Book 2014 Page 1677
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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: James C. & Laura M. Miller 1941 Jeffrey Drive, Dubuque, IA 52002
Grantors: James C. & Laura M. Miller
Grantees: Federal Emergency Management Agency (FEMA)
Grantees: Portion of Lot 41, Clair-View Acres at Lake Delhi
Legal Description: See below

AFFIDAVIT

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

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

1) James C. & Laura M. Miller according to the Warranty Deed ~~dated~~ recorded 10/09/1996 is the owner of the following Legal Description as recorded in Book 137, Page 170:

2) Lots 41 of "Clair-View Acres at Delhi, Iowa" in Sections Twenty-Three (23) and Twenty-Six (26), Milo Township, Delaware County, Iowa, according to plat thereof recorded in Book 2 Plats, Page 200; and all that lying southerly of said Lot 41 within the extensions of the Easterly and Westerly lines of said Lot 41 and extending to the center of the Maquoketa River; same being a part of the North one-half of the Northeast Quarter of Section Twenty-Six (26), Township Eighty-Eight (88) North, Range Five (5), West of the Fifth Principal Meridian Delaware County Iowa.

   Also identified as 20730 262nd Street, Delhi, IA 52223

3) A Federal Emergency Management Agency (FEMA) Letter Of Map Amendment (LOMA) Determination for a portion of Lot 41 on the above Legal Description is being attached to this affidavit on pages 2-6;
4) The attached LOMA Determinations are valid for the current effective FIRM map; Map Panel No. 19055C0250E, effective date August 3, 2009.
5) James C. & Laura M. Miller desire to make this Federal Emergency Management Agency (FEMA) Letter of Map Amendment (LOMA) Determination a document of record.

James C Miller
James C. Miller

Laura M. Miller
Laura M. Miller

State of Iowa)
)
County of Delaware) ss:

On this 14th day of July A.D. 2014, before me a Notary Public in and for said County, personally appeared James C. Miller and Laura M. Miller, 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.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-15

Federal Emergency Management Agency

Washington, D.C. 20472

July 03, 2014

MR. RANDALL RATTENBORG
BURRINGTON GROUP, INC.
105 WEST MAIN STREET
MANCHESTER, IA 52057

CASE NO.: 14-07-1881A
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, 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

LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	DELAWARE COUNTY, IOWA (Unincorporated Areas)	A portion of Lot 41, Clair-View Acres, as described in the Special Warranty Deed, recorded as Instrument No. 262-1216, in the Office of the Recorder, Delaware County, Iowa. The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 190863	
AFFECTED MAP PANEL	NUMBER: 19055C0250E	
	DATE: 8/3/2009	
FLOODING SOURCE: MAQUOKETA RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.410, -91.389 SOURCE OF LAT & LONG: ARCGIS 10.1 DATUM: NAD 83

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)
41	--	Clair-View Acres	20730 262nd Street	Portion of Property	X (unshaded)	--	--	905.5 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

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, LOMC Clearinghouse, 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 Northwest corner of Lot 41; thence S84°48'09"E, 78.08 feet; thence S05°56'04"W, 139.00 feet; thence N87°25'47"W, 48.00 feet; thence N32°15'33"W, 51.95 feet; thence N07°03'43"E, 100.00 feet to the POINT OF BEGINNING.

