

SECTION A - PROPERTY INFORMATION

FOR INSURANCE COMPANY USE	
A1. Building Owner's Name KIM PROPERTIES	Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 90 EAST MAIN STREET	Company NAIC Number:
City BUCKHANNON	State W.VA.
ZIP Code 26201	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX MAP SHEET 4 - PARCEL 346 - 3.261 ACRES CONSOLIDATION BUCKHANNON CORPORATION DISTRICT, UPSHUR CO	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) NON-RESIDENTIAL	
A5. Latitude/Longitude: Lat. 38 59 41 Long. 80 13 30 Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.	
A7. Building Diagram Number 1	
A8. For a building with a crawlspace or enclosure(s):	A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) N/A sq ft	a) Square footage of attached garage N/A sq ft
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____	b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____
c) Total net area of flood openings in A8.b _____ sq in	c) Total net area of flood openings in A9.b _____ sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No	d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number CITY OF BUCKHANNON 540199		B2. County Name UPSHUR		B3. State W.VA.	
B4. Map/Panel Number 54097C0126	B5. Suffix D	B6. FIRM Index Date --	B7. FIRM Panel Effective/Revised Date 9-29-2010	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 1415.7

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:
 FIS Profile FIRM Community Determined Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: NGVD 1929 NAVD 1988 Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No
 Designation Date: _____ / _____ / _____ CBRS OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.
 Benchmark Utilized: **1433 GRAFTON** Vertical Datum: **NAVD 1988**

Indicate elevation datum used for the elevations in items a) through h) below. NGVD 1929 NAVD 1988 Other/Source: _____
 Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab)	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	1414 . 5	<input type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	1414 . 7	<input type="checkbox"/> feet <input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	_____ . _____	<input type="checkbox"/> feet <input type="checkbox"/> meters

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SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments.

Certifier's Name ROBERT A. KITZMILLER		License Number 635	
Title PROFESSIONAL SURVEYOR		Company Name PRECISION SURVEY COMPANY	
Address 566 MAIN ST, ROAD		City BUCKHANNON	State WVA
		ZIP Code 26201	
Signature <i>Robert A. Kitzmiller</i>		Date 6/3/2015	Telephone 304-472-0171

PLACE SEAL HERE

ELEVATION CERTIFICATE, page 2

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 90 EAST MAIN STREET			Policy Number:	
City BUCKHANNON	State W.VA.	ZIP Code 26201	Company NAIC Number:	

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments

Signature *Robert A. Krummel* Date 6/3/2015

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8–9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ . _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ . _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ . _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name _____

Address _____	City _____	State _____	ZIP Code _____
Signature _____	Date _____	Telephone _____	

Comments _____

Check here if attachments.

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable Item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number _____	G5. Date Permit Issued _____	G6. Date Certificate Of Compliance/Occupancy Issued _____
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- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ . _____ feet meters Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ . _____ feet meters Datum _____
- G10. Community's design flood elevation: _____ . _____ feet meters Datum _____

Local Official's Name _____	Title _____
Community Name _____	Telephone _____
Signature _____	Date _____

Comments _____

Check here if attachments.

**NON-CONVERSION AGREEMENT
FOR STRUCTURES IN THE 100-YEAR FLOODPLAIN**

(Attached Garages, Basements, Detached Garages, Entertainment Areas, Pavilions, Sheds, Storage Rooms - Crawl Spaces Greater Than 6 Feet in Height)

Application has been made for a **Conditioned Permit** to build a _____
Entertainment Area, Pavilion

which does not conform to the elevation requirements of the City of Buckhannon's Floodplain Ordinance.

