



**WESTLOCK COUNTY**  
**PUBLIC HEARING AGENDA**  
**9:30 A.M., AUGUST 8, 2017**  
**COUNTY ADMINISTRATION BUILDING**  
**10336 – 106 Street, Westlock, Alberta**

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1. CALL TO ORDER
  
2. PUBLIC HEARING
  - 2.1 Road Closure Bylaw 08-2017
  
3. REPRESENTATIONS
  - 3.1
  
4. ADJOURNMENT





# Request for Decision

**PUBLIC HEARING – August 8, 2017 at 9:30 a.m.**

**Subject: Public Hearing for Bylaw 08-2017 being a Bylaw to Plan 8622080 all of the road within the SE 08-58-26-W4.**

## **Background:**

Administration received a request from the landowners of SE 08-58-26-W4 that Westlock County pass a bylaw closing Road Plan 8622080 on the east side of their property. This would allow the landowners to purchase the land and consolidate with their quarter.

Administration has located two documents; one document is a Preliminary Agreement that is dated October 23, 1967 and the other document is an Acquisition of Land that is dated September 27, 1985. Both documents are signed by the landowner of the day and represent 70 feet along the east boundary for the purpose of a ditch and road work (4.25 acres). The documents indicate an amount paid to the landowner of \$75.00 in consideration of land.

As evident in the aerial photo, there are buildings established within Road Plan 8622080 and the landowners would like to purchase the land to establish the original property line.

Administration has sent out notifications to all adjacent landowners to inform them of the request being presented to Council.

Administration has received telephone calls, emails; as well as correspondence from a few landowners. Originally there was confusion on which road plan was being closed, a number of landowners thought we were closing RR 264. Administration explained the situation to them and they no longer had any concerns.

Administration also spoke with the son of the landowner of NE 05-58-26-W4, Road Plan 8622080 also runs east of her quarter. The son said they have no concerns with the closure but also have no interest in closing or purchasing Road Plan 8622080 which also runs east of their quarter.

The assessed value of the land as received from the County's tax assessor, Ray Crews will be provided at the Council meeting.

## **Attachments:**

1. Bylaw 08-2017
2. May 29, 2017, letter from landowner requesting closure of Road Plan 8622080
3. Tax Summary, NE 058-26-W4
4. Land Title Certificate
5. Agreement for Acquisition of Land, September 27, 1985
6. Municipal District of Westlock No. 92, Preliminary Agreement, dated October 23, 1967
7. 3 – Aerial photos
8. Portion of County map

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Prepared By: Laurie Strutt  
Laurie Strutt  
Director of Planning and Community Services

July 14, 2017  
Date

Reviewed By: Leo  
Leo Ludwig, CLGM  
Chief Administrative Officer

JULY 21, 2017  
Date



**WESTLOCK COUNTY BYLAW NO. 08-2017**  
**WESTLOCK, ALBERTA**

**Being a bylaw of Westlock County, in the Province of Alberta, for the purpose of closing to public travel a portion of, and disposing of, an original Government Road Allowance, in accordance with Section 22 and 606 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended.**

**WHEREAS** pursuant to Section 7(d) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, a municipality has jurisdiction to pass bylaws for municipal purposes respecting transport and transportation systems;

**AND WHEREAS** the lands hereinafter described are no longer required for public travel;

**AND WHEREAS** application has been made to the Council of Westlock County to have the undeveloped road allowance closed;

**AND WHEREAS** the Council of Westlock County deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and thereafter disposing of same;

**AND WHEREAS** notice of intention of the Council to pass a bylaw has been given in accordance with section 606 of the Municipal Government Act;

**AND WHEREAS** Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw.

**NOW THEREFORE** the Council for Westlock County, in the Province of Alberta, duly assembled, enacts as follows:

1. Westlock County does hereby close to public travel and intends to dispose of the following described roadway by sale, subject to rights of access granted by other legislation:
  - Plan 8622080  
All of the road within the SE ¼ Section 8, Township 58, Range 26, West of the 4<sup>th</sup> Meridian, containing ± 1.72 hectares

