

YAVAPAI COUNTY FLOOD CONTROL DISTRICT

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August 1, 2016

Travis L. Ashby and
Deann L. Ashby
HC 1 Box 3033
Bagdad, AZ 86321-9704

Re: Parcel 202-16-015

Dear Travis and Deann,

Quite some time ago we contacted you about getting a survey of the structure(s) on your property in order to create a Letter of Map Amendment (LOMA) application. The survey is based on a study we are working on right now with FEMA that is taking the structure(s) out of the Special Flood Hazard Area. The LOMA will allow you to have your structure(s) officially removed from the Special Flood Hazard Area from FEMA's perspective.

The study has finally reached a stage where the LOMAs can be submitted. We have included the LOMA application, as well as a copy of the "316" letter from FEMA that should be included in the LOMA application so they can know which study to look into.

You must fill in page 1 of the application. Make sure to note that no fill has been placed or your application will be rejected. Include a copy of your deed and send the packet to FEMA at the address on the application.

If you are receiving more than one application, it is because you had multiple structures removed from the Special Flood Hazard Area. You can find which structure applies to which application on page two of the application under Section 1 Property Information. A map of the various structures is also included.

Please look over the documents and fill out as required to send to FEMA. FEMA suggests that you send a copy in case it gets lost, you will have another. We also have a scanned copy in our office should you need it.

Please feel free to contact me with questions at (928) 771-3197 or lynn.whitman@yavapai.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn C. Whitman".

Lynn C. Whitman, P.E., CFM
District Engineer

APPLICATION FORM FOR SINGLE RESIDENTIAL STRUCTURE OR LOT AMENDMENTS TO NATIONAL FLOOD INSURANCE PROGRAM MAPS

General Background Information

In 1968, the U.S. Congress passed the National Flood Insurance Act, which created the National Flood Insurance Program (NFIP). The NFIP was designed to reduce future flood losses through the adoption of local floodplain management regulations and to provide protection for property owners against potential losses through an insurance mechanism that allows a premium to be paid for the protection of those who need it most. The creation of the NFIP represented a major shift in Federal strategy from previous structural flood-control and disaster relief programs.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management ordinances that meet certain minimum requirements intended to reduce future flood losses. The community official or agency responsible for floodplain management in a community may be able to provide information that would be useful to a requester. This official or agency usually is responsible for engineering, public works, flood control, or planning in the community as well.

Use of Application Forms

The Department of Homeland Security's Federal Emergency Management Agency (DHS-FEMA) implemented the use of application forms for requesting revisions or amendments to NFIP maps for two reasons. First, the forms provide requesters with a comprehensive, step-by-step process to follow. This process provides the requester with assurance that all necessary information to support their request is being submitted to DHS-FEMA at one time, thus avoiding the need to go through an iterative process of providing additional information in a piecemeal fashion, which can result in a time-consuming and cost-intensive process. Second, use of the forms assures that the requesters' submissions are complete and more logically structured, and generally allows DHS-FEMA to complete its review in a shorter timeframe.

This form should be used to request that DHS-FEMA remove a single structure or a legally recorded parcel of land or a portion of a parcel, described by metes and bounds, certified by a Registered Professional Engineer or Licensed Land Surveyor, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the flood having a 1-percent-annual-chance-of being equaled or exceeded in any given year (base flood), via Letter of Map Amendment (LOMA). A LOMA is a letter from DHS-FEMA stating that an **existing** structure or parcel of land that has not been elevated by fill (i.e. the existing structure or parcel of land is on natural grade) would not be inundated by the base flood. **Fill** is defined as material from any source (including the subject property) placed that raises the ground to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural ground) elevation, which is at or above the BFE. **Fill placed before the date of the first NFIP map showing the area in an SFHA is considered natural ground.** You may consult with the community map repository or the community official or agency responsible for floodplain management to obtain previous editions of the NFIP map. In addition, digital copies of historic maps may be available on DHS-FEMA's Map Service Center (MSC), for a nominal fee. To place orders from the MSC, interested parties may visit the MSC website at <http://www.msc.fema.gov>. For additional information regarding historic maps, interested parties may contact the DHS-FEMA Map Information eXchange (FMIX) toll free, at 1-877-FEMA MAP (1-877-336-2627).

The MT-EZ form shall not be used for requests submitted by developers, for requests involving multiple structures or lots, for property in alluvial fan areas, for property located within the regulatory floodway, for requests involving the placement of fill, or for conditional requests—for such requests, requesters should use the MT-1 or MT-2 application forms, as appropriate. The MT-1 and MT-2 forms packages may be downloaded from the DHS-FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/frm_form.shtm.

A faster alternative to using the MT-EZ application is eLOMA. eLOMA is a web-based application that provides licensed land surveyors and professional engineers a system to submit simple LOMA requests to FEMA. Most requests that qualify for the MT-EZ application can be submitted to FEMA using eLOMA. You can find additional information about eLOMA at <https://hazards.fema.gov>.

For additional assistance in completing this form, interested parties may consult the LOMA Tutorial, available on DHS-FEMA's Flood Hazard Mapping website at: http://www.fema.gov/plan/prevent/fhm/ot_lmreq.shtm. This tutorial provides guidance to LOMA requesters, as well as an online tool to complete the MT-EZ form.

Data Submission Requirements

In accordance with NFIP regulations, DHS-FEMA will use the information provided in the MT-EZ form to determine whether property (i.e., structure, parcel of land) should be removed from a designated SFHA. In certain instances, additional data not referenced on the MT-EZ form may be required. A DHS-FEMA representative will notify the requester of any additional data requirements.

DHS-FEMA encourages the submission of the required data in digital format (e.g. scanned documents on a CD). This may help expedite the processing of your request.

Applicable Regulations

The regulations pertaining to LOMAs are presented in Title 44, Chapter I, Code of Federal Regulations (CFR), Part 70, which are available at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr70_03.html. The purpose of Part 70 is to provide an administrative procedure whereby DHS-FEMA will review information submitted by an owner or lessee of property who believes that their property has been inadvertently included in a designated SFHA. Part 70 provides information about the technical difficulty of accurately delineating the SFHA boundaries on the NFIP map for a community. Part 70 procedures shall not apply if the topography has been altered to raise the original ground to or above the BFE since the effective date of the first NFIP map [i.e., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM)] showing the property to be within the SFHA.

Basis of Determination

If no fill has been placed, DHS-FEMA's determination as to whether a structure or legally recorded parcel of land, or a portion of a parcel, described by metes and bounds, may be removed from the SFHA will be based on a comparison of the BFE with certain elevation information. The elevation information required will depend on whether a structure or a legally recorded parcel of land is to be removed from the SFHA. For LOMA requests involving property located in Zone A, with no BFEs determined, interested parties should refer to DHS-FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on DHS-FEMA's website at <http://www.fema.gov/library/viewRecord.do?id=2215>.

The following special considerations may affect DHS-FEMA's determination:

- In areas of shallow/sheet flooding (Zone AO), the elevation of the Lowest Adjacent Grade (including deck posts) of the structure(s) must be above the surrounding grade by an amount equal to or greater than the depth shown on the NFIP map. In addition, adequate drainage paths are required to guide floodwaters around and away from the structure(s); the structure(s) should be on an elevated pad within the Zone AO area. With your application package, in addition to elevation information regarding the structure(s), provide a map showing the topographic data of the property and the immediate surrounding area, and the location of any structure(s) existing on the property (certified by a registered professional engineer or licensed land surveyor) to demonstrate that the above criteria have been met.
- If the lowest floor of a building has been elevated on posts, piers, or pilings above the BFE and any portion of the structure (i.e., posts, pilings, or piers) is still below the BFE, the building will not be removed from the SFHA.

Response Timeframe

In accordance with Section 70.4 of the NFIP regulations, DHS-FEMA will notify the requester of the determination in writing within 60 days of the date of receipt of all required data. Information about the status of active LOMA requests and other Letter of Map Change (LOMC) requests is available from DHS-FEMA's Mapping Information Platform (MIP) at <https://hazards.fema.gov>. The MIP allows requesters to search Open LOMCs by entering their Project (Case) Number and

Project Type to find out the status of their request. From the MIP Home Page requesters should click on Tools & Links, Public Reports and select Public Reports from the Report Category dropdown. Information about the status of LOMA requests and other Letter of Map Change (LOMC) requests is also available from DHS-FEMA's Flood Hazard Mapping web site at http://www.fema.gov/plan/prevent/fhm/st_main.shtm. The FHM site allows requesters to search LOMCs by entering their Project (Case) Number or Community Name.

As mentioned previously, submitting the MT-EZ form and required supporting documents in digital format may help expedite the processing of your request.

Effect on Insurance Purchase Requirements

Although DHS-FEMA may issue a LOMA removing a structure from the SFHA, it is the lending institution's prerogative to require flood insurance, as a condition of a loan, if it deems such action appropriate. Historically, about 25% of all flood claims occur in areas outside of the SFHA. Property owners are strongly encouraged to convert their existing policy, using the premiums already paid for that policy, to a lower-cost Preferred Risk Policy (PRP), which is available for structures located outside of the SFHA. For more information about the PRP, contact your agent or broker or visit <http://www.floodsmart.gov/prp>.

If the lender agrees to waive the flood insurance purchase requirement, the property owner is eligible for a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. If the property owner has been required to renew his or her policy during a period when a revised NFIP map was being printed, the premium will be refunded for an additional year. To initiate processing of the refund and/or converting that policy to a lower-cost PRP to maintain coverage without interruption, the property owner should provide the LOMA and evidence of the waiver of the flood insurance requirement from the lender to the insurance agent or broker who sold the policy.

General Instructions – Section A

The property owner, a Licensed Land Surveyor, or a Registered Professional Engineer may complete Section A to support a request for a LOMA for a single structure or lot.

Before completing Section A, the requester must obtain one of the following documents from the County/Parish Clerk, Recorder, or Register of Deeds for the community:

- A copy of the Deed for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) containing the recorder's seal and recordation date, accompanied by a tax assessor's or other suitable map showing the surveyed location of the property relative to local streets and watercourses. The map should include at least one street intersection that is shown on the FIRM panel.
- A copy of the Plat Map for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) and containing the recorder's seal and recordation date.

The requester must also obtain a photocopy of the effective FIRM panel (including the Title Block) that shows the area in which the property is located. This map should be available at the community map repository or from the community official or agency responsible for floodplain management. However, digital copies of the FIRM Index and FIRM panels may be ordered from the DHS-FEMA Map Service Center (MSC), for a nominal fee. To place orders from the MSC, interested parties may visit the MSC website at <http://www.msc.fema.gov>. A FIRMette, which can be printed free of charge from the MSC website, may be submitted in lieu of a photocopy of the FIRM. (For some communities, the effective NFIP map may be a Flood Hazard Boundary Map (FHBM), not a FIRM. In such cases, the requester should obtain and use the FHBM.)

The DHS-FEMA Map Service Center allows requesters to search for maps and other technical data. Requesters can search by the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows requesters to search through the DHS-FEMA Map Service Center for all available data. The Map Search option allows requesters to search for data available for an individually specified map area. The Quick Order option allows requesters to search and order available data (digital only) by specific FIRM panel or by state, county, or community identification number. All search

options will allow requesters to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa, MasterCard, and American Express are accepted.

Requesters without Internet access should contact the FMIX by calling 1-877-FEMA MAP (1-877-336-2627). Requesters also may fax their map order requests to the MSC at 1-800-358-9620.

Specific Instructions – Section A

Number 1 - Fill Placement

Regardless of the type of LOMC being requested, the requester must clearly state, to the best of his or her knowledge, whether fill has been placed on the property. The requester must answer "yes" or "no" to this question. (See "Use of Application Forms" for additional information about fill.) If fill has been placed on the property, the requester must submit a request for a Letter of Map Revision Based on Fill (LOMR-F) using the MT-1 application forms so that DHS-FEMA may determine whether the structure or property should be removed from the SFHA. To obtain a copy of the MT-1 application forms package, interested parties should visit DHS-FEMA's Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm or call the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Number 2 - Legal Description of Property

The requester must describe the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed. In addition, the requester should enter the street address (911 type) for the property, if one is available.

Number 3 - Structure or Property That Is Subject of Request

DHS-FEMA will make a LOMA determination for a structure or a parcel of land. The requester must select the one for which they would like DHS-FEMA to make a determination. If the request is for a structure, the requester must provide the date of construction in this section. Date of construction information usually may be obtained from real estate settlement documents, the property developer, or the local government office where real estate and/or land development transactions are recorded. If the request is for a portion of a parcel, a certified metes and bounds description and map of the area to be removed, certified by a licensed land surveyor or registered professional engineer, are **required**. The metes and bounds description must cover the specific area to be removed, and it must be tied to an identifiable starting point. If the description is for a legally recorded lot or parcel, the metes and bounds description should commence or begin at the lot or parcel corner. Metes and bounds descriptions must not intersect or coincide with the footprint of an existing structure. Please see the example below for the preferred format of metes and bounds descriptions.

BEGINNING at the northeast lot corner; thence S16°42'22"E, 100.00 feet; thence S33°14'40"W, 145.92 feet; thence S89°13'29"W, 156.01 feet; thence N16°42'22"W, 223.14 feet; thence 210.49 feet along a curve to the left having a radius of 542.00 feet to the POINT OF BEGINNING

DHS-FEMA encourages the submission of metes and bounds descriptions in digital format on a CD. This may help expedite the processing of your request.

Signature

The requester must provide his or her name, mailing address, and telephone number in the space provided. The requester also must sign and date, where indicated, to certify the accuracy of the information provided in Section A of the form. A Licensed Land Surveyor, Registered Professional Engineer, or other designated agent may sign this form for the requester when submitting on behalf of the requester. Providing an email address is optional, however, providing one will make it easier for DHS-FEMA to contact you if necessary and may facilitate the processing of your request.

General Instructions – Section B

A Licensed Land Surveyor or Registered Professional Engineer (authorized by law to certify the information requested) must complete Section B unless an NFIP Elevation Certificate has already been completed for the property. If the request is to remove the structure, and an Elevation Certificate has been completed, the Elevation Certificate may be submitted in lieu of Section B of the MT-EZ form. If the request is to remove the entire legally recorded property, the lowest lot elevation must be provided in Section B. If the request is to remove a portion of the legally recorded property, the lowest elevation within the described portion must be provided in Section B.

Before completing Section B, the surveyor or engineer must obtain the effective FIRM panel, effective Flood Boundary and Floodway Map (FBFM) panel (if printed), and Flood Insurance Study (FIS) report that cover the area in which the property is located. These can be obtained from the community map repository, or digital copies ordered from the MSC for a nominal fee. To place map orders from the MSC online, the engineer or surveyor should visit <http://www.msc.fema.gov>. (For some communities, the effective NFIP map may be an FHBM), not a FIRM. In such cases, the engineer or surveyor should obtain and use the FHBM.)

The DHS-FEMA Map Service Center allows users, including homeowners, surveyors, and engineers, to search for maps and other technical data. Searches can be conducted under the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows surveyors and engineers to search through the Map Service Center for all available data. The Map Search option allows surveyors and engineers to search for data available for an individually specified map area. The Quick Order option allows surveyors and engineers to search available data by a specific FIRM panel or by state, county, or community identification number. All search options will allow surveyors and engineers to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa, MasterCard, and American Express are accepted.

Surveyors and engineers who do not have Internet access should contact the FMIX by calling 1-877-FEMA MAP (1-877-336-2627). They also may fax their map order requests to the MSC at 1-800-358-9620.

Specific Instructions – Section B

Determination Requested For

The surveyor or engineer must identify what is to be removed from the SFHA. The surveyor or engineer must provide the required elevation information as described on the form.

Number 1 – Property Information

The surveyor or engineer must provide a brief description of the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed.

Number 2 - Structure Information

The surveyor or engineer must provide the street address for the property (911 type), if one is available, or the name of road providing access.

If the request involves or will involve a structure, the surveyor or engineer must provide the type of construction.

