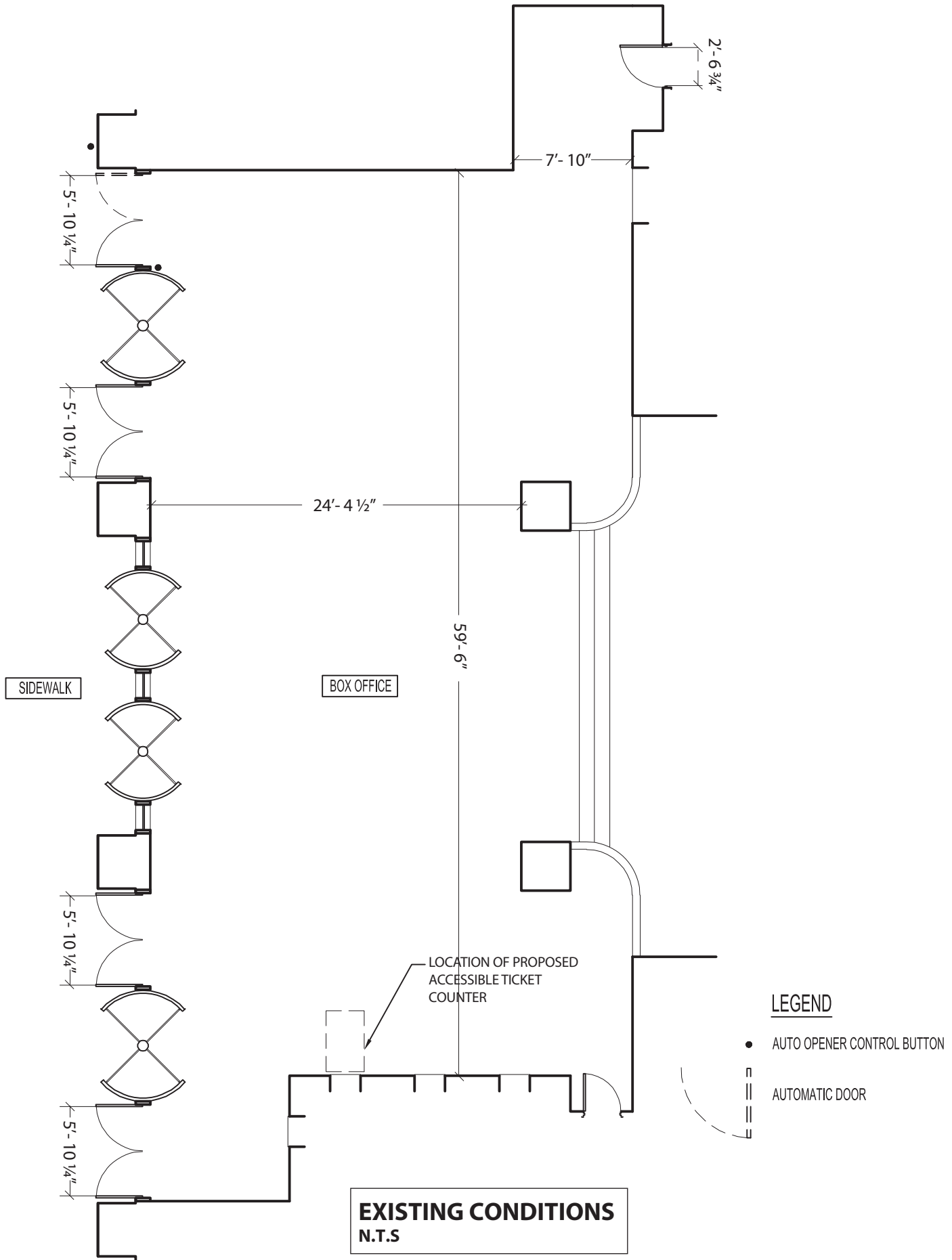
Wheelchair and Companion Seating:

1. Nederlander shall maintain the four existing wheelchair and companion seating locations on the Orchestra level at ZZ13, ZZ15, ZZ14, and ZZ16, with ZZ11, ZZ17, ZZ12, and ZZ18 being companion seating locations.

2. Nederlander shall add four wheelchair seating locations, at Orchestra ZZ1/ZZ3, and ZZ2/ZZ4, and at Front Mezzanine at D31 and D32, with Orchestra ZZ5 and ZZ6, and Front Mezzanine D29 and D30 being companion seating locations.

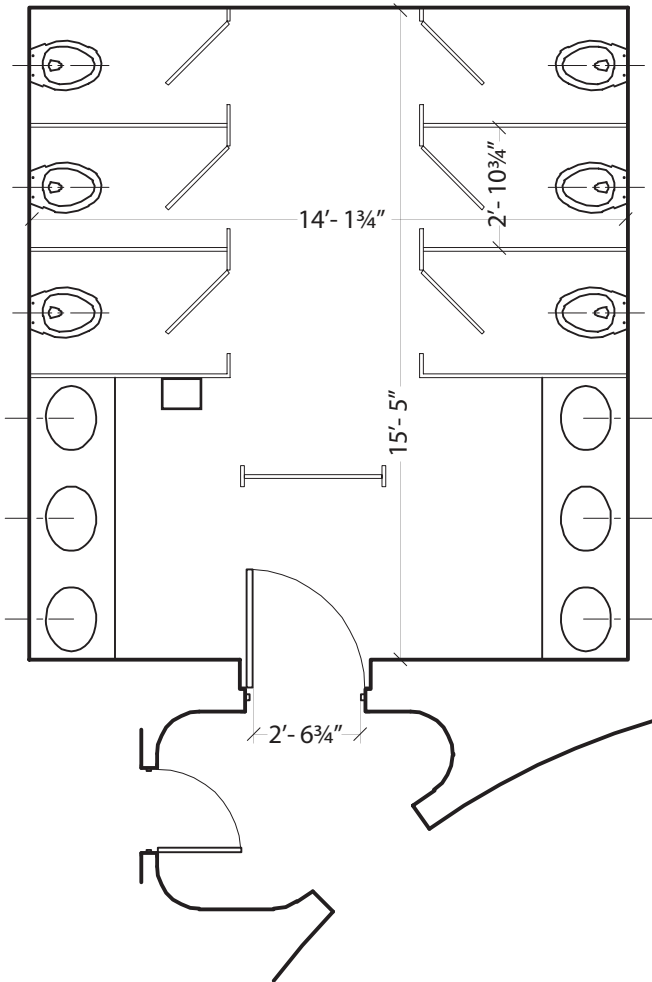
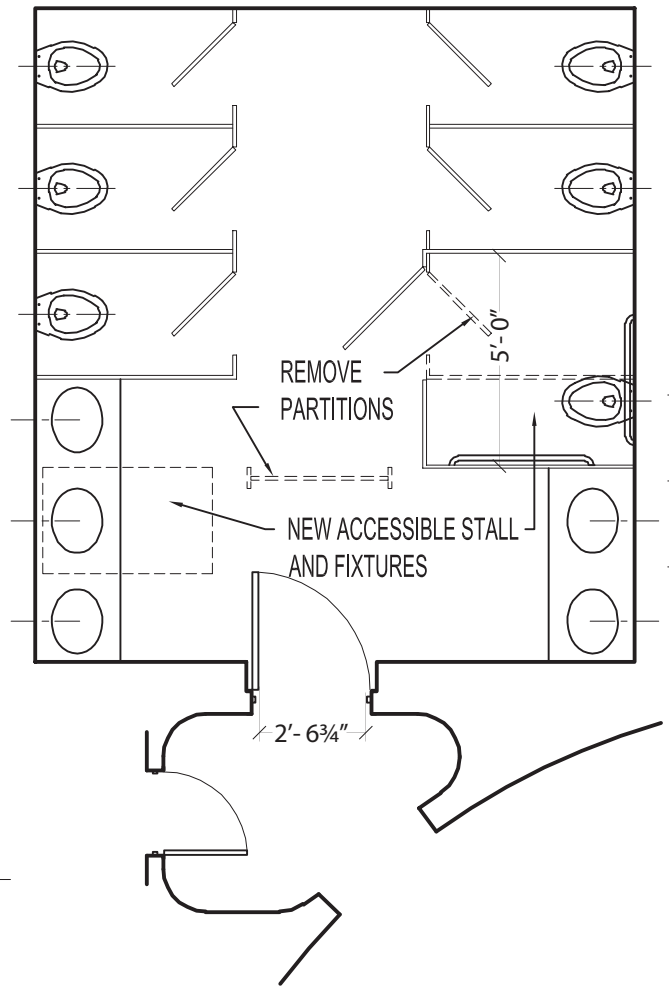
Aisle Transfer Seats:

3. Nederlander shall add eighteen aisle transfer seating locations at Orchestra BB1, BB118, A101, A2, E118, K101, N1, N35, N2, N36, Q35, Q36, and at Front Mezzanine D2, C118, E101, and E116, and at Rear Mezzanine J33, and J34.



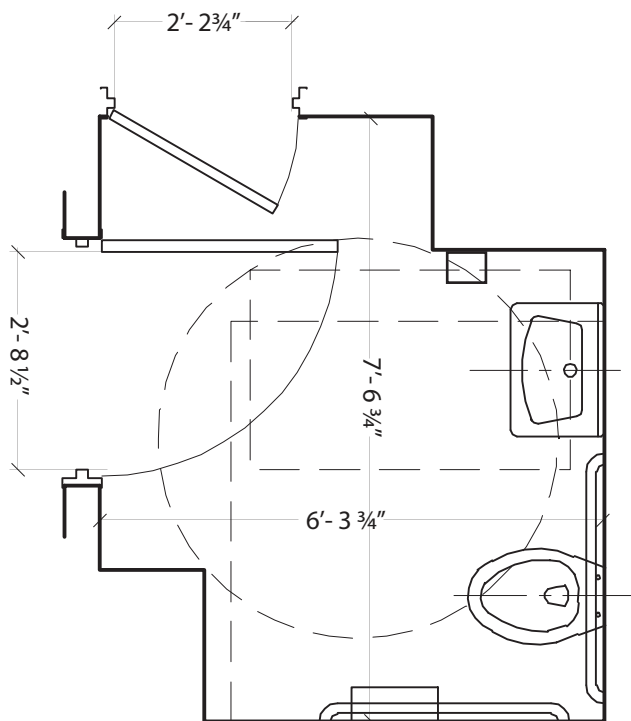
2. GERSHWIN THEATER BOX OFFICE PLAN

PROPOSED MODIFICATIONS
N.T.S



EXISTING CONDITIONS
N.T.S

2. GERSHWIN THEATER
SOUTH ROTUNDA - WOMEN'S TOILET ROOM PLAN

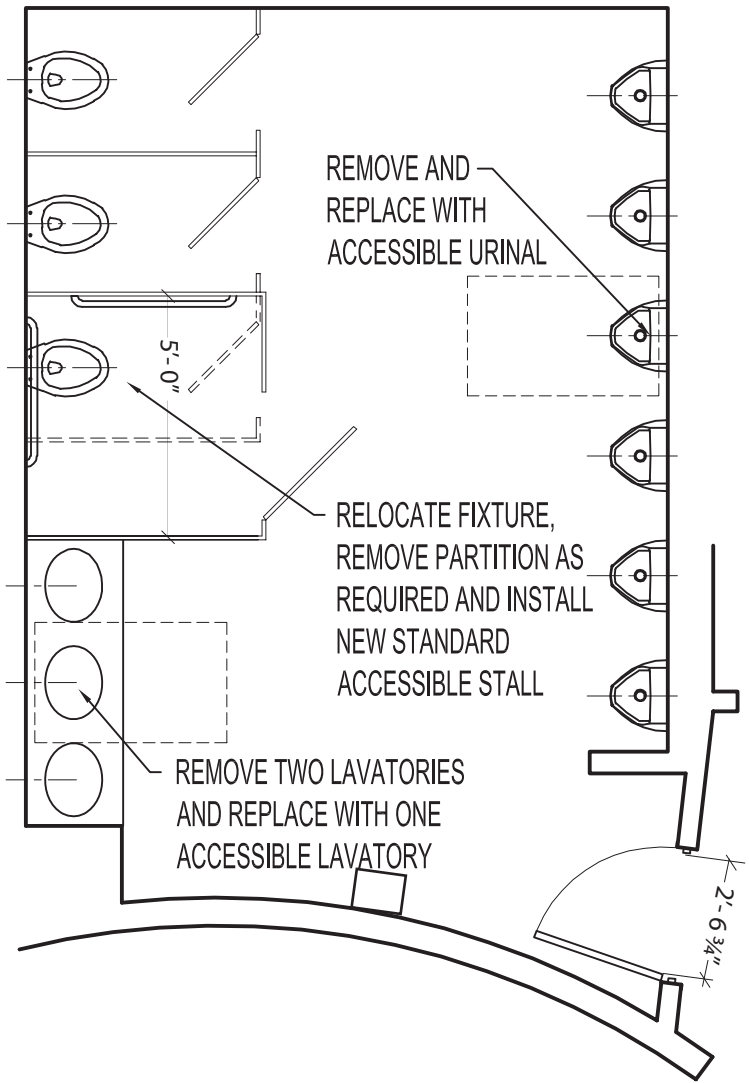
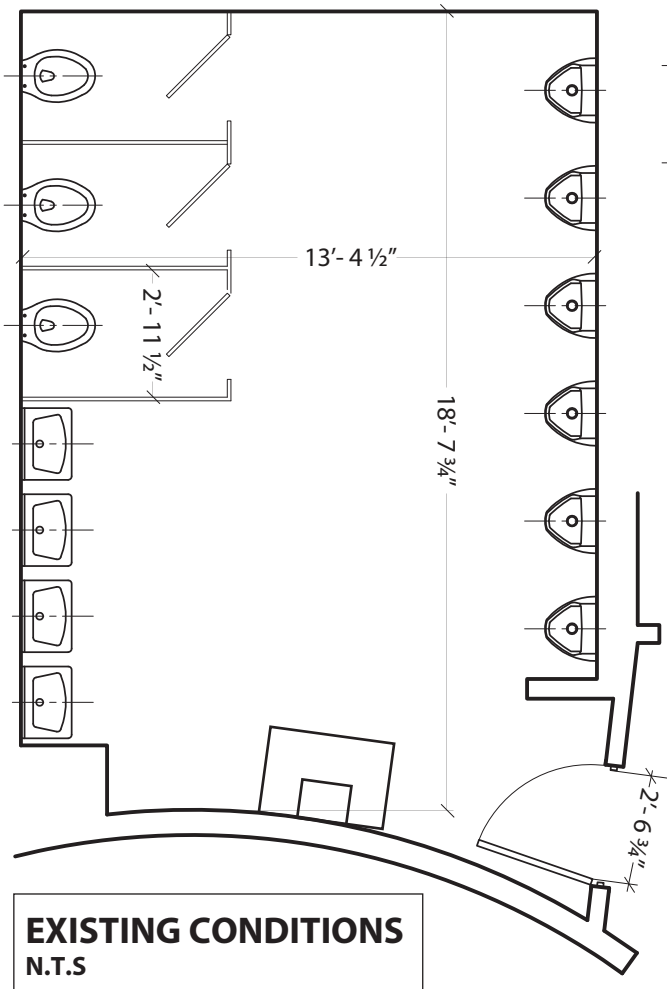


EXISTING CONDITIONS
N.T.S

2. GERSHWIN THEATER

NORTH ROTUNDA - ACCESSIBLE TOILET ROOM PLAN

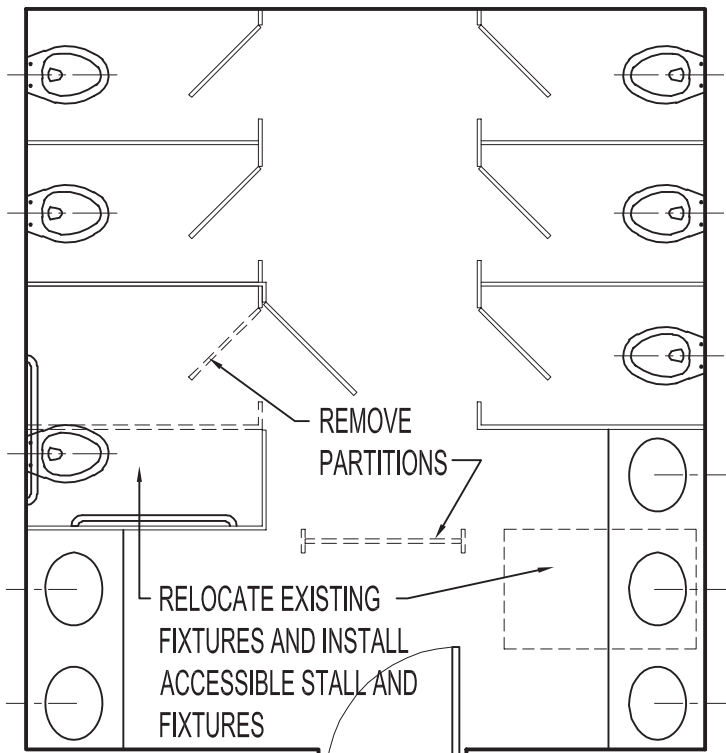
DWG **2A.3**



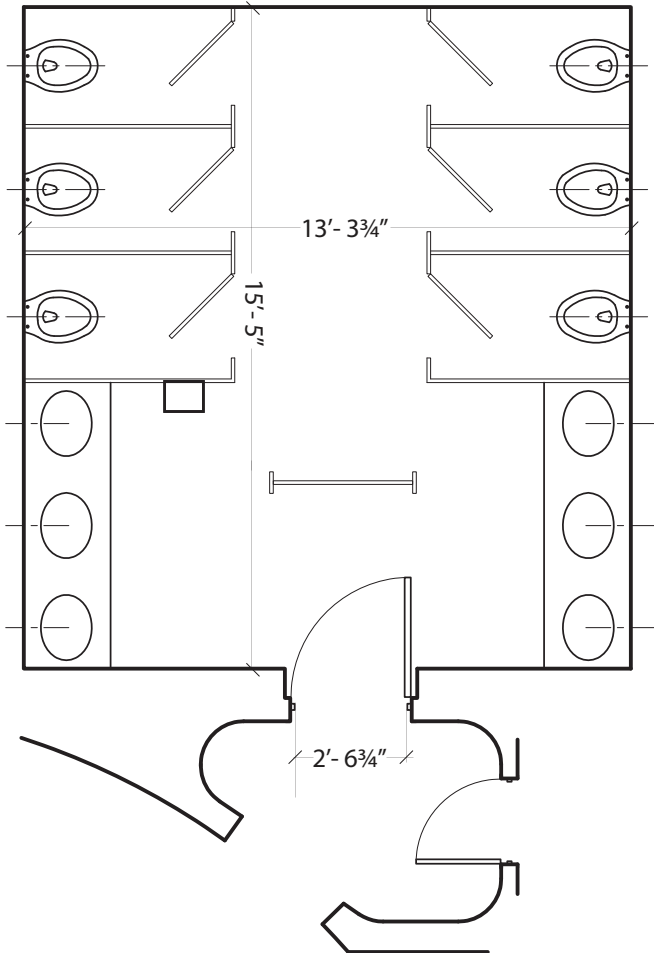
PROPOSED MODIFICATIONS
N.T.S

2. GERSHWIN THEATER
SOUTH ROTUNDA - MEN'S TOILET ROOM PLAN

PROPOSED MODIFICATIONS
N.T.S



EXISTING CONDITIONS
N.T.S



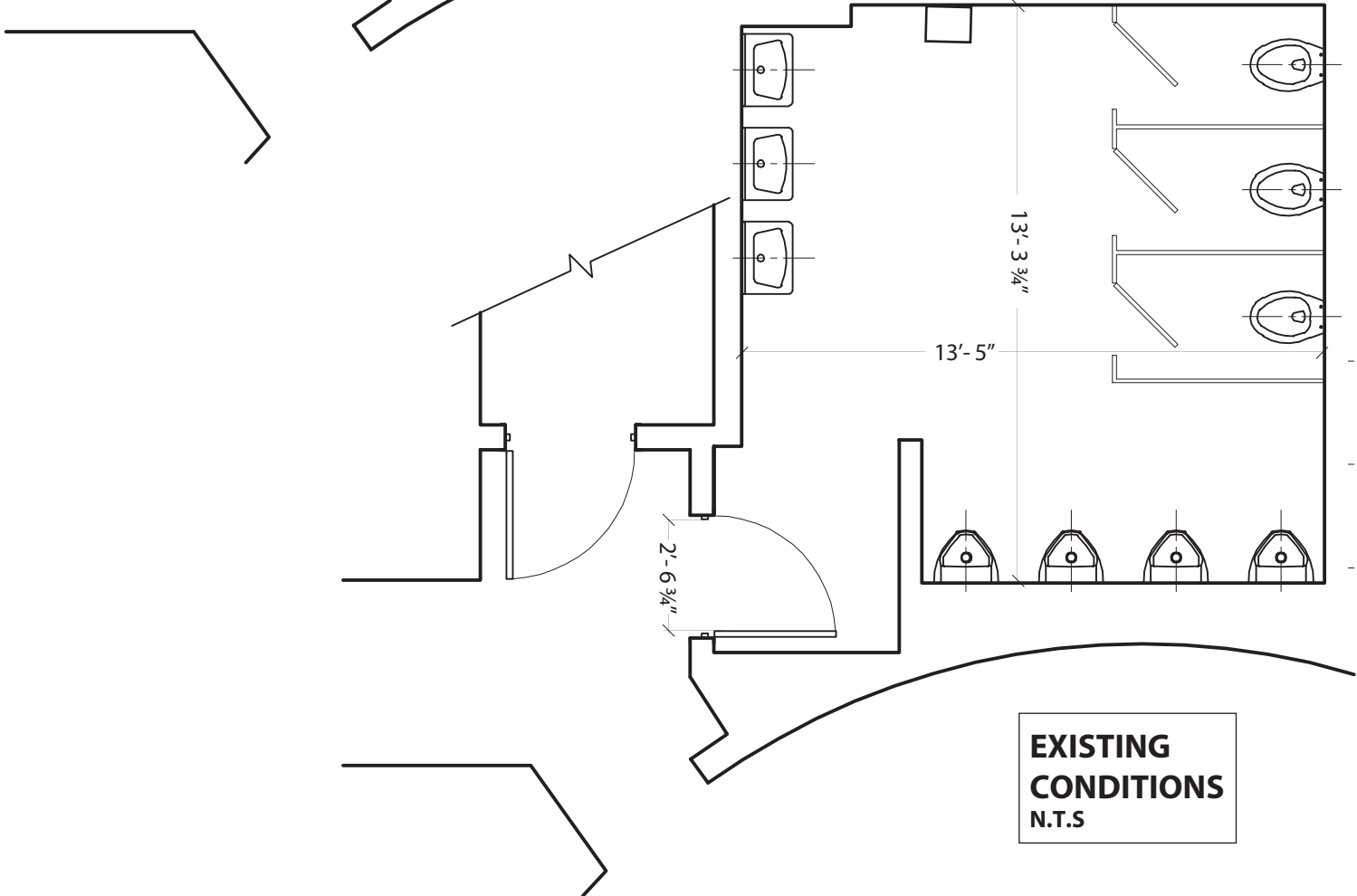
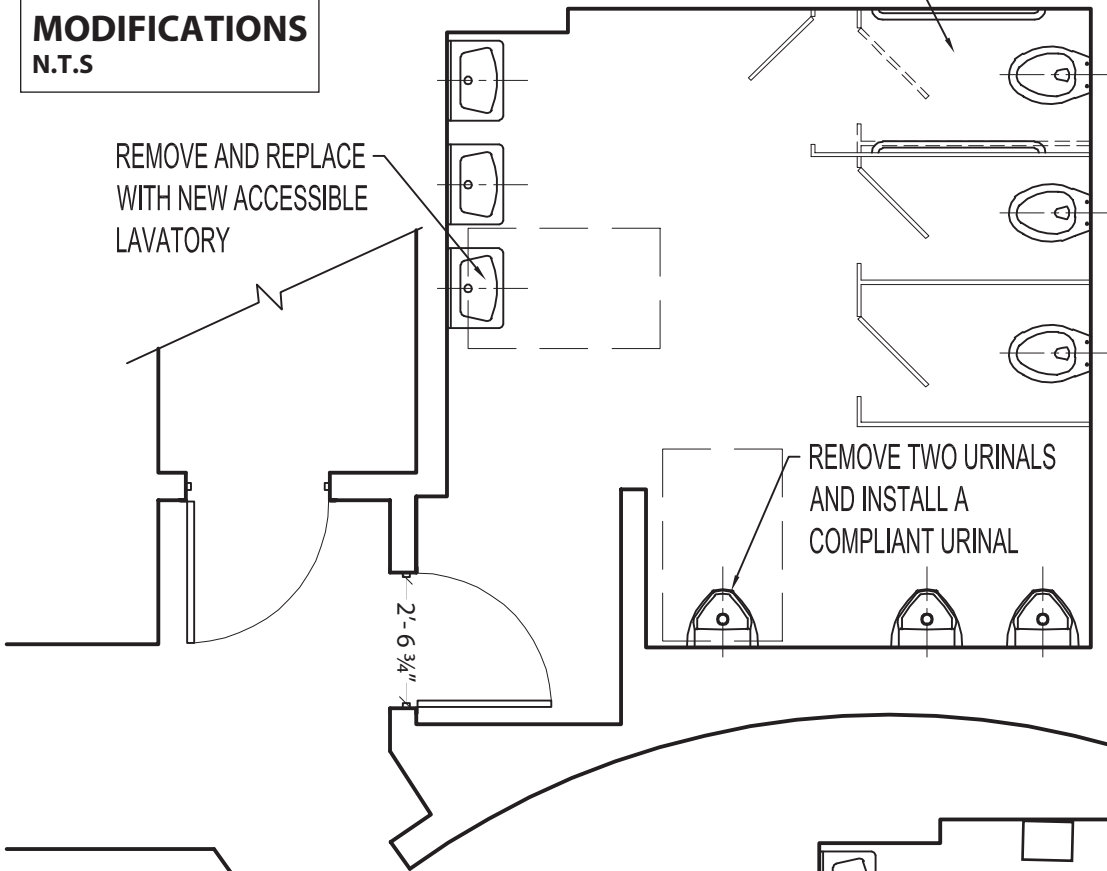
2. GERSHWIN THEATER
NORTH ROTUNDA - WOMEN TOILET ROOM PLAN

**PROPOSED
MODIFICATIONS
N.T.S**

REMOVE PARTITION AS REQUIRED AND
INSTALL NEW AMBULATORY STALL

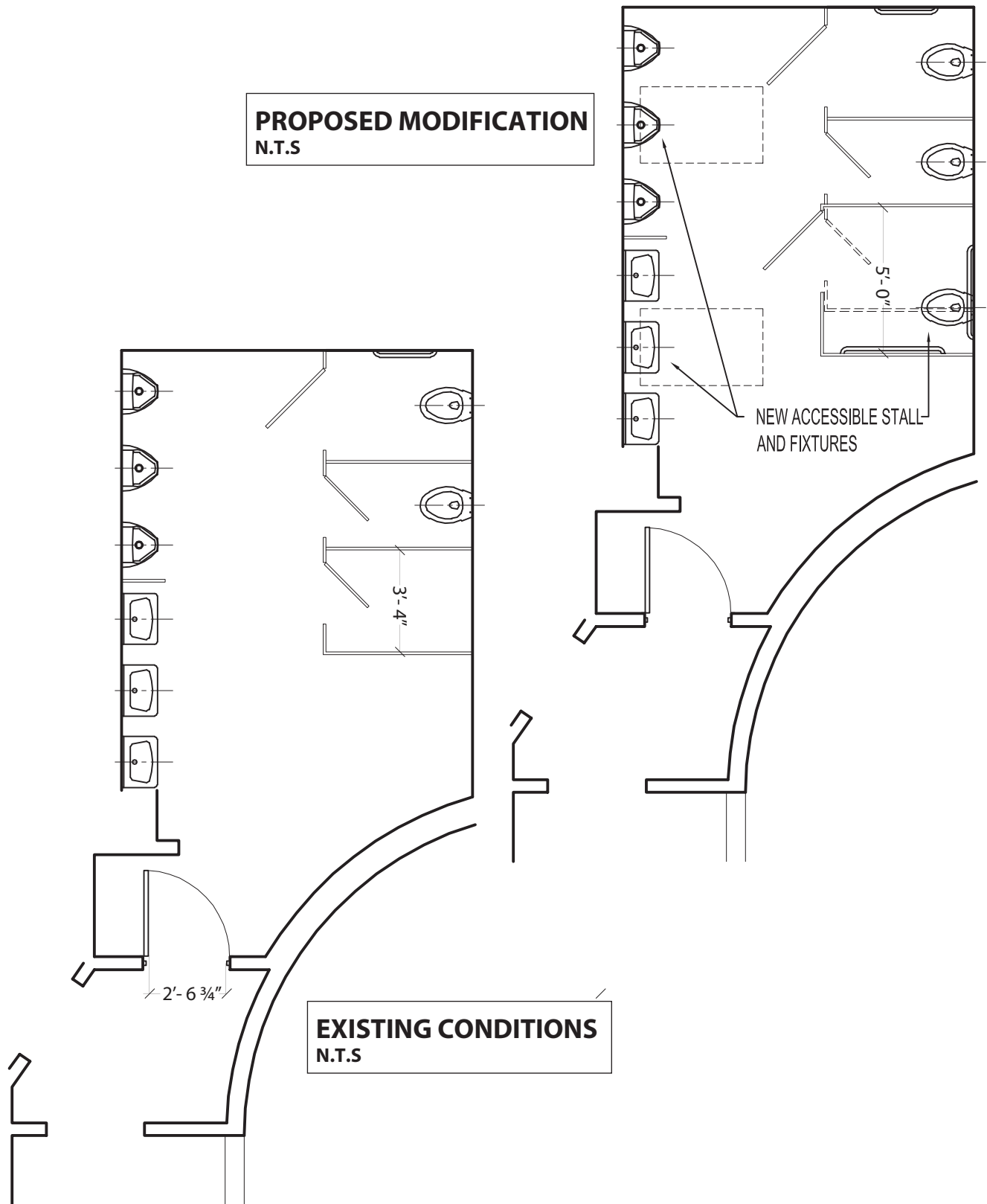
REMOVE AND REPLACE
WITH NEW ACCESSIBLE
LAVATORY

REMOVE TWO URINALS
AND INSTALL A
COMPLIANT URINAL

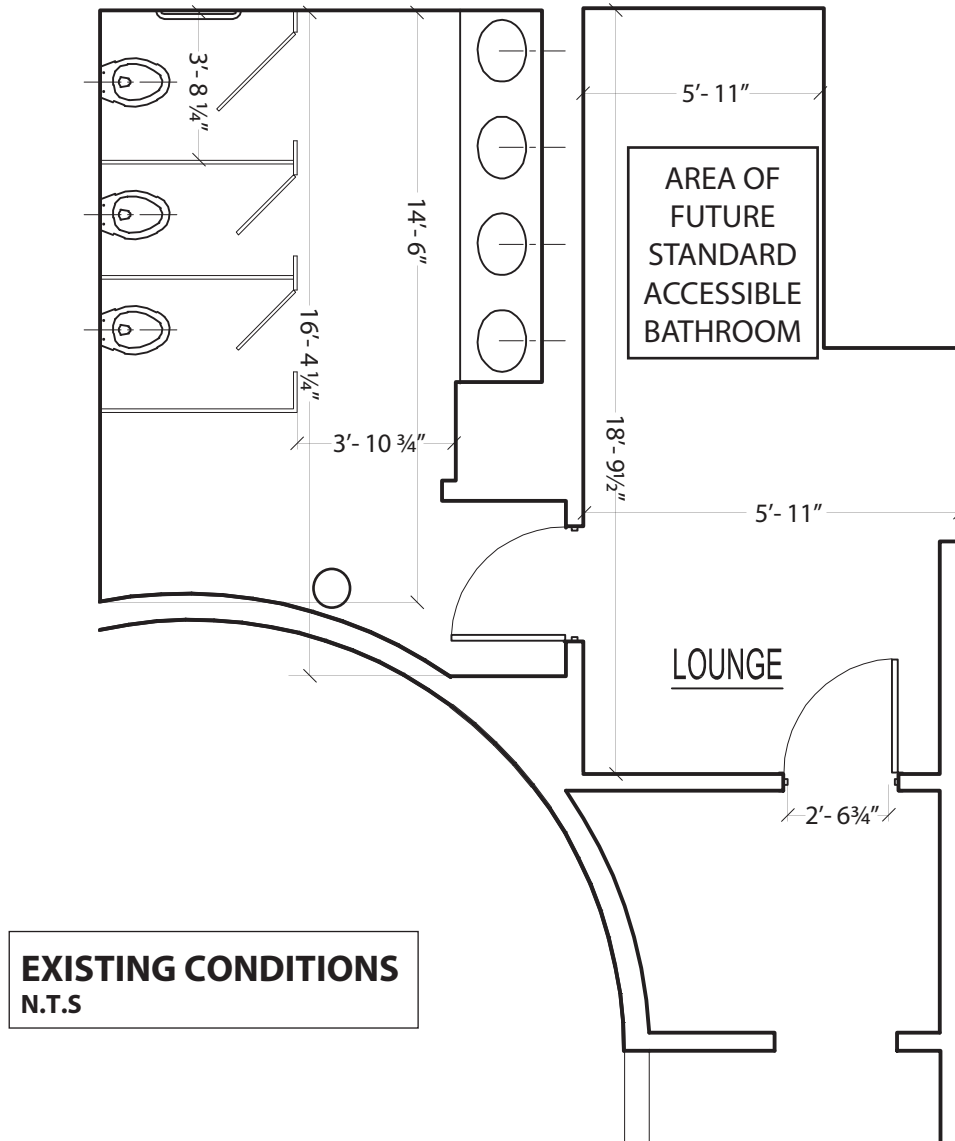


**EXISTING
CONDITIONS
N.T.S**

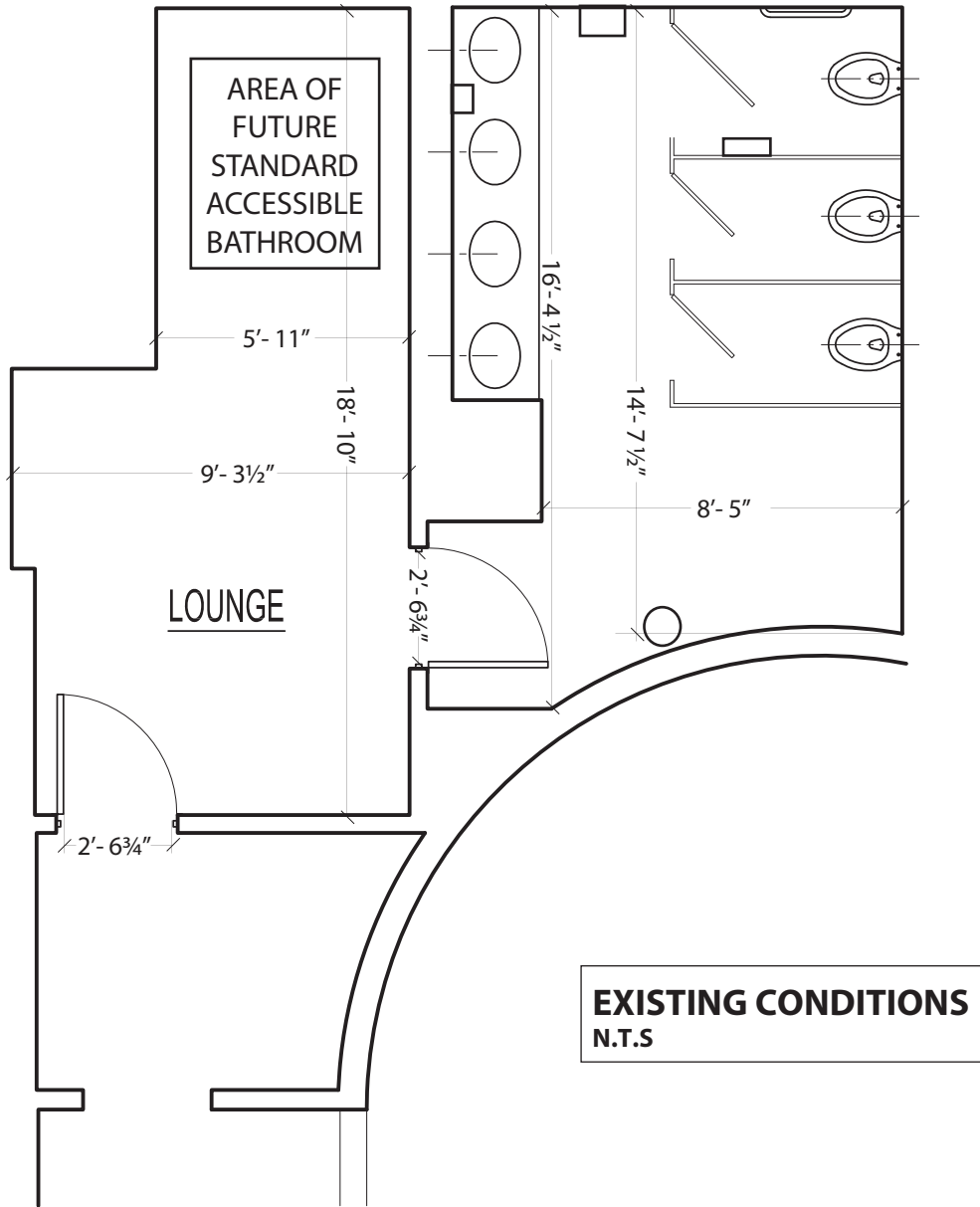
**2. GERSHWIN THEATER
NORTH ROTUNDA - MEN'S TOILET ROOM PLAN**



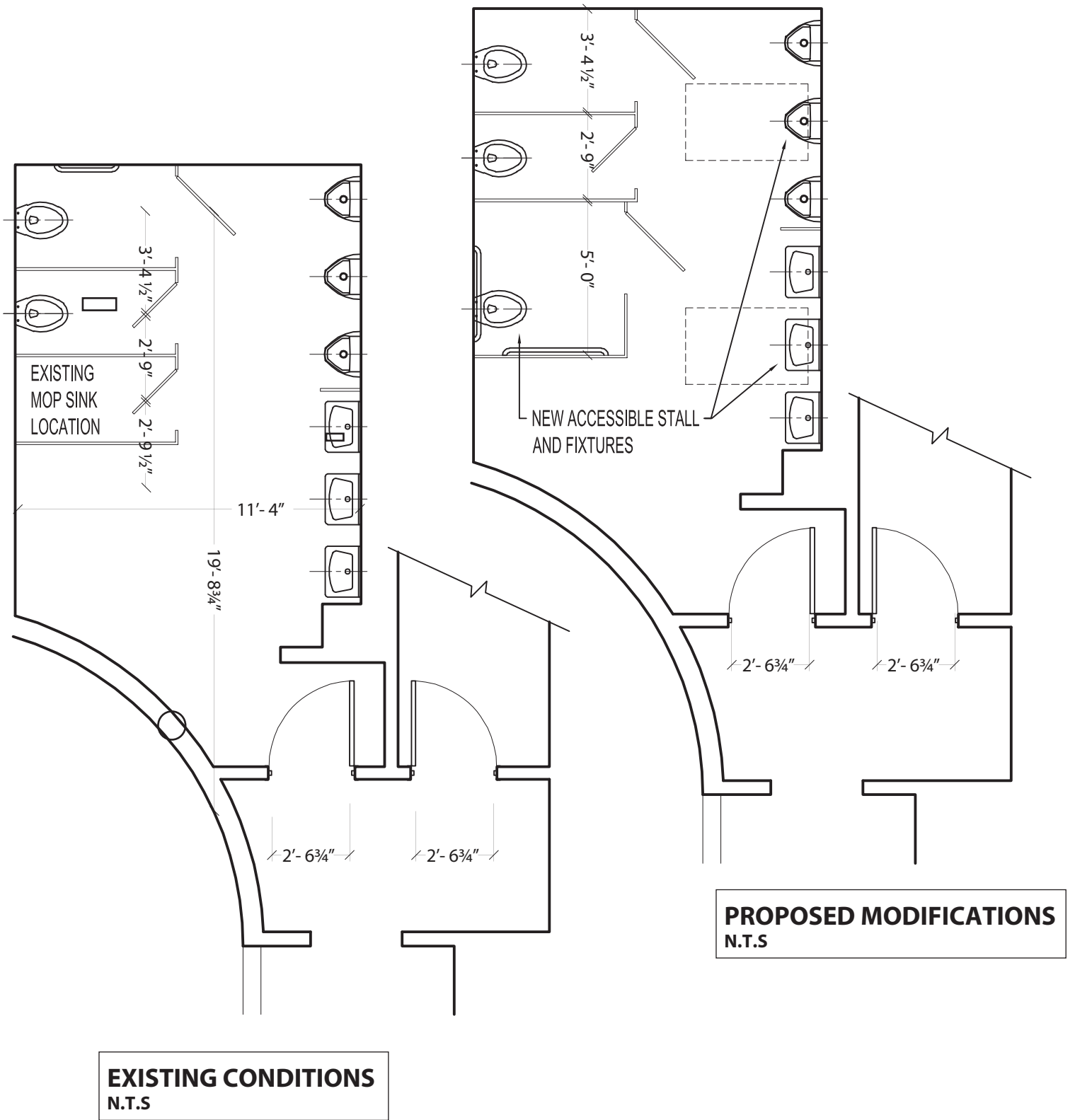
**2. GERSHWIN THEATER
4TH FLOOR SOUTH - MEN TOILET ROOM PLAN**



