Kayla Baxter

From: FC_Planning
Sent: September 30, 2026 12:05 PM
To: [redacted]
Cc: Theresa Chipchase
Subject: Memorandum of Transmittal for the Subdivision Request effecting Ptn. SW 20-21-27 W4M & SE 20-21-27 W4M - Schenker / Willow Island Farm Ltd.
Attachments: TRANSMITTAL REFUS - Schenker.pdf

Hello,

Please find attached a copy of the Memorandum of Transmittal for the Subdivision Request effecting **Ptn. SW 20-21-27 W4M & SE 20-21-27 W4M.**

Should you have any questions please direct them to **Theresa Chipchase** of our Planning and Development Department at Theresa.Chipchase@foothillscountyab.ca.

Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

Kayla Baxter

From: FC_Planning
Sent: September 30, 2026 12:05 PM
To: aep.epeaapprovcal@gov.ab.ca; FC Assessment
Subject: Memorandum of Transmittal for the Subdivision Request effecting Ptn. SW 20-21-27 W4M & SE 20-21-27 W4M - Schenker / Willow Island Farm Ltd. - Roll # 2127202520 / 2127200000
Attachments: TRANSMITTAL REFUS - Schenker.pdf

Hello,

Please find attached a copy of the Memorandum of Transmittal for the Subdivision Request effecting **Ptn. SW 20-21-27 W4M & SE 20-21-27 W4M.**

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W. www.foothillscountyab.ca

FOOTHILLS COUNTY
BOX 5605, 309 MACLEOD TRAIL
HIGH RIVER AB T1V 1M7
TELEPHONE (403) 652-2341
planning@foothillscountyab.ca

MEMORANDUM OF TRANSMITTAL

TO: **Tyler Schenker**
[redacted]
Foothills, AB T1S 4A3

COPY

FILE MANAGER: *Theresa Chipchase*
OUR FILE: **F2127-20SW**
DATE: ***September 30, 2026***
APPEAL TIME UP: ***October 21, 2026***

COPY ADDRESSES:
Additional Land Owner – Willow Island Farm Ltd.
Alberta Environment & Parks (AEP)
Assessment Department
File Copy

****

Attached you will find an extract of the Foothills County Subdivision Authority's decision of September 16, 2026 at which time your subdivision application was ***REFUSED***. The resolution stating the reasons for refusal are outlined in the attached extract.

In accordance with the Municipal Government Act, an appeal from this decision may be commenced by:

a) the applicant;
b) a Government Department if the application is required by the subdivision and development regulations to be referred to that department;
c) the school authority with respect to reserve;

by filing a written notice of appeal with the **Subdivision and Development Appeal Board** within 14 days of receipt of this written decision of the subdivision approving authority. The date of receipt of the decision is deemed to be 7 days from the date the decision is mailed.

A Notice of Appeal form has been attached to this memorandum of transmittal to assist with such an appeal should you choose to make one.

If have any questions on the decision or the appeal process please contact our Planning and Development Department.

D.1 Schenker/Willow Island Farm Ltd. - SW 20-21-27 W4M & SE 20-21-27 W4M - Request for Boundary Adjustment

Resolution 758-26
Moved by: Councillor McHugh

That the Subdivision application for the purpose of a boundary adjustment whereby 42.0 +/- acres from Ptn. SW 20-21-27-W4M is consolidated into SE 20-21-27-W4M resulting in resulting in one 21.32 +/- acre parcel (Ptn. SW 20-21-27-W4M) and one 202.0 +/- acre parcel (SE 20-21-27-W4M) be refused.

With respect to the Agricultural section of the MDP2010, the Subdivision Approving Authority determined the application to be contrary to Policy 2 of the Agriculture Section of the MDP and not find sufficient merit in the proposal to consider allowing the fragmentation of the subject lands, as it is the Subdivision Approving Authority's intent to maintain the existing agricultural land base.

CARRIED

Notice of Appeal

Subdivision and Development Appeal Board (SDAB)
Foothills County **www.foothillscountyab.ca**

309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

APPELLANT INFORMATION *(e.g. Landowner or Affected Party)*			
Name of Appellant(s)			
Mailing Address		Province	Postal Code
Main Phone #	Alternate Phone #		
I consent to receive documents by email: ☐ Yes ☐ No			
Email Address:			
AGENT INFORMATION & CERTIFICATION *(complete section if applicable)*			
Name of Organization:			
Contact Name:			
Mailing Address		Province	Postal Code
Main Phone #			
I consent to receive documents by email: ☐ Yes ☐ No			
Email Address:			

I (We)_____hereby authorize _____
to act on my (our) behalf on matters pertaining to this appeal.

_____	_____	_____	_____
Signature of Appellant(s)	Date	Signature of Appellant(s)	Date

SITE INFORMATION			
Municipal Address (house and street number):			
Legal Land Description:	Plan	Block	Lot
Quarter-Section	Township	Range	Meridian

I AM APPEALING *(check only one)*		
Development Authority Decision	Subdivision Authority Decision	Decision of Enforcement Services
☐ Approval	☐ Approval	☐ Stop Order
☐ Conditions of Approval	☐ Conditions of Approval	☐ Compliance Order
☐ Refusal	☐ Refusal	
Development Permit #	Subdivision Application #	Enforcement Order #
Date of Decision: (Y/M/D) _____	Date of Decision: (Y/M/D) _____	Date of Decision: (Y/M/D) _____

REASON FOR APPEAL *(attach separate page(s) if required)*

All appeals should contain the reasons for the appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal.

TURN OVER AND COMPLETE REVERSE SIDE

This information is being collected for the Subdivision and Development Appeal Board of Foothills County and will be used to process your appeal and to create a public record of the appeal hearing. This information is collected in accordance with Section 33(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the collection or use of this information, contact the FOIP Coordinator at (403) 652-2341.

Signature of Appellant(s) OR
Person Authorized to Act on Behalf of Appellant(s)

Date

A hearing must be held within 30 days from the receipt of your Notice of Appeal. Written notice of the date and time of the hearing will be sent by regular mail. If the appeal is against the decision of a Subdivision Authority, notice will be sent to the appellant, landowner(s) of the subject property, and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to the appellant, landowner(s) of the subject property and to landowners located within the half mile surrounding the subject property.

**NOTE FOR EMAIL SUBMISSIONS ONLY: IF YOU DO NOT RECEIVE AN EMAIL CONFIRMATION NOTIFYING YOU OF RECEIPT OF YOUR APPEAL, PLEASE CONTACT THE SDAB CLERK IMMEDIATELY. **

PAYMENT OF APPEAL FEE

If submitting the Notice of Appeal form and paying the appeal fee in person, you do not need to complete this section.
If submitting the Notice of Appeal form by email, you must complete this section.

Appeal fees are outlined on the attached information sheet - Submitting an Appeal

CREDIT CARD INFORMATION		
Card type: ☐ Visa ☐ Master Card ☐ American Express		
Name as it appears on Card:	Card Number:	
Date of Expiry:	CVC:	
Authorization: I authorize Foothills County to charge $	to my credit card.	
Signature of Card Holder:		Date:

FOR OFFICE USE ONLY		
Authorized By:	Date:	Receipt #:

Submitting an Appeal – Subdivision Authority Decisions

Appeals of decisions on subdivision applications are covered by sections 678 to 682 of the Municipal Government Act.

A decision on an application for subdivision may be appealed by the applicant, by a Government department (if that department is required to be circulated on the application) or by the School Authority (with respect to matters related to municipal reserve or school reserve lands).

Appeals must be made by filing a notice of appeal within 14 days of receipt of the decision with either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears subdivision appeals where there is a provincial interest. Otherwise, the appeals are heard by the local SDAB.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- within Alberta's "Green Area"
- 'adjacent' to or contains a body of water
    - adjacent means contiguous or would be contiguous if not for a railway, road, utility right of way or reserve land
- adjacent to or contains (either partially or wholly) land identified on the Listing of Historic Resources or public land set aside for use as historic resource
- the subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- the subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas
- within the following distances:
    - 1600 metres of a provincial highway
    - 450 metres of a hazardous waste management facility
    - 450 metres of the working area of an operating landfill
    - 300 metres of the disposal area of any landfill
    - 300 metres of a wastewater treatment plant
    - 300 metres of the working area of a non-hazardous waste storage site

Some of the distances may be varied in writing by a provincial government department, in which case the SDAB will hear the appeal.

Submitting an Appeal – Development Authority Decisions

Appeal of development authority decisions are covered by Sections 684 to 687 of the Municipal Government Act.

A decision on an application for development may be appealed by the person applying for the permit or by any person affected by an order, decision or development permit made or issued by a development authority.

An order issued under a decision of Enforcement Services, being a Stop Order or Compliance Order, may be appealed by the person affected by the order.

Appeals must be made by filing a notice of appeal within 21 Days after the date on which the written decision is given with either the local Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears development appeals where there is a provincial interest. Otherwise, the appeals are heard by the local Subdivision and Development Appeal Board.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- The subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas

THE APPEAL FEE MUST ACCOMPANY THE NOTICE OF APPEAL FORM

Appeal fees are set in the County's Fee Bylaw, which is generally reviewed and amended annually.

Appeal Type	Fee
Development Authority Decision (fee refunded if appellant appears before the Subdivision and Development Appeal Board)	$100
Development Authority Decision – Automatic Refusal	$575
Stop Order	$575
Subdivision Authority Decision (paid at time of subdivision application and used as a credit on endorsement fees except where the owner/agent appeals the subdivision decision or a condition of the subdivision)	$2,000

How to submit your appeal and pay your fee

Completed Notice of Appeal forms may be submitted by mail, in person or by email. Your Notice of Appeal must be received on or before the final appeal deadline and must include the applicable fees as outlined above.

Mail or deliver to:
SDAB Clerk, Foothills County
Box 5605, 309 Macleod Tr. S., High River, AB T1V 1M7

Email to:
appeals@foothillscountyab.ca

Please make cheques payable to "Foothills County"

To pay by Credit Card, please use the Credit Card Authorization section found on page 2 of the Notice of Appeal Form.

