

G.I.U.

APPROVED

As to Form *[Signature]*
City Solicitor
As to Contents *[Signature]*
Head of Department

BYLAW NO. 8896

BYLAW TO AUTHORIZE THE MAKING OF AGREEMENT NO. 870325

Whereas the City of Edmonton wishes to construct a slide revetment within the bed and shore of the Blackmud Creek;

Whereas section 116 of the Municipal Government Act, ch. 26, R.S.A. 1980 requires a bylaw to authorize the making of the agreement between the City of Edmonton and the Government of Alberta for the performance of any matter considered by Council and the Government of Alberta to be a benefit to both parties;

Now therefore the Municipal Council of the City of Edmonton, duly assembled, hereby authorizes the making of the agreement attached hereto as Schedule "A" with the Government of Alberta.

READ the first time this 14 day of June , 1988;
READ the second time this 14 day of June , 1988;
READ the third time this 14 day of June , 1988;
DULY PASSED this 14 day of June , 1988.

THE CITY OF EDMONTON

[Signature]
MAYOR

ACTING *[Signature]*
CITY CLERK



LICENCE OF OCCUPATION

FORESTRY, LANDS AND WILDLIFE

Licence of Occupation No. LOC. 870325

THIS AGREEMENT made in triplicate on the 14th day of April, 1987.

BETWEEN

HER MAJESTY THE QUEEN in the right of the Province of Alberta,
represented herein by the Minister of Forestry, Lands and Wildlife,
(hereinafter called the "Minister"),

OF THE FIRST PART

AND

City of Edmonton

(hereinafter called the "Licensee"),

OF THE SECOND PART

WHEREAS the lands hereinafter described are public lands within the meaning of the Public Lands Act, (hereinafter called the "Act"); and

WHEREAS pursuant to the Act the Lieutenant Governor in Council has established the Public Lands Act Licence of Occupation, 1981 Regulation, (hereinafter called the "regulation");
and

WHEREAS the Minister is authorized by the regulation to issue subject to the Act and the regulation, licences of occupation with respect to public lands.

THEREFORE THE PARTIES HERETO AGREE EACH WITH THE OTHER AS FOLLOWS:

IN CONSIDERATION OF this agreement, the payment of the sums required to be paid by the Licensee herein and the observance and performance by the Licensee of the covenants, conditions and stipulations on the part of the Licensee to be observed and performed, the Minister grants unto the licensee, subject to the Act and the regulation, the full licence and liberty to enter upon, possess

and occupy those certain lands in the Province of Alberta, more particularly described as follows:


All that portion of the following land which lies within the bed and shore of the Blackmud Creek and being the area which is permanently affected by the waters of the aforementioned creek, required for a bank stabilization site as shown outlined red upon the plan on file in the Department of Forestry, Lands and Wildlife at Edmonton as No. 11222 T.L., containing 0.009 ha (0.02 ac), more or less.

The land affected being:

Surveyed Twp. 51, Rge. 24, W4th Mer.

NE 18

This disposition is designated as Licence of Occupation No. LOC870325.

Date Typed: December 10, 1987 MP/bc 

(hereinafter called the "said lands").

1. The Licensee shall at all times during the subsistence of this licence perform, observe and comply with all the provisions, obligations and requirements which the Licensee is required to perform, observe and comply with by this licence, and by the Act or by any Act hereafter enacted in substitution therefore, and by the regulation made under the authority of any such Act, and the terms, conditions and provisions of all such Acts and regulations shall be deemed to form part of

this licence, which shall be read and construed as if the same had been set out and incorporated herein.

2. (a) The Licensee shall pay to the Provincial Treasurer the sum of \$ 25.00 upon the execution of this agreement and the sum of \$ NIL on or before each and every anniversary date of this licence.

(b) The rental specified in Clause 2(a) shall remain in effect for a period of five years and thereafter the Minister may change the rate for each five-year period according to the change in value of the said lands.