**2. GERSHWIN THEATER
4TH FLOOR SOUTH - WOMEN MULTI-USER TOILET ROOM PLAN**



**2. GERSHWIN THEATER
4TH FLOOR NORTH - WOMEN MULTI-USER TOILET ROOM PLAN**



**2. GERSHWIN THEATER
4TH FLOOR NORTH - MEN TOILET ROOM PLAN**

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
1	Elevator Car	Elevator emergency communication system is not accessible; the doors below the call buttons are locked.	Emergency communications equipment within this new control panel must be capable of being accessed with less than 5 pounds force, and without tight grasping, pinching, or twisting of the wrist.	4.10.14	Defendant has provided a control panel during the course of the investigation.
2	Elevator Car	Existing car position indicator does not give an audible signal or verbal announcement as car passes or stops at each floor.	Install a new compliant car position indicator with audible signal.	4.10.13	Defendant has provided a compliant car position indicator during the course of the investigation.
3	Elevator Car	There are no raised characters and Braille on the control panel. Emergency and stop buttons are at 62" AFF. 4th floor call button on the control panel is at 55" AFF.	Coordinate requirements for control panel, including location, height, layout, and graphic symbols.	4.10.12 Fig. 23(b)	Requested modifications have been provided during the course of the investigation.
4	Fourth Level (Elevator Lobby)	Elevator hall call button is 53" AFF and is blocked by stacks of Playbills.	Relocate hall call buttons at required height. Repair/refinish as needed. Relocate Playbills so that they do not obstruct the call buttons.	4.10.3 Fig. 20	Hall call buttons have been relocated at required height during the course of the investigation and Playbills removed.
5	Fourth Level (Elevator Lobby)	The telephone at the elevator is 59" AFF to the highest operable part (the coin slot), does not provide volume control, and protrudes 13" into the circulation path at 32" AFF.	Remove the existing phone and replace with a compliant phone. Coordinate with clear floor space, reach range, and protruding object requirements.	4.1.3(17) 4.31.2 4.31.3 4.31.4 4.31.5 4.31.6 4.31.7 4.31.8 4.30.7	Telephone will be removed.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
6	Fourth Level (Lobby)	The bar in the center of the fourth floor lobby is 41.5" AFF. There is an adjacent section 37.25" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route. Repair/refinish as needed.	7.2(2) 4.3	Defendant will provide a compliant counter of each type.
7	Fourth Level (Women's Multi-user Toilet Room, North)	The door from the lounge to the toilet room is 34" wide and provides 31" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10 4.13.11	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
8	Fourth Level (Women's Multi-user Toilet Room, North)	The main entry door is 34" wide and provides 31" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will provide compliant door.
9	Fourth Level (Women's Multi-user Toilet Room, North)	Door hardware requires tight grasping, pinching, and/or twisting of the wrist to operate.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide compliant hardware.
10	Fourth Level (Women's Multi-user Toilet Room, North)	Door hardware requires tight grasping, pinching, and/or twisting of the wrist to operate.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
11	Fourth Level (Women's Multi-user Toilet Room, North)	The pull side maneuvering clearance width is 6.5".	Alter existing walls and/or relocate existing door and frame to obtain required maneuvering clearances.	4.13.6 Fig. 25(a-f)	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
12	Fourth Level (Women's Multi-user Toilet Room, North)	The wall sconce protrudes into the circulation path 9.25" at 62.5" AFF.	Raise wall sconce to greater than 80" AFF without altering fixture.	4.4.1 Fig.8(a-e)	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
13	Fourth Level (Women's Multi-user Toilet Room, North)	Knee space at the counter mounted lavatories is 26" AFF at the front edge.	Remove the existing lavatory and counter. Install a new compliant counter and reinstall the existing lavatory. Repair/refinish wall as needed.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
14	Fourth Level (Women's Multi-user Toilet Room, North)	This non-fire rated door requires 11 pounds of force to open.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
15	Fourth Level (Women's Multi-user Toilet Room, North)	The soap dispenser is mounted at 54" AFF, 12" deep, side reach.	Relocate the existing soap dispenser within reach range. Repair/refinish wall as needed.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
16	Fourth Level (Women's Multi-user Toilet Room, North)	The threshold at the door from the lounge to the toilet room has a 1/2" vertical rise and is unbeveled on the toilet room side of the threshold.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c,d)	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
17	Fourth Level (Women's Multi-user Toilet Room, North)	The toilet paper dispenser is mounted 41.25" from the rear wall on the side opposite the side grab bar.	Relocate existing compliant toilet paper dispenser as required, ensuring 1 1/2" clearance below grab bar. Repair/refinish wall or partition as needed.	4.16.6 Fig. 29(b) Fig. 30(d)	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
18	Fourth Level (Women's Multi-user Toilet Room, North)	There are 3 stalls in this toilet room, the largest being 41" wide x 63" deep with an inswinging door.	Creation of a compliant standard accessible stall requires removal of existing fixture(s) (check plumbing code). Relocate partition(s) and fixture(s) as required.	4.1.3(11) 4.22	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
19	Fourth Level (Women's Multi-user Toilet Room, North)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
20	Fourth Level (Women's Multi-user Toilet Room, North)	There is no rear grab bar.	Install new compliant rear grab bar. Provide backing in wall as necessary.	4.17.6 Fig. 29 Fig. 30	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
21	Fourth Level (Women's Multi-user Toilet Room, North)	The water closet seat height is 19.25" AFF and it is mounted 19.75" to centerline from the side wall.	Floor-mounted water closet: replace existing water closet with compliant water closet with seat installed 17"-19" AFF and 18" centerline to side wall. Adapt flush control as needed.	4.16.3 Fig. 29(b) 4.16.2 4.17.3 Fig. 28 Fig.30	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
22	Fourth Level (Women's Multi-user Toilet Room, North)	The paper towel dispenser is mounted at 56.5" AFF.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide a compliant women's standard accessible bathroom on fourth level North, adjacent to lounge entrance to women's room on fourth level North.
23	Fourth Level (Women's Multi-user Toilet Room, South)	The main entry door is 34" wide and provides 31" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10	Defendant will provide a compliant door.
24	Fourth Level (Women's Multi-user Toilet Room, South)	The door from the lounge to the toilet room is 34" wide and provides 31" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10 4.13.11	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
25	Fourth Level (Women's Multi-user Toilet Room, South)	Door hardware requires tight grasping, pinching, and/or twisting of the wrist to operate.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
26	Fourth Level (Women's Multi-user Toilet Room, South)	Door hardware requires tight grasping, pinching, accessible, the doors below the call buttons are inaccessible.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
27	Fourth Level (Women's Multi-user Toilet Room, South)	The pull side maneuvering clearance width is 8.5".	Alter existing walls and/or relocate existing door and frame to obtain required maneuvering clearances.	4.13.6 Fig. 25(a-f)	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
28	Fourth Level (Women's Multi-user Toilet Room, South)	The wall sconce protrudes into the circulation path 9" at 53" AFF.	Raise wall sconce to greater than 80" AFF without altering fixture.	4.4.1 Fig. 8 (a-e)	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
29	Fourth Level (Women's Multi-user Toilet Room, South)	The side grab bar is 28.25" AFF, mounted 17" from the rear wall, and is 24" long.	Remove existing side grab bar and install new compliant side grab bar. Ensure that grab bar is mounted 12" maximum from rear wall and extends at least 54" from rear wall (or 52" if in stall).	4.1.3(11) 4.22.4 4.17.6 4.26 Fig.30	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
30	Fourth Level (Women's Multi-user Toilet Room, South)	Knee space at the counter mounted lavatories is 26.25" AFF.	Remove the existing lavatory and counter. Install a new compliant counter and reinstall the existing lavatory. Repair/refinish wall as needed.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
31	Fourth Level (Women's Multi-user Toilet Room, South)	This non-fire rated door requires 10 pounds of force to open and travels from 70° open to within 3" of the latch in 2.22 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
32	Fourth Level (Women's Multi-user Toilet Room, South)	This non-fire rated door requires 10 pounds of force to open and travels from 70° open to within 3" of the latch in 2.5 seconds.	Adjust the existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant will provide a compliant closer and latch.
33	Fourth Level (Women's Multi-user Toilet Room, South)	The soap dispenser is mounted at 54" AFF, 15" deep, side reach.	Relocate the existing soap dispenser within reach range.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
34	Fourth Level (Women's Multi-user Toilet Room, South)	The threshold at the door from the lounge to the toilet room has a 1/2" vertical rise and is unbeveled on the toilet room side of the threshold.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
35	Fourth Level (Women's Multi-user Toilet Room, South)	The toilet paper dispenser is mounted 39.75" from the rear wall on the side opposite the side grab bar.	Relocate existing compliant toilet paper dispenser as required, ensuring 1 1/1" clearance below grab bar. Repair/refinish wall or partition as needed.	4.16.6 Fig. 29(b), Fig. 30(d)	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
36	Fourth Level (Women's Multi-user Toilet Room, South)	There are 3 stalls in this toilet room, the largest being 44" wide x 53" deep with an inswinging door.	Creation of a compliant standard accessible stall requires removal of existing fixture(s). Relocate partition(s) and fixture(s) as required.	4.1.3(11) 4.22	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
37	Fourth Level (Women's Multi-user Toilet Room, South)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
38	Fourth Level (Women's Multi-user Toilet Room, South)	There is no rear grab bar.	Install new compliant rear grab bar. Provide backing in wall as necessary.	4.17.6 Fig. 29, Fig.30	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
39	Fourth Level (Women's Multi-user Toilet Room, South)	The water closet seat height is 15" AFF and it is mounted 21.5" to centerline from the side wall.	Floor-mounted water closet: replace existing water closet with compliant water closet with seat installed 17"-19" AFF and 18" centerline to side wall. Adapt flush control as needed.	4.16.3 Fig. 29(b) 4.16.2 4.17.3 Fig. 28, Fig. 30	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.
40	Fourth Level (Women's Multi-user Toilet Room, South)	The paper towel dispenser is mounted at 58" AFF.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide a compliant women's standard accessible bathroom on fourth level South adjacent to lounge entrance to women's room on fourth level South.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
41	Fourth Level (Men's Toilet Room, North)	The mirror is mounted at 48" AFF to the bottom of the reflecting surface.	Lower existing mirror. Repair/refinish wall as needed.	4.1.3(11) 4.22.6 4.19.6	Defendant will tilt or remount existing mirror at compliant height.
42	Fourth Level (Men's Toilet Room, North)	The door provides 31" of clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10 4.13.11	Defendant will provide compliant door as far as readily achievable at 31".
43	Fourth Level (Men's Toilet Room, North)	Door hardware requires tight grasping, pinching, and/or twisting of the wrist to operate.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide compliant hardware.
44	Fourth Level (Men's Toilet Room, North)	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	Defendant will provide compliant insulation.
45	Fourth Level (Men's Toilet Room, North)	The wall parallel to the door is in the maneuvering clearance at 41".	Alter existing walls and/or relocate existing door and frame (alterations: unless technically infeasible or disproportionate) to obtain required maneuvering clearances.	4.13.6 Fig. 25(a-f)	Defendant will provide compliant power door.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
46	Fourth Level (Men's Toilet Room, North)	The wall sconce protrudes into the circulation path 9.5" at 63.5" AFF.	Raise wall sconce to greater than 80" AFF without altering fixture.	4.4.1 Fig. 8 (a-e)	Defendant will raise, remove, or replace wall sconce.
47	Fourth Level (Men's Toilet Room, North)	The stall on the far end has a 24" grab bar mounted 16" from the back wall.	Remove existing side grab bar and install new compliant side grab bar. Ensure that grab bar is mounted 12" maximum from rear wall and extends at least 54" from rear wall (or 52" if in stall).	4.1.3(11) 4.22.4 4.17.6 4.26 Fig.30	Defendant will remove existing grab bars and install compliant accessible stall.
48	Fourth Level (Men's Toilet Room, North)	The threshold is 3/4" tall with a "bull nose" bevel.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c,d)	Defendant will lower threshold to compliant height.
49	Fourth Level (Men's Toilet Room, North)	The toilet paper dispenser is mounted 36" to 46" from the rear wall and 32" AFF to the centerline.	Relocate existing compliant toilet paper dispenser as required, ensuring 19" clearance below grab bar. Repair/refinish wall or partition as needed.	4.16.6 Fig. 29(b) Fig.30(d)	Defendant will remove existing dispenser and install compliant accessible stall.
50	Fourth Level (Men's Toilet Room, North)	There are 3 wall mounted lavatories with 27.5" knee space at the front and 25" at 8" back.	Raise the existing compliant wall mounted fixture to the required height. Repair/refinish as needed.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will remount sink at compliant height.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
51	Fourth Level (Men's Toilet Room, North)	There are 3 stalls in this toilet room. The stalls are 35" wide (this stall has a mop sink instead of a water closet), 33" wide, and 40.5" wide (the stall on the far end) and all are 63" deep.	Relocate permanent wall(s) and/or partition(s) as required to provide a compliant standard accessible stall.	4.1.3(11) 4.22	Defendant will provide a compliant accessible stall at existing mop sink location.
52	Fourth Level (Men's Toilet Room, North)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
53	Fourth Level (Men's Toilet Room, North)	The paper towel dispenser is mounted at 58" AFF. Paper towels are also stacked on the shelf under the mirror.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendant will remount at compliant height.
54	Fourth Level (Men's Toilet Room, North)	There are 3 high urinals that are 12" deep. None of these urinals are currently accessible, but clear floor space is available at all fixtures.	Remove the existing noncompliant urinal and install new elongated type at the required height.	4.22.5 4.18.2	Defendant will provide accessible urinal.
55	North Rotunda (Men's Toilet Room)	The mirror is mounted at 48" AFF to the bottom of the reflecting surface.	Lower existing mirror.	4.1.3(11) 4.22.6 4.19.6	Defendant will tilt or remount existing mirror at compliant height.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
56	North Rotunda (Men's Toilet Room)	The non-fire rated door provides 31" of clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10 4.13.11	Defendant will provide compliant door as far as readily achievable at 31".
57	North Rotunda (Men's Toilet Room)	Door hardware requires tight grasping, pinching.	Remove existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide compliant hardware.
58	North Rotunda (Men's Toilet Room)	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	Defendant will provide compliant insulation.
59	North Rotunda (Men's Toilet Room)	There is a trash can in the door maneuvering clearance.	Remove nonpermanent obstruction.	4.13.6 Fig. 25(a-f)	Defendant will remove non permanent obstruction.
60	North Rotunda (Men's Toilet Room)	The door requires 8 pounds of force to open and travels from 700 open to within 3" of the latch in 2.5 seconds.	Adjust the existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant shall adjust existing door closer for compliance.
61	North Rotunda (Men's Toilet Room)	The threshold is 3/4" tall with a "bull nose" bevel.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will lower threshold to compliant height.
62	North Rotunda (Men's Toilet Room)	There are 3 wall mounted lavatories 27.5" knee space at the front and 25" at 8" back.	Raise the existing compliant wall mounted fixture to the required height.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will install compliant lavatory.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
63	North Rotunda (Men's Toilet Room)	This toilet room does not have any accessible features. There are 3 toilet stalls at approximately 34" wide x 56" deep. There is 55" depth behind the urinals. It would be possible to widen the end stall to 60" and leave 17" depth between the urinal and stall wall.	Relocate permanent wall(s) and/or partition(s) as required to provide a compliant standard accessible stall.	4.1.3(11) 4.22	Defendant will provide compliant accessible stall.
64	North Rotunda (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
65	North Rotunda (Men's Toilet Room)	The paper towel dispenser is mounted at 58" AFF. Paper towels are also stacked on the shelf under the mirror.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendant will mount dispenser at compliant height and remove paper towels.
66	North Rotunda (Women's Toilet Room)	The non-fire rated door provides 31" of clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.9 4.13.10 4.13.11	Defendant will provide compliant door as far as readily achievable at 31".

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
67	North Rotunda (Women's Toilet Room)	There are three counter-mounted lavatories with 25.5" knee space at the front and 24" at 8" back.	Remove the existing lavatory and counter. Install a new compliant counter and reinstall the existing lavatory. Repair/refinish wall as needed.	4.1.3(11) 4.22.6 4.19.2 Fig.31	Defendant will provide compliant lavatory.
68	North Rotunda (Women's Toilet Room)	The non-fire rated door requires 12-15 pounds of force to open.	Adjust the existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant shall adjust existing door closer for compliance.
69	North Rotunda (Women's Toilet Room)	The threshold is 3/4" tall with a "bull nose" bevel.		4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c,d)	Defendant will lower threshold to compliant height.
70	North Rotunda (Women's Toilet Room)	There are no accessible features in this toilet room. There are 6 stalls in this toilet room, typically 34" wide x 57" deep. The room is 112" wide with facing, and the stall doors are inswinging. It would be possible to make the stall on one end longer with an outswinging door, grab bars, and a raised water closet seat.	Relocate permanent wall(s) and/or partition(s) as required to provide a compliant standard accessible stall.	4.1.3(11) 4.22	Defendant will provide compliant accessible stall.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
71	North Rotunda (Women's Toilet Room)	There is a low contrast directional sign.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
72	North Rotunda (Women's Toilet Room)	The paper towel dispenser is mounted at 57" AFF, forward approach. There are also paper towels stacked on the countertop.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendant will mount dispenser at compliant height, and remove paper towels.
73	Second Level (Elevator Lobby)	This is a bank of 2 telephones. The highest operable part at the telephone is at 66" AFF (the coin return lever). One telephone has volume control. The telephones project 13" from the wall at 38.5" AFF.	Remove the existing phone and replace with a compliant phone. Coordinate with clear floor space, reach range, and protruding object requirements.	4.1.3(17) 4.31.2 4.31.3 4.31.4 4.31.5 4.31.6 4.31.7 4.31.8 4.30.7 Fig. 44 4.2.4 4.2.5 4.2.6 4.4 4.1.3	Existing telephones will be removed.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
74	Second Level (Lobby)	"Ozdust Boutique" souvenir counter is 41" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will notify merchandise vendor of their obligations for ADA compliance.
75	Second Level (Lobby)	The bar at the north end of the lobby is 43" AFF and the bar at the south end is 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide compliant accessible counter.
76	Second Level (Lobby)	"Wicked" souvenir counter is 41" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Nederlander will notify merchandise vendor of their obligations for ADA compliance.
77	Second Level	Doors to this area require 8-11 pounds of force to open and provide 40" of clear width. Entrances to theatre seating are not numbered.	Adjust the existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant shall adjust existing door closer for compliance.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
78	South Rotunda (Men's Toilet Room)	This multi-user men's toilet room is similar to the men's room at the North Rotunda, only this toilet room has a door with noncompliant maneuvering clearance, it is further from the elevator, has 6 urinals and 4 lavatories.			Defendant shall make implement changes set forth in items 55-65 to this room.
79	South Rotunda (Women's Toilet Room)	This multi-user women's toilet room is almost identical to the women's toilet room in the North Rotunda.			Defendant shall make implement changes set forth in items 66-72 to this room.
80	Third Level (Elevator Lobby)	Elevator hall call buttons are 51" and 56" AFF.	Relocate hall call buttons at required height. Repair/refinish as needed.	4.10.3 Fig. 20	Defendant will provide compliant mounting height.
81	Third Level (House Left Accessible Seating)	There is a set of 34" double doors into this area that provide 27.5" clear width (clear width is reduced by the insulation on the door). The door on the right (as exiting the seating area) requires 9 pounds of force to open and the left door requires 10 pounds of force to open. Both doors travel from 700 open to within 3" of latch in 2.5 seconds.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.10 4.13.11	Defendant will provide compliant power door.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
82	Third Level (House Right Accessible Seating)	There is a set of 34" double doors into this area that provide 28" clear width (clear width is reduced by the insulation on the door). The door on the right (as exiting the seating area) requires 8 pounds of force to open and the left door requires 16 pounds of force to open because it drags on the carpet.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements. Repair sweep under door or install dropping sweep if needed for acoustical reasons.	4.1.3(7)(c) 4.13.5 Fig. 24 4.13.10 4.13.11	Defendant will provide compliant power door.
83	Building	There is no raised lettering and Braille room accessible, the doors below the call buttons are inaccessible.	Install compliant signage in the required location(s).	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant sign.
84	Building	The doors from all fire stairs into the lobbies have knob hardware that requires grasping and twisting of the wrist to operate on the stair side of the door and panic bars in the direction of exit travel.	Remove existing operating hardware and install compliant hardware.	4.13.9	Defendant will provide compliant hardware.
85	First Floor (Elevator Lobby)	Elevator hall call button is 54.5" AFF.	Relocate hall call buttons at required height. Repair/refinish as needed.	4.10.3 Fig. 20	Defendant will provide compliant mounting height.

Exh. 2B Architectural Modifications to Gershwin Theater

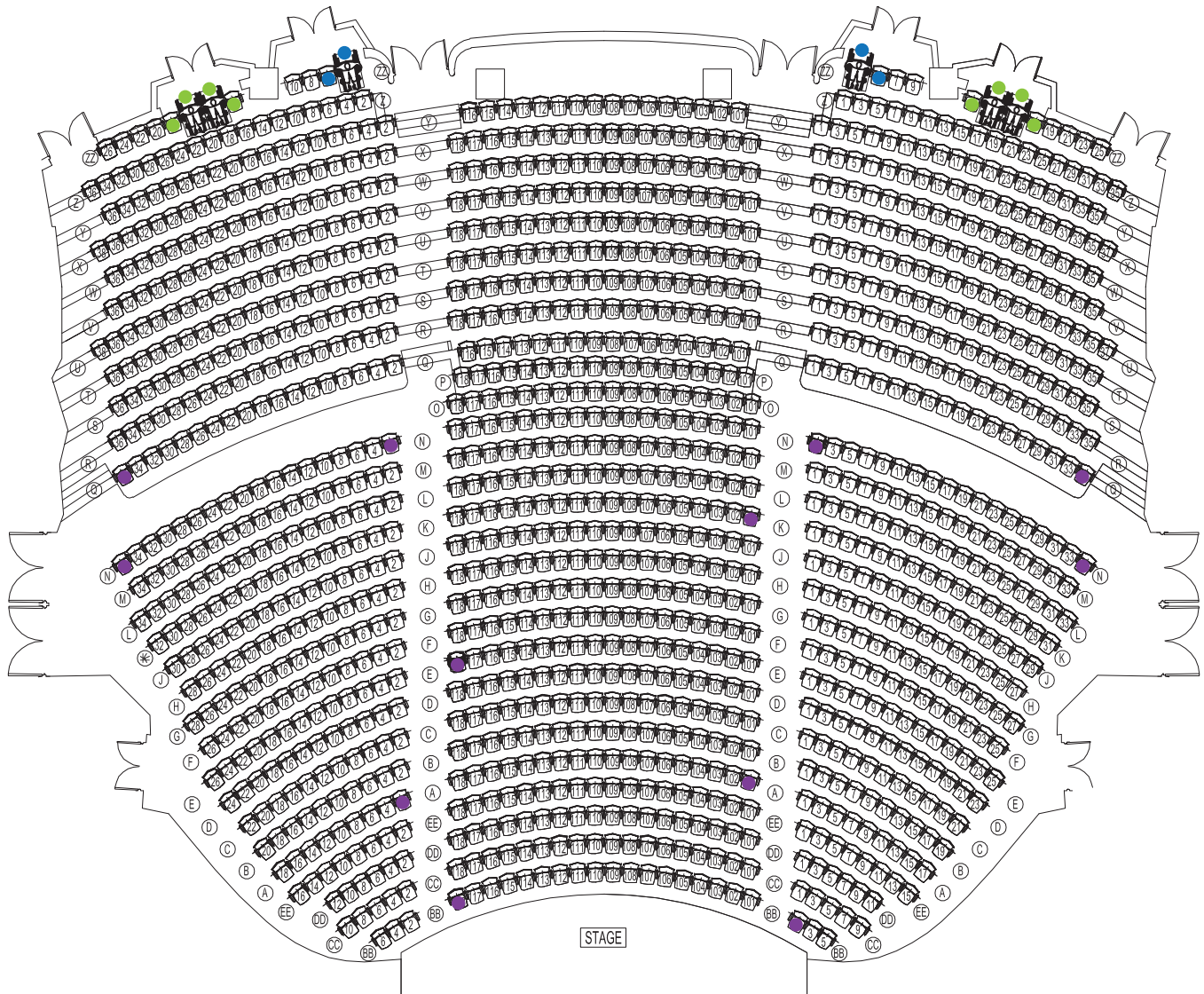
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
86	Box Office/Lobby	Existing signage does not have nonglare finish and/or has insufficient contrast between characters and background.	Remove the existing sign and install a compliant sign. Repair/refinish as needed. Coordinate with other requirements for signage characteristics.	4.1.3(16)(a) 4.30.5	Defendant will provide required signage.
87	Building	Floor designations are not provided at elevator hoistway,	Install compliant signage in the required location.	4.10.5 Fig.20	Defendant will provide compliant floor designations.
88	Building	No directional signage to nearest accessible toilet room at inaccessible toilet room.	If toilet remains inaccessible, install compliant directional sign: character width-to-height ratio is between 3:5 and 1:1 and stroke width-to-height ratio is between 1:5 and 1:10; character height is sized per viewing distance or, if overhead sign, is at least 3" measured using upper case X (lower case permitted); finish is nonglare with high contrast between characters and background; and includes the International Symbol of Accessibility.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant will provide compliant signage at required locations.
89	Building	No obvious building alarm system.	If no audible alarms are provided, no correction is required. If an existing alarm system is expanded or a new one is installed, it must comply.	4.1.3(14) 4.28	Should new alarm be installed, ADA compliance will be provided. Should existing alarm system be upgraded, ADA compliance will be provided.
90	Box Office/Lobby	Overhead directional signage has 1.25" high letters.	Remove the existing sign and install a compliant sign. Repair/refinish as needed. Coordinate with other requirements for signage characteristics.	4.1.3(16)(b) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant required signage.

Exh. 2B Architectural Modifications to Gershwin Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
91	Box Office/Lobby	The information counter is 41" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route. Repair/refinish as needed.	7.2(2) 4.3	Nederlander will notify merchandise vendor of their obligations for ADA compliance
92	Box Office/Lobby	The ticket window is 49.5" AFF and projects 10.5" at 48.5" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide an accessible ticket window counter.
93	Box Office/Lobby	Signage notifying patrons of the availability of an assistive listening system does not include the International Symbol of Access for Hearing Loss.	Install such signage incorporating the International Symbol of Accessibility for Hearing Loss at the ticket office(s) and other apparent location(s) notifying patrons of the availability of an assistive listening system. Sign should state "Assistive Listening System Available".	4.1.3(19) 4.30.7(4) Fig. 43(d)	Defendant will provide required signage.
94	Building	There are drinking fountains throughout the building. The typical drinking fountain is located in a 28" wide alcove with the spout outlet 8" from the front of the alcove. The spout outlet height is 41" AFF with compliant control force and stream height.	Modify to install a compliant, forward approach DF or install flat-bottom cup dispensers at existing fixtures within reach range not accommodated by existing drinking fountain. Coordinate with protruding object requirements.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide a compliant drinking fountain.

Exh. 2B Architectural Modifications to Gershwin Theater

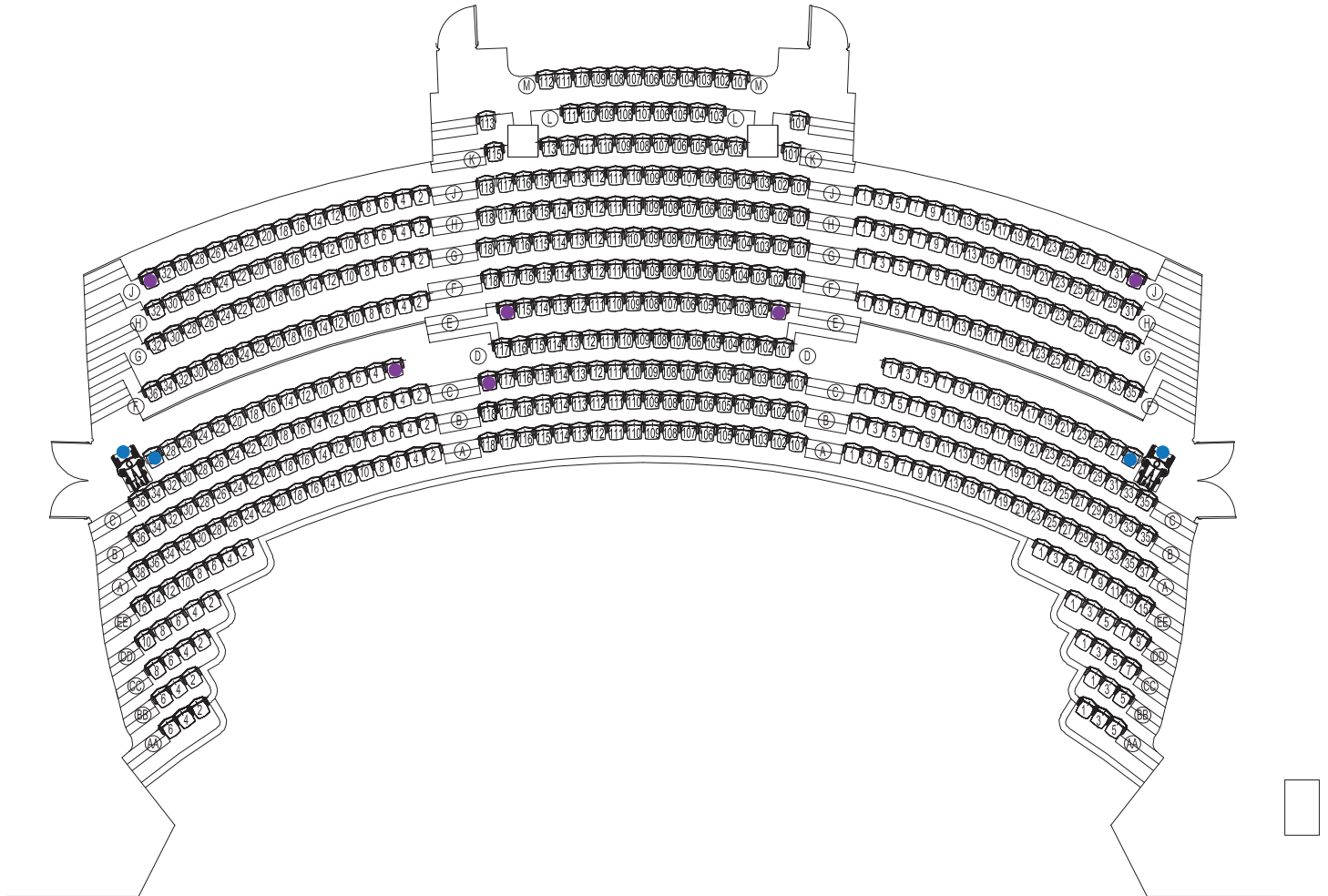
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
95	Box Office/Lobby	Elevator access is through a locked, controlled entry door with a doorknob and a buzzer at 55" AFF. There is no signage indicating that the elevator is through this door.	Provide directional signage and, if the accessible route must remain secured, provide assistants during all hours that the theatre is open and signage at the doors indicating where help can be found.	4.1.3(1) 4.10.1	Compliant directional signage will be provided. Compliant assistance is available from assistants.
96	Box Office/Lobby	Telephones near check room are 63.5" and 64" to the highest operable part, which is the coin slot. The coin return on one telephone requires twisting. Telephone enclosures project 13" from the wall at 36" AFF.	Remove the existing phone and replace with compliant phone. Coordinate with clear floor space, reach range, and protruding object requirements.	4.1.3(17) 4.31.2 4.31.3 4.31.4 4.31.5	Existing telephones will be removed.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Gershwin, 4 wheelchair seating and companion locations, and all 18 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Gershwin, 4 wheelchair seating and companion locations, and all 18 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 3: Lunt-Fontanne Theater

Exhibit 3A: Entrances

Nederlander shall install automatic doors at the second set of double doors from the interior ticket window. Nederlander may also, at its option, maintain the automatic doors at the fourth set of double doors from the interior ticket window, in same condition as set forth on Exhibit 3A (i.e., in the same condition as they existed for the Government's inspection conducted on May 3, 2011). Nederlander shall adopt queuing and line management procedures to ensure that a person with mobility impairments shall have a means of entry into the foyer of the Theater, and access to the interior ticket window.

Exhibit 3B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 3A and 3B. In addition, Nederlander shall maintain the wheelchair accessible unisex restroom in the same condition as it existed for the Government's inspection conducted on May 3, 2011, as further modified in Exhibit 3B, and shall also (i) extend the grab bar by 6 inches to comply with Standards § 4.16.4; and (ii) modify the location of the toilet and sink to provide an adequate maneuvering space as required by Standards § 4.16.2.

Exhibit 3C: Seating

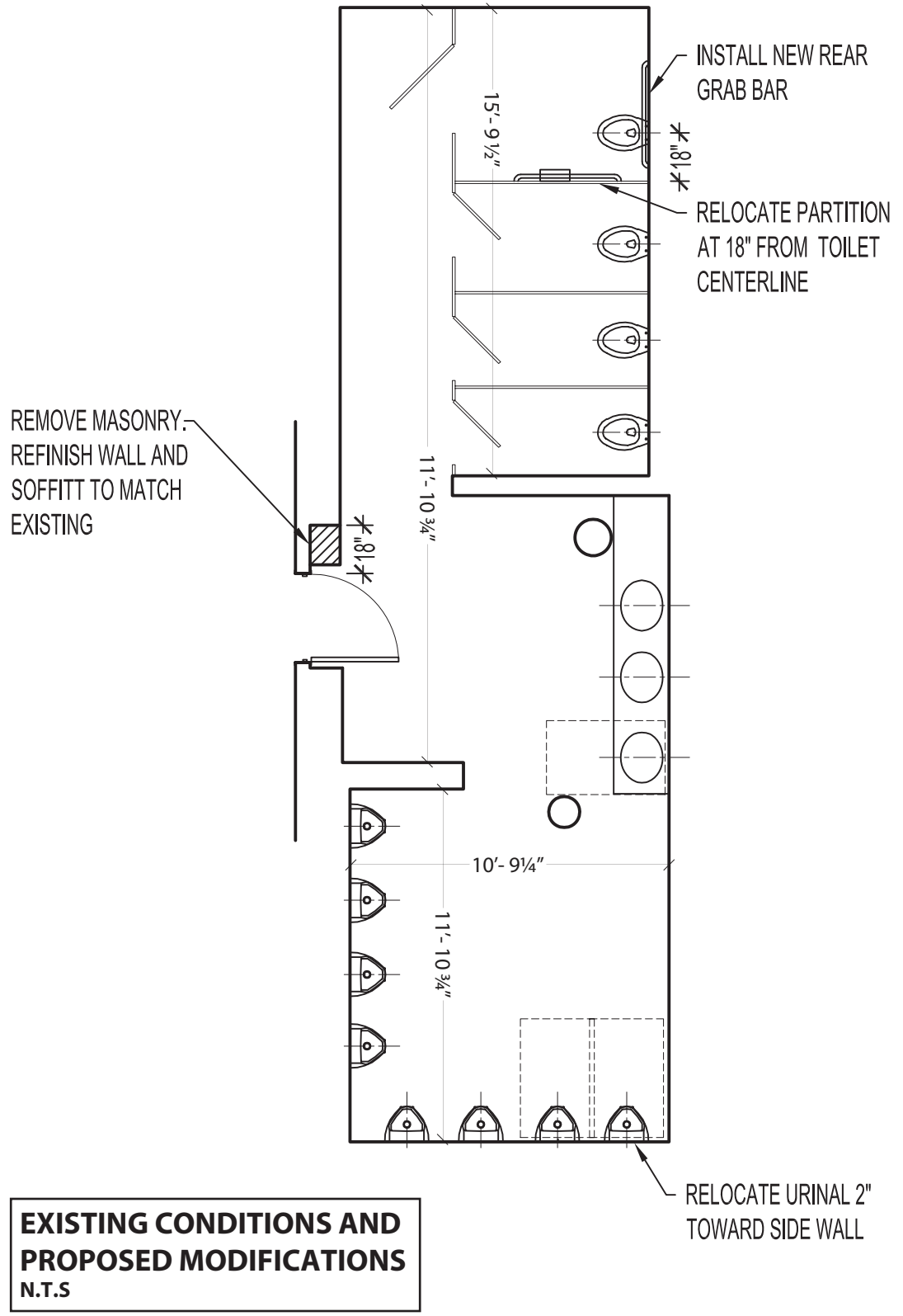
Nederlander shall implement the seating plan attached hereto as Exhibit 3C.

Wheelchair and Companion Seating:

1. Nederlander shall maintain the two existing wheelchair and companion seating locations on the Orchestra level: at G15 and W17, with G13 and W15 being companion seating locations.
2. Nederlander shall add three new wheelchair seating locations on the Orchestra level, at Z1/Z3/AA1/AA3; at Z113/Z114/AA113/AA114; and at Z2/Z4/AA2/AA4, with companion seating locations at Z5, Z112, Z6.

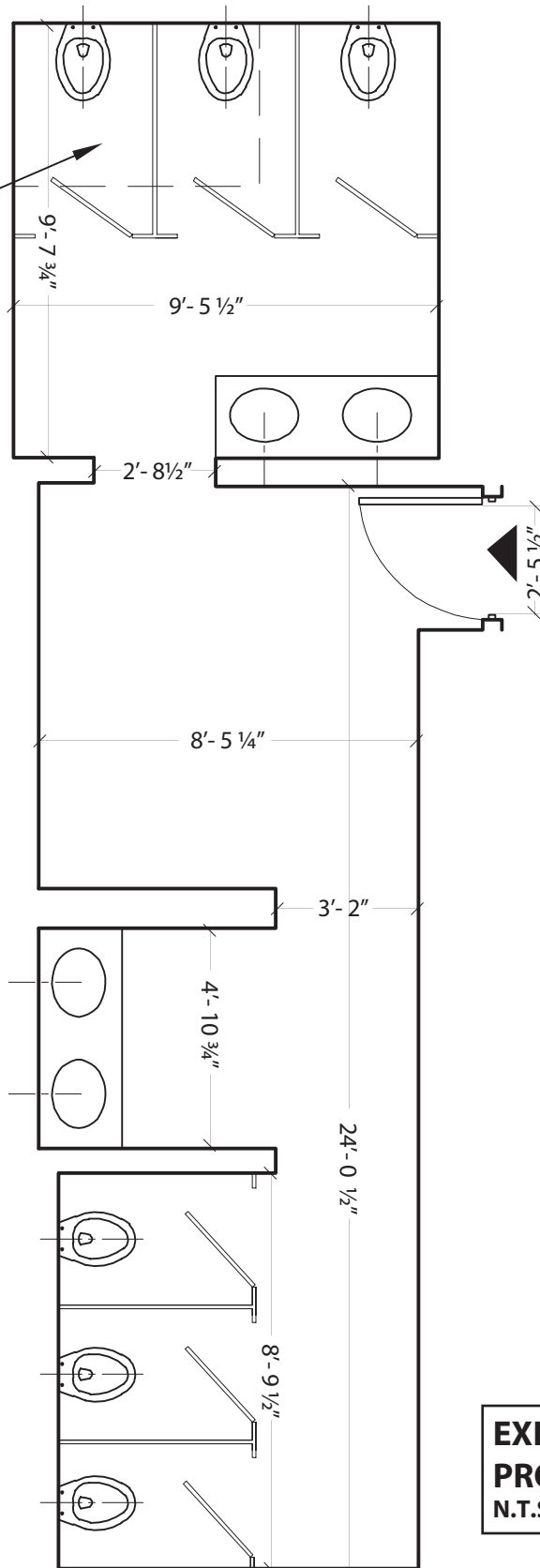
Aisle Transfer Seats:

3. Nederlander shall maintain the twelve aisle transfer seating locations on the Orchestra level at D101, D114, F1, F2, G101, G114, R114, T1, R2, Z101, R101, R1 and add three new aisle transfer seating locations on the Mezzanine Level at E20, E114 and E19.



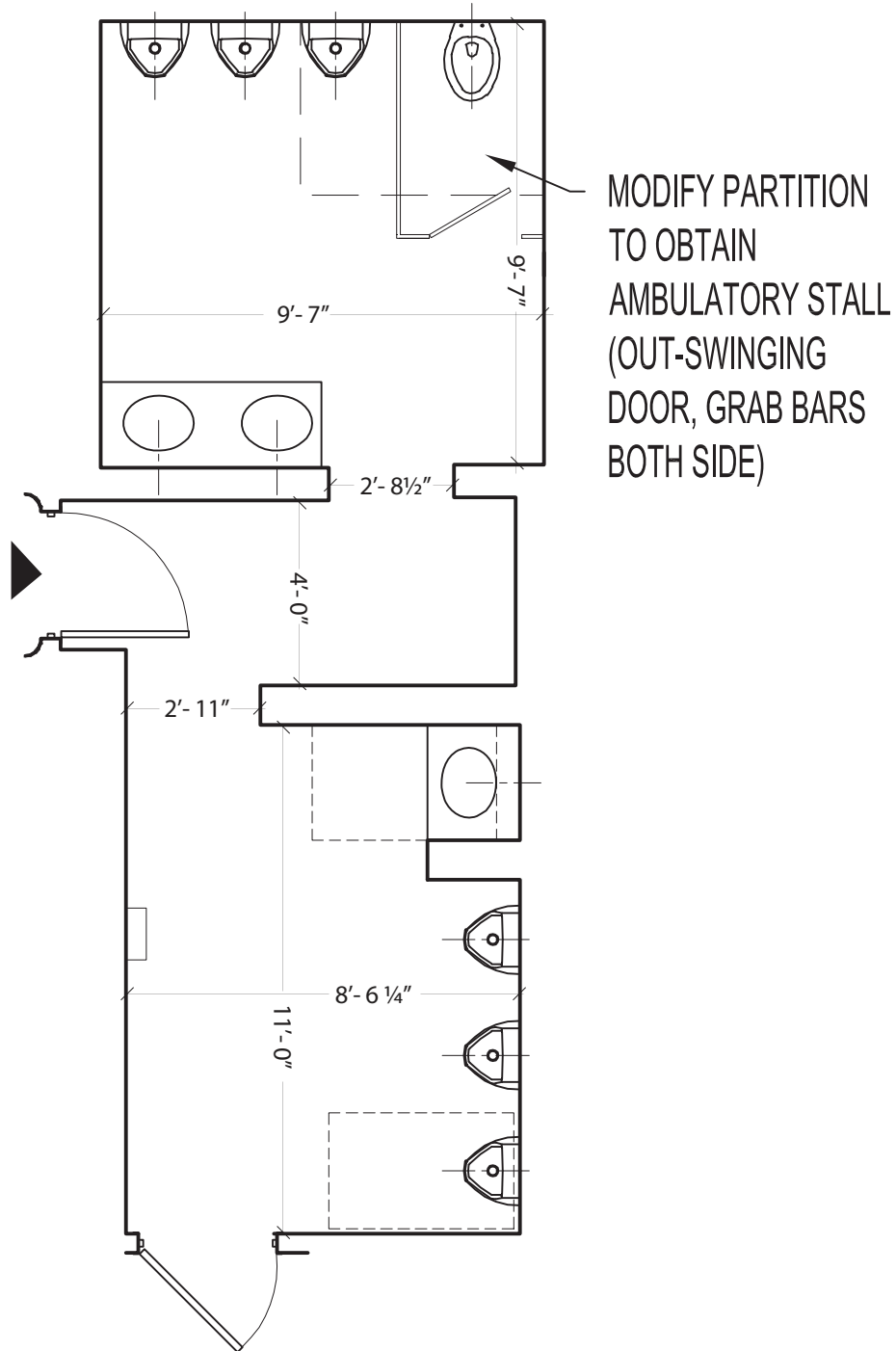
**3. LUNT FONTANNE THEATER
LOWER LEVEL MEN TOILET ROOM PLAN**

MODIFY PARTITION
TO OBTAIN
AMBULATORY STALL
(OUT-SWINGING
DOOR, GRAB BARS
BOTH SIDE)



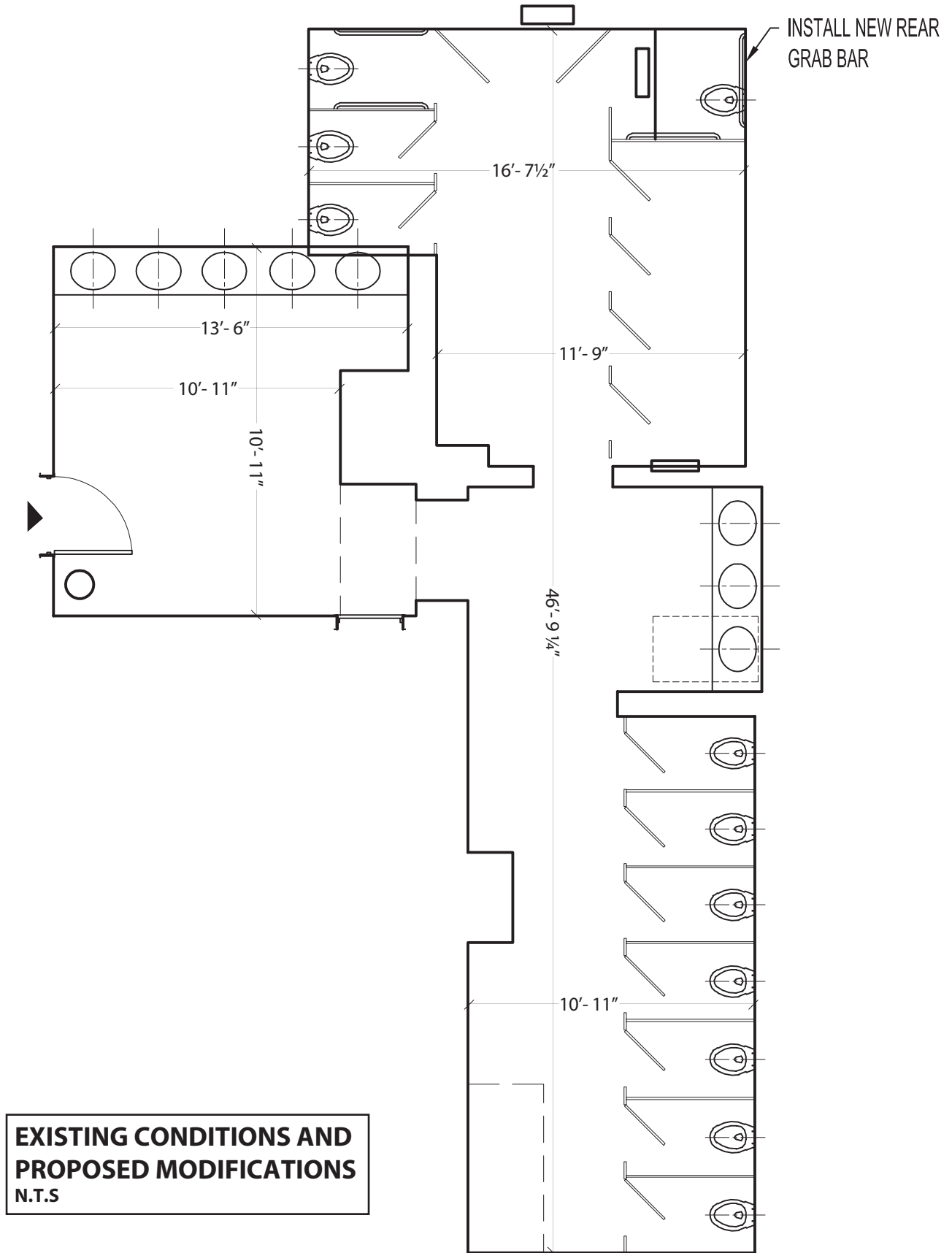
**EXISTING CONDITIONS AND
PROPOSED MODIFICATIONS
N.T.S**

**3. LUNT FONTANNE THEATER
UPPER LEVEL WOMEN TOILET ROOM PLAN**

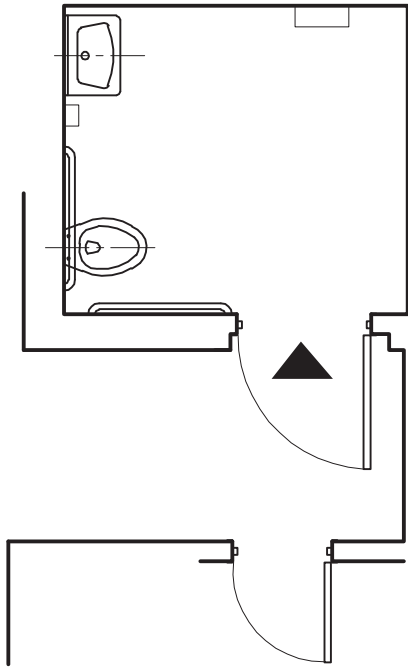


EXISTING CONDITIONS
N.T.S

**3. LUNT FONTANNE THEATER
UPPER LEVEL MEN TOILET ROOM PLAN**



**3. LUNT FONTANNE THEATER
LOWER LEVEL WOMEN TOILET ROOM PLAN**



SIDEWALK

RELOCATE AUTOMATIC
DOOR OPENER TO THIS
SET OF DOUBLE DOOR

18"