**EXCEPTING THEREOUT ALL MINES AND MINERALS AND THE RIGHT TO WORK THE SAME.**

2. This Bylaw shall take effect on the day of the final passing thereof.

**READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

***APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017***

\_\_\_\_\_  
***ALBERTA MINISTER OF TRANSPORTATION***

**READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017**

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

**READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

May 29, 2017

Westlock County Council

RE: Road Plan 862 2080 (SE 08-58-26-W4)

In 1985 Westlock County purchased 4.25 acres from Arnold Wiedrick for \$75.00, for the purpose of widening RR 264, the road was never widened.

We would like to have Road Plan 862 2080 cancelled and would like to purchase the land back from the County. For the purchase price and have it returned  
Back on title of SE 8 58 26 W4


Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Beylerova", with a horizontal line extending to the right from the end of the signature.



# Summary Report

Year of General Assessment: 2016

<b>Roll: 468083009</b>	
<b>Legal: SE-8-58-26-4</b>	
Description:	
Address: 58110 RGE RD 264	Subdivision: WESTLOCK COUNTY ZONE
Zoning: Ag District A1	
Actual Use: Primary: F00100 Secondary: R10103	
Market Loc: 4 Zone 4	Assbl. Land Area: 155.75
Econ. Zone: Econ Zone 4	8622080: 4.25
Assbl. Party: I Individual	Total Area: 160.00 Acres
Owner: WIEDRICK, BYRON KEITH / LORNA LEE	

### Market Value Land

LandID	Base Code	Site Area	Services	Location Adj.	Asmt Code	Reg	Assessment
321016933	0 NO LAND USE	3.00 Acres	100%	100%	350 100%	100.0	74,300
Categories		Details		Factors	Inf %	Inf \$	Assessment
1 All Influence Categories		670 Location Advan.		9 Factor 15%	15.0%	0.0%	

### Productivity Based Land

Description	Area	AUVBR	BYM	Rating	A.U.V.	Photo:	Regulated: 100%
2 Bk	78.92 Acres	\$350/Acre	1.0000	66.0%	18,231		
80 Pasture	31.34 Acres	\$350/Acre	1.0000	33.0%	3,620		
42 DG	12.14 Acres	\$350/Acre	1.0000	63.0%	2,677		
62 GL	30.35 Acres	\$350/Acre	1.0000	52.0%	5,524		
152.75 Acres				30,052	96%	100%	28,850

### Improvements

ImprID	MT- Qu- St	Description	Area (Ft2)	Eff. Year	Asmt Code	Reg	Assessment
321109520	040-04-33	Manufactured Home - Single	1,216	2005	350 100%	100.0	120,550
321020119	003-03-00	SFD - After 1940	900	1970	360 100%	100.0	73,820
321020120	001-02-05	SFD - All Ages	1,554	1926	360 100%	100.0	43,690

### Assessment Totals

Tax Status	Code	Description	Land	Improvement	Other	Assessment
T	302	Farmland	28,850	0	0	28,850
	350	Farm Residence Primary	74,300	91,700	0	166,000
	360	Farm Residence Additional	0	117,510	0	117,510
	Totals: Taxable		<b>103,150</b>	<b>209,210</b>	<b>0</b>	<b>312,360</b>
E	999	RAP Exempt	0	28,850	0	28,850
Grand Totals:			<b>103,150</b>	<b>238,060</b>	<b>0</b>	<b>341,210</b>

### Inspections

Historical Data	08/26/2016	LOVE, Brenda	NAL TRANSFER
Annual Inspection	01/26/2015	SEMOTIUK, Dale	Added 2005 Blt. MH (2014 Permit 14-113), Old Res. Is Still Used Occasionally & Services Are Connected, Spoke With Angela Wadley At 1970 Blt. Res.
20% Inspection Cycle	09/02/2011	SEMOTIUK, Dale	N/C, Spoke With Angela Wadley At 003-03-00