3. The licensee shall pay and discharge all rates, assessments and taxes that are a proper charge on the licensed area.

4. The Licensee may enter upon, possess and occupy the said lands only for the purpose of a bank stabilization site.

5. The Licensee shall not sublet, transfer or assign the said lands or any part thereof without the written consent of the Minister.

6. The Licensee shall comply with all the relevant provisions designated as Schedule "A" hereto attached.

7. This Licence shall be in effect for a term of 25 years commencing on the 14th day of April, 1987 and terminating on the 13th day of April, 2012, unless terminated earlier by the Minister or the Licensee in accordance with the Act or regulation.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals as and for the day and year first above written.

SIGNED, SEALED AND DELIVERED
by the parties hereto in the presence of:

Witness to signature for the Minister
of Forestry, Lands and Wildlife

For the Minister of Forestry, Lands and Wildlife

THE CITY OF EDMONTON

Witness to Signature for the Licensee

MAYOR Licensee's Signature

CITY CLERK

AFFIDAVIT OF EXECUTION

CANADA) I,
)
PROVINCE OF ALBERTA) of the of
)
TO WIT:) in the Province of Alberta, make oath and say:

1. THAT I was personally present and did see
named in the within instrument who is (are) personally known to me to be the person(s) named
therein, duly sign and execute the same for the purpose named therein;

2. THAT the same was executed at the of
in the Province of Alberta and that I am the subscribing witness thereto;

3. THAT I know the said
and is (are) in my belief of the full age of eighteen years.

APPROVED
As to Form *[Signature]*
City Solicitor
As to Contents *[Signature]*
Head of Department

SWORN before me at)
)
_____)
)
in the Province of Alberta,)
)
this ____ day of _____ 19 ____ .)

Signature of "Witness to signature for the Licensee"

Commissioner for Oaths
in and for the Province of Alberta

Printed or stamped name of Commissioner for Oaths
and date on which appointment expires

Schedule "A"

Forming part and parcel of Licence of Occupation No. LOC 870325.
LOC870325

- (01) THIS AUTHORIZATION IS GRANTED SUBJECT TO THE HOLDER OF THIS DISPOSITION COMPLYING WITH ALL RELEVANT STATUTORY PROVISIONS AND ON CONDITION THAT THE DISPOSITION HOLDER SHALL:
1. (60) Have in possession, or have his contractor in possession of, a copy of this authorization which is to be retained on the job site during all phases of preparation, construction, development, maintenance and abandonment.
 2. (61) Contact and advise the Public Lands Office in Sherwood Park, Alberta (Phone: 464-7955), of your intentions prior to entry upon the lands and again at the completion of operations.
 3. (69) Not deposit or push debris, soil or other deleterious materials into or through any watercourses or on the ice of any watercourse.
 4. (82) Backslope all cuts and fills to a slope ratio of not less than 3:1.
 5. (83) Strip and pile the top soil separately from any woody material and subsoil in such a manner that it can be distributed evenly over the disturbed area when operations have been completed.
 6. (84) Landscape and/or recontour, stabilize and revegetate all disturbed land surfaces within one full growing season.
- (16) IN ADDITION TO THE FOREGOING:
7. (17) The annual rental, which is payable yearly in advance, will remain in effect for a period of 5 years. The Minister may change the rental rate for each 5 year period, according to the change in land value.
 8. (25) The Lease, when issued, will be for a term of 25 years, effective from the date of the Letter of Authority. Rental will be assessed effective from the date of the Letter of Authority.
 9. (09) A Water Resources Permit must be obtained from the Water Resources Branch of Alberta Environment in Edmonton Alberta, (Phone: 427-5296), prior to commencement of construction.
 10. Stabilize the banks of the Blackmud Creek with material to the satisfaction of an officer of the Minister.
 11. Take all precautions necessary to prevent the inception of soil erosion and siltation of any watercourse.
 12. Minimize disturbance to the bed and banks of Blackmud Creek.
 13. Confine all activity to the immediate construction site.
 14. Any material excavated must be pulled back from the banks and not pushed into the creek.
 15. Construction equipment is to be confined to the creek bank.

