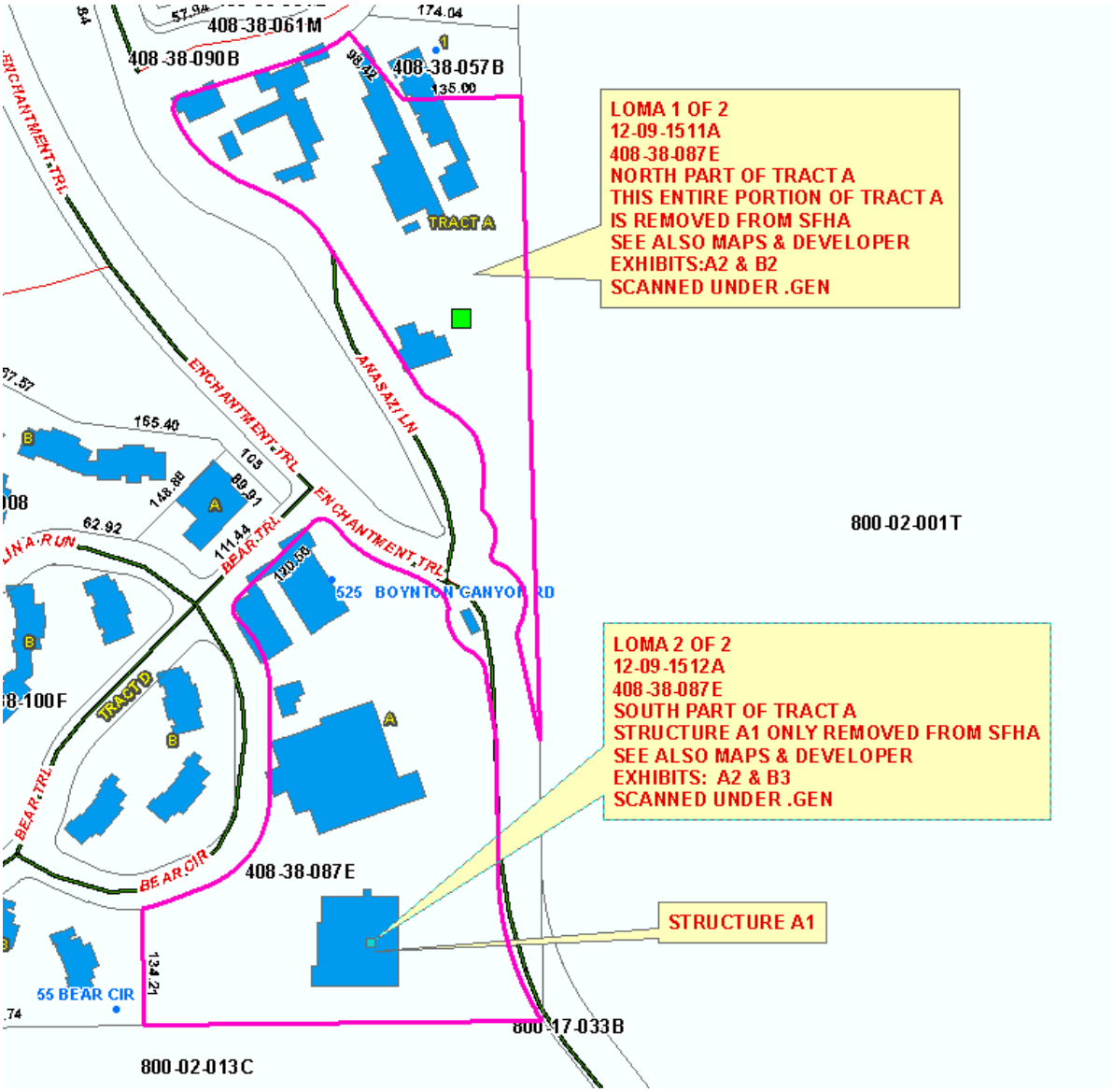
408-38-087E

TRACT A

LOMA 1 OF 2: 12-09-1511A

LOMA 2 OF 2: 12-09-1512A

SEE ALSO DEVELOPER EXHIBITS A2 & B2 (FILED UNDER .GEN)



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	YAVAPAI COUNTY, ARIZONA (Unincorporated Areas)	A portion of Tract A, Second Revised Plat of a Portion of Amended Amended Final Plat John Gardiner's Enchantment recorded as Document No. 4222881, in Book 62, Pages 8 and 9, in the Office of the Recorder, Yavapai County, Arizona.
	COMMUNITY NO.: 040093	The portion of property is more particularly described by the following metes and bounds:
AFFECTED MAP PANEL	NUMBER: 04025C1115G	
	DATE: 9/3/2010	
FLOODING SOURCE: BOYNTON CANYON		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 34.914, -111.852 SOURCE OF LAT & LONG: GOOGLE EARTH PRO DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (LOCAL)	LOWEST ADJACENT GRADE ELEVATION (LOCAL)	LOWEST LOT ELEVATION (LOCAL)
A	--	2nd Revised John Gardiner's Enchantment	525 Boynton Canyon Road	Portion of Property	X (unshaded)	--	--	4474.0 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION
PORTIONS REMAIN IN THE SFHA
ZONE A

