



# APPENDIX G NON-CONVERSION AGREEMENT



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## NONCONVERSION AGREEMENT FOR CERTAIN STRUCTURES IN THE FLOODPLAIN

Whereas, Permit # \_\_\_\_\_ has been issued to construct, improve, or repair the property at \_\_\_\_\_ [address] (“Property”) within the Metropolitan Government of Nashville and Davidson County, Tennessee, and

Whereas, Declarant, Property owner (“Owner”), is lawfully seized of the Property and possessed of said land in fee simple and has good right to make the following declarations and covenants, and

Whereas, the permitted building on the Property has the lowest floor elevated above the base flood elevation plus 4 feet and the design and construction of the building meets current building code and flood damage prevention ordinance requirements, and

Whereas, as a condition of a Use and Occupancy Certificate Owner must agree to not alter the building at a later date so as to violate the building code or flood damage prevention ordinance requirements,

Now, therefore, the undersigned Owner of said Property hereby agrees to the following:

1. That the enclosed area below the lowest floor shall be used solely for parking of vehicles, limited storage, or access to the building and will never be used for human habitation without first becoming fully compliant with the flood damage prevention ordinance in effect at the time of conversion.
2. That all interior walls, ceilings, and floors below the base flood elevation shall be unfinished or constructed of flood-resistant materials.
3. That mechanical, electrical, or plumbing devices that service the building shall not be installed below the base flood elevation plus 1 foot.
4. That the openings in the walls of the enclosed area below the lowest floor shall not be blocked, obstructed, or otherwise altered to reduce the size of the openings or restrict the automatic entry and exit of floodwater.
5. That any variation in construction beyond what is permitted shall constitute a violation of this agreement and Sections 5.5.4 and 5.5.5 of the Stormwater Management Manual and Article V of Chapter 17.36 of the Metropolitan Code of Laws.
6. That the owner and subsequent owners understand that the Metropolitan Government of Nashville and Davidson County, Tennessee, has a right to inspect inside the premises at any time to verify compliance with this agreement.



7. That this Agreement shall be recorded with the deed and the foregoing restrictions and covenants shall run with the land and shall be binding on Owner and all subsequent owners of the Property (or any portion thereof) and shall inure to the benefit of and be enforceable by Metro, its successors and assigns (although Metro's failure to exercise its enforcement rights in any particular situation shall not be deemed a waiver of them).

_____	_____
Signature of Property Owner	Witness
Printed name: _____	Printed name: _____
Date: _____	Date: _____

This space reserved for deed recording notations.



WITNESS my/our hand(s), this \_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Declarant

\_\_\_\_\_  
Declarant

**STATE OF TENNESSEE  
COUNTY OF DAVIDSON**

Before me, \_\_\_\_\_, a Notary Public of the State and County  
aforesaid, personally appeared \_\_\_\_\_  
with whom I am personally acquainted, and who, upon oath, acknowledged \_\_\_\_\_  
to be \_\_\_\_\_  
the within named bargainer(s), \_\_\_\_\_ and that \_\_\_\_\_, as  
such \_\_\_\_\_  
being authorized to do so, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

My Commission Expires \_\_\_\_\_.



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**FOR GOVERNMENT USE ONLY**

I, \_\_\_\_\_, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this is a true and correct copy of the original documents executed and authenticated according to law as of \_\_\_\_\_.

Date

This instrument has been reviewed and approved by the Metro Water, Property Services.

\_\_\_\_\_  
Signature

**STATE OF TENNESSEE  
COUNTY OF DAVIDSON**

Personally appeared before me, the undersigned, a notary for this County and State, \_\_\_\_\_, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

\_\_\_\_\_  
Notary Signature

MY COMMISSION EXPIRES: \_\_\_\_\_  
Notary's Seal