NOTE FOR EMAIL SUBMISSIONS ONLY: IF YOU DO NOT RECEIVE AN EMAIL CONFIRMATION NOTIFYING YOU OF RECEIPT OF YOUR APPEAL, PLEASE CONTACT THE SDAB CLERK IMMEDIATELY

What happens after my appeal is submitted?

Once your completed Notice of Appeal form is submitted on time and with the required fee, the appeal will be heard by the SDAB within 30 days. The SDAB Clerk will provide you with additional information regarding the appeal hearing.

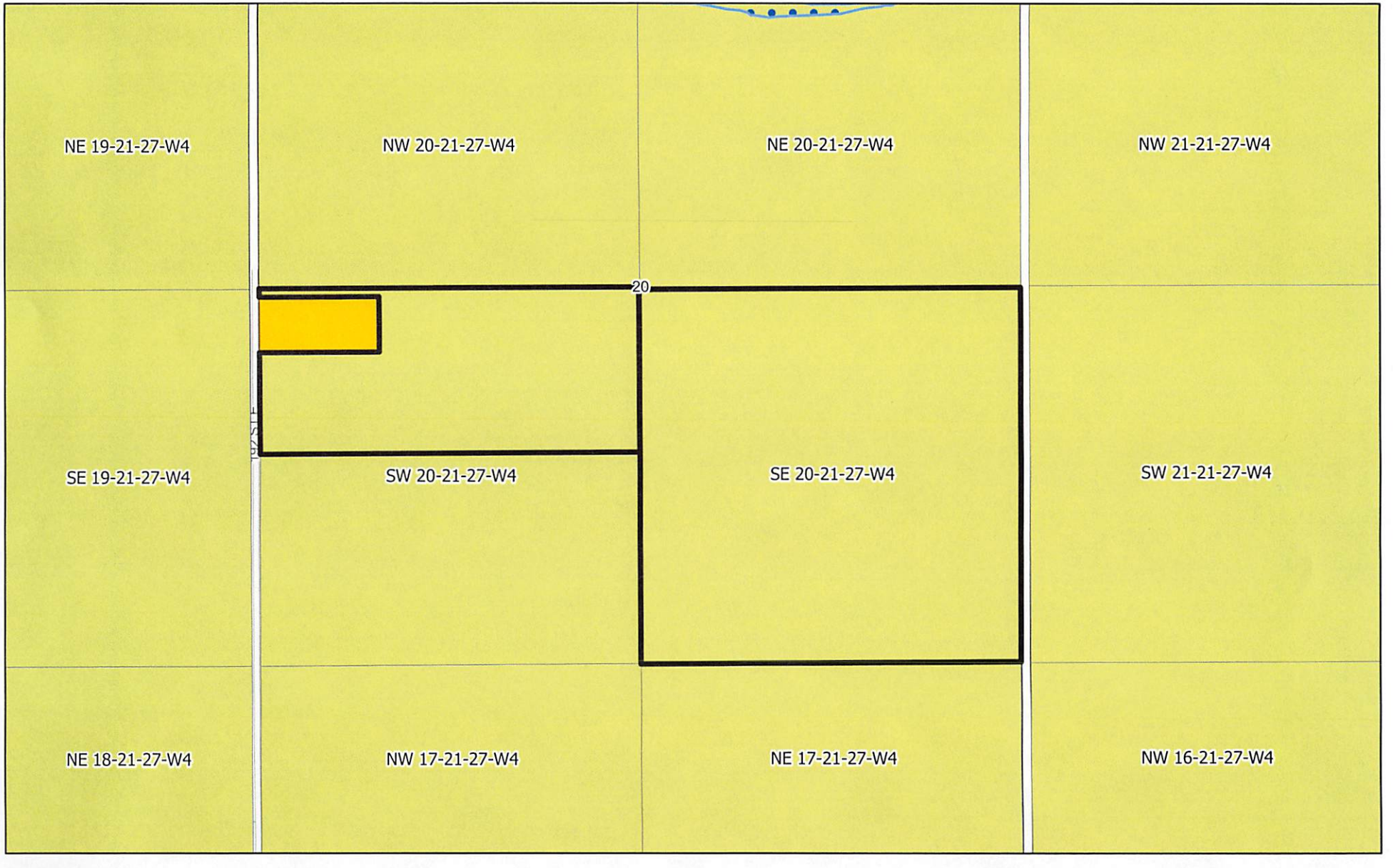
If the appeal is against the decision of a Subdivision Authority, notice will be sent to you and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to you and to landowners located within the half mile surrounding the subject property.

More information

For more information about filing an appeal or SDAB procedures, please contact the SDAB Clerk at:

Phone: 403-652-2341 Email: appeals@FoothillsCountyAB.ca

Land Use Map



2026-10-27, 10:10:46 a.m.

Land Use Overlay

Flood Hazard Protection Overlay

Land Use Districts

A- Agricultural

CR- Country Residential

Parcels

1:18,056

0 0.07 0.15 0.3 mi

0 0.15 0.3 0.6 km

Boundary Adjustment - Subdivision Application

Foothills County **www.foothillscountyab.ca**
309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

This form is to be completed in full wherever applicable by the registered owner(s) of the land that is the subject of the application or by a person authorized to act on the registered owner's behalf.

FOR OFFICIAL USE ONLY
Date of Receipt: May 5/26 June 8/26 Date Deemed Complete: June 8/26 Roll #: _____
Fees Submitted: $3100.00 Receipt No.: #457692 #460282 File No.: _____

1. NAME OF REGISTERED OWNER(S) OF LAND TO BE SUBDIVIDED Tyler Norman Schenker
Address [redacted]
Home P
I conser

2. NAME OF REGISTERED OWNER(S) OF LAND TO BE SUBDIVIDED _____
Address _____ Postal Code _____
Home Phone _____ Business Phone _____
I consent to receive documents by email: ☐ Yes ☐ No Email Address: _____

2. NAME OF AUTHORIZED PERSON ACTING ON BEHALF OF REGISTERED OWNER(S) (IF ANY)
Willow Island Farm Ltd (Bob Thompson)
Address [redacted]
Home Ph
I consen
I (We) Bob Thompson hereby authorize Tyler Schenker
to act on my (our) behalf on matters pertaining to this application for subdivision.

[redacted] June 8, 2026
Signature of Landowner(s) Date Signature of Landowner(s) Date

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:
1. All/part of the ~~NW~~ SW 1/4 Sec. 20 Twp. 21 Range 27 West of 4 Meridian.
Being all/parts of Lot _____ Block _____ Reg. Plan No. 9911388 C.O.T. No. _____
Total area of the above parcel of land to be subdivided _____ hectares (63.32 acres).
Municipal Address (if applicable) [redacted] Foothills AB T1S 4A3
2. All/part of the SE 1/4 Sec. 20 Twp. 21 Range 27 West of 4 Meridian.
Being all/parts of Lot _____ Block _____ Reg. Plan No. _____ C.O.T. No. _____
Total area of the above parcel of land to be subdivided _____ hectares (160 acres).
Municipal Address (if applicable) _____

4. LOCATION OF LAND TO BE SUBDIVIDED:
a. The land is situated in Foothills County.
b. Is the land situated immediately adjacent to the municipal boundary? Yes____ No X
If **Yes**, the adjoining municipality is _____
c. Is the land situated within 1.6 kilometres (1 mile) of the centre line of a Highway right of way?
Yes X No ~~X~~ If **Yes**, the Highway is No. 552E.
d. Does the proposed parcel contain or is adjacent to a river, stream, lake or other body of water, or by a drainage ditch or canal? Yes____ No X If **Yes**, state its name _____
e. Is the land within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes____ No X
f. Are there any oil or gas wells or pipelines on or within 100 metres of the land? Yes____ No X

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED:

a. Describe existing use of the land as classified under a land use bylaw agricultural

b. Describe proposed use of the land as classified under a land use bylaw agricultural

c. Size of parcels being created adding land to 202 Leaving 21.32

d. Description of Boundary Adjustment giving 42 acres to neighbor in the East to Create one 202 acre parcel and on 21.32 parcel

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED:

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Largly flat

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) bare land

c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Farm Soils

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED:

Describe any building, historical or otherwise and any structures on the land and whether they are to be demolished or moved: ~~N/A~~ main residents and ~~no~~ out buildings 30Ft-42Ft 30Ft-~~80~~Ft 2500 Sqm Ft

8. WATER AND SEWER SERVICES

If the propsed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal: N/A

9. REGISTERED OWNER(S) OR PERSON ACTING ON HIS /HER BEHALF:

I/We, Tyler Schenker [redacted] hereby certify that

☒ I/We are the registered owner(s), or

☐ I/We are authorized to act on behalf of the registered owner(s)

and that the information given on this form is full and complete and is, to the best of my/our knowledge, a true statement of the facts relating to this application for subdivision.

Address [redacted] Foothills AB T1S 4A3

Signed [redacted]

Phone N[redacted] Date May 1st 2026

RIGHT OF ENTRY

I/We, Tyler Schenker [redacted] willow Island Farms Ltd (Bob Thompson)

hereby authorize Foothills County to enter my/our land for the purpose of conducting a site inspection in connection with my/our application for subdivis[redacted] uant to Section 653(2) of the Municipal Government Act.