BOX OFFICE

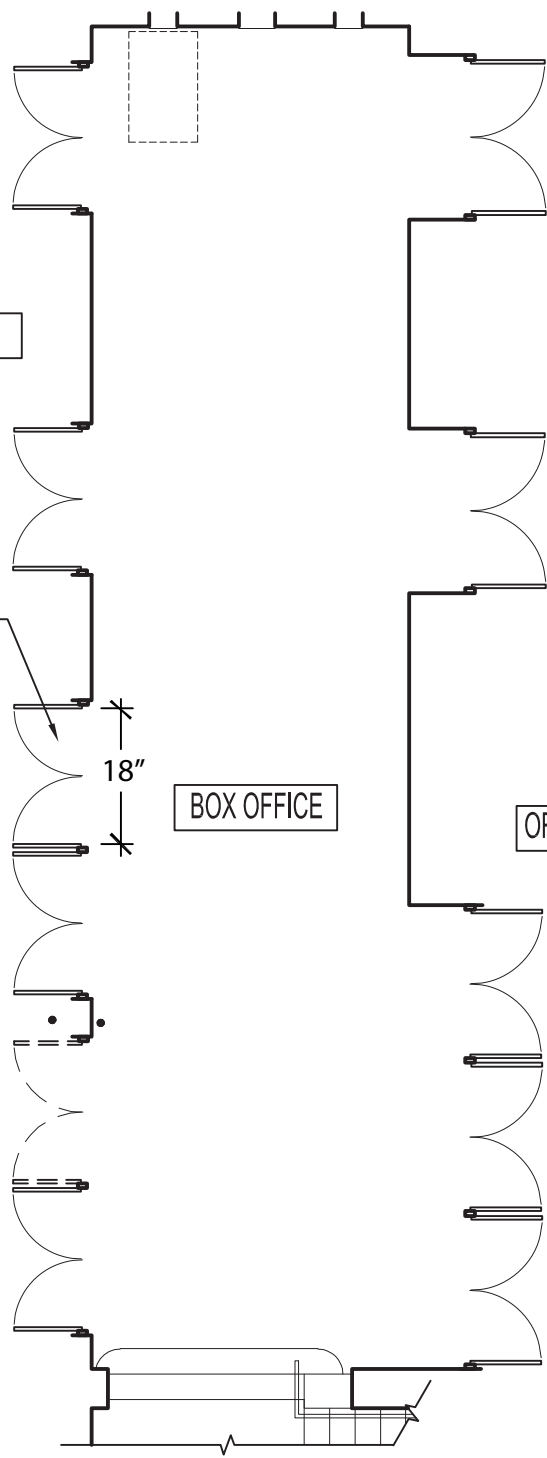
ORCHESTRA

LEGEND

- EXISTING AUTO OPENER CONTROL BUTTON

- || EXISTING AUTOMATIC DOOR

**EXISTING CONDITIONS AND
PROPOSED MODIFICATIONS**
N.T.S



**3. LUNT FONTANNE THEATER
ORCHESTRA LEVEL ACCESSIBLE TOILET ROOM
AND BOX OFFICE PLANS**

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
1	Box Office	The slope from the curb to the entrance door ranges from 6.5% to 7.5% with no level landing. This slope may be experienced as a running slope or, more likely, as a cross slope, depending on how the door is approached.	Slope leading from curb to entrance door exceeds 5% and there is no level maneuvering clearance / landing at door.	4.1.2(1) 4.1.2(4) 4.3.7 4.3.8 4.5.2 4.8	Defendant shall relocate the automatic door opener to the third set of double doors from the left, facing the Theater, where slope is less steep.
2	Box Office	The Box Office shelf is at 45" AFF. The Advanced Ticket Sales shelf is at 45" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Compliant ticket counter has been provided during course of investigation.
3	Box Office	There is no Accessible Listening System signage. There is an ALS box in the upper level lobby that is locked. There were no other signs of an ALS in the building.	No signage is provided at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	4.1.3(19)(b) 4.33.6 4.33.7 4.30 4.30.7(4) Fig. 43(d)	Compliant ALS has been provided during course of investigation. Defendant will post signage advising that ALS is available.
4	Box Office	There is no folding armrest signage. Folding armrest seats are provided at seats F2, D114, G114, R114, Z2, Z114, D101, F3, G101, T1, Z1, Z101, X13, and P17.	No signage is provided at the ticket office notifying patrons of the availability of accessible seating.	4.1.3(19)(a)	Compliant signage has been provided during course of investigation.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
5	Box Office	There are 6 pairs of 33" wide wooden doors that provide 28½" - 29" of clear width.	Clearance widths of paired exterior entry doors are less than 32" per active leaf.	4.1.3(7) 4.13.4 4.13.5 Fig. 24	Modifications to the wooden doors are technically infeasible to structural constraints, means of egress widths and landmark status designation. However, defendant will continue to provide automatic doors at the first set of double doors from the ticket window, where the slope is less steep.
6	Box Office	There are 5 pairs of 34" wide wooden doors that provide 31" of clear width.	Clearance widths of paired doors into theatre are less than 32" per active leaf.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.4 4.13.5 Fig. 24	Modifications to the wooden doors are technically infeasible to structural constraints, means of egress widths and landmark status designation. However, defendant will continue to provide automatic doors at the first set of double doors from the ticket window, where the slope is less steep.
7	Box Office	The doors from the Box Office into the Theatre have a 4% slope within the maneuvering clearances.	Floor surface within required area for door maneuvering clearance is not level.	4.1.3(1) 4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.3.9 4.13.6 Fig. 25	Defendant shall provide automatic doors at the first set of double doors from the ticket window, where the slope is less steep.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
8	Box Office	The ¾" thresholds are beveled 1:2 and there is a ¾" vertical rise from the threshold to the top of the carpet for a total of 1 1/2" rise at the doors.	Existing threshold is greater than ½" high.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will lower threshold to compliant height.
9	Lower Level - (Back of Theatre)	The concession countertops are 42" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Compliant concession countertops have been provided during course of investigation.
10	Lower Level (Women's Toilet Room)	Overhead sign but no compliant RLB sign provided.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Compliant signage will be provided.
11	Lower Level (Women's Toilet Room)	The door requires 9 pounds of force to open and travels from 70° open to 3" from the latch in 4 seconds.	Closer at non-fire-rated interior door causes door to travel from 70 degrees open to 3" from latch in less than 3 seconds and/or exceeds the maximum force to open (5 lbs).	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.10 4.13.11	Defendant will test and monitor door closer for compliance.
12	Lower Level (Women's Toilet Room)	In one section of the toilet room, the low ceiling in a corner projects 34" at 72" AFF from the closest cane-detectable element (wall) below it.	Section of low ceiling is less than 80" AFF above circulation path.	4.4.1 4.4.2 Fig. 8(a-e)	Defendant will install cane detectable element.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
13	Lower Level (Women's Toilet Room)	The lavatory countertop is 33" AFF with no knee space provided.	The counter mounted lavatory provides less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Compliant lavatory has been provided during course of investigation.
14	Lower Level (Women's Toilet Room)	The coat hook is mounted at 65" AFF in ambulatory stall.	The coat hook in the ambulatory stall is above the 48" or 54" max reach height (depending on approach).	4.1.3(11) 4.2.5 4.2.6 4.22.7 4.25 4.27.3 Fig. 5 Fig. 6 Fig.38	Compliant coat hook mounting height has been provided during course of investigation.
15	Lower Level (Women's Toilet Room)	The double roll toilet paper dispenser in the ambulatory stall is mounted 29" to 39" from the rear wall.	The double roll toilet paper dispenser in the ambulatory stall is mounted more than 36" from the rear wall.	4.1.3(11) 4.1.6(1)(b) 4.1.6(2) 4.16.6 4.22.4 4.22.7 Fig. 29(b) Fig. 30(d)	Defendant will provide compliant mounting height of toilet paper dispenser.
16	Lower Level (Women's Toilet Room)	There is no rear grab bar in the accessible stall. The standard accessible stall is 66" wide x 61" deep.	There is no rear grab bar in the accessible stall.	4.1.3(11) 4.1.6(1)(b) 4.1.6(1)(c) 4.1.6(1)(k)(ii) 4.1.6(2) 4.17.6 4.22.4 Fig. 29 Fig. 30(a&a-1)	Defendant will install new rear grab bar.
17	Lower Level (Women's Toilet Room)	The coat hook is mounted at 65" AFF in ambulatory stall.	The coat hook in the standard accessible stall is above the 48" or 54" max reach height (depending on approach).	4.1.3(11) 4.2.5 4.2.6 4.22.7 4.25 4.27.3 Fig. 5 Fig. 6 Fig.38	Compliant coat hook mounting height has been provided during course of investigation.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
18	Lower Level (Women's Toilet Room)	The toilet paper dispenser in the standard accessible stall is mounted 34" to 44" from the rear wall.	The toilet paper dispenser in the standard accessible stall is mounted more than 36" from the rear wall.	4.1.3(11) 4.1.6(1)(b) 4.1.6(2) 4.16.6 4.22.4 4.22.7 Fig. 29(b) Fig. 30(d)	Compliant mounting height of toilet paper dispenser will be provided.
19	Lower Level (Men's Toilet Room)	Overhead sign but no compliant RLB sign provided.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Compliant signage will be provided.
20	Lower Level (Men's Toilet Room)	Non-fire rated door requires 8½ pounds of force to open and travels from 70° open to 3" from the latch in 5 seconds.	Closer at nonfire-rated interior door causes door to travel from 70 degrees open to 3" from latch in less than 3 seconds and/or exceeds the maximum force to open (5 lbs).	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.10 4.13.11	Defendant will test and monitor door closer for compliance.
21	Lower Level (Men's Toilet Room)	The door is located in an alcove 11" deep with 3" width maneuvering clearance on the pull side of the door.	Maneuvering clearance at doorway is less than required.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.6 Fig. 25(a-f)	Defendant will modify doorway to provide compliant maneuvering clearance.
22	Lower Level (Men's Toilet Room)	There are 4 lavatories with 32" rim height with no knee space provided.	The counter mounted lavatory provides less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Compliant lavatory has been provided during course of investigation.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
23	Lower Level (Men's Toilet Room)	The toilet paper dispenser is mounted 32" to the near edge from the rear wall and 42" to the far edge from the rear wall.	The toilet paper dispenser in the standard accessible stall is mounted more than 36" from the rear wall.	4.1.3(11) 4.1.6(1)(b) 4.1.6(2) 4.16.6 4.22.4 4.22.7 Fig. 29(b) Fig. 30(d)	Compliant toilet dispenser mounting location has been provided during course of investigation.
24	Lower Level (Men's Toilet Room)	There is no rear grab bar in the accessible stall.	There is no rear grab bar in the accessible stall.	4.1.3(11) 4.1.6(1)(b) 4.1.6(1)(c) 4.1.6(1)(k)(ii) 4.1.6(2) 4.17.6 4.22.4 Fig. 29 Fig. 30(a,a-1)	Defendant will provide compliant rear grab bar.
25	Lower Level (Men's Toilet Room)	There is no coat hook in the accessible toilet stall although one of the three non-accessible stalls has a coat hook.	There is no coat hook in the accessible toilet stall.	36.202(b) 4.1.3(11) 4.2.5 4.2.6 4.22.7 4.25 4.27.3 Fig. 5 Fig. 6 Fig.38	Compliant coat hook mounting height has been provided during course of investigation.
26	Orchestra Level	Decorative wall sconces at 75" with bottom edges at 10" and 14" from wall.	Protruding objects with leading edge greater than 27" and less than 80" AFF that project more than 4" from wall intrude on circulation path.	4.4.1 4.4.2 Fig. 8(a-e)	Decorative wall sconces have been raised during course of investigation and no longer intrude in the circulation path.
27	Orchestra Level	Overhead directional signage letters are 1"-2" high throughout facility.	Overhead directional or informational sign about functional spaces located higher than 80" AFF has characters less than 3".	4.1.3(16)(b) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant signage.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
28	Orchestra Level (Accessible Toilet Room)	No raised lettering and Braille sign.	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Compliant signage has been provided during course of investigation.
29	Orchestra Level (Accessible Toilet Room)	The lavatory rim is 32" AFF; knee space is 25½" at the overflow and 25¾" at 8" back (ignoring the overflow).	Wall-mounted lavatory with less than required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep) and/or toe clearance (9" minimum AFF at 6" maximum from rear wall).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Defendant will install compliant lavatory.
30	Orchestra Level (Accessible Toilet Room)	The side wall at the water closet is 43½" long to a door, with a 32" long grab bar extending 41" from the rear wall.	Side grab bar is less than 42" long and extends less than 54" from rear wall.	4.1.3(11) 4.16.4 4.22.4 4.26 Fig. 29	Defendant will extend side grab bar to the extent technically feasible, given the presence of the entrance door.
31	Orchestra Level (Accessible Toilet Room)	Double roll toilet paper dispenser is mounted with far roll more than 36" from back wall to far edge of paper roll.	Double roll toilet paper dispenser is mounted with far roll more than 36" from back wall to far edge of paper roll.	4.1.3(11) 4.16.6 4.22.4 4.22.7 Figs. 29(b) & 30(d)	Defendant will mount toilet paper dispenser at compliant height.
32	Orchestra Level (Accessible Toilet Room)	The toilet room door pull side maneuvering clearance width is 15" in an alcove configuration. The door provides 39" clear width and has no closer.	Maneuvering clearance on pull side of door is less than required.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.6 Fig. 25(a-f)	Compliant maneuvering clearance has been provided during course of investigation. Defendant will install closer.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

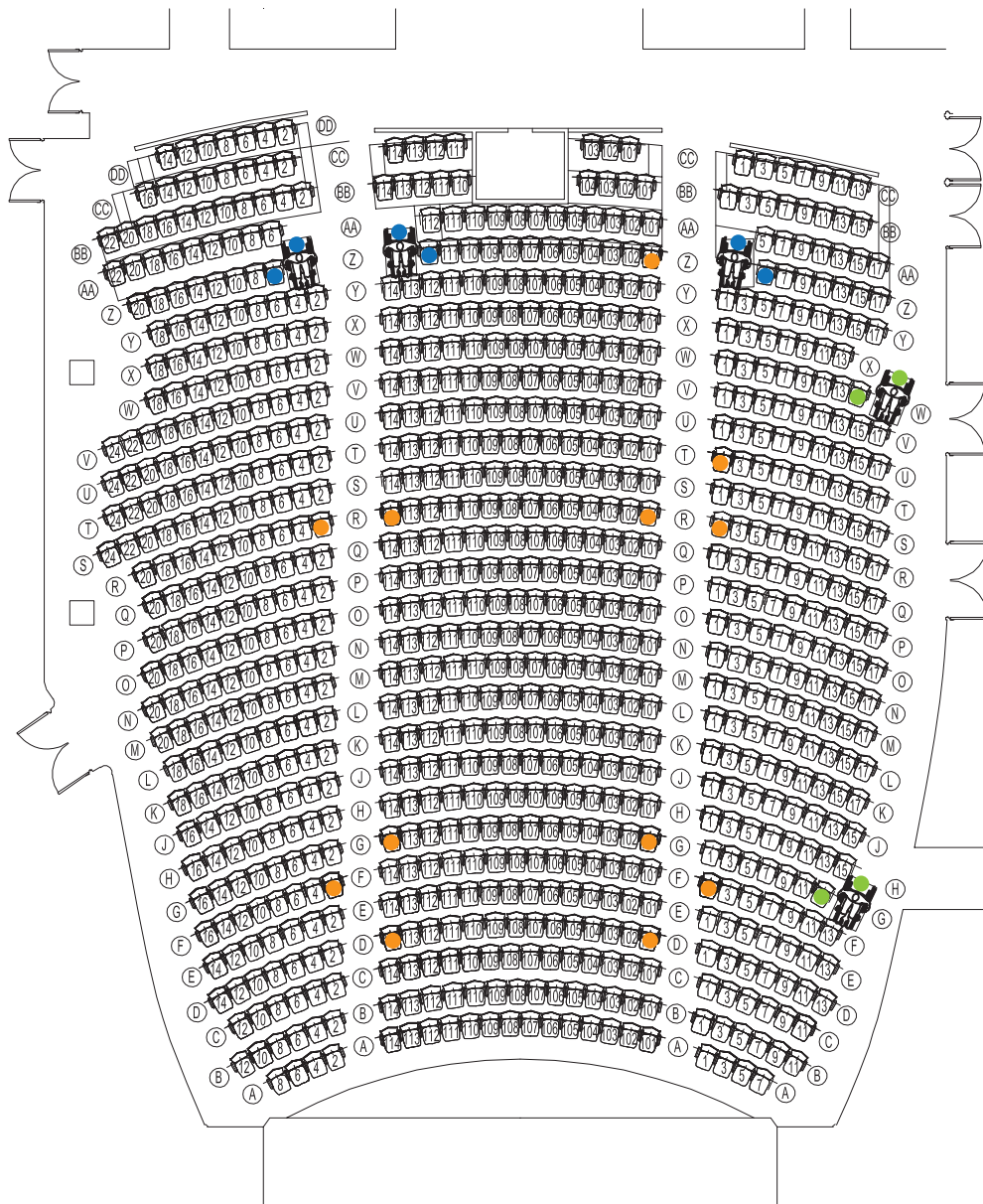
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
33	Stairs (Rear Mezzanine)	The stair handrails do not have extensions. There are stairs with 13" risers to the cross aisle and other stairs to top/back of rear mezzanine.	Handrail top extension(s) < 12" and/or bottom extension(s) < 1 tread width + 12".	4.1.3(4) 4.1.6(2) 4.4 4.9.4 Fig. 19 c & d	Defendant will provide compliant railing extensions not interfering with egress widths.
34	Stairs	Stairs to lower and upper levels have no handrail extensions.	Handrail top extension(s) < 12" and/or bottom extension(s) < 1 tread width + 12".	4.1.3(4) 4.1.6(2) 4.4 4.9.4 Fig. 19 c & d	Compliant handrails have been provided during course of investigation.
35	Upper Level (Lobby)	The concession counters are 41½" AFF. (Souvenir counter is 36" AFF.)	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Compliant concession counters have been provided during course of investigation.
36	Upper Level (Men's Toilet Room)	Overhead sign but no compliant raised lettering and Braille sign provided.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Compliant signage has been provided during course of investigation.
37	Upper Level (Men's Toilet Room)	The threshold is 1¼" high.	Existing threshold is greater than ¾" high.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will lower threshold to a compliant height.
38	Upper Level (Men's Toilet Room)	There are 3 lavatories with 32" rim height without the required knee space.	The counter mounted lavatory provides less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	A compliant lavatory has been provided during course of investigation.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
39	Upper Level (Men's Toilet Room)	There are 3 urinals in this toilet room, none of which are accessible.	There is no accessible urinal in this toilet room.	4.1.3(11) 4.22.5 4.18	An accessible urinal has been provided during course of investigation.
40	Upper Level (Men's Toilet Room)	There is 1 toilet stall in this toilet room and it is not accessible.	There is no accessible toilet stall in this toilet room.	4.1.3(11) 4.1.6(b) 4.1.6(c) 4.1.6(1)(k)(ii) 4.1.6(2) 4.1.6(3)(e) 4.17 4.22.4	Defendant will provide an ambulatory stall.
41	Upper Level (Women's Toilet Room)	Overhead sign but no compliant raised lettering and Braille sign provided.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Compliant signage has been provided during course of investigation.
42	Upper Level (Women's Toilet Room)	The threshold is 1½" high.	Existing threshold is greater than ¾" high.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.1.6(3)(d)(ii)	Compliant threshold has been provided during course of investigation.
43	Upper Level (Women's Toilet Room)	The 4 lavatory countertop is 33" AFF with no knee space provided.	The counter mounted lavatory provides less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Compliant lavatory has been provided during course of investigation.
44	Upper Level (Women's Toilet Room)	There is no ambulatory stall (for little people and those who use certain types of mobility assistance devices) and no standard accessible stall for wheelchair users.	There are 6 stalls in this toilet room, none of which are accessible.	4.1.3(11) 4.1.6(b) 4.1.6(c) 4.1.6(1)(k)(ii) 4.1.6(2) 4.1.6(3)(e) 4.17 4.22.4	Defendant will provide an ambulatory stall.

Exh. 3B Architectural Modifications to Lunt Fontanne Theater

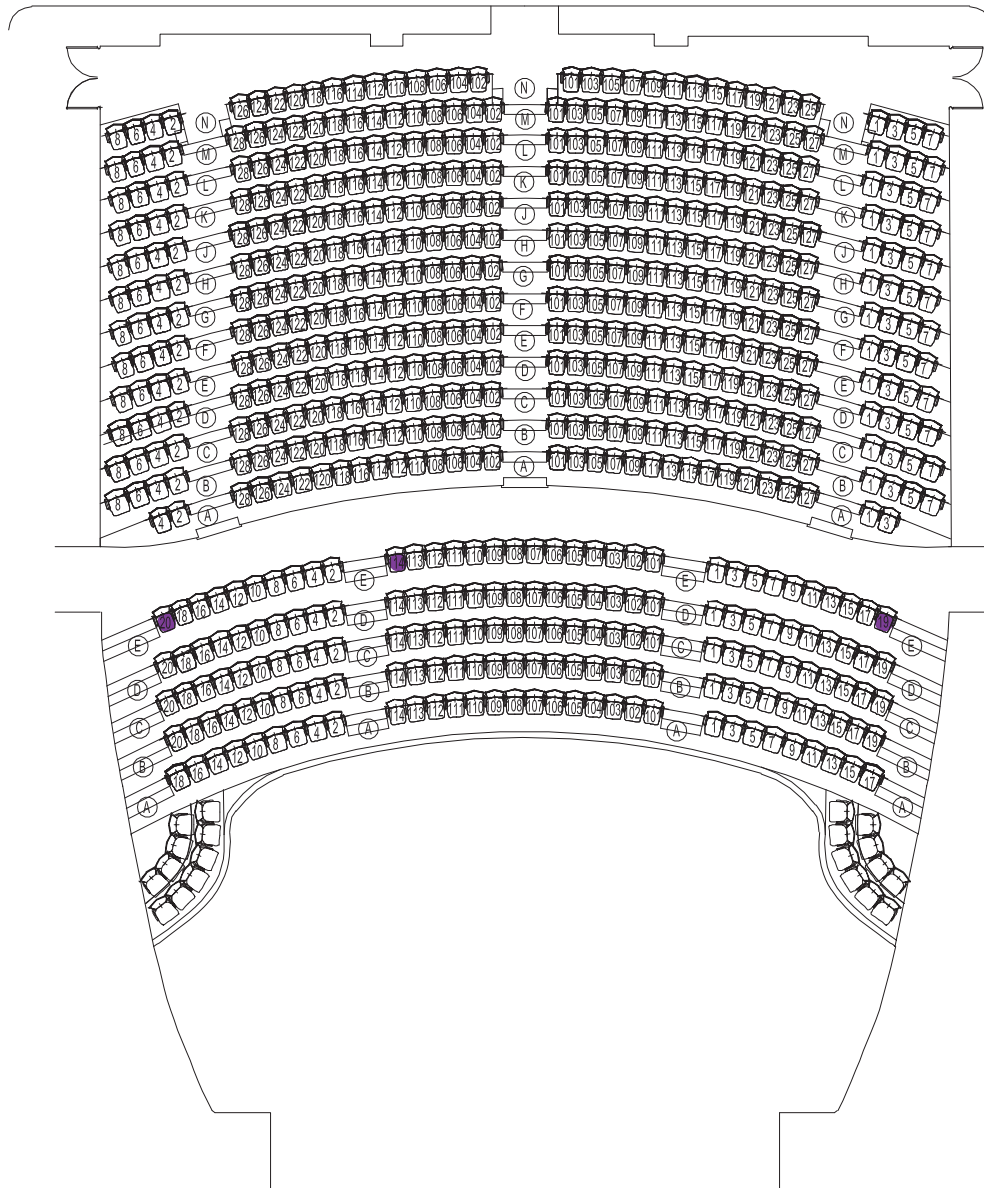
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
45	Building	There is no directional signage to the accessible toilet room.	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	4.1.2(7)(d) 4.1.3(16)(b) 4.1.6(3)(e)(ii i) 4.30.1 4.30.2 4.30.3 4.30.5	Compliant signage has been provided during course of investigation.
46	Building	There are no raised letter and Braille signs where required (exits, entrance(s) to auditorium, toilet rooms, etc.).	There is no raised lettering and Braille room identification signage provided.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Lunt Fontanne, 2 wheelchair seating and companion locations, and all 15 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Lunt Fontanne, 2 wheelchair seating and companion locations, and all 15 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 4: Marquis Theater

Exhibit 4A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 4A (i.e., in the same condition as they existed for the Government's inspection conducted on May 3, 2011).

Exhibit 4B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibit 4B. Nederlander shall further ensure that patrons of the Theater have access to a designated accessible restroom at the Marriott Marquis Hotel, and post signage indicating the location of that restroom.

Exhibit 4C: Seating

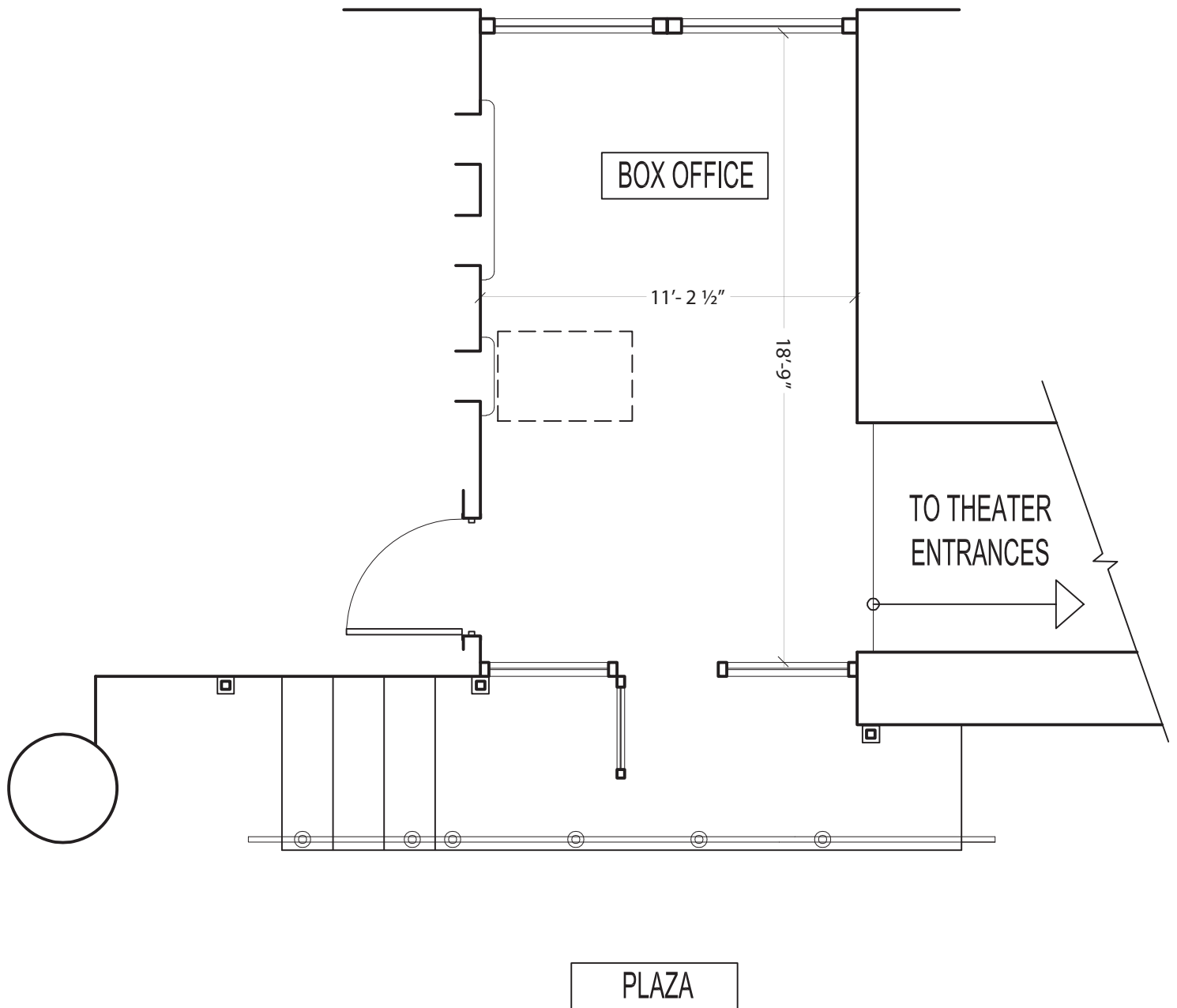
Nederlander shall implement the seating plan attached hereto as Exhibit 4C.

Wheelchair and Companion Seating:

1. Nederlander shall maintain the eight existing wheelchair and companion seating locations on the Orchestra level: at Y2, Y3, Y4, Y5, Y102, Y103, Y120, and Y121, with Y1, Y2, Y7, Y8, Y101, Y104, Y119, and Y125 being companion seating locations.
2. Nederlander shall add two wheelchair seating locations on the Orchestra level at Y14/Y12/Z8/Z6 and Y13/Y11/Z5/Z7, with Y10 and Y9 being companion seating locations.

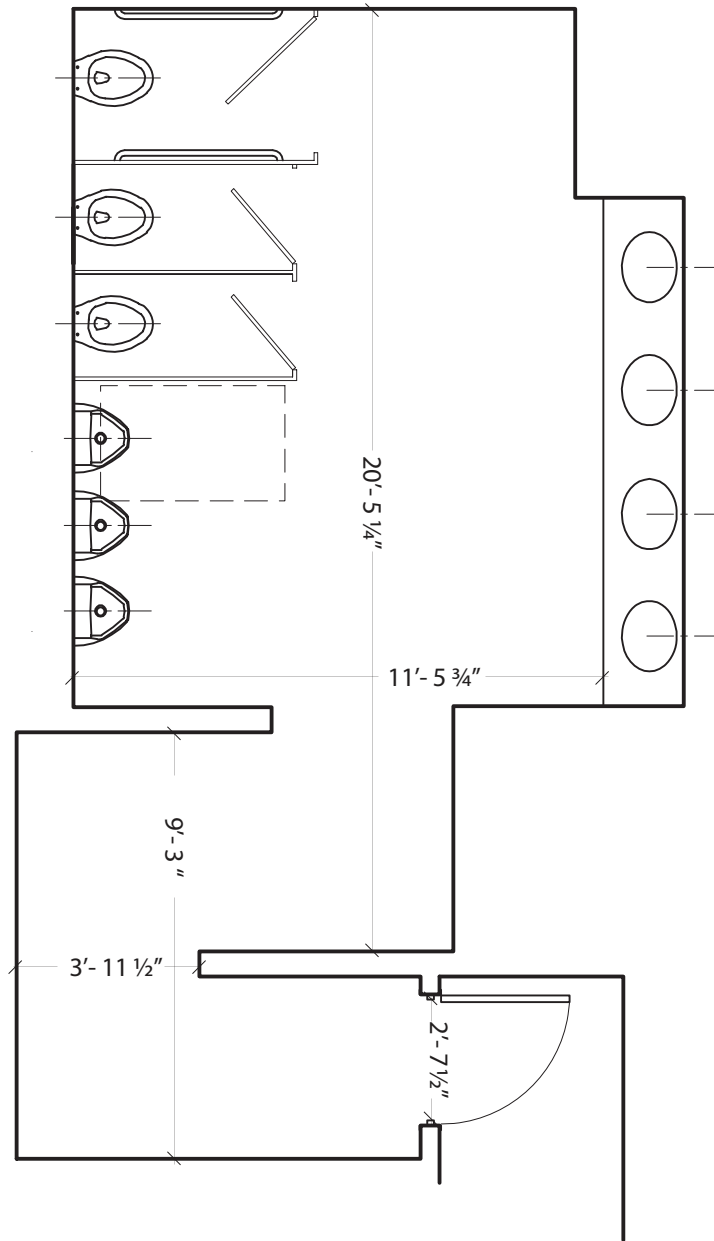
Aisle Transfer Seats:

3. Nederlander shall add sixteen new aisle transfer seats on the Orchestra Level at K2, F18, S28, T2, A2, P125, P101, T1, S27, K1, F17, A1 and on the Mezzanine Level at K34, L2, L1 and K33.

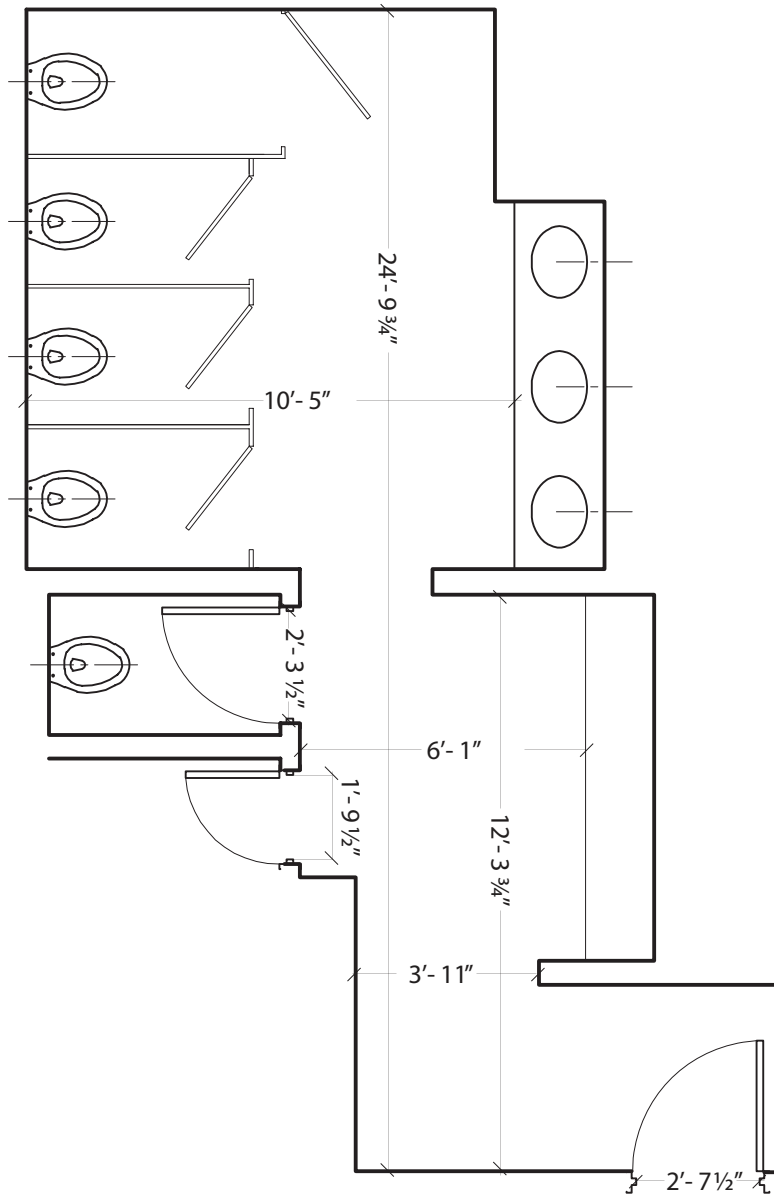


**4. MARQUIS THEATER
BOX OFFICE PLAN
EXISTING CONDITIONS**

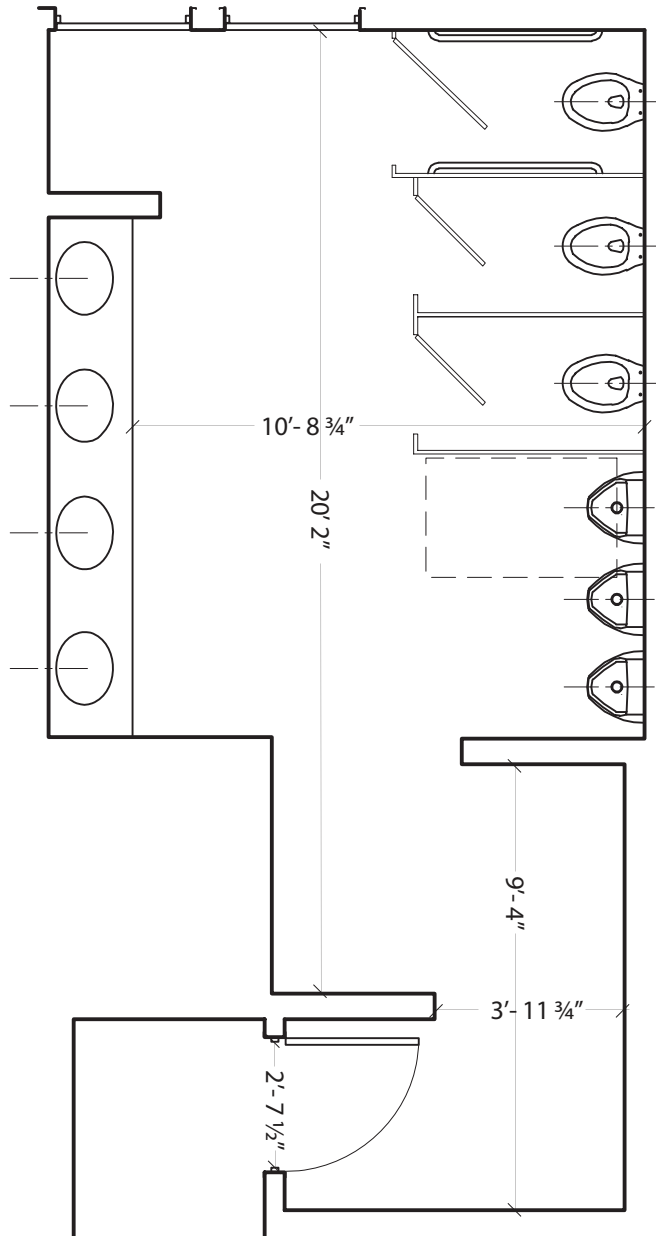
N.T.S



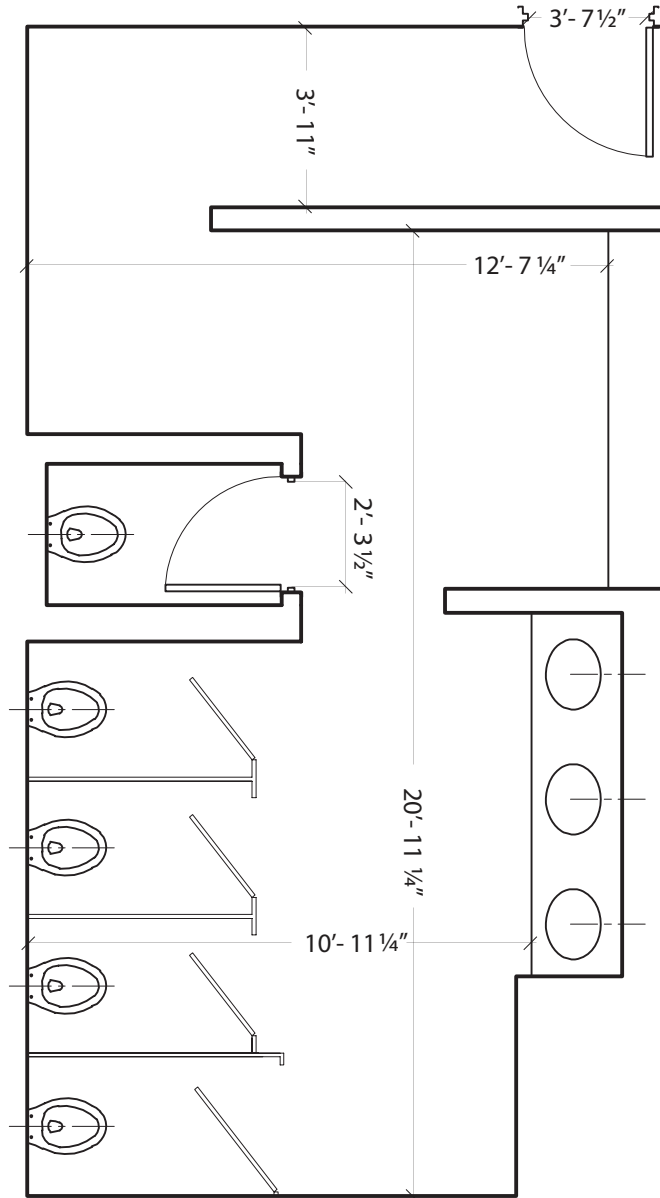
4. **MARQUIS THEATER**
MARRIOT MARQUIS HOTEL NORTH - MEN TOILET PLAN
 EXISTING CONDITIONS N.T.S



4. MARQUIS THEATER
MARRIOT MARQUIS HOTEL SOUTH - LADIES TOILET PLAN
EXISTING CONDITIONS N.T.S



4. **MARQUIS THEATER**
MARRIOT MARQUIS HOTEL SOUTH - MEN TOILET PLAN
 EXISTING CONDITIONS N.T.S



4. MARQUIS THEATER
MARRIOT MARQUIS HOTEL NORTH - LADIES TOILET PLAN
EXISTING CONDITIONS N.T.S

Exh. 4B Architectural Modifications to Marquis Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
1	Entire Facility	There are no raised letter and Braille exit signs in the Facility. Emergency exits with signs that are readable by the public are considered permanent rooms or spaces and are required to have raised letter and Braille signs on them mounted at 60" AFF on the latch side of the door.	Add compliant signs. Tactile sign should say "EXIT" as a minimum. Coordinate with other requirements for signage characteristics, particularly raised characters and Braille, as well as location and height requirements. Verify also that all other signs required to have RLB in public areas are provided.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
2	Entire Facility	There are enough alarm pull stations at exit doors and at key points on the stage and trap level to indicate that an audible alarm system is in place in both public and backstage areas of the facility. However, there are no visual signaling devices as required. Approximately three dozen devices will be required in the backstage areas alone.	Install compliant visual alarm signal appliances where required.	4.1.3(14) 4.28	Defendant has installed visual alarm system where required.
3	Entire Facility	Audible alarm system not tested to verify compliance with ADA standards.	Verify compliance with ADA standards for volume, etc.	4.1.3(14) 4.28.2	Defendant has verified compliance, and will continue to do so annually.
4	Main Lobby	Existing ramp which serves as part of an accessible route does not have handrails. There are no handrails on either ramp in the lobby.	Install compliant handrails on both sides of ramp.	4.8.5 4.26 Fig. 17 Fig. 39	Defendant has provided handrails during the course of the investigation.

Exh. 4B Architectural Modifications to Marquis Theater

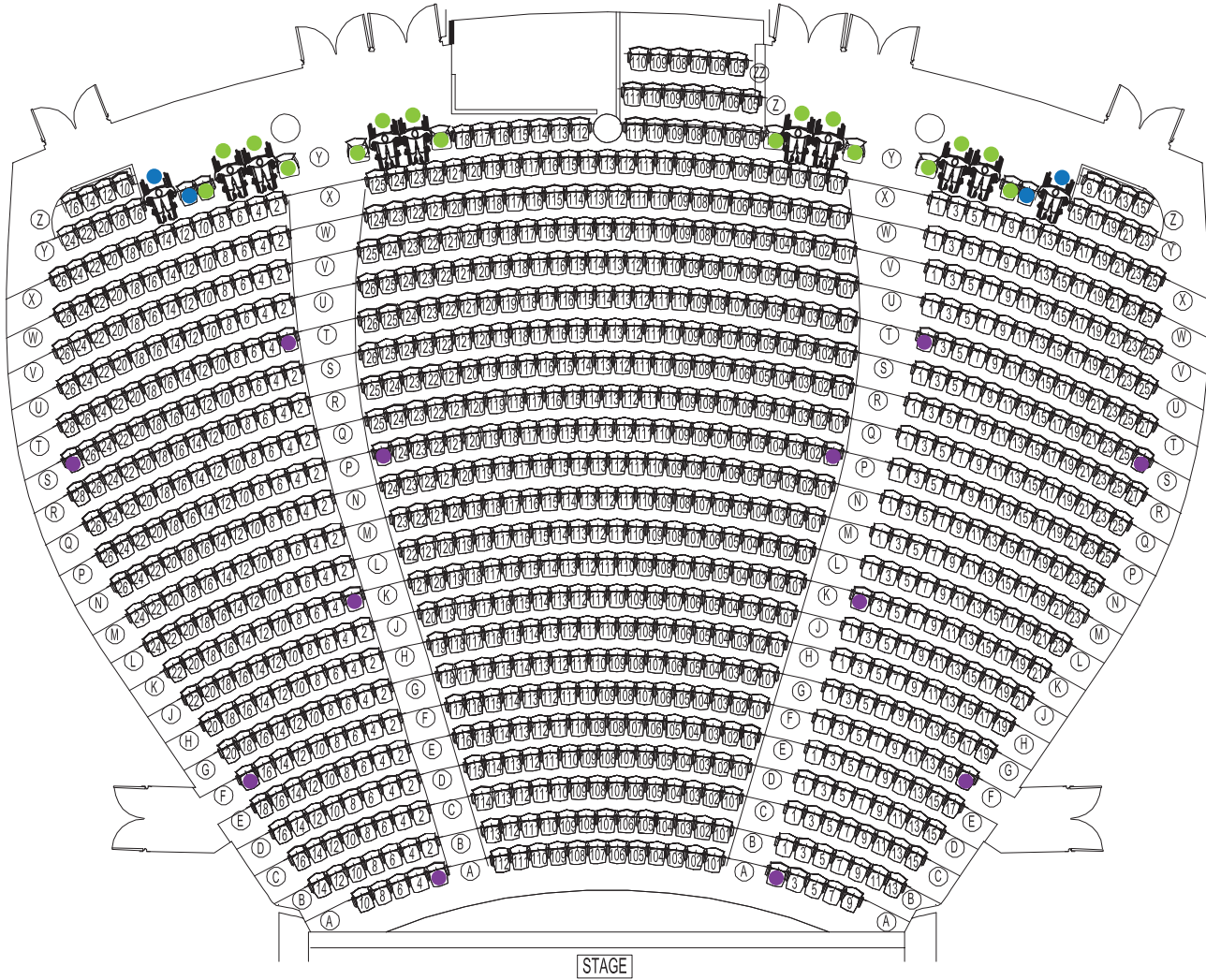
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
5	Main Lobby (Concession Counter)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The concession counter is at 42¼" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	Defendant will include accessible sections in operating concession counter.
6	Main Lobby (Souvenir Counter/Cart)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The souvenir counter/cart is at 43½" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	Defendant will include accessible sections in operating concession counter.
7	Main Lobby (Upper Concession Stand)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The upper concession stand is at 42" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	Defendant will include accessible sections in operating concession counter.
8	Mezzanine Lobby - Hotel Level (Toilet Rooms)	Existing toilet rooms do not provide the required turning space, clear floor space at fixtures, maneuvering clearance(s) at door, or accessible stall (if applicable).	A fully accessible unisex toilet room should be provided somewhere in the facility if these are not modified to become fully accessible. If these do not become fully accessible, provide directional signage to the fully accessible one(s) nearby.	4.1.3(11) 4.22 4.13 4.2.3 4.17 4.26 4.18 4.19 4.27 4.16, Figs. 30, 31, & 32	Defendant shall inform patrons that the Theater lacks any restroom facilities, and shall post signage, and indicate on its website and in any program guide the location of the nearest accessible restroom facility.

Exh. 4B Architectural Modifications to Marquis Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
9	Mezzanine Lobby - Hotel Level (Mezzanine Level Concession Stand)	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. The upper concession stand counter is at 42" AFF.	Alter at least 1 counter of each type, on each level, such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route.	7.2(1) 7.2(2) 4.3	Defendant will include accessible sections in operating concession counter.
10	Ticket Office	No signage is provided at the ticket office notifying patrons of the availability of aisle seats without armrests, or with folding or removable armrests on the aisle side.	Install required signage at the ticket office and, preferably, in main lobby, too.	4.1.3(19)(a)	Defendant will provide compliant signage.
11	Ticket Office	Sales, service or information counter higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public. Ticket counters are at 42½" at AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF, and is on an accessible route. A writing shelf attached to the front of the counter or an auxiliary counter may be acceptable.	7.2(2) 4.3	Defendant will include accessible sections in operating concession counter.
12	Ticket Office	No assistive listening system was found during survey and there was no signage at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	Install ALS system with the required number of receivers and signage incorporating the International Symbol of Access for Hearing Loss at the ticket office(s) or other apparent location(s) notifying patrons of the availability of an assistive listening system. Sign should state "Assistive Listening System Available".	4.1.3(19)b 4.33 4.30, Fig. 43(d)	Defendant has provided ALS and will continue to do so.

