



# LAND USE POLICIES HANDBOOK

## LAKE ERLING, ARKANSAS

### EXHIBIT 1

By Order of The AGRED Foundation, Inc.

February 27, 2015

The above policy was adopted by The AGRED Foundation, Inc. on May 1, 2014.  
The above policy was edited on February 27, 2015.

## EXHIBIT 1

### Policies on Land Use Around Lake Erling

All lessees are responsible for compliance with local, state, and federal laws, policies, and regulations, including but not limited to applicable environmental laws, policies, and regulations.

In an effort to provide more and better fishing for the people of Arkansas, The AGRED Foundation has adopted many of the policies of the Arkansas Game and Fish Commission. The Arkansas Game and Fish Commission (AGFC) in agreement with The AGRED foundation will continue to manage and control the game and fish of Lake Erling for the benefit of the public. The AGRED Foundation will continue to maintain Lake Erling and must approve any work performed around the lake within the boundaries of its ownership. Specifically The AGRED Foundation owns a strip of land all the way around lake Erling up to the 225' Mean Sea Level (MSL). The width of this strip varies along the shoreline depending on the topography and it is incumbent upon the landowner to ensure they do not encroach upon The AGRED Foundation Property without written approval and permit from the AGRED Foundation.

Because more and more people are developing land around Lake Erling, it has become necessary for The AGRED Foundation to evaluate and expand its policy concerning shoreline developments.

### RETAINING WALLS AND RIPRAP

Many lakefront landowners would like to stabilize, beautify and/or deepen the shoreline and have expressed a desire to build retaining walls. A written request must be made to the office of The AGRED Foundation describing the type of work to be done and the exact location of the lot.

If the request is approved, The AGRED Foundation will allow retaining walls to be built in the following manner:

1. A retaining wall may be built at the 225' MSL as illustrated in Figures 1 and 2. If the bottom of the lake is deepened, the waste dirt may be used to fill behind the retaining wall. The person doing the work is responsible for disposing of the waste dirt onto property not owned by The AGRED Foundation.

Figure 1

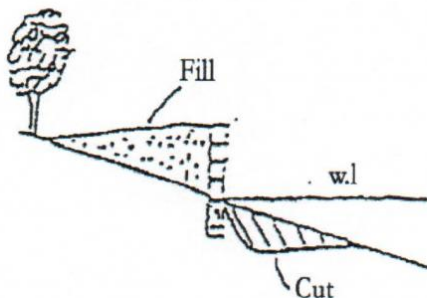
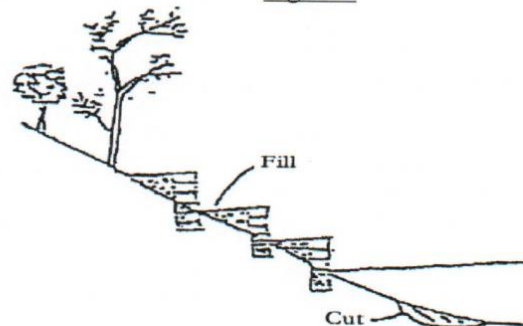
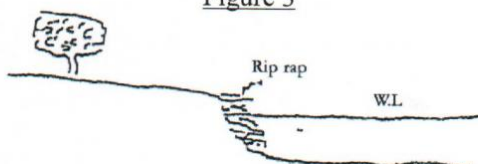


Figure 2



2. If the shoreline is steep, retaining walls may be built in a stair-step fashion as is in Figure 2.
3. Riprap may be used as a shoreline stabilizer to reduce or prevent erosion by wave actions as in Figure 3.

Figure 3





No other manipulation of the shoreline will be permitted without special permission. It is not permissible to extend or cut into the shoreline in any manner. Figure 4 shows an example of these unacceptable practices.

