

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 Acquisition Agreements are currently prepared by the Assistant C.A.O., and they include a sketch of land to be acquired. Starland County currently uses Evolve Land Services Ltd. (Scott Schneider) for our land acquisition agreements.

The office provides the Land Agent 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 meters 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 annually reviews land sales / purchases within the County to determine a factor to be used to calculate farmland assessment into market value. Presently this factor is set at 14.6 times the farmland assessment.
2. When purchasing right-of-way, the municipality determines the rate of payment for each parcel affected by taking the assessed value of the farmland and multiplying it by 14.6 and dividing that total by the number of acres in the parcel. This calculation is used when there is only farmland assessment on the parcel.
3. If there is a residence on the parcel but the right-of-way to be purchased is not adjacent to the residence (thereby not affecting the farmstead), then the municipality uses the calculation method shown in Item 2, less the 3 acre area that is the farmstead area, to determine the value per acre. (ie. 160 acres less 3 = 157 acres). Do not include the residential assessment for the 3 acres in the calculation.
4. All residential sites, whether independent; within a larger acreage; or within an entire quarter section are assessed at market value. This is generally based on a 3 acre site value, the only exception being when the subdivided parcel is less than 3 acres. When determining payment for right-of-way purchase on parcels with residential sites, the municipality will:
 - i) Use the assessed value for the residential site (which is assessed at market value) and divide it by 3 (or the number of acres if the subdivision is less than 3 acres) to determine the value per acre.
 - ii) If there are more than 3 acres in the parcel, the balance of the land is assessed at farmland rates and this assessment is multiplied by 14.6 to get a market value.
 - iii) The farmland calculation is added to the residential site value and the total is then divided by the total acres in the parcel and a price per acre is thus determined.
 - iv) Example: Parcel is 9.98 acres

Farmland (Code 11):	2,080
Residential (Code 20) (Land only):	34,490
Calculation:	
2,080 x 14.6 =	30,368
+	<u>34,490</u>
Total:	64,858 / 9.98 = \$6,498.80 per acre
5. A minimum payment of \$1,500.00 per acre would be paid to a landowner if the land

assessment calculation is less than \$1,500.00.

6. 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 \$800.00, the minimum payment will be \$800.00 per quarter section affected.
7. 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.
8. If some acquisitions for a roadway or other project have been acquired in a previous year, and one or more land acquisitions are done in the current year at a higher rate, the County will pay the same higher rate for all project acquisitions.

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)
February 10, 2009 (Rates – effective January 1, 2009)
March 13, 2012 (Rates – effective January 1, 2012)
May 27, 2015 (adjustment to land valuation process)
October 28, 2015 (clarification of calculating rates of payment)
May 23, 2018 (C18-082) (Rates – effective January 1, 2018)