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RE: Water Boundary Adjustment – Certificate of Title (C of T) in SW ¼ 26-56-11-W4

This letter is in follow-up to the telephone discussion we had on November 29, 2016 concerning the water boundary adjustment on a property abutting Lac Sante and some of our findings during our survey of that boundary. In our discussion you mentioned that if we could put together our findings you would forward them to council for review during their next meeting.

Following is a brief discussion of the issue, our findings and our recommendations for what we call a stranded newly created parcel of land. The parcel was created due to accretion.

During the below discussion please refer to the attached plans 16-S-51511-SUB (the Legal Plan being submitted to Alberta Environment and Parks (AEP)) and 16-S-51511-SUB-Photo which has a photo overlay on the survey.

Challenger Geomatics Ltd. was contacted by the 3 land owners Sandra Harrod, Irene Blower and Dave & Danelle Lawson who jointly own all of the parcel outlined in bold on the attached plan. We were asked to survey and apply for ownership to Alberta Environment and Parks (AEP) (Water Boundary Division) for the accreted land along the C of T boundary with Lac Sante. This request ultimately originated as Sandra Harrod could not get a building permit for an out building as she could not satisfy the setback requirements from the lake boundary as it was last defined in 1906. A newly defined lake boundary will satisfy that setback requirement.

Using the C of T, we surveyed the new boundary of the parcel based on the accreted land created by permanent receding of the lake water levels. That new bank is shown in bold black and labelled “Bank of Lac Sante as Traversed by Adam Plum, ALS”.

As part of the process Land Titles has asked us to designate the updated area with a lot and block number. As such, Challenger has labelled the parcel Lot 12 Block 2. The main part of the parcel contains 3.10 ha. The stranded portion of the land contains 0.188 ha.

Our clients have no interest in disrupting the current land use of the stranded parcel which from the photo is utilized by many of the county's citizens.

Our clients are proposing the following for Council consideration:

- After the water boundary is defined the newly created Lot 12 be subdivided so that the stranded parcel has its own lot #.
- That the title of the stranded parcel be transferred from the joint owners of the C of T to the county for consolidation with the existing Environment Reserve. (ER)
- That during the subdivision process no ER be requested by the county along the existing main lot as none exists today. (The only reason a subdivision is needed is to separate the stranded lot for transfer to the county)
- That the cost of the subdivision process and related survey be borne by the county.
- That the county temporarily relax the setback for the out building being applied for in the building permit by Sandra Harrod knowing that the water boundary when complete will cause the out building to meet the required setbacks. The intent is to start construction of the out building in the spring and the water boundary adjustment may not be complete at that time.

If you have any questions please contact the undersigned or Adam Pluim, ALS at Challengers office. We will await what we hope is a positive response. Thank-you for your help.

Tim Harding, P.Eng, ALS, CLS



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