- **Crawl Space** – The bottom floor is below the first floor, is enclosed by solid and partial perimeter walls, and may be above ground level (grade) on one or more sides. Spaces below ground level on all sides must meet the requirements of FEMA Technical Bulletin 11-01. Spaces with a bottom floor elevation more than 2.0 feet below the Lowest Adjacent Exterior Grade (LAG) elevation will be classified as a basement.
- **Slab on Grade** – The bottom floor is at or above ground level (grade) on at least one side.
- **Basement/Enclosure** – The bottom floor (basement or underground garage) is below ground level (grade) on all sides. See Crawl Space above.

- **Other** – All other structure types not listed above including, but not limited to split levels, structures on piers, mobile homes, etc. Please be as detailed as possible.

Number 3 – Geographic Coordinate Data

The surveyor or engineer must provide the latitude and longitude of the property in decimal degrees to the nearest fifth decimal place (00.00000), and indicate the appropriate horizontal datum, WGS 84, NAD 83 or NAD 27.

Number 4 - Flood Insurance Rate Map Information

In the first box, the surveyor or engineer must provide the six digit NFIP community number as it appears in the Title Block of the FIRM (or FHBM) panel that shows the area where the property is located. In the second box, the surveyor or engineer must provide the map panel number. For additional information on reading FIRM panels interested parties may consult the tutorial “How to Read a FIRM” on DHS-FEMA’s Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/ot_firmr.shtm.

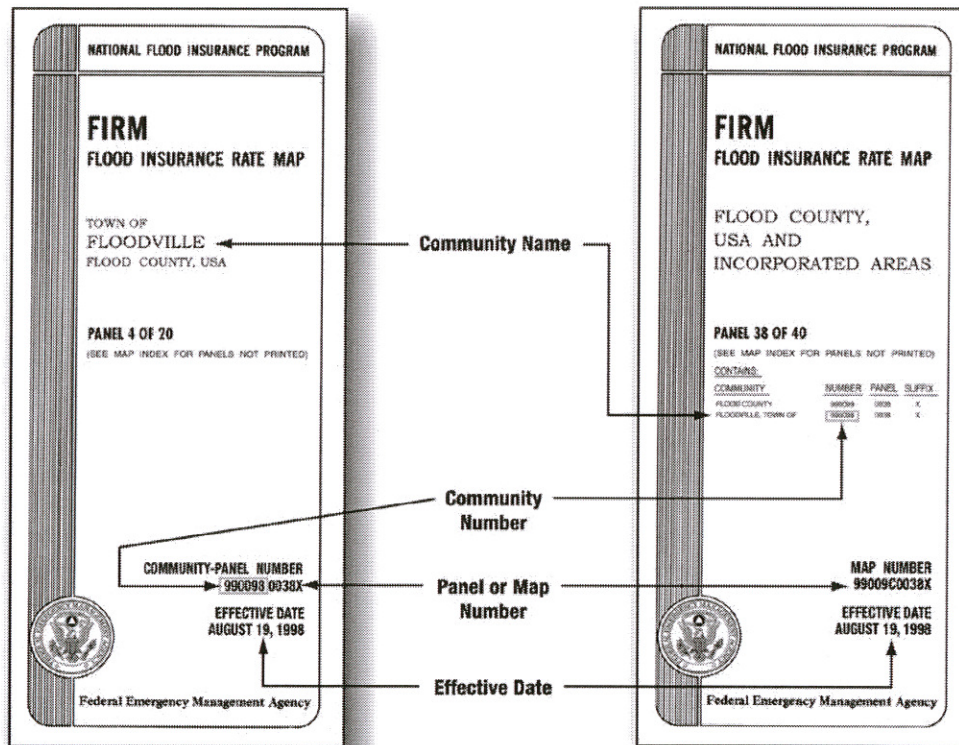


Figure 1. Sample FIRM Panel (Single Community)

Figure 2. Sample FIRM Panel (Countywide)

In the third box, the surveyor or engineer should provide the BFE, if available. FEMA will verify the BFE during the review process. In the fourth box, the surveyor or engineer must provide the source of the BFE. The surveyor or engineer may obtain the BFE by locating the property on the effective FIRM for the community in which the property is located. Upon locating the property on the FIRM, the engineer or surveyor should determine the type of flooding and the flood zone where the property is located. The summary below provides guidance as to how to determine the BFE as a result of the flooding type and flood zone determination.

- **Riverine Flooding Systems (Zones AE or A1-A30)** – Consult the FIS report for the community in which the property is located. Locate the flood profile for the flooding source by name. Estimate the property’s location along the flood profile and interpolate the BFE using the 100-year flood profile line.

- **Lacustrine (Stillwater) Flooding Systems** – Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table. Locate the flooding source, by name, and use the BFE listed in the table. The flooding source’s BFE is normally shown to the nearest 0.1 foot. If the flooding source is not listed in the Summary of Stillwater Elevations table, use the BFE as shown on the FIRM.
- **Coastal Flooding Systems (Zones AE or A1-A30 and VE or V1-V30)** – Obtain the BFE from the FIRM panel. Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. Compare the BFE listed in this table to the BFE obtained from the FIRM. If the stillwater elevation listed in the table is less than or equal to the whole-foot BFE shown on the FIRM minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists. In this case, use the whole-foot BFE shown on the FIRM. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the FIRM minus 0.4 foot, use the stillwater elevation shown in the table as the BFE. **(Any structure/parcel of land located seaward of the landward toe of the primary frontal dune may not be removed from a Zone VE or V1-V30.)**
- **Zone A Flooding** – If the property is located in Zone A, an area of approximate flooding with no BFEs determined, determine a BFE. Consult with a Federal, State, or local government agency to determine if that agency has developed a BFE. Such agencies include the U.S. Army Corps of Engineers; the U.S. Geological Survey; the State’s Department of Natural Resources, Department of Environmental Quality, or Department of Transportation; or the local Planning and Zoning Department. If one has been developed, all supporting data and calculations used to develop the BFE must be submitted. If a BFE has not previously been developed, consult DHS-FEMA 265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on the DHS-FEMA website at <http://www.fema.gov/library/viewRecord.do?id=2215>. This publication is an excellent resource that details the appropriate methods for determining BFEs in SFHAs designated Zone A. To obtain additional information about developing BFEs, contact the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627). If the property is greater than 50 lots or 5 acres, whichever is the lesser, the engineer or surveyor must determine a BFE in accordance with Paragraph 60.3(b)(3) of the NFIP regulations, available online at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr60_03.html.
- **Shallow Flooding (Zone AH)** – For a property located in Zone AH, locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. If no Summary of Stillwater Elevations table exists, use the BFE shown on the FIRM. If different elevations appear within the same SFHA, the BFE is obtained by linear interpolation between two adjacent BFE lines.
- **Shallow/Sheet Flooding (Zone AO)** – For a property located in Zone AO, the characteristics of the Zone AO area shown on the NFIP map will determine the appropriate methodology to be used to develop the BFE for the property. If the flooding is conveyed by the street, provide the highest top of curb or crown of street elevation (whichever is higher) along the property line and add this to the depth of flooding. The lowest adjacent grade elevation must be above the curb or street elevation by an amount equal to or greater than the depth of flooding shown on the NFIP map. If the entire property is inundated by the SFHA and the flow is not conveyed by the street, add the depth of flooding to the average surrounding grade. If the property is partially inundated by the SFHA and the street does not convey the flow, add the depth of flooding to the lowest lot elevation. Along with the information required for one of the above-mentioned methods, provide sufficient certified topographic information, including flow paths, to show that the structure is located on high ground relative to the depth indicated on the NFIP map.

Number 5 – Elevation Information

Lowest Adjacent Grade (LAG) to the Structure – For requests involving a structure, provide the LAG elevation (the elevation of the lowest ground touching the structure including attached patios, stairs, deck supports or garages), to the nearest 0.1 foot. If the FIRM shows BFEs in meters, the accuracy of the LAG elevation must be to the nearest 0.1 meter.

Lowest Lot Elevation – For requests involving property, or a portion thereof, not a structure, provide the lowest lot elevation to the nearest 0.1 foot. If the FIRM shows BFEs in meters, the accuracy of the lowest lot elevation must be to the nearest 0.1 meter. If the BFE varies across the property, please provide a certified site plan showing the range of elevations across the property.

Elevation Datum – Provide the elevation datum (e.g., National Geodetic Vertical Datum of 1929, North American Vertical Datum of 1988 or other specified) for which the property elevations shown on the form are referenced. If the datum being referenced is different than the datum used to produce the effective FIS, provide the datum conversion. Please note that Mean Sea Level Datum is used within the Commonwealth of Puerto Rico and Local Tidal Datum is used within the U.S. Virgin Islands.

Subsidence or Uplift – Land subsidence is the lowering of the ground as a result of water, oil, gas extraction, as well as other phenomena such as soil compaction, decomposition of organic material, and tectonic movement. Periodically, the National Geodetic Survey relevels some benchmarks to determine new elevations above the National Geodetic Vertical Datum of 1929 or above the North American Vertical Datum of 1988; however, not all benchmarks are relevelled each time.

Check “yes” if the area of the property is in an area of subsidence or uplift, and provide the date of the current releveling; check “no” if the area of the property is not in an area of subsidence or uplift. In areas experiencing ground subsidence (e.g., Harris County, Texas, and Incorporated Areas); the most recently adjusted Elevation Reference Mark (ERM) must be used for accurate ground and structure elevations. Consult the effective FIS report for the community where the property is located or the local floodplain administrator for the most current ERM data.

In general, the effects of subsidence can be accounted for by determining ground and structure elevations using benchmark elevations with the same releveling date as the benchmarks used to develop the BFEs on the FIRM. Benchmark releveling dates may be different for different flooding sources. No adjustment is necessary to the BFEs on the FIRM.

Certification (by a Licensed Land Surveyor, Registered Professional Engineer, or Architect)

The certifier must provide his or her name, license number and expiration date, his or her company name, telephone number and, if applicable, his or her fax number and email address. The certifier’s seal, if available, may be provided here. The certifier must sign and date the Elevation Form, where indicated, to certify the accuracy of the information provided. Not all states authorize architects and engineers to certify elevation information. Consult the state board of registration for more information.

Submitting the Package to DHS-FEMA

In addition to the completed MT-EZ form, all requests must include one copy of the subdivision plat map (with recordation data and stamp of the Recorder’s Office) or a copy of the property deed (with recordation data and stamp of the Recorder’s Office), accompanied by a tax assessor’s map or other suitable map showing the surveyed location of the property with respect to local streets and watercourses; a copy of the effective FIRM panel; and a map scale and North arrow for all maps submitted. Please do not submit original documents. Please retain a copy of all submitted documents for your records.

DHS-FEMA encourages the submission of all required data in digital format (e.g. scanned documents on a CD).

All LOMA requests should be sent to the address listed below.

**LOMC CLEARINGHOUSE
847 SOUTH PICKETT STREET
ALEXANDRIA, VA 22304-4605
Attn.: LOMA MANAGER**

Interested parties who have any additional questions about the LOMA request process may consult the DHS-FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/fmc_loma.shtm or call the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627). For information on the status of a particular LOMA request, interested parties may also consult DHS-FEMA’s Mapping Information Platform (MIP) at <https://hazards.fema.gov>.

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 2.4 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015) **NOTE: Do not send your completed form to this address.**

This form should be used to request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) remove a single structure or legally recorded parcel of land or portion thereof, described by metes and bounds, certified by a registered professional engineer or licensed land surveyor, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the flood having a 1%-chance of being equaled or exceeded in any given year (base flood), via Letter of Map Amendment (LOMA). It shall not be used for requests submitted by developers, for requests involving multiple structures or lots, for property in alluvial fan areas, for property located within the regulatory floodway, or requests involving the placement of fill. (NOTE: Use MT-1 forms for such requests). Fill is defined as material from any source (including the subject property) placed that raises the grade to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural grade) elevation, which is at or above the BFE. Also, fill that is placed before the date of the first National Flood Insurance Program (NFIP) map showing the area in an SFHA is considered natural grade.

LOMA:

A letter from DHS-FEMA stating that an existing structure or parcel of land that has not been elevated by fill would not be inundated by the base flood.

A – This section may be completed by the property owner or by the property owner's agent. In order to process your request, all information on this form must be completed *in its entirety*, unless stated as optional. **Incomplete submissions will result in processing delays.**

1. Has fill been placed on your property to raise ground that was previously below the BFE?
 No Yes – If Yes, **STOP!! – You must complete the MT-1 application forms; visit http://www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm or call the FEMA Map Information eXchange toll free: (877-FEMA MAP) (877-336-2627)**
2. Legal description of Property (Lot, Block, Subdivision or abbreviated description from the Deed) **and** street address of the Property (required):
3. Are you requesting that a flood zone determination be completed for (check one):
 - A structure on your property? What is the date of construction? _____ (MM/YYYY)
 - A portion of your legally recorded property? (A certified metes and bounds description and map of the area to be removed, certified by a registered professional engineer or licensed land surveyor, are **required**. For the preferred format of metes and bounds descriptions, please refer to the MT-EZ Instructions.)
 - Your entire legally recorded property?

All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Applicant's Name (required):	E-mail address (optional) (<input type="checkbox"/> By checking here you may receive correspondence electronically at the email address provided):
Mailing Address (include Company name if applicable) (required):	Daytime Telephone No. (required):
	Fax No. (optional):
Signature of Applicant (required)	Date (required)

End of Section A

B – This section *must* be completed by a registered professional engineer or licensed land surveyor. Incomplete submissions will result in processing delays.

NOTE: If the request is to have a flood zone determination completed for the structure, and an Elevation Certificate has been completed for this property, it may be submitted in lieu of Section B. If the request is to have a flood zone determination completed for the entire legally recorded property, or a portion thereof, the lowest elevation on the lot or described portion must be provided in Section B.

Applicable Regulations

The regulations pertaining to LOMAs are presented in the National Flood Insurance Program (NFIP) regulations under Title 44, Chapter I, Parts 70 and 72, Code of Federal Regulations. The purpose of Part 70 is to provide an administrative procedure whereby DHS-FEMA will review information submitted by an owner or lessee of property who believes that his or her property has been inadvertently included in a designated SFHA. The necessity of Part 70 is due in part to the technical difficulty of accurately delineating the SFHA boundary on an NFIP map. Part 70 procedures shall not apply if the topography has been altered to raise the original ground to or above the BFE since the effective date of the first NFIP map [e.g., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM)] showing the property to be within the SFHA.

Basis of Determination

DHS-FEMA's determination as to whether a structure or legally recorded parcel of land, or portion thereof, described by metes and bounds, may be removed from the SFHA will be based upon a comparison of the Base (1%-annual-chance) Flood Elevation (BFE) with certain elevation information. The elevation information required is dependent upon what is to be removed from the SFHA. For Zones A and AO, please refer to Page 7 of the MT-EZ Form Instructions for information regarding BFE development in those areas and supporting data requirements.

Determination Requested For: (check one)	Elevation Information Required: (complete Item 5)
<input checked="" type="checkbox"/> Structure located on natural grade (LOMA)	Lowest Adjacent Grade to the structure (the elevation of the lowest ground touching the structure including attached patios, stairs, deck supports or garages)
<input type="checkbox"/> Legally recorded parcel of land, or portion thereof (LOMA)	Elevation of the lowest ground on the parcel or within the portion of land to be removed from the SFHA

1. PROPERTY INFORMATION

Property Description (Lot and Block Number, Tax Parcel Number, or Abbreviated Description from the Deed, etc.):
202-16-015 (Tack House)

2. STRUCTURE INFORMATION

Street Address (including Apt. Unit, Suite, and/or Bldg. No.):
13445 S. Date Creek Rd

What is the type of construction? (check one) crawl space slab on grade basement/enclosure
 other (explain):

3. GEOGRAPHIC COORDINATE DATA

Please provide the Latitude and Longitude of the most upstream edge of the **structure** (in decimal degrees to nearest fifth decimal place)
Indicate Datum: WGS84 NAD83 NAD27 Lat. 34 . 357697 Long. -112 . 935775

Please provide the Latitude and Longitude of the most upstream edge of the **property** (in decimal degrees to nearest fifth decimal place)
Indicate Datum: WGS84 NAD83 NAD27 Lat. 34 . 358998 Long. -112 . 934606

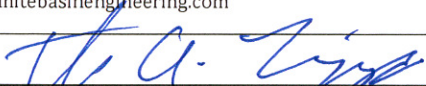
4. FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

NFIP Community Number: 040093	Map Panel Number: 2725	Base Flood Elevation (BFE): 3483.4	Source of BFE: Riverine (Best Available Data, see attached)
----------------------------------	---------------------------	---------------------------------------	---

5. ELEVATION INFORMATION (SURVEY REQUIRED)

- Lowest Adjacent Grade (LAG) to the structure (to the nearest 0.1 foot or meter) 3484.2 ft. (m)
- Elevation of the lowest grade on the property; or within metes and bounds area (to the nearest 0.1 foot or meter) 3472.5 ft. (m)
- Indicate the datum (if different from NGVD 29 or NAVD 88 attach datum conversion) NGVD 29 NAVD 88 Other (add attachment)
- Has FEMA identified this area as subject to land subsidence or uplift? No Yes (provide date of current releveling):

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name: Thomas Liuzzo	License No.: 33861	Expiration Date: June 30 2017
Company Name: Granite Basin Engineering, Inc	Telephone No.: 928-717-0171	Fax No.: 928-717-0181
Email: Tom@Granitebasinengineering.com		
Signature: 	Date: 4-26-16	



EXP: 6-30-17

In addition to this form (MT-EZ), please complete the checklist below. **ALL** requests must include one copy of the following:

- Copy of the effective FIRM panel on which the structure and/or property location has been accurately plotted
- Copy of the Subdivision Plat Map **(with recordation data and stamp of the Recorder's Office)**
- OR**
- Copy of the Property Deed **(with recordation data and stamp of the Recorder's Office)**, *accompanied by* a tax assessor's map or other certified map showing the surveyed location of the property relative to local streets and watercourses. The map should include at least one street intersection that is shown on the FIRM panel.
- Please include a map scale and North arrow on all maps submitted.

Please do *not* submit original documents. Please retain a copy of all submitted documents for your records.

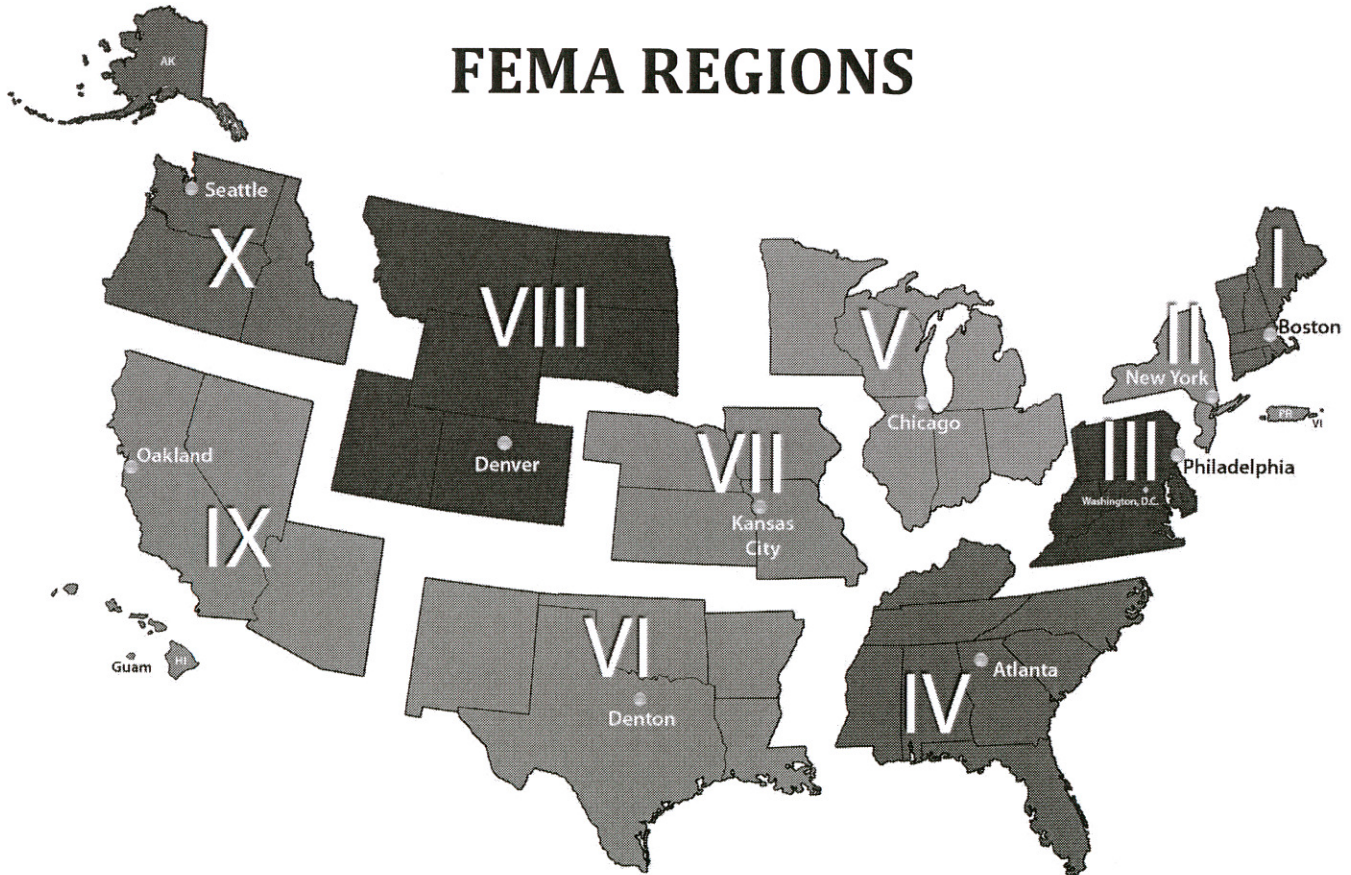
DHS-FEMA encourages the submission of all required data in a digital format (e.g. scanned documents and images on Compact Disc [CD]). Digital submissions help to further DHS-FEMA's Digital Vision and also may facilitate the processing of your request.

Incomplete submissions will result in processing delays. For additional information regarding this form, including where to obtain the supporting documents listed above, please refer to the MT-EZ Form Instructions located at http://www.fema.gov/plan/prevent/fhm/dl_mt-ez.shtm.

Mail your request to:

**LOMC CLEARINGHOUSE
847 SOUTH PICKETT STREET
ALEXANDRIA, VA 22304-4605
Attn.: LOMA Manager**

FEMA REGIONS





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CN ES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Parcel No. 202-16-015 Yavapai County, Arizona

Flood information from LOMR
Case No. 14-09-4204P

Legend

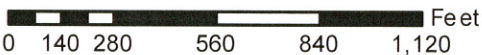
- Wash Centerline
- Parcels

**Flood Zones
(Zone, Description)**

- A, 1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE, 1 PCT ANNUAL CHANCE FLOOD HAZARD
- AE, FLOODWAY
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD



1 inch = 500 feet



ATKINS



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 2725G

FIRM FLOOD INSURANCE RATE MAP

YAVAPAI COUNTY, ARIZONA AND INCORPORATED AREAS

PANEL 2725 OF 3900

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	PANEL	SUFFIX
YAVAPAI COUNTY	2725	G

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

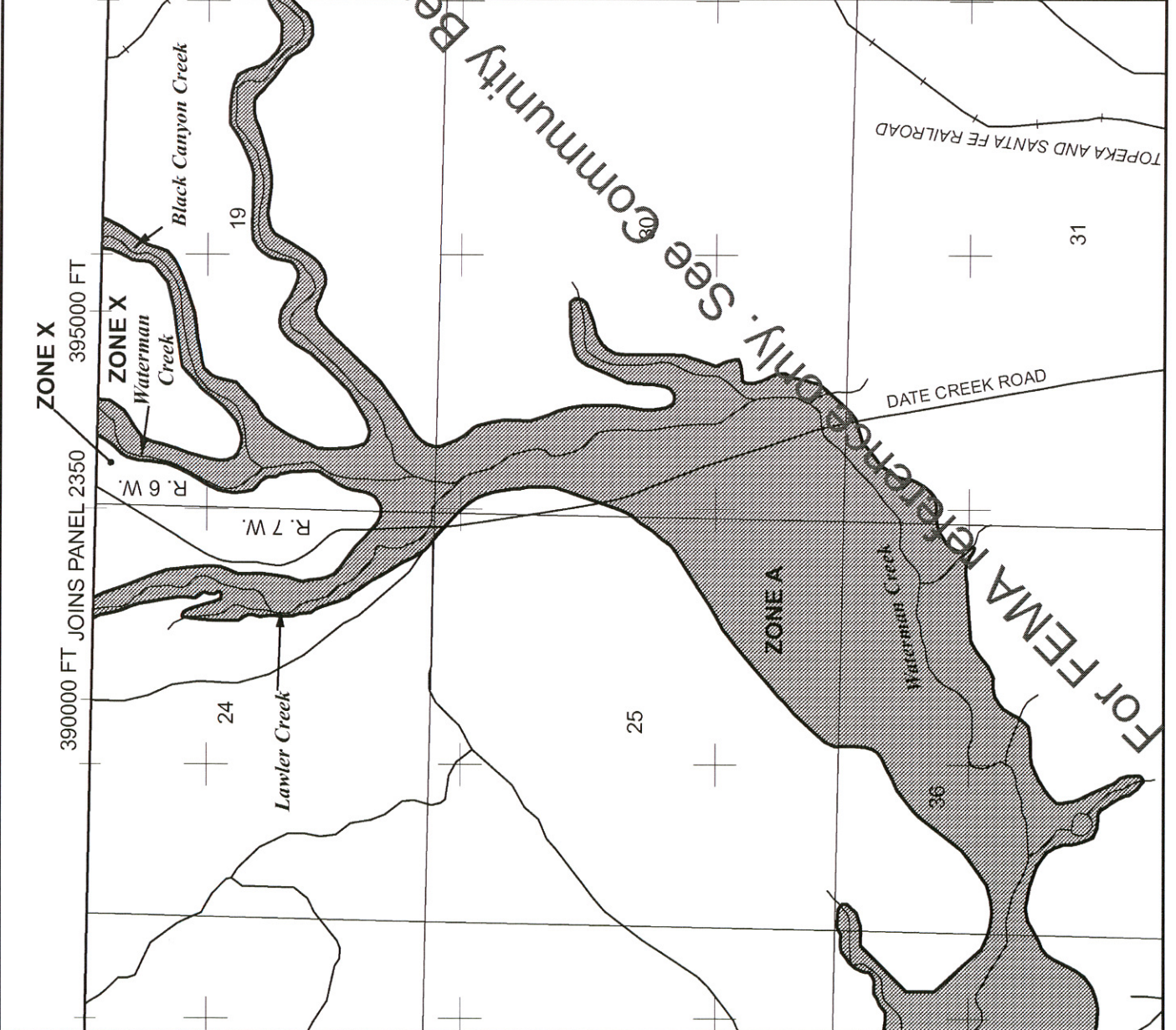


MAP NUMBER 04025C2725G

MAP REVISED SEPTEMBER 3, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



390000 FT JOINS PANEL 2350

ZONE X

395000 FT

Waterman Creek

Black Canyon Creek

24

R. 7 W.

19

Lawler Creek

25

ZONE A

DATE CREEK ROAD

Waterman Creek

36

31

TOPEKA AND SANTA FE RAILROAD

FOR FEMA REFERENCE ONLY. See Community Best Available Data map

FEE
\$
\$5
\$5
\$1
\$

at the request of Pioneer Title Agency, Inc.

when recorded mail to
Travis L. Ashby
P.O. Box 1428
Bagdad AZ 86321

00354692-NKM

TAX CODE: 202-16-015

Special Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, the undersigned Pioneer Title Agency, Inc., an Arizona corporation, as Trustee, under Trust No. 00353314, the Grantor herein, does hereby convey to

Travis L. Ashby and Deann L. Ashby, husband and wife

the Grantee, the following real property situated in Yavapai County, Arizona, together with all rights and privileges appurtenant thereto:

Lot 8, SADDLE CREEK RANCH, according to the plat of record in Book 137 of Maps, pages 10 and 11, records of Yavapai County, Arizona.

EXCEPT all coal and other minerals as reserved in patent from the United States of America.

Pursuant to ARS 33-404, the beneficiaries of Pioneer Title Agency, Inc. Trust No. 00353314, are disclosed in instrument recorded in Book 4566, page 186, records of the Yavapai County, Arizona.

Restrictive Water Covenant

SUBJECT TO the Water Right Reservation/Exception (below) that shall run with the Property and bind Grantee and its successors and assigns, and that inures to the benefit of Grantor and its successors and assigns, no additional wells may be drilled on the Property UNLESS a new well is required to REPLACE one or both of the existing wells on the Property or the Property is further subdivided into three (3) separate Parcels, in which case no more than one (1) additional well may be drilled so that each individual Parcel may have its own well. All wells are to be used exclusively for domestic and non-commercial use. Grantee may not withdraw from any new wells drilled for the reasons stated above, more than fifteen (15) gallons per minute. In the event the Property is subdivided, only one (1) operational well may be located and used on each individual Parcel at any one time. The Parcel and in the event of further subdivision, each additional Parcel, may be irrigated PROVIDING HOWEVER, no more than ten percent (10%) of each Parcel is irrigated and no more than six (6) acre feet per calendar year is used from the well on that Parcel. Upon the written request of Grantor, Grantee, its successors and assigns, agree to provide reasonable evidence of any new well's capacity and amount of water withdrawn during the applicable period, under this covenant. In the interest of public health and sanitation, and the environmental protection of the Property and all other lands in the same locality, Grantee shall not use the Property for any purpose that would result in the pollution of any watercourse, which flows from, through or adjacent to any Parcel, by refuse, sewage or other material or constituent that might tend to pollute the waters of any such watercourse or groundwater of the Parcel or the surrounding lands. This covenant is referred to herein as the "Restrictive Water Covenant".

Water Right Reservation/Exception for the Benefit of Grantor

Except as provided for herein, Grantor reserves and/or excepts any and all rights, hereditaments, title and interest in water and water rights incident or appurtenant to, on or under the Property. This reservation/exception includes, but is not limited to: (a) all surface water rights and groundwater rights; and (b) all appurtenance thereto, including but not limited to all easements or rights of way that exist now or may be designated by the Grantor in the future for access to and use of such water, water rights, wells, windmills, pumps, power-supply, fixtures associated with such water rights, and other apparatus (referred to herein as the "Water Right Reservation/Exception").

Grantor retains the water and water rights under the Water Right Reservation/Exception for use on all or part of the common area of the development; or for sale, lease, transfer or other conveyance to others or other locations or uses; or for such other purposes, as the Grantor (or its successors or assigns) may decide from time to time in its sole discretion.

Grantee acknowledges and agrees that Grantor and its predecessors used surface water and groundwater in the

development of the Property. Grantee (and its successors and assigns) covenants and agrees not to interfere with or otherwise obstruct the ability of the Grantor (and its successor and assigns) to use the water and water rights that are reserved and/or excepted by this covenant. Grantee further agrees not to protest, interfere with or otherwise object to the use, development, transfer or transporting of water or water rights, including but not limited to participation in any act or measures with governmental agencies or authorities.

NOTHING CONTAINED HEREIN SHALL PROHIBIT GRANTEE, ITS SUCCESSORS AND ASSIGNS, FROM THE EXCLUSIVE USE, ENJOYMENT AND RIGHTS TO THE WATER PROVIDED BY THE TWO (2) PRE-EXISTING WELLS LOCATED ON THE PROPERTY, PROVIDING HOWEVER THE PROVISIONS UNDER THE "RESTRICTIVE WATER COVENANT" SHALL APPLY.