### Rural Assessment Policy

Unit: 321009722 Name: WIEDRICK, BRYON / LORNA LEE  
 Comments: PAVIS RAP ID#: W109

Land:	Roll	Rural Legal	Parcel Area	Contribution	Assessment	
	468083009	SE-8-58-26-4	155.75	100%	28,850	Total Land: 28,850
Buildings:	Roll	Priority	ImprID	MT-Qu-St	Assessment	
	468083009	1	321109520	040-04-33	120,550	
	468083009	2	321020119	003-03-00	73,820	
	468083009	3	321020120	001-02-05	43,690	Total Buildings: 238,060

### Revisions

MGA305(1) 02/01/2006 CREWS, Ray

The data contained on this report is only as accurate as the last inspection of the property and could be inaccurate due to errors or omissions. This data was collected by Municipal Assessment Services Group for the sole purpose of creating property assessments for the municipality in which the property is located. Any use of this data for other purposes is prohibited.





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0014 154 322            4;26;58;8;SE                      162 179 663

LEGAL DESCRIPTION

THE SOUTH EAST QUARTER OF SECTION EIGHT (8)  
TOWNSHIP FIFTY EIGHT (58)  
RANGE TWENTY SIX (26)  
WEST OF THE FOURTH MERIDIAN  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS.  
EXCEPTING THEREOUT: 1.72 HECTARES (4.25 ACRES) MORE OR LESS,  
AS SHOWN ON ROAD PLAN 8622080  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: WESTLOCK COUNTY

REFERENCE NUMBER: 992 085 854

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE(DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
162 179 663      06/07/2016      TRANSFER OF LAND      \$950,000      \$1

OWNERS

BYRON KEITH WIEDRICK

AND

LORNA LEE WIEDRICK

BOTH OF:

0

( CONTINUED )

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ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 162 179 663

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----

1248RM            29/05/1969 CAVEAT  
                         RE : EASEMENT  
                         CAVEATOR - PLAINS WESTERN GAS & ELECTRIC CO LTD.

142 182 211      16/06/2014 MORTGAGE  
                         MORTGAGEE - THE TORONTO DOMINION BANK.  
                         5002-50 AVE  
                         WETASKIWIN  
                         ALBERTA T9A0S4  
                         ORIGINAL PRINCIPAL AMOUNT

162 184 557      11/07/2016 MORTGAGE  
                         MORTGAGEE - GERALD BOISJOLI  
                         MORTGAGEE - TRACY BOISJOLI  
                         BOTH OF:  
                         7913 - 97 AVE  
                         FORT SASKATCHEWAN  
                         ALBERTA T8L3H8  
                         ORIGINAL PRINCIPAL AMOUNT:

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 14 DAY OF MARCH,  
2017 AT 11:46 A.M.

ORDER NUMBER:    32485887

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

8-58-26-4

AGREEMENT FOR ACQUISITION OF LAND

Agreement made in duplicate this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1985

Between:

MUNICIPAL DISTRICT OF WESTLOCK NO. 92  
(Municipal District or County)

AND

ARNOLD CLAYTON WIEDRICK AND ARNOLD KEITH WIEDRICK  
(landowner)

of Pickardville, Alberta

Know all men by these presents that ~~XXXXXX~~ We, Arnold Clayton WIEDRICK and Arnold Keith WIEDRICK of Pickardville in the Province of Alberta, (occupation), for the consideration hereunder mentioned do hereby for myself, my heirs, executors, administrators and assigns do hereby grant unto the

MUNICIPAL DISTRICT OF WESTLOCK NO. 92  
(Municipality)

the right to enter, by its surveyors, workmen, servants, upon the following lands in the Province of Alberta, viz:

S.E. 08-58-26-W4 - 70 feet along the East boundary of the said property for the purpose of a ditch and road

for the purpose of highway, road, street, bridge, culvert, ditch, drain and to carry out on the said lands the cutting and clearing of trees, brush and other growth, the excavating of, piling, ditching, removal or redistribution of earth, sand and gravel and the removal or relocation of fences.