STUDY UNDERWAY

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Federal Emergency Management Agency
Washington, D.C. 20472

LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING at the Southeast corner of Lot 1R; thence S01°40'48"E, 667.91 feet; thence S88°19'12"W, 2.80 feet; thence 79.52 feet along a curve to the left having a radius of 50.00 feet; thence 16.38 feet along a curve to the right having a radius of 8.00 feet; thence 56.12 feet along a curve to the left having a radius of 70.14 feet; thence N00°53'40"E, 49.61 feet; thence 69.15 feet along a curve to the left having a radius of 68.24 feet; thence N57°09'56"W, 38.74 feet; thence 9.92 feet along a curve to the right having a radius of 23.07 feet; thence N32°31'28"W, 206.26 feet; thence 74.40 feet along a curve to the left having a radius of 132.53 feet; thence N64°41'15"W, 49.26 feet; thence 107.20 feet along a curve to the right having a radius of 151.89 feet; thence 28.85 feet along a curve to the right having a radius of 17.00 feet; thence N72°59'29"E, 145.68 feet; thence 88.47 feet along a curve to the left having a radius of 152.00 feet; thence S84°56'12"E, 174.04 feet to the POINT OF BEGINNING.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Federal Emergency Management Agency

Washington, D.C. 20472

May 31, 2012

MR. DALE OLSEN
NEW ENCHANTMENT, LLC
525 BOYNTON CANYON ROAD
SEDONA, AZ 86336

CASE NO.: 12-09-1511A
COMMUNITY: YAVAPAI COUNTY, ARIZONA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 040093

DEAR MR. OLSEN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 847 South Pickett Street, Alexandria, VA 22304-4605.

Sincerely,

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region

Federal Emergency Management Agency
Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures. Additional information on the PRP and how a property owner can quality for this type of policy may be obtained by calling the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.

SECOND REVISED PLAT OF A PORTION OF
"AMENDED AMENDED FINAL PLAT JOHN GARDINER'S ENCHANTMENT"

AS RECORDED IN BK. 25 M.&P., PGS. 32–35,
AND THE REVISED PLAT OF SAME
RECORDED IN BK. 38 M.&P., PG. 63, Y.C.R.O.

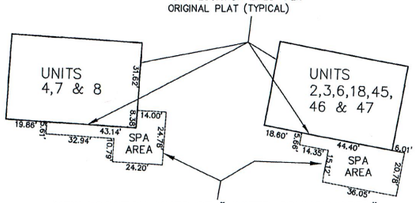
6218

THIS SUBDIVISION BEING LOCATED IN SECTIONS 20 & 29,
T. 18 N., R. 5 E., G.&S.R.M., YAVAPAI COUNTY, ARIZONA

REVISING, MORE PARTICULARLY, PORTIONS OF TRACTS
A, B, & C AND UNITS 2–4,6–8,18 & 45–47

GROSS AREA OF ENTIRE SUBDIVISION = 68.33 ACS. ±

"UNIT LOCATION LINES" PER ORIGINAL PLAT (TYPICAL)



NEW LOCATION LINES OF "LIMITED COMMON AREA" (TYPICAL)
SPA AREAS ARE "LIMITED COMMON AREA" OR MORE CURRENTLY KNOWN AS "LIMITED COMMON ELEMENT"

DECLARATIONS

STATE OF ARIZONA } ss.
COUNTY OF YAVAPAI

NO PART OR PORTION OF THE DECLARATION BELOW SHALL BE CONSTRUED AS A DEDICATION TO THE PUBLIC OF THE PRIVATE ROADWAYS AND OTHER PREMISES DESCRIBED HEREON.