Exh. 4B Architectural Modifications to Marquis Theater

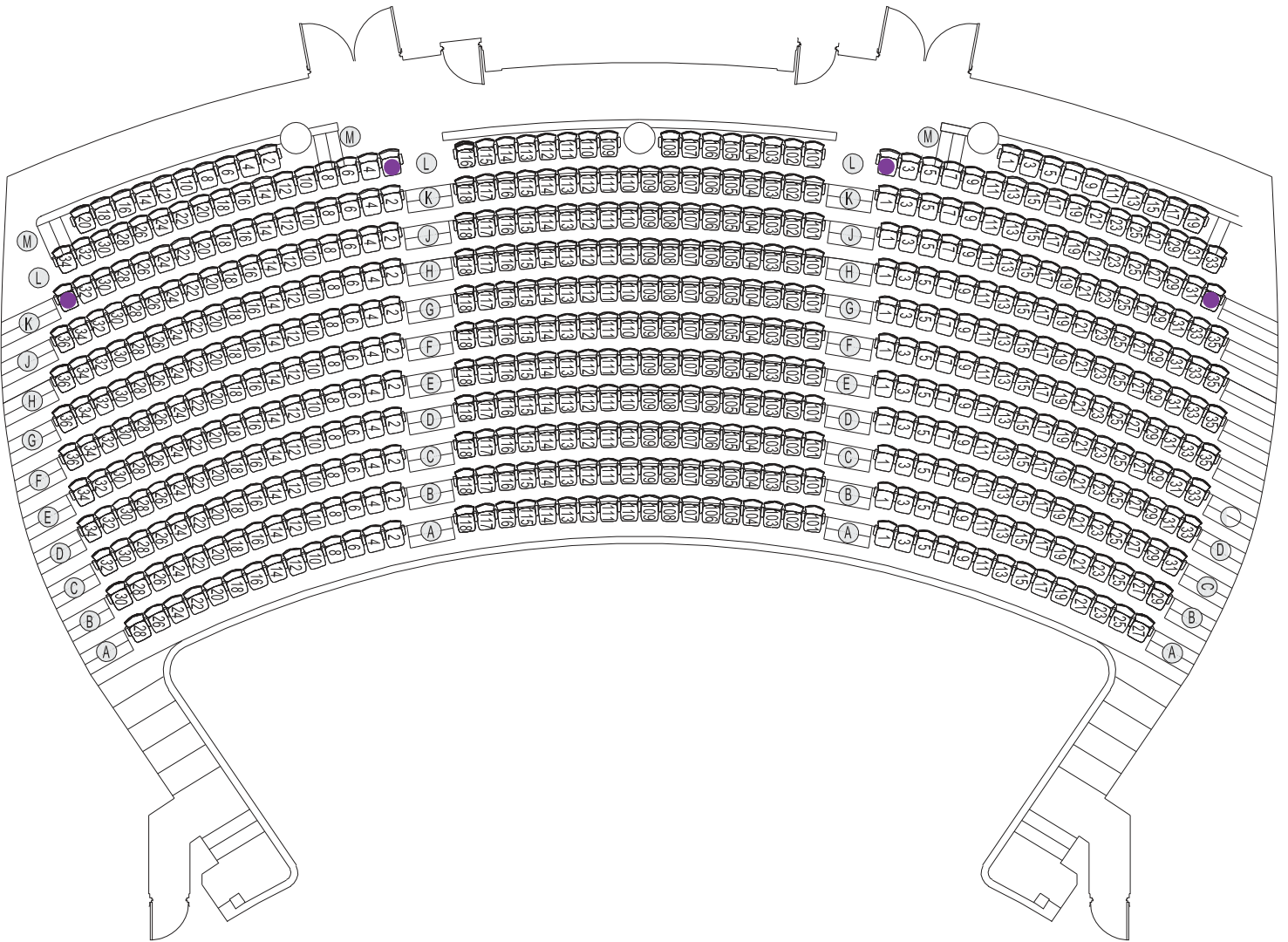
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
13	Ticket Office	Existing accessible public pay telephones are not hearing aid compatible and have no volume controls. There are 2 pay telephones, both with parallel approach at 54" AFF. Telephones have no dial tone, are not hearing aid compatible, and have no volume controls.	If phones become usable by anyone (if dial tone is restored), remove one existing phone and replace it with a compliant phone or bring one of the existing phones into compliance.	4.1.3(17) 4.2.4 4.2.5 4.2.6 4.4 4.30.7 4.31.2 4.31.3 4.31.4 4.31.5 4.31.6 4.31.7 4.31.8, Fig. 44	Defendant will remove existing payphones.
14	Ticket Office	Clearance width less than 32" at doorway (or active leaf of double door). Doors are 36" wide but have only 29" clear width due to hinge point locations at Marquis Alley Hotel entrance. (7th Avenue doors are similar.) The concrete in the Marquis Alley will need to be patched/repared.	Modify at least one door to provide 32" minimum clear width. Install signs at inaccessible entrances directing users to accessible entrance(s).	4.1.3(7) 4.13.5 Fig. 24	Defendant will provide complaint door and will repair concrete pavement.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Marquis, 5 wheelchair seating and companion locations, and all 16 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 5 wheelchair seating and companion locations are sold at the lowest price.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Marquis, 5 wheelchair seating and companion locations, and all 16 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 5 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 5: Minskoff Theater

Exhibit 5A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 5A (i.e., in the same condition as they existed for the Government's inspection conducted on July 20, 2011).

Exhibit 5B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 5A and 5B.

Exhibit 5C: Seating

Nederlander shall implement the seating plan attached hereto as Exhibit 5C.

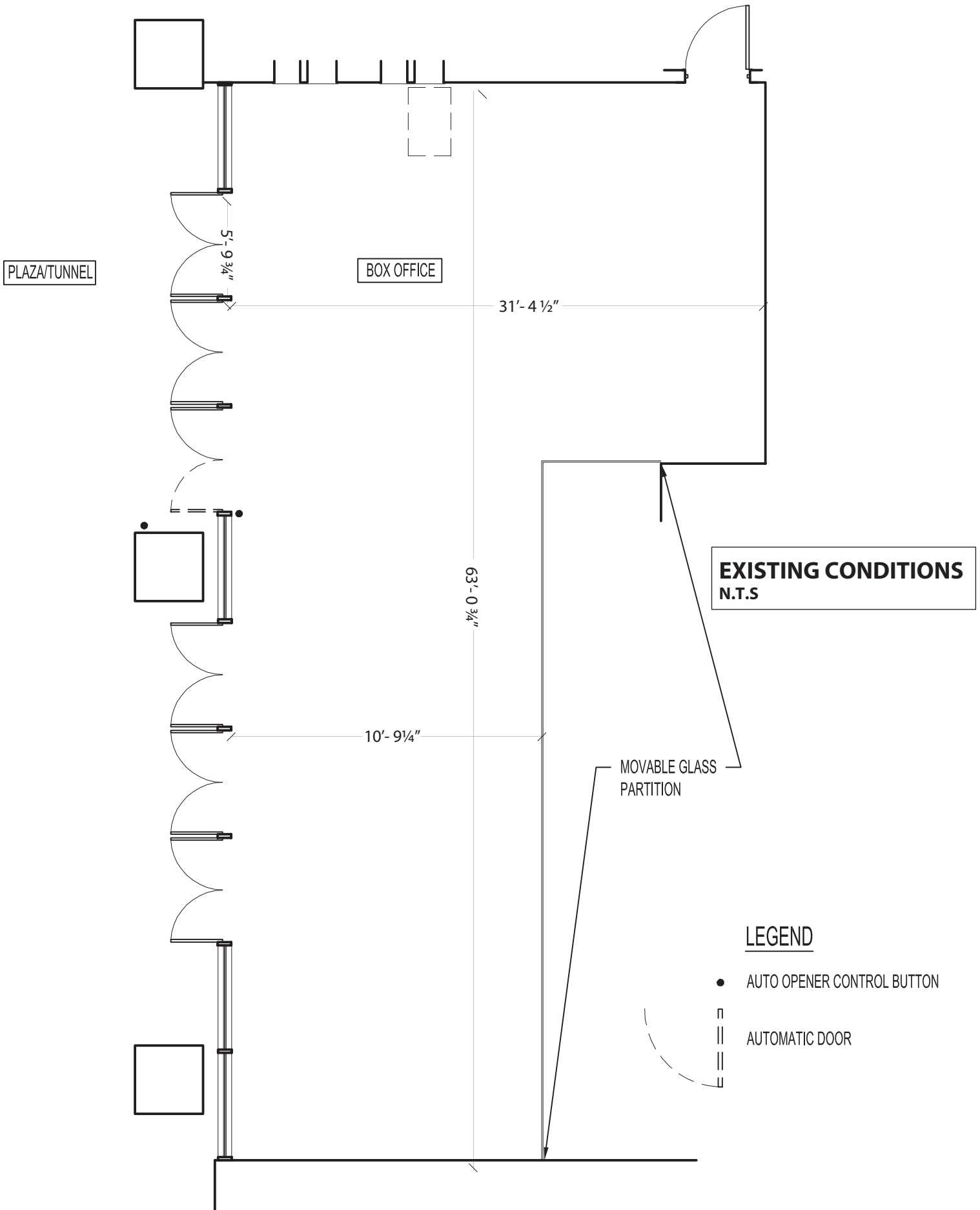
Wheelchair and Companion Seating:

1. Nederlander shall maintain the fourteen existing wheelchair and companion seating locations on the Orchestra level: at ZZ3, ZZ7, ZZ1, ZZ4, ZZ8, ZZ12, and at ZZZ118, ZZZ120, ZZZ122, ZZZ124, ZZZ127, and ZZZ129, with ZZ1, ZZ5, ZZ9, ZZ2, ZZ6, ZZ10, and at ZZZ117, ZZZ119, ZZZ121, ZZZ123, ZZZ126, ZZZ128, and ZZZ130 being companion seating locations, and shall maintain the two existing wheelchair locations at Mezzanine box left 1-4, and Mezzanine box right 1-4, each of which has one companion seating location.

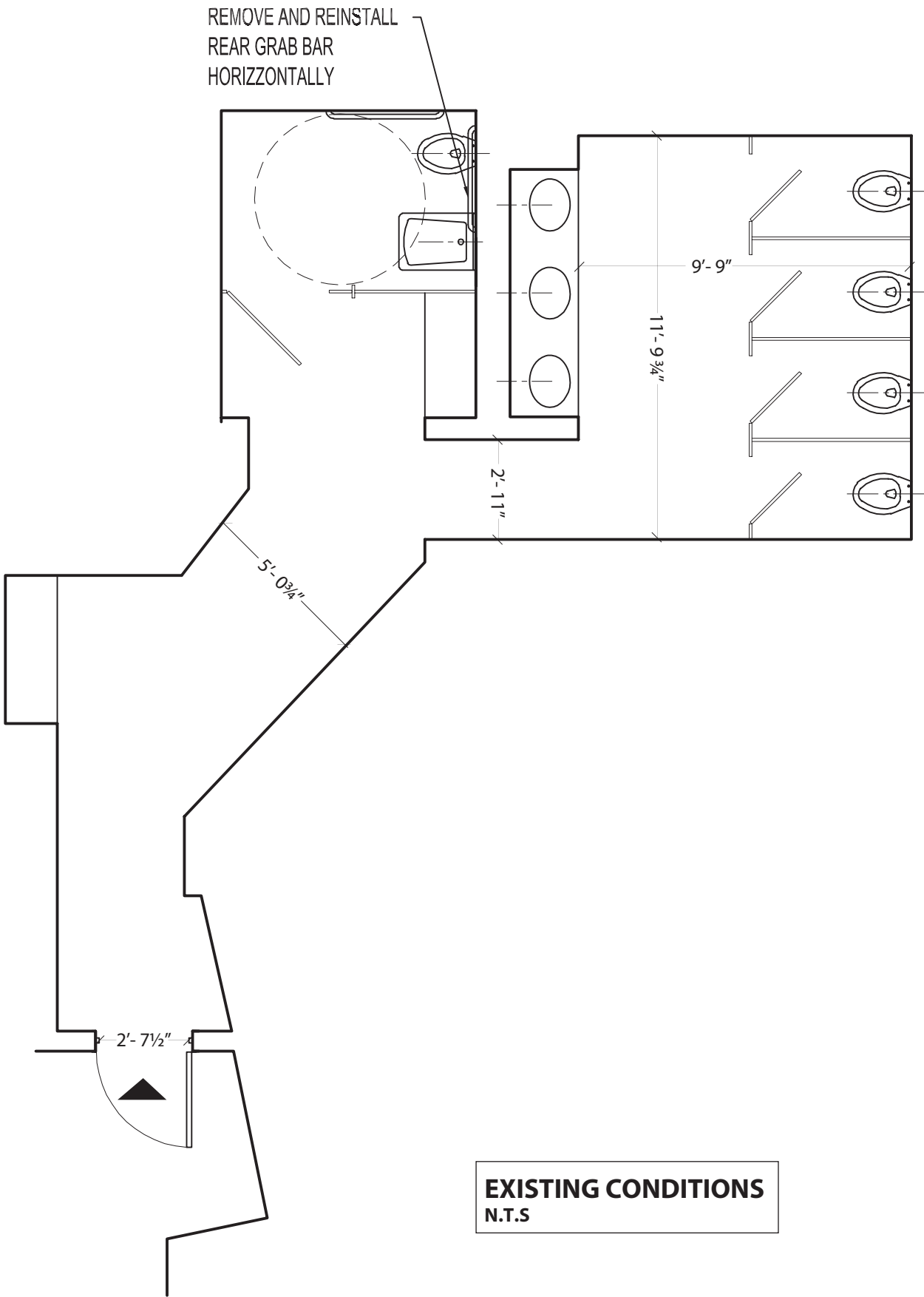
2. To provide for the accessibility of wheelchair seating locations at ZZ1 through ZZ11, and at ZZ2 through ZZ12, Nederlander shall remove the black metal bars immediately to the right and left of the seating locations, and relocate or reconfigure the piles of black seating cushions kept immediately to the left of ZZ1 through ZZ11 facing the stage, and immediately to the right of ZZ2 through ZZ12 facing the stage.

Aisle Transfer Seats:

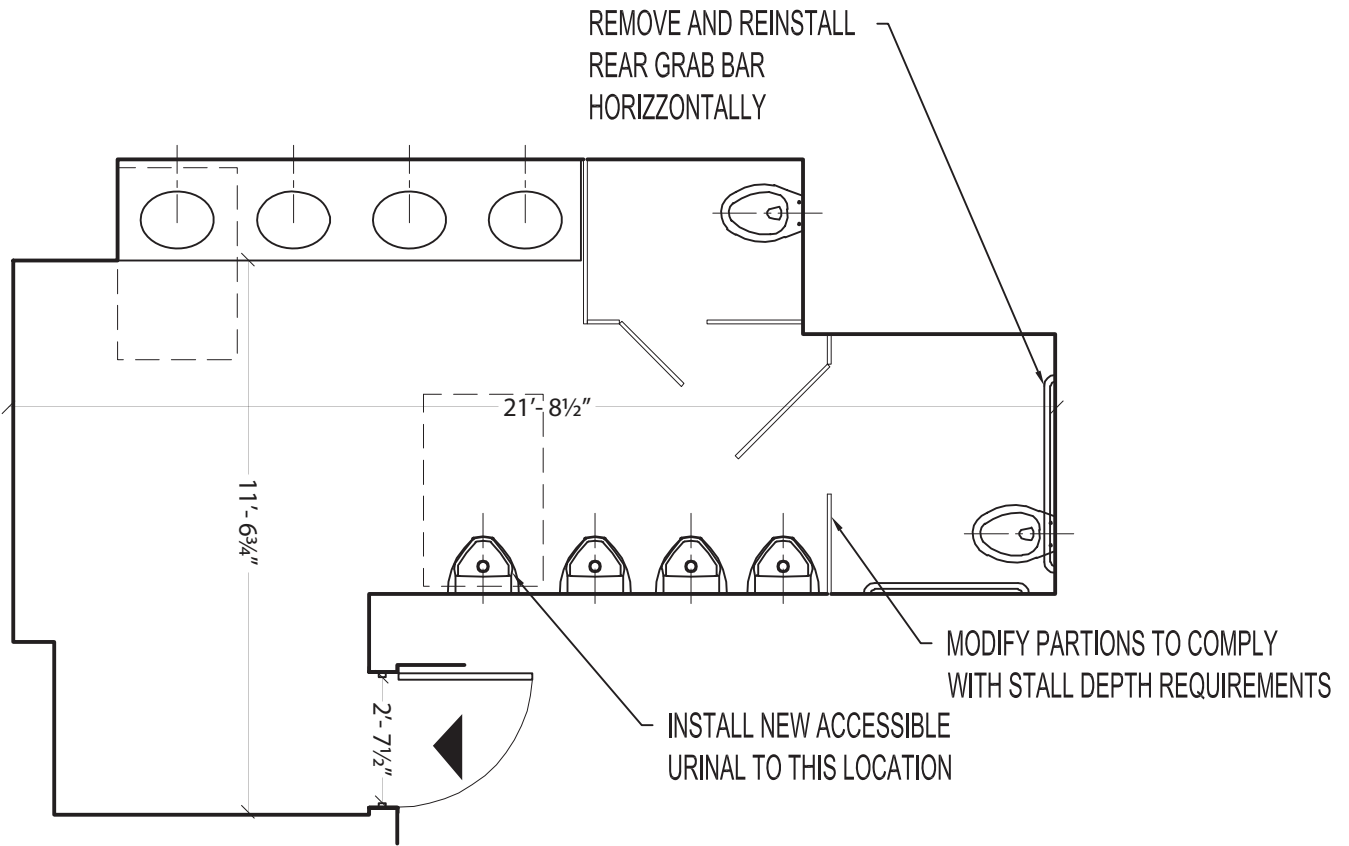
3. Nederlander shall maintain the eleven aisle transfer seating locations on the Orchestra level at B1, B2, J1, L2, O31, Q15, Q16, U130, V101, Z101, ZZ130, and add six aisle transfer seating locations on the Orchestra level at M101, M129, and on the Mezzanine level at GG7, GG8, E101, and E142.