Signature of Registered Owner(s)

THIS SECTION FOR OFFICIAL USE

Decision REFUSED

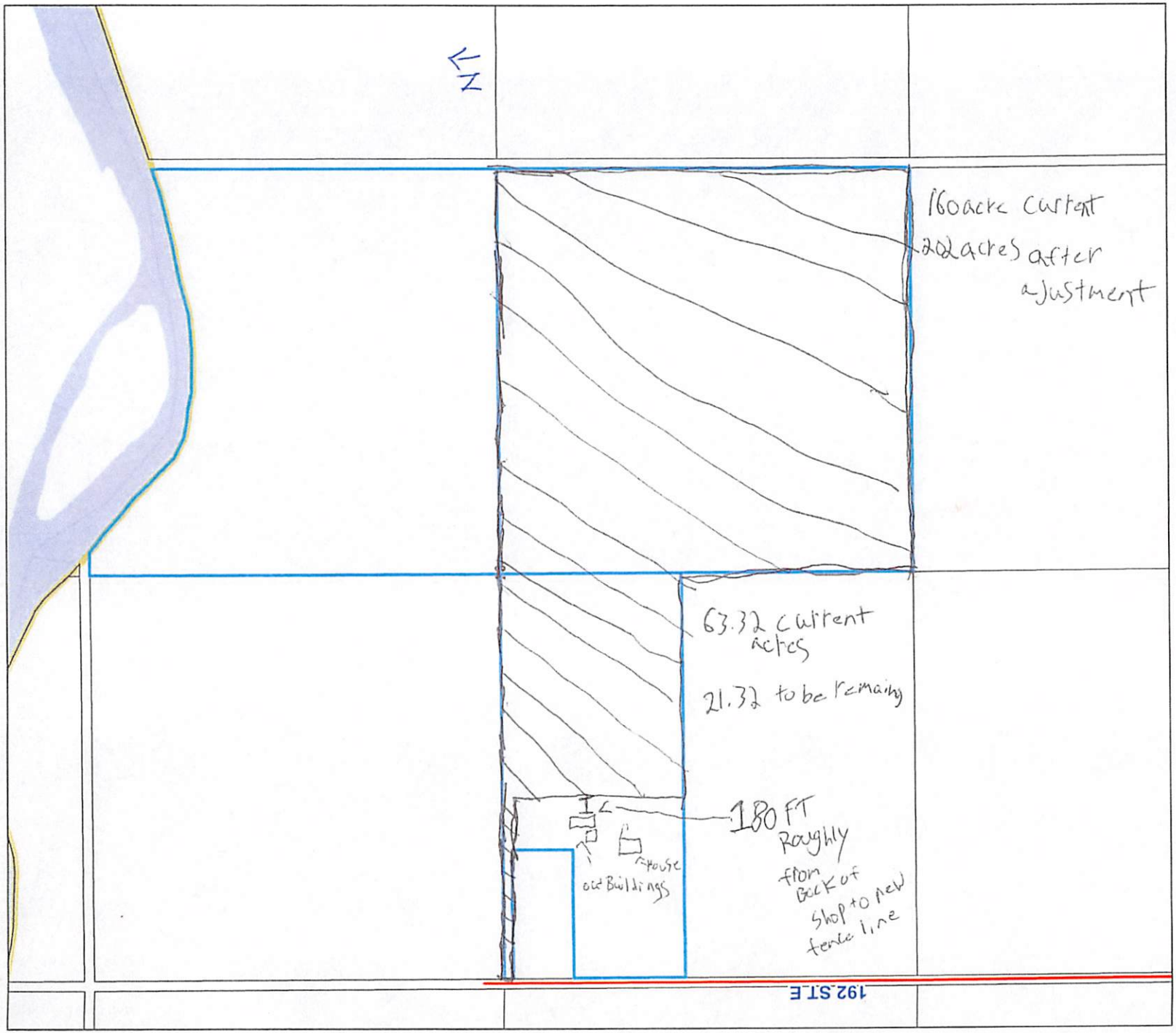
The reasons for refusal or conditions of approval are attached.

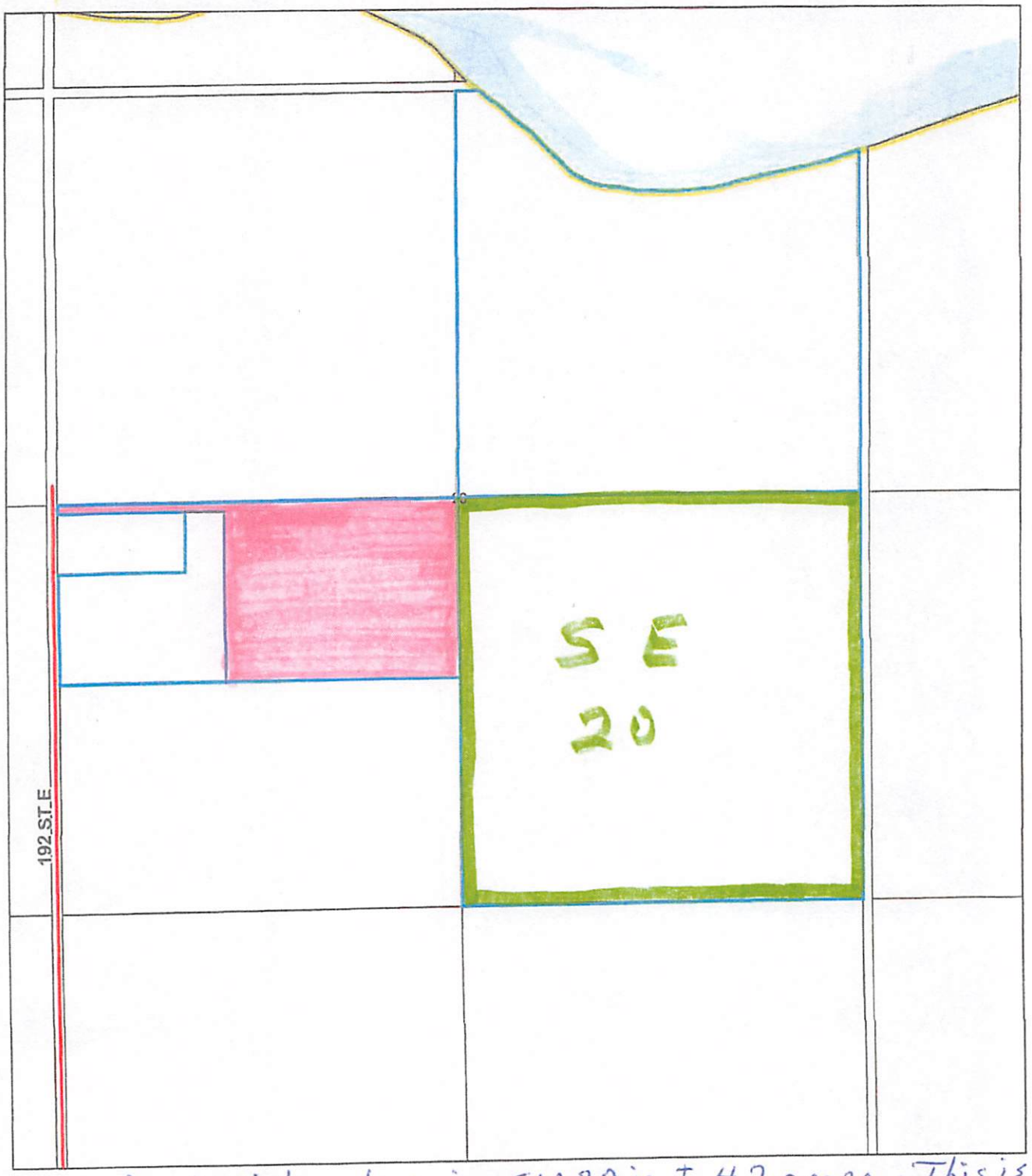
Date SEPTEMBER 30, 2026

Signed [signature]

(Authorized Officer of Approving Authority)

DISCLAIMER: Please note that the personal information collected on this form is authorized under the Municipal Government Act and is required for the purpose of the County's Planning and Development processes. This information may also be shared with appropriate government agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection and use of this information, please contact the FOIP Coordinator at 403-652-2341.


N
160acre current
202acres after
adjustment
63.32 current
acres
21.32 to be remain
180 FT
Roughly
from
Back of
shop to new
fence line
house
out Buildings
192 ST E



Area in pink colour in SW 20 is ± 42 acres. This is The area to be added into SE 20-21-27-4.

Current title for Ptn SW 20 is 63.32 acres

Current title for SE 20-21-27-4 has 160 acres.

After boundary adjustment

Ptn SW 20 is 63.32 acres less 42 acres = 21.32 acres

SE 20 is 160 + 42 acres = 202 acres

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0032 237 299	4;27;21;20;SW	221 224 837

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH WEST
CONTAINING 64.7 HECTARES(160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
DESCRIPTIVE	9913211	3.01	7.44
SUBDIVISION	0710645	36.115	89.24

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 191 085 810

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
221 224 837	17/10/2022	TRANSFER OF LAND	$1,120,000	$1,120,000

OWNERS

TYLER SCHENKER
[redacted]
FOOTHILLS
ALBERTA T0L 0X0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
841 060 198	06/04/1984	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY

(CONTINUED)

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
		ALBERTA T2A7W7 "DISCHARGED EXCEPT FOR PLAN 8510678 BY 851220020 ENTERED 07/01/1986" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021216825) (DATA UPDATED BY: CHANGE OF ADDRESS 091107758)
931 111 094	18/05/1993	EASEMENT OVER SE 20-21-27-W4M FOR BENEFIT OF SW 20-21-27-W4M
931 111 095	18/05/1993	EASEMENT OVER SW 20-21-27-W4M FOR BENEFIT OF SE 20-21-27-W4M
931 132 007	08/06/1993	EASEMENT OVER PORTION OF SW 20-21-27-W4M FOR THE BENEFIT OF NE 20 - 21- 27 - W4M
941 218 756	23/08/1994	UTILITY RIGHT OF WAY GRANTEE - SUNSHINE GAS CO-OP LTD.
991 340 639	20/11/1999	CAVEAT RE : ACQUISITION OF LAND CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 5605 HIGH RIVER ALBERTA T1V1M7 AGENT - JUDITH A GORDON
991 369 900	16/12/1999	CAVEAT RE : EASEMENT
141 060 413	11/03/2014	SURFACE RIGHTS BOARD ORDER IN FAVOUR OF - ALTALINK MANAGEMENT LTD. ORDER #0227/2014
221 224 838	17/10/2022	MORTGAGE MORTGAGEE - ATB FINANCIAL. 48 MCKENZIE TOWNE AVENUE SE CALGARY ALBERTA T2Z3S7 ORIGINAL PRINCIPAL AMOUNT: $1,120,000

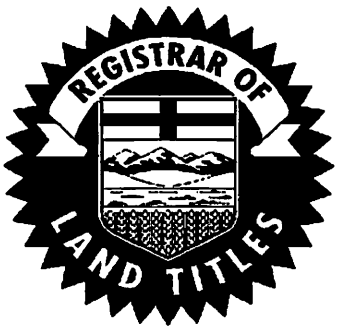
TOTAL INSTRUMENTS: 009

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 9 DAY OF JUNE, 2026 AT 09:58 A.M.

