

Alberta

3rd COPY
Lac La Biche, Field notes

LICENCE OF OCCUPATION

FORESTRY, LANDS AND WILDLIFE

Licence of Occupation No. LOC. 830680

THIS AGREEMENT made in triplicate on the 4th day of October 19 83

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

TOWN OF LAC LA BICHE

(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 Regulations Governing the Issue of Licences of Occupation on Public Lands, (hereinafter called the "regulations"); and

WHEREAS the Minister is authorized by the regulations to issue subject to the Act and the regulations, 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 regulations, 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 those portions of the following lands required for bank stabilization sites and a boat launch site as shown coloured red upon a plan on file in the Department of Energy and Natural Resources at Edmonton as No. 10151 T.L.

Township 67, Range 13, West of the 4th Meridian

North half of section 6

Township 67, Range 14, West of the 4th Meridian

North east quarter of section 1

(bed and shore of Lac La Biche)

This disposition is designated as Licence of Occupation No. LOC830680.

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(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 \$25.00 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 bank stabilization sites and a boat launch site.

5. When the Licensee defaults in respect of his licence in any manner whatsoever, the Minister may cancel this licence upon the expiration of 30 days after the Minister has mailed to the Licensee's last known address, (according to the records of the Department,) a notice that the licence will be cancelled and the reason for the impending cancellation.

6. Service of a notice upon the Licensee may be effected by ordinary mail addressed to the Licensee at the last known address, (according to the records of the Department,) and the Licensee will be deemed to have received same in the ordinary course of mail delivery at that address.

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

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

9. This licence remains in effect until it is terminated by the Minister or the Licensee in accordance with the Act or regulations.

Forming Part and Parcel of Licence of Occupation No. LOC 830680
LOC830680

- (10) THIS AUTHORIZATION IS GRANTED SUBJECT TO THE HOLDER OF THIS DISPOSITION COMPLYING WITH ALL RELEVANT STATUTORY PROVISIONS AND ON CONDITION THAT THE LICENSEE SHALL:
1. (56) Contact and advise the Public Lands Office in Lac La Biche, Alberta (phone 623-5279), of your intentions prior to entry upon the land.
 2. (57) Contact and advise the Public Lands Office in Lac La Biche, Alberta (phone 623-5279), at the completion of operations.
 3. (47) 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.
 4. (59) Not clear any area for, nor excavate, borrow pits until their location and dimensions are approved in writing by an Officer of the Minister.
 5. (66) Maintain the area under disposition in a neat and clean condition acceptable to an Officer of the Minister.
 6. (71) Exercise all precautions and safeguards necessary to avoid the inception of soil erosion and siltation of any waterbody or watercourse and comply with any related directive that may be given in writing by an Officer of the Minister.
 7. (73) Not deposit or push debris, soil, or other deleterious materials through any watercourse, or on the ice of any watercourse.
 8. (79) Not use explosives in waters frequented by fish unless permitted in writing by the Chief Fisheries Officer, Fish and Wildlife Division, Bramalea Building, 9920 - 108th Street, Edmonton, Alberta, (telephone 427-6730).
 9. (84) Backslope all cuts and fills to a slope ratio of not less than 3:1 or as directed in writing by an Officer of the Minister.
 10. (86) Provide adequate cross and diversion drainage to prevent cutting and soil erosion.
 11. (88) Landscape, stabilize and revegetate all disturbed land surfaces to the satisfaction of an Officer of the Minister, within one full growing season.
 12. (126) Restrict the width of the boat launch to not more than 30 feet and the length of the pier to not more than 20 feet.
 13. (17) Have in possession, or have his contractor in possession a copy of this authorization which is to be retained on the site during all phases of site preparation and construction.

(16) IN ADDITION TO THE FOREGOING:

14. (20) This disposition is issued pursuant to the Public Lands Act and The Public Lands Act Licence of Occupation Regulation, 1981, Alberta Regulation 448/81, as amended from time to time.
15. (22) 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.
16. Removal of vegetation by mechanical means only.

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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:

Jamie Blughaupt
Witness

H. VAN NECK *H. Van Neck*
For the Minister of Forestry, Lands and Wildlife

Witness to Signature for the Licensee

Ray B...
Licensee's Signature

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.

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

Signature of "Witness to signature for the Licensee"

Signature of Commissioner for Oaths in and for the Province of Alberta

Please print or type name of Commissioner for Oaths