

Sabine River Authority, State of Louisiana
SHORELINE DEPARTMENT
15091 TEXAS HWY.
MANY, LA 71449
318-256-4112

**APPLICATION FOR AUTHORIZATION TO REGISTER EXISTING
RESIDENTIAL ENCROACHMENT
UPON LANDS OWNED BY SRALA**

FULL AND COMPLETE NAME OF APPLICANT(S): _____

(For title purposes, the authorization will only be issued to the individuals named on the tract's deed of conveyance)

MAILING ADDRESS: _____

City _____ State _____ Zip _____

PHONE: home _____ work _____ cell _____

Email _____

Legal Description of Applicant's land adjacent to encroachment on SRALA property:

_____ Section _____, Township _____ N, Range _____ W in _____

Parish OR Subdivision _____ Lot _____

Block _____ in _____, Louisiana

PHYSICAL OR LAKE ADDRESS:

_____ City _____

State _____ Zip _____

I hereby make application for an authorization to register an Existing Encroachment as follows:

1. Nature of Existing Encroachment: _____

2. Encroachment constructed of:

3. Square footage of encroachment:

4. Date encroaching structure (or other improvement) was built (must be prior to **August 1, 2014**): _____

5. Type of Authorization:

_____ New Permit

_____ New Right-of-Way

_____ New Easement

_____ Transfer of Existing Permit, Right-of-Way or Easement

Applicant is advised that SRALA grants rights-of-way or easements only as required by lending institution policies to facilitate financing of the premises. Any applicant seeking a right-of-way or easement must provide documentation of this requirement.

If requesting to transfer an existing permit, right-of-way or easement, the Applicant must include a copy of the existing permit, right-of-way or easement as recorded in the Clerk of Court records.

Applicant verifies that he/she has read the above and foregoing provisions, together with the Rules and Regulations and Instructions mentioned herein, and fully understands them, is aware of their contents and agrees to be bound by said terms and conditions.

Signature of Applicant

Date

TERMS AND CONDITIONS

By signing this Application, the Applicant hereby acknowledges, consents and agrees to the following:

1. The Applicant shall provide full access to its property by SRALA, through its authorized employees or contractors, for purposes of conducting a survey that includes: the Toledo Bend Project take line; the 175 ft. msl contour line; the 172 ft. msl contour line; and the square footage of the encroachment.
2. Applicant acknowledges that any permit, right-of-way or easement granted by SRALA in response to this application will require Applicant to abide by the provisions of the Shoreline Management Plan (SMP) and all rules and policies as adopted by the SRALA Board of Commissioners. Any transferred permit, right-of-way or easement will be updated to reflect SRALA's currently applicable requirements.
3. Applicant acknowledges that any permit, right-of-way or easement granted by SRALA in response to this application may be revoked at any time by SRALA for non-compliance with the terms of such permit, right-of-way or easement. In addition to revocation, violation of such terms and conditions may subject the Applicant to legal or administrative action or both.
4. Applicant acknowledges that any permit, right-of-way or easement granted will require the Applicant to be wholly responsible for all costs, including, but not limited to, costs of removal and reclamation, any court costs and attorney fees incurred by the SRALA for removal of said structure from SRALA's property, in the event SRALA revokes the permit, right-of-way or easement.
5. Applicant acknowledges that the permit, right-of-way or easement will require Applicant to maintain the existing encroachment in a safe and orderly condition and not to enlarge the encroachment.
6. Applicant hereby agrees that any and all actions taken by Applicant, his agent, heirs, representatives or assigns on said existing encroachment on SRALA property are at his own risk, and that SRALA, including without limitation its Board members, employees and authorized contractors, is hereby released from any and all claims for injuries or damages incurred on SRALA's premises.
7. Applicant hereby agrees that Applicant, his heirs, representatives or assigns will indemnify and hold and save harmless SRALA, its Board members, employees, and authorized contractors against any and all claims for damages to property, or injuries received by anyone, as a direct or indirect result from the Applicant's encroachment upon SRALA's property, arising either from alleged or in fact negligence or any other claim of Applicant, his agents, representatives, servants or guests; and Applicant further agrees to defend any and all suits filed or prosecuted against SRALA, its Board members, employees, and authorized contractors, and to pay any and all judgments, together with court costs, attorney fees and all other expenses of defending such suits.
8. Applicant acknowledges that issuance of a permit under this Application does not convey any interest or right of ownership in the permitted lands.
9. Applicant hereby grants permission to SRALA, through its authorized employees or contractors, to physically inspect Applicant's improvement on encroachment area and, when necessary and reasonable, to enter upon Applicant's property for the purpose of gaining access to the existing encroachment.
10. Applicant acknowledges that any permit, right-of-way or easement granted will require Applicant to maintain appropriate insurance for the structure and personal property therein.
11. Applicant acknowledges that SRALA will file in the Parish Clerk of Court's records a copy of any permit, right-of-way or easement granted, together with a copy of the improvement survey, and will provide a certified copy of filing to Applicant.
12. Applicant must submit a one-time fee for the purpose of reimbursing SRALA for the cost of the survey and filing of the permit, right-of-way or easement with the Clerk of Court.
13. Applicant acknowledges that any permit, right-of-way or easement granted will retain in SRALA all flowage rights and all other rights and interests in the property necessary and

appropriate to operate the Toledo Bend Project for all purposes of its Federal Energy Regulatory Commission license.