Permit Number: _____

Property The Bientennial Inn, Restaurant + Lounge (K+M Properties, LLC) Owner: _____

- Kathleen Doughney Address: 90 East Main Street, Buckhannon, WV 26201

Base Flood Elevation at the site: 1415.7 (NGVD/NAVD)

Deed Date and Reference (Block, Parcel Tax Map folio etc.): tax map sheet 4 - Parcel 346
3.261 Acres Consolidation Buckhannon Corporation District Upshur Co

In consideration for the granting of a Conditioned Permit for the above structure which does not conform to the requirements of the Floodplain Ordinance of the City of Buckhannon, the Property Owner agrees to and understands the following:

1. That the enclosed area (where applicable), if permitted, shall be used solely for parking of vehicles, limited storage, or access to the building and will never be used for human habitation or living quarters without first becoming fully compliant with the Floodplain Ordinance in effect at the time of conversion.
2. That all interior walls, ceilings, and floors below the Flood Protection Elevation Level shall be unfinished and/or constructed of flood-resistant materials as identified in the Floodplain Ordinance.
3. That all mechanical, electrical, or plumbing devices shall not be installed below the Flood Protection Elevation Level (i.e. the Base Flood Elevation (BFE)). In some instances as determined by the City's Floodplain Manager, the installed devices may require installation 18" above the BFE.
4. That the walls of the enclosed areas below the BFE level shall be equipped with at least two (2) water equalizing vents which permit the automatic entry & exit of flood water, with total openings of at least one square inch (1 in²) for every square foot (1 ft²) of enclosed area below flood level. The water equalizing vents shall be on at least (2) different walls and the bottoms of the vents shall be no more than one foot (1 ft.) above adjacent ground grade.
5. Understands that the requested structure may increase the risk to life and property, and may be subject to increased premium rates for flood insurance from the National Flood Insurance Program (NFIP).
6. That any variation in construction beyond what is approved & permitted by the City of Buckhannon shall constitute a violation and be abatable as such.

7. By receiving this permit, the Property Owner agrees to notify any prospective buyer of the existence of this agreement. It shall be the responsibility of the Property Owner to transfer this Non-Conversion Agreement at closing to the new owner via notarized signature. It is also the responsibility of the Property Owner to forward a copy of all executed agreements to the City of Buckhannon's Certified Floodplain Manager. Failure to notify, transfer and forward the Non-Conversion Agreement to the appropriate parties shall subject the Property Owner to penalties as set forth in the Floodplain Ordinance.
8. That this Non-Conversion Agreement becomes part of Permit Number 72994 and grants the Building Official, the Zoning Official and/or the Certified Floodplain Manager the ability to inspect and enforce the provisions of this Non-Conversion Agreement at any time.
9. **The Property Owner understands that the primary reason for the execution of this Non-Conversion Agreement is to prevent conversion of spaces originally designed only for limited storage, parking of vehicles, temporary (less than five (5) days) entertainment purposes or access to the structure, into living quarters that will put humans and damageable contents in danger from flooding.**

[Handwritten Signature]
Property Owner's Signature

6/9/15
Date

Kathleen Loughney
Printed Name

Property Owner's Signature

Date

Printed Name

Type of Identification: WV DL E237448

Witness my hand and official seal, this 9th day of June 2015

[Handwritten Signature]
Notary Public Signature



Notary Seal

Note: This Non-Conversion Agreement must be used whenever a permit to build or substantially improve an enclosed storage, parking, garage, pavilion or other building access structures is requested *within* the 100-floodplain below the Base Flood Elevation. This Non-Conversion Agreement must be signed whenever permits are to be issued (for example, garages and accessory structures and foundation enclosures which exceed 6 feet in height). This Non-Conversion Agreement must be recorded as a deed restriction by the County Clerk of Upshur County prior to the Certificate of Occupancy and/or Certificate of Use is issued.

Note: The phrase "Flood Protection Elevation level" is defined as the Base Flood Elevation (BFE) as depicted on an official FEMA Flood Insurance Rate Map (FIRM) or a Community-determined BFE. The BFE may be increased by the City of Buckhannon's adoption of a higher elevation standard, which includes 18" of "Freeboard" above the indicated BFE.



90 E Main