In exercising the Water Right Reservation/Exception, Grantor retains the right of ingress and egress to Grantor's water source(s); the right to use a reasonable area surrounding said water source(s) as may be needed to exercise the water right or repair or maintain the water facility; the right to construct, maintain, use and relocate such facilities as may be needed to provide power supply to withdraw, distribute or use the water source(s); and the right to construct, maintain, use and relocate such facilities as may be needed to deliver water from its source(s) to the place of use or uses. Grantor reserves such easements as may be identified in the Plat and Grantor (or its successor and assigns) may select the location or relocation of such existing or future easements on the Property, from time to time, as may be convenient and reasonable for the exercise of the Water Right Reservation/Exception. Upon the designation or redesignation of an easement location by Grantor (or its successors or assigns), Grantor (or its successors or assigns) will record that easement with the Yavapai County Recorder's Office. If Grantor locates or relocates an easement in the future, the easement shall not be located where improvements have been constructed on an individual Parcel. Grantee (and its successors and assigns) acknowledges and agrees that these easements associated with the Water Right Reservation/Exception do not overburden the Property and are necessary for the exercise of the Water Right Reservation/Exception.

General Water Covenant Provisions

The Water Right Reservation/Exception and its easements and the Restrictive Water Covenant are intended to run with the Property and inure to the benefit of Grantor and its successors and assigns, and be binding upon Grantee and its successors and assigns and all persons claiming under Grantee. Grantor may assign any or all of the rights to exercise or enforce the Water Right Reservation/Exception and its easements and the Restrictive Water Covenant.

Each and all covenants, conditions, restrictions, and agreements contained herein shall be deemed and construed to be continuing. It is understood and agreed by and between the parties hereto that no waiver of a breach or failure to enforce any covenant, condition, restriction and agreement herein shall be construed to be a waiver of any other breach or failure to enforce the same or any other covenant, condition, restriction or agreement.

It is expressly agreed that if any covenant, condition, restriction or agreement herein, or any portion thereof, is declared to be invalid, unenforceable or void by a court of competent jurisdiction, such declaration shall in no way affect any other covenant, condition, restriction or agreement. If there is any conflict in the interpretation or construction among this Deed, the Declaration of Covenants, Conditions and Restriction, or the Plat, then this Deed shall control.

It is understood and agreed that this Water Right Reservation/Exception and its easements and the Restrictive Water Covenant shall be included in any and all conveyance documents by Grantee and its successors and assigns.

It is further understood and agreed that it shall be lawful for Grantor and its successors and assigns to institute and prosecute any proceeding at law or in equity against the person or persons violating or threatening to violate any covenant, condition, restriction or agreement herein, and to recover any damages suffered from any violation thereof. As an additional covenant running with the land, Grantee and its successors and assigns shall indemnify, defend and hold Grantor and its successors and assigns, and their shareholders, members, partners, officers, directors, employees and agents, harmless from and against any and all claims, demands, causes of action, any appeal thereof, damages, judgments, fees and expenses, including, without limitation, reasonable attorneys' fees, court costs and other professional fees, incurred by Grantor arising out of, relating to, or in connection with a breach of the Water Right Reservation/Exception or its easements, or the Restrictive Water Covenant.



Any covenant, condition, restriction or agreement herein may be modified or removed only by written consent, duly acknowledged and recorded, of the Grantor or its successors or assigns, and only to the extent as set forth in that written consent. All other covenants, conditions, restrictions or agreements shall remain in force. No covenant, condition, restriction or agreement shall be extinguished or modified by prescriptive use or adverse possession by the Grantee or its successors or assigns.

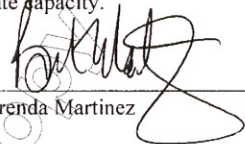
GRANTOR MAKES NO REPRESENTATION OR WARRANTIES TO GRANTEE AS TO ANY WATER QUANTITY OR WATER QUALITY ON THE PARCEL. GRANTOR HAS NO OBLIGATION TO DELIVER WATER TO GRANTEE, ITS SUCCESSORS OR ASSIGNS, OR TO THE PROPERTY.

Subject to all taxes and other assessments, reservations in patents and all easements, rights of way, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And the Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of the Grantor herein and no other, subject to the matters above set forth.

Dated this 13th day of April, 2010

Pioneer Title Agency, Inc., an Arizona Corporation, as Trustee under Trust No. 00353314 and not in its corporate capacity.

BY: 
Brenda Martinez Trust Officer

STATE OF ARIZONA

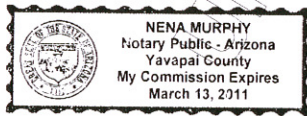
County of Yavapai

} ss

Before me this 13th day of April, 2010, personally appeared **Brenda Martinez**, who acknowledged themselves to be a Trust Officer of Pioneer Title Agency, Inc., and that as such officer being authorized, so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as Trustee, by themselves as such officer.

My commission expires: _____


Notary Public



SEAL



00354692-NKM

**ACCEPTANCE OF COMMUNITY PROPERTY
WITH RIGHT OF SURVIVORSHIP
(Deed)**

State of Arizona }
 } ss.
County of Yavapai }

Travis L. Ashby and Deann L. Ashby, husband and wife, each being first duly sworn upon oath each for himself or herself and jointly but not one for the other deposes and says:

THAT I am one of the Grantees named in that certain Deed attached hereto and which is dated April 13, 2010 and executed by **Pioneer Title Agency, an Arizona corporation, as Trustee under Trust No. 00353314**, as Grantors, to **Travis L. Ashby and Deann L. Ashby, husband and wife**, as Grantees, and which conveys certain premises described as:

Lot 8, SADDLE CREEK RANCH, according to the plat of record in Book 137 of Maps, pages 10 and 11, records of Yavapai County, Arizona.

EXCEPT all coal and other minerals as reserved in patent from the United States of America.

to the Grantees named therein, not as Tenants in Common nor as a Community Property Estate nor as Joint Tenants with Right of Survivorship, but as Community Property with Right of Survivorship.

THAT each of us individually and jointly as Grantees hereby assert and affirm that it is our intention to accept said conveyance as Community Property with Right of Survivorship and to acquire any interest we may have in said premises under the terms of said Deed as Community Property with Right of Survivorship.

DATED this 13th day of April, 2010

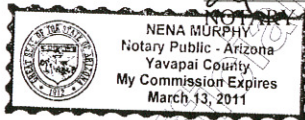
Travis L. Ashby

Deann L. Ashby

State of Arizona }
 } ss.
County of Yavapai }

The foregoing instrument was acknowledged before me this 13th day of April, 2010, by **Travis L. Ashby and Deann L. Ashby**.

My commission expires:



SEAL

AFFIDAVI



1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)
 Primary Parcel: 202-16-015
 BOOK MAP PARCEL SPLIT LETTER
 Does this sale include any parcels that are being split / divided?
 Check one: Yes No
 How many parcels, other than the Primary Parcel, are included in this sale? _____
 Please list the additional parcels below (no more than four):
 (1) _____ (3) _____
 (2) _____ (4) _____

9. FOR OFFICIAL USE ONLY: Buyer and Seller leave blank
 (a) County of Recordation: _____
 (b) Docket & Page Number: _____
 (c) Date of Recording: _____
 (d) Fee/Recording Number: _____
 Validation Codes:
 (e) ASSESSOR _____ (f) DOR _____

ASSESSOR'S USE ONLY
 Verify Primary Parcel in Item 1: _____
 Use Code: _____ Full Cash Value: \$ _____

2. SELLER'S NAME AND ADDRESS
Pioneer Title Agency, as Trustee under Trust No. 00353314
120 E. Sheldon Street, #100
Prescott AZ 86301

3. (a) BUYER'S NAME AND ADDRESS:
Travis L. Ashby and Deann L. Ashby
P.O. Box 1428
Bagdad AZ 86321
 (b) Are the Buyer and Seller related? Yes _____ No
 If Yes, state relationship: _____

10. TYPE OF DEED OR INSTRUMENT (Check Only One Box):
 a. Warranty Deed d. Contract or Agreement
 b. Special Warranty Deed e. Quit Claim Deed
 c. Joint Tenancy Deed f. Other:

4. ADDRESS OF PROPERTY:
13445 S. Date Creek Road, Congress, AZ 85332

5. MAIL TAX BILL TO:
Same as Buyer

11. SALE PRICE: \$ 189,000.00

12. DATE OF SALE (Numeric Digits): 03 / 10
 Month Year
 (For example: 03 / 05 for March 2005)

6. PROPERTY TYPE (for Primary Parcel): **NOTE: Check Only One Box**
 a. Vacant Land f. Commercial or Industrial Use
 b. Single Family Residence g. Agriculture
 c. Condo or Townhouse h. Mobile or Manufactured Home
 d. 2-4 Plex i. Other Use; Specify: _____
 e. Apartment Building

13. DOWN PAYMENT: \$ 3424.00

14. METHOD OF FINANCING:
 a. Cash (100% of Sale Price)
 b. Exchange or Trade
 c. Assumption of existing loans
 d. Seller Loan (Carryback)
 e. New loan(s) from financial institution:
 (1) Conventional
 (2) VA
 (3) FHA
 f. Other financing; Specify: _____

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check **one** of the following:
 To be occupied by owner or "family member." To be rented to someone Other than "family member."
 See reverse side for definition of a "family member."

15. PERSONAL PROPERTY (see reverse side for definition):
 (a) Did the Sale Price in Item #11 include Personal Property that impacted the Sale Price by 5% or more? Yes _____ No
 (b) If Yes, provide the dollar amount of the Personal Property:
 \$ 00 AND
 briefly describe the Personal Property: _____

8. NUMBER OF UNITS: _____
 For Apartment Properties, Motels, Hotels, Mobile Home Parks, RV Parks, Mini-Storage Properties, etc.

16. PARTIAL INTEREST: If only a partial ownership interest is being sold, Briefly describe the partial interest: _____

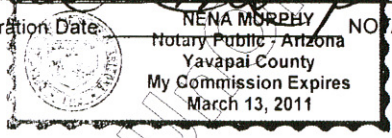
17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone):
Pioneer Title Agency, Inc.
1570 Willow Creek Road, Prescott, AZ 86301
Phone (928) 778-2222

18. LEGAL DESCRIPTION (attach copy if necessary)°
See Exhibit A attached hereto and made a part hereof.

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller/Agent: [Signature]
 State of Arizona, County of YAVAPAI
 Subscribed and sworn to before me this 7 day of May, 2010
 Notary Public: [Signature]
 Notary Expiration Date: _____ NOTARY SEAL HERE

Signature of Buyer/Agent: [Signature]
 State of Arizona, County of Yavapai
 Subscribed and sworn to before me this 7 day of May, 2010
 Notary Public: [Signature]
 Notary Expiration Date: _____ NOTARY SEAL HERE





NATIONAL FLOOD INSURANCE PROGRAM
FEMA PRODUCTION AND TECHNICAL SERVICES CONTRACTOR

February 24, 2015

The Honorable Craig Brown
Chairman, Yavapai County Board of Supervisors
1015 Fair Street
Prescott, AZ 86305

IN REPLY REFER TO:
Case No.: 14-09-4204P
Community: Yavapai County, AZ
Community No.: 040093

316-PMR

Dear Mr. Brown:

This is in reference to a request for a revision to the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community. Information pertinent to this revision request is listed below.

Requester: Ms. Linda A Potter, P.E., CFM
Project Manager
Atkins North America, Inc.

Flooding Sources: Big Chino Creek, Cottonwood Creek, Eastwood Creek, Hitt Wash, Indian Springs Creek, South Kirkland Creek, North Kirkland Creek, Long Canyon Creek, Mud Tank Wash, North Fork Date Creek, Poplar Wash, Ritter Creek, North Strickland Wash, South Strickland Wash, Unnamed Tributary to Date Creek, Unnamed Tributary to Kirkland Creek, Unnamed Tributary to Long Canyon Creek, Unnamed Tributary to Mud Tank Wash, Unnamed Tributary to Strickland Wash, Waterman Creek, and Williamson Valley Wash

FIRM Panels Affected: 04025C0450G, 0475G, 0500G, 0725G, 0750G, 0950G, 0955G, 0970G, 1275G, 1300G, 1650G, 04025C1975G, 2350G, 2375G, 2725G, 2745G, 2750G, and 2765G

We have completed our review of the submitted data and determined that the FIRM and FIS report should be revised as Physical Map Revision (PMR). As a result of this PMR, the flood hazard information will be revised for the following flooding sources:

Big Chino Creek - from approximately 8,000 feet downstream of Walnut Creek to approximately 4,000 feet downstream of the Yavapai County Boundary;
Cottonwood Creek - from the confluence with Date Creek to approximately 15,840 feet upstream of Date Creek Road;
Eastwood Creek - from the confluence with Kirkland Creek to approximately 10,560 feet upstream of Mule Show Ranch Road;

LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304 PH: 1-877-FEMA MAP

BakerAECOM, under contract with the FEDERAL EMERGENCY MANAGEMENT AGENCY, is a
Production and Technical Services Contractor for the National Flood Insurance Program

Hitt Wash - from the confluence with Williamson Valley Road to approximately 4,000 feet upstream of Las Vegas Road;

Indian Springs Creek - from the confluence with Mud Tank Wash to approximately 10,560 feet upstream of Williamson Valley Road;

South Kirkland Creek - from the confluence with Poplar Wash to approximately 5,280 feet upstream of the confluence with Poplar Wash;

North Kirkland Creek - from approximately 18,480 feet north of State Route 96 to approximately 5,280 feet downstream of Single Six Road;

Long Canyon Creek - from the confluence with Strickland Wash to approximately 900 feet upstream of Wildhorse Run Road;

Mud Tank Wash - from the confluence with Williamson Valley Wash to approximately 10,560 feet upstream of the confluence with Indian Spring Creek;

North Fork Date Creek - from approximately 800 feet upstream of the confluence with Date Creek to approximately 10,560 feet upstream of Date Creek Road;

Poplar Wash - from approximately 10,560 feet downstream of State Route 89 to approximately 15,840 feet upstream of State Route 89;

Ritter Creek - from approximately 700 feet downstream of Date Creek Road to approximately 5,280 feet upstream of Date Creek Road;

North Strickland Wash - from approximately 10,560 feet upstream of North Williamson Valley Road to approximately 2,640 feet upstream of West Fair Oaks Road;

South Strickland Wash - from approximately 5,280 feet upstream of Balance Rock Trail to approximately 2,640 feet upstream of Forest Service Road 9400H;

Unnamed Tributary to Date Creek - from the confluence with Date Creek to approximately 5,280 feet upstream of Stetson Ranch Road;

Unnamed Tributary to Kirkland Creek - from the confluence with Kirkland Creek to approximately 2,640 feet upstream of South Fipsila Circle;

Unnamed Tributary to Long Canyon Creek - from the confluence with Long Canyon Creek to approximately 5,280 feet downstream of North Tonto Road;

Unnamed Tributary to Mud Tank Wash - from the confluence with Mud Tank Wash to approximately 10,560 feet upstream of North Williamson Valley Road;

Unnamed Tributary to Strickland Wash - from the confluence with Strickland Wash to approximately 7,920 feet upstream of Balancing Rock Trail;

Waterman Creek - from approximately 5,280 feet upstream of Otoe Way to approximately 2,640 feet upstream of South Date Creek Road;

Williamson Valley Wash - from approximately 10,560 feet upstream of Santa Fe & Big Spring Ranch to approximately 15,840 feet upstream of North Fair Oaks Road.

We are currently preparing a revised FIRM and FIS report for your community. FEMA Region IX has programmed funds to process the PMR as part of this revised FIRM and FIS report. We will incorporate the modifications required by this PMR into the preliminary FIRM before it is distributed, and the modifications will also be included when the FIRM becomes effective.


In order to provide your community with the most up-to-date information possible, we request that your community review the affected FIRM panels and revised FIS report to determine if any additional changes are warranted. Examples of possible changes include updates to corporate limits and new streets. To assist us in processing the revised FIRM and FIS report in a timely manner, we request that your community submit the changes within 30 days of the date of this letter. Please submit any requested changes, along with supporting documentation (e.g. annotated copies of FIRM panels, corporate limits map, topographic mapping), to us at the address shown at the bottom of the first page.