16. (59) The authorizations and dispositions listed on the attached "Schedule B", if any, have been issued on the quarter sections of land on which your (authorization/disposition) has been issued and are prior and subsisting authorizations and dispositions to your (authorization/disposition) and may relate to and affecting your (authorization/disposition) and the lands on which your (authorization/disposition) has been issued.

LAND STATUS AUTOMATED SYSTEM

ENR-LSAS

REPORT DATE: 1987-MAR-19 TIME: 13:24:29

LAND STANDING REPORT

REQUESTED BY: LSAS107

LSRC1130
PAGE 2

----- GEO-ADMINISTRATIVE AREAS -----

PUBLIC LAND DISTRICT	(CONTINUED)		
PROVINCIAL PARK REGION	4-24-051	WEST CENTRAL 1	CODE: PPR-01
URBAN MUNICIPALITY	4-24-051-18	CITY	CODE: UBM-C -00
	4-24-051-18	EDMONTON	

----- ACTIVITIES -----

ACTIVITY	STATUS/TYPE LAND ID	DATE HECTARES	EXPIRY ACRES	CLIENT/INTERIM REMARKS METES AND BOUNDS REMARKS	----- TOTAL AREA -----	
					ACRES	HECTARES
GEO ADMIN.	IN-42405118801 4-24-051-18-NE			ANNEXATION - CITY OF EDMONTON	0.00	0.000
LOC- 870325	APPLICATION 4-24-051-18-NE	ON 1987-MAR-18		EDMONTON, CITY OF BLACKMUD CREEK; BED & SHORE	0.00	0.000

*** END OF REPORT ***

ENR-LSAS
REPORT DATE: 1987-MAR-19 TIME: 13:24:29

----- SELECTION CRITERIA -----

SELECT GEO-ADMINISTRATIVE AREA: ALL

SELECT ACTIVITIES:

INCL/EXCL	ACTIVITIES	MAX STATUS	ALL/NONE/SOME	IF SOME, SPECIFY TYPE
I	SURFACE DISP	6	ALL	
I	RESERVATIONS	6	ALL	
I	ENCUMBRANCES	6	ALL	
I	LAND POSTINGS	6	ALL	
I	INTERIM RECORDS	6	ALL	

----- REQUESTED ACTIVITY -----

REQUESTED ACTIVITY: LOC- 870325

----- REQUESTED LAND -----

REQUESTED LAND	OWNERSHIP STATUS	TITLE STATUS	ADMINISTERED BY	SURVEY STATUS	-- AREA IN HECTARES --		--- AREA IN ACRES ---	
					LAND	TITLE	LAND	TITLE
4-24-051-18-NE	MIXED	TITLED	FRH-FED	SURVEYED	20.234	20.234	50.00	50.00
		REMARKS:	FRHOLD 50.00	FR QTR PT LS 9,10 S/				
			FED	SURRENDERED IRS				
				BALANCE SURRENDERED IRS				
TOTAL	MIXED	TITLED		SURVEYED	20.234	20.234	50.00	50.00

----- GEO-ADMINISTRATIVE AREAS -----

COAL DEVELOPMENT REGION	4-24-051	SETTLED		CODE: CDR-1
ENR REGION	4-24-051	NORTHEAST		CODE: ENR-5
FISH & WILDLIFE ADMIN REGION	4-24-051	NORTHEAST REGION	EDMONTON	CODE: FWA-4 -01
FISH AND WILDLIFE DISTRICT	4-24-051	NORTHERN REGION	EDMONTON	CODE: FWD-5 -05
GENERAL LANDS CLASSIFICATION	4-24-051	WHITE		CODE: GLC-W
GRAZING ZONE	4-24-051	B		CODE: GRZ-B
PUBLIC LAND DISTRICT	4-24-051	NORTH EAST REGION	EDMONTON	CODE: PLD-5 -4