

October 24, 2017
Hank Coleman
3604 Rivercrest Drive
Austin, TX 78746

Phil Moncada
President
Moncada Enterprises LLC
1301 S. I-H 35 Suite # 204
Austin, Texas 78741

Dear Phil:

I am writing to confirm that I am attempting to find the letters I wrote to both the City of Austin Health Department and to the Building Department about the issues with the City's maintenance of its property at my home.

I am sure that some of the AASCI files recovered from my HDD will provide me a copy of the letters, complete with dates and to whom I addressed them, but at this point, I'm digging through files which were recaptured from a HDD which is over 14 years old.

That said, I'm writing to give you the series of events and provide photos of the material which was dredged from in front of my property (which can be confirmed by the dredging permit issued to Signor Enterprises for work commencing in January 2001 – which I assume can be found in the City's files). This material was built up through years of a circular motion of the water flow and mechanics was over 3 feet in depth. Before we reached the actual "river" materials, and since I owned the lot next door, we proceeded to extract over 100 eighteen yard truckloads of this material. In fact the new construction of the house next door is actually out of the flood plain due to the amount of organic materials removed from the lakefront.

Unfortunately, this was a relatively short term solution. Due to what we now know was an illegal peninsula created by a previous owner 3 properties down the street, the aqua mechanics (as provided in prior correspondence) create an eddy which remained in place despite the dredging and the remediation of the lakefront.

As per the same correspondence, I began to understand that no matter what we did on the removal front, the materials brought in through the wave action of the deep hull boats had no way to exit down the lake and move as one would expect with the normal west to east flow which occurs naturally as the river moves from Mansfield Dam to Tom Miller dam.

So, with the knowledge that these rancid and foul smelling materials would build up, we waited.

As discussed the materials grew so large that they grew out of the lake and began to collect debris and trash as one would expect.

My wife finally decided to call the City and ask them to come out to take care of the issue and since it appeared to be a health issue, she called the Health Department.

The outcome of that visit is what prompted the solution.

Upon visiting the lakefront, the city inspector noticed the foul smell and the collection of debris gathering in the lake. His first comment was “that’s the lake.” To which my wife replied, “Yes and that belongs to you so we want you to remedy it.” Looking baffled he said that the Health Department was not prepared to do anything about it and that “you should take care of the problem.”

So, I sent the Hydrologist the response and asked what could be done to remedy the issue. Once getting what appeared to be a reasonable solution, I wrote letters to both the Health Department and the Building Department and reported that we would “take care of the problem” and was informing them.

His solution, which we have in place, in some fashion, for over 11 years was to build a wall which angled from the property 2 doors down, ended at the point of our current house and flattened out on our adjoining property. This solution is still in place.

As I pointed out, if this was a “land grab” then the person who paid for this (other than \$1500 Mr. Dumont contributed), I paid for the entire wall and construction of it and, by rights, should have received the most property, correct? Would that not be logical?

In fact, it’s quite the opposite and the largest incursion into the lake (which I now understand was required given the illegal peninsula found down the lake) is not on my property at all but the property two doors down. This was required since there needed to be an “angle” of exit created to move the organic materials. In fact the eastern border of my property sits slightly “inside” of the property line at the water’s edge.

The first iteration of this solution was nothing but a plywood wall construct to make sure we were accomplishing what the hydrologist told us would be the desired effect. Only after the continuous observation of this and the massive flooding of 2007, did we see that this solution was, in fact, an effective one. At that point, we began to face the wall with seawall materials to mitigate the wave action created by the deep hull boats, but the original wall has remained to this date.

This mitigation technique has caused no harm to anyone and remediated a problem created far before our ownership of this property which, in January, will be eighteen years.

Again, thanks for all your help with this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hank Coleman", with a long horizontal flourish extending to the right.

October 24, 2017

Hank Coleman

Title

03/27



03/28



129



03/30



03/31



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