Any changes to the affected FIRM panel or FIS report for your community that are received during this 30-day period will be reviewed and incorporated, as appropriate, before we initiate the revision and republication process. We will send preliminary copies of the revised FIRM and FIS report to your community for review. At that time, your community will have an additional 30 days to provide information to support other changes to the affected portions of the FIS report and map. We will review all information submitted during that 30-day period and incorporate it, as appropriate, before the FIS report and map are republished and distributed.

Your submittal of requested changes during the initial 30-day period will facilitate the revision and republication process. While it may be possible to incorporate requested changes later, it will probably cause significant delays in the revision and republication process. Therefore, if the data to support additional changes are not immediately available, or if additional time is needed, please inform us immediately.

If you have general questions about this case, the review and revision process, FEMA policy, or the National Flood Insurance Program, please call the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning this case, please call the Revisions Coordinator for this request, Mr. Joseph Kuechenmeister, P.E., CFM, at jkuechenmeister@mbakerintl.com or at (720) 479-3181.

Sincerely,



Syed Qayum, CFM
LOMR Technical Manager
BakerAECOM

cc: Mr. Dan Cherry
Director
Yavapai County Flood Control District

Ms. Linda A Potter, P.E., CFM
Project Manager
Atkins North America, Inc.

APPLICATION FORM FOR SINGLE RESIDENTIAL STRUCTURE OR LOT AMENDMENTS TO NATIONAL FLOOD INSURANCE PROGRAM MAPS

General Background Information

In 1968, the U.S. Congress passed the National Flood Insurance Act, which created the National Flood Insurance Program (NFIP). The NFIP was designed to reduce future flood losses through the adoption of local floodplain management regulations and to provide protection for property owners against potential losses through an insurance mechanism that allows a premium to be paid for the protection of those who need it most. The creation of the NFIP represented a major shift in Federal strategy from previous structural flood-control and disaster relief programs.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management ordinances that meet certain minimum requirements intended to reduce future flood losses. The community official or agency responsible for floodplain management in a community may be able to provide information that would be useful to a requester. This official or agency usually is responsible for engineering, public works, flood control, or planning in the community as well.

Use of Application Forms

The Department of Homeland Security's Federal Emergency Management Agency (DHS-FEMA) implemented the use of application forms for requesting revisions or amendments to NFIP maps for two reasons. First, the forms provide requesters with a comprehensive, step-by-step process to follow. This process provides the requester with assurance that all necessary information to support their request is being submitted to DHS-FEMA at one time, thus avoiding the need to go through an iterative process of providing additional information in a piecemeal fashion, which can result in a time-consuming and cost-intensive process. Second, use of the forms assures that the requesters' submissions are complete and more logically structured, and generally allows DHS-FEMA to complete its review in a shorter timeframe.

This form should be used to request that DHS-FEMA remove a single structure or a legally recorded parcel of land or a portion of a parcel, described by metes and bounds, certified by a Registered Professional Engineer or Licensed Land Surveyor, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the flood having a 1-percent-annual-chance of being equaled or exceeded in any given year (base flood), via Letter of Map Amendment (LOMA). A LOMA is a letter from DHS-FEMA stating that an **existing** structure or parcel of land that has not been elevated by fill (i.e. the existing structure or parcel of land is on natural grade) would not be inundated by the base flood. **Fill** is defined as material from any source (including the subject property) placed that raises the ground to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural ground) elevation, which is at or above the BFE. **Fill placed before the date of the first NFIP map showing the area in an SFHA is considered natural ground.** You may consult with the community map repository or the community official or agency responsible for floodplain management to obtain previous editions of the NFIP map. In addition, digital copies of historic maps may be available on DHS-FEMA's Map Service Center (MSC), for a nominal fee. To place orders from the MSC, interested parties may visit the MSC website at <http://www.msc.fema.gov>. For additional information regarding historic maps, interested parties may contact the DHS-FEMA Map Information eXchange (FMIX) toll free, at 1-877-FEMA MAP (1-877-336-2627).

The MT-EZ form shall not be used for requests submitted by developers, for requests involving multiple structures or lots, for property in alluvial fan areas, for property located within the regulatory floodway, for requests involving the placement of fill, or for conditional requests—for such requests, requesters should use the MT-1 or MT-2 application forms, as appropriate. The MT-1 and MT-2 forms packages may be downloaded from the DHS-FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/frm_form.shtm.

A faster alternative to using the MT-EZ application is eLOMA. eLOMA is a web-based application that provides licensed land surveyors and professional engineers a system to submit simple LOMA requests to FEMA. Most requests that qualify for the MT-EZ application can be submitted to FEMA using eLOMA. You can find additional information about eLOMA at <https://hazards.fema.gov>.

For additional assistance in completing this form, interested parties may consult the LOMA Tutorial, available on DHS-FEMA's Flood Hazard Mapping website at: http://www.fema.gov/plan/prevent/fhm/ot_lmreq.shtm. This tutorial provides guidance to LOMA requesters, as well as an online tool to complete the MT-EZ form.

Data Submission Requirements

In accordance with NFIP regulations, DHS-FEMA will use the information provided in the MT-EZ form to determine whether property (i.e., structure, parcel of land) should be removed from a designated SFHA. In certain instances, additional data not referenced on the MT-EZ form may be required. A DHS-FEMA representative will notify the requester of any additional data requirements.

DHS-FEMA encourages the submission of the required data in digital format (e.g. scanned documents on a CD). This may help expedite the processing of your request.

Applicable Regulations

The regulations pertaining to LOMAs are presented in Title 44, Chapter I, Code of Federal Regulations (CFR), Part 70, which are available at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr70_03.html. The purpose of Part 70 is to provide an administrative procedure whereby DHS-FEMA will review information submitted by an owner or lessee of property who believes that their property has been inadvertently included in a designated SFHA. Part 70 provides information about the technical difficulty of accurately delineating the SFHA boundaries on the NFIP map for a community. Part 70 procedures shall not apply if the topography has been altered to raise the original ground to or above the BFE since the effective date of the first NFIP map [i.e., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM)] showing the property to be within the SFHA.

Basis of Determination

If no fill has been placed, DHS-FEMA's determination as to whether a structure or legally recorded parcel of land, or a portion of a parcel, described by metes and bounds, may be removed from the SFHA will be based on a comparison of the BFE with certain elevation information. The elevation information required will depend on whether a structure or a legally recorded parcel of land is to be removed from the SFHA. For LOMA requests involving property located in Zone A, with no BFEs determined, interested parties should refer to DHS-FEMA-265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on DHS-FEMA's website at <http://www.fema.gov/library/viewRecord.do?id=2215>.

The following special considerations may affect DHS-FEMA's determination:

- In areas of shallow/sheet flooding (Zone AO), the elevation of the Lowest Adjacent Grade (including deck posts) of the structure(s) must be above the surrounding grade by an amount equal to or greater than the depth shown on the NFIP map. In addition, adequate drainage paths are required to guide floodwaters around and away from the structure(s); the structure(s) should be on an elevated pad within the Zone AO area. With your application package, in addition to elevation information regarding the structure(s), provide a map showing the topographic data of the property and the immediate surrounding area, and the location of any structure(s) existing on the property (certified by a registered professional engineer or licensed land surveyor) to demonstrate that the above criteria have been met.
- If the lowest floor of a building has been elevated on posts, piers, or pilings above the BFE and any portion of the structure (i.e., posts, pilings, or piers) is still below the BFE, the building will not be removed from the SFHA.

Response Timeframe

In accordance with Section 70.4 of the NFIP regulations, DHS-FEMA will notify the requester of the determination in writing within 60 days of the date of receipt of all required data. Information about the status of active LOMA requests and other Letter of Map Change (LOMC) requests is available from DHS-FEMA's Mapping Information Platform (MIP) at <https://hazards.fema.gov>. The MIP allows requesters to search Open LOMCs by entering their Project (Case) Number and

Project Type to find out the status of their request. From the MIP Home Page requesters should click on Tools & Links, Public Reports and select Public Reports from the Report Category dropdown. Information about the status of LOMA requests and other Letter of Map Change (LOMC) requests is also available from DHS-FEMA's Flood Hazard Mapping web site at http://www.fema.gov/plan/prevent/fhm/st_main.shtm. The FHM site allows requesters to search LOMCs by entering their Project (Case) Number or Community Name.

As mentioned previously, submitting the MT-EZ form and required supporting documents in digital format may help expedite the processing of your request.

Effect on Insurance Purchase Requirements

Although DHS-FEMA may issue a LOMA removing a structure from the SFHA, it is the lending institution's prerogative to require flood insurance, as a condition of a loan, if it deems such action appropriate. Historically, about 25% of all flood claims occur in areas outside of the SFHA. Property owners are strongly encouraged to convert their existing policy, using the premiums already paid for that policy, to a lower-cost Preferred Risk Policy (PRP), which is available for structures located outside of the SFHA. For more information about the PRP, contact your agent or broker or visit <http://www.floodsmart.gov/prp>.

If the lender agrees to waive the flood insurance purchase requirement, the property owner is eligible for a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. If the property owner has been required to renew his or her policy during a period when a revised NFIP map was being printed, the premium will be refunded for an additional year. To initiate processing of the refund and/or converting that policy to a lower-cost PRP to maintain coverage without interruption, the property owner should provide the LOMA and evidence of the waiver of the flood insurance requirement from the lender to the insurance agent or broker who sold the policy.

General Instructions – Section A

The property owner, a Licensed Land Surveyor, or a Registered Professional Engineer may complete Section A to support a request for a LOMA for a single structure or lot.

Before completing Section A, the requester must obtain one of the following documents from the County/Parish Clerk, Recorder, or Register of Deeds for the community:

- A copy of the Deed for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) containing the recorder's seal and recordation date, accompanied by a tax assessor's or other suitable map showing the surveyed location of the property relative to local streets and watercourses. The map should include at least one street intersection that is shown on the FIRM panel.
- A copy of the Plat Map for the property, showing the recordation information (e.g., Book/Volume and Page numbers or Document/Instrument number) and containing the recorder's seal and recordation date.

The requester must also obtain a photocopy of the effective FIRM panel (including the Title Block) that shows the area in which the property is located. This map should be available at the community map repository or from the community official or agency responsible for floodplain management. However, digital copies of the FIRM Index and FIRM panels may be ordered from the DHS-FEMA Map Service Center (MSC), for a nominal fee. To place orders from the MSC, interested parties may visit the MSC website at <http://www.msc.fema.gov>. A FIRMette, which can be printed free of charge from the MSC website, may be submitted in lieu of a photocopy of the FIRM. (For some communities, the effective NFIP map may be a Flood Hazard Boundary Map (FHBM), not a FIRM. In such cases, the requester should obtain and use the FHBM.)

The DHS-FEMA Map Service Center allows requesters to search for maps and other technical data. Requesters can search by the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows requesters to search through the DHS-FEMA Map Service Center for all available data. The Map Search option allows requesters to search for data available for an individually specified map area. The Quick Order option allows requesters to search and order available data (digital only) by specific FIRM panel or by state, county, or community identification number. All search

options will allow requesters to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa, MasterCard, and American Express are accepted.

Requesters without Internet access should contact the FMIX by calling 1-877-FEMA MAP (1-877-336-2627). Requesters also may fax their map order requests to the MSC at 1-800-358-9620.

Specific Instructions – Section A

Number 1 - Fill Placement

Regardless of the type of LOMC being requested, the requester must clearly state, to the best of his or her knowledge, whether fill has been placed on the property. The requester must answer "yes" or "no" to this question. (See "Use of Application Forms" for additional information about fill.) If fill has been placed on the property, the requester must submit a request for a Letter of Map Revision Based on Fill (LOMR-F) using the MT-1 application forms so that DHS-FEMA may determine whether the structure or property should be removed from the SFHA. To obtain a copy of the MT-1 application forms package, interested parties should visit DHS-FEMA's Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm or call the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Number 2 - Legal Description of Property

The requester must describe the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed. In addition, the requester should enter the street address (911 type) for the property, if one is available.

Number 3 - Structure or Property That Is Subject of Request

DHS-FEMA will make a LOMA determination for a structure or a parcel of land. The requester must select the one for which they would like DHS-FEMA to make a determination. If the request is for a structure, the requester must provide the date of construction in this section. Date of construction information usually may be obtained from real estate settlement documents, the property developer, or the local government office where real estate and/or land development transactions are recorded. If the request is for a portion of a parcel, a certified metes and bounds description and map of the area to be removed, certified by a licensed land surveyor or registered professional engineer, are **required**. The metes and bounds description must cover the specific area to be removed, and it must be tied to an identifiable starting point. If the description is for a legally recorded lot or parcel, the metes and bounds description should commence or begin at the lot or parcel corner. Metes and bounds descriptions must not intersect or coincide with the footprint of an existing structure. Please see the example below for the preferred format of metes and bounds descriptions.

BEGINNING at the northeast lot corner; thence S16°42'22"E, 100.00 feet; thence S33°14'40"W, 145.92 feet; thence S89°13'29"W, 156.01 feet; thence N16°42'22"W, 223.14 feet; thence 210.49 feet along a curve to the left having a radius of 542.00 feet to the POINT OF BEGINNING

DHS-FEMA encourages the submission of metes and bounds descriptions in digital format on a CD. This may help expedite the processing of your request.

Signature

The requester must provide his or her name, mailing address, and telephone number in the space provided. The requester also must sign and date, where indicated, to certify the accuracy of the information provided in Section A of the form. A Licensed Land Surveyor, Registered Professional Engineer, or other designated agent may sign this form for the requester when submitting on behalf of the requester. Providing an email address is optional, however, providing one will make it easier for DHS-FEMA to contact you if necessary and may facilitate the processing of your request.

General Instructions – Section B

A Licensed Land Surveyor or Registered Professional Engineer (authorized by law to certify the information requested) must complete Section B unless an NFIP Elevation Certificate has already been completed for the property. If the request is to remove the structure, and an Elevation Certificate has been completed, the Elevation Certificate may be submitted in lieu of Section B of the MT-EZ form. If the request is to remove the entire legally recorded property, the lowest lot elevation must be provided in Section B. If the request is to remove a portion of the legally recorded property, the lowest elevation within the described portion must be provided in Section B.

Before completing Section B, the surveyor or engineer must obtain the effective FIRM panel, effective Flood Boundary and Floodway Map (FBFM) panel (if printed), and Flood Insurance Study (FIS) report that cover the area in which the property is located. These can be obtained from the community map repository, or digital copies ordered from the MSC for a nominal fee. To place map orders from the MSC online, the engineer or surveyor should visit <http://www.msc.fema.gov>. (For some communities, the effective NFIP map may be an FHBM), not a FIRM. In such cases, the engineer or surveyor should obtain and use the FHBM.)

The DHS-FEMA Map Service Center allows users, including homeowners, surveyors, and engineers, to search for maps and other technical data. Searches can be conducted under the three following search options: Catalog, Map Search, and Quick Order. The Catalog option allows surveyors and engineers to search through the Map Service Center for all available data. The Map Search option allows surveyors and engineers to search for data available for an individually specified map area. The Quick Order option allows surveyors and engineers to search available data by a specific FIRM panel or by state, county, or community identification number. All search options will allow surveyors and engineers to search desired data and add that data to a "shopping cart" for later payment options. Payment must be in the form of a credit card. Only Visa, MasterCard, and American Express are accepted.

Surveyors and engineers who do not have Internet access should contact the FMIX by calling 1-877-FEMA MAP (1-877-336-2627). They also may fax their map order requests to the MSC at 1-800-358-9620.

Specific Instructions – Section B

Determination Requested For

The surveyor or engineer must identify what is to be removed from the SFHA. The surveyor or engineer must provide the required elevation information as described on the form.

Number 1 – Property Information

The surveyor or engineer must provide a brief description of the property by referring to the recorded deed or plat map. The description may consist of a lot number and subdivision name, a parcel number, a tract number, or any other information provided in the deed or plat to identify the property. It is not necessary to reproduce a lengthy description of the property as it appears in the Deed.

Number 2 - Structure Information

The surveyor or engineer must provide the street address for the property (911 type), if one is available, or the name of road providing access.