Figure 4

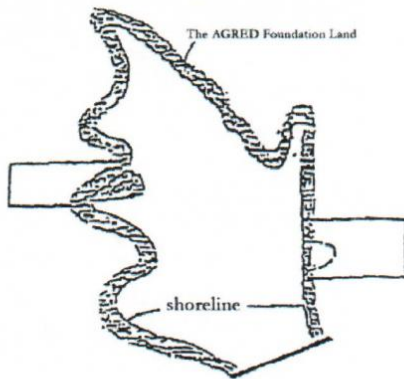
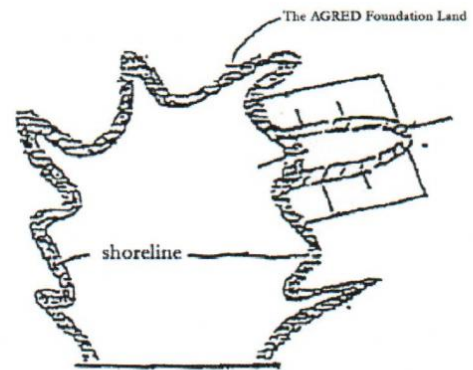


Figure 5



### CANALS

Some adjacent landowners have dug canals from the lake to private land in order to provide frontage to lots that are not located on the lake. This practice is not acceptable. In the cases where this has been done, the landowner must deed to The AGRED Foundation a strip of land around the canal the same width as The AGRED Foundation owned land around the remainder of the lake. If the landowner refuses to deed this land to The AGRED Foundation, the canal will be closed and the original shore line restored by The AGRED Foundation.

Any landowner(s) who desires to dig such a canal must obtain prior permission from The AGRED Foundation. The landowner(s) must deed to The AGRED Foundation a continuous strip of land around the canal the same width as that which borders the lake. All necessary surveys, legal documents, filing fees, etc., for this transaction must be paid by the landowner(s). Figure 5 illustrates this operation.

In many instances on Lake Erling, the water is very shallow near the shoreline, making it difficult for motorboats to reach the shore. It is only permissible to cut a ditch from the shore to deep water when the lake is drawn down for maintenance (as seen in Figure 6) and permission has been obtained from The AGRED Foundation. All material, including debris, resulting from this action must be removed from the lake and any other property belonging to The AGRED Foundation.

Figure 6

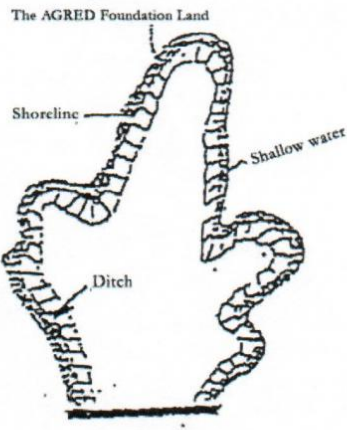
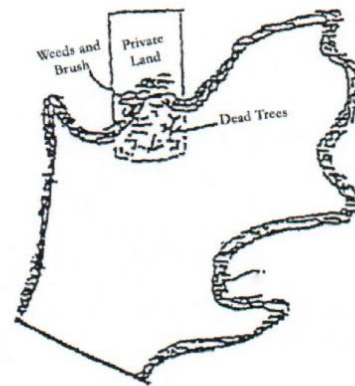


Figure 7



## USE OF CHEMICALS

The AGRED Foundation requests that all chemicals used on The AGRED Foundation properties follow the University of Arkansas Cooperative Extension Service's recorded document on Recommended Chemicals for Weed and Brush Control, MP-44, which can be found by visiting <http://www.uaex.edu/publications/mp-44.aspx>.

## REMOVAL OF DEAD TIMBER

An adjacent landowner is also allowed to remove dead timber from an area directly in front of his lot, as in [Figure 7](#). If this timber is cleared, it must be removed from the lake and/or any other property owned by The AGRED Foundation.

## CUTTING TREES AND VEGETATION

In many instances the strip of land owned by The AGRED Foundation is covered with weeds, brush, and trees. The AGRED Foundation will permit landowners to clear out the weeds and brush, but not to cut live trees, without prior approval by The AGRED Foundation.

