

EXHIBIT XII

COMMUNITY DOCK AGREEMENT
EXAMPLE

DATE: _____

TO: _____ ADDRESS: _____

LOCATION: _____

PERMIT NO: _____ EXPIRES: _____

I, _____, have been appointed designated agent to act on behalf of _____ (Incorporated club or home owners association).

I, _____, have been appointed designated agent to act on behalf of members of the community dock.

I understand that Permit No. _____ is issued for a community dock. As Designated Representative, I agree that issuance of the permit is dependent upon the following conditions:

a. Users of community docks must own an undivided interest proportionate to use in the dock and each member will be obligated to bear a proportional share of construction, maintenance and upkeep expenses. Community dock members are encouraged to form a legal association.

b. The Resource Management Office will be provided with list of all individuals having interest in the community dock. Individuals may not hold interest in more than one dock slip in one or more community docks. When a share of a community dock is sold, the name and address of the new owner and previous owner will be furnished to the Resource Management Office.

c. No boats or slips may be rented at community docks, and guests may not moor their boats at community docks except for temporary use, not to exceed the length of stay of the guest. No commercial activities will be permitted on the dock or on public lands adjacent to it.

d. A permit for a community dock does not give the members any exclusive rights with regard to the use of public lands for access, parking, or utilities to serve the dock nor to remove vegetation or trees, to construct breakwaters to protect the dock from wave damage, or to install buoys to restrict speeds of passing boats.

e. The permit will be reassigned with the permission of the Resource Manager.

f. The shoreline adjacent to a community dock will be kept clean by dock members and maintained free of litter and debris, including building materials.

g. It will be the responsibility of all community dock members to provide for general safety of other members and/or guests on and around the community dock.

h. Members of the community dock, their guests and others shall save and hold the U.S. Government and its authorized representatives harmless from all claims for damages.

i. Community dock members shall not discriminate against any person or persons because of race, religion, color, creed, or national origin in conduct of operations on premises. Community dock members must allow other applicants to add on to the dock, if natural physical conditions permit, provided the maximum number of ten slips is not exceeded.

j. The community dock must be constructed in accordance with the West Point Lake Shoreline Management Plan. Enclosed docks or slips will not be permitted. The facility shall be designed as a whole, but individual units may be built as needed and authorized by modification of the permit. The Designated Representative, on behalf of the members, may request expansion of the community dock. However, no expansion or alteration may be accomplished until detailed plans and specifications have been approved by the Resource Manager.

k. All conditions of the West Point Lake Shoreline Management Plan will be adhered to.

I agree to discuss the above conditions with all members of the community dock association and act as Designated Representative until such time as another agent is appointed. Such appointment must be furnished in writing and approved by the Resource Manager. As agent, I will ensure the above conditions are adhered to and that the community dock facility is maintained in a safe, structurally sound and attractive manner at all times. I understand that I may be required to appear before a U.S. Magistrate for noncompliance with terms and conditions of this permit.

_____ (SEAL)

DATE

Resource Manager
West Point Lake

PROPERTY OWNERS ASSOCIATION
COMMUNITY FLOATION FACILITY
Permit/License _____
List of lot owners assigned to facility

Slip#1.

Slip#2.

Slip#3.

Slip#4.

Slip#5.

Slip#6.

Slip#7.

Slip#8.

Slip#9.

Slip#10.

EXHIBIT XIII



US Army Corps
of Engineers
Mobile District

Conditions for Grandfathered Limited, Minor Underbrushing on West Point Lake

Underbrushing permits will be limited to area identified on the Shoreline Use Permit Site Sheet Plan and in the Special Conditions portion of the Shoreline Use Permit form SAD 3185-R. Underbrushing will be permitted under these guidelines until the adjacent private property fronting the underbrushing area is sold or changes ownership.

CONDITIONS:

1. Permittee may cut and remove only undesirable trees and underbrush five (5) inches or less in diameter at ground level, leaving trees no more than eight (8) feet apart or less. (Eight-by-eight spacing)
2. Permittee may not cut a tree or trees larger than five (5) inches in diameter at ground level unless approved and marked by the Ranger. Dead trees must also be approved and marked by Ranger before removal.
3. Permittee may not cut or remove any native ornamental plants or trees (such as dogwoods, magnolias, azaleas, etc.) regardless of spacing, unless specifically authorized and marked by the Ranger.
4. Permittee may prune low limbs on large trees from ground up to a height of ten (10) feet, or 1/3 the height of the tree, whichever is less. Limbs will be trimmed close to the trunk.
5. Permittee may use only hand tools (power or manual). No equipment larger than small riding mowers may be used. Mowers may not be used on slopes where the removal of grass and leaf mulch will contribute to soil erosion. No heavy equipment may be left or operated on public land. When questions arise about a specific kind of equipment, permittee should contact the Ranger.
6. Permittee will not use herbicides, insecticides, or any kind of biological control chemicals on public land. If unusual conditions exist, such as a kudzu infestation, the permittee should contact the Resource Management Office to determine if a Specified Acts Permit may be obtained.
7. Permittee may pile and burn underbrush authorized for cutting by this permit. If underbrush is burned on public property, all burning must take place below the 635' M.S.L. elevation. All burning must comply with state regulation; permittee must contact the county office of the state forestry commission prior to burning and get permission to burn. No controlled or prescribed burning is permitted.
8. Permittee may plant up to four (4) native trees or shrubs (dogwood, redbud, wax myrtle, etc.) without prior approval, provided they are located in a random fashion and do not displace existing vegetation. Larger scale projects require prior approval of a planting plan.



