

A BYLAW TO PROVIDE FOR THE CLOSING AND SELLING OF A MUNICIPAL ROAD

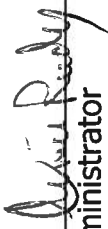
The Council of the Rural Municipality of Nipawin No. 487 in the Province of Saskatchewan enacts as follows:

1. Subject to the consent of the Minister of Highways and Infrastructure, the Municipality, agrees to close and transfer the municipal road or street described as:
Elmer's Drive, Registered Plan No. 101934042 in the SW ¼ Section 3, Township 51, Range 14, W 2nd Meridian, as shown on a Descriptive Plan drawn by Tri-City Surveys Ltd. 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.

S E A L




Reeve


Administrator
Sections 13 & 15 of
The Municipalities Act

Read a third time and adopted
this 8th day of July, 2008.

Certified a true copy of Bylaw No. 5-2008
adopted by resolution of Council on the
8th day of July, 2008


Reeve

S E A L




Administrator

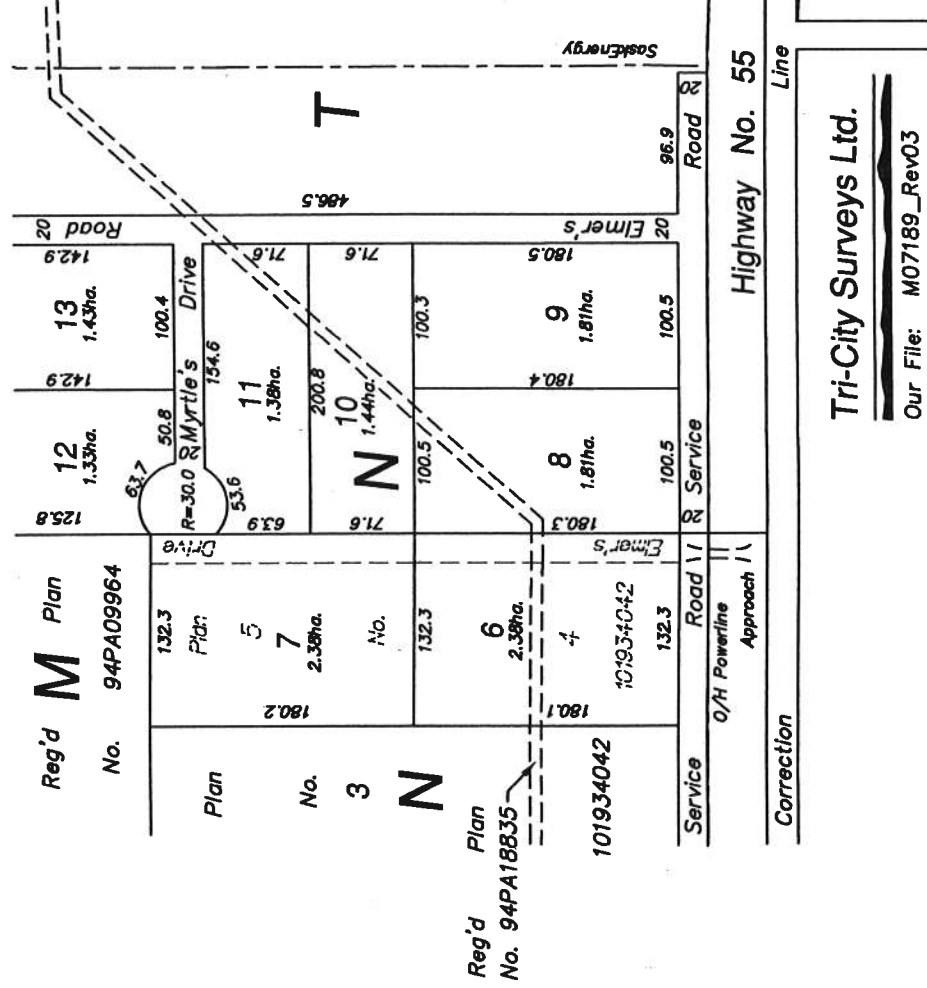


TYPE II DESCRIPTIVE PLAN

showing subdivision of all of
 Lots 4 & 5, Block N, Plan No. 101934042
 and closure of Elmer's Drive

RM of NIPAWIN #487

Scale : 1 :5000



Tri-City Surveys Ltd.