ORDER NUMBER: 57403759

CUSTOMER FILE NUMBER: KB-Planning



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0016 871 386	4;27;21;20;SE	181 043 843

LEGAL DESCRIPTION
MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH EAST
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 101 303 633

REGISTERED OWNER(S)

REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 043 843	23/02/2018	TRANSFER OF LAND	$900,000	$900,000

OWNERS

WILLOW ISLAND FARM LTD.
[redacted]
CARSELAND
ALBERTA T0J 0M0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
851 067 112	29/04/1985	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 AS TO PORTION OR PLAN:8510678 "DATA UPDATED BY: PARTIAL DISCHARGE 851219839" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021237760)

(CONTINUED)

REGISTRATION NUMBER | DATE (D/M/Y) | PARTICULARS

(DATA UPDATED BY: CHANGE OF ADDRESS 091107814)

931 111 094 18/05/1993 EASEMENT
OVER SE 20-21-27-W4M FOR BENEFIT
OF SW 20-21-27-W4M

931 111 095 18/05/1993 EASEMENT
OVER SW 20-21-27-W4M FOR BENEFIT OF
SE 20-21-27-W4M

941 226 608 30/08/1994 UTILITY RIGHT OF WAY
GRANTEE - SUNSHINE GAS CO-OP LTD.

961 235 101 08/10/1996 CAVEAT
RE : EASEMENT

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 20 DAY OF APRIL, 2026 AT 12:17 P.M.

ORDER NUMBER: 56901994

CUSTOMER FILE NUMBER: WIF

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Kayla Baxter

From:	FC_Planning
Sent:	June 12, 2026 8:34 AM
To:	[redacted]
Cc:	Theresa Chipchase
Subject:	Notice of Complete Application & Time Extension – Subdivision File # F2127-20SW Ptn: SW & SE 20-21-27 W4M
Attachments:	Adjacent Landowner Notice.pdf; Notice of Complete.pdf; Notice of Time Extension.pdf

Hello,

Re: Notice of Complete Application & Time Extension – Subdivision File # F2127-20SW Ptn: SW & SE 20-21-27 W4M

This letter is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **complete** as of **June 8, 2026**.
Please sign & return the Notice of Time Extension, hard copies will follow in the mail.

Also attached is a copy of the Adjacent Landowner notification that will be mailed out, for your records.

Notwithstanding the above, in the course of futher processing your application, we may request additional information or documentation from you that is considered necessary to review your application.

If you have any questions or concerns regarding the information in this letter, please contact Theresa Chipchase at Theresa.Chipchase@foothillscountyab.ca.

Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

FOOTHILLS COUNTY
309 Macleod Trail, Box 5606
High River, Alberta T1V 1M7
Phone: 403-652-2341
Fax: 403-652-7880
Planning@FoothillsCountyAB.ca
www.FoothillsCountyAB.ca

June 12, 2026
File # F2127-20SW

Tyler Schenker
[redacted]
Foothills, AB T1S 4A3

Dear Sir/Madam

RE: SUBDIVISION & BOUNDARY ADJUSTMENT
LEGAL DESCRIPTION – Ptn. SW & SE 20-21-27 W4M (63.32 & 160 ACRES)

Section 8 of the Matters Related to Subdivision and Development Regulation requires the Subdivision Authority to make a decision on a subdivision application 60 days from the date an application is deemed complete, unless an agreement is entered into with the applicant to extend this period. To permit the Subdivision Authority to make a decision on your application we are requesting you to enter into the time extension agreement set out below. Without this agreement, we will be unable to deal with your application after the 60-day period has expired. This is a **standard letter** and **will not hold your application up in any way.**

If you agree with our request, please complete the agreement set out below and forward it to the above mailing address. Please note that this is a standard form sent to all landowners who apply for Subdivision.

If you have any questions or concerns regarding the information in this letter, please contact the undersigned.

Yours truly,
FOOTHILLS COUNTY

Theresa Chipchase
Planning & Development Officer
Ph. (403) 603-6223
Email: Theresa.Chipchase@FoothillsCountyAB.ca

/kb

cc. Landowner – Willow Island Farm LTD.

FOOTHILLS COUNTY
309 Macleod Trail, Box 5606
High River, Alberta T1V 1M7
Phone: 403-652-2341
Fax: 403-652-7880
Planning@FoothillsCountyAB.ca
www.FoothillsCountyAB.ca

TIME EXTENSION AGREEMENT

In accordance with Section 681(1)(b) of the Municipal Government, I, Landowner Tyler Schenker do hereby enter into an agreement with Foothills County and agree to extend the time prescribed under Section 8(b) of the Matters Related to Subdivision and Development Regulation to October 12, 2026.

[redacted]

Tyler Schenker

6/12/2025

Date

FOOTHILLS COUNTY
309 Macleod Trail, Box 5606
High River, Alberta T1V 1M7
Phone: 403-652-2341
Fax: 403-652-7880
Planning@FoothillsCountyAB.ca

June 12, 2026

«MailName»
«AddLine1»
«AddLine2» «AddLine3»
«city», «prov» «POSTAL»

To Whom It May Concern:

RE: SUBDIVISION & BOUNDARY ADJUSTMENT
LEGAL DESCRIPTION – Ptn. SW & SE 20-21-27 W4M (63.32 & 160 ACRES)

Foothills County has received an application from landowners Tyler Schenker and Willow Island Farm LTD. proposing a Subdivision for the purposes of a Boundary Adjustment, which proposes to take +/- 42 acres from Ptn. SW 20-21-27 W4M, being a 63.32 acre Agricultural District parcel to consolidate it with SE 20-21-27 W4M resulting in one +/-21.32 acre parcel in SW 20-21-27 W4M and one +/-202.0 acre parcel in SE 20-21-27 W4M. A location map for the subject parcel and a site plan are enclosed.

Under the Municipal Government Act adjacent landowners no longer have the opportunity to appeal the decision of the Subdivision Authority to the Subdivision and Development Appeal Board or Land and Property Rights Tribunal. However, as per Section 653(3)(b) of the Act, the Subdivision Authority is required to give notice of the subdivision application to adjacent landowners. According to our records you are an adjacent landowner.

The file for this application may be reviewed at the County Office in High River during regular office hours - Monday to Friday, 8:30 AM to 4:30 PM. Any adjacent landowners that have concerns or feel they are affected by the proposal can make a written submission to Council as the Subdivision Authority prior to July 12, 2026. If we do not hear from you in that time, it will be assumed that you have no objections. There will be no public hearing, only written submissions will be considered. **It is to be noted that your submission will be considered to be part of a file that can be viewed by the public at any time.**

Should you have any questions or wish to submit a letter, please do not hesitate to contact the undersigned.

Yours truly,
FOOTHILLS COUNTY

Original Signed by: Chipchase

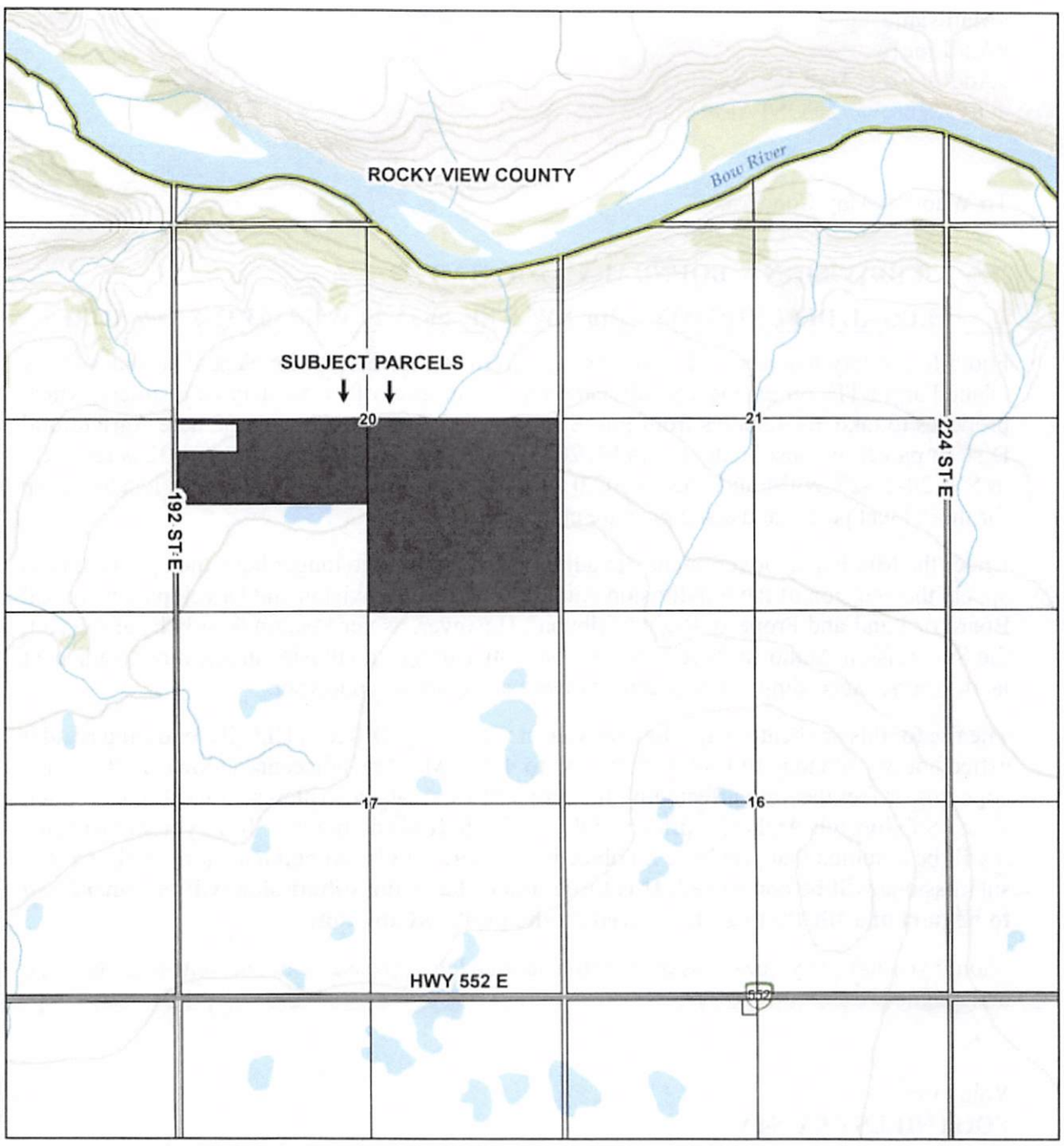
Theresa Chipchase
Planning & Development Officer
Ph. (403) 603-6223
Email: Theresa.Chipchase@FoothillsCountyAB.ca

/kb

Encl

LOCATION MAP

Location Map SW/SE 20-21-27 W4M



2026-06-09, 9:52:50 a.m.

