

STARLAND COUNTY POLICY MANUAL

FUNCTION: Roads and Streets

FUNCTION NUMBER: 320

POLICY: Land Acquisition Policy Road Widening

POLICY NUMBER: 320-2

DATE: March 12, 1996

PROCESS SUMMARY:

The original road allowance was surveyed at 1 chain or 66 feet from property line to property line. If the Municipality requires additional land to construct a roadway, land must be purchased from the current registered landowner. In most cases, one additional rod or 16.5 feet is purchased because this totals 1.0 acre of acquisition in a half mile. The purchase of road acquisition is required to be affected by Plan-of-Survey [Section 62(2) M.G.A.], with the Title to the acquired land being vested in the Crown in Right of Alberta. The Councillor for the area where the road project is located, or the Road Foreman, are responsible for negotiations with the landowner to get the Land Acquisition Agreement signed by the registered landowners.

The office provides the Public Works Supervisor with two copies of the completed form, both of which must be signed and witnessed. Payment for the road acquisition will be made when all Agreements for the road project are submitted and signed by the Reeve and Municipal Administrator. If there is a problem with the landowner involved, or if the land is currently up for sale or will be up for sale in the near future, the Acquisition Agreement can be protected by registering a Caveat on the landowner's Title as soon as the Agreement is signed. This process will protect the Municipality's interest in the land where the Agreement was registered.

When the survey plan is completed by an Alberta Land Surveyor (A.L.S.) and registered, the office ensures that the land actually acquired on the plan has been adequately compensated for. If an adjustment is necessary, same is submitted to the landowner from whom the property was acquired; and if necessary, the Caveat is released. Prior to registration of a Plan of Survey, the office must notify all persons (banks, oil companies, etc.) that have an interest within 40 metres of the new boundary of the right-of-way as shown on the Plan of Survey (Section 62(2)(b)(ii), M.G.A.).

Finally, after the plan is registered at Land Titles Office, the Assessor is provided with a copy of the plan and the landowner's assessment is revised accordingly.

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1. The Municipality has a rate of payment to purchase land for right-of-way which is calculated at 4.25 times the total land assessment value of the quarter section. The land calculation includes any land values for the 3 acre site value if the acquisition affects the 3 acre site. (i.e. If an additional acre is acquired on a portion of the quarter section that does not have the farmstead on it, the calculation would be based only on the land value for the quarter section and excluding the land value for the three acre site).
2. A minimum payment of \$600.00 per acre would be paid to a landowner if the land assessment calculation is less than \$600.00.
3. If the municipality is acquiring small areas to protect working areas around culvert or bridge structures as well as small portions of a quarter section acquired for road acquisitions, and the amount of area to be acquired results in a payment less than \$400.00, the minimum payment will be \$400.00 per quarter section affected.
4. Unless otherwise directed by Council, all local road projects constructed by the municipality will be built within a 99 foot (30.17m) easement, and all secondary highways will be built within a minimum 132 foot (40.23m) easement.

Policy Amendment: Council, March 12, 1996
March 09, 1999 (Starland County)
March 09, 1999 (Sections 3 and 4)
April 09, 2002 (Rates)
May 25, 2005 (Rates) (C05-128)
(Retro for the 2005 Road Construction Program)
January 23, 2007 (Rates)