The aforesaid rights are granted upon the following terms, namely:

1. In consideration of the foregoing I (we) agree to accept the sum of \$75<sup>00</sup> dollars as payment for such portion of the land as may be required for any of the above mentioned purposes, to be payable upon title to the land being vested in the Crown in right of the Province.
2. For any of the purposes above named, the MUNICIPAL DISTRICT OF WESTLOCK (Municipality) NO. 92 may bring upon the said land all necessary machinery and equipment.
3. It is further agreed that all fences or improvements are to be relocated at the expense of the said (Municipality) OR (land owner) is to be paid the sum of \_\_\_\_\_ dollars for relocating fences or improvements on the said land to be acquired.
4. In the event that the said MUNICIPAL DISTRICT OF WESTLOCK (Municipality) NO. 92 abandons the said project, in whole or in part, I (we) ~~are~~ (are) to be compensated only for the damage caused by the said MUNICIPAL DISTRICT OF WESTLOCK NO. 92 (Municipality)

its surveyors, workmen, servants or agents in the exercise of the rights hereby granted, with respect to that part of the project so abandoned, and such compensation, if not agreed upon, shall be determined by arbitration in accordance with the provisions of The Arbitration Act of Alberta.

IN WITNESS WHEREOF I (we) have hereunto subscribed (offered) ~~my~~ (our, its) name(s) (and Corporate Seal by its proper officers) this 27 day of Sept A.D. 1985.

Signed by the said Arnold Clayton WIEDRICK and Arnold Keith WIEDRICK in the presence of Arnold Clayton WIEDRICK (seal) Arnold Keith WIEDRICK (seal)

Witness signature

MUNICIPAL DISTRICT OF WESTLOCK NO. 92 (Municipal District or County of)

Reeve Secretary-Treasurer

(Corporate Seal)

Canada  
Province of Alberta } 3,

**Affidavit of Execution**

(NAME IN FULL)  
of the  
in the Province of Alberta,

To Wit: Make Oath and Say:

- That I was personally present and did see personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.
- That the same was executed at the of in the and that I am the subscribing witness thereto.
- That I, know the said and is in my belief of the full age of twenty-one years.

Sworn before me at  
in the Province of  
this day of  
A.D., 19

}  
Canada,  
\_\_\_\_\_  
(WITNESS SIGN HERE)

A Commissioner for Oaths in and for the Province of Alberta

**Notes:** All affidavits sworn outside the Province must be sworn before a Notary Public who must affix his seal.

**Consent of Spouse**

I, **AUDREY WIEDRICK** being married to the above named **ARNOLD KEITH WIEDRICK** do hereby give my consent to the disposition of our homestead, made in this (or annexed) instrument, and I have executed this Document for the purpose of giving up my life estate and other dower rights in the said property given to me by THE DOWER ACT, to the extent necessary to give effect to the said disposition.

*Audrey Wiedrick*  
\_\_\_\_\_  
(SIGNATURE OF SPOUSE)

**Certificate of Acknowledgment by Spouse**

- This document was acknowledged before me by **AUDREY WIEDRICK** apart from her husband (or his wife).
- AUDREY WIEDRICK** acknowledged to me that she (or he):—
  - is aware of the nature of the disposition (or agreement);—
  - is aware that THE DOWER ACT, gives her (or him) a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
  - consents to the disposition (or agreement) for the purpose of giving up the life estate and other dower rights in the homestead given to her (or him) by THE DOWER ACT, to the extent necessary to give effect to the said disposition (or agreement);
  - is executing this document freely and voluntarily without any compulsion on the part of her husband (or his wife).

Dated at **WESTLOCK** in the Province of **ALBERTA**  
this **27** day of **Sept** A.D., 19**85**.

