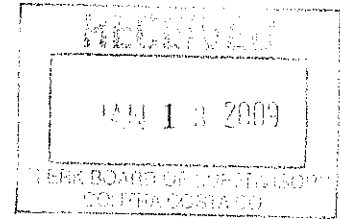


APPEAL LETTER

Mike Henn

Susan L. Paulus & Palmer Brown Madden
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Alamo, CA 94507
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Board of Supervisors
County of Contra Costa
Attn: Michael Henn, Project Planner
Contra Costa County Community Dev. Dept.
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553

CONTRA COSTA
08 JAN 13 AM 8:50
APPLICATION & PERMIT CENTER

NOTICE OF APPEAL

Madden/Paulus Subdivision

County Files SD07-9210. Modification of County File MS040008

Appeal from Decisions of SRVPC on 1/7/09

Dear Supervisors:

This letter is our notice of appeal regarding the above. At the end of the hearing the Board voted unanimously to approve our subdivision pursuant to the draft COAs as amended by their actions. Their actions, however, did not include clarifying the COAs to conform to the testimony offered by staff at the hearing that the decisions of the Resource Agencies control over the COAs. We believe a new paragraph should be added to the COAs providing:

13. Y. Any conditions stipulated by the federal and state Resource Agencies that are in conflict with the Contra Costa County's conditions of project approval shall take precedence over the County's conditions.

If we elect to add further to this appeal, we shall do so by close of business on Wednesday, January 21, 2009

Dated: January 13, 2009

Palmer Madden and Susan Paulus

By: 