

BYLAW NO. 1-2017

Rural Municipality of Nipawin No. 487


**A BYLAW TO PROVIDE FOR THE CLOSING AND SELLING (TRANSFER) OF
A MUNICIPAL ROAD OR STREET.**

The Council of the Rural Municipality of Nipawin No. 487, (the Municipality) in the Province of Saskatchewan, enacts as follows:


1. Subject to the consent of the Minister of Highways and Transportation, the Municipality agrees to close and transfer the municipal road or street described as:

Access Road, Registered Plan No. 93PA05099 in the NW ¼ Section 35, Township 49, Range 13, West of the 2nd Meridian, as shown on a Plan of Proposed Subdivision drawn by George, Nicholson, Franko & Associates, marked as Exhibit "A" on the terms and conditions set out in the agreement marked as Exhibit "B" which is attached to and forms part of this bylaw.





Reeve



Administrator
Sections 13 & 15 of *The Municipalities Act*

Read a third time and adopted
this 13th day of February, 2017.



Administrator

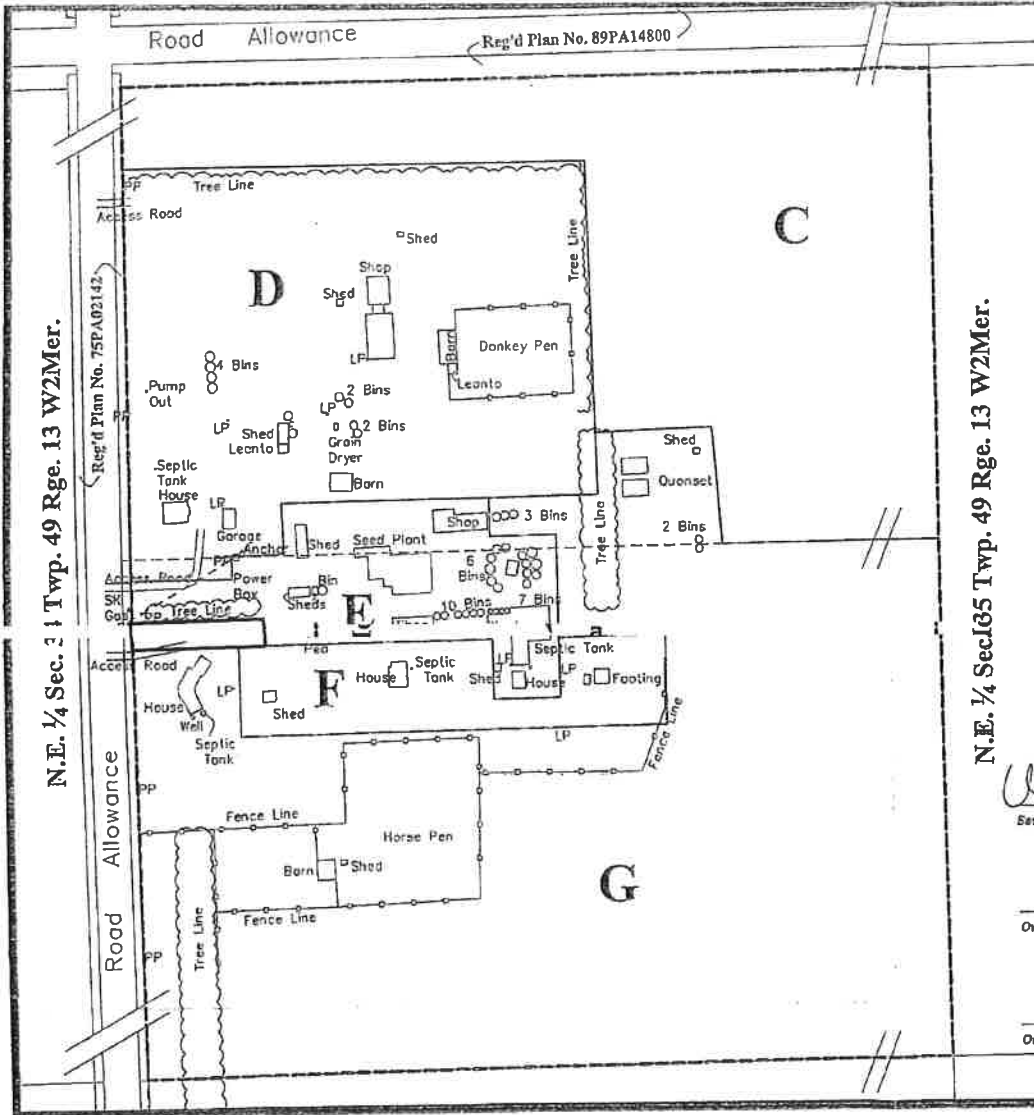
*Certified to be a true copy of Bylaw No. 1-2017 adopted by
the council of the Rural Municipality of Nipawin No. 487
on the 13th day of February, 2017."