*[Signature]*  
\_\_\_\_\_  
(TITLE OF OFFICIATING OFFICER)  
*Municipal Commissioner*

Document No. \_\_\_\_\_  
Dated \_\_\_\_\_ A.D. 19 \_\_\_\_\_

AND

Agreement

**Dower Affidavit**

I, **ARNOLD CLAYTON WIEDRICK** of **PICKARVILLE**  
in the Province of **ALBERTA** (OCCUPATION)

Makes Oath and say:

- THAT I am the TRANSFEROR (or duly appointed agent acting under power of attorney in my favour) dated the day of named in the within (or annexed) instrument. **A.D. 19**, granted by the
- THAT I am (or my principal is) not married.

OR  
THAT neither myself nor my spouse (or my principal nor his spouse) have resided on the within mentioned land at any time since our (or their) marriage.

OR  
THAT a judgment for damages was obtained against me by my spouse (or my principal by his spouse) and registered in the Land Titles Office as No. dated the day of A.D. 19

Sworn before me at **WESTLOCK**  
in the Province of **ALBERTA**  
this **27** day of **SEPT**  
A.D. 19**85**.

*Arnold Wiedrick*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
M.A. (LEB) FEB 24/87

MUNICIPAL DISTRICT OF WESTLOCK No. 92

Preliminary Agreement for Use in Case of any Title or for Any Work

KNOW ALL MEN by these presents that I Arnold Wiedrick  
of Beardville

in the Province of Alberta James for the consideration hereinafter mentioned  
do hereby, for myself, my heirs, executors, administrators, and assigns, grant and  
assign unto the Municipal District of Westlock No. 92, the right to enter by their  
surveyors, workmen or agents upon the following lands, viz: SE 8-58-26W4

for the purpose of the survey of a ditch  
~~road~~ upon or across the said land and  
also to make and construct such works and to take upon said land for the  
purpose of all such workmen, teams, implements and machinery as may be necessary, and  
I agree to assign transfer, convey or quit claim to the said Municipal District such  
portion of said land as may be ascertained by such surveyors, workmen or agents to be

necessary for the construction of such works (by-pass for bridge)  
to take 70 feet from East Boundary - depending on survey  
In consideration of the foregoing I am to receive, after the issue by

the Registrar, of Certificate of Title, or upon reservation being made by the  
Department of Highways The Sum of Seventy five Dollars (\$75.00)

as compensation for such portion of said land as may be required for the construct-  
ion of such works

IN WITNESS WHEREOF I have hereunto subscribed my name this 23rd  
day of October 1967.

SIGNED by the said Arnold Wiedrick  
in the presence of Arnold Wiedrick  
(Signature)

St. Mueller  
(Witness)

NOTE: This Agreement, though of advantage in effecting settlement, is not binding  
upon the Municipal District until accepted by Council.