If the request involves or will involve a structure, the surveyor or engineer must provide the type of construction.

- **Crawl Space** – The bottom floor is below the first floor, is enclosed by solid and partial perimeter walls, and may be above ground level (grade) on one or more sides. Spaces below ground level on all sides must meet the requirements of FEMA Technical Bulletin 11-01. Spaces with a bottom floor elevation more than 2.0 feet below the Lowest Adjacent Exterior Grade (LAG) elevation will be classified as a basement.
- **Slab on Grade** – The bottom floor is at or above ground level (grade) on at least one side.
- **Basement/Enclosure** – The bottom floor (basement or underground garage) is below ground level (grade) on all sides. See Crawl Space above.

- **Other** – All other structure types not listed above including, but not limited to split levels, structures on piers, mobile homes, etc. Please be as detailed as possible.

Number 3 – Geographic Coordinate Data

The surveyor or engineer must provide the latitude and longitude of the property in decimal degrees to the nearest fifth decimal place (00.00000), and indicate the appropriate horizontal datum, WGS 84, NAD 83 or NAD 27.

Number 4 – Flood Insurance Rate Map Information

In the first box, the surveyor or engineer must provide the six digit NFIP community number as it appears in the Title Block of the FIRM (or FHBM) panel that shows the area where the property is located. In the second box, the surveyor or engineer must provide the map panel number. For additional information on reading FIRM panels interested parties may consult the tutorial “How to Read a FIRM” on DHS-FEMA’s Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/ot_firmr.shtm.

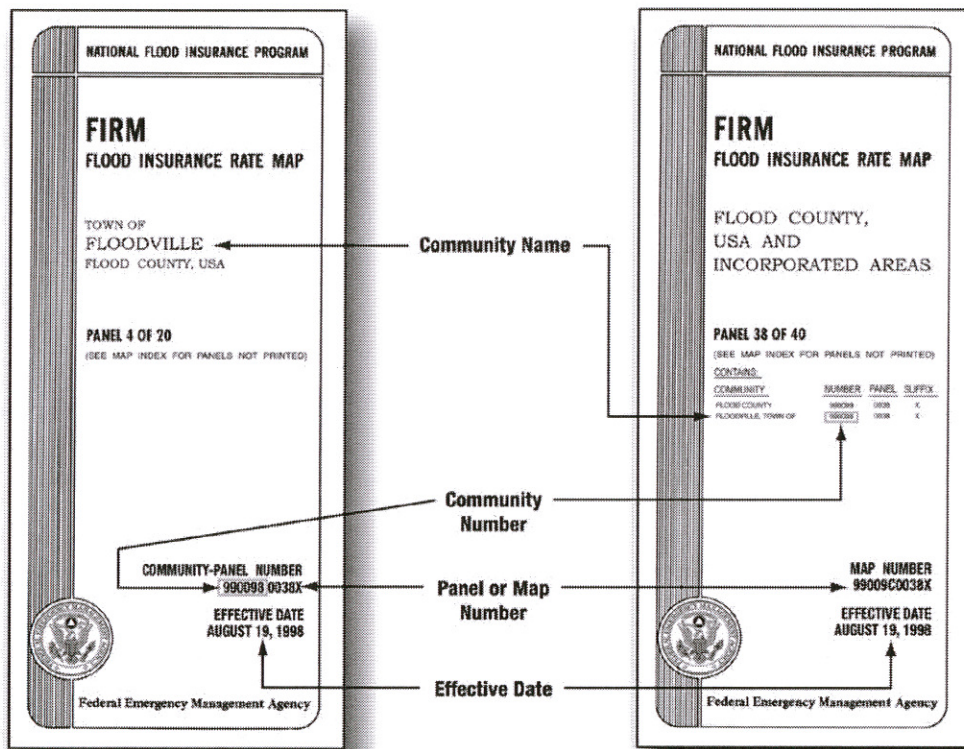


Figure 1. Sample FIRM Panel (Single Community)

Figure 2. Sample FIRM Panel (Countywide)

In the third box, the surveyor or engineer should provide the BFE, if available. FEMA will verify the BFE during the review process. In the fourth box, the surveyor or engineer must provide the source of the BFE. The surveyor or engineer may obtain the BFE by locating the property on the effective FIRM for the community in which the property is located. Upon locating the property on the FIRM, the engineer or surveyor should determine the type of flooding and the flood zone where the property is located. The summary below provides guidance as to how to determine the BFE as a result of the flooding type and flood zone determination.

- **Riverine Flooding Systems (Zones AE or A1-A30)** – Consult the FIS report for the community in which the property is located. Locate the flood profile for the flooding source by name. Estimate the property’s location along the flood profile and interpolate the BFE using the 100-year flood profile line.

- **Lacustrine (Stillwater) Flooding Systems** – Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table. Locate the flooding source, by name, and use the BFE listed in the table. The flooding source’s BFE is normally shown to the nearest 0.1 foot. If the flooding source is not listed in the Summary of Stillwater Elevations table, use the BFE as shown on the FIRM.
- **Coastal Flooding Systems (Zones AE or A1-A30 and VE or V1-V30)** – Obtain the BFE from the FIRM panel. Consult the FIS report for the community in which the property is located. Locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. Compare the BFE listed in this table to the BFE obtained from the FIRM. If the stillwater elevation listed in the table is less than or equal to the whole-foot BFE shown on the FIRM minus 0.5 foot, a wave height, wave runup, and/or wave setup component exists. In this case, use the whole-foot BFE shown on the FIRM. If the stillwater elevation listed in the table is greater than the whole-foot BFE shown on the FIRM minus 0.4 foot, use the stillwater elevation shown in the table as the BFE. **(Any structure/parcel of land located seaward of the landward toe of the primary frontal dune may not be removed from a Zone VE or V1-V30.)**
- **Zone A Flooding** – If the property is located in Zone A, an area of approximate flooding with no BFEs determined, determine a BFE. Consult with a Federal, State, or local government agency to determine if that agency has developed a BFE. Such agencies include the U.S. Army Corps of Engineers; the U.S. Geological Survey; the State’s Department of Natural Resources, Department of Environmental Quality, or Department of Transportation; or the local Planning and Zoning Department. If one has been developed, all supporting data and calculations used to develop the BFE must be submitted. If a BFE has not previously been developed, consult DHS-FEMA 265, *Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*, available on the DHS-FEMA website at <http://www.fema.gov/library/viewRecord.do?id=2215>. This publication is an excellent resource that details the appropriate methods for determining BFEs in SFHAs designated Zone A. To obtain additional information about developing BFEs, contact the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627). If the property is greater than 50 lots or 5 acres, whichever is the lesser, the engineer or surveyor must determine a BFE in accordance with Paragraph 60.3(b)(3) of the NFIP regulations, available online at http://www.access.gpo.gov/nara/cfr/waisidx_03/44cfr60_03.html.
- **Shallow Flooding (Zone AH)** – For a property located in Zone AH, locate the Summary of Stillwater Elevations table in the FIS report. Identify the flooding source, by name, and use the BFE listed in the table. If no Summary of Stillwater Elevations table exists, use the BFE shown on the FIRM. If different elevations appear within the same SFHA, the BFE is obtained by linear interpolation between two adjacent BFE lines.
- **Shallow/Sheet Flooding (Zone AO)** – For a property located in Zone AO, the characteristics of the Zone AO area shown on the NFIP map will determine the appropriate methodology to be used to develop the BFE for the property. If the flooding is conveyed by the street, provide the highest top of curb or crown of street elevation (whichever is higher) along the property line and add this to the depth of flooding. The lowest adjacent grade elevation must be above the curb or street elevation by an amount equal to or greater than the depth of flooding shown on the NFIP map. If the entire property is inundated by the SFHA and the flow is not conveyed by the street, add the depth of flooding to the average surrounding grade. If the property is partially inundated by the SFHA and the street does not convey the flow, add the depth of flooding to the lowest lot elevation. Along with the information required for one of the above-mentioned methods, provide sufficient certified topographic information, including flow paths, to show that the structure is located on high ground relative to the depth indicated on the NFIP map.

Number 5 – Elevation Information

Lowest Adjacent Grade (LAG) to the Structure – For requests involving a structure, provide the LAG elevation (the elevation of the lowest ground touching the structure including attached patios, stairs, deck supports or garages), to the nearest 0.1 foot. If the FIRM shows BFEs in meters, the accuracy of the LAG elevation must be to the nearest 0.1 meter.

Lowest Lot Elevation – For requests involving property, or a portion thereof, not a structure, provide the lowest lot elevation to the nearest 0.1 foot. If the FIRM shows BFEs in meters, the accuracy of the lowest lot elevation must be to the nearest 0.1 meter. If the BFE varies across the property, please provide a certified site plan showing the range of elevations across the property.

Elevation Datum – Provide the elevation datum (e.g., National Geodetic Vertical Datum of 1929, North American Vertical Datum of 1988 or other specified) for which the property elevations shown on the form are referenced. If the datum being referenced is different than the datum used to produce the effective FIS, provide the datum conversion. Please note that Mean Sea Level Datum is used within the Commonwealth of Puerto Rico and Local Tidal Datum is used within the U.S. Virgin Islands.

Subsidence or Uplift – Land subsidence is the lowering of the ground as a result of water, oil, gas extraction, as well as other phenomena such as soil compaction, decomposition of organic material, and tectonic movement. Periodically, the National Geodetic Survey relevels some benchmarks to determine new elevations above the National Geodetic Vertical Datum of 1929 or above the North American Vertical Datum of 1988; however, not all benchmarks are relevelled each time.

Check “yes” if the area of the property is in an area of subsidence or uplift, and provide the date of the current releveling; check “no” if the area of the property is not in an area of subsidence or uplift. In areas experiencing ground subsidence (e.g., Harris County, Texas, and Incorporated Areas); the most recently adjusted Elevation Reference Mark (ERM) must be used for accurate ground and structure elevations. Consult the effective FIS report for the community where the property is located or the local floodplain administrator for the most current ERM data.

In general, the effects of subsidence can be accounted for by determining ground and structure elevations using benchmark elevations with the same releveling date as the benchmarks used to develop the BFEs on the FIRM. Benchmark releveling dates may be different for different flooding sources. No adjustment is necessary to the BFEs on the FIRM.

Certification (by a Licensed Land Surveyor, Registered Professional Engineer, or Architect)

The certifier must provide his or her name, license number and expiration date, his or her company name, telephone number and, if applicable, his or her fax number and email address. The certifier’s seal, if available, may be provided here. The certifier must sign and date the Elevation Form, where indicated, to certify the accuracy of the information provided. Not all states authorize architects and engineers to certify elevation information. Consult the state board of registration for more information.

Submitting the Package to DHS-FEMA

In addition to the completed MT-EZ form, all requests must include one copy of the subdivision plat map (with recordation data and stamp of the Recorder’s Office) or a copy of the property deed (with recordation data and stamp of the Recorder’s Office), accompanied by a tax assessor’s map or other suitable map showing the surveyed location of the property with respect to local streets and watercourses; a copy of the effective FIRM panel; and a map scale and North arrow for all maps submitted. Please do not submit original documents. Please retain a copy of all submitted documents for your records.

DHS-FEMA encourages the submission of all required data in digital format (e.g. scanned documents on a CD).

All LOMA requests should be sent to the address listed below.

**LOMC CLEARINGHOUSE
847 SOUTH PICKETT STREET
ALEXANDRIA, VA 22304-4605
Attn.: LOMA MANAGER**

Interested parties who have any additional questions about the LOMA request process may consult the DHS-FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/fmc_loma.shtm or call the DHS-FEMA Map Information eXchange, toll free, at 1-877-FEMA MAP (1-877-336-2627). For information on the status of a particular LOMA request, interested parties may also consult DHS-FEMA’s Mapping Information Platform (MIP) at <https://hazards.fema.gov>.

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 2.4 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015) **NOTE: Do not send your completed form to this address.**

This form should be used to request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) remove a single structure or legally recorded parcel of land or portion thereof, described by metes and bounds, certified by a registered professional engineer or licensed land surveyor, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the flood having a 1%-chance of being equaled or exceeded in any given year (base flood), via Letter of Map Amendment (LOMA). It shall not be used for requests submitted by developers, for requests involving multiple structures or lots, for property in alluvial fan areas, for property located within the regulatory floodway, or requests involving the placement of fill. (NOTE: Use MT-1 forms for such requests). Fill is defined as material from any source (including the subject property) placed that raises the grade to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural grade) elevation, which is at or above the BFE. Also, fill that is placed before the date of the first National Flood Insurance Program (NFIP) map showing the area in an SFHA is considered natural grade.

LOMA:	A letter from DHS-FEMA stating that an existing structure or parcel of land that has not been elevated by fill would not be inundated by the base flood.
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A – This section may be completed by the property owner or by the property owner's agent. In order to process your request, all information on this form must be completed *in its entirety*, unless stated as optional. **Incomplete submissions will result in processing delays.**

- Has fill been placed on your property to raise ground that was previously below the BFE?
 No Yes – If Yes, **STOP!! – You must complete the MT-1 application forms; visit http://www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm or call the FEMA Map Information eXchange toll free: (877-FEMA MAP) (877-336-2627)**
- Legal description of Property (Lot, Block, Subdivision or abbreviated description from the Deed) **and** street address of the Property (required):
- Are you requesting that a flood zone determination be completed for (check one):
 A structure on your property? What is the date of construction? _____ (MM/YYYY)
 A portion of your legally recorded property? (A certified metes and bounds description and map of the area to be removed, certified by a registered professional engineer or licensed land surveyor, are **required**. For the preferred format of metes and bounds descriptions, please refer to the MT-EZ Instructions.)
 Your entire legally recorded property?

All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Applicant's Name (required):	E-mail address (optional) (<input type="checkbox"/> By checking here you may receive correspondence electronically at the email address provided):
Mailing Address (include Company name if applicable) (required):	Daytime Telephone No. (required):
	Fax No. (optional):
Signature of Applicant (required)	Date (required)

End of Section A

B – This section *must* be completed by a registered professional engineer or licensed land surveyor. Incomplete submissions will result in processing delays.

NOTE: If the request is to have a flood zone determination completed for the structure, and an Elevation Certificate has been completed for this property, it may be submitted in lieu of Section B. If the request is to have a flood zone determination completed for the entire legally recorded property, or a portion thereof, the lowest elevation on the lot or described portion must be provided in Section B.

Applicable Regulations

The regulations pertaining to LOMAs are presented in the National Flood Insurance Program (NFIP) regulations under Title 44, Chapter I, Parts 70 and 72, Code of Federal Regulations. The purpose of Part 70 is to provide an administrative procedure whereby DHS-FEMA will review information submitted by an owner or lessee of property who believes that his or her property has been inadvertently included in a designated SFHA. The necessity of Part 70 is due in part to the technical difficulty of accurately delineating the SFHA boundary on an NFIP map. Part 70 procedures shall not apply if the topography has been altered to raise the original ground to or above the BFE since the effective date of the first NFIP map [e.g., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM)] showing the property to be within the SFHA.

Basis of Determination

DHS-FEMA's determination as to whether a structure or legally recorded parcel of land, or portion thereof, described by metes and bounds, may be removed from the SFHA will be based upon a comparison of the Base (1%-annual-chance) Flood Elevation (BFE) with certain elevation information. The elevation information required is dependent upon what is to be removed from the SFHA. For Zones A and AO, please refer to Page 7 of the MT-EZ Form Instructions for information regarding BFE development in those areas and supporting data requirements.