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

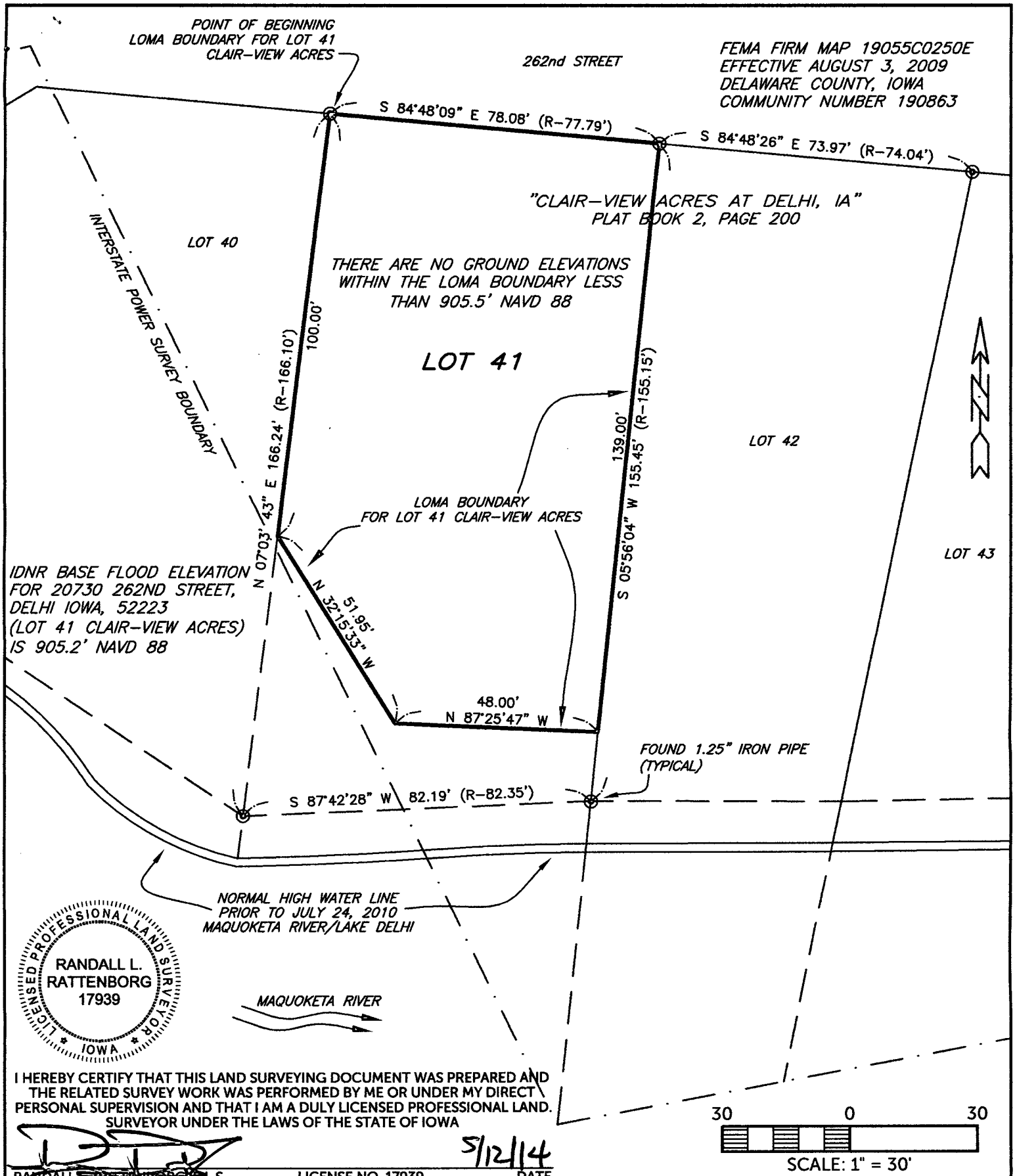
Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

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.

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, 847 South Pickett Street, Alexandria, VA 22304-4605.

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



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

5/12/14

RANDALL L. RATTENBORG, P.L.S. LICENSE NO. 17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2015

PAGES OR SHEETS COVERED BY THIS SEAL: THIS PAGE ONLY

EXHIBIT FOR LOMA BOUNDARY FOR LOT 41,
CLAIR-VIEW ACRES AT DELHI, IOWA
20730 262nd STREET, DELHI, IOWA 52223

BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057
Phone 563-927-2434 burringtongroup.com

LEGAL DESCRIPTION:
LOMA BOUNDARY FOR LOT 41 "CLAIR-VIEW ACRES AT DELHI, IOWA"

BEGINNING at the Northwest Corner of Lot 41 of "Clair-View Acres at Delhi, Iowa" as recorded in Plat Book 2, Page 200;

THENCE along the Northerly Line of said Lot 41, South 84° 48' 09" East, to the Northeast Corner of said Lot 41, 78.08 feet;

THENCE along the Easterly Line of said Lot 41, South 05° 56' 04" West, 139.00 feet;

THENCE North 87° 25' 47" West, 48.00 feet;

THENCE North 32° 15' 33" West, to the Westerly Line of said Lot 41, 51.95 feet;

THENCE along the Westerly Line of said Lot 41, North 07° 03' 43" East, 100.00 feet to the **POINT OF BEGINNING**;

SURVEYOR'S CERTIFICATE

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

5/12/14

Randall L. Rattenborg PLS #17939 Date
My license will be renewed on December 31, 2015