Parcels

Townships

Canada_Hillshade

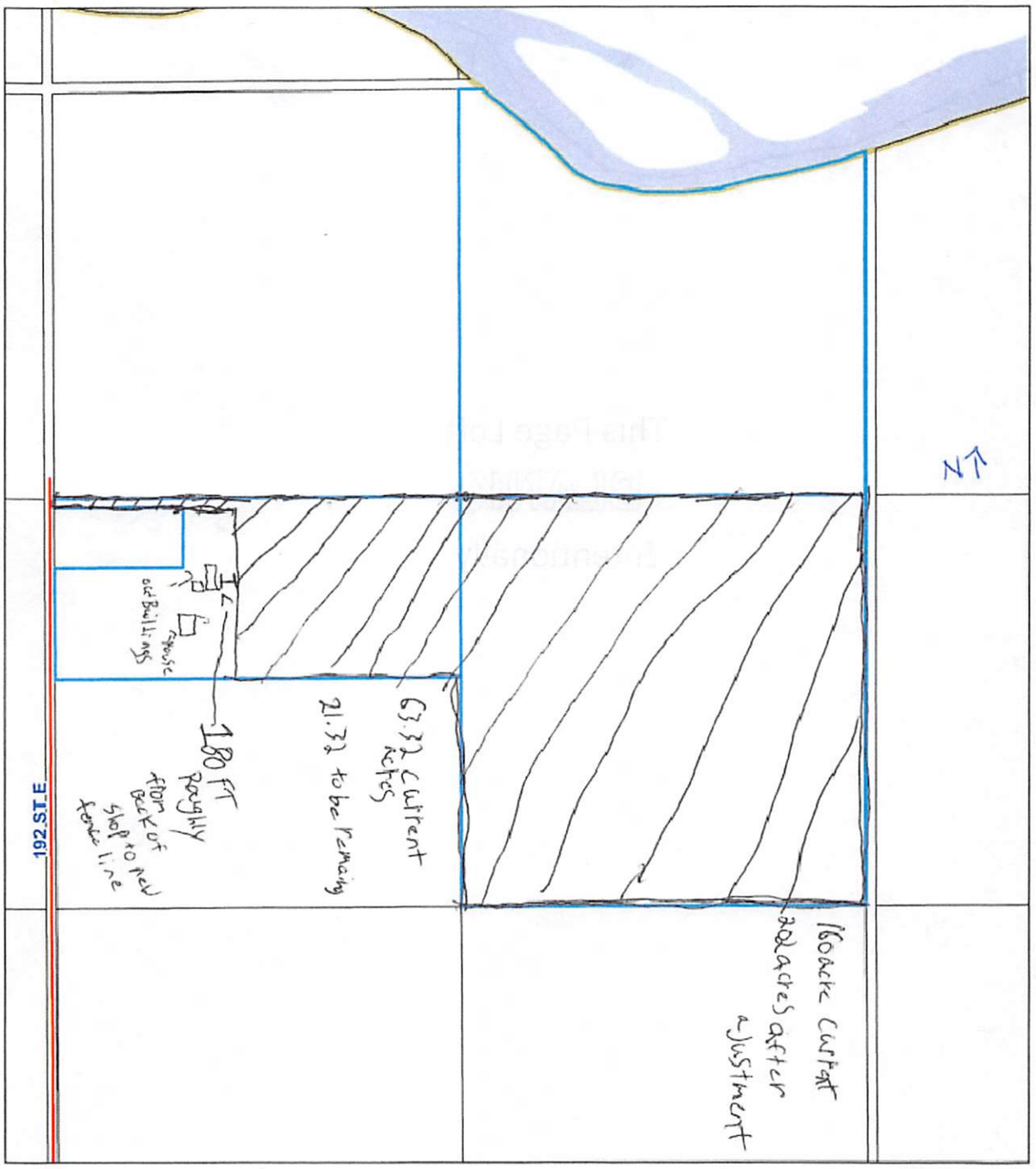
1:36,810

0 0.2 0.4 0.8 mi

0 0.3 0.6 1.2 km

Sources: NRCan, Esri Canada, and Canadian Community Maps contributors.

SITE PLAN


N
192 ST E
180 FT
Roughly
from back of
shop to new
fence line
63.82 Current
Acres
21.72 to be remain
160 acre current
302 acres after
adjustment

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Intentionally

FOOTHILLS COUNTY
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7
Phone: 403-652-2341 | Fax: 403-652-7880
planning@foothillscountyab.ca
www.FoothillsCountyAB.ca

June 12, 2026
File # F2127-20SW

COPY

Tyler Schenker
[redacted]
Foothills, AB T1S 4A3

Dear Sir/Madam:

RE: SUBDIVISION & BOUNDARY ADJUSTMENT
LEGAL DESCRIPTION – Ptn. SW & SE 20-21-27 W4M (63.32 & 160 ACRES)

Section 653.1 of the Municipal Government Act requires the Subdivision Authority, within 20 days after the receipt of an application for subdivision, to determine whether the application is complete or incomplete. This letter is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **complete** as of June 8, 2026.

Notwithstanding the above, in the course of processing your application, we may request additional information or documentation from you that is considered necessary to review your application.

If you have any questions or concerns regarding the information in this letter, please contact the undersigned.

Yours truly,
FOOTHILLS COUNTY

Theresa Chipchase
Planning & Development Officer
Ph. (403) 603-6223
Email: Theresa.Chipchase@FoothillsCountyAB.ca

/kb

cc. Landowner – Willow Island Farm Ltd.

ABANDONED WELL SITES

Foothills County
309 Macleod Trail, Box 5605, High River, AB T1V 1M7. Tel: 403-652-2341 Fax: 403-652-7880



The location of oil and gas wells that are being drilled or are actively producing is evident, both from the surface and through a notation on the land title. Abandonment of an oil and gas well occurs by rendering the well incapable of flow and placing a cap over the casing approximately one meter below the surface. After surface reclamation is complete and a certificate is issued by Alberta Environment, the well site lease notation may be removed from the title. At this point, there is nothing visible on the surface or on the title to indicate the presence of an abandoned well.

Council and staff give serious consideration to information pertaining to abandoned well sites when evaluating applications for subdivision, land use amendment or redesignation, development permits, and building permits.

The Alberta government has recently introduced new requirements for developers and property owners relating to abandoned wells.

Effective November 1st 2012, subdivision and development applications must be accompanied by documentation from the Alberta Energy Regulator (AER) indicating the presence or absence of abandoned wells on-site. If abandoned wells do exist on-site, subdivision and development applications must show exactly where the wells exist, what the setback distances are (if setbacks are required) and how they have been taken into account. To assist applicants in collecting the required information, the AER has released an 'Abandoned Well Map Viewer' that provides the location, name of the licensee, and status of abandoned wells across Alberta. The viewer is available at:

https://maps.aer.ca/awm/index.html

Through use of the viewer, subdivision and development applications must now contain the following:

1. A map of the search area from the viewer and a statement that there are no wells in the project area or;
2. A list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, as provided by the viewer or Information Services;
3. Written confirmation from the applicant that the licensee responsible for each well has been contacted and the exact well location confirmed;
4. A sketch of the proposed development incorporating the necessary setback area for each well;
5. If the development will result in construction activity within the setback area, a statement confirming that the abandoned wells will be temporarily marked with on-site identification to prevent contact during construction.

The AER Calgary Office can be contacted at:

AER Calgary (Head Office)
Suite 1000, 250 – 5th St. SW
Calgary, AB T2P 0R4
Phone: (403) 297-8311
Toll Free: 1-855-297-8377
Fax: (403) 297-7336
Email: inquiries@aer.ca

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.

If no wells are listed on-site:

I, Tyler Schenker being the registered
Owner(s) or agent acting on behalf of the registered owner(s)

of S.W. 1/4 Sec. 20-21-27-4
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a map of the search area from the viewer and a statement identifying that no abandoned well sites were noted on the above legal description.

Tyler Schenker [redacted]
Owner/Agent

DATED: this 16 day of April, 2026.

OR

If wells are listed on-site:

I, _____ being the registered
Owner(s) or agents acting on behalf of the registered owner(s)

of _____
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

_____
Owner/Agent

DATED: this _____ day of _____, 20_____.

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.