Determination Requested For: (check one)	Elevation Information Required: (complete Item 5)
<input checked="" type="checkbox"/> Structure located on natural grade (LOMA)	Lowest Adjacent Grade to the structure (the elevation of the lowest ground touching the structure including attached patios, stairs, deck supports or garages)
<input type="checkbox"/> Legally recorded parcel of land, or portion thereof (LOMA)	Elevation of the lowest ground on the parcel or within the portion of land to be removed from the SFHA

1. PROPERTY INFORMATION

Property Description (Lot and Block Number, Tax Parcel Number, or Abbreviated Description from the Deed, etc.):
202-16-015 (Barn)

2. STRUCTURE INFORMATION

Street Address (including Apt. Unit, Suite, and/or Bldg. No.):
13445 S. Date Creek Rd

What is the type of construction? (check one) crawl space slab on grade basement/enclosure
 other (explain):

3. GEOGRAPHIC COORDINATE DATA

Please provide the Latitude and Longitude of the most upstream edge of the **structure** (in decimal degrees to nearest fifth decimal place)
Indicate Datum: WGS84 NAD83 NAD27 Lat. 34 . 357183 Long. -112 . 934765

Please provide the Latitude and Longitude of the most upstream edge of the **property** (in decimal degrees to nearest fifth decimal place)
Indicate Datum: WGS84 NAD83 NAD27 Lat. 34 . 358998 Long. -112 . 934606

4. FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

NFIP Community Number: 040093	Map Panel Number: 2725	Base Flood Elevation (BFE): 3484.1	Source of BFE: Riverine (Best Available Data, see attached)
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5. ELEVATION INFORMATION (SURVEY REQUIRED)

- Lowest Adjacent Grade (LAG) to the structure (to the nearest 0.1 foot or meter) 3482.2 ft. (m)
- Elevation of the lowest grade on the property; or within metes and bounds area (to the nearest 0.1 foot or meter) 3472.5 ft. (m)
- Indicate the datum (if different from NGVD 29 or NAVD 88 attach datum conversion) NGVD 29 NAVD 88 Other (add attachment)
- Has FEMA identified this area as subject to land subsidence or uplift? No Yes (provide date of current releveling):

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name: Thomas Liuzzo	License No.: 33861	Expiration Date: June 30 2017
Company Name: Granite Basin Engineering, Inc	Telephone No.: 928-717-0171	Fax No.: 928-717-0181
Email: Tom@Granitebasinengineering.com		
Signature: <i>Thomas Liuzzo</i>		Date: 4-26-16



EXP. 6-30-17

In addition to this form (MT-EZ), please complete the checklist below. **ALL** requests must include one copy of the following:

- Copy of the effective FIRM panel on which the structure and/or property location has been accurately plotted
- Copy of the Subdivision Plat Map **(with recordation data and stamp of the Recorder's Office)**
- OR
- Copy of the Property Deed **(with recordation data and stamp of the Recorder's Office)**, *accompanied by* a tax assessor's map or other certified map showing the surveyed location of the property relative to local streets and watercourses. The map should include at least one street intersection that is shown on the FIRM panel.
- Please include a map scale and North arrow on all maps submitted.

Please do **not** submit original documents. Please retain a copy of all submitted documents for your records.

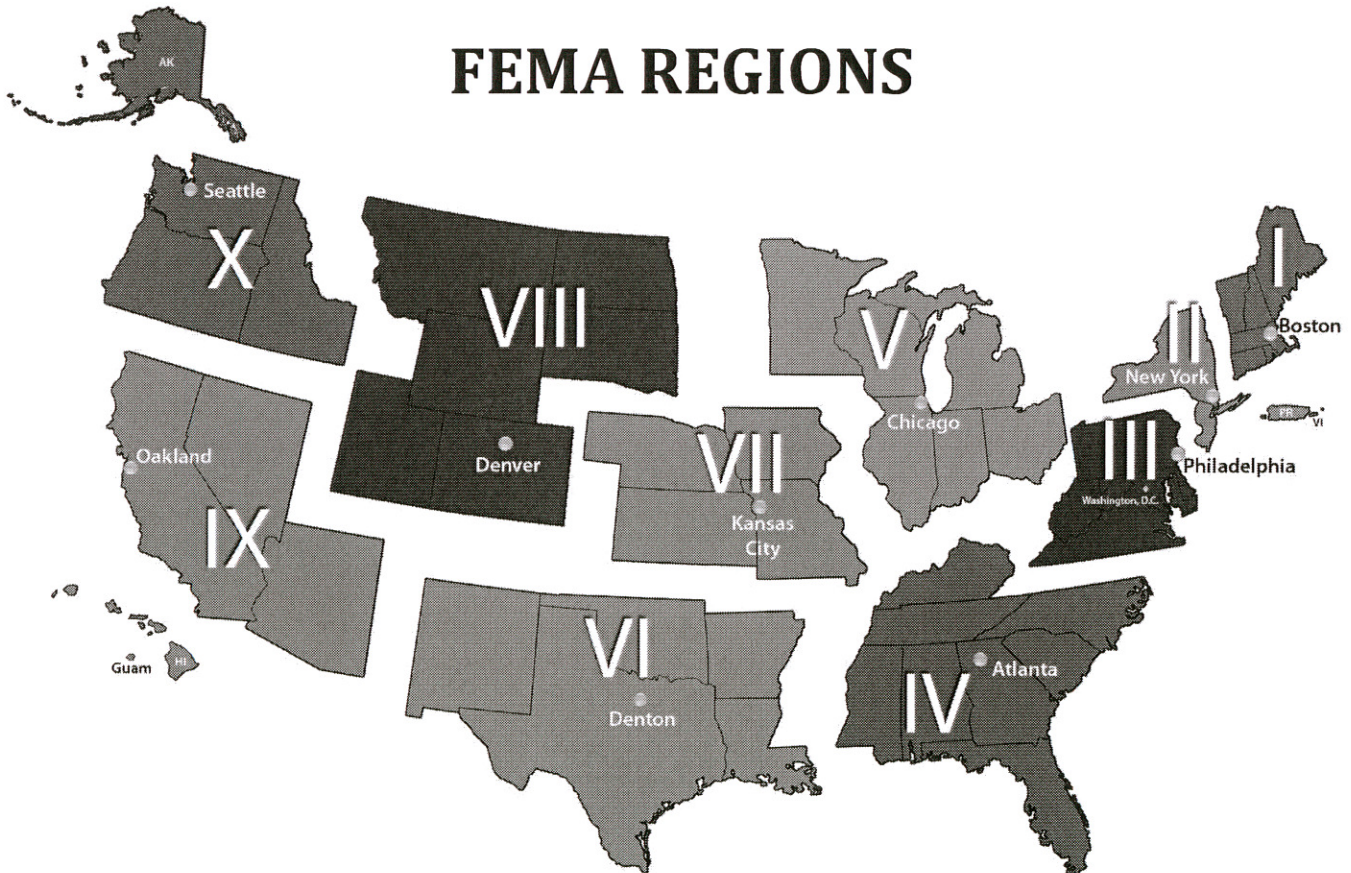
DHS-FEMA encourages the submission of all required data in a digital format (e.g. scanned documents and images on Compact Disc [CD]). Digital submissions help to further DHS-FEMA's Digital Vision and also may facilitate the processing of your request.

Incomplete submissions will result in processing delays. For additional information regarding this form, including where to obtain the supporting documents listed above, please refer to the MT-EZ Form Instructions located at http://www.fema.gov/plan/prevent/fhm/dl_mt-ez.shtm.

Mail your request to:

**LOMC CLEARINGHOUSE
847 SOUTH PICKETT STREET
ALEXANDRIA, VA 22304-4605
Attn.: LOMA Manager**

FEMA REGIONS







Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CN ES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

Parcel No. 202-16-015 Yavapai County, Arizona





Flood information from LOMR
Case No. 14-09-4204P

Legend

-  Wash Centerline
-  Parcels

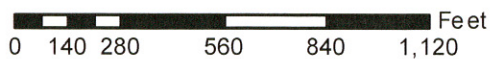
Flood Zones

(Zone, Description)

-  A, 1 PCT ANNUAL CHANCE FLOOD HAZARD
-  AE, 1 PCT ANNUAL CHANCE FLOOD HAZARD
-  AE, FLOODWAY
-  X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD



1 inch = 500 feet



ATKINS



MAP SCALE 1" = 2000 FEET



PANEL 2725G

FIRM
FLOOD INSURANCE RATE MAP
**YAVAPAI COUNTY,
 ARIZONA
 AND INCORPORATED AREAS**

PANEL 2725 OF 3900
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER 040093
 YAVAPAI COUNTY PANEL 2725
 SUFFIX G

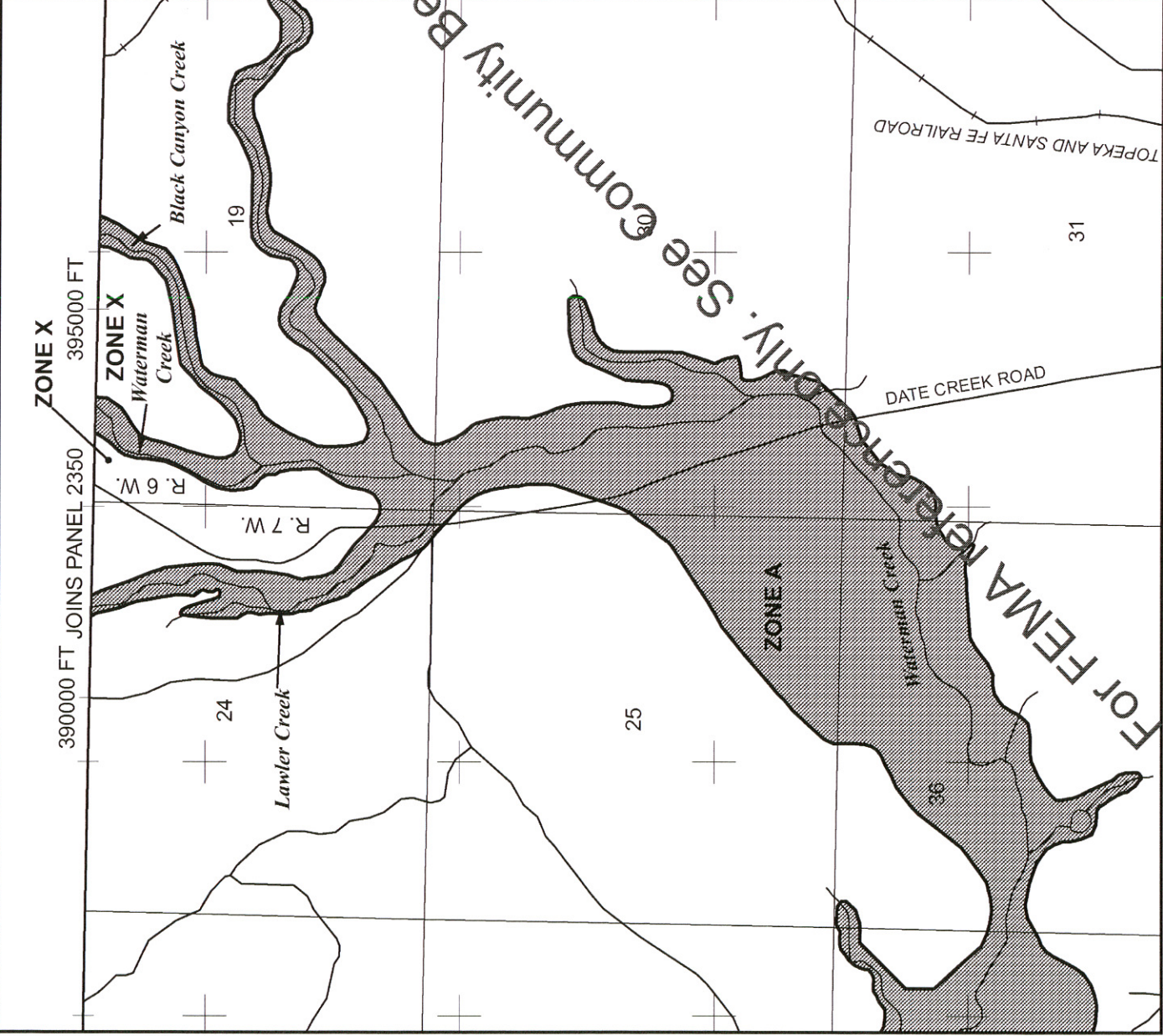
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER 04025C2725G
MAP REVISED SEPTEMBER 3, 2010

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



FOR FEMA REFERENCE ONLY. See Community Best Available Data Map

FEE
\$
\$5
\$5
\$1
\$

at the request of Pioneer Title Agency, Inc.

when recorded mail to
Travis L. Ashby
P.O. Box 1428
Bagdad AZ 86321

00354692-NKM

TAX CODE: 202-16-015

Special Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, the undersigned Pioneer Title Agency, Inc., an Arizona corporation, as Trustee, under Trust No. 00353314, the Grantor herein, does hereby convey to

Travis L. Ashby and Deann L. Ashby, husband and wife

the Grantee, the following real property situated in Yavapai County, Arizona, together with all rights and privileges appurtenant thereto:

Lot 8, SADDLE CREEK RANCH, according to the plat of record in Book 137 of Maps, pages 10 and 11, records of Yavapai County, Arizona.

EXCEPT all coal and other minerals as reserved in patent from the United States of America.

Pursuant to ARS 33-404, the beneficiaries of Pioneer Title Agency, Inc. Trust No. 00353314, are disclosed in instrument recorded in Book 4566, page 186, records of the Yavapai County, Arizona.

Restrictive Water Covenant

SUBJECT TO the Water Right Reservation/Exception (below) that shall run with the Property and bind Grantee and its successors and assigns, and that inures to the benefit of Grantor and its successors and assigns, no additional wells may be drilled on the Property UNLESS a new well is required to REPLACE one or both of the existing wells on the Property or the Property is further subdivided into three (3) separate Parcels, in which case no more than one (1) additional well may be drilled so that each individual Parcel may have its own well. All wells are to be used exclusively for domestic and non-commercial use. Grantee may not withdraw from any new wells drilled for the reasons stated above, more than fifteen (15) gallons per minute. In the event the Property is subdivided, only one (1) operational well may be located and used on each individual Parcel at any one time. The Parcel and in the event of further subdivision, each additional Parcel, may be irrigated PROVIDING HOWEVER, no more than ten percent (10%) of each Parcel is irrigated and no more than six (6) acre feet per calendar year is used from the well on that Parcel. Upon the written request of Grantor, Grantee, its successors and assigns, agree to provide reasonable evidence of any new well's capacity and amount of water withdrawn during the applicable period, under this covenant. In the interest of public health and sanitation, and the environmental protection of the Property and all other lands in the same locality, Grantee shall not use the Property for any purpose that would result in the pollution of any watercourse, which flows from, through or adjacent to any Parcel, by refuse, sewage or other material or constituent that might tend to pollute the waters of any such watercourse or groundwater of the Parcel or the surrounding lands. This covenant is referred to herein as the "Restrictive Water Covenant".

Water Right Reservation/Exception for the Benefit of Grantor

Except as provided for herein, Grantor reserves and/or excepts any and all rights, hereditaments, title and interest in water and water rights incident or appurtenant to, on or under the Property. This reservation/exception includes, but is not limited to: (a) all surface water rights and groundwater rights; and (b) all appurtenance thereto, including but not limited to all easements or rights of way that exist now or may be designated by the Grantor in the future for access to and use of such water, water rights, wells, windmills, pumps, power-supply, fixtures associated with such water rights, and other apparatus (referred to herein as the "Water Right Reservation/Exception").

Grantor retains the water and water rights under the Water Right Reservation/Exception for use on all or part of the common area of the development; or for sale, lease, transfer or other conveyance to others or other locations or uses; or for such other purposes, as the Grantor (or its successors or assigns) may decide from time to time in its sole discretion.

Grantee acknowledges and agrees that Grantor and its predecessors used surface water and groundwater in the

development of the Property. Grantee (and its successors and assigns) covenants and agrees not to interfere with or otherwise obstruct the ability of the Grantor (and its successor and assigns) to use the water and water rights that are reserved and/or excepted by this covenant. Grantee further agrees not to protest, interfere with or otherwise object to the use, development, transfer or transporting of water or water rights, including but not limited to participation in any act or measures with governmental agencies or authorities.

NOTHING CONTAINED HEREIN SHALL PROHIBIT GRANTEE, ITS SUCCESSORS AND ASSIGNS, FROM THE EXCLUSIVE USE, ENJOYMENT AND RIGHTS TO THE WATER PROVIDED BY THE TWO (2) PRE-EXISTING WELLS LOCATED ON THE PROPERTY, PROVIDING HOWEVER THE PROVISIONS UNDER THE "RESTRICTIVE WATER COVENANT" SHALL APPLY.