Our File: M07189_Rev03

Exhibit "B"

AGREEMENT TO CLOSE AND SELL (TRANSFER) ALL OF A MUNICIPAL
ROAD/STREET

This agreement made this 8th day of July, 2008.

BETWEEN:

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

AND

Terry Youzwa and Sandee Youzwa
of Box 668, Nipawin, Saskatchewan S0E 1E0
("the Purchasers")

WHEREAS the municipal street shown as 'Elmer's Drive' in SW 3-51-14-W2nd has not been constructed and is not required for use by the traveling public, and

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

WHEREAS the Purchasers are desirous of acquiring the undeveloped Elmer's Drive and the Municipality is prepared to close and transfer the same to the Purchasers, pursuant to section 13 of *The Municipalities Act*, and

WHEREAS the Minister of Highways and Infrastructure has agreed to allow the Municipality to close and transfer the undeveloped Elmer's Drive to the Purchasers, subject to the terms and conditions hereinafter set forth.

Now therefore the parties agree as follows:

1. The Municipality agrees to sell and the Purchasers agree to buy the road.
2. The sale shall be subject to the laws of Saskatchewan and any applicable municipal bylaws or regulations.
3. The Purchasers agree to accept the undeveloped road in its present condition. The Purchasers agree 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 Purchasers covenant and agree 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 Lots 4 & 5, Block N, Plan No. 101934042 at the Purchaser's expense;
 - c) be responsible for all Information Services Corporation (ISC) fees related to the transfer of the land; and
5. The Purchasers 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.

Rural Municipality of Nipawin No. 487
Bylaw No. 5-2008

Dated at Codette, in the Province of Saskatchewan, this 8th day of July, 2008.

Rural Municipality of Nipawin No. 487



SEAL

[Signature]
Reeve

[Signature]
Administrator

[Signature]
Witness

[Signature]
Witness

[Signature]
Purchaser

[Signature]
Purchaser

CANADA
PROVINCE OF SASKATCHEWAN
TO WIT:

AFFIDAVIT OF EXECUTION

I, Invin B. Carson of the Town of Alpawin.

in the Province of Saskatchewan, MAKE OATH AND SAY AS FOLLOWS:

1. THAT I was personally present and did see Terry Youzuka named in the within agreement who is personally know to me to be the person named therein, duly sign and execute the same for the purposes named therein.
2. THAT the same was executed at the Town of Alpawin In the Province of Saskatchewan, on the 10 day of July, 2008 and that I am the subscribing witness thereto.
3. THAT I know the said Terry Youzuka and he/~~she~~ is in my belief of the full age of 18 years or more.

SWORN BEFORE ME at the Town)
of Alpawin, in the Province of)
Saskatchewan, this 10 day of July)
2008.)

Invin B. Carson)
A COMMISSIONER FOR OATHS in and)
for the Province of Saskatchewan.)
My commission expires: April 30, 2013)

CANADA
PROVINCE OF SASKATCHEWAN
TO WIT:

AFFIDAVIT OF EXECUTION

I, Iwan B. Carson of the Town of Myra
in the Province of Saskatchewan, MAKE OATH AND SAY AS FOLLOWS:

1. THAT I was personally present and did see Sande Yorzawa
named in the within agreement who is personally know to me to be the
person named therein, duly sign and execute the same for the purposes
named therein.
2. THAT the same was executed at the Town of Myra
In the Province of Saskatchewan, on the 10 day of July
2008 and that I am the subscribing witness thereto.
3. THAT I know the said Sande Yorzawa and ~~he~~she is in my
belief of the full age of 18 years or more.

SWORN BEFORE ME at the Town)
of Myra, in the Province of)
Saskatchewan, this 10 day of July)
2008.)

Sandra Leman)
COMMISSIONER FOR OATHS in and)
for the Province of Saskatchewan.)
My commission expires: April 30, 2013)