<Layout_Title>

Base Data provided by: Government of Alberta

Author:	Print Date:
YYY	4/16/2026

Legend

- Abandoned Wells
- Revised Location
- Revised Location Pointer

Paved Road (20K)
- Primary Divided
- Primary Divided
- Primary Undivided 4L
- Primary Undivided 4L
- Primary Undivided 2L
- Primary Undivided 1L
- Primary Undivided 1L
- Interchange Ramp
- Interchange Ramp
- Interchange Ramp
- Secondary Divided
- Secondary Divided
- Secondary Undivided 4L
- Secondary Undivided 4L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 1L
- Secondary Undivided 1L

Roads - Other
- Unimproved
- Unclassified
- Truck Trail
- Winter
- Ford Winter Crossing
- Ferry Route

Gravel Road (20K)
- Primary Undivided 2L
- Primary Undivided 2L
- Primary Undivided 1L
- Primary Undivided 1L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 1L
- Secondary Undivided 1L

Railway (20K Large Scale)
- Single Line
- Double Line
- Multiple Line
- Spur Line
- Abandoned
- ATS LSD label

- ATS LSD with Road
- ATS Section label (large
- ATS Section with Road
- ATS Township (large scale)
- Provincial Boundary
- Lake Label (20K)
- River Label (20K)

Lake/River (20K)
- Lake or River
- Lake or River
- Reservoir
- Icefield
- Major Canal
- Oxbow
- Quarry
- Dugout

Intermittent Lake
- Intermittent Lake
- Intermittent Oxbow

Sandbar / Wetland /
- Sandbar
- Sandbar
- Sandbar

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<LINK>http://www.aer.ca/copyright-disclaimer</LINK>

N

Projection and Datum
WGS 1984 Web Mercator Auxiliary Sphere

Scale 1:7,705

Alberta Energy Regulator

ABANDONED WELL SITES

Foothills County
309 Macleod Trail, Box 5605, High River, AB T1V 1M7. Tel: 403-652-2341 Fax: 403-652-7880



The location of oil and gas wells that are being drilled or are actively producing is evident, both from the surface and through a notation on the land title. Abandonment of an oil and gas well occurs by rendering the well incapable of flow and placing a cap over the casing approximately one meter below the surface. After surface reclamation is complete and a certificate is issued by Alberta Environment, the well site lease notation may be removed from the title. At this point, there is nothing visible on the surface or on the title to indicate the presence of an abandoned well.

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The Alberta government has recently introduced new requirements for developers and property owners relating to abandoned wells.

Effective November 1st 2012, subdivision and development applications must be accompanied by documentation from the Alberta Energy Regulator (AER) indicating the presence or absence of abandoned wells on-site. If abandoned wells do exist on-site, subdivision and development applications must show exactly where the wells exist, what the setback distances are (if setbacks are required) and how they have been taken into account. To assist applicants in collecting the required information, the AER has released an 'Abandoned Well Map Viewer' that provides the location, name of the licensee, and status of abandoned wells across Alberta. The viewer is available at:

https://maps.aer.ca/awm/index.html

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The AER Calgary Office can be contacted at:

AER Calgary (Head Office)
Suite 1000, 250 – 5th St. SW
Calgary, AB T2P 0R4
Phone: (403) 297-8311
Toll Free: 1-855-297-8377
Fax: (403) 297-7336
Email: inquiries@aer.ca

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.

If no wells are listed on-site:

Willow Island Farm Ltd

I, _____ being the registered
Owner(s) or agent acting on behalf of the registered owner(s)

of SE 20-21-27-4
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a map of the search area from the viewer and a statement identifying that no abandoned well sites were noted on the above legal description.

[redacted]
President - Willow Island Farm Ltd
Owner/Agent

DATED: this 8 day of June, 2026.

OR

If wells are listed on-site:

I, _____ being the registered
Owner(s) or agents acting on behalf of the registered owner(s)

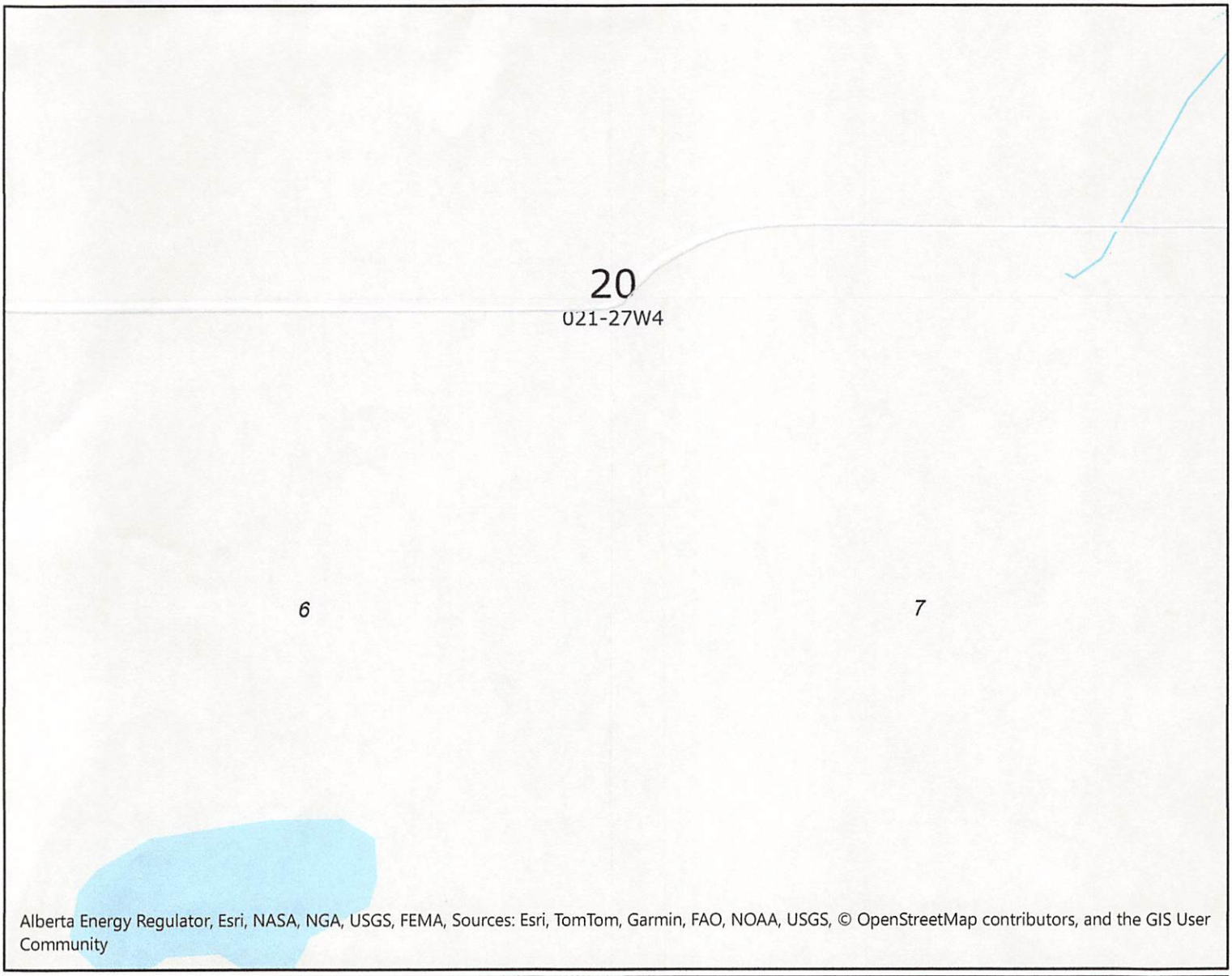
of _____
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

_____
Owner/Agent

DATED: this _____ day of _____, 20_____.

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.



Abandoned Well map Viewer

Base Data provided by: Government of Alberta

Author:	Print Date:
Willow Island Farm	6/2/2026

Legend

- Abandoned Wells
- Revised Location
- Revised Location Pointer

Paved Road (20K)
- Primary Divided
- Primary Divided
- Primary Undivided 4L
- Primary Undivided 4L
- Primary Undivided 2L
- Primary Undivided 1L
- Primary Undivided 1L
- Interchange Ramp
- Interchange Ramp
- Interchange Ramp
- Secondary Divided
- Secondary Divided
- Secondary Undivided 4L
- Secondary Undivided 4L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 1L
- Secondary Undivided 1L

Roads - Other
- Unimproved
- Unclassified
- Truck Trail
- Winter
- Ford Winter Crossing
- Ferry Route

Gravel Road (20K)
- Primary Undivided 2L
- Primary Undivided 2L
- Primary Undivided 1L
- Primary Undivided 1L
- Secondary Undivided 2L
- Secondary Undivided 2L
- Secondary Undivided 1L
- Secondary Undivided 1L

Railway (20K Large Scale)
- Single Line
- Double Line
- Multiple Line
- Spur Line
- Abandoned
- ATS LSD label
- ATS LSD with Road
- ATS Section label (large
- ATS Section with Road
- ATS Township (large scale)
- Provincial Boundary
- Lake Label (20K)
- River Label (20K)

Lake/River (20K)
- Lake or River
- Lake or River
- Reservoir
- Icefield
- Major Canal
- Oxbow
- Quarry
- Dugout

Intermittent Lake
- Intermittent Lake
- Intermittent Oxbow

Sandbar / Wetland /
- Sandbar
- Sandbar
- Sandbar

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N

Projection and Datum
WGS 1984 Web Mercator Auxiliary Sphere

Scale 1:6,280

Alberta Energy Regulator

Kayla Baxter SCHENKER

From: RD McHugh
Sent: June 24, 2026 9:06 AM
To: FC_Planning; FC-Council
Cc: Theresa Chipchase
Subject: RE: Foothills County circulation package for Subdivision File # F2127-20SW - Division 7

Categories: Kayla Baxter

Hello Theresa,

I would suggest that the municipalility should be named to the easements on title. The titles seem to only list the access caveat easments to the benefit of the SE and SW of 20.

In actuality the acreage in thye SW of 20 has been using the easement for access for years.

The Ne of 20 uses the access easement as well. I do not see the NE 20 listed on the caveat perhaps I missed it.

R.D.

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: June 23, 2026 11:32 AM
To: FC-Council <FC-Council@fcab.ca>
Cc: Theresa Chipchase <Theresa.Chipchase@FoothillsCountyAB.ca>
Subject: Foothills County circulation package for Subdivision File # F2127-20SW - Division 7

Hello,

Please find attached the circulation package for Subdivision File # F2127-20SW. This circulation is being provided to you for information purposes only as this application has been formally submitted.

Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

Schenker

Kayla Baxter

From: Sunshine Gas Co-op Ltd. <Sungas@sunshinegascoop.com>
Sent: July 16, 2026 4:28 PM
To: FC_Planning
Subject: RE: Foothills County circulation package for Subdivision File # F2127-20SW. Please review and respond prior to July 23, 2026

Categories: Kayla Baxter

Good afternoon,

Sunshine Gas Co-op Ltd. has no concerns with the attached project.

Thanks

BRYAN PAETSCH | MANAGER | SUNSHINE GAS CO-OP LTD.

