



Nonconversion Agreement

Floodprone Enclosures Below the Design Flood Elevation Rev. 12-18-2014

This DECLARATION made this ____ day of _____, 20____, by _____
("Owner") having the address at _____.

WITNESSETH:

WHEREAS, the Owner is the record owner of all that real property located at _____ within the jurisdiction of Miami, County of Miami-Dade, State of Florida, designated in the Tax Records as _____.

WHEREAS, the Owner has applied for a permit to {circle one} build / improve a structure on this property that has a floodprone enclosed area below the lowest floor (A-Zones) or below the lowest horizontal structural member of the lowest floor (V-Zones) constructed in accordance with the requirements of the Floodplain Management Ordinance of the City of Miami and under Permit Number _____.

WHEREAS, the Owner agrees to record this DECLARATION and certifies and declares that the following covenants, conditions and restrictions are placed on the subject property as a condition of granting the Permit, and affects rights and obligations of the Owner and shall be binding on the Owner, his heirs, personal representatives, successors, future owners, and assigns.

UPON THE TERMS AND SUBJECT TO THE CONDITIONS, as follows:

1. The structure or part thereof to which these conditions apply is: _____
2. At this property, the flood zone is _____, and the Base Flood Elevation is _____ feet NGVD / NAVD (circle one).
3. All interior walls, ceilings and floors below the Design Flood Elevation shall be unfinished or constructed of flood resistant materials. Mechanical, electrical, and plumbing devices shall not be installed below the Lowest Floor/Design Flood Elevation. (For a complete set of requirements, refer to City of Miami's Floodplain Management Ordinance).
4. The walls of the enclosed areas below the Lowest Floor/Design Flood Elevation shall be equipped and remain equipped with flood openings, as shown on the building plans, which shall be functional without human intervention.
5. The jurisdiction issuing the Permit and enforcing the Ordinance may take any appropriate legal action to correct any violation. Any alterations or changes from these conditions also may render the structure uninsurable or significantly increase the cost of flood insurance.
6. The use of floodprone enclosed areas below the Lowest Floor/Design Flood Elevation shall be limited to parking of vehicles, storage, and building access. Any other use shall be considered a violation of the City of Miami's Floodplain Management Ordinance.
7. A duly appointed representative of the City is authorized to enter the property for the purpose of inspecting the exterior and interior of the enclosed area to verify compliance with this Declaration. Such inspections will be conducted upon due notice to the Owner and no more frequently than twice each year. More frequent inspections may be conducted if the semi-annual inspection discovers a violation of the Permit.
8. Other conditions: _____

(signed)

City of Miami Building Official or designee (name & title)

Date: _____, 20____

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me
this ____ day of _____, 20____,

by _____.

(NOTARY SEAL) _____
Signature of Notary Public—State of FL

Printed Name

Personally known ____ or Produced Identification ____

Type of Identification Produced _____

(signed)

Owner

Date: _____, 20____

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me
this ____ day of _____, 20____,

by _____.

(NOTARY SEAL) _____
Signature of Notary Public—State of FL

Printed Name

Personally known ____ or Produced Identification ____

Type of Identification Produced _____