

CLARK, THOMAS & WINTERS

A PROFESSIONAL CORPORATION

TELEPHONE (512) 472-8800

POST OFFICE BOX 1148
AUSTIN, TEXAS 78767

FAX (512) 474-1129

300 WEST 6TH STREET, 15TH FLOOR
AUSTIN, TEXAS 78701

October 16, 2008

VIA HAND DELIVERY and EMAIL

Ms. Virginia Collier, Senior Planner
Neighborhood Planning
City of Austin
505 Barton Springs Road, 5th Floor
Austin, Texas 78701

Re: Dalton Lane Commercial Annexation Area, C7a-08-019

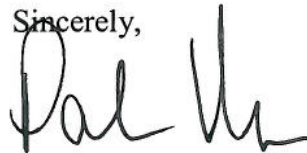
Dear Virginia:

The firm of Clark, Thomas & Winters, a Professional Corporation represents Shumaker Enterprises, Inc. related to the above-referenced annexation. (See the City of Austin map attached as Exhibit "A".) The property which is the subject of the City of Austin's annexation has been used for resource extraction and reclamation continuously since 1983. In addition, Site Plan No. SP-06-0071D approved August 10, 2006 allows for industrial and commercial uses. (A copy of the title page of the Site Plan is attached as Exhibit "B".)

We would like to meet with you and the Director of Neighborhood Planning and Zoning to discuss these issues before the first of the two public hearings on the annexation. We understand that the first public hearing is scheduled for October 16, 2008, and the second public hearing is scheduled for October 23, 2008. Accordingly, we are requesting that any action on this annexation be postponed and or removed from the City Council agenda. As well, please accept this letter as our formal objection to the October 16, 2008 and October 23, 2008 public hearings on the Dalton Lane Annexation Commercial Area.

If you have any questions, please contact me.

Sincerely,



Pamela J. Madere

Enclosures

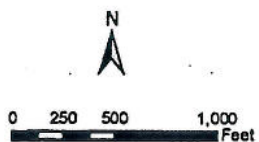
cc: Greg Guernsey, City of Austin
Wade Shumaker, Shumaker Enterprises, Inc.
John M. Joseph, Clark, Thomas & Winters, P.C.



Dalton Lane Commercial Annexation Area **C7a-08-019**



City of Austin NPZD
 J. Chuter
 July 15, 2008



Legend

- 2008 Annexation Area
- Street
- Lot Line

Current Jurisdiction

- Austin Full Purpose
- Austin Limited Purpose
- Austin ETJ

EXHIBIT A

LEGAL DESCRIPTION:
5.618 ACRES AND 18.001 ACRES OUT OF THE SANFORD OLD WALK SURVEY
IN TRAVIS COUNTY, TEXAS VOLUME 10097 PAGE 488 OF THE TRAVIS COUNTY
DEED RECORDS (COA FILE NO. CB-04-0068 AND CB-04-0067).

OWNER/DEVELOPER:
SHUMAKER ENTERPRISES, INC.
2900 FM 973N, AUSTIN, TEXAS 78755
WADE SHUMAKER, MANAGER
PH: (512) 928-0008
FAX: (512) 928-2899

ENGINEER:
ARON GOGGINS
3302 ENFIELD ROAD
AUSTIN, TEXAS 78703
PH: (512) 243-7845
FAX: (512) 485-8373

PROJECT DESCRIPTION:
901 & 811 DALTON LANE, AUSTIN, TX 78742
LOCATION: 1/4 MILE E. OF DALTON LANE
ADJACENT TO TRAVIS COUNTY, CITY OF AUSTIN (2-MILE E.T.)
LAND AREA: 80.159 ACRES

OWNER'S ACKNOWLEDGEMENT:
I, WADE SHUMAKER, HEREBY ACKNOWLEDGE THAT I HAVE READ AND
UNDERSTOOD PLAN NOTES ON ALL ATTACHED DRAWINGS REGARDING
ANY RESPONSIBILITIES TO OWNER.

Wade Shumaker 6-24-06
DATE
SHUMAKER ENTERPRISES, INC.

NOTES:
1. ALL REQUIREMENTS FOR THE AGENCY OF THESE PLANS
SHALL BE THE RESPONSIBILITY OF THE DESIGN ENGINEER.
2. THESE PLANS, THE CITY OF AUSTIN MUST RELY UPON THE
AGENCY OF THE WORK OF THE DESIGN ENGINEER.
3. THE PROJECT IS LOCATED IN THE CARSON CREEK AND
COLORADO RIVER WATERSHEDS AND BOTH ARE CLASSIFIED AS
WATERSHEDS. THE SITE IS NOT OVER THE COLORADO RIVER
WATERSHED ZONE.
4. NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF
THE 100 YEAR FLOODPLAIN AS INDICATED ON THE FEDERAL FLOOD
INSURANCE ADMINISTRATION FROM PANEL 49463C-130F DATED
JANUARY 19, 2000 FOR TRAVIS COUNTY, TEXAS.
5. RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A
VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS
SUBMITTED HEREON. THE DESIGN ENGINEER SHALL BE SOLELY
RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY
OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS
REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.
6. UTILITIES:
WATER PROVIDER: CITY OF AUSTIN
ELECTRIC: AUSTIN ENERGY
PHONE: SBC
CABLE: TIME WARNER
7. CITY OF AUSTIN GRID M10 & M19
8. WATER PRESSURE ZONE: CENTRAL
9. FIRE FLOW INFORMATION
HYDANT NO. 200234
STATIC PRESSURE = 112 psi
RESIDUAL PRESSURE = 86 psi @ 1300 gpm

PLAN INDEX

- 1 COVER SHEET
- 2 GENERAL NOTES
- 3 SITE PLAN (1 OF 2)
- 4 SITE PLAN (2 OF 2)
- 5 WATER QUALITY AND DETENTION PLAN
- 6 EROSION & SEDIMENTATION CONTROL AND TREE PROTECTION PLAN
- 7 DRAINAGE AREA MAP AND DRAINAGE CALCULATIONS
- 8 SLOPE MAP
- 9 STANDARD DETAILS
- 10 STANDARD TRAFFIC CONTROL DEVICES
- 11 STANDARD TRAFFIC CONTROL DEVICES
- 12 STANDARD TRAFFIC CONTROL DEVICES
- 13 STANDARD TRAFFIC CONTROL DEVICES

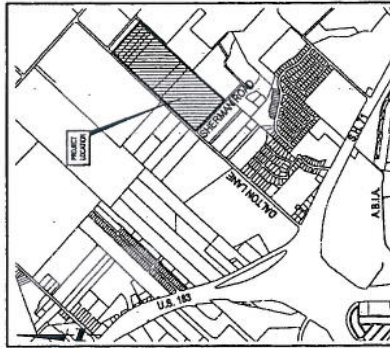
CONSTRUCTION SITE PLAN

FOR

901 & 811 DALTON LANE
AUSTIN, TEXAS 78742

FEBRUARY, 2006

SITE SUMMARY:
LOCATED 901 & 811 DALTON LANE
PROPOSED IMPROVEMENTS AREA: 37.31 AC. = 638 OF NET SITE AREA
TOTAL LOT SIZE: 80.159 ACRES



LOCATION MAP
1"=1/4 MILE (1300')

FLING DATE: FEB. 22, 2006
SECOND SUBMITAL: APR. 14, 2006
THIRD SUBMITAL: MAY 19, 2006

SUBMITTED FOR APPROVAL:

I CERTIFY THAT THESE ENGINEERING DOCUMENTS ARE COMPLETE, ACCURATE AND ADEQUATE FOR
CONSTRUCTION PRIOR TO A FINAL CITY APPROVAL. THE PLANS ARE COMPLETE, ACCURATE AND IN
COMPLIANCE WITH CHAPTER 226 SUBCHAPTER A OF THE LAND DEVELOPMENT CODE.

ARON GOGGINS, P.E. #88730
DATE: 6-21-06

REVIEWED BY:

8-10-06
DATE

SP-06-0071D
SITING/DEVELOPMENT PERMIT NUMBER

SP-06-0071D
SITING/DEVELOPMENT PERMIT NUMBER

07-27-06
DATE

06-1081
TRANS COUNTY PERMIT NUMBER

APPROVED

ARON GOGGINS, P.E. #88730

PREPARED BY:
GOGGINS AND ASSOCIATES, LLC
3302 ENFIELD ROAD
AUSTIN, TEXAS 78703
PH: (512) 243-7845
FAX: (512) 485-8373
email: agoggin@austin.tx.com

PREPARED FOR:
SHUMAKER ENTERPRISES, INC.
2900 FM 973N, AUSTIN, TEXAS 78755
WADE SHUMAKER, MANAGER
PH: (512) 928-0008
FAX: (512) 928-2899

REVISIONS / CORRECTIONS		
NO.	DESCRIPTION	APPROVED BY

EXHIBIT B