## OTHER ALLOWABLE PRACTICES

1. Existing<sup>1</sup> permanent houses and/or mobile homes with permanent annexes that are on The AGRED Foundation property will be allowed if the owner obtains a Land Use Permit from The AGRED Foundation for all structures on The AGRED Foundation property. The owner must pay for all recording and other fees.
2. Septic tank field lines **are not** allowed on The AGRED Foundation property.
3. Existing wells will be allowed as long as they do not interfere with public access, and do not despoil the area. No new wells will be allowed on The AGRED Foundation land.

## NON-ALLOWABLE PRACTICES

1. Fences are obstructions and sometimes become eyesores. All new fences on The AGRED Foundation property must be approved prior to construction. This will include fences around dog pens, chicken lots, yard fences and all other fences.
2. Gardens cause turbidity problems and garden insecticides could cause fish kills. Gardens will not be allowed on The AGRED Foundation property after January 1, 2015.
3. Storage buildings may become eyesores and tend to become junk houses. Storage buildings will not be allowed on The AGRED Foundation property, without permit and approval by The AGRED Foundation.
4. Trailers and campers will not be allowed, except in designated camping areas.
5. The AGRED Foundation property is not the proper place to dispose of junk, and this will not be allowed (ex: old car bodies, appliances, truck beds, roofing shingles, old tires etc.).

No new permanent structures on The AGRED Foundation property will be allowed without first obtaining a permit.

All structures not specified in this policy are not allowed unless special permission is received in writing from The AGRED Foundation.

## PERMITS

An annually renewable permit may be granted by The AGRED Foundation for any pre-existing structure. If a permit is not granted, it is with the understanding that the structure must be removed within ninety (90) days after written notice from the The AGRED Foundation.

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<sup>1</sup> In-place prior to the adoption of this policy (November 1, 2013).



An annually renewable permit may be granted by The AGRED Foundation for any pre-existing structure. If a permit is not granted, it is with the understanding that the structure must be removed within ninety (90) days after written notice from the The AGRED Foundation.

Permits must also be obtained by floating structures that are docked on the water for more than 24 hours at a time, such as house boats, floating houses, etc. All of these boats must have a permit lease issued by The AGRED Foundation, and be marked with an AGRED issued permit tag that can be easily viewed by AGRED personnel. These permitted floating structures will only be allowed docking in their designated permitted area for overnight use. For example, permitted leases will normally begin at the AGRED property line (225' MSL), and extend 150' perpendicularly into the water. No overnight docking is allowed anywhere except within the boundaries of the permitted lease. These permitted leases will be located on those easements that have not yet been obtained or purchased.

### **SPECIFICATIONS OF STRUCTURES**

1. New boat houses (not to include toilet facilities) for private adjacent landowners and/or cabin owners, may be constructed if written permission has been granted by The AGRED Foundation
2. Boat docks or piers for private adjacent landowners and/or cabin owners may be constructed if written permission has been granted by The AGRED Foundation and a permit has been issued by The AGRED Foundation, and a setback 15' from an imaginary line drawn perpendicular from the shoreline to the existing lot corners must exist.
3. All structures must be approved as to the design, dimensions and materials by The AGRED Foundation, and shall be permanently fixed adjacent to the owner's lot or land.
4. Boat docks, piers, or boathouses must display the The AGRED Foundation permit number. Permit numbers will be provided by The AGRED Foundation, and must be placed on the side of the structure facing the center of the lake. If no structure exists, location numbers must be places on the outermost tree facing the center of the lake. Permits are transferable. In the event the adjacent land and approved structure is sold, the buyer must procure from The AGRED Foundation an additional permit in his name.
5. The adjacent landowner must remove the construction when he no longer has need for it or pay for the removal of the construction. Such construction shall be maintained in good repair and maintenance at all times. Failure of construction to pass inspection by The AGRED Foundation will be grounds for revoking a permit.
6. Structures will be inspected annually and permits renewed upon expiration of said permit.
7. No change in the configuration of the shore line will be allowed without special permission of The AGRED Foundation. A separate permit will be negotiated with The AGRED Foundation in advance of each desired change.

Notwithstanding any of the guidelines laid out herein, all lessees are responsible for compliance with all local, state, and federal guidelines.

The AGRED Foundation retains the right to request removal of any structure built or placed upon property belonging to The AGRED Foundation.