SE 08-58-26-W4



SE 08-58-26-W4



SE 8-58-26-W4 Road Plan 8622080

SE8 58-26-4

062 6436

1

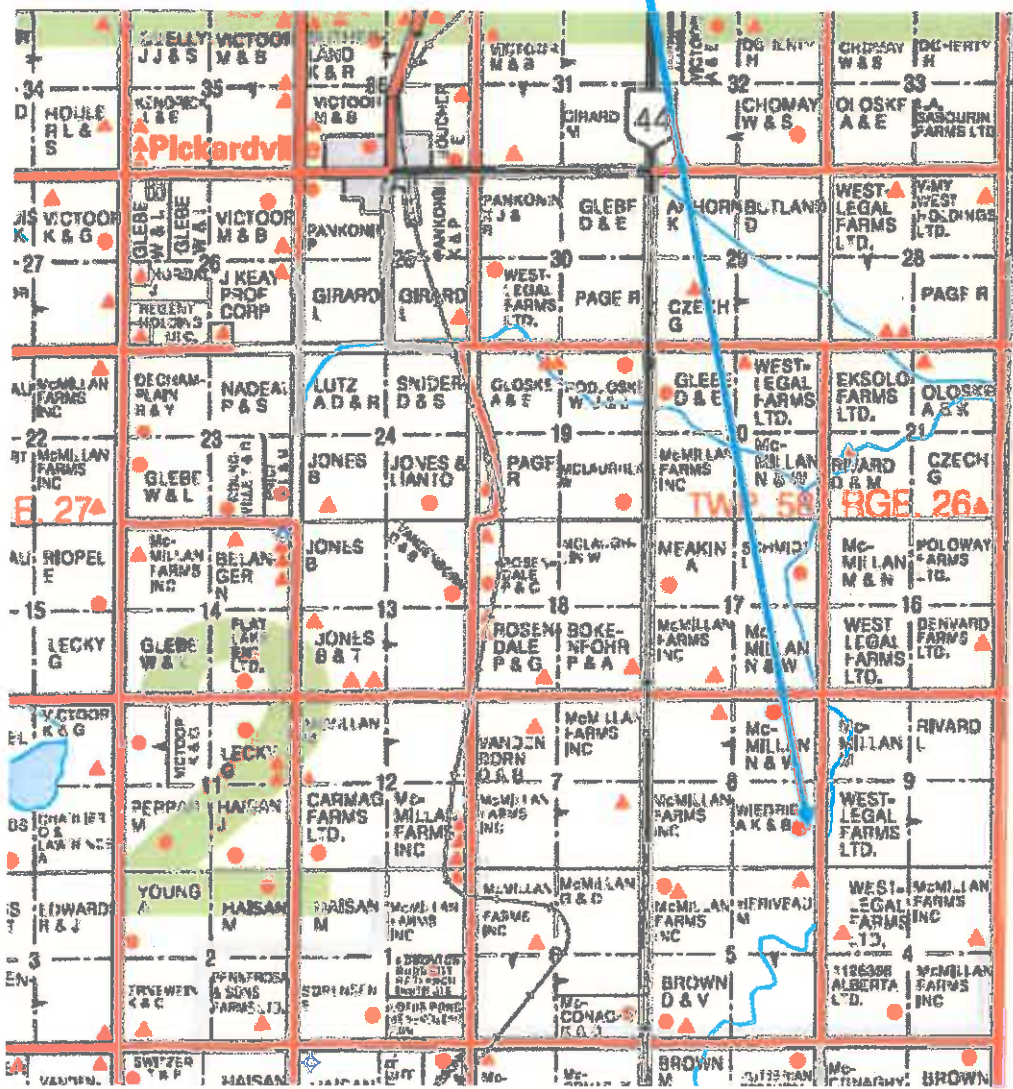
062 6436

062 6436





SE 08-59-26-W4



July 13, 2017



Laurie Strutt, Director  
Planning and Development Services  
10336 - 106 Street  
Westlock, AB T7P 2G1

Dear Madam,

**Closure of Government allowance – All of Road Plan 8622080 within SE 8-58-26-  
W4**

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As I said over the phone the closure of this part of the Road Plan does not affect my mother's property and we have no objection to it being done. The only thing I feel obliged to point out for the interest of both parties is that it is possible that a little part of this road Plan on the south end is used by RD 264. The reason I say this is that I remember the road was moved over in the 60's when the road was redone. The creek running through this section in front of mom and Dad's home was straightened out by digging a canal on the east side of the road and in order to do this the road had to be moved over towards the west. This canal goes almost to the north east limit of mom's quarter if my memory is good. The road stays on the west side of where it was originally to the north east limit of NE 5-58-26-W4 and then gradually shifts back over to its original path towards the east in front of the south east SE 8-58-26-W4 quarter. This is the way I remember it and speaking with mom and my brother and sisters they confirmed they thought the same thing. We think that just to make sure, it would be safe to investigate this closely so that future disagreements or surprises are avoided for the safe being of everyone.

I am writing this letter on behalf of my mother because she has confided me to take care of all her paper work and all of her accounting. She signed a document in front of Notary Me Sophie Lasalle in Mont-Tremblant appointing a proxy. A copy of this document could be furnished if need be.

Thank you very much  
*Jean-Paul Hérisseau*  
on behalf of  
*Marthe Hérisseau*