US Army Corps
of Engineers
Mobile District

Conditions for a Five Foot Wide Meandering Pathway on West Point Lake

Permits for vegetation removal on public lands allocated as "Protected" will be limited to a five (5) foot wide meandering pathway extending from the public property line to the shoreline. No underbrushing or other vegetative removal is permitted in these areas.

CONDITIONS:

1. The five foot wide pathway will meander (twist; turn; wander; wind; ramble) following the contour or the lay of the land as closely as possible.
2. Permittee may cut and remove only undesirable trees and underbrush five (5) inches or less in diameter at ground level within the bounds of the five foot wide pathway.
3. Permittee may not cut a tree or trees larger than five (5) inches in diameter at ground level unless approved and marked by the Ranger. Dead trees must also be approved and marked by Ranger before removal.
4. Permittee may not cut or remove any native ornamental plants or trees (such as dogwoods, magnolias, azaleas, etc.) unless specifically authorized and marked by the Ranger.
5. Permittee may prune low limbs on large trees from ground up to a height of ten (10) feet or 1/3 the height of the tree, whichever is less if the limbs hang over the five foot wide pathway. Limbs will be trimmed close to the trunk.
6. Permittee may use only hand tools (power or manual). No equipment larger than small riding mowers may be used. Mowers may not be used on slopes where the removal of grass and leaf mulch will contribute to soil erosion. No heavy equipment may be left or operated on public land. When questions arise about a specific kind of equipment, permittee should contact the Ranger.
7. Permittee will not use herbicides, insecticides, or any kind of biological control chemicals on public land. If unusual conditions exist, such as a kudzu infestation, the permittee should contact the Resource Management Office to determine if a Specified Acts Permit may be obtained.
8. Permittee may pile and burn underbrush authorized for cutting by this permit. If underbrush is burned on public property, all burning must take place below the 635' M.S.L. elevation. All burning must comply with state regulation; permittee must contact the county office of the state forestry commission prior to burning and get permission to burn. No controlled or prescribed burning is permitted.
9. Permittee may plant up to four (4) native trees or shrubs (dogwood, redbud, wax myrtle, etc.) without prior approval, provided they are located in a random fashion and do not displace existing vegetation. Larger scale projects require prior approval of a planting plan.

EXHIBIT XIV

WEST POINT LAKE NATIVE PLANT LIST

NATIVE TREES (* Denotes value for wildlife)

<u>Acer barbatum</u>	*Florida Maple
<u>Acer negundo</u>	Boxelder
<u>Acer rubrum</u>	*Red Maple
<u>Betula nigra</u>	*River Birch
<u>Carpinus caroliniana</u>	*American Hornbeam
<u>Carya cordiformis</u>	*Bitternut Hickory
<u>Carya glabra</u>	Pignut Hickory
<u>Carya ovata</u>	*Shagbark Hickory
<u>Carya pillada</u>	*Sand Hickory
<u>Carya tomentosa</u>	*Mockernut Hickory
<u>Castanea pumila</u>	*Allegheny Chinkapin
<u>Celtis laevigata</u>	*Sugarberry
<u>Cercis canadensis</u>	Eastern Redbud
<u>Cornus florida</u>	*Flowering Dogwood
<u>Crataegus spp.</u>	*Hawthorne
<u>Diospyros virginiana</u>	*Persimmon
<u>Fagus grandifolia</u>	*American Beech
<u>Fraxinus pennsylvanica</u>	Green Ash
<u>Ilex opaca</u>	*American Holly
<u>Juglans nigra L.</u>	*Black Walnut
<u>Juniperus virginiana L.</u>	Red Cedar
<u>Liquidambar styraciflua</u>	*Sweetgum
<u>Liriodendron tulipifera</u>	Yellow Poplar
<u>Magnolia virginiana</u>	Sweetbay
<u>Nyssa sylvatica</u>	Blackgum
<u>Ostrya virginiana</u>	Eastern Hophornbeam
<u>Pinus echinata Mill.</u>	Shortleaf Pine
<u>Pinus taeda L.</u>	*Loblolly Pine
<u>Platanus occidentalis</u>	*American Sycamore
<u>Populus deltoides</u>	*Eastern Cottonwood
<u>Prunus serotina</u>	*Black Cherry
<u>Quercus alba</u>	*White Oak
<u>Quercus coccinea</u>	*Scarlet Oak
<u>Quercus falcata</u>	*Southern Red Oak
<u>Quercus lyrata</u>	*Overcup Oak
<u>Quercus michauxii</u>	*Swamp Chestnut Oak
<u>Quercus nigra</u>	*Water Oak
<u>Quercus rubra</u>	*Northern Red Oak
<u>Quercus shumardii</u>	*Shumard Oak
<u>Quercus stellata</u>	*Post Oak
<u>Salix nigra</u>	Black Willow
<u>Tilia heterophylla</u>	White Basswood
<u>Ulmus alata</u>	*Winged Elm
<u>Ulmus americana</u>	American Elm