Box 190, Blackie, AB T0L 0J0
C (403)312-8548 **T** (403)403-684-3672
E sungas@sunshinegascoop.com **W** sungas@sunshinegascoop.com

---

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Tuesday, June 23, 2026 11:32 AM
To: aep.epeaapprovcal@gov.ab.ca; acsw.historicallup@gov.ab.ca; 3rdpartyrequests@altalink.ca; Teresa Lemon <Teresa.Lemon@FoothillsCountyAB.ca>; datkinson@redeemer.ab.ca; nickelk@fsd38.ab.ca; stephan.deloof@francosud.ca; landserv@fortisalberta.com; Sunshine Gas Co-op Ltd. <Sungas@sunshinegascoop.com>; Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; circulations@telus.com
Cc: Theresa Chipchase <Theresa.Chipchase@FoothillsCountyAB.ca>
Subject: Foothills County circulation package for Subdivision File # F2127-20SW. Please review and respond prior to July 23, 2026

Hello,

Find attached our circulation package for Subdivision File # F2127-20SW. Please review and respond **prior to July 23, 2026.**

Should you have any questions or comments, please direct them to **Theresa Chipchase** at Theresa.Chipchase@foothillscountyab.ca.

Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

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Kayla Baxter

From: circulations . <circulations@telus.com>
Sent: June 24, 2026 8:46 AM
To: FC_Planning
Subject: Re: Foothills County circulation package for Subdivision File # F2127-20SW. Please review and respond prior to July 23, 2026

Categories: Kayla Baxter

Good Day,

Thank you for including TELUS in your circulation. At this time, TELUS has no concerns with the proposed activities.

Regards,

Joanne Bourdage

Real Estate Specialist | TELUS Land Solutions Team
National Network Planning (NNP)
2930 Centre Avenue NE, Calgary, AB T2A 4Y2

The future is friendly®

circulations@telus.com

On Tue, Jun 23, 2026 at 11:33 AM FC_Planning <Planning@foothillscountyab.ca> wrote:

> Hello,
>
> Find attached our circulation package for Subdivision File # F2127-20SW. Please review and respond **prior to July 23, 2026.**
>
> Should you have any questions or comments, please direct them to **Theresa Chipchase** at Theresa.Chipchase@foothillscountyab.ca.
>
> Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.

Erin Aldcroft
Land Department

FortisAlberta Inc.
320 - 17 Ave SW
Calgary, AB
T2S 2V1
Phone# 587-775-6331
Cell#
www.fortisalberta.com
Email: erin.aldcroft@fortisalberta.com

July 10, 2026

Foothills County
PO Box 5605
High River, Alberta
T1V 1M7

Attention: Theresa Chipchase

RE: FortisAlberta Condition for Subdivision Approval

FortisAlberta Reference No.: 320174249
MD File No.: F2127-20SW
Location/Legal Description: SW 20-21-27-W4
Customer Name: Tyler Schenker

Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

Sincerely,

Erin Aldcroft

Erin Aldcroft

PLANNING & DEVELOPMENT CIRCULATION

PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE

FILE NUMBER: F2127-20SW	**LANDOWNER:** Tyler Schenker/Willow Island Farms Ltd./Bob Thompson
FILE MANAGER: Theresa Chipchase	**AGENT:** None
CURRENT LAND USE: Agricultural District - both parcels	**PROPOSED LAND USE:** Agricultural District - Both parcels
LEGAL DESCRIPTION: Schenker Ptn. SW 20-21-27-W4M Thompson SE 20-21-27-W4M	
MUNICIPAL ADDRESS: [redacted]	
ROLL NUMBER: Schenker 2127202520 Thompson 2127200000	
DATE REFERRED: June 19th, 2026	
PROPOSAL: Boundary adjustment which proposes to subtract 42.0 +/- acres from Ptn. SW 20-21-27-W4M and to add 42.0 +/- acres to SE 20-21-27-W4M Resulting in one 21.32 +/- acre parcel (Ptn. SW 20-21-27-W4M) and one 202.0 +/- acre parcel (SE 20-21-27-W4M)	

PROPOSAL INFORMATION:

Subdivision

- Internal Road Proposed: No
- Construction on Road Allowance Proposed: No
- Approaches exist on: Existing (Panhandle exists to Schenker parcel from 192nd St. East. Thompson property appears to obtain access via easement over the Schenker parcel)
  - Other:

Information pertaining to roads on East side of the subject lands:

Servicing Comments or Review required:

- Other:
- Road Widening - Caveat

OTHER COMMENTS:

Currently the 17 metre wide panhandle on the Schenker parcel (Ptn. SW 20-21-27-W4M) serves as easement access to the Thompson parcel (SE 20-21-27-W4M) this panhandle portion also serves as easement access for the neighbor on Plan 9913211, Block 1 and for the adjacent neighbor to the north east (Dugdale) This panhandle would transfer along with additional acres from the Schenker lands to the Thompson lands to be consolidated with the Thompson quarter to the east. The existing access to the panhandle portion of the property does not appear to meet the county's approach construction standards As it does not meet 192nd Street East at a 90 degree angle it may also be required that this be widened to a common approach to provide appropriate .legal and physical access to Plan 9812213, Block 1 and the SE 20-21-27-W4M with the boundary adjustment There is also an undeveloped road allowance along the east boundary of the SE 20-21-27-W4M, which although it could serve as access travels through a large wetland. Road widening may or may not be considered for this allowance

PUBLIC WORKS RECOMMENDATIONS:

SUGGESTED CONDITIONS FOR CONSIDERATION:	☐ Proposed	Balance	
○ Geotechnical Report for Slope Stability	☐ Redes/Amend	☐ Subdivision	☐ Development
○ High Water Table Testing for Foundation Design:	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Septic Disposal Evaluation (PSTS)	☐ Redes/Amend	☐ Subdivision	
○ Stormwater Management Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Lot Grading/Overland Drainage Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Flood Plain Report (1 in 100 years)	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Overland Drainage Easement	☐ Redes/Amend	☐ Subdivision	
○ Building Envelopes	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Traffic Impact Assessment (TIA)	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Environmental Site Assessment (Phase1 / Phase2)	☐ Redes/Amend	☐ Subdivision	☐ Development
○ Other: _____	☐ Redes/Amend	☐ Subdivision	☐ Development

ADDITIONAL ROAD WIDENING REQUIRED:

☐ **No** ☒ **Caveat** ☐ **Survey Out**

Amount _____m Location of Widening Required: ☐ **N** ☐ **E** ☐ **S** ☐ **W**

Other: 5m by caveat on 192 St E and hypothetical 208 St E

☐ **No** ☐ **Caveat** ☐ **Survey Out**

Amount _____m Location of Widening Required: ☐ **N** ☐ **E** ☐ **S** ☐ **W**

Other: _____

See reverse side.....

RECOMMENDATIONS ON APPROACH REQUIREMENTS:
Number of new approaches and/or existing approaches requiring upgrades: _____

Recommendations: _____

RECOMMENDATIONS REGARDING INFRASTRUCTURE:

ROAD REQUIREMENTS / LIMITATIONS:

- Road Ban on road ☐ Yes ☐ No
- Load Restricted Bridge ☐ Yes ☐ No
- Road Use Agreement Required ☐ Yes ☐ No

Road comments and requirements: _____

PUBLIC WORKS SUPPORTING DOCUMENTS (PLEASE ATTACH TO THIS REFERRAL IF ANY):

☐ Yes* ☐ No

**If Yes* – Number of Pages: _____

Date Reviewed: August 12 2026 **Reviewer:** Patrick Antle

Signature: Patrick Antle

REQUESTED CONDITIONS (SHOULD BOARD OVERTURN DECISION OF COUNCIL)

NOTE: CONDITIONS PROVIDED AT REQUEST OF SDAB AND IN NO WAY PROVIDE SUPPORT FROM THE COUNTY FOR APPROVAL OF THE PROPOSED SUBDIVISION

1. Boundary adjustment and consolidation to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
2. It is the Landowners responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s), approaches, septic tank and field, and water well(s) are within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
3. Landowners are to provide all utility easements and agreements, to the satisfaction of the County and the utility companies;
4. Road acquisition agreement, for the purpose of road dedication, to be executed and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 5.0 metres in width, parallel to the full east boundary of the SE -20-21-27-W4M (208TH St. E)
5. Land acquisition agreement, for the purpose of access, to be executed and registered by caveat, concurrent with the Plan of Survey, with respect to area of land 18 metres in width over the existing panhandle within Ptn. SW 20-21-27-W4M, located north of Block 1, Plan 9913211, that is to be adjusted into SE 20-21-27-W4M;
6. All accesses are to be located, and culverts and approaches installed to current Municipal Subdivision Road Construction standards, to the satisfaction of the County's Public Works department;
7. Public Reserve: Pursuant to the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy (adopted April 18/96), reserves for the proposed 21.32 +/- acre parcel are to be deferred by caveat, reserves would not be required for the proposed 202.0 +/- acre balance parcel within the SE 20-21-27-W4M;
8. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision;
9. Submission of subdivision endorsement fees.

Agriculture

Conserving the *agricultural land* base is very important to our economy, our environment and our way of life here in the MD of Foothills. Agricultural products are renewable resources which provide jobs and revenue. The long-term viability of agriculture depends on the land base. Due to the diversity of agricultural pursuits we can no longer define good farm land strictly by criteria such as the Canada Lands Inventory (CLI) soil capability system. We view all land as potential agricultural land and worth conserving. Agricultural lands comprise a significant portion of the natural capital in the MD, and the MD has a duty to protect this land for use by future generations.

Most of the land in the MD of Foothills is made up of working farms and ranches, many of which have been in families for generations. These families not only work as farmers, but they are also responsible for *land stewardship.* We still have intact watersheds, abundant wildlife and spectacular open vistas, all 'public goods', because of the families who have cared for their lands. The costs of supplying and maintaining these goods on private lands are left largely on the shoulders of our farmers and ranchers. The Provincial government's new Land-Use Framework recognizes this and plans to develop new policy to support stewardship and conservation on both public and private lands. The MD supports this initiative.

