

Wolfe Pointe ARC Disclaimer

Disclaimer #1 – Flood Zone AE

- 1) The ARC notes that a portion of the owner's lot *may be* located in Flood Zone AE which is considered a special flood hazard area by the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM). Zone AE is in the FEMA 100 year floodplain, meaning that it has at least a one percent (1%) chance of being inundated per year, or a twenty-six percent (26%) chance of being inundated over the life of a 30 year mortgage. In addition, Zone AE areas have established base flood elevations (BFE's) that have been determined by FEMA and those elevations may be critical to the design of improvements on your subject property. Properties must comply with all provisions of the National Flood Insurance Program (NFIP) of which Sussex County is a participating member. This includes requirements to carry flood insurance if obtaining a federally backed mortgage, or bringing a property up to current floodplain management standards if substantial improvements to an existing property are made (defined as the cost of improvements or the cost of repairs exceeding 50 percent of the market value of a building).
- 2) The provisions of the National Flood Insurance Program (NFIP) are considered minimum standards by FEMA. The ARC encourages property owners to avoid construction inside zone AE when at all possible and to build or improve their lot to higher standards to mitigate future risk.
- 3) The Wolfe Pointe Property Owners Association has no liability for any problems or issues that being in a special flood hazard area may cause the owner of said lot.
- 4) The lot owner must comply with all Sussex County code and permitting requirements, including detailed floodplain management regulations enacted as part of the NFIP.

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Disclaimer #2 – Related to Wetlands / Woodlands / Conservation Easements

- 1) The Wolfe Pointe neighborhood has lots which abut to or are located near tidal wetlands, woodland areas, and/or conservation easements which provide a number of benefits to our community, including flood mitigation, habitat, views, open space, and stabilization of soils. The Wolfe Pointe Property Owners Association and ARC want to make you aware these wetlands, woodlands, drainage swales, stormwater management areas, and easements are a naturebased infrastructure supporting our community that was an integral part of the original subdivision design. Property owners are strongly discouraged from making any landscaping, elevation, grading, or drainage alterations that impair the health and condition of these resources. Any construction near these facilities and resources should be carefully planned and adequate protection will be required.
- 2) Any disturbance of areas owned by the State of Delaware may result in enforcement actions against the property owner(s) by the State of Delaware or other regulatory agencies and organizations.
- 3) When constructing, improving, grading, or landscaping a lot, property owners and their contractors and design professionals must consider and address any adverse drainage, flooding, or runoff issues affecting their property or neighboring properties.
- 4) Sussex County stormwater and sediment regulations are considered minimum standards that do not factor in extreme weather or changing environmental conditions. ARC encourages

property owners, contractors and other professionals to design and build to higher standards to avoid future issues. A copy of the erosion and sediment control plan approved by Sussex County must be provided to the ARC prior to construction activities on the subject property.

5) Any review of plans containing landscaping, elevation, grading, drainage, or other alterations to the natural environment by the Property Owners Association or ARC is not intended to serve as a qualified engineering opinion. Neither the Property Owners Association nor the ARC shall be held liable for damage, drainage, flooding, or runoff issues affecting the property or property of others. Property owners should coordinate closely with their design professionals to ensure the adequate and responsible disposition of stormwater is achieved without adversely affecting other properties, open space areas or the Wolfe Pointe roadway network. If adverse issues arise on either the homeowner's property or a neighbor's property, the property owner shall make every effort to correct these issues in a timely manner.