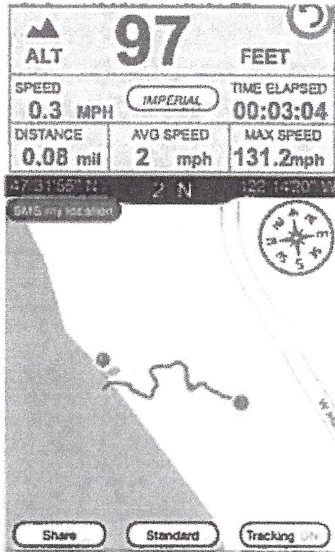


EX. 1044

Figure 2.0 – GPS Altimeter reading at the southeast property corner – 97' elevation



CORRECTION:
57/201
= 28.4%

Therefore, there is just 57 feet of elevation change across the east-west direction of the full property distance at the south boundary. The City is welcome to come see this measurement in-person.

14. Furthermore, the Licensed Professional Surveyor, Group4, Inc, provided official survey drawings, which measure the length of the south property boundary from the shoreline to the southeast property corner showing 319.59 feet length of run along the same location area.

Therefore, the measure of the property slope is defined as the distance of rise divided by the distance of run, i.e. slope = rise / run. The rise is 57 feet elevation change from shoreline to uphill property corner, and the run is 319.59 feet property boundary length from southeast to southwest corner, and therefore 57 feet / 319.59 feet = 17.9% lot slope. The Altimeter measurements prove beyond a shadow of a doubt the total lot slope is less than 40%, and therefore is non-critical, etc.

15. The property has already undergone significant Geotechnical Engineering testing and review, and has been deemed stable including under seismic conditions. This has included boring, soil testing, geo-modeling, seismic factoring, etc. The City has these records on file. More of the same testing would be imprudent and unhelpful.

16. I have owned and lived at the subject property for the past 14 years continuous. During this time, I have planted approximately 500 new trees and shrubs, all of which add significantly to stability. The 70 cypress trees span virtually the entire length of the property and are nearing 50 feet tall each tree. The roots are established and significant. The Engineer and Architect have confirmed this also:

* 201 PER GROUP 4 SURVEY (EX. 34)