

SWLRE

DEPARTMENT OF THE ARMY  
Little Rock District, Corps of Engineers  
P.O. Box 867  
Little Rock, Arkansas 72203

*Library*  
LRDR 405-1-3

**LIBRARY COPY**

Regulation  
No. 405-1-3

16 July 1975

Real Estate  
OUTGRANTS - ISSUANCE AND ADMINISTRATION

1. Purpose. This regulation prescribes an orderly program for the issuance of outgrants and the economical and efficient administration of Government-owned land under outgrant.

2. Applicability. This regulation is applicable to all personnel involved with management and supervision of real estate.

3. Reference. ER 405-1-800 series.

4. Responsibilities.

a. The preparation and issuance of all outgrants involving use of Government-owned real estate are the responsibility of the Real Estate Division. This may require information and assistance from the Resident Engineer. However, communications and negotiations with grantees are to be conducted by or under the supervision of the Chief, Real Estate Division. ER 405-1-800 series authorize the District Engineer or the authorized representative of his Real Estate organization to execute certain outgrants. This includes easements or licenses for electric powerline right-of-way; however, power companies normally do not place or will not be responsible for poles or lines below the top of the flood-control pool to serve floating facilities. Therefore, Resident Engineers are authorized to issue temporary powerline permits on Form SWL-FL-93, Rev. Mar 70, to the owners of floating facilities to cover that portion of the lines between the top of the flood-control pool and the floating facility.

b. Administration of Outgrants.

(1) The administration of outgrants, including periodic compliance inspections of Army military and civil works real property being utilized by others, is the responsibility of the Real Estate Division. Therefore, communications by civil works project personnel concerning compliance inspections and outgrants will be direct with the Chief, Real Estate Division. The Department of the Air Force will perform all compliance inspections of outgrants at its installations.

---

This regulation supersedes LRDR 405-1-3 dated 25 April 1975

16 Jul 75

(2) Compliance inspections of all outgrants for civil works property will be made not less than once annually. Close cooperation between Real Estate and project personnel is essential to assure that grantees are complying with the terms and conditions of the outgrants. Accordingly, project personnel will be informed of inspections to be performed by Real Estate and afforded an opportunity to participate in the inspection. Project personnel may perform inspections of easements and licenses for rights-of-way, leases for cottage sites, selected agricultural and grazing leases and other selected leases and licenses as assigned by the Real Estate Division. Also, interim or follow-up inspections of all type outgrants may be made by project personnel as needed or requested to assure compliance. Reports of inspections made by project personnel will be furnished to the Real Estate Division for approval. Real Estate personnel will perform inspections of outgrants for recreation, fish and wildlife, port or industrial facilities, commercial concessions, and complex agricultural purposes. In addition, the Real Estate Division will spot-check outgrants inspected by project personnel, not to exceed one-fifth annually, for the purpose of reviewing performance and assuring outgrant compliance. ENG Form 3131 or its companion form, ENG Form 3560, will be used for recording all inspections. The Real Estate Division will instruct project personnel of the appropriate form when assignment of inspections is made.

(3) In addition to the required inspection of commercial concessions by Real Estate personnel and requested follow-up inspections by project personnel, routine inspections of these concessions will be made by project personnel for the purpose of detection and correction of unsafe conditions or violations of public health codes. These inspections will be conducted monthly during April through September and once each quarter thereafter. Conditions observed during the inspection will be documented on SWL Form 178-C dated 20 April 1967. Three copies of the inspection checklist will be completed during the inspection and signed by the inspector. The original of the report will be given to the lessee or his representative accompanying the inspector during the inspection. Conditions observed as well as required corrective actions, if any, and schedule for correction will be discussed at the time of inspection in an effort to obtain satisfactory compliance. The lessee will not be asked to sign the report with the inspector. The first copy will be retained by the Resident Engineer and the second copy forwarded to the Real Estate Division. If the lessee does not agree to make the required corrections in a timely manner or does not take the action agreed to at the time of inspection, the Resident Engineer or the Lake Manager will contact the lessee at the concession regarding the matter. Should these efforts fail or if the conditions exist at the time of the next inspection, the lessee should be informed that the matter is being reported to the Contracting Officer and a written report of the situation by the Resident Engineer made to the Chief, Real Estate Division, for corrective action as provided by the lease.

(4) Compliance inspections of Army military grants will be accomplished by personnel of the Real Estate Division at least annually except for easements and licenses for rights-of-way of roads, streets, powerlines, communication lines and similar facilities, for which inspections will be made each 5-year period. However, a check will be made with the Installation Commander annually for each such easement and license to determine whether there are any violations or unsatisfactory compliances. If violations or unsatisfactory compliances are reported, a formal inspection will be made by Real Estate and proper remedial action taken.

FOR THE DISTRICT ENGINEER:



CHARLES E. DOWNS  
LTC, Corps of Engineers  
Deputy District Engineer

DISTRIBUTION:

A