

**CITY AND COUNTY OF DENVER**  
**NON-CONVERSION COVENANT**  
**FOR CERTAIN STRUCTURES IN THE REGULATORY FLOODPLAIN**

Sewer Use and Drainage Permit Number: \_\_\_\_\_ (YYYY-SUDP-#####)

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Structure(s) in the Floodplain ("Structure(s)": \_\_\_\_\_

Deed dated: \_\_\_\_\_, Recorded: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_, Block Number: \_\_\_\_\_, Parcel Number: \_\_\_\_\_

FEMA Flood Insurance Rate Map (FIRM):

Map Number: \_\_\_\_\_, Map Revised date: \_\_\_\_\_

Flood Zone Designation: \_\_\_\_\_. [A, AE, AH, AO (1' depth), AO (2' depth), AO (3' depth)]

Base Flood Elevation (BFE) at the structure is: \_\_\_\_\_ feet (NAVD88)

Source of Zone Designation and BFE, if not FEMA Data: \_\_\_\_\_

Flood Protection Elevation (FPE) at the structure is: \_\_\_\_\_ feet (NAVD88)

By signing this document, the Property Owner acknowledges that the structure listed above has received special permission to be constructed in the Regulatory Floodplain and agrees to the following:

1. That enclosed areas within the Structure below the Flood Protection Elevation shall be used solely for parking of vehicles, limited storage, or access to the building and shall never be used for, or converted to, human habitation without first becoming fully compliant with the City and County of Denver Floodplain Ordinance in effect at the time of conversion.
2. That portions of the Structure below the Flood Protection Elevation shall be constructed of flood damage-resistant materials, per FEMA Technical Bulletin 2, latest edition.
3. That all electrical, heating, ventilation, plumbing, and air conditioning equipment and other services shall not be installed below the Flood Protection Elevation, or are designed and constructed so as to prevent water from entering or accumulating within the components during conditions of flooding, up to the Flood Protection Elevation.
4. That the walls of the enclosed areas below the Flood Protection Elevation shall be equipped with flood openings or flood vents as shown on the approved SUDP drawings, or with flood openings or flood vents which permit the automatic entry and exit of floodwaters per 44CFR 60.3(c)(5) and FEMA Technical Bulletin 1, latest edition.
5. That any alterations or changes from these conditions, or variation in construction beyond what is permitted shall constitute a violation of the City and County of Denver Floodplain Ordinance, and may render the structure uninsurable or increase the cost of flood insurance, and may subject the Property Owner to a requirement to correct any violation and/or enforcement action. The conditions of this Non-Conversion Covenant apply to the Structure until and unless a revision of the Regulatory Floodplain becomes effective that allows other uses.
6. That this Non-Conversion Covenant be recorded in the City and County of Denver real property records.
7. That this Non-Conversion Covenant runs with the land.

[Signatures follow on next page.]

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

PROPERTY OWNER:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

STATE OF \_\_\_\_\_)

\_\_\_\_\_ ) ss

COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ ,  
20\_\_\_\_ , by \_\_\_\_\_ as \_\_\_\_\_ for \_\_\_\_\_ ,  
as the Property Owner.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address