KNOW ALL MEN BY THESE PRESENTS:

THAT NEW ENCHANTMENT, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS HEREBY REVISED A PORTION OF THE "AMENDED AMENDED FINAL PLAT JOHN GARDINER'S ENCHANTMENT" ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 25 MAPS AND PLATS, PAGES 32–35 AND THE REVISED PLAT OF SAME RECORDED IN BK. 38 M.&P., PG. 63 OF THE YAVAPAI COUNTY RECORDER'S OFFICE, SAID SUBDIVISION BEING LOCATED IN SECTIONS 20 & 29, TOWNSHIP 18 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE SECOND REVISED PLAT OF A PORTION OF THE AMENDED AMENDED FINAL PLAT JOHN GARDINER'S ENCHANTMENT AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE REVISED UNITS AND TRACTS CONSTITUTING THE SAME, AND THAT EACH UNIT AND TRACT SHALL BE KNOWN BY THE NUMBER OR LETTER GIVEN EACH RESPECTIVELY ON SAID PLAT AND INCLUDED WITHIN THE ABOVE DESCRIBED PREMISES. TRACTS "A", "B" & "C", AND UNITS 2–4,6–8,18 & 45–47 SHOWN HEREON SHALL BE USED IN CONFORMANCE WITH THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 2026 OF OFFICIAL RECORDS, PAGES 186 AND 228 OF THE YAVAPAI COUNTY RECORDER'S OFFICE. EASEMENTS SHOWN HEREON ARE GRANTED FOR THE PURPOSES SPECIFIED. EASEMENTS FOR OTHER PURPOSES ARE ESTABLISHED IN SAID COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 2026 OF OFFICIAL RECORDS, PAGES 186 AND 228 OF THE YAVAPAI COUNTY RECORDER'S OFFICE.

IN WITNESS WHEREOF: NEW ENCHANTMENT, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, BY VENCURA LTD., A DELAWARE CORPORATION, AS GENERAL MANAGER HAS CAUSED IT'S COMPANY NAME TO BE ATTACHED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF IT'S Agent, WHO IS DULY AUTHORIZED. DONE IN Sedona, ARIZONA THIS 4th DAY OF February, 2008.

SIGNATURE _____ TITLE agent

ACKNOWLEDGMENT

STATE OF ARIZONA } ss.
COUNTY OF YAVAPAI

ON THIS THE 4 DAY OF February, 2008, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Mark Kessler WHO ACKNOWLEDGED HIMSELF TO BE Agent OF VENCURA LTD. AND GENERAL MANAGER OF NEW ENCHANTMENT LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT AS SUCH OFFICER AND BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

Linda Walker, NOTARY PUBLIC MY COMMISSION EXPIRES: 10/31/10

CERTIFICATE OF APPROVAL

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO THE REQUIREMENTS OF THE YAVAPAI COUNTY SUBDIVISION REGULATIONS, AND TO ANY OTHER APPLICABLE REGULATIONS, AND APPEARS TO COMPLY WITH ALL REQUIREMENTS WITHIN MY JURISDICTION. TO CHECK AND EVALUATE.

BY _____ COUNTY ENGINEER — DATE 2/19/08

BY _____ DEVELOPMENT SERVICES DIRECTOR — DATE 3/24/08

BY _____ ENVIRONMENTAL UNIT MANAGER — DATE 3-2-08

_____ FLOOD CONTROL DISTRICT — DATE 2/28/08

BOARD OF SUPERVISORS APPROVAL

I, _____ CLERK OF THE BOARD OF SUPERVISORS OF YAVAPAI COUNTY, HEREBY CERTIFY THAT SAID BOARD APPROVED THE WITHIN PLAT ON THE 19 DAY OF MAR, 2008.

CLERK OF THE BOARD _____ DATE: 3/25/08

ASSURANCE

SATISFACTORY ASSURANCE IN THE FORM OF COMPLETED CONSTRUCTION, AND INSTALLATION OF STREETS, WATER, SEWER, AND ALL REQUIRED IMPROVEMENTS IN THIS SUBDIVISION HAVE BEEN PROVIDED. ELECTRIC, PHONE AN OTHER UTILITY SERVICES HAVE ALSO BEEN INSTALLED BY THE APPROPRIATE UTILITY COMPANIES.

BY: _____ CHAIRMAN–BOARD OF SUPERVISORS — DATE: 3/25/08

ATTEST: _____ CLERK OF THE BOARD

OWNER/DEVELOPER:
NEW ENCHANTMENT, LLC
525 BOYNTON CANYON ROAD
SEDONA, AZ 86336
(928) 204–6260

SURVEYOR:
WM. TOD GRAHAM I, R.L.S.
REGISTRATION NO. 14184
LANDMARK ENGINEERING & SURVEYING, INC.
P.O. BOX 1907
SEDONA, AZ 86339
(928) 282–7104

NOTES

1. ½" RE–BARS W/ PLASTIC CAPS STAMPED "LS 14184" WILL BE SET AT ALL NEW TRACT CORNERS.
2. MONUMENTS AT SUBDIVISION BOUNDARY CORNERS ARE SAME AS SHOWN ON ORIGINAL PLAT