NATIVE SHRUBS AND VINES (* Denotes value for wildlife)

<u>Alnus serrulata</u>	*Tag Alder
<u>Asimina parviflora</u>	Dwarf Pawpaw
<u>Asimina triloba</u>	Pawpaw
<u>Berberis canadensis</u>	American Barberry
<u>Bignonia capreolata</u>	Cross Vine
<u>Callicarpa americana</u>	*Beauty Berry
<u>Calycanthus floridus</u>	Sweet Shrub
<u>Campsis radicans</u>	*Trumpet Creeper
<u>Chionanthus virginicus</u>	Grancy Graybeard
<u>Cocculus carolinus</u>	Coral Bean
<u>Gelsemium sempervirens</u>	Yellow Jessamine
<u>Hydrangea quercifolia</u>	Oak Leaf Hydrangea
<u>Hypericum prolificum</u>	St. John's Wort
<u>Ilex laevigata</u>	Smooth Winterberry
<u>Kalmia latifolia</u>	*Mountain Laurel
<u>Lonicera sempervirens</u>	*Red Trumpet Honeysuckle
<u>Malus angustifolia</u>	Southern Crab Apple
<u>Morus rubra</u>	Red Mulberry
<u>Myrica asplenifolia</u>	*Sweet Fern
<u>Myrica cerifera</u>	*Wax Myrtle
<u>Parthenocissus quinquefolia</u>	*Virginia Creeper
<u>Persea borbonia</u>	Swamp Red Bay
<u>Philadelphus hirsutus</u>	Mock Orange
<u>Philadelphus inodorus</u>	Philadelphus
<u>Rhododendron carolinianum</u>	Carolina Rhododendron
<u>Rhododendron catawbiense</u>	Catawba Rhododendron
<u>Rhododendron minus</u>	Piedmont Rhododendron
<u>Rhus Copallina</u>	Shining sumac
<u>Rubus betulifolius</u>	*Blackberry
<u>Rubus flagellaris</u>	*Dewberry
<u>Rubus trivialis</u>	*Southern Dewberry
<u>Salix sericea</u>	Silky Willow
<u>Sassafras albidum</u>	Sassafras
<u>Schisandra coccinea</u>	Star Vine
<u>Smilax glauca</u>	*Sawbrier Smilax
<u>Smilax laurifolia</u>	*Smilax
<u>Smilax pumila</u>	*Dwarf Smilax
<u>Smilax rotundifolia</u>	*Greenbrier
<u>Styrax grandifolius</u>	*Snowbell
<u>Vaccinium arboreum</u>	*Sparkleberry
<u>Viburnum acerifolium</u>	*Maple Leaved Arrowwood
<u>Viburnum dentatum</u>	*Southern Arrowwood
<u>Viburnum prunifolium</u>	*Blackhaw
<u>Vitis rotundifolia</u>	*Muscadine

EXHIBIT XV

PERMIT

TO PERFORM SPECIFIED ACTS

RESERVOIR

NO.

Pursuant to authority delegated by the District Engineer, U. S. Army Engineer District, _____, the individual hereinafter named, his agents, servants, or employees, for his convenience, is hereby granted a permit for the sole and express purpose to: (Describe & Locate)

THIS PERMIT IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. If the work herein authorized is not completed on or before _____, this authorization, if not previously revoked, shall cease and be null and void.
- 2. Any shrub, sod plantings, or improvements made to or upon the Government property under the authority of this permit shall not thereafter be removed or modified except upon the written consent of the Reservoir Manager.
- 3. The exercise of the privileges hereby granted shall be without cost or expense to the United States, under the general supervision and subject to the approval of the Reservoir Manager and subject also to such regulations as may be prescribed by the District Engineer.
- 4. Permittee shall hold the Government, its officers, agents and employees harmless from any and all claims of any nature whatsoever arising from or out of the performance of the acts authorized by this permit.
- 5. No property right or interest in the real estate is conveyed hereby. The permittee has no rights of supervision or control of the use of the Government-owned lands, and the free use of such Government land is and shall remain open to the public.
- 6. Permittee agrees to furnish and install prior to the above date and thereafter to maintain a sign displaying the following number _____. The number shall be not less than three inches in height, with white paint on a dark background, and readily visible from both the water and land side.