5. MINSKOFF THEATER - BOX OFFICE PLAN



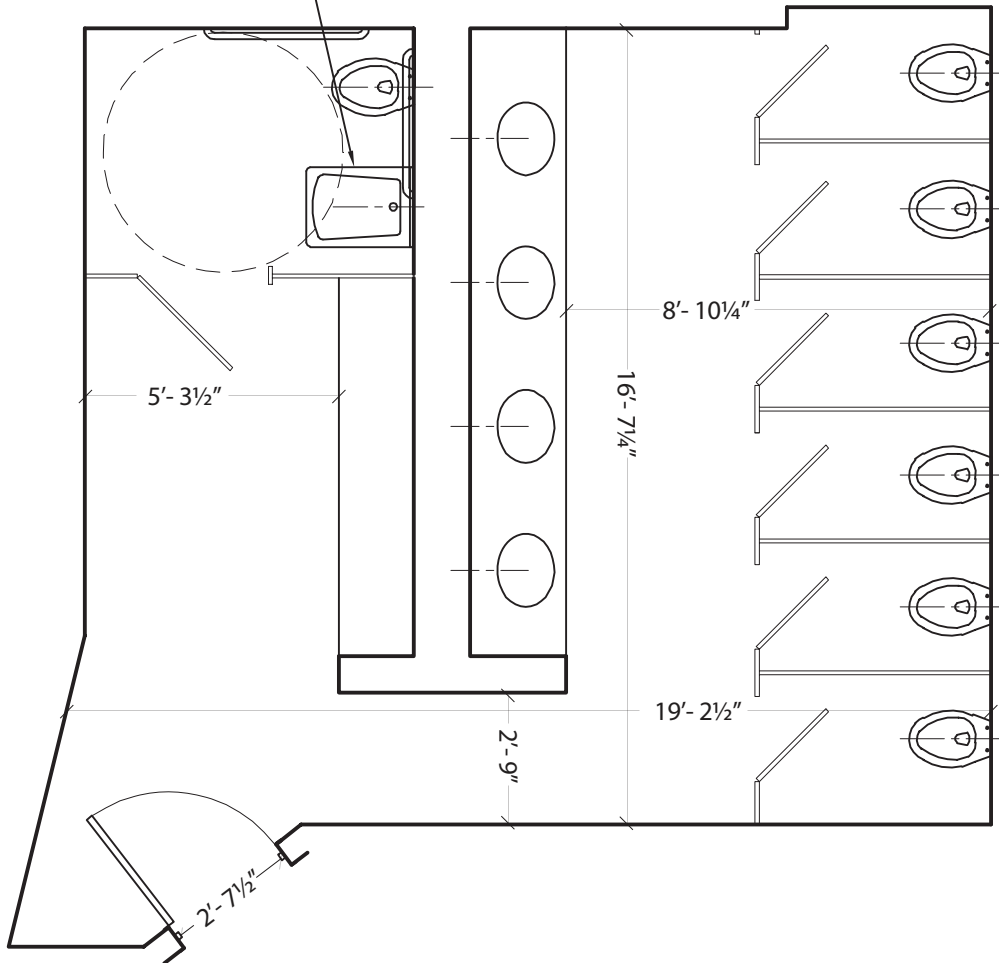
**5. MINSKOFF THEATER
ORCHESTRA LEVEL HOUSE RIGHT - WOMEN TOILET ROOM PLAN**



EXISTING CONDITIONS
N.T.S

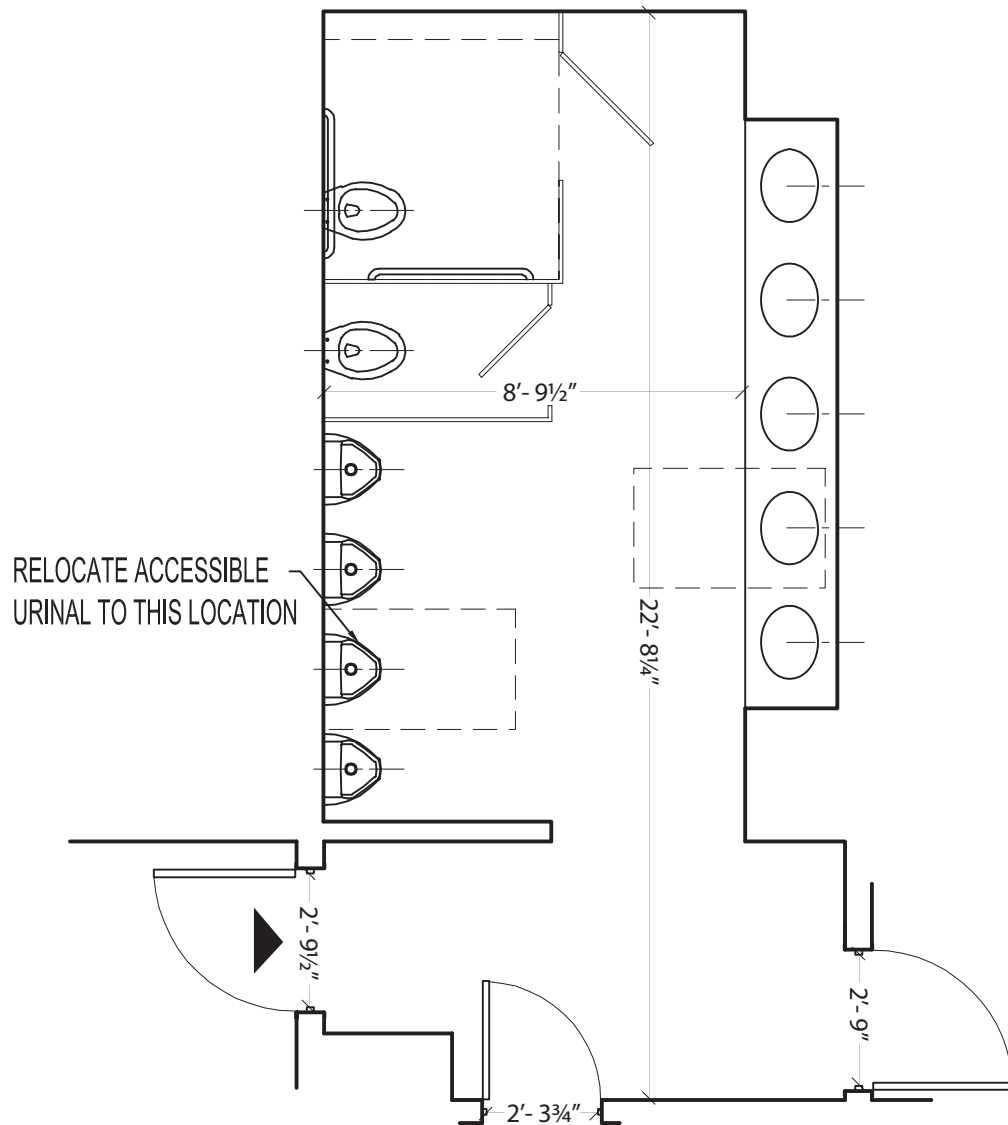
**5. MINSKOFF THEATER
ORCHESTRA LEVEL HOUSE RIGHT - MEN TOILET ROOM PLAN**

INSTALL NEW COMPLIANT
LAVATORY



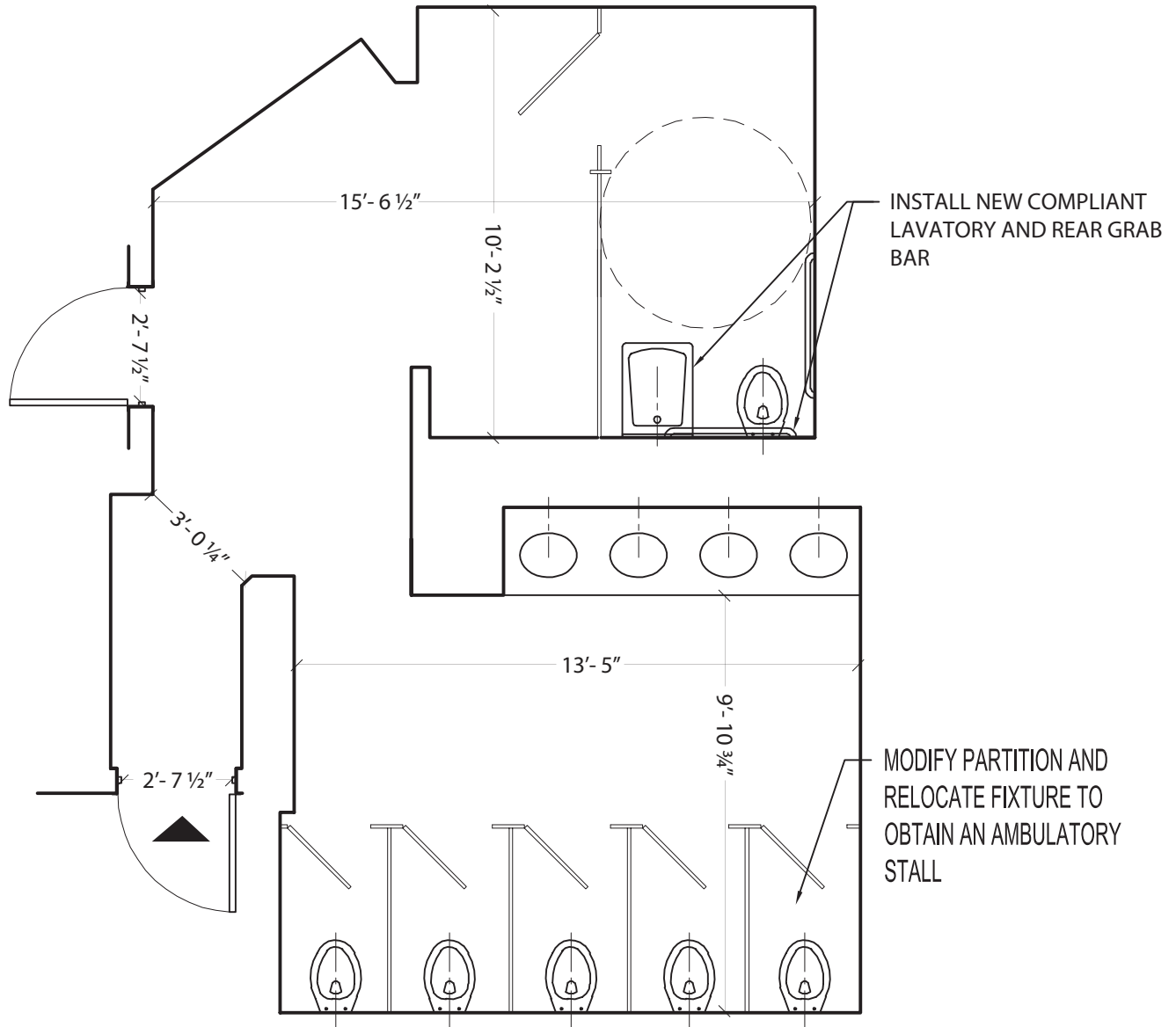
EXISTING CONDITIONS
N.T.S

**5. MINSKOFF THEATER
ORCHESTRA LEVEL HOUSE LEFT - WOMEN TOILET ROOM PLAN**



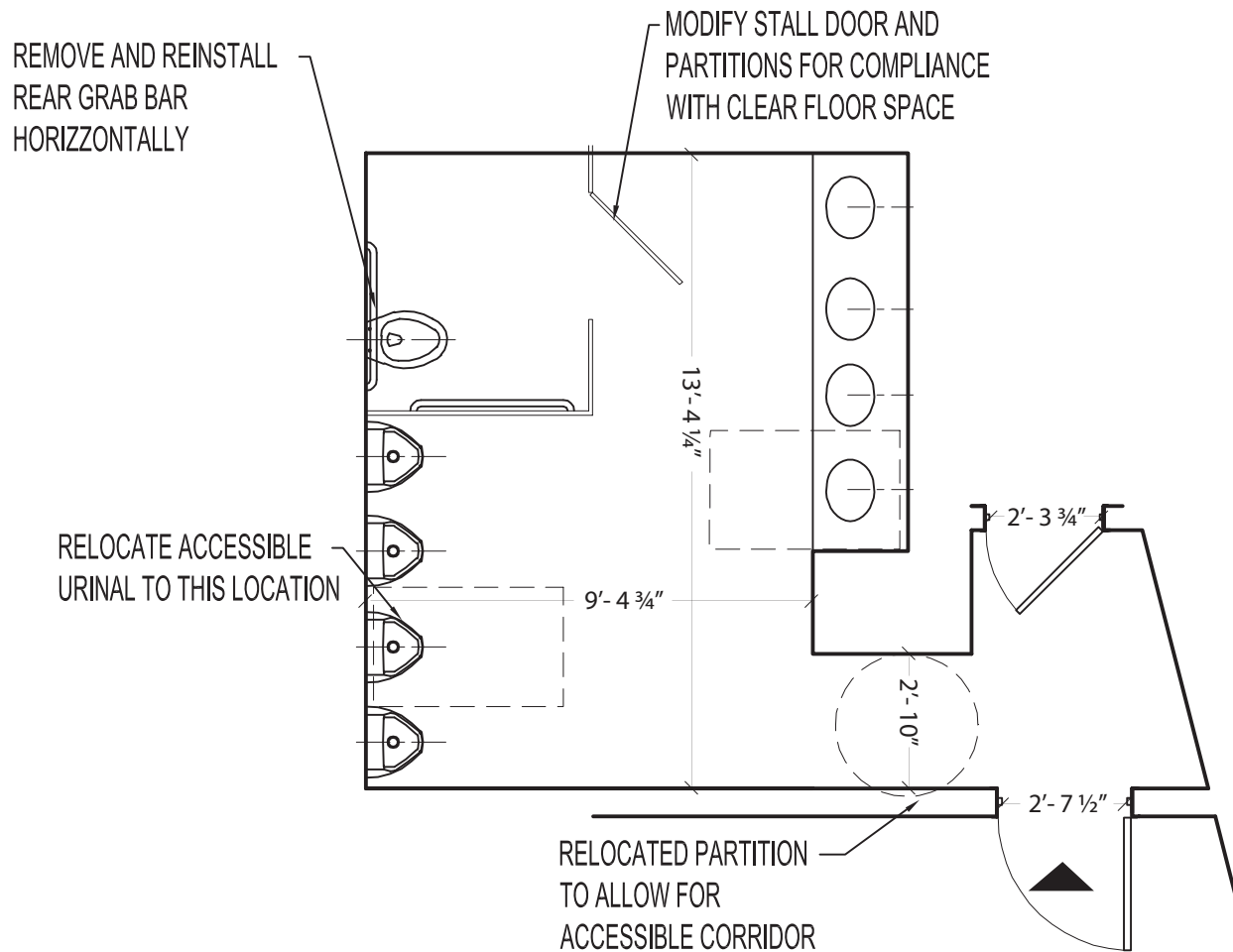
EXISTING CONDITIONS
N.T.S

**5. MINSKOFF THEATER
ORCHESTRA LEVEL HOUSE LEFT - MEN TOILET ROOM PLAN**



EXISTING CONDITIONS
N.T.S

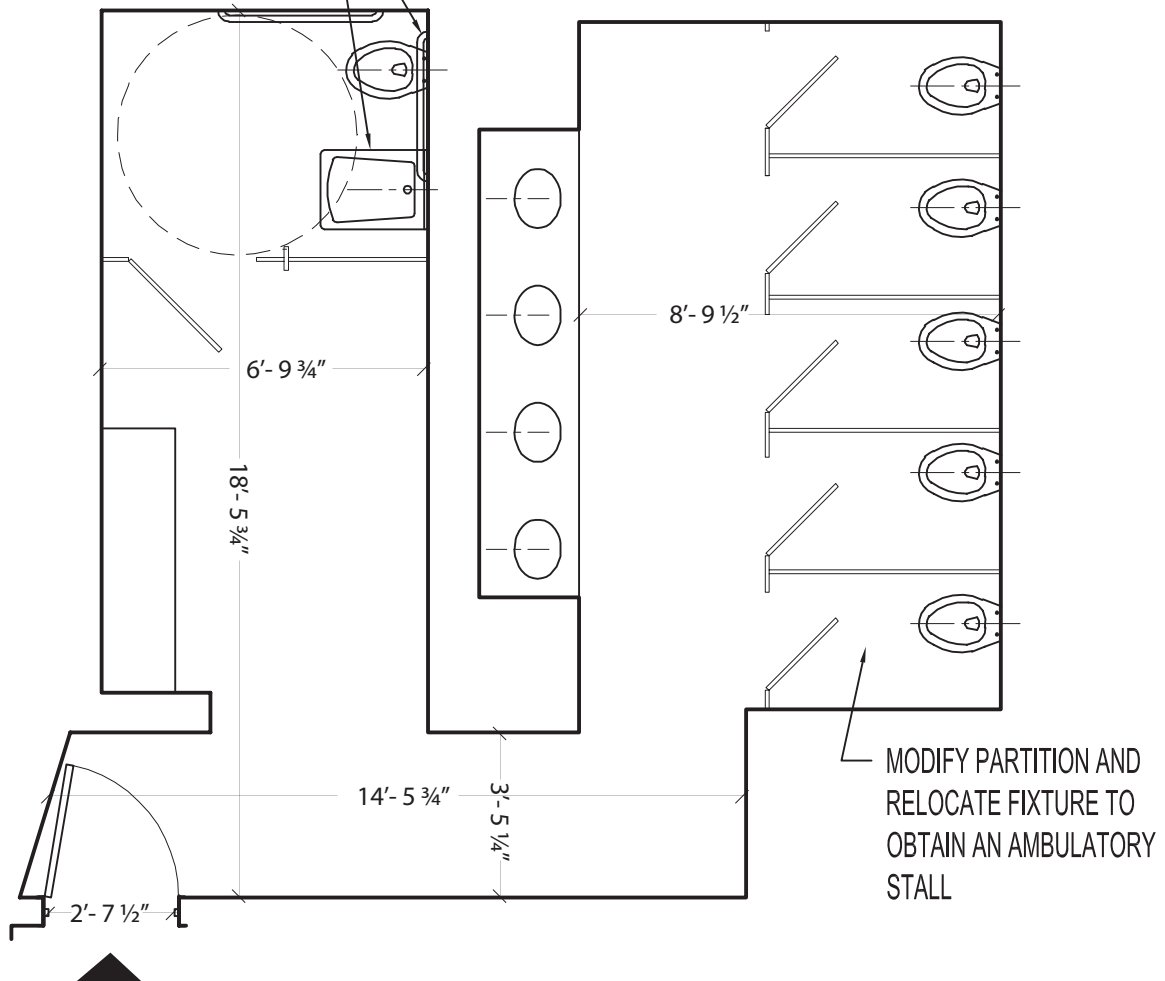
5. MINSKOFF THEATER
MEZZANINE LEVEL RIGHT LEFT- WOMEN TOILET ROOM PLAN



EXISTING CONDITIONS
N.T.S

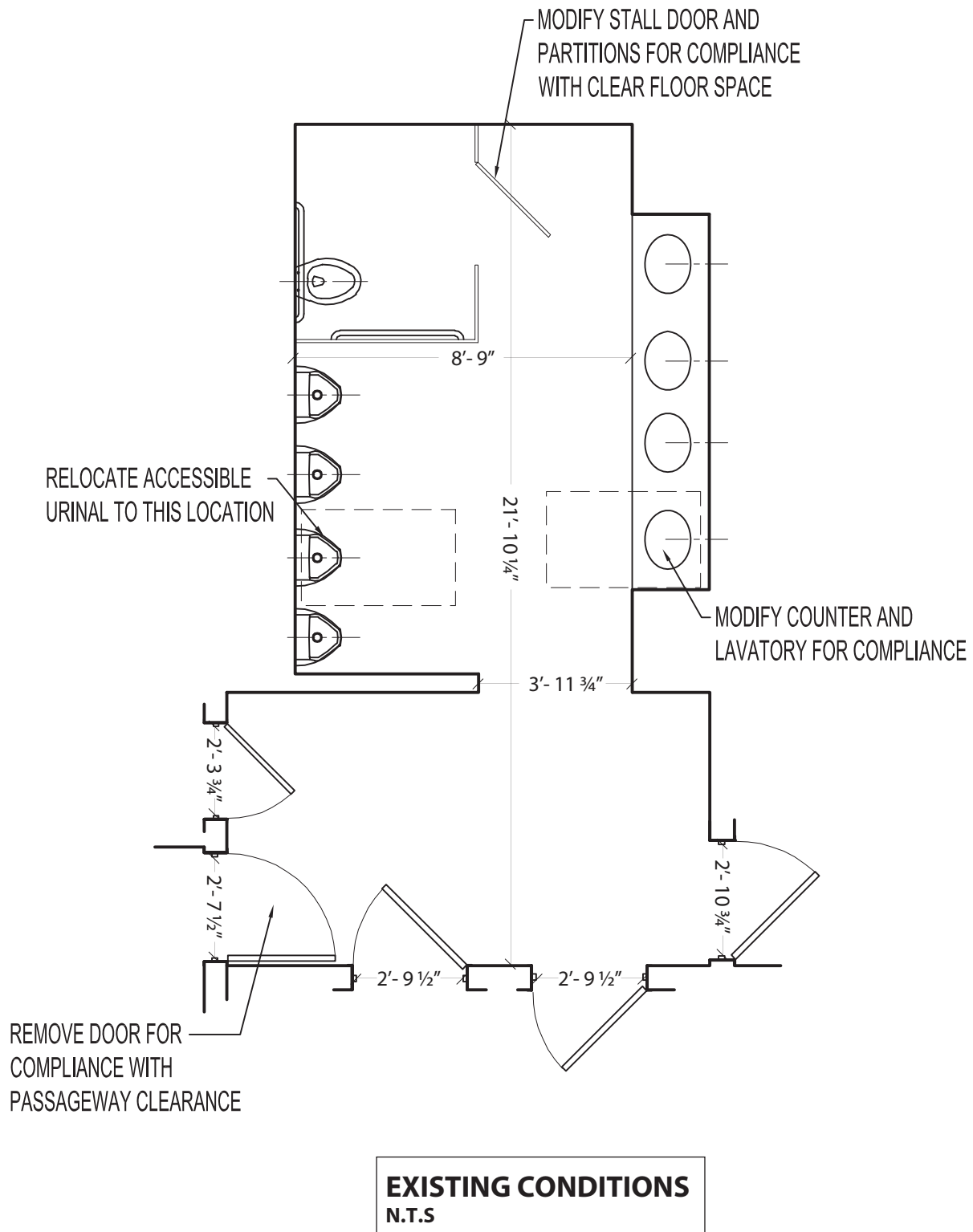
5. MINSKOFF THEATER
MEZZANINE LEVEL HOUSE RIGHT- MEN TOILET ROOM PLAN

INSTALL NEW COMPLIANT
LAVATORY AND REAR GRAB
BAR



EXISTING CONDITIONS
N.T.S

**5. MINSKOFF THEATER
MEZZANINE LEVEL HOUSE LEFT- WOMEN TOILET ROOM PLAN**



5. MINSKOFF THEATER
MEZZANINE LEVEL HOUSE LEFT- MEN TOILET ROOM PLAN

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
1	Building	The existing door hardware, including some exit doors, requires tight grasping, pinching, or twisting of the wrist to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide compliant hardware at building doors.
2	Building	There is no raised lettering and Braille room identification signage provided where required.	Install compliant signage in the required location(s).	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
3	Building	The drinking fountains are compliant with the exception of the "high" side being a protruding object, protruding 14" at 33" AFF.	Construct a cane-detectable warning which notifies blind or vision-impaired persons of hazard.	4.1.3(2) 4.4.1, Fig. 8 4.1.3(10) 4.15.2 Fig. 27(a)	Defendant will install cane detectable warning.
4	Building	Accessible lavatory pipes are not insulated and there is no protection against contact with hot, sharp, or abrasive surfaces.	Insulate and protect all accessible lavatories.	4.1.3(11) 4.19.4 4.22.6	Defendant will provide piping insulation at accessible lavatories.
5	Orchestra Level (Grand Lobby)	The under side of the escalator and stairs provide less than 80" of clear head room. The stair landing is 47" AFF.	Construct a cane-detectable warning which notifies blind or vision-impaired persons of hazard.	4.1.3(2) 4.4.2 Fig.8(a) Fig.8(c-1)	Defendant will install cane detectable warning.
6	Orchestra Level (Just off Grand Lobby)	The exit sign is a protruding object, protruding 14" at 77" AFF. This exit sign is located in the house left corridor with no admittance to the general public.	If the public will use this route in an emergency, raise the protruding object sign.	4.1.3(2) 4.4.1 Fig. 8	Defendant will raise protruding object.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
7	Orchestra Level (Grand Lobby)	There are no accessible tables in the Grand Lobby.	Install new table on an accessible route to provide 5% minimum wheelchair spaces with required knee space and height.	4.1.3(18) 4.32	Defendant will provide accessible tables.
8	Orchestra Level (Grand Lobby)	The only passenger elevator providing an accessible route is in a secured non-public area.	Provide directional signage to the elevator and, if the accessible route must remain secured, provide assistants during all hours that the theatre is open and signage at the doors indicating where help can be found.	4.1.3(1) 4.10.1	Defendant will provide compliant directional signage.
9	Orchestra Level (Grand Lobby)	There are unused concession stands on each side of the Grand Lobby at 43" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(1) 4.3	Defendant will include accessible section in operating concession stands.
10	Orchestra Level (Just off Grand Lobby)	The fire extinguisher is a protruding object, protruding 7" at 29" AFF. This fire extinguisher is located in the house left corridor which does not usually admit the general public.	In the even the public must use this corridor, protect protruding object with a cane-detectable element underneath or install a recessed or semi-recessed extinguisher.	4.1.3(2) 4.4.1 Fig. 8	Defendant will raise protruding object if on public exit route.
11	Lobby	The door from the ticket office to the theatre has a knob that requires tight grasping, pinching, or twisting of the wrist to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(7)(c) 4.13.9	Defendant will provide compliant hardware.
12	Lobby	Sconce is at 79" AFF in circulation path.	Raise wall sconce to greater than 80" AFF without altering fixture.	4.1.3(2) 4.4.2 Fig.8(a) Fig. 8 (c-1)	Defendant will provide compliant sconce mounting height.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
13	Mezzanine Level (House Right Women's Toilet Room)	The conditions in this toilet room are similar to the women's toilet rooms on the orchestra level except that this toilet room has 6 stalls and no ambulatory stall.	Correct all barriers and provide one ambulatory stall per 4.22.4.	4.1.3(11) 4.22 4.1.6(3)(e)(ii) 4.13 4.16 4.17 4.18 4.19 4.22.4 4.27	Barriers will be corrected as per response Items 34 through 45 and defendant will provide one ambulatory stall.
14	Mezzanine Level (House Left Women's Toilet Room)	The conditions in this toilet room are similar to the women's toilet room on the house right.	Correct all barriers and provide one ambulatory stall per 4.22.4.	4.1.3(11) 4,22 4.1.6(3)(e)(ii) 4.13 4.16 4.17 4.18 4.19 4.22.4 4.27	Barriers will be corrected as per response Item 14.
15	Mezzanine Level (House Right Men's Toilet Room)	The conditions in this toilet room are similar to the men's toilet rooms on the orchestra level. This toilet room is only accessible through a 33" wide corridor that is 40" long.	Correct all barriers.	4.1.3(11) 4,22 4.1.6(3)(e)(ii) 4.13 4.17 4.16 4.18 4.19 4.27	Barriers will be corrected as per response Items 22 through 33. Defendant has corrected corridor problem.
16	Mezzanine Level (House Left Men's Toilet Room)	The conditions in this toilet room are similar to the men's toilet room on the house right except without the corridor problem.	Correct all barriers.	4.1.3(11) 4.22 4.1.6(3)(e)(ii) 4.13 4.17 4.16 4.18 4.19 4.27	Barriers will be corrected as per response Item 15.
17	Mezzanine Level (House Right)	Upper lobby concession stand is 43" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route. Repair/refinish as needed.	7.2(1) 4.3	Defendant will include accessible section in operating concession stands.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
18	Mezzanine Level (House Left)	The existing 1/2" threshold is sloped steeper than 1:2 (50%) leading to Row D (house right has a similar existing condition at this same row).	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c) Fig.7(d) 4.7 4.8	Defendant will lower threshold at compliant height.
19	Mezzanine Level (House Left)	Upper lobby concession stand is 44" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route. Repair/refinish as needed.	7.2(1) 4.3	Defendant will include accessible section in operating concession stands.
20	Mezzanine Level (House Left)	The accessible drinking fountain spout outlet height is 38" AFF.	Modify DFs as necessary on this floor to provide wheelchair accessible DF(s) and ambulatory DF(s) for people who have difficulty bending or stooping as required by the Standards. Coordinate with protruding object requirements.	4.1.3(2) 4.1.3(10) 4.4.1 Fig.8 4.15 Fig. 27(a)&(b)	Defendant will provide accessible drinking fountain.
21	Orchestra Level	The drinking fountain located between the toilet rooms is 29 3/4" AFF and is a protruding object. The spout outlet height is 38" AFF.	Remove protruding object. Install new item of recessed, semi-recessed, or other design which alleviates encroachment.	4.1.3(2) 4.1.3(10) 4.4.1 Fig.8 4.15 Fig. 27(a)&(b)	Defendant will provide accessible drinking fountain.
22	Orchestra Level House Right (Men's Toilet Room)	The threshold is 1/2 inch threshold is sloped steeper than 1:2 and is not beveled.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4. 13.8 4.5.2 Fig.7(c) Fig.7(d) 4.7 4.8	Defendant will lower threshold at compliant height.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
23	Orchestra Level House Right (Men's Toilet Room)	The toilet paper dispenser is 2 1/2" above the side grab bar and is mounted at 41" from the rear wall.	Relocate the existing compliant toilet paper dispenser as required, ensuring 1 1/2" clearance below the grab bar or 12" above the grab bar.	4.1.3(11) 4.22.7 4.16.6 Fig. 29 Fig. 30	Defendant will provide toilet paper dispenser at compliant mounting height.
24	Orchestra Level House Right (Men's Toilet Room)	Though this facility provides audible fire alarms, there is no visual signal in this toilet room.	When alarm system is upgraded or replaced, add compliant visual signal that is integrated with the existing audible alarm system.	4.1.3(14) 4.28.1 4.28.2	Defendant will comply with code when system is upgraded.
25	Orchestra Level House Right (Men's Toilet Room)	Faucet controls require grasping, pinching, or twisting to operate.	Replace handle(s) with compliant type or replace faucet with compliant type. Lever operated, push type, and automatic mechanisms are acceptable.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.
26	Orchestra Level House Right (Men's Toilet Room)	The stall door is 34" wide with 31" clear width. The accessible stall is 55 1/2" deep x 65" wide with an outswinging stall door.	Replace door posts and door to provide required opening. Coordinate with stall depth requirements (56" minimum for a wall-hung water closet) and hardware requirements.	4.1.6(3)(e)(ii) 4.17.3 Fig. 30	Defendant will modify partitions to comply with stall depth requirements.
27	Orchestra Level House Right (Men's Toilet Room)	The toilet stall door hardware requires pinching and twisting to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(11) 4.22.2 4.17.5 4.13	Defendant will provide compliant hardware.
28	Orchestra Level House Right (Men's Toilet Room)	The counter mounted lavatory knee space is 23" AFF at the front edge and 25" at 8" back.	Modify the existing lavatory and/or counter for compliance.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide compliant accessible lavatory.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
29	Orchestra Level House Right (Men's Toilet Room)	The outswinging stall door infringes on the clear floor space at the accessible urinal.	Relocate the fixture where clear floor space is available.	4.1.3(11) 4.22.2 4.13	Defendant will relocate urinal to provide clear floor space.
30	Orchestra Level House Right (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
31	Orchestra Level House Right (Men's Toilet Room)	The toilet room door is a non-fire rated door that requires 12 pounds of force and travels from 70° open to 3" from the latch in 2 1/2 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will test and maintain door closer for compliance.
32	Orchestra Level House Right (Men's Toilet Room)	The side grab bar is 7" from the rear wall and extends 50" from the rear wall.	Remove the otherwise compliant grab bar and reinstall it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will install compliant grab bar.
33	Orchestra Level House Right (Women's Toilet Room)	The existing 1/2" threshold is sloped steeper than 1:2 (50%).	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c) Fig.7(d) 4.7 4.8	Defendant will lower threshold to compliant height.
34	Orchestra Level House Right (Women's Toilet Room)	The rear grab bar is mounted vertically.	Remove the existing compliant rear grab bar and remount it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will install compliant grab bar.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
35	Orchestra Level House Right (Women's Toilet Room)	Though this facility provides audible fire alarms, there is no visual signal in this toilet room.	When alarm system is upgraded or replaced, add compliant visual signal that is integrated with the existing audible alarm system.	4.1.3(14) 4.28.1 4.28.2	No alarm system upgrade is scheduled at this time.
36	Orchestra Level House Right (Women's Toilet Room)	Loose coat hook is mounted at 54" AFF.	Relocate coat hook to wall adjacent to door.	4.22.7 4.23.7 4.27.3 4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will provide compliant coat hook.
37	Orchestra Level House Right (Women's Toilet Room)	The soap dispenser is located at 26" depth over the lavatory.	Relocate the existing soap dispenser within reach range. Repair/refinish wall as needed.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide compliant soap dispenser.
38	Orchestra Level House Right (Women's Toilet Room)	The toilet stall door hardware requires pinching and twisting to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(11) 4.22.2 4.17.5 4.13	Defendant will provide compliant hardware.
39	Orchestra Level House Right (Women's Toilet Room)	The makeup counter is 36" AFF to the top of the counter.	Remove counter and replace with one that has the top between 28" AFF and 34" AFF.	4.32.4	Defendant will provide accessible make-up counter.
40	Orchestra Level House Right (Women's Toilet Room)	The toilet room door is a non-fire rated door that requires 11 pounds of force and travels from 70° open to 3" from the latch in 2 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will test and maintain door closer for compliance.
41	Orchestra Level House Right (Women's Toilet Room)	The water closet in the accessible stall is 14 1/2," from centerline to the side wall.	Move existing compliant water closet to the required position or otherwise modify stall(s) to achieve compliance.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig. 30	Defendant will relocate water closet to accessible location.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
42	Orchestra Level House Right (Women's Toilet Room)	The side grab bar is 7" from the rear wall and extends 50" from the rear wall.	Remove the otherwise compliant grab bar and reinstall it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will install compliant grab bar.
43	Orchestra Level House Right (Women's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
44	Orchestra Level House Right (Women's Toilet Room)	The door at this toilet room is 34" wide and provides 31" of clear width at 90° open.	Remove the existing door, widen opening and install a new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will install accessible door.
45	Orchestra Level (House Right Lobby)	The underside of the escalator and stairs provide less than 80" of clear head room.	Construct a cane-detectable warning which notifies blind or vision-impaired persons of hazard.	4.1.3(2) 4.4.2 Fig.8(a) Fig.8(c-1)	Defendant will install cane detectable warning.
46	Orchestra Level (House Right Lobby)	The concession stand counter is at 43" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(1) 4.3	Operating concession stands will include accessible section.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
47	Orchestra Level (House Right Lobby)	There is overhead directional signage to toilet rooms with 1" to 1 1/2" high letters.	Remove the existing sign and install a compliant sign. Coordinate with other requirements for signage characteristics.	4.1.3(16)(b) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant signage.
48	Orchestra Level (House Right Lobby)	The overhead signage designating entrances are noncompliant with 2" high letters and a glare finish.	Remove the existing sign and install a compliant sign. Coordinate with other requirements for signage characteristics.	4.1.3(16)(b) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant signage.
49	Orchestra Level (House Left Lobby)	The concession stand counter is at 43" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(1) 4.3	Defendant will include accessible section in operating concession stands.
50	Orchestra Level (House Left Lobby)	The concession stand counter is at 43" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(1) 4.3	Defendant will include accessible section in operating concession stands.
51	Orchestra Level (House Left Lobby)	The overhead signage designating entrances is noncompliant with 2" high letters and a glare finish.	Remove the existing sign and install a compliant sign. Coordinate with other requirements for signage characteristics.	4.1.3(16)(b) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant signage.
52	Orchestra Level (House Left Men's Toilet Room)	The threshold is approximately 1 1/2" vertical.	Remove the existing threshold and install a compliant threshold.	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig.7(c) Fig.7(d) 4.7 4.8	Defendant will lower threshold at compliant height.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
53	Orchestra Level (House Left Men's Toilet Room)	The rear grab bar is located 24" from the side wall.	Remove the existing compliant rear grab bar and remount it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will provide compliant rear grab bars.
54	Orchestra Level (House Left Men's Toilet Room)	The toilet paper dispenser is located 3" above the side grab bar and is mounted at 36 3/4" from the rear wall.	Relocate the existing compliant toilet paper dispenser as required, ensuring 1," clearance below the grab bar or 12" above the grab bar.	4.1.3(11) 4.22.7 4.16.6 Fig. 29 Fig. 30	Defendant will provide compliant toilet paper dispenser.
55	Orchestra Level (House Left Men's Toilet Room)	Though this facility provides audible fire alarms, there is no visual signal in this toilet room.	When alarm system is upgraded or replaced, add compliant visual signal that is integrated with the existing audible alarm system.	4.1.3(14) 4.28.1 4.28.2	No alarm system upgrade is scheduled at this time.
56	Orchestra Level (House Left Men's Toilet Room)	Faucet controls require grasping, pinching, or twisting to operate.	Replace handle(s) with compliant type or replace faucet with compliant type. Lever operated, push type, and automatic mechanisms are acceptable.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.
57	Orchestra Level (House Left Men's Toilet Room)	The counter mounted lavatory knee clearance is 23" at the front edge and 32" AFF to the rim.	Modify the existing lavatory and/or counter for compliance.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide accessible lavatory.
58	Orchestra Level (House Left Men's Toilet Room)	The soap dispenser is located at 22 1/2" depth at 37" AFF over the lavatory.	Relocate the existing soap dispenser within reach range.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide accessible mounting height of soap dispenser.
59	Orchestra Level (House Left Men's Toilet Room)	The toilet stall door hardware requires pinching and twisting to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(11) 4.22.2 4.17.5 4.13	Defendant will provide compliant hardware.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
60	Orchestra Level (House Left Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
61	Orchestra Level (House Left Men's Toilet Room)	The urinal height is 19" AFF to the rim.	Remove the existing noncompliant urinal and install new elongated type at the required height.	4.1.3(11) 4.22.5 4.18.2	Defendant will provide accessible urinal.
62	Orchestra Level (House Left Men's Toilet Room)	The accessible stall is 55" deep x 67" wide. The stall door is located directly opposite the water closet.	Move stall door and door posts and install a new panel to locate door as required and to provide 56" minimum depth with toe space. Verify stall approach adequacy.	4.1.3(11) 4.22.4 4.1.6(3)(e)(ii) 4.17.3 Fig. 30	Defendant will modify stall door and partition for compliance.
63	Orchestra Level (House Left Men's Toilet Room)	The manual flush control is located on the side of the water closet closest to the partition.	When replacing or relocating the water closet to correct other deficiencies, ensure the flush control is on the wide side of the water closet.	4.1.3(11) 4.22.4 4.16.5	Defendant will provide compliant flushing control.
64	Orchestra Level (House Left Men's Toilet Room)	The side grab bar is 7" from the rear wall and extends 50" from the rear wall at 33" AFF to the centerline.	Remove the otherwise compliant grab bar and reinstall it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will provide compliant grab bars.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
65	Orchestra Level (House Left Men's Toilet Room)	The door provides 31" clear width at 90° open. The toilet room door is a non-fire rated door that requires 11 pounds of force to open.	Remove the existing door, widen opening and install a new door that provides the minimum required clear width. Coordinate with maneuvering clearance and closer requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will install compliant door. Should maneuvering clearances not be compliant, will install automatic door.
66	Orchestra Level (House Left Men's Toilet Room)	The water closet is located 17 1/2" centerline to the partition and is 16" AFF. Verify toilet seat height.	Replace seat with a thick model for compliant height or replace fixture with an accessible model.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig. 30	Defendant will provide accessible toilet seat.
67	Orchestra Level (House Left Women's Toilet Room)	The water closet is located 14" centerline to the partition and is 18" AFF. Verify the toilet seat height in the accessible stall.	Reconfigure toilet partitions or move existing compliant water closet to the required position.	4.17.2 4.16 Fig. 30	Defendant will relocate water closet.
68	Orchestra Level (House Left Women's Toilet Room)	The rear grab bar is 36" long and is mounted vertically.	Remove the existing compliant rear grab bar and remount it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will provide compliant rear grab bar.
69	Orchestra Level (House Left Women's Toilet Room)	Though this facility provides audible fire alarms, there is no visual signal in this toilet room.	When alarm system is upgraded or replaced, add compliant visual signal that is integrated with the existing audible alarm system.	4.1.3(14) 4.28.1 4.28.2	Defendant will comply with code when the system is upgraded.
70	Orchestra Level (House Left Women's Toilet Room)	The toilet paper dispenser is located 1 1/2" above the side grab bar and is mounted at 44" from the rear wall.	Relocate the existing compliant toilet paper dispenser as required, ensuring 1 1/2" clearance below the grab bar or 12" clear above the grab bar.	4.1.3(11) 4.22.7 4.16.6 Fig. 29 Fig. 30	Defendant will provide toilet paper dispenser at compliant mounting height.

Exh. 5B Architectural Modifications at Minskoff Theater

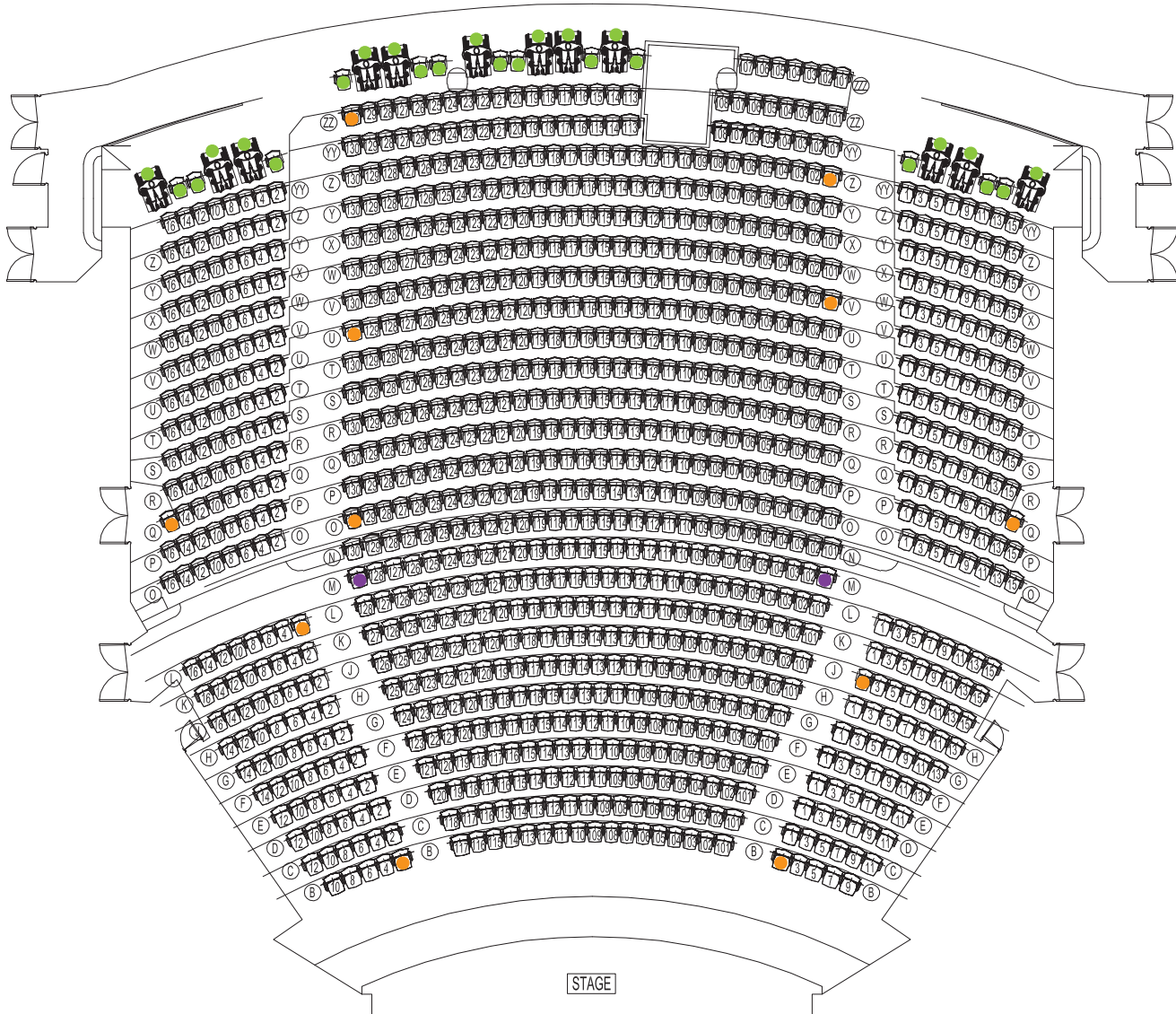
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
71	Orchestra Level (House Left Women's Toilet Room)	The sanitary supplies dispenser is in a room with a 1" vertical threshold at the end of a 33" wide x 56" long corridor.	Install a new sanitary supplies dispenser on the accessible route. Existing accessory may remain.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide compliant supplies dispenser.
72	Orchestra Level (House Left Women's Toilet Room)	The side grab bar is mounted 5" from the rear wall and extends 48" from the rear wall.	Remove the otherwise compliant grab bar and reinstall it in the required location.	4.1.3(11) 4.22.4 4.17.6 Fig. 30 4.26	Defendant will provide compliant side grab bar.
73	Orchestra Level (House Left Women's Toilet Room)	The soap dispenser is located at 26" depth over the lavatory.	Relocate the existing soap dispenser within reach range.	4.1.3(11) 4.22.7 4.27.4 4.2.5 4.2.6	Defendant will provide soap dispenser at compliant mounting height.
74	Orchestra Level (House Left Women's Toilet Room)	The toilet stall door hardware requires pinching and twisting to operate.	Remove the existing operating hardware and install compliant hardware.	4.1.3(11) 4.22.2 4.17.5 4.13	Defendant will provide compliant hardware.
75	Orchestra Level (House Left Women's Toilet Room)	The wall mounted lavatory is 35" AFF to the rim.	Lower the existing compliant wall mounted fixture to the required height.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide accessible lavatory.
76	Orchestra Level (House Left Women's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
77	Orchestra Level (House Left Women's Toilet Room)	The makeup counter is 35 1/2" AFF to the top of the counter.	Remove counter and replace with one that has the top between 28" AFF and 34" AFF.	4.32.4	Defendant will provide accessible make-up counter.

Exh. 5B Architectural Modifications at Minskoff Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
78	Orchestra Level (House Left Women's Toilet Room)	The accessible stall is 58"-61" wide x 81" long at the end of the row.	Alter partitions to provide 60" minimum width.	4.1.3(11) 4.22.4 4.1.6(3)(e)(ii) 4.17.3 Fig. 30	Defendant will alter partitions for compliance.
79	Orchestra Level (House Left Women's Toilet Room)	The manual flush control is located on the side of the water closet closest to the side wall.	When replacing or relocating the water closet to correct other deficiencies, ensure the flush control is on the wide side of the water closet.	4.1.3(11) 4.22.4 4.16.5	Defendant will provide compliant flushing control.
80	Orchestra Level (House Left Women's Toilet Room)	The door provides 31" clear width at 90 degrees open.	Remove the existing door, widen opening and install a new door that provides the minimum required clear width. Coordinate with maneuvering clearance and closer requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will install compliant door. Should maneuvering clearances not be compliant, will install automatic door.
81	Orchestra Level (House Left Box Seats)	The chandelier is at 77" AFF in the circulation path.	If the public will ever use this space, reconfigure to eliminate low headroom problem at this fixture.	4.1.3(2) 4.4.2 Fig.8(a) Fig. 8(c-1)	Defendant will raise or eliminate chandelier in space used by the public.
82	Stairwell (9)	This stairwell has a pair of 32" doors.	Remove the existing door, widen opening and install a new door that provides the minimum required clear width. Coordinate with maneuvering clearance and closer requirements.	4.1.3(7)(c) 4.13.4 4.13.5 4.13.6 Fig. 24	Defendant will provide compliant width or automatic door.
83	Ticket Office	No signage is provided at the ticket office notifying patrons of the availability of accessible seating.	Install signage at the ticket office.	4.1.3(19)(a)	Defendant will provide compliant signage.

Exh. 5B Architectural Modifications at Minskoff Theater

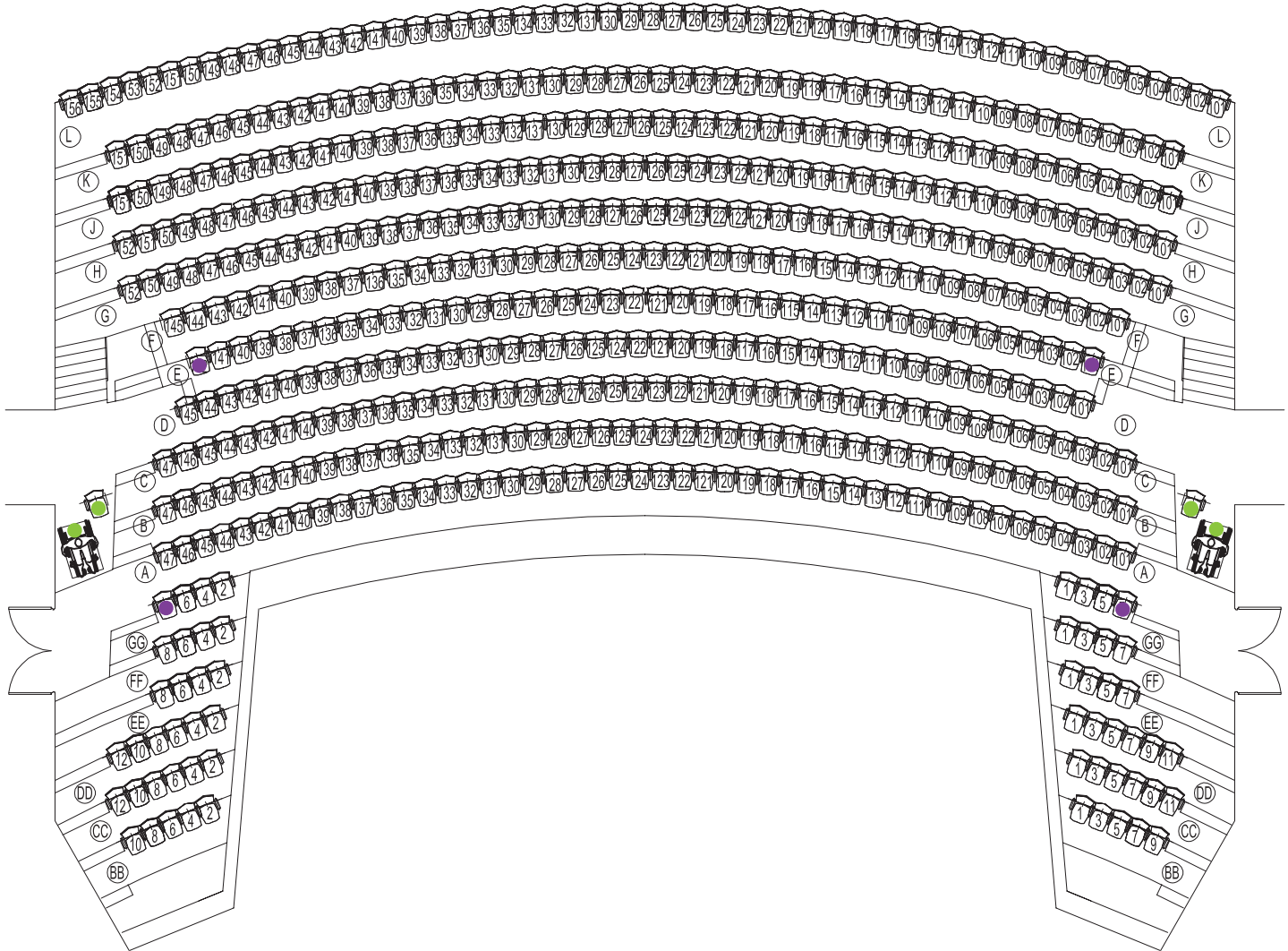
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
84	Ticket Office	No signage is provided at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	Install signage at the ticket office.	4.1.3(19)(b) 4.33 4.30.7 Fig. 43(d)	Defendant will provide compliant signage.
85	Ticket Office	The ticket counters are at 46" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide accessible ticket counter.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Minskoff, 6 wheelchair seating and companion locations, and all 17 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 8 wheelchair seating and companion locations are sold at the lowest price.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Minskoff, 6 wheelchair seating and companion locations, and all 17 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 8 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 6: Nederlander Theater

Exhibit 6A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 6A (i.e., in the same condition as they existed for the Government's inspection conducted on May 3, 2011).

Exhibit 6B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 6A and 6B. Nederlander shall further maintain the wheelchair accessible unisex restroom in the same condition as it existed for the Government's inspection conducted on May 3, 2011, as further modified in Exhibit 6B, and shall also (i) install a visual alarm in the restroom; (ii) bring the right-hand grab bar to 16 inches from the toilet centerline; (iii) move the Braille sign from the face of the door to the latch side; and (iv) mount the toilet paper dispenser in accordance with the Standards.

Exhibit 6C: Seating

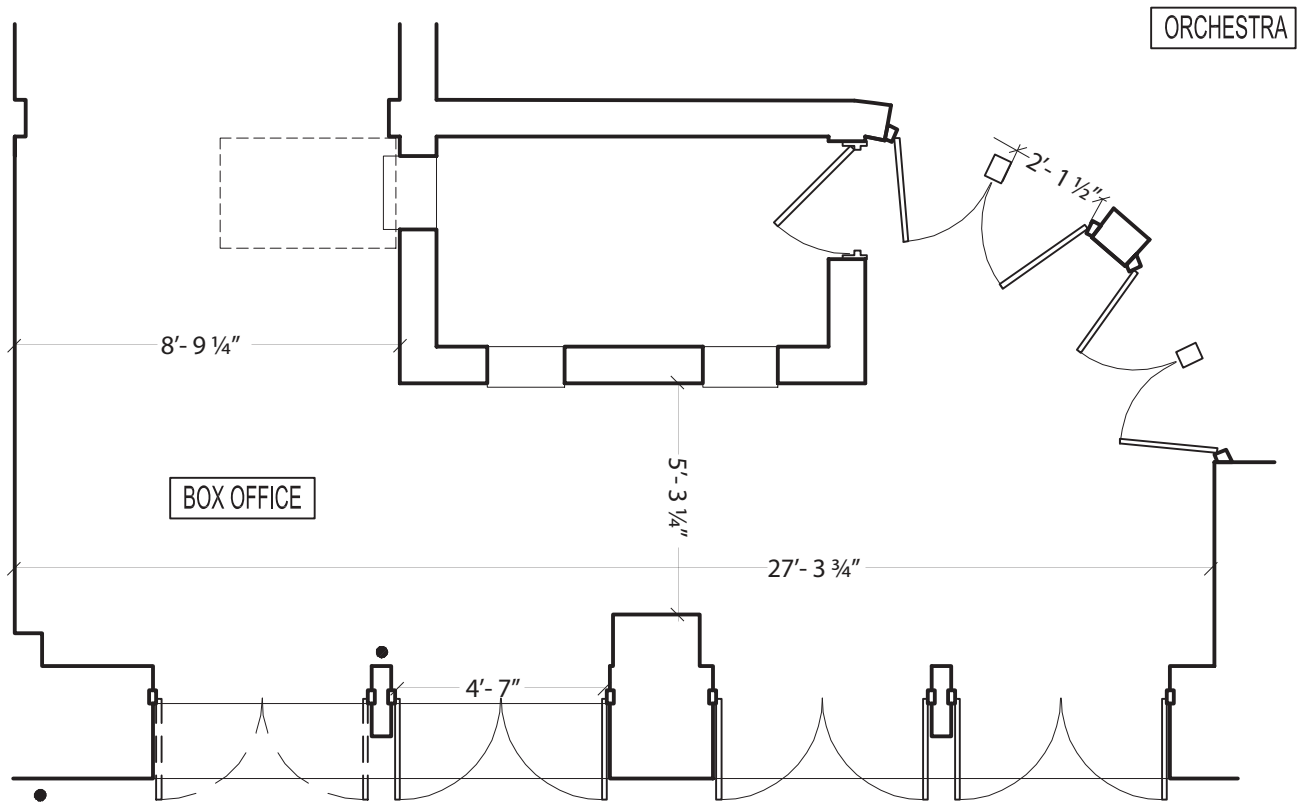
Nederlander shall implement the seating plan attached hereto as Exhibit 6C.

Wheelchair and Companion Seating:

1. Nederlander shall maintain the four existing wheelchair and companion seating locations on the Orchestra level at K25, O25, Q104, and O26, with K23, O23, Q103, and O24 being companion seating locations.
2. Nederlander shall bring the wheelchair seating location at K25 into compliance with the Standards.
3. Nederlander shall remove seat P25, which blocks egress from the wheelchair seating location at O25.
4. Nederlander shall add two new wheelchair seating locations on the Orchestra level, M25 and M26, with M23 and M24 being companion seating locations.

Aisle Transfer Seats:

5. Nederlander shall maintain the six existing aisle transfer seats on the Orchestra level, at B1, B2, K1, K2, Q1, and Q2, and add two new aisle transfer seat on the Orchestra level at Q28 and O114, and four aisle transfer seats on the Mezzanine level at DD101, EE115, NN29, and NN28.



SIDEWALK

ENTRANCE PLAN
N.T.S

LEGEND

● AUTO OPENER CONTROL BUTTON

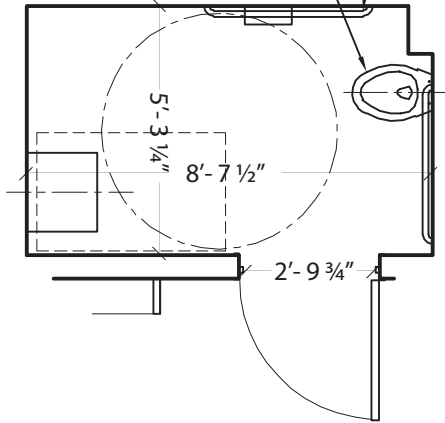
⌌
AUTOMATIC DOOR

**6. NEDERLANDER THEATER
ENTRANCE PLAN**

DWG **6A.1**

RELOCATE WATER
CLOSET TO 18" FROM
SIDE WALL

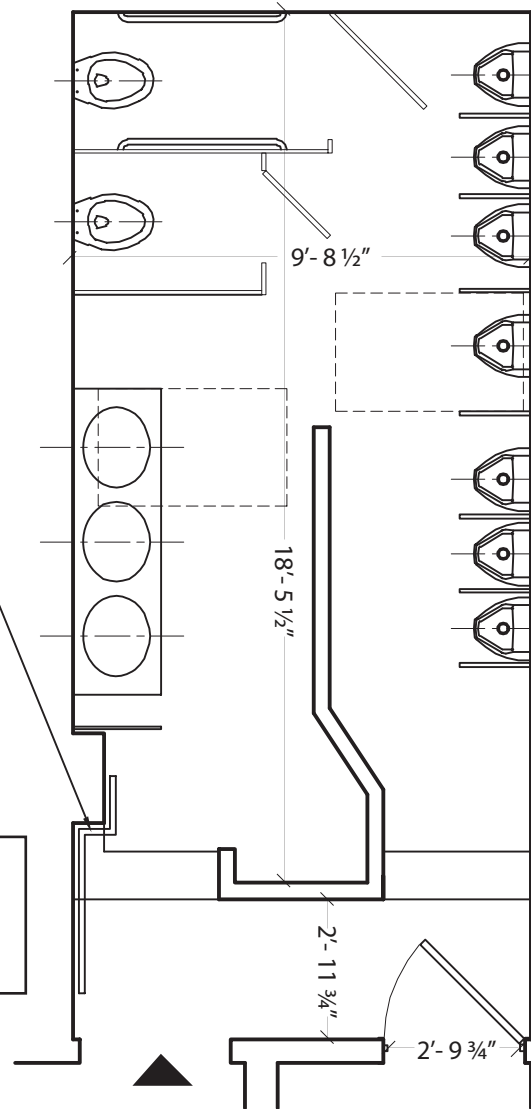
RELOCATE SIDE
GRAB BAR TO 12"
MAX FROM REAR
WALL



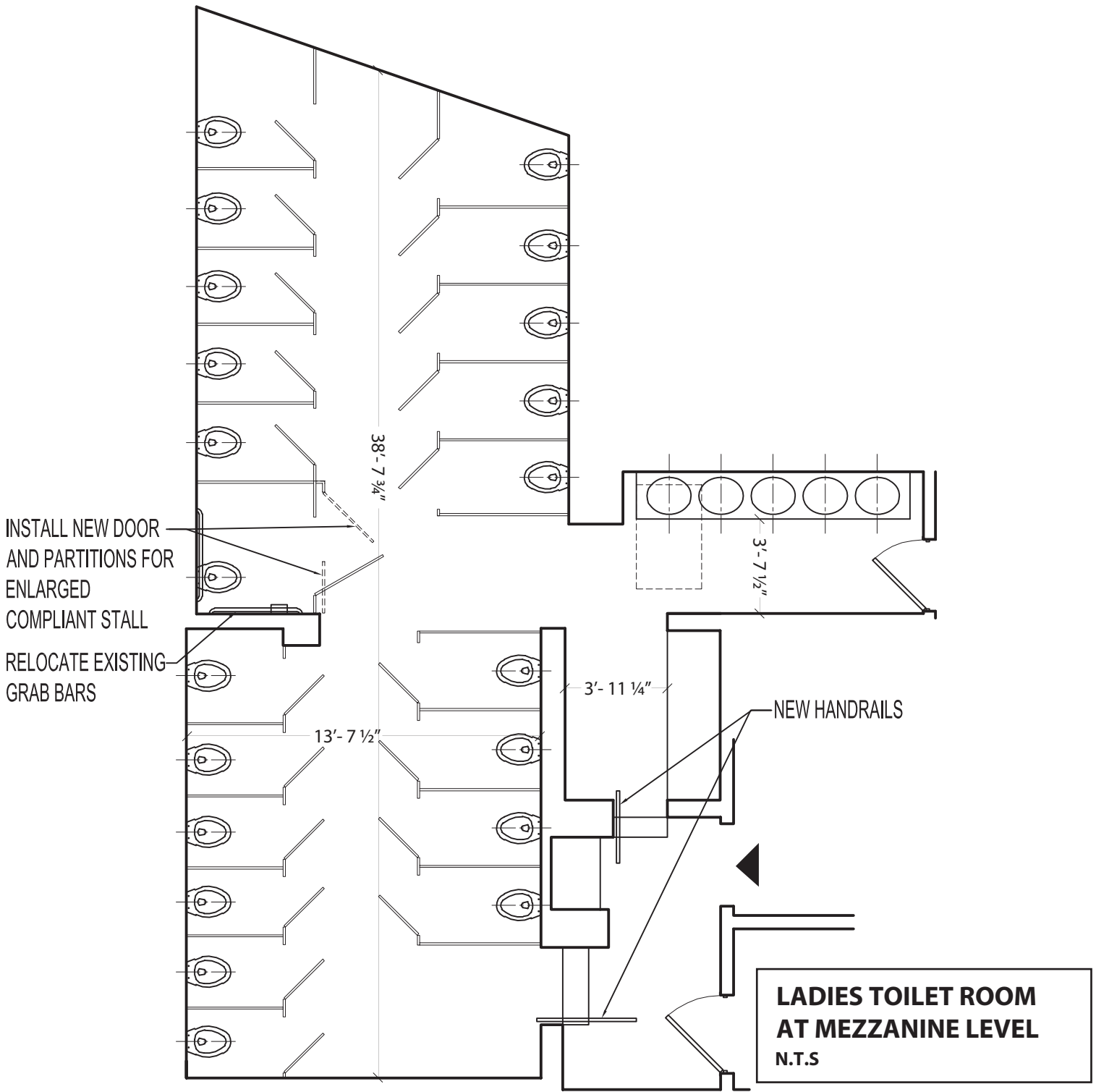
**ACCESSIBLE TOILET ROOM
AT ORCHESTRA LEVEL
N.T.S**

NEW HANDRAIL

**MEN'S TOILET ROOM
AT MEZZANINE LEVEL
N.T.S**



6. NEDERLANDER THEATER TOILETS ROOM PLAN



**6. NEDERLANDER THEATER
LADIES TOILET ROOM PLAN**

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
1	Box Office Entrance	From the curb to the Box Office entry door level change there are slopes ranging from 4% to 6.5%.	Accessible route from unmarked passenger loading zone at curb to Box Office entry door exceeds 5% slope in direction of travel and creates a cross slope exceeding 2% for pedestrians using sidewalk along face of building.	4.1.2(1) 4.1.2(4) 4.3.7 4.3.8 4.5.2 4.8	Defendant will appropriately re-pitch ramp in compliance with local codes.
2	Box Office Entrance	Door maneuvering clearance depth is reduced below 48" by a 3" vertical change in level to sidewalk and steep "temporary" wooden ramp which is in the maneuvering clearance and which slopes 10%-12% away from the face of the door.	Entry door maneuvering clearance is less than 48" deep. "Temporary" ramp in this required maneuvering clearance slopes more than 2% away from door.	4.1.3(7)(a) 4.13.6 Fig.25	Defendant will appropriately re-pitch ramp in compliance with local codes.
3	Box Office Entrance	The temporary ramp slopes 10% - 12%, is 25" long x 35" wide, and has abrupt transitions (vertical rises) at the top and bottom and on both sides with no edge protection. This ramp serves a 3" high step at the entry door.	Unsafe, "temporary" wooden ramp appears to have been in use for many years as the only accessible route into the box office and theatre.	4.1.2(1) 4.1.6(2) 4.5.2 4.8.2 4.8.3 4.8.4 4.8.6 4.8.7	Defendant removed wooden ramp during course of investigation.
4	Box Office	There are 4 pairs of 30½" double doors that provide 27" and 28" clear width at the Box Office entrance.	Clearance widths of paired exterior entry doors are less than 32" per active leaf.	4.1.3(7) 4.13.4 4.13.5 Fig. 24	Defendant has provided a set of compliant double leaf automatic doors.
5	Box Office	The lighted sign to the left of the entrance doors projects 6" into the circulation path of the sidewalk at 33" AFF.	Protruding object with leading edges greater than 27" AFF and less than 80" AFF project more than 4" from wall into circulation path.	4.1.3(2) 4.4.1 Fig. 8(a- e)	Defendant has removed protruding object during course of investigation.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
6	Box Office	The three ticket counters are 46" AFF, 46" AFF, and 46½" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant has provided compliant ticket counter during course of investigation.
7	Box Office	There is what appears to be an ALS cart in the Lobby which also appears to hold audio translation devices. It was locked so we could not verify contents or coverage.	No signage is provided at the ticket office and/or other apparent location(s) notifying patrons of the availability of an assistive listening system (ALS).	4.1.3(19)(b) 4.33.6 4.33.7 4.30 4.30.7(4) Fig. 43(d)	Defendant has provided compliant signage during course of investigation.
8	Box Office	There is no folding armrest signage.	No signage is provided at the ticket office notifying patrons of the availability of folding or removable armrest seating.	4.1.3(19)(a) 4.30.7	Defendant will provide compliant handrails.
9	Box Office	The wall sconces project 6½" at 67½" AFF.	Protruding object with leading edge greater than 27" and less than 80" AFF that projects more than 4" from wall into circulation path.	4.1.3(2) 4.4.1 Fig. 8(a- e)	Defendant will provide compliant handrails.
10	Lobby	The concession stand is 42" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant has modified concession stand for compliance.
11	Lobby	The bottom of the ceiling-hung flag is 66" AFF.	Headroom is less than 80" AFF clearance at interior circulation path.	4.4.2 Fig. 8(a, c-1)	Defendant has modified the ceiling for compliance.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
12	Lobby (Third Level)	High shelves protrude 10" at 48" AFF.	Protruding objects with leading edges greater than 27" AFF and less than 80" AFF project more than 4" from wall into circulation path. Drink counters are not accessible.	4.1.3(2) 4.1.3(18) 4.4.1 4.32 5.1 Fig. 8(a-e)	Defendant removed protruding object during course of investigation.
13	Lobby (Third Level)	The bar is 43" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant has provided compliant counters during course of investigation.
14	Mezzanine Level	The bar is 43" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant has provided compliant counters during course of investigation.
15	Mezzanine Level	This souvenir counter is 42" AFF with a sign indicating that souvenir items are available for purchase downstairs. It is unclear if souvenirs are ever available here to the general public.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant has provided compliant counters during course of investigation.
16	Mezzanine Level (Ladies Lounge/Toilet Room)	There is no accessible signage for people with visual impairments.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant has provided compliant signage during course of investigation.
17	Mezzanine Level (Ladies Lounge/Toilet Room)	The highest operable part of the public pay telephone is 58" AFF. This telephone does not have volume control.	Public pay phone is mounted too high and has no volume control (required on all accessible phones plus 25% of all other telephones of the same type).	4.1.3(17) 4.2.5 4.2.6 4.30.7 4.31.3 Fig.44	Defendant will remove pay telephone.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
18	Mezzanine Level (Ladies Lounge/Toilet Room)	There are 2 steps without handrails rising 14 1/2" from the lowest level of the lounge into the toilet room. There is an unusable "accessible" toilet room provided on the orchestra level.	Lounge and toilet room are on a level not served by an accessible route.	4.1.3(5) 4.1.6(1)(b) 4.1.6(2) 4.3.2(3) 4.3.8	Defendant will provide compliant handrail.
19	Mezzanine Level (Ladies Lounge/Toilet Room)	Cups provided do not have a flat bottom.	Water cooler requires two hands for operation.	4.1.3(10) 4.15 4.27.4	Defendant will provide compliant water cooler.
20	Mezzanine Level (Ladies Lounge/Toilet Room)	This makeup counter is 40" AFF.	Makeup counter is higher than 34" AFF.	4.1.3(18) 4.32.4	Defendant has provided compliant make-up counter during course of investigation.
21	Mezzanine Level (Ladies Lounge/Toilet Room)	The mirror at the makeup counter is mounted at 45½" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19.6 Fig. 31	Defendant will provide compliant mirror.
22	Mezzanine Level (Ladies Lounge/Toilet Room)	There are 12 stalls in this toilet room, none of which have grab bars. One stall is 60" wide x 52" deep with a 36" wide door opening directly opposite the water closet.	There are 12 toilet stalls in this toilet room which is on a currently inaccessible level but which appears to have been altered since the ADA requirements went into effect. None of the stalls are accessible, although one is larger.	4.1.3(11) 4.1.6(1)(b) 4.1.6(1)(k)(ii) 4.1.6(3)(e)(iii) 4.17 4.22 4.22.4 Fig. 30(a)	Defendant will modify existing toilet partitions to obtain a compliant door.
23	Mezzanine Level (Ladies Lounge/Toilet Room)	The flush mechanism is on the side of the water closet closest to the wall.	Manual flush control on water closet in the most accessible stall is not on wide side of stall.	4.1.3(11) 4.1.6(1)(k)(ii) 4.16.5 4.17.2	Defendant has provided a compliant flushing mechanism.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
24	Mezzanine Level (Ladies Lounge/Toilet Room)	The toilet paper dispenser is mounted on the back of the door, which is 29" long and 16½" from the side wall.	Toilet paper dispenser in the most accessible stall is not located on side wall nearest water closet within 36" of rear wall and at least 19" AFF to dispensing point.	4.1.3(11) 4.1.6(1)(k)(ii) 4.16.6 4.22.4 4.22.7 4.27 Fig. 30(d)	Defendant will provide compliant toilet dispenser installation.
25	Mezzanine Level (Ladies Lounge/Toilet Room)	There are no grab bars.	No side or rear grab bars in the most accessible stall.	4.1.3(11) 4.17.6 4.26 Fig. 29 Fig. 30	Defendant has provided compliant grab bars during course of investigation.
26	Mezzanine Level (Ladies Lounge/Toilet Room)	The coat hook in the largest stall is mounted at 64" AFF.	The coat hook in the most accessible stall is above the 48" or 54" max reach height (depending on approach).	4.1.3(11) 4.1.6(1)(k)(ii) 4.2.5 4.2.6 4.22.7 4.25 4.27.3 Fig. 5 Fig. 6	Defendant has provided compliant coat hook during course of investigation.
27	Mezzanine Level (Ladies Lounge/Toilet Room)	The sanitary disposal receptacle is operated by foot controls and is out of reach.	Accessory in the most accessible stall operates with a foot control that is located less than 15" AFF, from forward approach.	4.1.3(11) 4.1.6(1)(k)(ii) 4.2.5 4.22.7 4.27.3 4.27.4 Fig. 5(a)	Defendant has provided a compliant sanitary disposal receptacle.
28	Mezzanine Level (Ladies Lounge/Toilet Room)	There are 2 types of lavatories. The porcelain lavatory rims are 35½" AFF with 32" high knee space at the front and 28½" at 8" back. The stainless steel lavatory rims are 32" AFF with 30" knee space at the front and 26" at 8" back.	Lavatory fixtures in altered toilet room are non-compliant. Porcelain lavatories are too high, stainless lavatories are too low.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19 4.22.6 Fig. 31	Defendant has provided compliant lavatory during course of investigation.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
29	Mezzanine Level (Ladies Lounge/Toilet Room)	The soap dispensers at the porcelain lavatories are 50" AFF at 15" depth over the lavatories.	Soap dispenser outside reach range at porcelain lavatories.	4.1.3(11) 4.1.6(1)(k)(ii) 4.2.5 4.2.6 4.22.7 4.27 Fig. 5 Fig. 6	Defendant will provide compliant soap dispenser.
30	Mezzanine Level (Ladies Lounge/Toilet Room)	Not all paper towel dispensers are within reach.	Towel dispenser or blower is mounted greater than 54" AFF (if side reach) or greater than 48" AFF (if forward reach) or greater than 44" AFF (if forward reach over a low obstruction is greater than 20") or greater than 10" deep over an obstruction more than 34" AFF.	4.1.3(11) 4.1.6(1)(k)(ii) 4.2.5 4.2.6 4.22.7 4.27 Fig. 5 Fig. 6	Defendant has provided paper towel at appropriate height during course of investigation.
31	Mezzanine Level (Ladies Lounge/Toilet Room)	The only mirror is mounted at 51" AFF to the bottom of the reflecting surface (above the stainless lavatories).	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19.6 4.22.6 Fig. 31	Defendant will provide compliant mirror.
32	Mezzanine Level (Ladies Lounge/Toilet Room)	No lavatories have pipe insulation underneath.	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19.4 4.22.6	Defendant will provide compliant pipe insulation.
33	Mezzanine Level (Men's Toilet Room)	There is no accessible signage for people with visual impairments.	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant has provided accessible signage during course of investigation.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
34	Mezzanine Level (Men's Toilet Room)	Non-fire rated door requires 7 pounds of force to open.	Closer at non-fire-rated interior door causes door to travel from 70 degrees open to 3" from latch in less than 3 seconds and/or exceeds the maximum force to open (5 lbs).	4.1.3(7)(c) 4.13.10	Defendant has removed the door during course of investigation.
35	Mezzanine Level (Men's Toilet Room)	The highest operable part of the telephone is 58" AFF. This telephone does have volume control.	Operable parts of phone outside reach range (48" AFF maximum for forward approach and 54" AFF maximum for parallel approach).	4.1.3(17) 4.2.5 4.2.6 4.31.3 Fig.44	Defendant will remove pay telephone.
36	Mezzanine Level (Men's Toilet Room)	Cups provided do not have a flat bottom.	Water cooler requires two hands for operation.	4.1.3(10) 4.15 4.27.4	Defendant has provided compliant water cooler.
37	Mezzanine Level (Men's Toilet Room)	There are 2 steps without a handrail rising 14 1/2" from the main Mezzanine level to the toilet room. There is an unusable "accessible" toilet room provided on the orchestra level.	Toilet room is on a level not served by an accessible route.	4.1.3(5) 4.1.6(1)(b) 4.1.6(2) 4.3.2(3) 4.3.8	Defendant will provide compliant handrail.
38	Mezzanine Level (Men's Toilet Room)	There are 2 stalls in this toilet room, with 59" total width, neither with grab bars.	There are 2 toilet stalls in this toilet room which is on a currently inaccessible level but which appears to have been altered since the ADA requirements went into effect. Neither of the stalls are accessible.	4.1.3(11) 4.1.6(1)(b) 4.1.6(1)(k)(ii) 4.1.6(3)(e)(iii) 4.17 4.22 4.22.4 Fig. 30(a)	Defendant has provided ambulatory stall and will remove urinals, for side approach clearance, upon compliance with local plumbing codes.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
39	Mezzanine Level (Men's Toilet Room)	All urinals and flush mechanisms are too high.	Inaccessible urinals are mounted too high with rims above 17" AFF and flush mechanisms above 44" AFF.	4.1.3(11) 4.1.6(1)(b) 4.1.6(1)(k)(ii) 4.18.2 4.18.4 4.22.5	Defendant has provided compliant urinal.
40	Mezzanine Level (Men's Toilet Room)	There are 2 stainless steel lavatories with rims at 32" AFF and with 30" knee space at the front and 26" at 8" back.	Lavatories do not provide compliant rim height or knee space.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19 4.22.6 Fig. 31	Defendant has provided compliant lavatory during course of investigation.
41	Mezzanine Level (Men's Toilet Room)	Neither lavatory has pipe insulation underneath.	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19.4 4.22.6	Defendant will provide compliant pipe insulation.
42	Mezzanine Level (Men's Toilet Room)	The mirror at the lavatories is mounted at 48" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.1.6(1)(k)(ii) 4.19.6 4.22.6 Fig. 31	Defendant will provide compliant mirror.
43	Orchestra Level	There are 2 pairs of 30" wide double doors from the Lobby into the Theatre that provide 27½" of clear width each.	Clearance widths of paired doors into theatre are less than 32" per active leaf.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.4 4.13.5 Fig. 24	Modifications of these entrance doors is technically unfeasible due to structural constraints that do not allow opening enlargements. Defendants will accordingly post signage directing patrons with disabilities to alternative entry routes.
44	Orchestra Level	The souvenir counter is 37" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	4.3 7.2(1) 7.2(2)	Defendant has modified souvenir counter during course of investigation.