TYPICAL DIMENSIONS OF EXISTING "UNIT LOCATION LINES" FOR UNITS BEING REVISED HEREIN

63.00' × 40.00'
NTS

SCALE: 1" = 100'
0 50 100 200

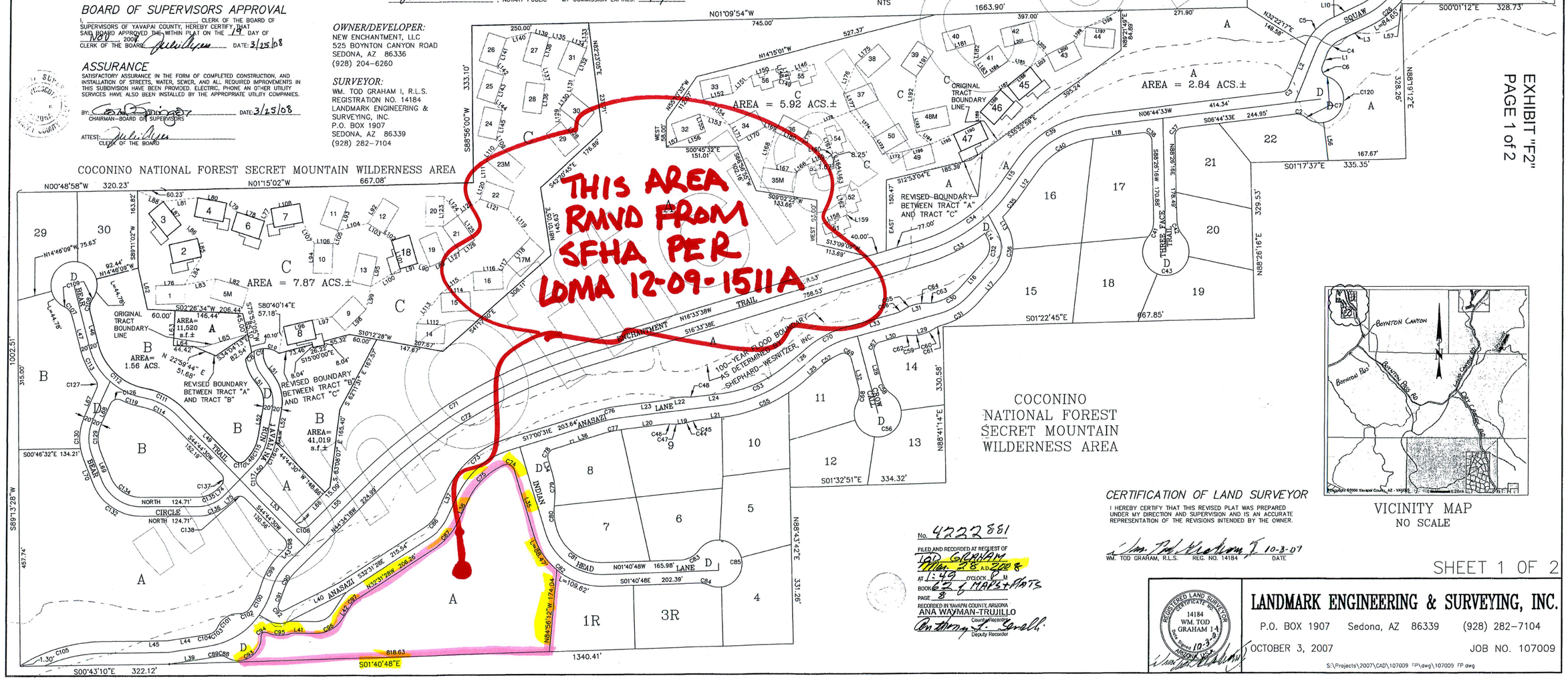


EXHIBIT "F2"
PAGE 1 of 2

VICINITY MAP
NO SCALE

CERTIFICATION OF LAND SURVEYOR

I HEREBY CERTIFY THAT THIS REVISED PLAT WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND IS AN ACCURATE REPRESENTATION OF THE REVISIONS INTENDED BY THE OWNER.

WM. TOD GRAHAM, R.L.S. REG. NO. 14184 — DATE 10-8-07

No. 42222881
FILED AND RECORDED AT REQUEST OF TOD GRAHAM
Mar 28 2008
AT 1:49 O'CLOCK P M
BOOK 62 OF MAPS & PLATS
PAGE 8
RECORDED IN YAVAPAI COUNTY, ARIZONA
ANA WAYMAN–TRUJILLO
County Recorder
Deputy Recorder

REGISTERED LAND SURVEYOR CERTIFICATE NO. 14184 WM. TOD GRAHAM 14 Date Signed 10-3-07 ARIZONA U.S.A.

SHEET 1 OF 2

LANDMARK ENGINEERING & SURVEYING, INC.
P.O. BOX 1907 Sedona, AZ 86339 (928) 282–7104

OCTOBER 3, 2007 JOB NO. 107009

S:\Projects\2007\CAD\107009 FP\dwg\107009 FP.dwg