NOTE: The flood control pool is that area between elevations _____ and _____ MSL. The power pool is that area between elevations _____ and _____. The level of the reservoir may rise into the flood control pool when required by the needs of flood control and may draw down below the top of the power pool (_____) when required by other project needs.

DATE

RESERVOIR MANAGER

The above instrument, together with all the conditions thereof, is hereby accepted this _____ day of _____, 19____.

(Permittee)

(Address)

EXHIBIT XVI

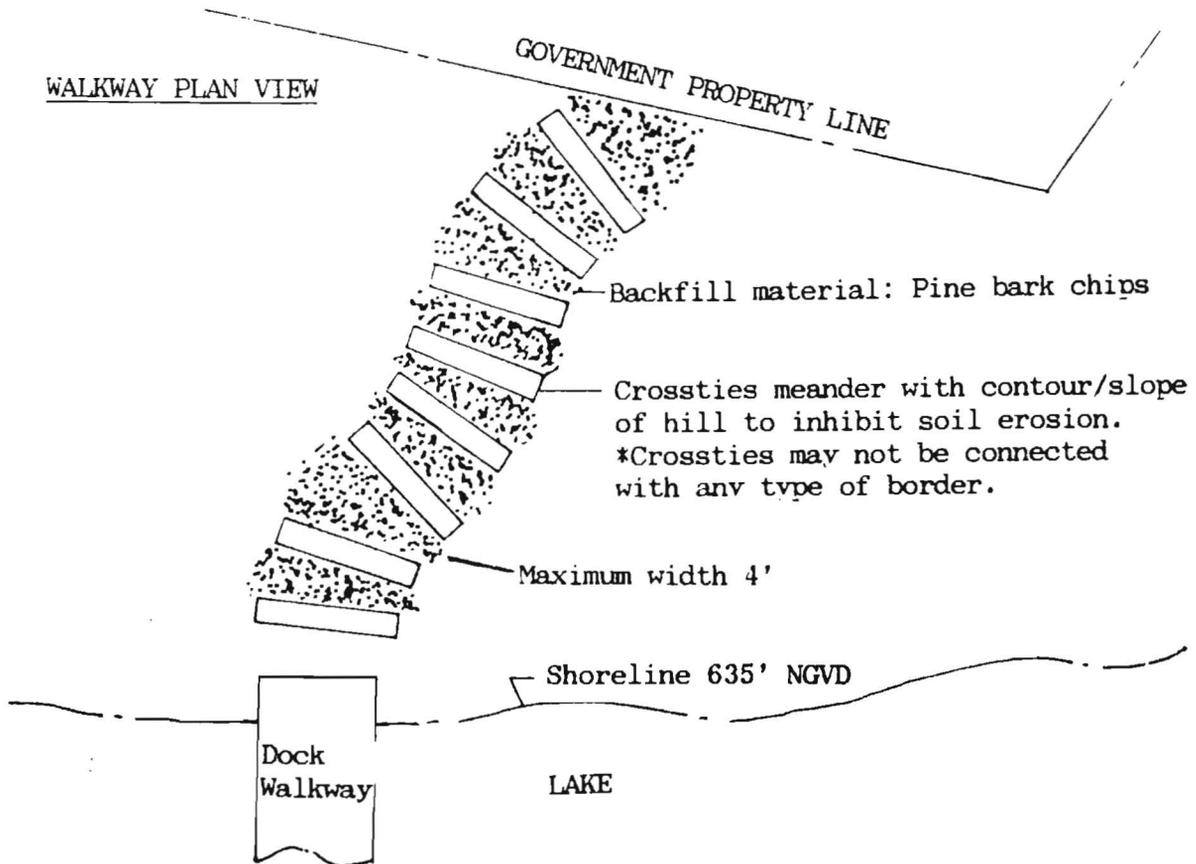


US Army Corps
of Engineers
Mobile District

Guidelines for Planning an Improved Walkway on West Point Lake

Plans must be submitted showing proposed dimensions and construction materials. The walkway should follow the topography and be of simple design.

SAMPLE DESIGN



WALKWAY CONSTRUCTION CROSS-SECTION