In exercising the Water Right Reservation/Exception, Grantor retains the right of ingress and egress to Grantor's water source(s); the right to use a reasonable area surrounding said water source(s) as may be needed to exercise the water right or repair or maintain the water facility; the right to construct, maintain, use and relocate such facilities as may be needed to provide power supply to withdraw, distribute or use the water source(s); and the right to construct, maintain, use and relocate such facilities as may be needed to deliver water from its source(s) to the place of use or uses. Grantor reserves such easements as may be identified in the Plat and Grantor (or its successor and assigns) may select the location or relocation of such existing or future easements on the Property, from time to time, as may be convenient and reasonable for the exercise of the Water Right Reservation/Exception. Upon the designation or redesignation of an easement location by Grantor (or its successors or assigns), Grantor (or its successors or assigns) will record that easement with the Yavapai County Recorder's Office. If Grantor locates or relocates an easement in the future, the easement shall not be located where improvements have been constructed on an individual Parcel. Grantee (and its successors and assigns) acknowledges and agrees that these easements associated with the Water Right Reservation/Exception do not overburden the Property and are necessary for the exercise of the Water Right Reservation/Exception.

General Water Covenant Provisions

The Water Right Reservation/Exception and its easements and the Restrictive Water Covenant are intended to run with the Property and inure to the benefit of Grantor and its successors and assigns, and be binding upon Grantee and its successors and assigns and all persons claiming under Grantee. Grantor may assign any or all of the rights to exercise or enforce the Water Right Reservation/Exception and its easements and the Restrictive Water Covenant.

Each and all covenants, conditions, restrictions, and agreements contained herein shall be deemed and construed to be continuing. It is understood and agreed by and between the parties hereto that no waiver of a breach or failure to enforce any covenant, condition, restriction and agreement herein shall be construed to be a waiver of any other breach or failure to enforce the same or any other covenant, condition, restriction or agreement.

It is expressly agreed that if any covenant, condition, restriction or agreement herein, or any portion thereof, is declared to be invalid, unenforceable or void by a court of competent jurisdiction, such declaration shall in no way affect any other covenant, condition, restriction or agreement. If there is any conflict in the interpretation or construction among this Deed, the Declaration of Covenants, Conditions and Restriction, or the Plat, then this Deed shall control.

It is understood and agreed that this Water Right Reservation/Exception and its easements and the Restrictive Water Covenant shall be included in any and all conveyance documents by Grantee and its successors and assigns.

It is further understood and agreed that it shall be lawful for Grantor and its successors and assigns to institute and prosecute any proceeding at law or in equity against the person or persons violating or threatening to violate any covenant, condition, restriction or agreement herein, and to recover any damages suffered from any violation thereof. As an additional covenant running with the land, Grantee and its successors and assigns shall indemnify, defend and hold Grantor and its successors and assigns, and their shareholders, members, partners, officers, directors, employees and agents, harmless from and against any and all claims, demands, causes of action, any appeal thereof, damages, judgments, fees and expenses, including, without limitation, reasonable attorneys' fees, court costs and other professional fees, incurred by Grantor arising out of, relating to, or in connection with a breach of the Water Right Reservation/Exception or its easements, or the Restrictive Water Covenant.



Any covenant, condition, restriction or agreement herein may be modified or removed only by written consent, duly acknowledged and recorded, of the Grantor or its successors or assigns, and only to the extent as set forth in that written consent. All other covenants, conditions, restrictions or agreements shall remain in force. No covenant, condition, restriction or agreement shall be extinguished or modified by prescriptive use or adverse possession by the Grantee or its successors or assigns.

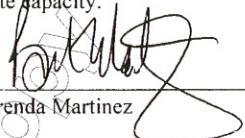
GRANTOR MAKES NO REPRESENTATION OR WARRANTIES TO GRANTEE AS TO ANY WATER QUANTITY OR WATER QUALITY ON THE PARCEL. GRANTOR HAS NO OBLIGATION TO DELIVER WATER TO GRANTEE, ITS SUCCESSORS OR ASSIGNS, OR TO THE PROPERTY.

Subject to all taxes and other assessments, reservations in patents and all easements, rights of way, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And the Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of the Grantor herein and no other, subject to the matters above set forth.

Dated this 13th day of April, 2010

Pioneer Title Agency, Inc., an Arizona Corporation, as Trustee under Trust No. 00353314 and not in its corporate capacity.

BY: 
Brenda Martinez Trust Officer

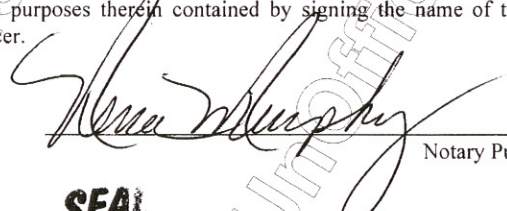
STATE OF ARIZONA

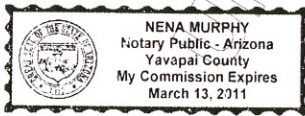
County of Yavapai

} ss

Before me this 13th day of April, 2010, personally appeared **Brenda Martinez**, who acknowledged themselves to be a Trust Officer of Pioneer Title Agency, Inc., and that as such officer being authorized, so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation as Trustee, by themselves as such officer.

My commission expires: _____


Notary Public



SEAL

AFFIDAVI



1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)

Primary Parcel: 202-16-015
BOOK MAP PARCEL SPLIT LETTER

Does this sale include any parcels that are being split / divided?

Check one: Yes No

How many parcels, other than the Primary Parcel, are included in this sale? _____

Please list the additional parcels below (no more than four):

(1) _____ (3) _____
(2) _____ (4) _____

2. SELLER'S NAME AND ADDRESS

Pioneer Title Agency, as Trustee under Trust No. 00353314
120 E. Sheldon Street, #100
Prescott AZ 86301

3. (a) BUYER'S NAME AND ADDRESS:

Travis L. Ashby and Deann L. Ashby
P.O. Box 1428
Bagdad AZ 86321

(b) Are the Buyer and Seller related? Yes _____ No
If Yes, state relationship: _____

4. ADDRESS OF PROPERTY:

13445 S. Date Creek Road, Congress, AZ 85332

5. MAIL TAX BILL TO:

Same as Buyer

6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box

- a. Vacant Land
- b. Single Family Residence
- c. Condo or Townhouse
- d. 2-4 Plex
- e. Apartment Building
- f. Commercial or Industrial Use
- g. Agriculture
- h. Mobile or Manufactured Home
- i. Other Use; Specify: _____

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check one of the following:

To be occupied by owner or "family member." To be rented to someone Other than "family member."

See reverse side for definition of a "family member."

8. NUMBER OF UNITS: _____

For Apartment Properties, Motels, Hotels, Mobile Home Parks, RV Parks, Mini-Storage Properties, etc.

9. FOR OFFICIAL USE ONLY: Buyer and Seller leave blank

- (a) County of Recordation: _____
- (b) Docket & Page Number: _____
- (c) Date of Recording: _____
- (d) Fee/Recording Number: _____

Validation Codes:

(e) ASSESSOR _____ (f) DOR _____

ASSESSOR'S USE ONLY

Verify Primary Parcel in Item 1: _____

Use Code: _____ Full Cash Value: \$ _____

10. TYPE OF DEED OR INSTRUMENT (Check Only One Box):

- a. Warranty Deed
- b. Special Warranty Deed
- c. Joint Tenancy Deed
- d. Contract or Agreement
- e. Quit Claim Deed
- f. Other:

11. SALE PRICE: \$ 189,000.00

12. DATE OF SALE (Numeric Digits): 03 / 10
Month Year

(For example: 03 / 05 for March 2005)

13. DOWN PAYMENT: \$ 3424.00

- 14. METHOD OF FINANCING:**
- a. Cash (100% of Sale Price)
 - b. Exchange or Trade
 - c. Assumption of existing loans
 - d. Seller Loan (Carryback)
 - e. New loan(s) from financial institution:
 - (1) Conventional
 - (2) VA
 - (3) FHA
 - f. Other financing; Specify: _____

15. PERSONAL PROPERTY (see reverse side for definition):

(a) Did the Sale Price in Item #11 include Personal Property that impacted the Sale Price by 5% or more? Yes _____ No

(b) If Yes, provide the dollar amount of the Personal Property:

\$ _____ 00 AND

briefly describe the Personal Property: _____

16. PARTIAL INTEREST: If only a partial ownership interest is being sold,

Briefly describe the partial interest: _____

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone):

Pioneer Title Agency, Inc.
1570 Willow Creek Road, Prescott, AZ 86301

Phone (928) 778-2222

18. LEGAL DESCRIPTION (attach copy if necessary)°

See Exhibit A attached hereto and made a part hereof.

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY

Signature of Seller/Agent

State of Arizona, County of YAVAPAI

Subscribed and sworn to before me this 7 day of May, 2010

Notary Public Primi J. Jones

Notary Expiration Date _____ NOTARY SEAL HERE

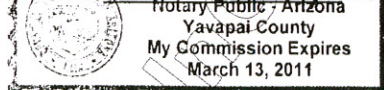
Signature of Buyer/Agent

State of Arizona, County of Yavapai

Subscribed and sworn to before me this 7 day of May, 2010

Notary Public Nena Murphey

Notary Expiration Date: _____ NOTARY SEAL HERE





NATIONAL FLOOD INSURANCE PROGRAM
FEMA PRODUCTION AND TECHNICAL SERVICES CONTRACTOR

February 24, 2015

The Honorable Craig Brown
Chairman, Yavapai County Board of Supervisors
1015 Fair Street
Prescott, AZ 86305

IN REPLY REFER TO:
Case No.: 14-09-4204P
Community: Yavapai County, AZ
Community No.: 040093

316-PMR

Dear Mr. Brown:

This is in reference to a request for a revision to the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community. Information pertinent to this revision request is listed below.

Requester: Ms. Linda A Potter, P.E., CFM
Project Manager
Atkins North America, Inc.

Flooding Sources: Big Chino Creek, Cottonwood Creek, Eastwood Creek, Hitt Wash, Indian Springs Creek, South Kirkland Creek, North Kirkland Creek, Long Canyon Creek, Mud Tank Wash, North Fork Date Creek, Poplar Wash, Ritter Creek, North Strickland Wash, South Strickland Wash, Unnamed Tributary to Date Creek, Unnamed Tributary to Kirkland Creek, Unnamed Tributary to Long Canyon Creek, Unnamed Tributary to Mud Tank Wash, Unnamed Tributary to Strickland Wash, Waterman Creek, and Williamson Valley Wash

FIRM Panels Affected: 04025C0450G, 0475G, 0500G, 0725G, 0750G, 0950G, 0955G, 0970G, 1275G, 1300G, 1650G, 04025C1975G, 2350G, 2375G, 2725G, 2745G, 2750G, and 2765G

We have completed our review of the submitted data and determined that the FIRM and FIS report should be revised as Physical Map Revision (PMR). As a result of this PMR, the flood hazard information will be revised for the following flooding sources:

Big Chino Creek - from approximately 8,000 feet downstream of Walnut Creek to approximately 4,000 feet downstream of the Yavapai County Boundary;
Cottonwood Creek - from the confluence with Date Creek to approximately 15,840 feet upstream of Date Creek Road;
Eastwood Creek - from the confluence with Kirkland Creek to approximately 10,560 feet upstream of Mule Show Ranch Road;

LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304 PH: 1-877-FEMA MAP

BakerAECOM, under contract with the FEDERAL EMERGENCY MANAGEMENT AGENCY, is a
Production and Technical Services Contractor for the National Flood Insurance Program

Hitt Wash - from the confluence with Williamson Valley Road to approximately 4,000 feet upstream of Las Vegas Road;

Indian Springs Creek - from the confluence with Mud Tank Wash to approximately 10,560 feet upstream of Williamson Valley Road;

South Kirkland Creek - from the confluence with Poplar Wash to approximately 5,280 feet upstream of the confluence with Poplar Wash;

North Kirkland Creek - from approximately 18,480 feet north of State Route 96 to approximately 5,280 feet downstream of Single Six Road;

Long Canyon Creek - from the confluence with Strickland Wash to approximately 900 feet upstream of Wildhorse Run Road;

Mud Tank Wash - from the confluence with Williamson Valley Wash to approximately 10,560 feet upstream of the confluence with Indian Spring Creek;

North Fork Date Creek - from approximately 800 feet upstream of the confluence with Date Creek to approximately 10,560 feet upstream of Date Creek Road;

Poplar Wash - from approximately 10,560 feet downstream of State Route 89 to approximately 15,840 feet upstream of State Route 89;

Ritter Creek - from approximately 700 feet downstream of Date Creek Road to approximately 5,280 feet upstream of Date Creek Road;

North Strickland Wash - from approximately 10,560 feet upstream of North Williamson Valley Road to approximately 2,640 feet upstream of West Fair Oaks Road;

South Strickland Wash - from approximately 5,280 feet upstream of Balance Rock Trail to approximately 2,640 feet upstream of Forest Service Road 9400H;

Unnamed Tributary to Date Creek - from the confluence with Date Creek to approximately 5,280 feet upstream of Stetson Ranch Road;

Unnamed Tributary to Kirkland Creek - from the confluence with Kirkland Creek to approximately 2,640 feet upstream of South Fipsila Circle;

Unnamed Tributary to Long Canyon Creek - from the confluence with Long Canyon Creek to approximately 5,280 feet downstream of North Tonto Road;

Unnamed Tributary to Mud Tank Wash - from the confluence with Mud Tank Wash to approximately 10,560 feet upstream of North Williamson Valley Road;

Unnamed Tributary to Strickland Wash - from the confluence with Strickland Wash to approximately 7,920 feet upstream of Balancing Rock Trail;

Waterman Creek - from approximately 5,280 feet upstream of Otoe Way to approximately 2,640 feet upstream of South Date Creek Road;

Williamson Valley Wash - from approximately 10,560 feet upstream of Santa Fe & Big Spring Ranch to approximately 15,840 feet upstream of North Fair Oaks Road.

We are currently preparing a revised FIRM and FIS report for your community. FEMA Region IX has programmed funds to process the PMR as part of this revised FIRM and FIS report. We will incorporate the modifications required by this PMR into the preliminary FIRM before it is distributed, and the modifications will also be included when the FIRM becomes effective.


In order to provide your community with the most up-to-date information possible, we request that your community review the affected FIRM panels and revised FIS report to determine if any additional changes are warranted. Examples of possible changes include updates to corporate limits and new streets. To assist us in processing the revised FIRM and FIS report in a timely manner, we request that your community submit the changes within 30 days of the date of this letter. Please submit any requested changes, along with supporting documentation (e.g. annotated copies of FIRM panels, corporate limits map, topographic mapping), to us at the address shown at the bottom of the first page.

Any changes to the affected FIRM panel or FIS report for your community that are received during this 30-day period will be reviewed and incorporated, as appropriate, before we initiate the revision and republication process. We will send preliminary copies of the revised FIRM and FIS report to your community for review. At that time, your community will have an additional 30 days to provide information to support other changes to the affected portions of the FIS report and map. We will review all information submitted during that 30-day period and incorporate it, as appropriate, before the FIS report and map are republished and distributed.

Your submittal of requested changes during the initial 30-day period will facilitate the revision and republication process. While it may be possible to incorporate requested changes later, it will probably cause significant delays in the revision and republication process. Therefore, if the data to support additional changes are not immediately available, or if additional time is needed, please inform us immediately.

If you have general questions about this case, the review and revision process, FEMA policy, or the National Flood Insurance Program, please call the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning this case, please call the Revisions Coordinator for this request, Mr. Joseph Kuechenmeister, P.E., CFM, at jkuechenmeister@mbakerintl.com or at (720) 479-3181.

Sincerely,



Syed Qayum, CFM
LOMR Technical Manager
BakerAECOM

cc: Mr. Dan Cherry
Director
Yavapai County Flood Control District

Ms. Linda A Potter, P.E., CFM
Project Manager
Atkins North America, Inc.