14. Applicant acknowledges that any permit, right-of-way or easement granted will require that at the end of life of the facility the structure will be removed.

Applicant verifies that he/she has read the above and foregoing provisions, together with the Rules and Regulations and Instructions mentioned herein, and fully understands them, is aware of their contents and agrees to be bound by said terms and conditions.

Signature of Applicant

Date

The completed Application for Authorization to Register Existing Residential Encroachment, the reimbursement fee, and all other requested documentation should be forwarded to the address at the top of this Application.

Instructions for Submitting an Application for Authorization to Register Existing Residential Encroachment

Authorization to register existing encroachment must be obtained for improvements upon SRALA lands. Typically, these encroachments occur within the leaseback area.

In most instances, SRALA will authorize an existing encroachment through the issuance of a permit. SRALA recognizes, however, that some lending institutions may require a different authorization, such as an easement or right-of-way. SRALA will work with applicants in meeting requirements of lending institutions, but additional documentation and fees may apply. In no circumstance will SRALA convey a fee interest to authorize an encroachment.

These instructions for submitting an application for authorization are provided only as a convenience to assist applicants in preparing an application. When completing an application, all Applicants should fully review and become familiar with the SRALA Board of Commissioners' "Policy for Administering the Shoreline Management Plan (SMP) – Encroachments" (dated May 2016) and applicable rules and regulations. These rules and regulations are contained in the SMP and any additional rules and policies as adopted by the SRALA Board of Commissioners. The SMP is posted on the SRALA website at www.srala-toledo.com.

1. Encroachments are unpermitted habitable buildings, or other permanent or temporary structures or improvements, including sewer facilities, located on or attached to SRALA lands.
2. To be eligible for a permit, the encroachment must have been **in existence prior to August 1, 2014**. When submitting an application for permit to register an encroachment, an Applicant must provide documented proof that the encroachment was built prior to August 1, 2014.
3. These instructions apply only to SRALA's issuance of a permit, right-of-way or easement for encroachments related to residential use.
4. Applicant must be the adjacent landowner to SRA's property where the existing encroachment is located.
5. To apply, an Applicant must: (a) fill out the entire application and sign it; (b) review the terms and conditions accompanying the application and sign; and (c) provide all accompanying information included in the checklist below. SRALA will not process any applications that are incomplete or that are missing required documentation.
6. Once filed, it will take some time for SRALA to make a determination. All permits to register existing encroachment must be approved by the SRALA Board of Directors, and in some cases SRALA will need to provide advance notice to, or receive approval from, the Federal Energy Regulatory Commission (FERC).
7. A permit, easement or right-of-way to register an existing encroachment will be issued for the length of the useful life of the structure, and may be assigned upon approval by the SRALA Board of Directors, and will transfer to the heirs, legatees and devisees upon the death of the holder.
8. Transfers of a permit will follow the same procedure for a new permit. SRALA may waive said requirements in its discretion related to the transfer of a permit.
9. In some cases, SRALA may be unauthorized to grant an application unless other local, state or federal agencies, including but not limited to FERC, the U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, and Louisiana State Historic Preservation Officer, approve of the encroachment. Upon review of the application, SRALA will make a determination of which approvals may be necessary, and Applicant will be responsible for obtaining all such approvals; however, SRALA will interface with FERC on the matter if the SRALA determines that FERC approval or notification of the authorization of the encroachment is required. Applicant is also advised to contact the local floodplain administrator.
10. In addition to the one-time fee for reimbursement to SRALA for the cost of the survey and filing fee, any additional cost to SRALA associated with issuance of a permit, easement or right-of-way will be passed on to Applicant.

11. Questions should be addressed to SRALA's Shoreline department at the address above or by phone.

Applicant Checklist for Authorization to Register Existing Encroachment

1. Toledo Bend Reservoir vicinity map with location of Encroachment designated.
2. Property Deed evidencing applicant's ownership of property adjacent to the existing encroachment.
3. Documentation that the encroachment was in existence prior to August 1, 2014.
4. Copy of existing permit, easement or right-of-way as recorded in the Clerk of Court records (only if Applicant is requesting a transfer).
5. Lending institution requirements on needed authorization (only if Applicant seeks an authorization other than a permit).