Exh. 6B Architectural Modifications to Nederlander Theater

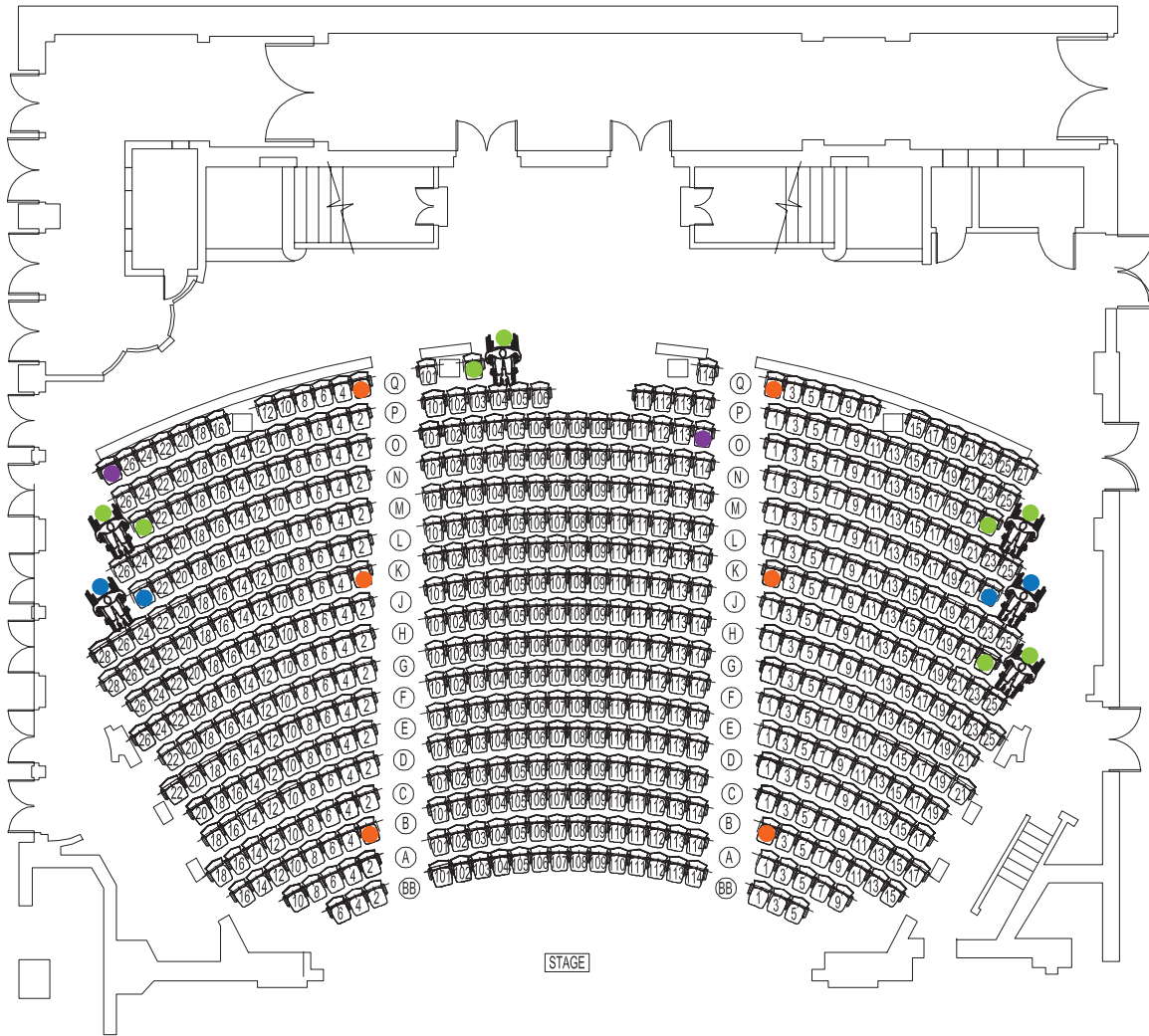
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
45	Orchestra Level	The wall sconces project 5½" from wall at 72" AFF to crystal and 76½" to metal.	Protruding objects with leading edge greater than 27" and less than 80" AFF that project more than 4" from wall intrude on circulation path.	4.1.3(2) 4.4.1 4.4.2 Fig. 8(a- e)	Defendant removed protruding object during course of investigation.
46	Orchestra Level	The bar adjacent to the theatre entry is 37" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	4.3 7.2(1) 7.2(2)	Defendant has provided compliant bar counter during course of investigation.
47	Orchestra Level	Overhead directional signage letters are 1" high.	Overhead directional or informational sign about functional spaces located higher than 80" AFF has characters less than 3" high (based on upper case "X").	4.1.3(16)(b) 4.30.3	Defendant will provide compliant signage.
48	Orchestra Level	Illuminated overhead directional signage letters are 1" high.	Overhead directional or informational sign about functional spaces located higher than 80" AFF has characters less than 3" high (based on upper case "X").	4.1.3(16)(b) 4.30.3	Defendant will provide compliant signage.
49	Orchestra Level	The bar adjacent to the accessible toilet room is 44" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	4.3 7.2(1) 7.2(2)	Defendant has provided compliant bar counter.
50	Orchestra Level (Accessible Toilet Room)	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room.	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant has provided compliant signage.

Exh. 6B Architectural Modifications to Nederlander Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
51	Orchestra Level (Accessible Toilet Room)	This toilet room is roughly 53" by 40" and therefore does not have the required 60" turning space. The water closet sits in a 22" wide by 8"-12" deep alcove. The clear floor area in the toilet room is 28" x 32". The door maneuvering clearance depth at the toilet room door on the pull side to the bar is 56½" and 35½" on the push side to the water closet. This door swings out of the toilet room and does not have a closer.	Existing small toilet room does not have the required turning space, clear floor space at toilet or lavatory fixtures, maneuvering clearance at door or other accessible features.	4.1.3(11) 4.2.3 4.13 4.16 4.19 4.22 4.26 4.27 Fig. 3 Fig.28 Fig.29 etc.	Defendant has enlarged toilet room for compliance during course of investigation.
52	Orchestra Level (Accessible Toilet Room)	The water closet is 23" from the side wall adjacent to lavatory.	The centerline of the water closet is more than 18" from the side wall.	4.1.3(11) 4.22.4 4.16 Fig. 30	Defendant will relocate water closet at compliant distance from side wall.
53	Orchestra Level (Accessible Toilet Room)	The side grab bar is mounted vertically from 18" to 35" AFF. It is 16" long and is mounted 2" from the wall.	Toilet room side grab bar is not mounted horizontally between 33" and 36" AFF. It is also less than 42" long and is more than 12" from the rear wall.	4.1.3(11) 4.16.4 4.22.4 4.26 Fig. 29	Defendant will provide compliant side grab bar.
54	Orchestra Level (Accessible Toilet Room)	There is no rear grab bar.	There is no rear grab bar in the "accessible" toilet room.	4.1.3(11) 4.16.4 4.22.4 4.26 Fig. 29	Defendant has provided compliant rear grab bar during course of investigation.

Exh. 6B Architectural Modifications to Nederlander Theater

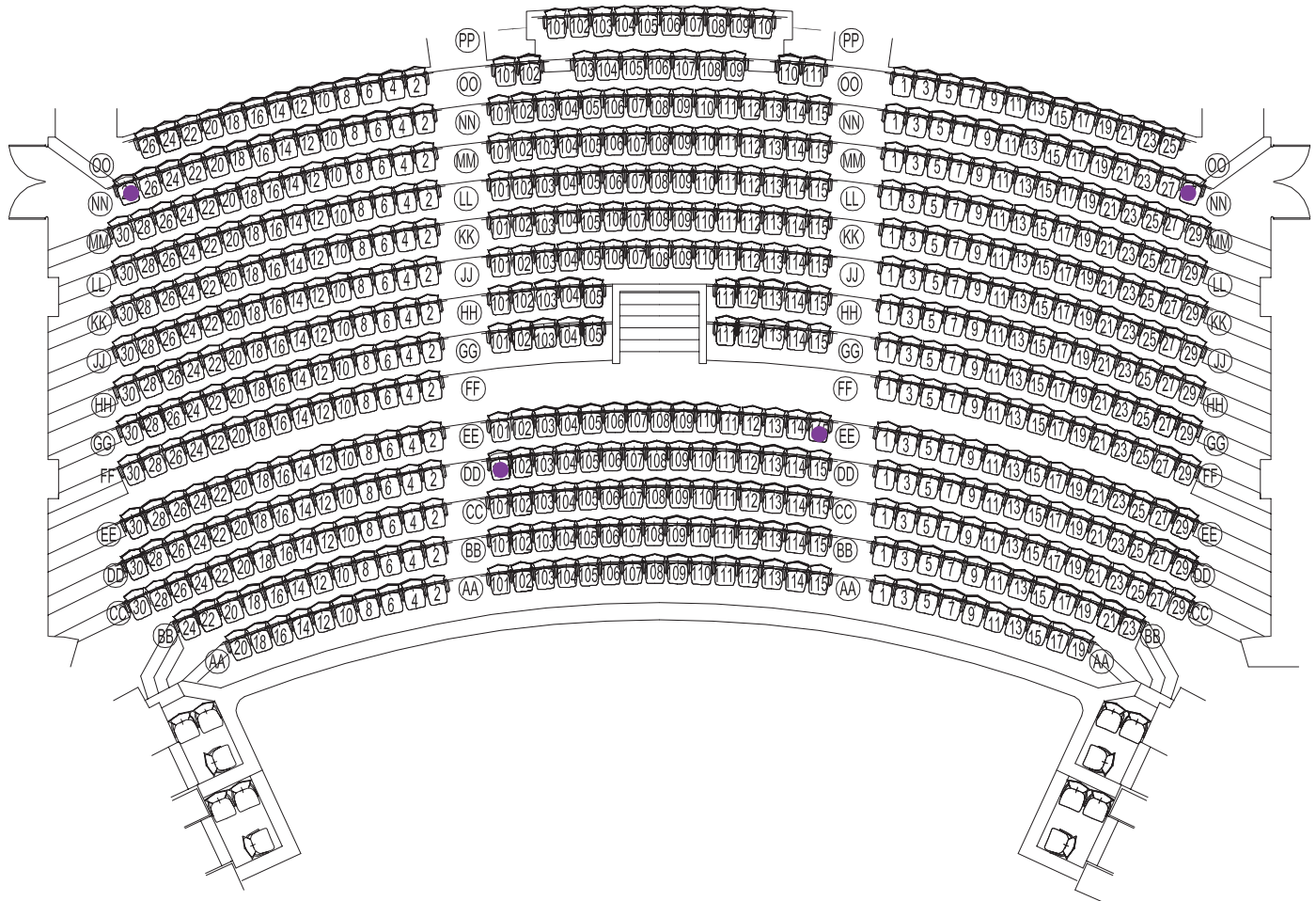
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
55	Stairs (throughout theatre)	A variety of non-compliant handrails throughout the theatre are not located on both sides of stairs, do not extend beyond the top and bottom risers and do not have continuous gripping surfaces.	Handrails have a non-compliant size and shape, are not continuous, and do not extend at least 12" beyond top riser and one tread width + 12" beyond bottom riser. Some stairs do not have handrails on both sides.	4.1.3(4) 4.4 4.9.4 4.26 Fig. 19 Fig.39	Defendant has provided compliant handrails.
56	Building	There are no directional signs to the "accessible" toilet room.	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	4.1.2(7)(d) 4.1.3(16)(b) 4.1.6(3)(e)(iii) 4.30.1 4.30.2 4.30.3 4.30.5	Defendant will provide compliant directional signage.
57	Building	There are no raised letter and Braille signs where required (exits, entrance to auditorium, toilet rooms, etc.).	Raised letter and Braille signs are not provided in all places required by the ADA Standards (including, at least, all emergency exits, toilet rooms, and numbered rooms)	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant has provided compliant signage during course of investigation.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Nederlander, 3 wheelchair seating and companion locations, and all 12 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Nederlander, 3 wheelchair seating and companion locations, and all 12 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 7: Neil Simon Theater

Exhibit 7A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 7A (i.e., in the same condition as they existed for the Government's inspection conducted on July 21, 2011).

Exhibit 7B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 7A and 7B.

Exhibit 7C: Seating

Nederlander shall implement the seating plan attached hereto as Exhibit 7C.

Wheelchair and Companion Seating:

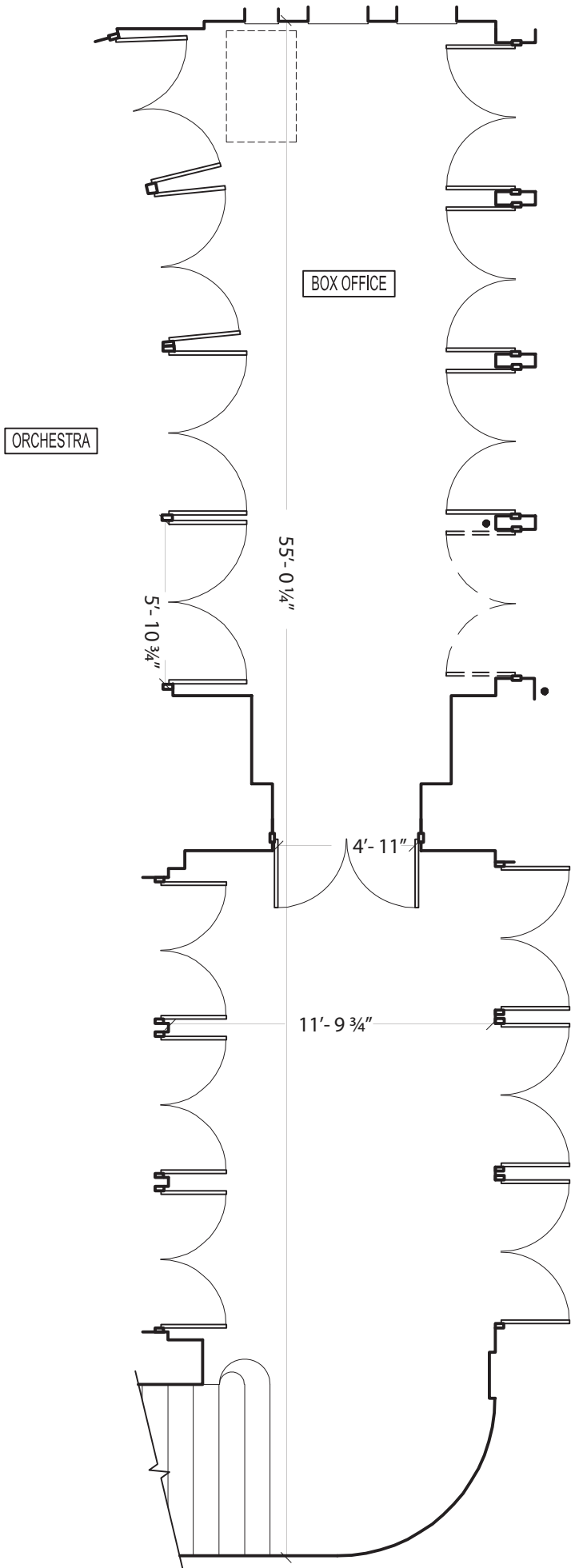
1. Nederlander shall maintain the four existing wheelchair and companion seating locations on the Orchestra level, at V3/V5; at V5/V7, at V13/V15; and at V17/V19, with V1, V9, V11, and V21 being companion seating locations.

2. Nederlander shall add three new wheelchair seating locations on the Orchestra level, at U101/U102/U103/V101/V102/V103; at U2/U4/V2/V4/V6; and at U8/U10/V8/V10/V12; with U6, U12, and U104 being companion seating locations.

Aisle Transfer Seats:

3. Nederlander shall maintain the three existing aisle transfer seats on the Orchestra level at J2, P2, and S2.

4. Nederlander shall add eleven new aisle transfer seating locations, four on the Orchestra level at C101, C113, L101, and seven on the Mezzanine level at L115, F101, F124, H2, T1, T2, T101, and T128.



SIDEWALK

LEGEND

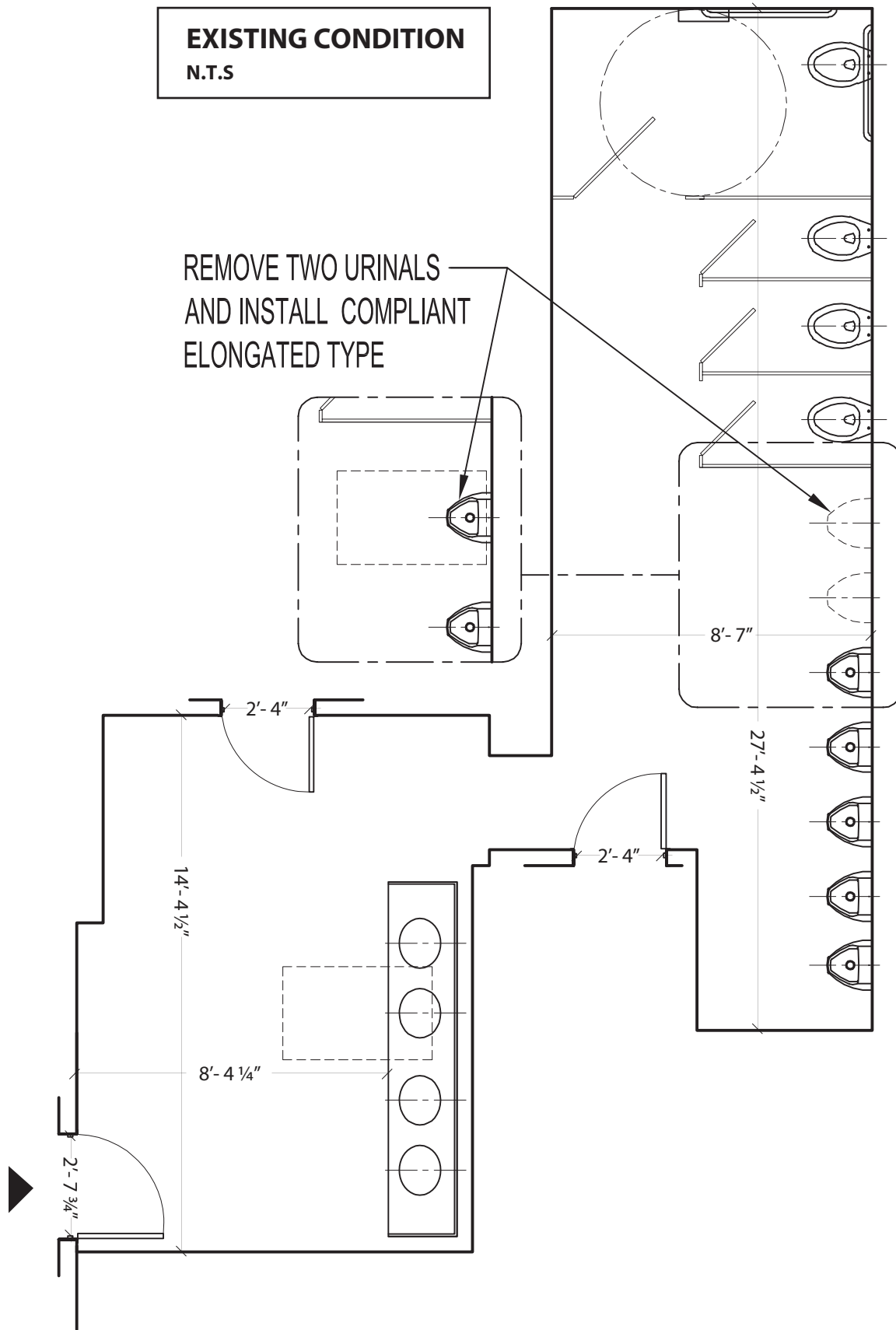
- AUTO OPENER CONTROL BUTTON
- ⌈ ⌋ AUTOMATIC DOOR

EXISTING CONDITION
N.T.S

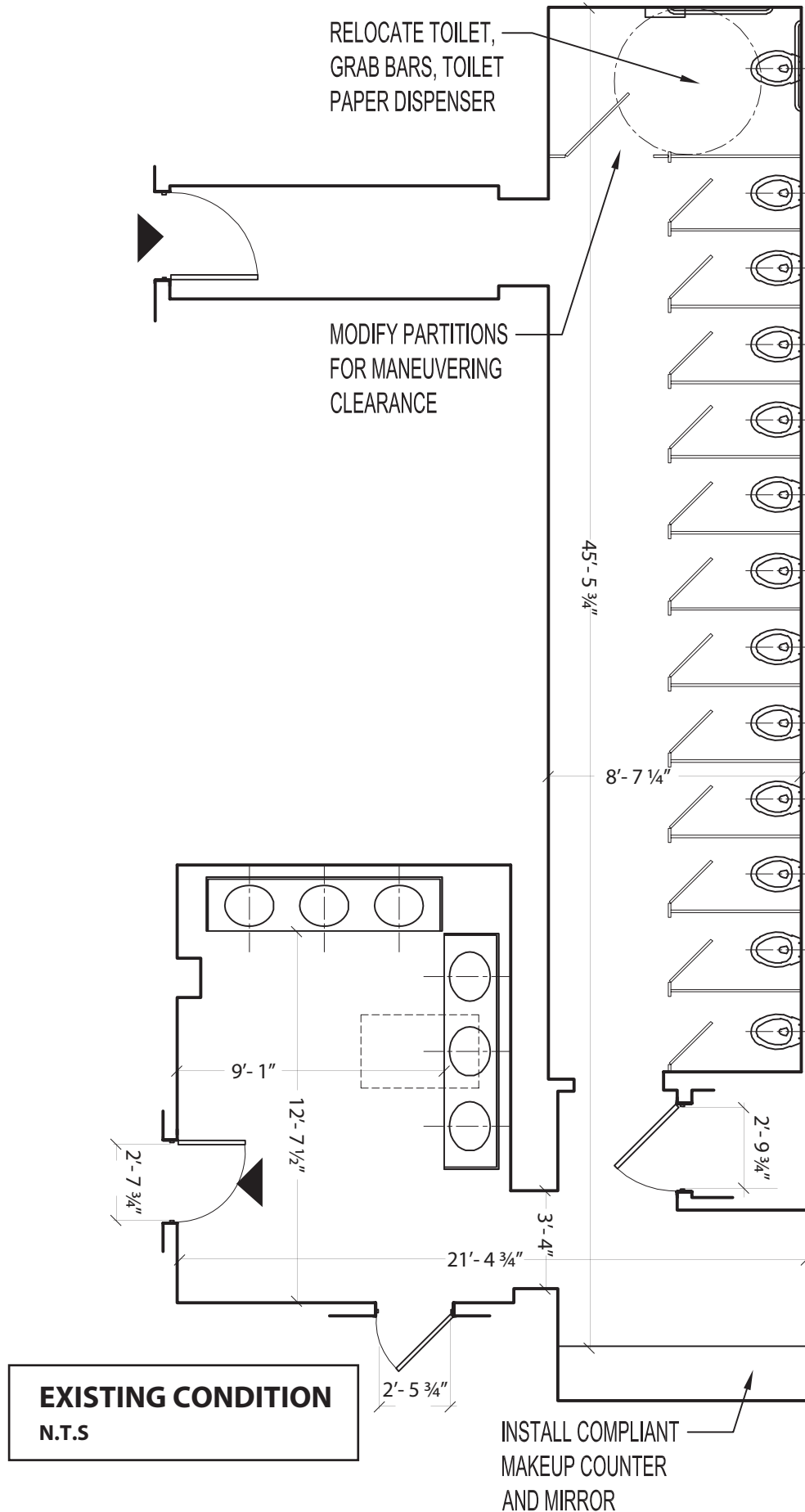
**7.NEIL SIMON THEATER
BOX OFFICE / ENTRANCE PLAN**

EXISTING CONDITION
N.T.S

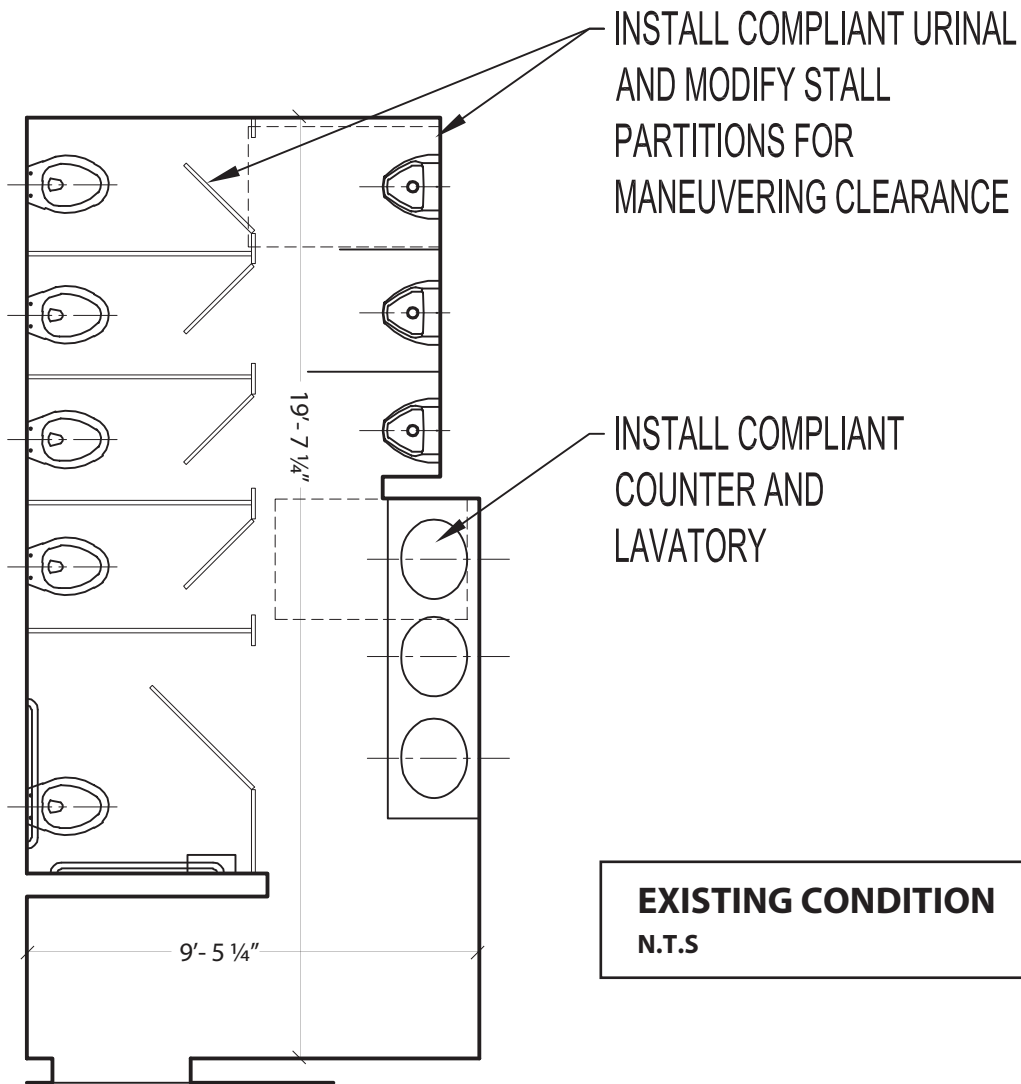
REMOVE TWO URINALS
AND INSTALL COMPLIANT
ELONGATED TYPE



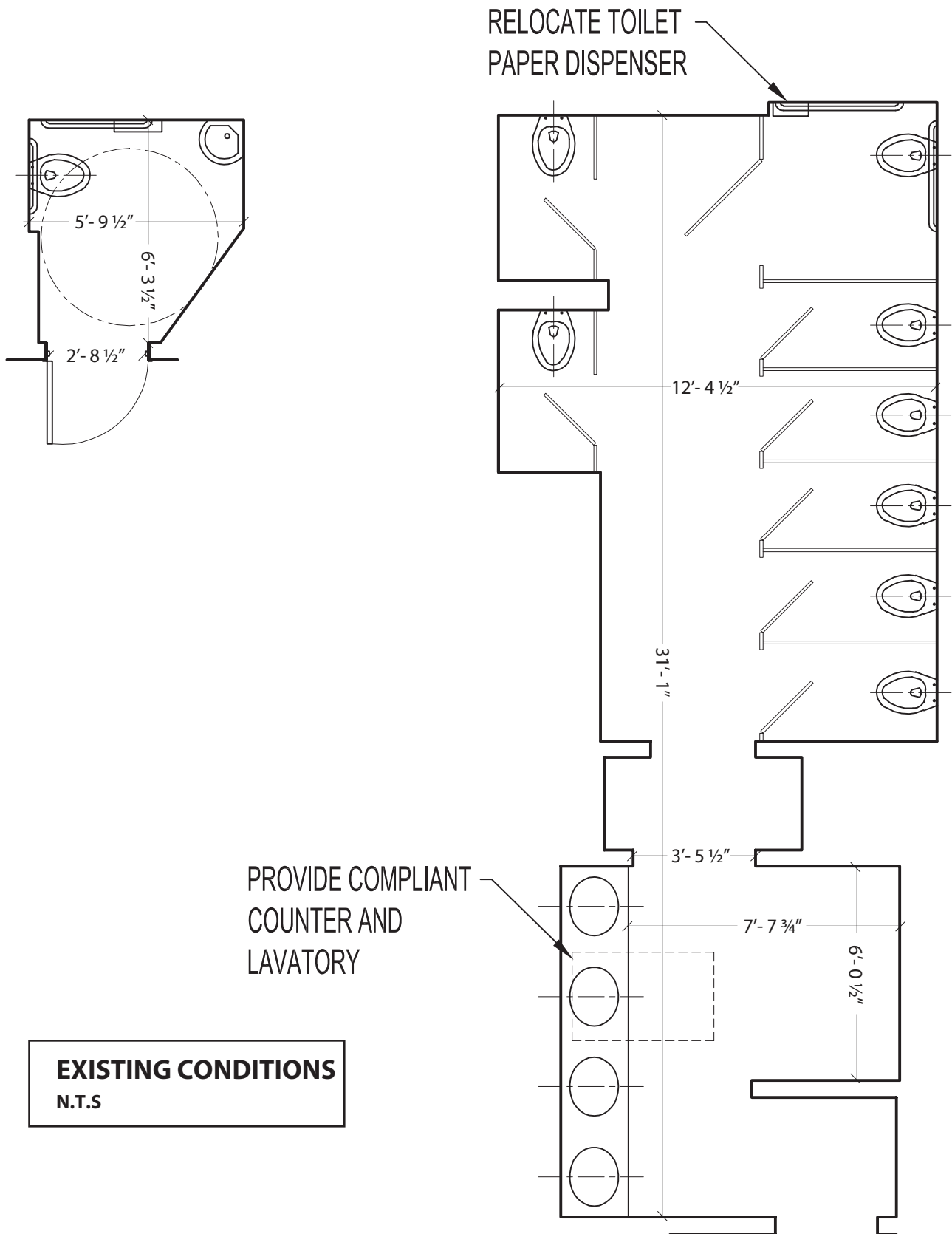
**7. NEIL SIMON THEATER
LOWER LEVEL - MENS' TOILET ROOM PLAN**



**7. NEIL SIMON THEATER
LOWER LEVEL - WOMENS' TOILET ROOM PLAN**



**7. NEIL SIMON THEATER
UPPER LEVEL - MEN'S TOILET ROOM PLAN**



**7. NEIL SIMON THEATER
ORCHESTRA LEVEL ACCESSIBLE TOILET AND
UPPER LEVEL WOMEN'S TOILET ROOM PLANS**

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
1	Box Office	There are 4 pair of 32" wide doors that provide 29½" clear width at the main entry. Automatic double doors installed but one leaf is not working during 7/20/2011 visit.	Repair auto opener and keep both leaves operational at all times the Box office is open.	4.13.5 4.1.3(7) Fig. 24	Defendant will repair automatic doors and leave operational at all times.
2	Box Office	The doors that lead from the box office to the lobby provide only 29" clear width each and require 11 pounds of force to open.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open. Provide self-actuating openers or install auto opener control buttons at approximately 42" AFF at a clear floor space which is outside of the swing of the doors.	4.1.3(7)(c) 4.13.5 4.13.6 4.13.10 Fig. 24	Defendant will install compliant automatic doors.
3	Box Office	There is an 8" wide by 16" deep shelf at 32" AFF in front of a closed ticket window and stanchions are sometimes in front of this shelf.	Keep accessible shelf unblocked and open at all time the Box Office is open.	7.2(2) 4.3	Defendant will provide accessible counter at ticket window.
4	Box Office	No signage is provided at the ticket office notifying patrons of the availability of accessible seating and seats with folding or removable armrests.	Install required signage at the ticket office.	4.1.3(19)(a)	Defendant will provide compliant signage.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
5	Box Office	No signage is provided at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system.	Install such signage incorporating the International Symbol of Accessibility for Hearing Loss at the ticket office and/or other apparent location(s) notifying patrons of the availability of an assistive listening system. Sign should also state "Assistive Listening System Available".	4.1.3(19)(b) 4.33 4.30.7 Fig. 43(d)	Defendant will provide compliant signage.
6	Exit Corridor	There is 31" and 41" clear width at the exit door.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements. Or install a pair of coordinated automatic openers (with emergency power) on two adjacent doors to provide the 32" minimum clear width when both doors are open.	4.13.5 Fig. 24(a-d)	Defendant will provide automatic door.
7	Exit Corridor	The concession counter is 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant removed the concession counter during the course of the investigation.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
8	Lobby	The floor slopes 5%-6% at the doors leading from the lobby into the theatre and the doors provide only 29" clear width. Exit doors #14 are used as the main entrance into the theatre.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open and avoid the level door maneuvering clearance requirement on both sides of the doors. Provide self-actuating openers or install auto opener control buttons at approximately 42" AFF at a clear floor space which is outside of the swing of the doors.	4.13.6 4.3.7 4.13.5 Fig. 24(a-d)	Reconfiguration of the ramps to provide compliant slopes is technically unfeasible due to surrounding structural elements and means of egress. Automatic doors have been provided.
9	Lower Level	There are 4 concession counters at 41"-42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant has provided accessible concession counters during the course of the investigation.
10	Lower Level (Men's Toilet Room)	The bottom to the reflecting surface of the mirror is 48.5" AFF.	Lower existing mirror.	4.19.6 Fig. 31	Defendant will provide compliant mirror.
11	Lower Level (Men's Toilet Room)	There are 4 lavatories with 29" AFF knee clearance at the front edge, 28" AFF at 8" back.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	Defendant will provide compliant pipe insulation.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
12	Lower Level (Men's Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	Install high-lo fountain or, as a readily achievable solution: install a flat- bottom cup dispenser at existing fixture within reach range not accommodated by existing drinking fountain. Coordinate with protruding object requirements.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide compliant flat-bottom cup dispenser.
13	Lower Level (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
14	Lower Level (Men's Toilet Room)	The paper towel dispenser is mounted at 54" AFF, forward approach.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will provide accessible mounting height of towel dispenser.
15	Lower Level (Men's Toilet Room)	Non-fire rated door requires 13 pounds of force to open and travels from 70° open to within 3" of latch in 1.5 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will test and maintain door closer.
16	Lower Level (Men's Toilet Room)	Marble threshold is 7/8" and vertical.	Remove and replace threshold with a compliant unit.	4.13.8 Fig. 7	Defendant will lower threshold to accessible height.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
17	Lower Level (Men's Toilet Room)	Toilet paper dispenser in accessible stall is mounted 44" to the near edge from the rear wall and 55" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	Defendant will provide accessible mounting height of toilet paper dispenser.
18	Lower Level (Men's Toilet Room)	There are 7 urinals in this toilet room, none of which are accessible.	Remove one existing noncompliant urinal and install new elongated type at the required height.	4.22.5 4.18.2	Defendant will remove two urinals and will install a compliant elongated type.
19	Lower Level (Women's Toilet Room)	The toilet paper dispenser is mounted 44" to the near edge from the rear wall and 55" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	Defendant will provide accessible mounting height of toilet paper dispenser.
20	Lower Level (Women's Toilet Room)	There is an accessible makeup counter with a mirror mounted at 45" AFF to the bottom of the reflecting surface.	Lower existing mirror or install full-length mirror at an accessible counter nearby.	4.19.6 Fig. 31	Defendant will provide compliant make up counter.
21	Lower Level (Women's Toilet Room)	Mirrors are mounted at 44.5" AFF to the bottom of the reflecting surface.	Lower existing mirror or install full-length mirror nearby.	4.19.6 Fig. 31	Defendant will provide compliant mirror.
22	Lower Level (Women's Toilet Room)	There are 13 stalls, the end stall is 60" wide x 102" long. The water closet is 25 1/2" from centerline to side wall.	Move the existing compliant water closet to the required position.	4.16.2 Fig. 28, 30	Defendant will move water closet to compliant location.
23	Lower Level (Women's Toilet Room)	Hot water is available at lavatory and hot water supply pipes and/or drain pipes are not insulated or covered.	Insulate hot water supply and drain pipes. Ensure that all other sharp or abrasive surfaces are properly covered or filed smooth.	4.19.4	Defendant will provide compliant pipe insulation.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
24	Lower Level (Women's Toilet Room)	The drinking fountain spout outlet height is 42" AFF. Paper cups are provided nearby.	Install high-lo fountain or, as a readily achievable solution: provide a flat- bottom cup dispenser at the existing fixture within one of the compliant reach ranges.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide compliant flat- bottom cup dispenser.
25	Lower Level (Women's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
26	Lower Level (Women's Toilet Room)	Paper towel dispensers are at 55" AFF, forward reach over a counter.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will provide accessible mounting height of paper towel dispenser.
27	Lower Level (Women's Toilet Room)	Non-fire rated door requires 10 pounds of force to open and travels from 70° open to within 3" of latch in 1.75 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will test and maintain door closer for compliance.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
28	Lower Level (Women's Toilet Room)	Exit door requires 14 pounds of force to open and travels from 70° open to within 3" of latch in 1.25 seconds.	Adjust the existing closer to provide compliant speed and force. (May inhibit proper latching. If so, replace existing closer with compliant model which allows door to operate as intended).	4.1.3(7)(c) 4.13.10	Defendant will test and maintain closer for compliance.
29	Orchestra Level (Accessible Toilet Room)	There is raised letter and Braille signage mounted on the face of the outswinging door at 45" to 53" AFF.	No wall or door at latch side - relocating existing compliant signage to another location is technically infeasible.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
30	Orchestra Level (Accessible Toilet Room)	The rear grab bar is 24" long and is located 3" from the side wall at 36" AFF.	Remove existing rear grab bar and install new compliant rear grab bar. Provide backing in wall as necessary.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	Defendant will install compliant grab bars.
31	Orchestra Level (Accessible Toilet Room)	The side grab bar is 40" long and is located 3" from the rear wall at 36" AFF.	Remove existing side grab bar and install new compliant side grab bar. Ensure that grab bar is mounted 12" maximum from rear wall and extends at least 54" from rear wall.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	Defendant will install compliant grab bars.
32	Orchestra Level (Accessible Toilet Room)	The water closet is 15" from centerline to side wall. The water closet seat height is 18" AFF.	Move the existing compliant water closet to the required position.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig. 30	Defendant relocated water closet to accessible distance from side wall.
33	Orchestra Level (Accessible Toilet Room)	The paper towel dispenser is mounted at 51" AFF, forward approach.	Install new towel dispenser within reach range where required clear floor space is available.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of paper towel dispenser.

