



Federal Emergency Management Agency

Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

COMMENCING at a brass cap in a hand hole found at the west quarter corner of Section 23, Township 2 North, Range 4 East, from which a brass cap in a hand hole found at the northwest corner of said Section 23 bears North 00°00'00" East, 2,657.07 feet; thence along the west line of the northwest quarter of said Section 23, North 00°00'00" East, 688.20 feet; thence North 90°00'00" East, 65.00 feet to a mag nail with washer marked "PLS 19809" found at a point on the easterly right of way line of Scottsdale Road and the southwest corner of said Tract A, said point being the TRUE POINT OF BEGINNING;

thence North 00°00'00" East along the easterly right of way line of Scottsdale Road and the west line of said Tract A, 12.90 feet to the cusp of a non-tangent curve, the radius point of which bears South 36°46'45" East, 75.73 feet;

thence easterly, 41.69 feet along the arc of said curve, concave to the south through a central angle of 31°32'24" to a point of compound curvature having a radius of 322.30 feet;

thence easterly, 102.29 feet along the arc of said curve, concave to the south through a central angle of 18°11'01" to a point of reverse curvature having a radius of 431.86 feet;

thence easterly, 60.46 feet along the arc of said curve, concave to the north through a central angle of 8°01'17" to a point of compound curvature having a radius of 282.48 feet;

thence northeasterly, 47.00 feet along the arc of said curve, concave to the north through a central angle of 9°32'02" to a point of compound curvature having a radius of 92.83 feet;

thence northeasterly, 67.88 feet along the arc of said curve, concave to the north through a central angle of 41°53'48" to a point of compound curvature having a radius of 67.44 feet;

thence northeasterly, 61.06 feet along the arc of said curve, concave to the northwest through a central angle of 51°52'06" to a point on the westerly line of Safari Drive I Plat of Condominium as recorded in Book 850, Page 14, 1ST Amendment recorded in Book 1017, Page 40, and 2nd Amendment recorded in Book 1071, Page 7, Records of Maricopa County, Arizona;

thence along said westerly line, South 49°19'44" East, 235.38 feet to a point on the southeasterly line of said Tract A;

thence along said southeasterly line, South 40°41'18" West, 163.21 feet;

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, 7390 Coca Cola Drive, Ste 204, Hanover, MD 21076.

A handwritten signature in black ink, appearing to read "Luis Rodriguez".

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



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COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA	Blue Sky Scottsdale, described as a portion of Tract A, Paradise Triangle, in the Special Warranty Deed recorded as Instrument No. 20110423121, in the Office of the Recorder, Maricopa County, Arizona. The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 045012	
AFFECTED MAP PANEL	NUMBER: 04013C1695H DATE: 9/30/2005	
FLOODING SOURCE: ARIZONA CANAL		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 33.504, -111.925 SOURCE OF LAT & LONG: GOOGLE EARTH PRO DATUM: NAD 83

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT WOULD BE REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
--	--	Blue Sky Scottsdale	4601 North Scottsdale Road	Portion of Property	X (shaded)	1277.6 feet	--	1277.6 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 ZONE A
PORTIONS REMAIN IN THE SFHA STUDY UNDERWAY
CONDITIONAL LOMR-F DETERMINATION

This document provides the Federal Emergency Management Agency's comment regarding a request for a Conditional Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the proposed described portion(s) of the property(ies) would not be 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) if built as proposed. Our final determination will be made upon receipt of a copy of this document, as-built elevations, and a completed Community Acknowledgement form. Proper completion of this form certifies the subject property is reasonably safe from flooding in accordance with Part 65.5(a)(4) of our regulations. Further guidance on determining if the subject property is reasonably safe from flooding may be found in FEMA Technical Bulletin 10-01. A copy of this bulletin can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>. This document is not a final determination; it only provides our comment on the proposed project in relation to the SFHA shown on the effective NFIP map.

This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request. 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, 7390 Coca Cola Drive, Ste 204, Hanover, MD 21076.

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thence North 49°19'55" West, 249.58 feet;

thence South 40°44'00" West, 68.99 feet;

thence North 49°16'00" West, 108.21 feet to a point on the prolongation of the south line of said Tract A;

thence along said prolonged line, North 90°00'00" West, 80.17 feet to the TRUE 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.

CONDITIONAL LOMR-F DETERMINATION (This Additional Consideration applies to the preceding 1 Property.)

Comments regarding this conditional request are based on the flood data presently available. Our final determination will be made upon receipt of this Comment Document, certified as-built elevations and/or certified as-built survey. Since this request is for a Conditional Letter of Map Revision based on Fill, we will also require the applicable processing fee, and the "Community Acknowledgement" form. Please note that additional items may be required before a final as-built determination is issued.

This letter does not relieve Federal agencies of the need to comply with Executive Order 11988 on Floodplain Management in carrying out their responsibilities and providing Federally undertaken, financed, or assisted construction and improvements, or in their regulating or licensing activities.

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, 7390 Coca Cola Drive, Ste 204, Hanover, MD 21076.

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STUDY UNDERWAY (This Additional Consideration applies to all properties in the CLOMR-F COMMENT DOCUMENT)

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, LOMC Clearinghouse, 7390 Coca Cola Drive, Ste 204, Hanover, MD 21076.

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DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
COMMUNITY ACKNOWLEDGMENT FORM

O.M.B. NO. 1660-0015
 Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.38 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection 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 this 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 must be completed for requests involving the existing or proposed placement of fill (complete Section A) **OR** to provide acknowledgment of this request to remove a property from the SFHA which was previously located within the regulatory floodway (complete Section B).

This form must be completed and signed by the official responsible for floodplain management in the community. **The six digit NFIP community number and the subject property address must appear in the spaces provided below. Incomplete submissions will result in processing delays. Please refer to the MT-1 instructions for additional information about this form.**

Community Number: Property Name or Address: 4601 N SCOTTSDALE RD, SCOTTSDALE 85251

A. REQUESTS INVOLVING THE PLACEMENT OF FILL

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a Conditional LOMR-F, will be obtained. For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species. If an action might ha an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be remov from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DF FEMA for a possible map revision.

Community Comments:

Community Official's Name and Title: <i>(Please Print or Type)</i> <i>C. Ashley Couch, PE, CFM, Stormwater Manager and Floodplain Administrator</i>		Telephone No.: <i>480-312-4317</i>
Community Name: <i>City of Scottsdale, Arizona</i>	Community Official's Signature: (required) <i>C. Ashley Couch</i>	Date: <i>1/12/2012</i>

B. PROPERTY LOCATED WITHIN THE REGULATORY FLOODWAY

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this request for a LOMA. We understand that this request is being forwarded to DHS-FEMA to determine if this property has been inadvertently included in the regulatory floodway. We acknowledge that no fill on this property has been or will be placed within the designated regulatory floodway. We find that the completed or proposed project meets or is designed to meet all of the community floodplain management requirements.

Community Comments: *N/A*

Community Official's Name and Title: <i>(Please Print or Type)</i>		Telephone No.:
Community Name:	Community Official's Signature (required):	Date: