Book 2010 Page 2834
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By: Randall L. Rattenborg, 105 West Main Street, Manchester, IA, 563-927-2434
Return To: David & Laurel Kretz 26341 212th Avenue, Delhi, IA 52223
Grantors: David & Laurel Kretz, Trustee of the Kretz Family Trust.
Grantees: Federal Emergency Management Agency (FEMA)
Grantees: Lot 10 - Stone's First Addition
Legal Description: See below

AFFIDAVIT

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) LETTER OF MAP AMENDMENT (LOMA) DETERMINATION

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

1) The Kretz Family Trust dated 5/10/2006 is the owner of the following Legal Description as recorded in Book 2006, Page 2464:

   a. ***Lot 10 of Stone's First Addition to Delaware County, Iowa, a subdivision of parts of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) and Southwest Quarter(SW ¼) of the Northwest Quarter (NW ¼) of Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth P.M., Delaware County, Iowa, according to the plat thereof recorded in Plat Record Book 2, Page 90, and re-recorded in Book 3 of Plats, Page 109 in the Office of the Delaware County Recorder;***

2) A Federal Emergency Management Agency (FEMA) Letter Of Map Amendment (LOMA) Determination for the structure on the above Legal Description is being attached to this affidavit on pages 2-4. The data used in this LOMA Determination was submitted to FEMA prior to the Lake Delhi dam breach of July 24, 2010;
3) David C. Kretz and Laurel L. Kretz, Trustee of the Kretz Family Trust desires to make this Federal Emergency Management Agency (FEMA) Letter of Map Amendment (LOMA) Determination a document of record.

David C. Kretz, Trustee of the Kretz Family Trust

Laurel L. Kretz, Trustee of the Kretz Family Trust

State of Iowa)
)
County of Delaware) ss:

On this 20th day of September A.D.2010, before me a Notary Public in and for said County, personally appeared David C. Krtez, Trustee, and Laurel L. Kretz, Trustee, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said County

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

REC'D JUL 12 2010

Federal Emergency Management Agency

Washington, D.C. 20472

July 01, 2010

MR. RANDAL L. RATTENBORG
GIBBS ENGINEERING & SURVEYING P.C.
105 WEST MAIN STREET
MANCHESTER, IA 52057

CASE NO.: 10-07-1620A
COMMUNITY: DELAWARE COUNTY, IOWA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 190863

DEAR MR. RATTENBORG:

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, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Sincerely,

Kevin C. Long

Kevin C. Long, Acting Chief
Engineering Management Branch
Mitigation Directorate

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region

Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	DELAWARE COUNTY, IOWA (Unincorporated Areas)	Lot 10, Stone's First Addition, as shown on the Plat, recorded in Plat Record 2, Page 90, in the Office of the Recorder, Delaware County, Iowa
	COMMUNITY NO.: 190863	
AFFECTED MAP PANEL	NUMBER: 19055C0250E	
	DATE: 8/3/2009	
FLOODING SOURCE: MAQUOKETA RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.405, -91.377 SOURCE OF LAT & LONG: GOOGLE EARTH DATUM: WGS 84

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
10	--	Stone's First Addition	26341 212th Avenue	Structure	X (unshaded)	899.9 feet	900.1 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.)

PORTIONS REMAIN IN THE SFHA
ZONE A

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 structure(s) on 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, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Kevin C. Long

Kevin C. Long, Acting Chief
Engineering Management Branch
Mitigation Directorate

Federal Emergency Management Agency
Washington, D.C. 20472

LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

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.

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, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Kevin C. Long

Kevin C. Long, Acting Chief
Engineering Management Branch