Exh. 7B Architectural Modifications to Neil Simon Theater

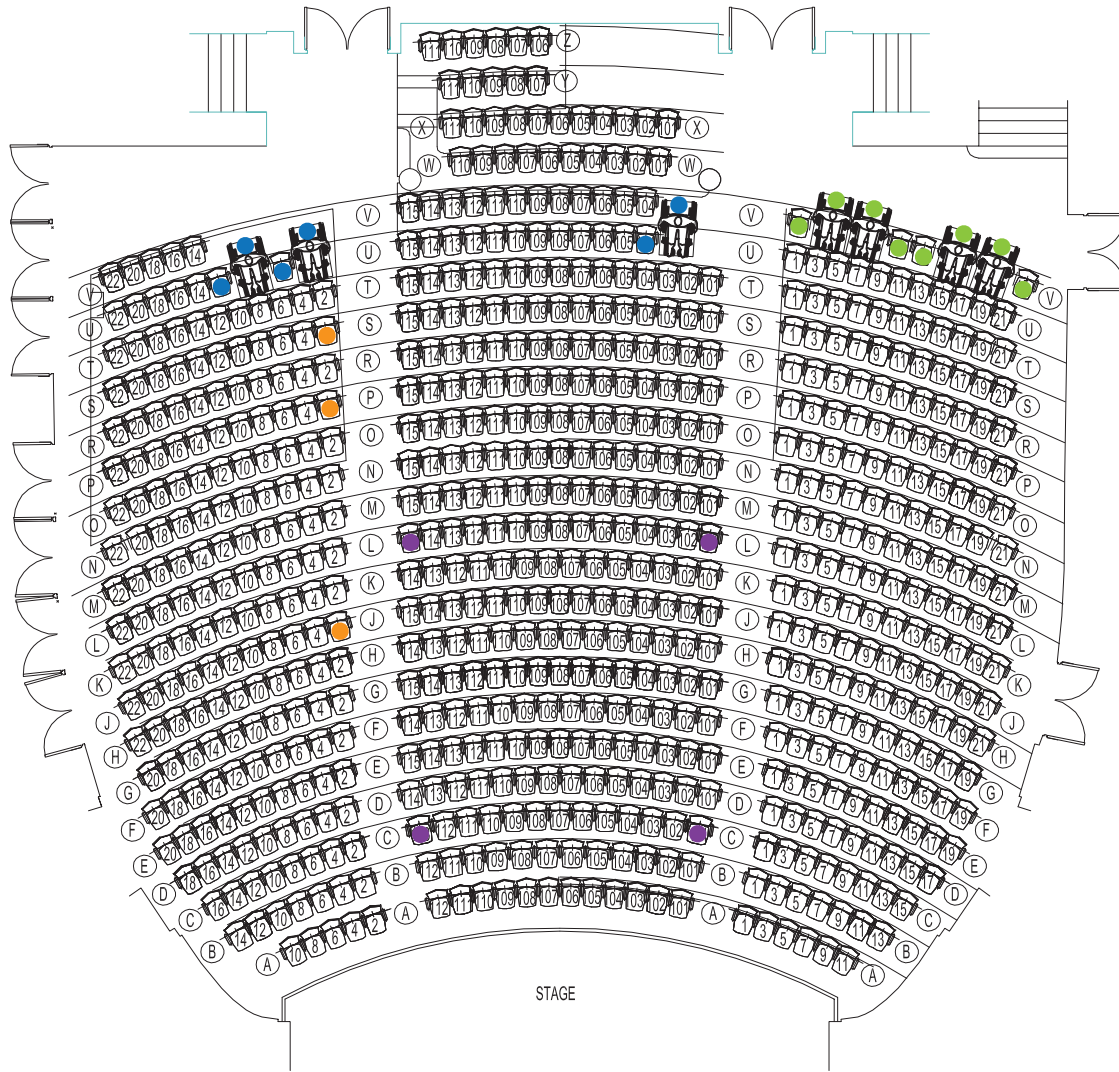
Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
34	Orchestra Level (Accessible Toilet Room)	Corner-mounted lavatory is 13½" x 13½" with a 17" deep diagonal rim at 34" AFF. Knee space is insufficient to allow roll-under.	Remove existing lavatory and install compliant model. May require reconfiguration of wall under lavatory to provide knee space.	4.19.2 Fig. 31 Fig. 32	Defendant will install compliant lavatory. Wall modifications are not feasible as per Architectural Modification Item 32.
35	Orchestra Level (Accessible Toilet Room)	The toilet paper dispenser is mounted 42" to the near edge from the rear wall and 52" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	Defendant will relocate toilet paper dispenser to accessible mounting height.
36	Stairs	There is no accessible route to the Upper Level. Stairs to the upper level lobby from house left have noncompliant handrails that do not extend past the bottom or the top riser.	Extend existing compliant handrail(s) as required past top and bottom risers where technically feasible. Coordinate with other handrail and protruding object requirements.	4.9.3(2) 4.1.3(4) 4.2.4(2) 4.4 Fig. 19 c & d	Defendant has provided compliant handrails during the course of the investigation.
37	Upper Level (Men's Toilet Room)	There is a 5" step up to the toilet room.		4.17.1	Defendant will provide handrails.
38	Upper Level (Men's Toilet Room)	Lavatories have base cabinets that do not provide compliant knee space.	Remove the existing lavatory and counter. Install a new compliant counter and reinstall the existing lavatory.	4.19.2 Fig. 31	Defendant will install compliant counter and lavatory.
39	Upper Level (Men's Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	Install high-lo fountain or, as a readily achievable solution: provide a flat-bottom cup dispenser at the existing fixture within one of the compliant reach ranges.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide a flat-bottom cup dispenser.

Exh. 7B Architectural Modifications to Neil Simon Theater

Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
40	Upper Level (Men's Toilet Room)	The soap dispensers are at 45" AFF over a 35" deep obstruction for a side reach.	Relocate the existing soap dispenser within reach range.	4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will relocate soap dispenser to a compliant mounting height.
41	Upper Level (Men's Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	Install compliant (includes raised lettering and Braille) room identification signage adjacent to strike side of door at 60" AFF to centerline. Coordinate with requirement for close approach without encountering protruding object or door swing.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
42	Upper Level (Men's Toilet Room)	Toilet paper dispenser in accessible stall is mounted 41" to the near edge from the rear wall and 51" to the far edge from the rear wall.	Relocate existing compliant toilet paper dispenser as required, ensuring 1½" clearance below grab bar.	4.16.6 Fig. 29(b) Fig. 30(d)	Defendant will relocate toilet paper dispenser to a compliant mounting height.
43	Upper Level (Men's Toilet Room)	The paper towel dispensers are at 52" AFF over a 22" deep obstruction.	Install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will relocate toilet paper dispenser to a compliant mounting height.
44	Upper Level (Men's Toilet Room)	There are 3 urinals in this toilet room, none of which are accessible.	Remove one existing noncompliant urinal and install a new elongated type at the required height.	4.22.5 4.18.2	Defendant will provide compliant urinal.

Exh. 7B Architectural Modifications to Neil Simon Theater

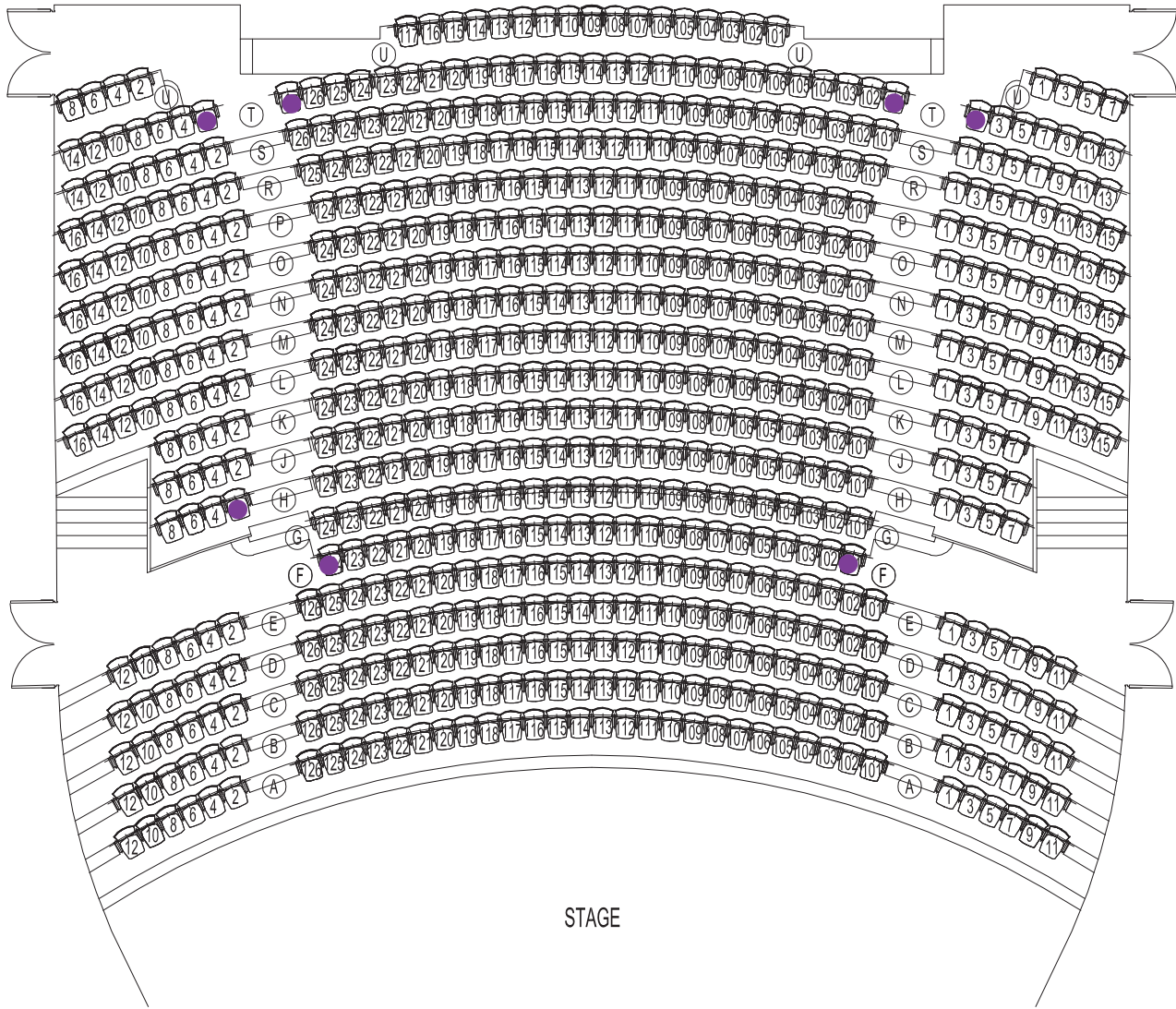
Line	Location Description	Existing Condition	Possible Solution	1991 Standards Reference	Architectural Modification
45	Upper Level Lobby	There are concession counters at 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide compliant concession counter.
46	Building	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	Provide compliant directional signs to most accessible toilet room at inaccessible toilet rooms and stairs leading to them.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant will provide compliant signage.
47	Building	There is no raised lettering and Braille room identification signage provided.	Install compliant signage in the required location(s).	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Neil Simon, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Neil Simon, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 4 wheelchair seating and companion locations are sold at the lowest price.

Exhibit 8: Palace Theater

Exhibit 8A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 8A (i.e., in the same condition as they existed for the Government's inspection conducted on July 21, 2011).

Exhibit 8B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 8A and 8B. In addition, Nederlander shall maintain the wheelchair accessible unisex restroom in the same condition as it existed for the Government's inspection conducted on July 21, 2011, as further modified in Exhibit 8B.

Exhibit 8C: Seating

Nederlander shall implement the seating plan attached hereto as Exhibit 8C.

Wheelchair and Companion Seating:

1. Nederlander shall maintain the two existing wheelchair and companion seating locations on the Orchestra level, in the area that would be designated Q1/Q3/Q5/R1/R3/R5, and S1/S3/S5/T1/T3/T5, which includes one companion seating location for each wheelchair seating location. Nederlander shall remove the black metal bars to the left of this area.

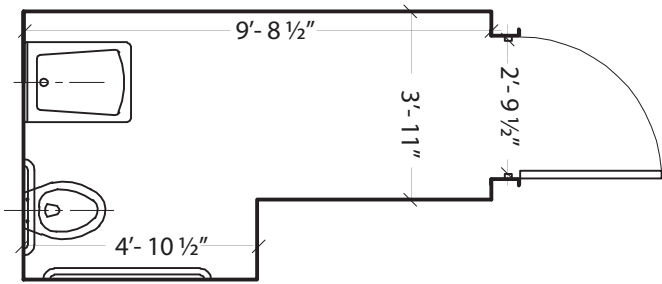
2. Nederlander shall add seven new wheelchair seating locations on the Orchestra level at W101/W103/W105/X101/X103 and at W102/W104/W106/X102/X104; on the Mezzanine level at O102/O104/O106/P102/P104; and on the Balcony at H2/H4/H6; at H8/H10/H12; at H1/H3/H5; and at H7/H9/H11; each of which shall include one companion seating location.

Aisle Transfer Seats:

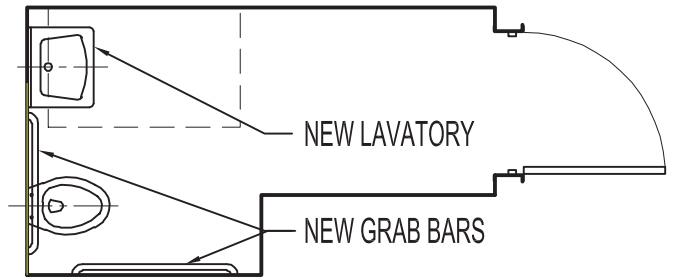
3. Nederlander shall add seventeen new aisle transfer seating locations, eleven on the Orchestra level at B101, B102, H101, H102, Q101, S101, S102, U128, U127, W127, W128; four on the Mezzanine level at M102, O2, O123, and O128; and two on the Balcony level at E115 and H19.

General:

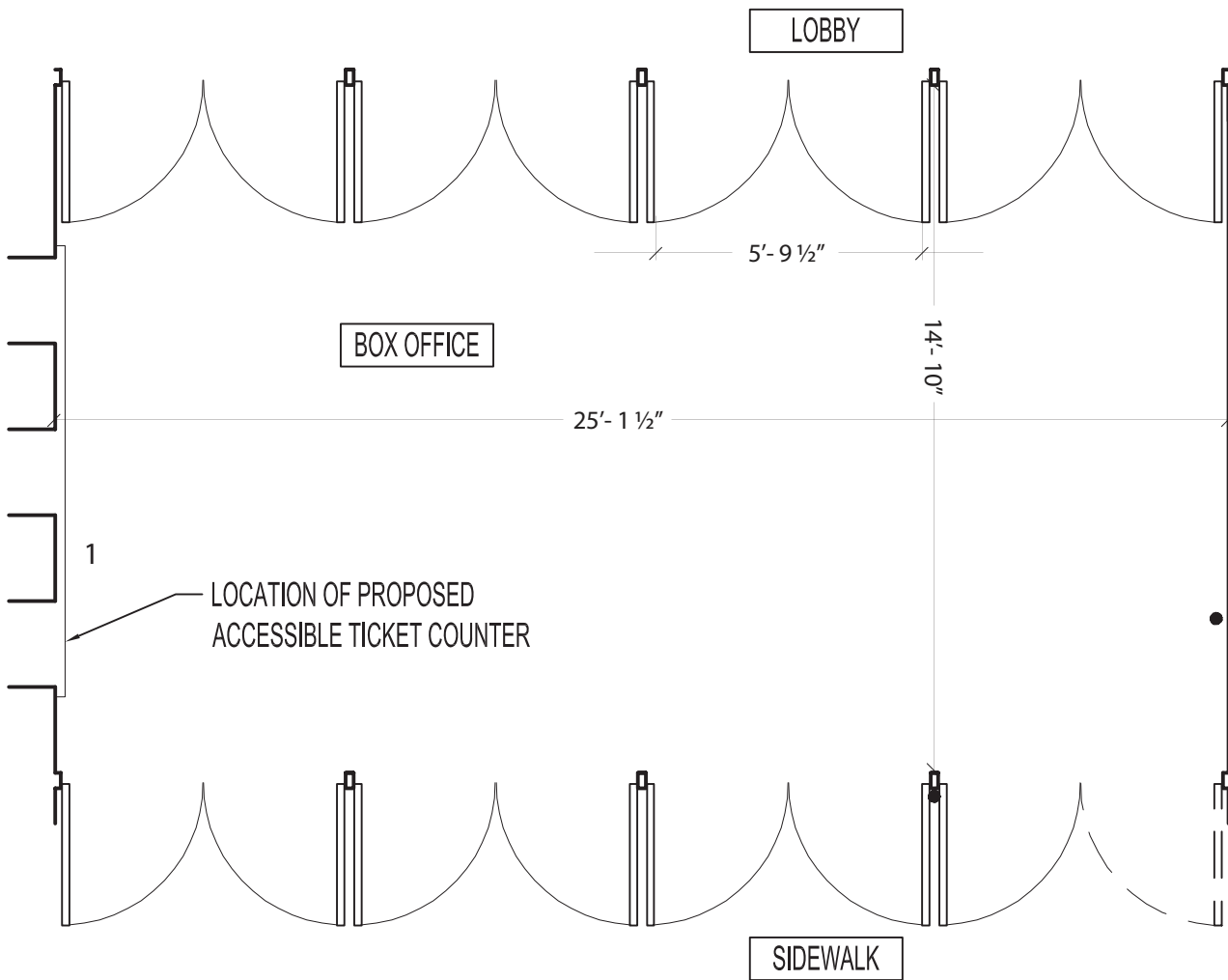
4. Nederlander shall mark the doors to the street immediately adjacent to U9 as an alternative accessible exit, and shall modify the exit threshold and approaches to comply with Standards § 4.13.8.



EXISTING CONDITIONS
N.T.S



PROPOSED MODIFICATIONS
N.T.S

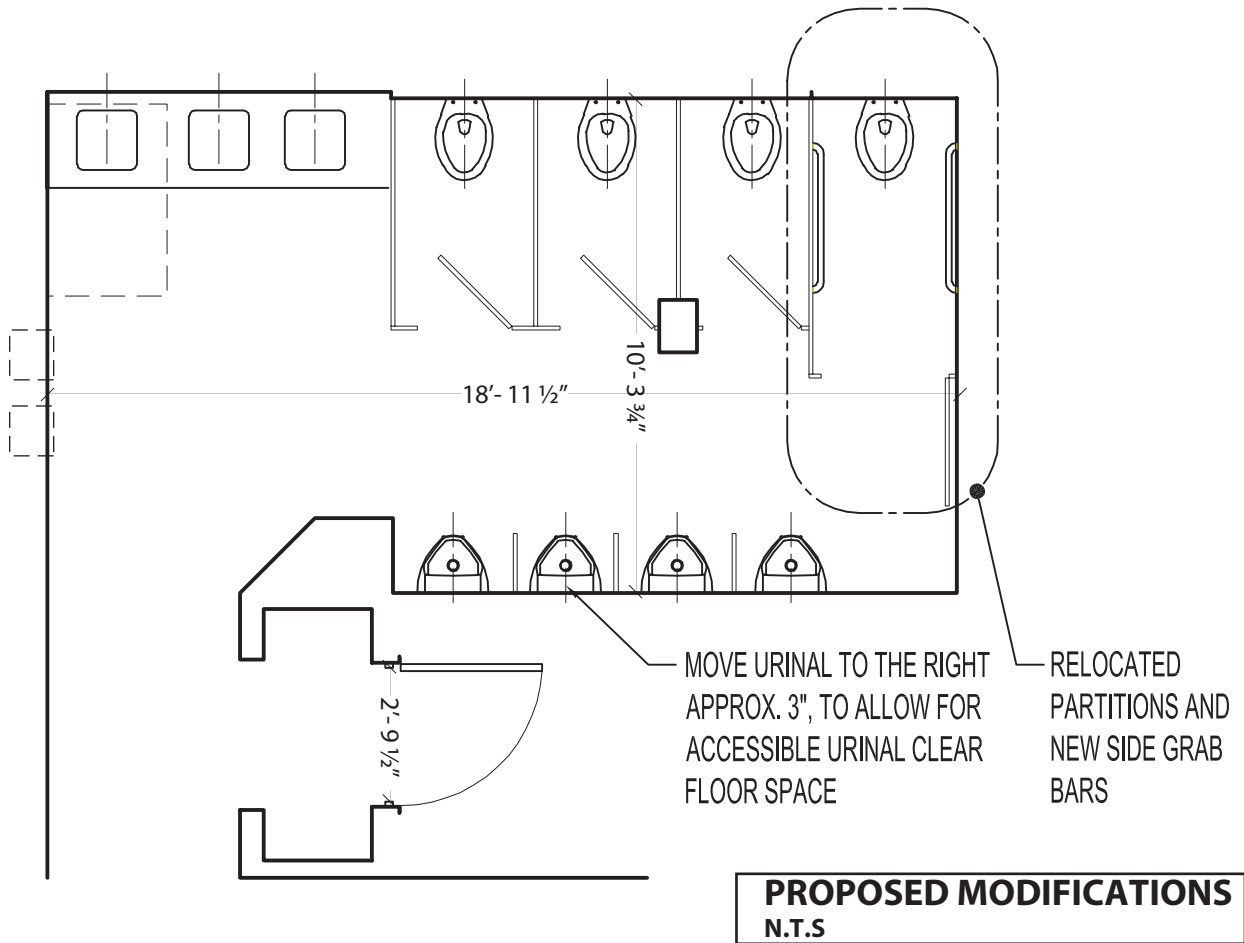
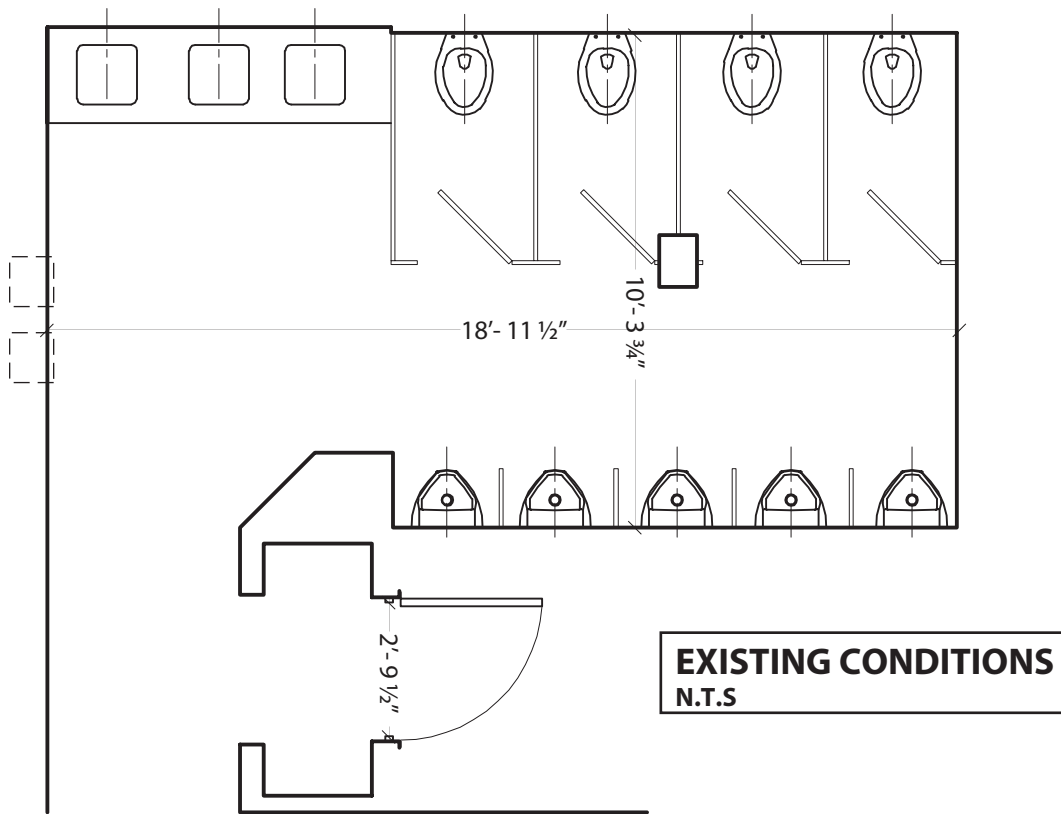


LEGEND

● AUTO OPENER CONTROL BUTTON

⌋⌋ AUTOMATIC DOOR

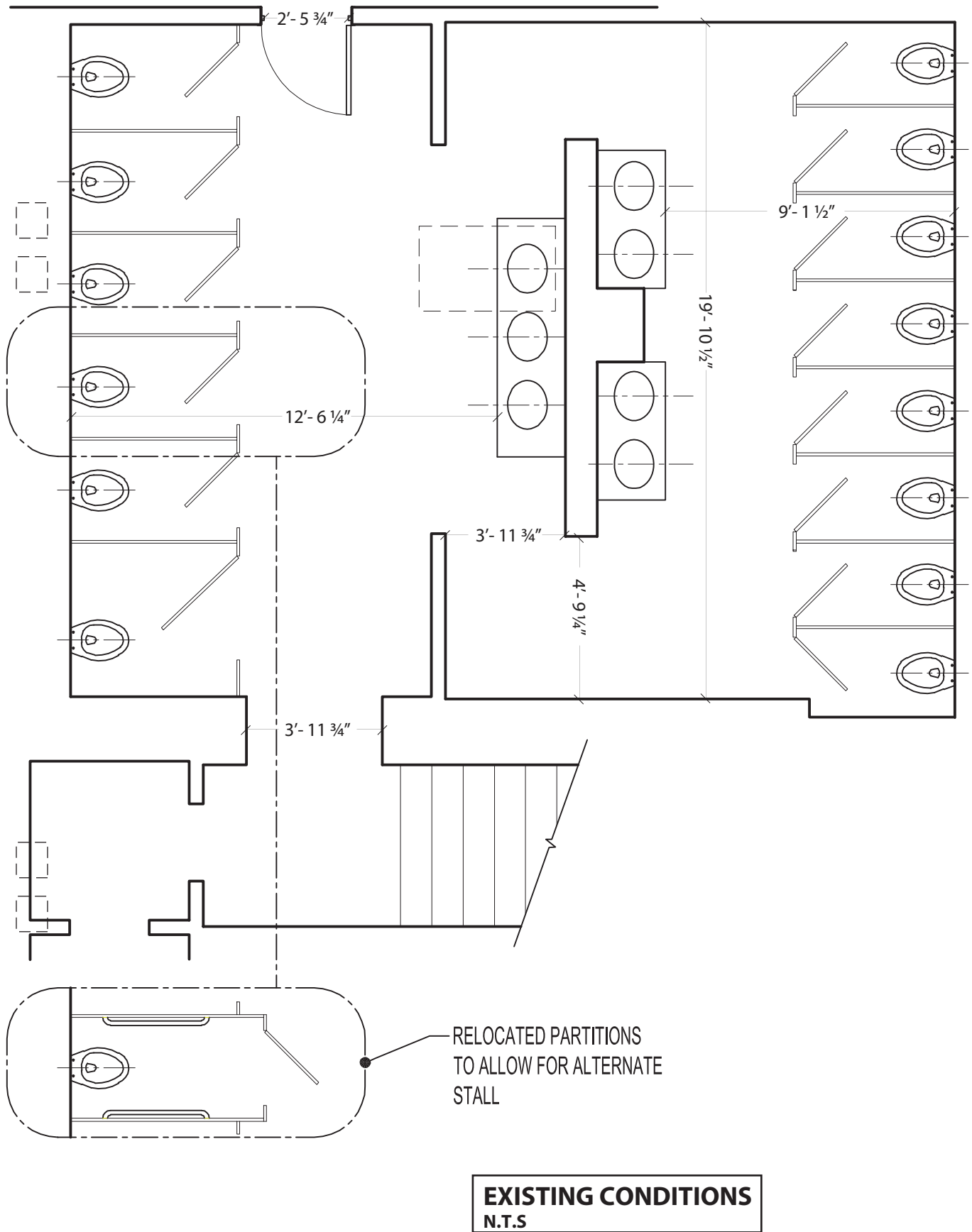
**8. PALACE THEATER
PROMENADE ACCESSIBLE TOILET
AND ENTRANCE PLAN**



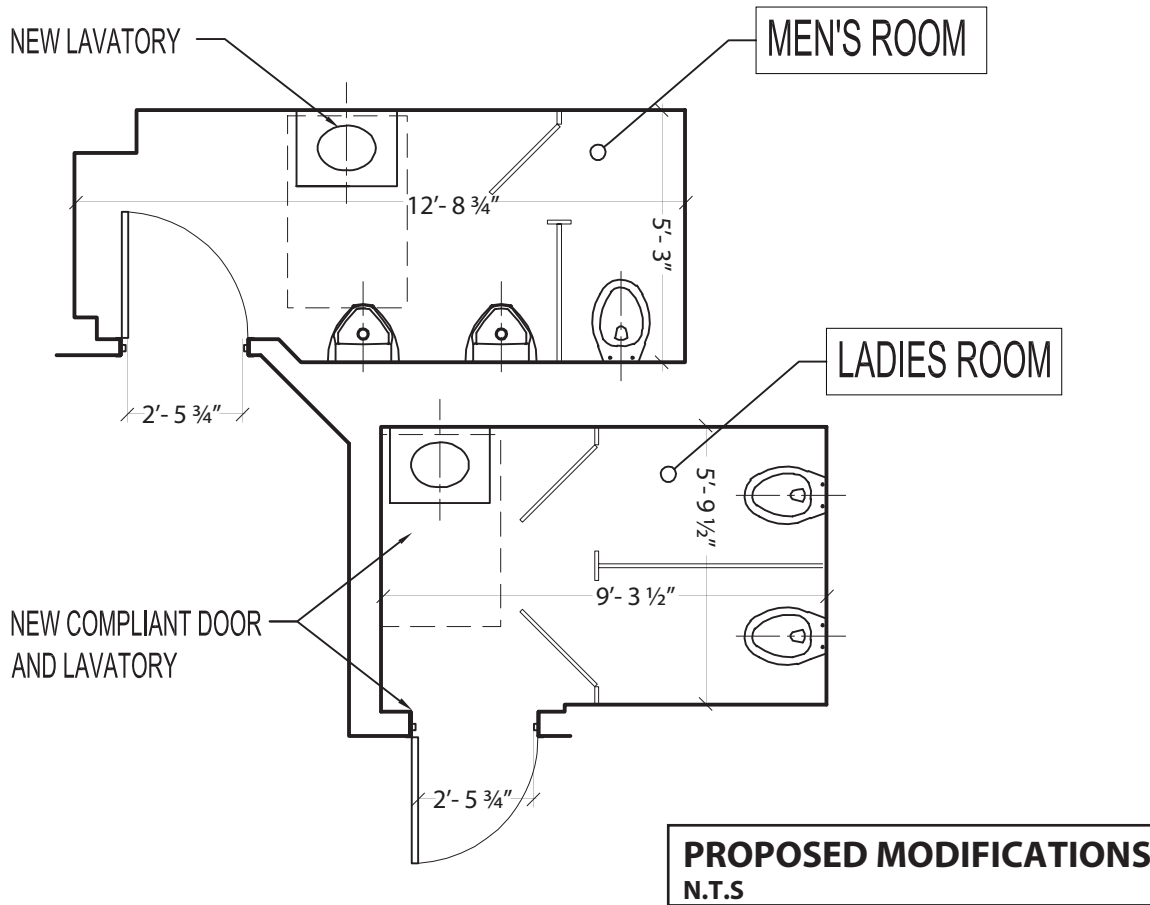
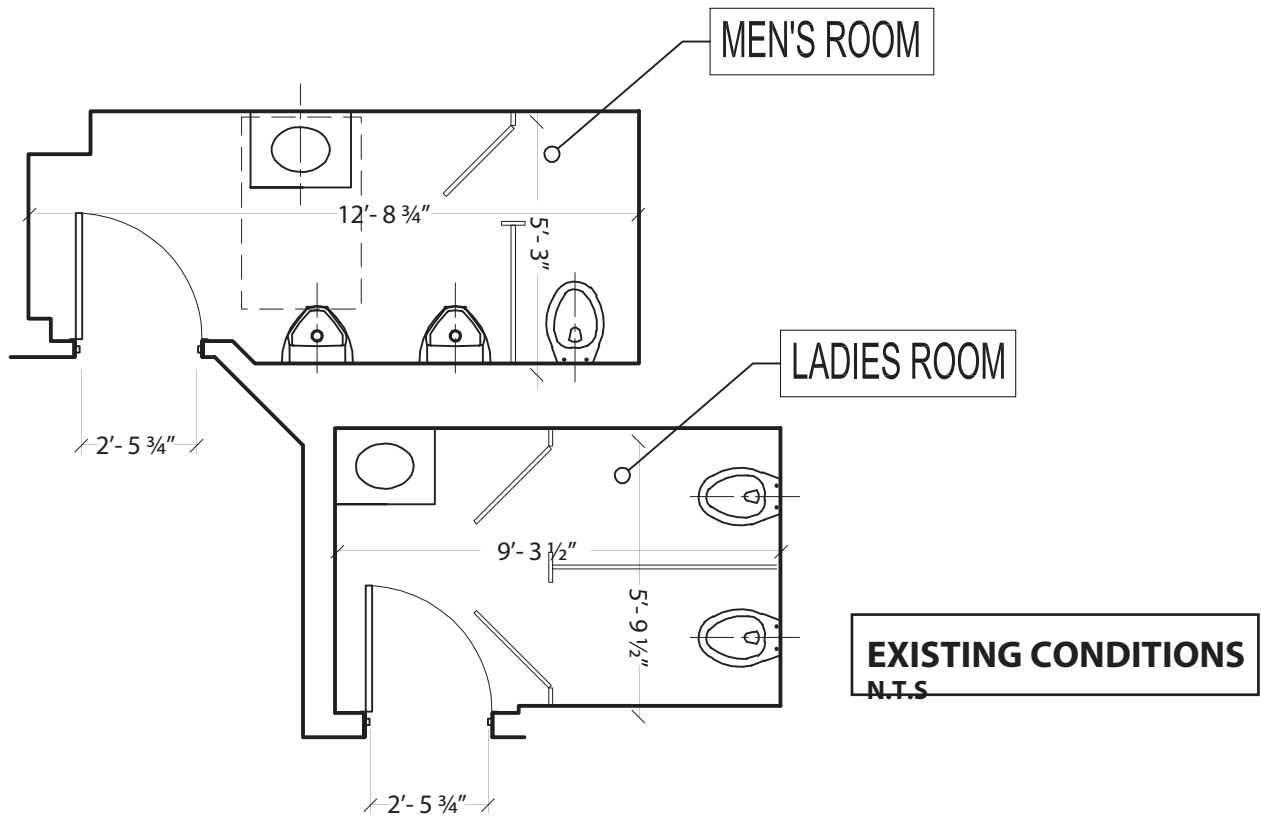
8. PALACE THEATER
LOWER LEVEL MEN'S MULTI-USER TOILET ROOM PLAN

EXISTING CONDITIONS

N.T.S



8. PALACE THEATER
LOWER LEVEL WOMEN'S MULTI-USER TOILET ROOM PLAN



8. PALACE THEATER
THIRD LEVEL WOMEN/MEN MULTI-USER TOILET ROOM PLAN

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
1	Box Office	The ticket window counter is 42"-44.5" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide compliant ticket window counter.
2	Box Office	No signage is provided at the ticket office or other apparent location notifying patrons of the availability of an assistive listening system. There is an ALS cart inside the orchestra seating area near the orchestra level ladies room.	Install signage incorporating the International Symbol of Accessibility for Hearing Loss at the ticket office notifying patrons of the availability of an assistive listening system. Sign should also state "Assistive Listening System Available".	4.1.3(19)(b) 4.33 4.30.7 Fig. 43(d)	Defendant will provide compliant signage.
3	Lobby	The concessions counter ranges from 42" to 48" AFF because of the sloping floor. (Floor slopes 3.0-5.2%)	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide and coordinate concessions counter of compliant height with existing sloped floor.
4	Lobby	The souvenir counter ranges from 37.5" to 45" AFF because of the sloping floor.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide and coordinate souvenir counter of compliant height with existing sloped floor.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
5	Lobby	There are 4 pairs of 30" wide doors leading from the lobby to the promenade that provide 26.5" of clear width. Only one set of these doors is used as an entrance into the promenade.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open and avoid the level door maneuvering clearance requirement on both sides of the doors. Provide self-actuating openers or install auto opener control buttons at approximately 42" AFF at a clear floor space which is outside of the swing of the doors.	4.1.3(7)(c) 4.13.5 4.13.6 Fig. 24	Defendant will provide compliant automatic doors.
6	Lower Level (Men's Multi-user Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant signage in the required location.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
7	Lower Level (Men's Multi-user Toilet Room)	There are 4 stalls and 5 urinals in this toilet room. None of the stalls have grab bars or provide any accessible features.	No accessible stall exists: convert typical stall into standard accessible stall. Modification may require removal of one water closet, if allowed by plumbing code. Install grab bars for standard or alternate accessible stall if standard accessible stall cannot be provided. If standard accessible stall is not provided, install directional sign to accessible toilet.	4.1.3(11) 4.22	Defendant will provide alternate accessible stall and compliant signage to standard accessible toilet.
8	Lower Level (Men's Multi-user Toilet Room)	There are 3 lavatories with base cabinets that obstruct knee clearance.	Modify(y)existing lavatory and counter to provide a compliant counter and lavatory.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide compliant lavatory.
9	Lower Level (Men's Multi-user Toilet Room)	The toilet room is located on an inaccessible level.	Provide directional sign(s) to accessible toilet rooms in obvious location(s) on orchestra level.	4.1.6(3)(e)(iii)	Defendant will provide compliant signage.
10	Lower Level (Men's Multi-user Toilet Room)	There are 2 telephones mounted at 57" AFF to the highest operable part.	Remove or relocate existing compliant phone within reach range.	4.1.3(17) 4.31.2 4.31.3 4.31.4 4.31.5 4.31.6 4.31.7 4.31.8 4.30.7 Fig. 44 4.2.4 4.2.5 4.2.6 4.4 4.1.3	Defendant will remove telephones.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
11	Lower Level (Men's Multi- user Toilet Room)	The paper towel dispenser is mounted at 50" AFF.	Verify that side approach clear floor space is available or install new towel dispenser within reach range where required clear floor space is available. Existing noncompliant towel dispenser may remain.	4.1.3(11) 4.22.7 4.27.3	Defendants will provide compliant mounting height.
12	Lower Level (Women's Multi-user Toilet Room)	There are 14 stalls in this toilet room. One stall is 55" wide x 60" deep and has parallel grab bars. The water closet is mounted 24" from the narrow side wall. The stall door swings in. Swinging the stall door out might create a traffic flow problem due to the location of this water closet.	No accessible stall exists: convert one typical stall into a compliant standard accessible stall or a 36" wide alternate stall.	4.1.3(11) 4.22 4.16 4.17 Fig. 28 Fig. 30	Defendant will provide alternate accessible stall.
13	Lower Level (Women's Multi-user Toilet Room)	The coat hook is mounted at 65" AFF.	Install an additional coat hook within reach range.	4.22.7 4.23.7 4.27.3 4.2.5 4.2.6 Fig. 5 Fig. 6	Defendant will provide compliant mounting height of coat hook.
14	Lower Level (Women's Multi-user Toilet Room)	There are 7 lavatories with base cabinets that obstruct knee clearance.	Modify existing lavatory and counter to provide a compliant counter and lavatory.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide compliant lavatory.
15	Lower Level (Women's Multi-user Toilet Room)	There is one visual alarm mounted on the ceiling and one mounted near the ceiling, both are frosted.	When alarm system is upgraded or replaced, provide compliant visual signal(s) integrated with the existing audible alarm system.	4.1.3(14) 4.28	No alarm system upgrades are scheduled at this time.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
16	Lower Level (Women's Multi-user Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant signage in the required location.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
17	Lower Level (Women's Multi-user Toilet Room)	The telephone is mounted at 57" AFF to the highest operable part.	Remove or relocate existing compliant phone within reach range.	4.1.3(17) 4.3 4.30.7 Fig. 44 4.2.4 4.2.5 4.2.6 4.4	Defendant will remove the telephones.
18	Lower Level (Women's Multi-user Toilet Room)	The toilet room is located on an inaccessible level.	Provide directional sign(s) to accessible toilet rooms in obvious location(s) on orchestra level.	4.1.6(3)(e)(iii)	Defendants will provide compliant signage.
19	Orchestra Level (House Left Wheelchair Seating Box)	Existing floor is not level at existing wheelchair seating position.	The slope ranges from 7% to 10% in the lower level of the box with the exception of a 42" level area at the extreme bottom left. The extreme back of the box is sloped at 6%.	4.33.4 4.5	Defendant will level floor to provide compliant slopes.
20	Promenade	There are 4 pairs of 30" wide doors leading from the promenade into the theatre that provide 26.5" of clear width each.	Install a pair of coordinated automatic openers on two adjacent doors to provide the 32" minimum clear width when both doors are open and avoid the level door maneuvering clearance requirement on both sides of the doors.	4.1.3(7)(c) 4.13.5 4.13.6 Fig. 24	Defendant will provide compliant automatic doors.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
21	Promenade (Accessible Toilet Room)	The threshold has 1" total height.	Remove existing threshold, and install compliant threshold (¼" M height square, or ½" M height at 1:2 (50%) slope, except ¾" M height at exterior sliding door).	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will provide compliant threshold.
22	Promenade (Accessible Toilet Room)	Oddly shaped toilet room is 67" wide x 59" deep with a 47" wide x 58" long access corridor.	If technically feasible, modify existing fire walls at large column supporting hotel above as well as plumbing fixtures and accessories in this location to provide the minimum required turning space & clear width.	4.22.3 4.2.3 Fig. 3	Defendant will modify plumbing fixtures and accessories to provide the minimum required turning space and clear width.
23	Promenade (Accessible Toilet Room)	The door maneuvering clearance on the push side is 6" wide to the wall at the coat room.	Disable door closer or, unless technically infeasible, alter existing walls and/or relocate existing door and frame to obtain required maneuvering clearances.	4.13.6 Fig. 25(a-f)	Defendant will provide automatic door.
24	Promenade (Accessible Toilet Room)	The soap dispenser is mounted at 47" AFF over a 26" deep lavatory.	Replace lavatory with a standard lavatory to eliminate obstruction at dispenser or relocate existing soap dispenser within range.	4.1.3(11) 4.22.7 4.27 4.2.5 4.2.6	Defendant will provide compliant lavatory.
25	Promenade (Accessible Toilet Room)	The mirror is mounted at 47" AFF to the bottom of the reflecting surface.	Lower existing mirror or install full length mirror nearby.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant mirror.
26	Promenade (Accessible Toilet Room)	The side grab bar is 42" long, mounted at 44" AFF to the centerline and 4.5" from the rear wall.	Remove existing compliant side grab bar and remount in required location.	4.17.6 4.26 Fig. 29 Fig. 30 Fig. 39	Defendant will relocate side grab bar at appropriate mounting height.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
27	Promenade (Accessible Toilet Room)	The rear grab bar is mounted at 41" AFF to the centerline. It is 24" long and mounted 5" from the side wall.	Remove existing rear grab bar and install new compliant rear grab bar. Coordinate with lavatory installation. Provide backing in wall as necessary.	4.17.6 4.26 Fig. 29 Fig. 30 Fig. 39	Defendant will provide and coordinate compliant rear grab bar with new lavatory.
28	Promenade (Accessible Toilet Room)	The flush mechanism is on the narrow side of the water closet.	Install new flush valve with handle on opposite side or automatic flush mechanism.	4.16.5	Defendant will provide and coordinate compliant rear grab bar with new lavatory.
29	Promenade (Accessible Toilet Room)	The door requires 6 pounds of force to open.	Adjust or replace existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant will provide automatic door.
30	Promenade (Accessible Toilet Room)	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room.	Install compliant signage in the required location.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
31	Stairs (to Lower Level Men's Multi-user Toilet Room)	There is a section near the bottom of the first run of stairs with only 71" AFF of headroom.	If technically infeasible to alter structural element to provide required vertical clearance, consider adding padding and paint or install low headroom warning signs on beam.	4.4.2 Fig. 8(a,c-1)	Defendant will provide compliant padding and signage.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
32	Stairs (to Lower Level Men's Multi-user Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	If possible, remove existing "high" fixture, alter plumbing and carrier. Provide and install new compliant high- low combination fixture. Coordinate with restrictions against protruding objects. Otherwise, provide an accessible low drinking fountain accessible to men elsewhere on this level.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide compliant drinking fountain.
33	Stairs (to Lower Level Women's Multi-user Toilet Room)	Handrail top extension(s) are less than 12" beyond top riser and/or bottom extension(s) are less than 1 tread width below bottom riser.	Extend existing compliant handrail(s) as required past top and/or bottom risers. Coordinate with other handrail and protruding object requirements.	4.9.4 4.1.3(4) 4.2.4(2) 4.4 Fig. 19 c & d	Defendant will provide compliant handrail extensions.
34	Stairs (to Lower Level Women's Multi-user Toilet Room)	At the base of this stair adjacent to the women's toilet room there is a small vestibule with a 27" width clear opening and a drinking fountain through that 27" opening.	Modify opening to provide at least 32" clear width along accessible route.	4.3.3 Fig. 7(a)	Defendant will relocate drinking fountain on an accessible route.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
35	Stairs (to Lower Level Women's Multi-user Toilet Room)	The drinking fountain spout outlet height is 42" AFF.	If possible, remove existing "high" fixture, alter plumbing and carrier. Provide and install new compliant high- low combination fixture. Coordinate with restrictions against protruding objects. Otherwise, provide an accessible low drinking fountain accessible to women elsewhere on this level.	4.1.3(10) 4.15 Fig. 27(a)	Defendant will provide compliant drinking fountain.
36	Stairs (to Lower Level Women's Multi-user Toilet Room)	There is a section near the bottom of the first run of stairs with only 72" AFF of headroom.	If technically infeasible to alter structural element to provide required vertical clearance, consider adding padding and paint or install low headroom warning signs on beam.	4.4.2 Fig. 8(a,c-1)	Defendant will provide compliant padding and signage.
37	Building	There are no raised lettering and Braille room identification signs provided in all locations where required.	Install compliant signage in the required locations.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
38	Building	No directional signage to nearest accessible toilet rooms at inaccessible toilet rooms.	Where toilets remain inaccessible, install compliant directional signs to accessible toilet room(s).	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant will provide compliant signage to accessible toilet.
39	Third Level (Lobby)	The concessions counter is 42" AFF.	Alter at least 1 counter of each type such that a section at least 36" long is not higher than 36" AFF and is on an accessible route.	7.2(2) 4.3	Defendant will provide compliant height of concession counter.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
40	Third Level (Lobby)	The fire extinguisher protrudes into the circulation path 7.5" at 40" AFF and is located between the ladies room and the stair.	Remove or relocate protruding object or install cane-detectable object below it.	4.4.1 Fig. 8(a-e)	Defendant will relocate the fire extinguisher or will provide cane-detectable object.
41	Third Level (Men's Multi- user Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant signage in the required location.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
42	Third Level (Men's Multi- user Toilet Room)	The door provides 28.5" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will provide compliant door.
43	Third Level (Men's Multi- user Toilet Room)	The door requires 12 pounds of force to open and travels from 70° open to within 3" of the latch in 2 seconds.	Adjust or replace existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door closer.
44	Third Level (Men's Multi- user Toilet Room)	There are 2 urinals and 1 water closet stall in this toilet room, none are accessible. There is 40" clear from the lavatory to the door swing and 51" clear to the ladder.	No accessible stall exists: convert one typical stall into a compliant standard accessible stall or a 36" wide alternate stall.	4.1.3(11) 4.22 4.16 4.17 Fig. 28 Fig. 30	Defendant will provide a directional sign to an accessible stall in the Lower Level Men Multiuser room.