Administrator

EXHIBIT "A"



Plan Showing Proposed
Surface Subdivision
 of all of
Parcel A & B
Reg'd Plan No. 93PA05099
 and part of
Parcel B
Plan No. 101429186
 and part of
N.W. 1/4 Sec. 35
Twp. 49 Rge. 13 W2Mer.
R.M. of Nipawin No. 487
Saskatchewan

By: **W.C. Soroski S.L.S.**
 Date: **March 2016**
 Scale: **1:2500**

THE SUBDIVISION SHOWN WITH
 THE BOLD DASHED LINE
 HEREBY APPROVED AS PER
 ATTACHED NOTICE OF DECISION

DIRECTOR OF COMMUNITY PLANNING
 VALID FOR 24 MONTHS FROM:

- > Measurements are in meters and decimals thereof.
- > Area to be subdivided is outlined in a bold dashed line and contains 44.047 ha. (±10,000 acres)
- > Date of preliminary survey March 21st and April 8th, 2016.
- > Measurements may vary by ±5.0m.

N.E. 1/4 Sec 35 Twp. 49 Rge. 13 W2Mer.

W.C. Soroski
 Saskatchewan Land Surveyor

Shawn
 Owner

Ronald Ward
 Owner

George, Nicholson, Franko & Associates
 Legal Land Surveyors, Global Positioning Systems

| DATE | BY | REVISION |
|------------|----|----------|
| 03/23/2016 | TC | 1 |
| 04/11/2016 | TC | 2 |
| REV2DATE | | |
| REV3DATE | | |
| REV4DATE | | |

EXHIBIT "B"

AGREEMENT TO CLOSE AND TRANSFER ALL OR PART OF
A MUNICIPAL ROAD

This agreement made this 6 day of February, 2017.

Between:

The Rural Municipality of Nipawin No. 487
("the Municipality")

And

Dartmore Farms Ltd.
of Box 1000, Aylsham, SK S0E 0C0
("the Purchaser")

Whereas the municipal road or street shown as Access Road in NW 35-49-13 W2nd ("the Road") is no longer required for use by the traveling public, and

Whereas access to other lands is not eliminated by this agreement; and

Whereas the Purchaser is desirous of acquiring the road and the municipality is prepared to close and transfer the same to the Purchaser, pursuant to section 13 *The Municipalities Act*, and

Whereas the Minister of Highways and Transportation has agreed to allow the municipality to close and transfer the road or street to the Purchaser, subject to the terms and conditions hereinafter set forth.

Now therefore the parties agree as follows:

1. The Municipality agrees to sell and the Purchaser agrees to buy the road or street.
2. The sale shall be subject to the laws of Saskatchewan and any applicable municipal bylaws or regulations.
3. The Purchaser agrees to accept the road in its present condition. The Purchaser agrees to save harmless and keep indemnified the Municipality and the Crown in right of Saskatchewan or either of them from and against any future expenses, damages, claims, demands or judgments concerning this road.
4. The Purchaser covenants and agrees with the Municipality to:
 - a) incur all costs to convey title to the land and may require a review for intended land use by Community Planning;
 - b) consolidate the land with the adjacent existing title at the Purchaser's expense;

c) be responsible for all Information Services Corporation (ISC) fees related to the transfer of the land; and

7. The Purchaser shall, without charge, grant utility line easements as may be required by the Saskatchewan Power Corporation, Sask Energy and Saskatchewan Telecommunications for any existing lines.

Dated at Codette, in the Province of Saskatchewan, this 6 day of February, 2017.



Rural Municipality of Nipawin No. 487

Reeve

[Signature]
Administrator



Clare Ward
Dartmore Farms Ltd.

[Signature]