Exh. 8B Architectural Modifications to Palace Theater

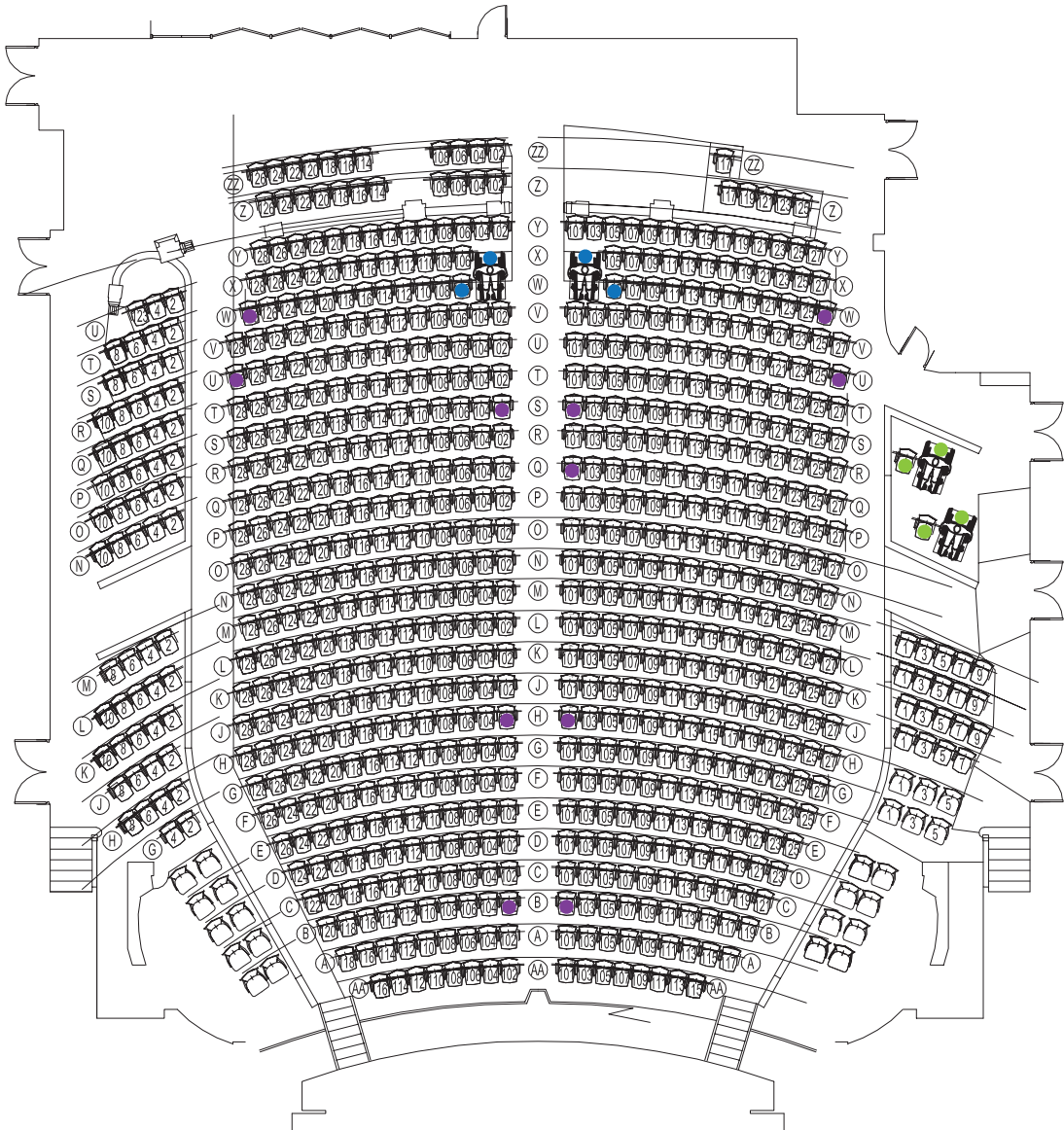
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
45	Third Level (Men's Multi- user Toilet Room)	The lavatory knee space is 28" at the front edge and 25" AFF at 8" back.	Raise existing compliant lavatory to provide required clearances with rim 34" maximum above finish floor. Adapt plumbing as needed. Repair/refinish wall as needed. Verify that door does not swing across clear floor space at lavatory.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide compliant lavatory.
46	Third Level (Seating)	The fire hose protrudes into the circulation path to seat H27 6" from the dry standpipe and 13" from the wall at 66" AFF.	Provide cane-detectable element under protruding object or reconfigure to alleviate encroachment.	4.4.1 Fig.8(a-e)	Defendant will relocate the fire hose or will install the cane detectable element.
47	Third Level (Women's Multi-user Toilet Room)	There are 2 stalls in this toilet room that is 110" wide and 69" deep. The stalls are 59" deep. There are no accessible features in this toilet room.	No accessible stall exists: convert typical stall into standard accessible stall or a 36" wide alternate stall. Modification may require removal of one water closet, if allowed by plumbing code. If toilet room remains inaccessible, install directional sign to accessible toilet.	4.1.3(11) 4.22	Defendant will provide directional sign to direct to the accessible stall provided at Lower Level Women Multiuser room.
48	Third Level (Women's Multi-user Toilet Room)	There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	Install compliant signage in the required location.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.

Exh. 8B Architectural Modifications to Palace Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
49	Third Level (Women's Multi-user Toilet Room)	The toilet room door requires 10 pounds of force to open.	Adjust or replace existing closer to provide compliant speed and force.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door closer.
50	Third Level (Women's Multi-user Toilet Room)	The pull side maneuvering clearance width is 13".	Install automatic opener or alter existing walls and/or relocate existing door and frame unless technically infeasible to obtain required maneuvering clearances.	4.13.6 Fig. 25(a-f)	Defendant will provide compliant clearance by installing automatic door or relocating/enlarging existing door.
51	Third Level (Women's Multi-user Toilet Room)	The door provides 29" clear width.	Remove existing door, widen opening, and install new door that provides the minimum required clear width. Coordinate with maneuvering clearance requirements.	4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will provide compliant clearance by installing automatic door or relocating/enlarging existing door.
52	Third Level (Women's Multi-user Toilet Room)	The threshold is noncompliant.	Remove existing threshold, and install compliant threshold (¼" M height square, or ½" M height at 1:2 (50%) slope, except ¾" M height at exterior sliding door).	4.1.3(7)(c) 4.1.6(3)(d)(ii) 4.13.8 4.5.2 Fig. 7(c,d)	Defendant will provide compliant threshold.
53	Third Level (Women's Multi-user Toilet Room)	The paper towel dispenser is mounted at 53" AFF.	Verify that towel dispenser is within reach range where required clear floor space is available in reconfigured toilet room.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of towel dispenser.
54	Third Level (Women's Multi-user Toilet Room)	The lavatory knee space is 29" at the front edge and 26" AFF at 8" back.	Raise existing compliant lavatory to provide required clearances with rim 34" maximum above finish floor. Adapt plumbing as needed.	4.1.3(11) 4.22.6 4.19.2 Fig. 31	Defendant will provide compliant lavatory.

Exh. 8B Architectural Modifications to Palace Theater

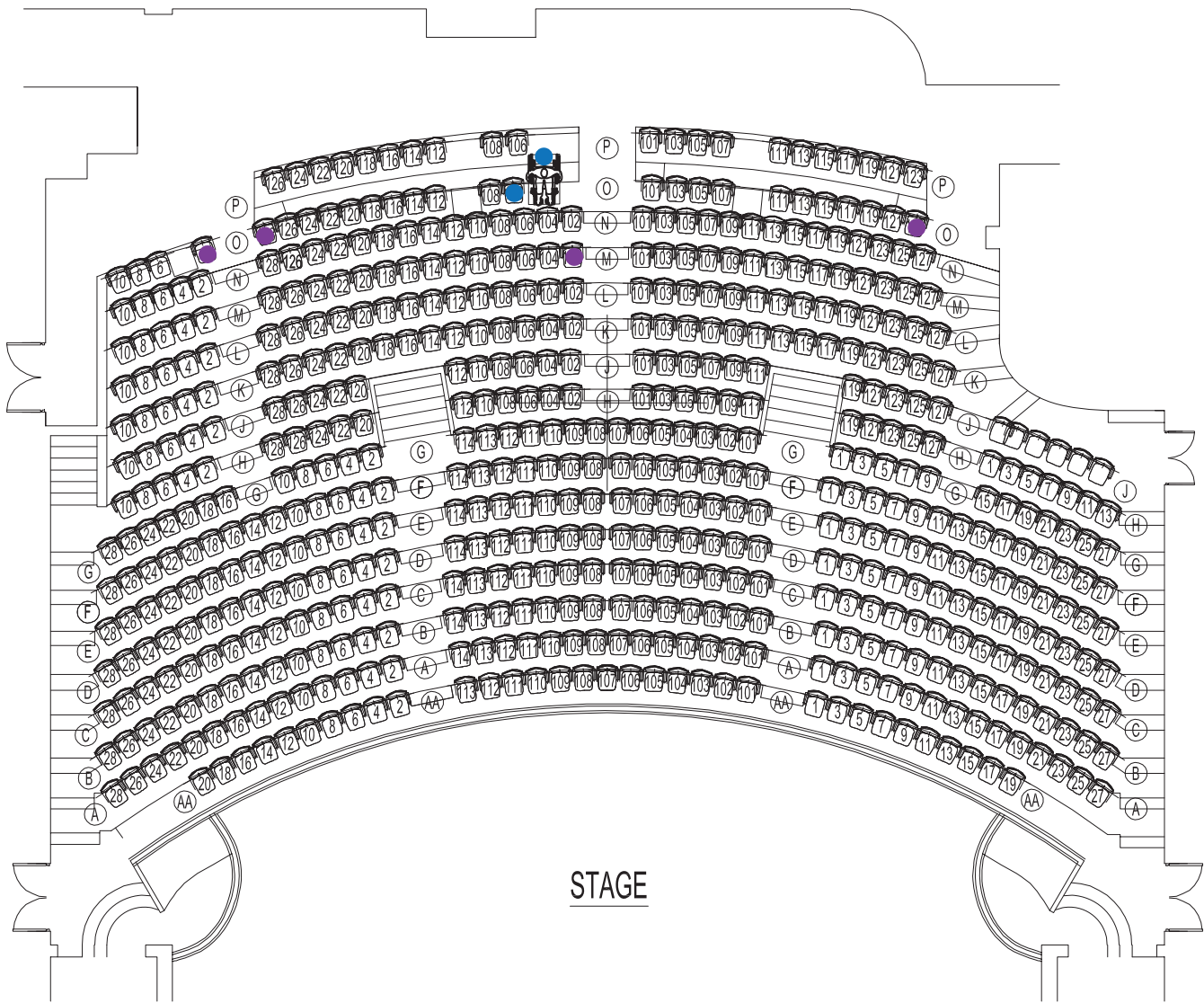
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
55	Third Level (Women's Multi-user Toilet Room)	The pipes under the lavatory are not insulated.	Insulate hot water supply and drain pipes. Ensure that no sharp or abrasive surfaces under the lavatory are unprotected.	4.19.4	Defendant will provide compliant insulation.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

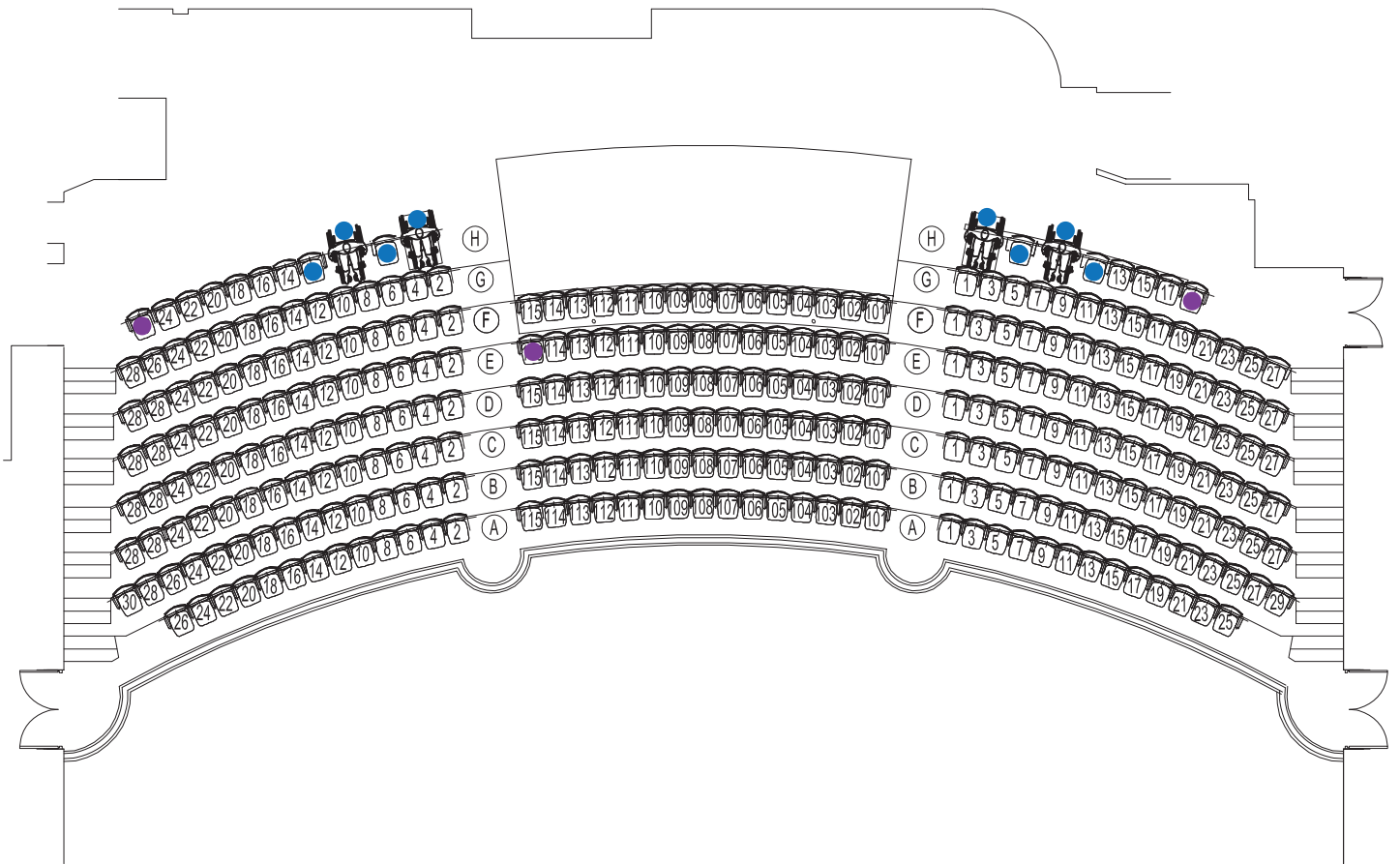
NOTE: At the Palace, 9 wheelchair seating and companion locations, and all 17 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Palace, 9 wheelchair seating and companion locations, and all 17 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Palace, 9 wheelchair seating and companion locations, and all 17 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row.

Exhibit 9: Richard Rodgers Theater

Exhibit 9A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 9A (i.e., in the same condition as they existed for the Government's inspection conducted on May 3, 2011).

Exhibit 9B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 9A and 9B. In addition, Nederlander shall maintain the wheelchair accessible unisex restroom in the same condition as it existed for the Government's inspection conducted on May 3, 2011, as further modified in Exhibit 9B, and shall also (i) install a visual alarm in the restroom; (ii) install an automatic door for the restroom; and (iii) modify the location of the sink to provide an adequate maneuvering space as required by Standards § 4.16.2.

Exhibit 9C: Seating

Nederlander shall implement the seating plan attached hereto as Exhibit 9C.

Wheelchair and Companion Seating:

1. Nederlander shall maintain the two existing wheelchair and companion seating locations on the orchestra level: at H17, and H18, with H19 and H21 being companion seating locations.

2. Nederlander shall add four new wheelchair seating locations at H9, H15, H10, and H16, with H11, H13, H12, and H14 being companion seating locations.

Aisle Transfer Seats:

3. Nederlander shall add fourteen new aisle transfer seating locations on Orchestra level at A1, A2, A101, C113, E1, E2, E23, E24, F101, F113, L1, L2, M1, and M2.

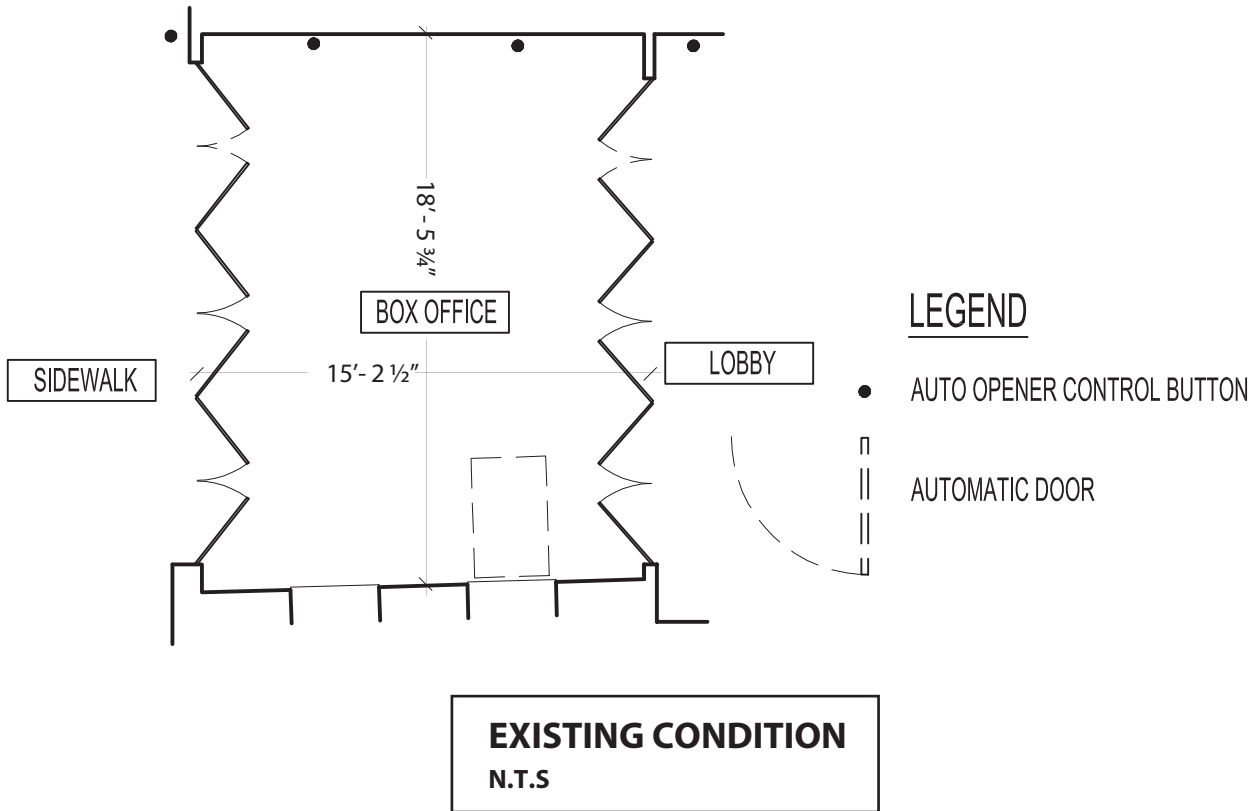
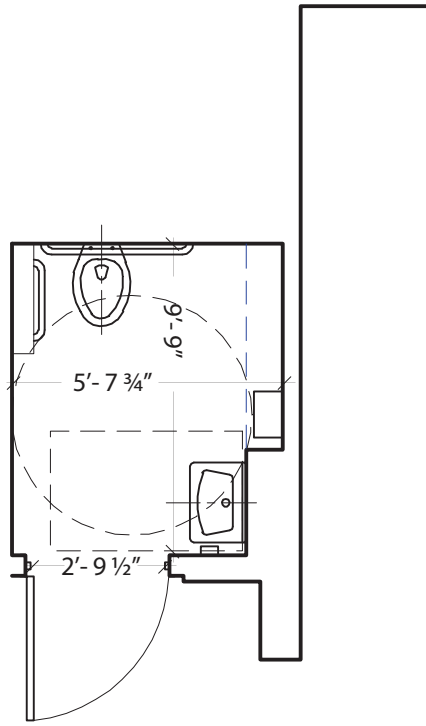
Accessibility Escorts:

4. Nederlander shall offer assistance to all persons using wheelchair or other mobility devices to enable them to navigate the paths of travel to any wheelchair or aisle transfer seating location.

5. Nederlander shall offer assistance to all persons using wheelchair or other mobility devices to enable them to access any portion of the Theater facility, including the anteroom off the lobby of the Theater, formerly known as Budweiser Alley.

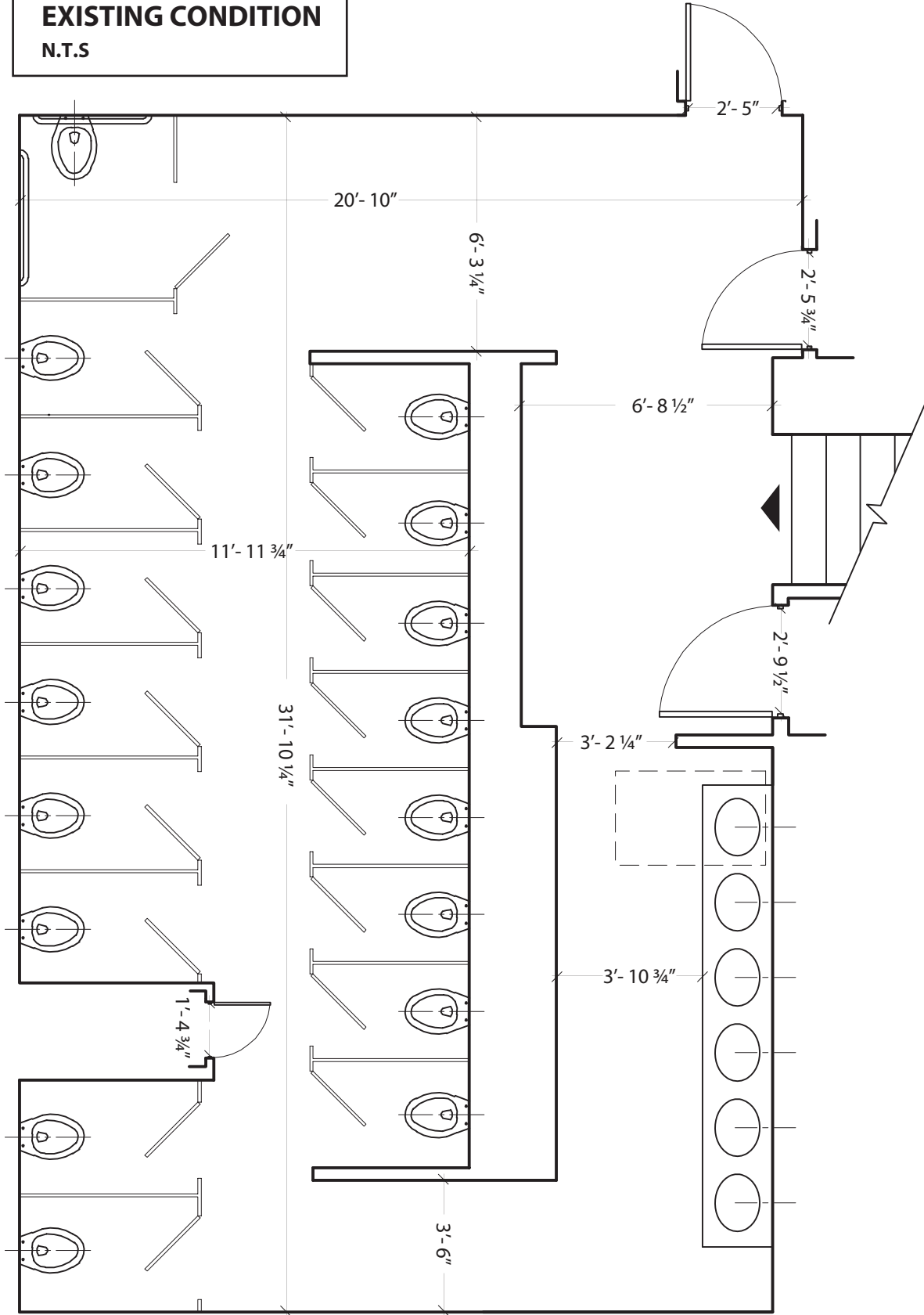
6. Nederlander shall ensure that, on any night that the Theater is open for a production or special event, that at least one employee shall be available to serve as an escort to assist persons with mobility impairments.

7. Nederlander shall post signs prominently advising patrons that an escort is available to assist individuals with mobility impairments.

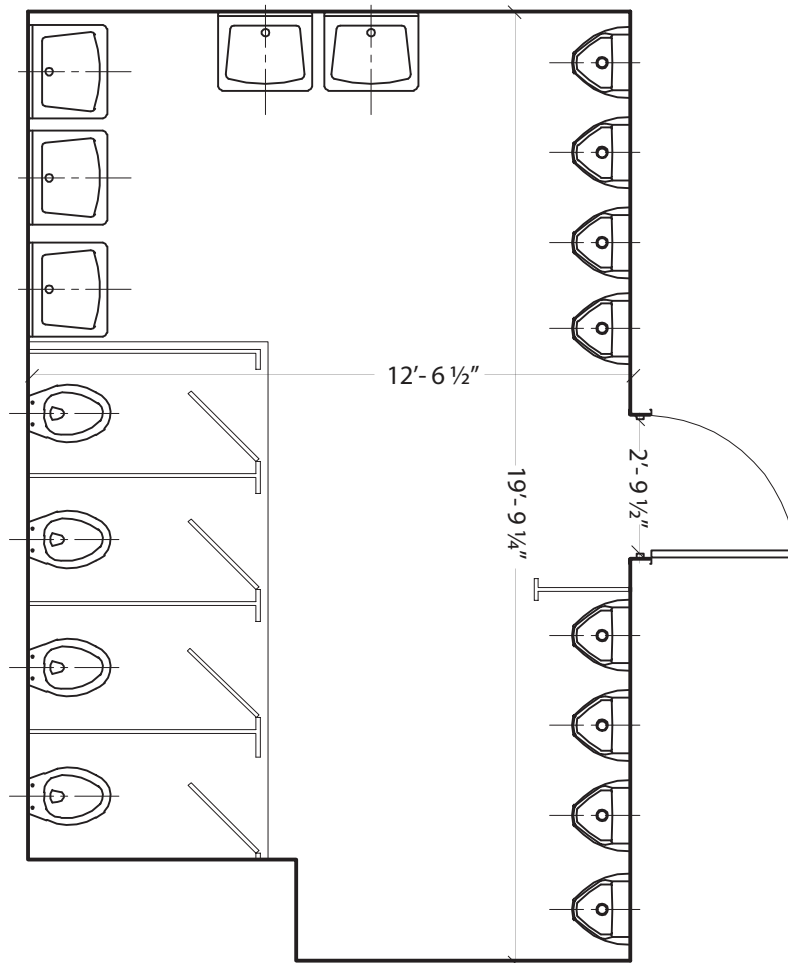


**9. RICHARD RODGERS THEATER
LOBBY- ACCESSIBLE TOILET ROOM / BOX OFFICE PLANS**

EXISTING CONDITION
N.T.S



**9. RICHARD RODGERS THEATER
LOWER LEVEL - WOMEN'S TOILET ROOM PLAN**



EXISTING CONDITION
N.T.S

**9. RICHARD RODGERS THEATER
LOWER LEVEL - MEN'S TOILET ROOM PLAN**

Exh. 9B Architectural Modifications to Rodgers Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
1	Box Office	There are 3 pairs of 32" exterior glass doors that provide 28" clear width.	Clearance widths of paired exterior entry doors are less than 32" per active leaf.	4.1.3(7) 4.13.4 4.13.5 Fig. 24	Defendant has provided double leaf automatic doors.
2	Box Office	The entry door maneuvering clearance is sloped at 6.8%.	Floor surface within required area for entry door maneuvering clearance is not level.	4.13.6 4.3.7	Slope modification are not feasible due to existing architectural constraints and interior landmark designation.
3	Box Office	No ALS signage found	No signage is provided at the ticket office and/or other apparent location(s) notifying patrons of the availability of an assistive listening system (ALS).	4.1.3(19)(b) 4.33 4.30.7 Fig. 43(d)	Defendant will provide compliant signage.
4	Box Office	There are 2 shelves at Ticket Sales, one at 43" AFF and the other at 46" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant will provide compliant counters.
5	Box Office	The public pay telephone is 55" AFF to the highest operable part (the coin slot), side approach.	The operable parts of the public pay telephone are outside reach range (48" AFF maximum for forward approach and 54" AFF maximum for parallel approach).	4.1.3(17) 4.2.5 4.2.6 4.31.3 Fig.44	Defendant will remove pay telephone.
6	Box Seating (Box A)	The circulation path to box seating box A has a light fixture at 70" AFF.	Object(s) in circulation path reduce headroom to less than 80" AFF or project more than 4" from wall between 27" AFF and 80" AFF.	4.1.3(2) 4.4.1 4.4.2 Fig. 8(a-e)	Defendant has removed protruding objects.

Exh. 9B Architectural Modifications to Rodgers Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
7	Box Seating (Box B)	The circulation path to box seating box B has a light fixture at 68" AFF.	Object(s) in circulation path reduce headroom to less than 80" AFF or project more than 4" from wall between 27" AFF and 80" AFF.	4.1.3(2) 4.4.1 4.4.2 Fig. 8(a-e)	Defendant has removed protruding objects.
8	Lobby	There is 29" clear width at the doors from the Box Office to the Lobby.	Clearance widths of paired doors into lobby are less than 32" per active leaf.	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.4 4.13.5 Fig. 24	Defendant has provided double leaf automatic doors.
9	Lobby	There is overhead directional signage with 1.5" high letters that is typical of overhead signage in the building.	Overhead directional or informational sign about functional spaces located higher than 80" AFF has characters less than 3" high (based on upper case "X").	4.1.3(16)(b) 4.30.3	Defendant has provided compliant signage.
10	Lobby	ALS cart/box found in lobby but the quantity of receivers in the building is unknown. No ALS signage found.	Unable to verify the number of Assistive Listening System receivers or coverage areas due to ALS cabinet being locked.	4.1.3(19)(b) 4.30.7(4) 4.33.6 4.33.7 Fig. 43(d)	Defendant will provide Assistive Listening System.
11	Lobby	The concession counters are 41.5" AFF and 42.5" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant will provide compliant counters.
12	Lobby	The souvenir counters are 39" and 42" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	Defendant will provide compliant counters.

Exh. 9B Architectural Modifications to Rodgers Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
13	Lobby (Accessible Toilet Room)	The mirror is mounted at 45" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.19.6 4.22.6 Fig. 31	Defendant has provided tilted mirror.
14	Lobby (Accessible Toilet Room)	The accessible toilet room is 77" x 44" with a raised alcove 19.5" deep and 17.5" wide that contains the inaccessible lavatory.	Existing small toilet room does not provide the required turning space, clear floor space at fixtures, or an accessible lavatory.	4.1.3(11) 4.2.3 4.13 4.16 4.19 4.22 4.26 4.27 Fig. 3 Fig.28 Fig.29 etc.	Defendant will provide automatic door for maneuvering clearance.
15	Lobby (Accessible Toilet Room)	The side grab bar extends from 9" to 45" from the rear wall.	Toilet room side grab bar is less than 42" long and extends to less than 54" from rear wall.	4.1.3(11) 4.16.4 4.22.4 4.26 Fig. 29	Defendant will provide compliant side grab bar to the extent readily achievable.
16	Lobby (Accessible Toilet Room)	The water closet is approximately centered within the 44" wide space.	The centerline of the water closet is greater than 18" from the side wall.	4.1.3(11) 4.16 4.22.4 Fig. 28	Defendant will provide compliant water closet location.
17	Lobby (Accessible Toilet Room)	There is incised letter and Braille signage on the face of the outswinging door where a user within 3" of sign may be struck by an unexpectedly opening door.	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
18	Lobby (Accessible Toilet Room)	The toilet paper dispenser is mounted 31.5" to the near edge from the rear wall and 41.5" to the far edge from the rear wall.	Double roll toilet paper dispenser is mounted with far roll more than 36" from back wall to far edge of paper roll.	4.1.3(11) 4.16.6 4.22.4 Fig.29(b) Fig.30(d)	Defendant will provide accessible mounting height of toilet paper dispenser.

Exh. 9B Architectural Modifications to Rodgers Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
19	Lobby (Accessible Toilet Room)	Throw-bolt hardware on the door is at 59" AFF.	Existing high door hardware cannot be grasped easily with one hand or requires tight grasping, pinching, or twisting of the wrist to operate.	4.1.3(11) 4.13.9 4.22.2	Defendant will provide compliant hardware.
20	Lower Level (Men's Toilet Room)	Lower level is not served by an elevator or any other accessible route. There are also 2 steps without handrails up from the lower level lobby into the men's toilet room.	Toilet room is on a level not served by an accessible route.	4.1.3(1) 4.1.3(3) 4.1.3(5) 4.1.6(1)(b) 4.1.6(2) 4.3.2(3) 4.3.8 4.5.2	Defendant has provided compliant handrail.
21	Lower Level (Men's Toilet Room)	The mirror is mounted at 53" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.19.6 4.22.6 Fig. 31	Defendant will provide compliant mirror.
22	Lower Level (Men's Toilet Room)	There are 4 toilet stalls in this toilet room with a 4" step up into each stall, none of which are accessible.	Vertical change in level is more than ¼" high.	4.1.3(1) 4.1.3(3) 4.3.8 4.5.2 Fig. 7(a-b)	Defendant will adjust vertical change in level.
23	Lower Level (Men's Toilet Room)	There is only 7" width on the pull side door maneuvering clearance and 2 steps without a landing on the push side.	Maneuvering clearances at doorway are less than required.	4.1.3(1) 4.1.3(3) 4.3.8 4.5.2 4.13.6 Fig. 25(a-f)	Defendant will increase maneuvering clearance.
24	Lower Level (Men's Toilet Room)	High, standard drinking fountain in 34" wide alcove is not accessible to wheelchair users, little people, and those with restricted reach.	Forward approach, standup drinking fountain is installed in a narrow alcove >24" deep and < 36" wide.	4.1.3(10) 4.15 Fig. 27	Defendant will renovate drinking fountain for compliance.

Exh. 9B Architectural Modifications to Rodgers Theater

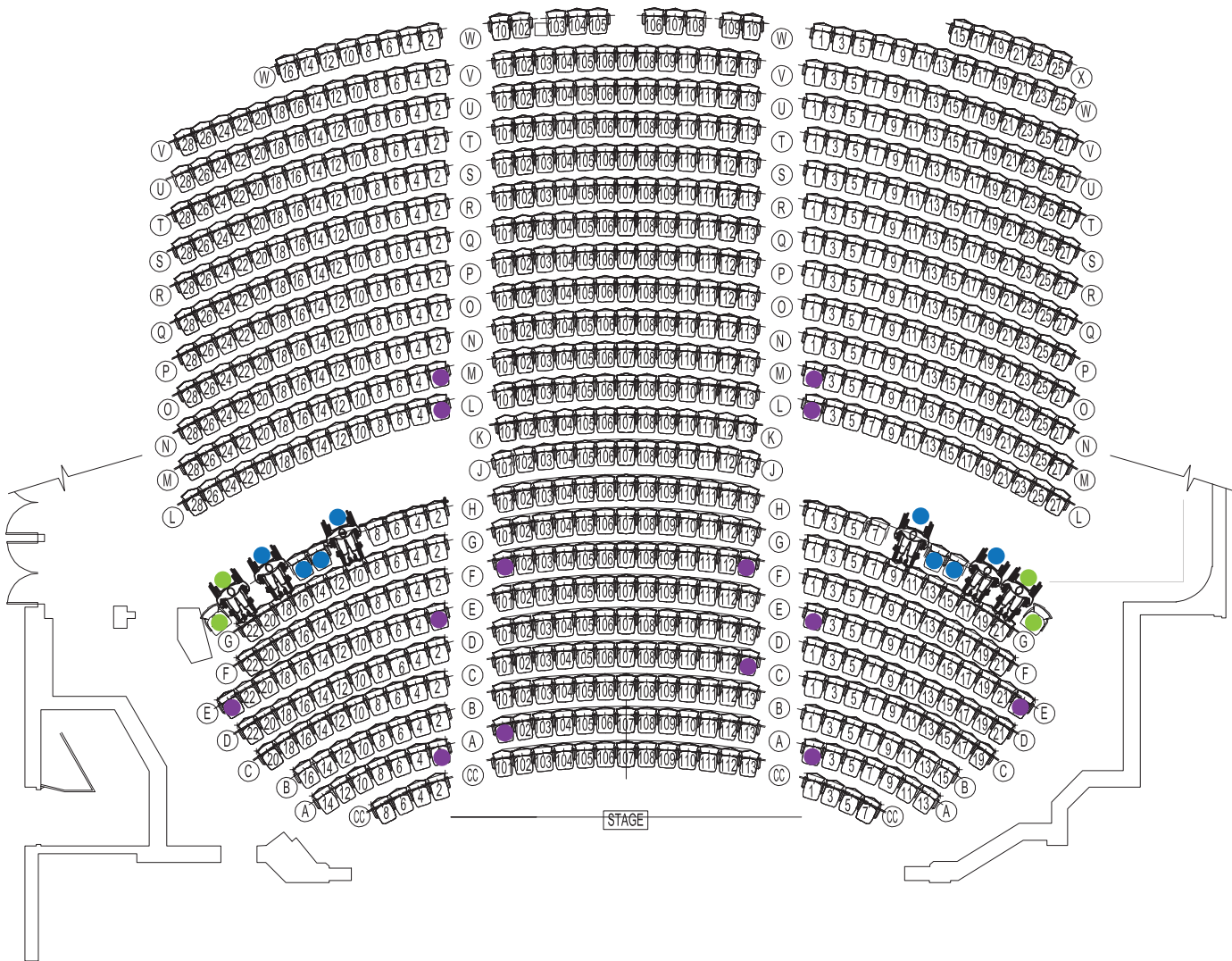
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
25	Lower Level (Men's Toilet Room)	The public pay telephone is 63.5" AFF to the highest operable part (the coin slot) and offers no volume control.	Public pay phone is mounted too high and has no volume control (required on all accessible phones plus 25% of all other telephones of the same type).	4.1.3(17) 4.2.5 4.2.6 4.30.7 4.31.3 Fig.44	Defendant will remove public pay telephone.
26	Lower Level (Men's Toilet Room)	Sign is not RLB and is mounted high on the face of the door.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will install compliant signage.
27	Lower Level (Men's Toilet Room)	The paper towel dispensers are mounted at 55" AFF.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.2.4 4.2.5 4.2.6 4.22.7	Defendant will remount towel dispenser.
28	Lower Level (Men's Toilet Room)	There are 5 wall mounted lavatories with a rim height of 31" AFF, 27" AFF knee space at the front edge, and 23.5" AFF knee space at 8" back.	Wall-mounted lavatories all have less than required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Defendant will remount wall lavatories.
29	Lower Level (Men's Toilet Room)	There are 8 urinals in this toilet room, none of which are accessible.	Urinal(s) is(are) provided but there is not an accessible urinal.	4.1.3(11) 4.22.5 4.18.3	Defendant will install accessible urinal.
30	Lower Level (Men's Toilet Room)	The door requires 9 pounds of force to open.	Closer at non-fire-rated interior door exceeds the maximum force to open (5 lbs).	4.1.3(7)(b) 4.1.3(7)(c) 4.1.3(7)(d) 4.13.10 4.13.11	Defendant will test and maintain door closer for compliance.
31	Lower Level (Women's Toilet Room)	Lower level is not served by an elevator or any other accessible route. There is also 1 step without handrails up from the lower level lobby into the women's toilet room.	Toilet room is on a level not served by an accessible route.	4.1.3(5) 4.1.6(1)(b) 4.1.6(2) 4.3.2(3) 4.3.8	Alterations to introduce vertical accessible route are not feasible due to structural constraints and landmarks status designation. Compliant handrails will be installed.

Exh. 9B Architectural Modifications to Rodgers Theater

Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
32	Lower Level (Women's Toilet Room)	The mirror is mounted at 44" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.19.6 4.22.6 Fig. 31	Defendant will provide accessible mirror.
33	Lower Level (Women's Toilet Room)	Approach to the water cooler in the corner of this toilet room lounge is blocked by stored water bottles which place controls out of reach.	Forward approach to water cooler is blocked in a narrow alcove by stored water bottles which place controls out of reach.	4.1.3(10) 4.15 Fig. 27	Defendant has provided accessible drinking fountain.
34	Lower Level (Women's Toilet Room)	The public pay telephone is 65" AFF to the highest operable part (the coin slot) and offers no volume control.	Public pay phone is mounted too high and has no volume control (required on all accessible phones plus 25% of all other telephones of the same type).	4.1.3(17) 4.2.5 4.2.6 4.30.7 4.31.3 Fig.44	Defendant has removed public pay telephone.
35	Lower Level (Women's Toilet Room)	There is no RLB sign for this toilet room.	There is no raised lettering and Braille room identification sign provided at this gender specific multi- user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will remove compliant signage.
36	Lower Level (Women's Toilet Room)	The paper towel dispensers are mounted at 56" AFF.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.2.4 4.2.5 4.2.6 4.22.7	Defendant has relocated towel dispenser to accessible mounting height during course of investigation.
37	Lower Level (Women's Toilet Room)	There are 2 wall mounted lavatories with a rim height of 32" AFF and knee space of 28" AFF at the front edge.	Wall-mounted lavatories all have less than required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.19.2 4.19.3 4.22.6 Fig. 31	Defendant will modify existing lavatories for knee clearance compliance.

Exh. 9B Architectural Modifications to Rodgers Theater

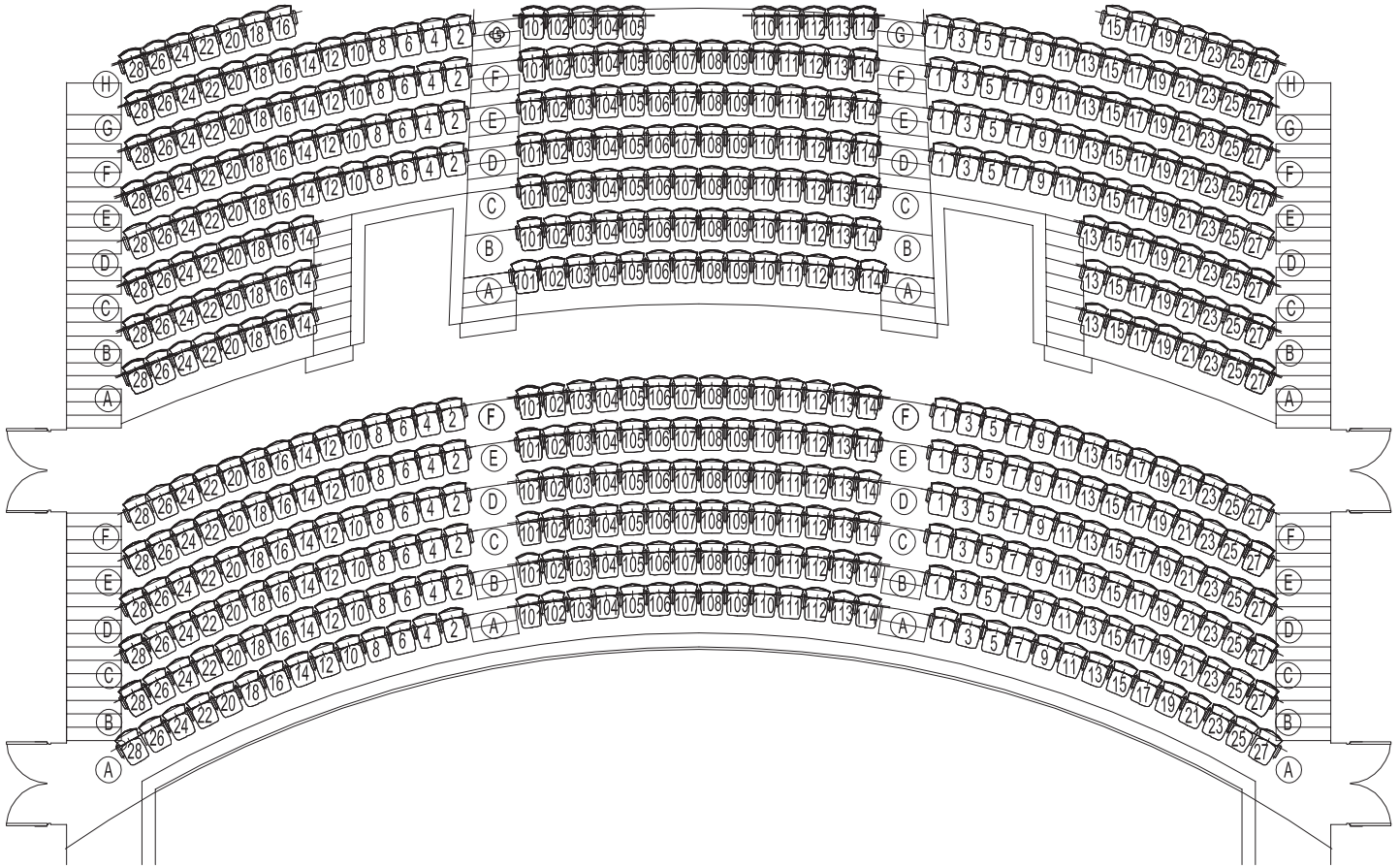
Line #	Location Description	Existing Condition	Barrier Removal	1991 Standards Reference	Architectural Modification
38	Upper Level	The concession counters under the rear mezzanine are 43" AFF and 44" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(1) 7.2(2) 4.3	The units are display only and neither operate as point of sales or information. Should that change, defendant will lower a portion of the concession counter.
39	Public Stairs	Stair handrails throughout theatre are noncompliant with extension and continuity requirements.	Handrails are not continuous and/or do not extend at least 12" beyond top riser and one tread width + 12" beyond bottom riser.	4.1.3(4) 4.1.6(2) 4.4 4.9.4 Fig. 19	Defendant has provided compliant handrails.
40	Building	There is no directional signage to the accessible toilet room.	No directional signage to nearest accessible toilet room at entrances to inaccessible toilet rooms.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant has provided directional signage.
41	Building	There are no raised letter and Braille signs where required (exits, entrance to auditorium, toilet rooms, etc.).	Raised letter and Braille signs are not provided in all places required by the ADA Standards (including, at least, all emergency exits, toilet rooms, and numbered rooms).	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Richard Rodgers, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.



■ Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Richard Rodgers, 3 wheelchair seating and companion locations, and all 14 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.