GOAL

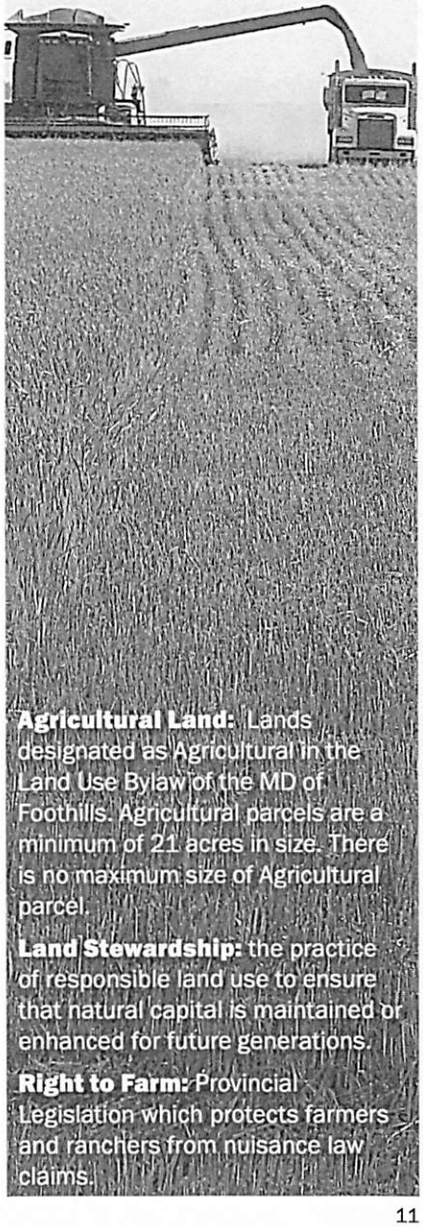
Conserve and protect the maximum amount of land in the MD as natural capital for use by the agricultural industry today and for future generations.

OBJECTIVES

1. Make the preservation of agricultural land a priority for the Municipal District of Foothills No. 31.
2. Minimize the loss of agricultural land by limiting the amount of land removed from agricultural use.
3. Foster growth, diversification and development of the agricultural industry.
4. Support existing agricultural operations and the "*right to farm*".
5. Partner with and encourage the agricultural industry to protect lands that are environmentally significant by adopting practices that promote soil and water conservation.
6. Encourage the agricultural industry to use water responsibly.

"There is too little public recognition of how much we all depend upon farmers as stewards of our soil, water and wildlife resources."

John F. Kennedy

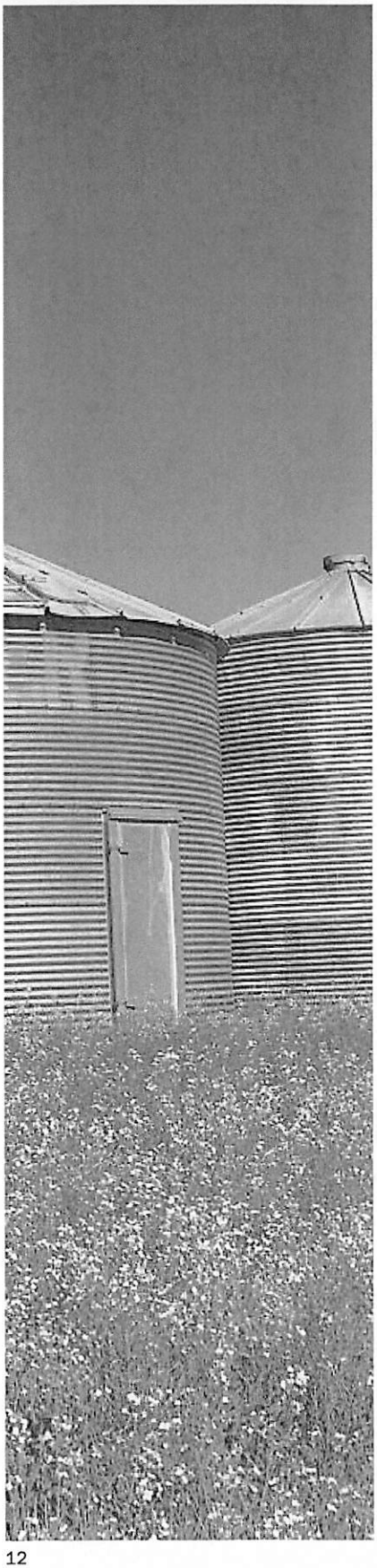


Agricultural Land: Lands designated as Agricultural in the Land Use Bylaw of the MD of Foothills. Agricultural parcels are a minimum of 21 acres in size. There is no maximum size of Agricultural parcel.

Land Stewardship: the practice of responsible land use to ensure that natural capital is maintained or enhanced for future generations.

Right to Farm: Provincial Legislation which protects farmers and ranchers from nuisance law claims.

Agriculture



POLICY

1. All lands in the MD are deemed to be agricultural lands unless zoned for other uses.
2. The MD supports maintaining the integrity of the agricultural land base and discourages the fragmentation of agricultural land, including the subdivision of land into smaller agricultural parcels.
3. Agricultural uses and industries that support agriculture should be encouraged to locate in the Municipality. Non-agricultural uses should only be permitted on lands where the MD judges the proposal to have minimal negative impacts on the agricultural resource.
4. When considering the conversion of agricultural lands to other uses the Municipality shall consider the following:
   - 4.1. Guidance and policy contained within the Municipal Development Plan and other approved plans in the Planning Hierarchy found in Appendix A of this MDP.
   - 4.2. Present or proposed use of lands in the vicinity, including that of confined feeding operations.
   - 4.3. Impact the proposed use will have on the existing or potential agricultural use of the property and properties that may be affected.
   - 4.4. Information contained within the farmland assessment records maintained by the Municipality.
   - 4.5. Response to referrals sent to Provincial government departments.
5. The subdivision of one parcel from a previously un-subdivided quarter section may be supported if the following criteria are met to the satisfaction of the Municipal District:
   - 5.1. The parcel is as small as possible while encompassing the structures, shelterbelts, well and septic fields necessary to the use, but not less than 2 acres in size and where possible, not larger than 20.99 acres.
   - 5.2. Where possible, given the other criteria in this subsection, the subdivision will be designed in a manner that respects natural capital, including but not limited to soils, vegetation, water bodies and their associated riparian areas, and views.
   - 5.3. The parcel has year round physical and legal access to a developed MD roadway.

5.4. Subdivision of the parcel does not negatively impact adjacent agricultural uses.

5.5. All provisions of the Land Use Bylaw have been met.

5.6. The parcel has been zoned to allow for the subdivision.

6. The subdivision of a fragmented parcel from a previously *un-subdivided quarter section* may be supported if the following criteria are met to the satisfaction of the Municipal District:

6.1. The parcel is the entire area of the fragment.

6.2. A suitable building site exists.

6.3. Available legal and year round physical access sufficient to meet the needs of the proposed use.

6.4. Proposed use of the parcel does not negatively impact adjacent agricultural uses.

6.5. Applicant demonstrates that the parcel can be serviced on-site as per Provincial and Municipal regulations.

6.6. The parcel has been zoned to allow for the subdivision.

7. While it should be noted that Agriculture continues to be an important use through all districts in the municipality; the Growth Management Strategy for the MD of Foothills identifies that Agriculture is the predominant land use in the East District and the South West District, and that this should remain so. Conversion of agricultural land to other uses in these areas is discouraged.

Confined Feeding Operations

8. Ensure that each *confined feeding operation (CFO)* meets the *minimum distance separation (MDS).*

9. Encourage each CFO to own the land included within the MDS.

10. Ensure that the CFO and the MDS does not fall within a minimum of:

10.1. 3.2 km (2 miles) of any urban municipality or hamlet and does not encroach into any intermunicipal development plan boundaries.

10.2. 0.8 km (1/2 mile) of a neighbouring dwelling.

11. CFOs should be located in an area where there will be minimal conflict with existing land uses and must take



Fragmented Parcel: A portion of a quarter section which is physically separated from lands within that quarter section due to roads, railway lines, natural water courses and water bodies, or other natural or man-made features.

Agriculture



into consideration future expansion areas when looking at surrounding land uses.

12. Other uses and subdivisions shall be discouraged within the MDS of an existing CFO.

13. Direct CFOs towards parcels of 160 acres or more.

SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT
SUBDIVISION APPROVAL (BOUNDARY ADJUSTMENT)
September 16, 2026

REQUEST FOR SUBDIVISION APPROVAL (BOUNDARY ADJUSTMENT)	
APPLICATION INFORMATION	**FILE NO. F2127-20SW**
	LEGAL DESCRIPTIONS: 1. Ptn. SW 20-21-27-W4M 2. SE 20-21-27-W4M
	LANDOWNERS: 1. Tyler Schenker 2. Willow Island Farm Ltd. c/o Bob Thompson
	AREA OF SUBJECT LANDS: 1. 63.32 acres 2. 160 acres
	CURRENT LAND USES: 1. Agricultural District 2. Agricultural District
	PROPOSED LAND USES: 1. Agricultural District 2. Agricultural District
	MUNICIPAL ADDRESSES: 1. [redacted] 2. None
PROPOSAL: Boundary adjustment which proposes the following: 42.0 +/- acres to be subtracted from PTN: SW 20-21-27-W4M and 42.0 +/- acres to be added to SE 20-21-27-W4M.	
DIVISION NO: 7 | **COUNCILLOR:** R.D. McHugh	**FILE MANAGER:** Theresa Chipchase

PURPOSE OF REQUEST

Subdivision application for the purposes of a boundary adjustment which proposes to subtract 42.0 +/- acres from PTN: SW 20-21-27-W4M and to add 42.0 acres +/- acres to SE 20-21-27-W4M.

The boundary adjustment will result in the following changes to the existing parcel sizes:

- **Ptn. SW 20-21-27-W4M** – 63.32 acres to 21.32 +/- acres
- **SE 20-21-27-W4M** – 160 acres to 202.0 +/- acres

NOTE: Appendix B of this staff report provides supporting detail for the application

NOTE: No land use will change as a result of the proposed boundary adjustment.

EXECUTIVE SUMMARY

SUMMARY OF PROPOSAL

Location

The parcels are located directly east of 192nd Street East and directly west of an undeveloped portion of 208th Street East. Which is 1.6 kilometres north of Highway 552 East, approximately 1.0 kilometres south of the Bow River.

Access

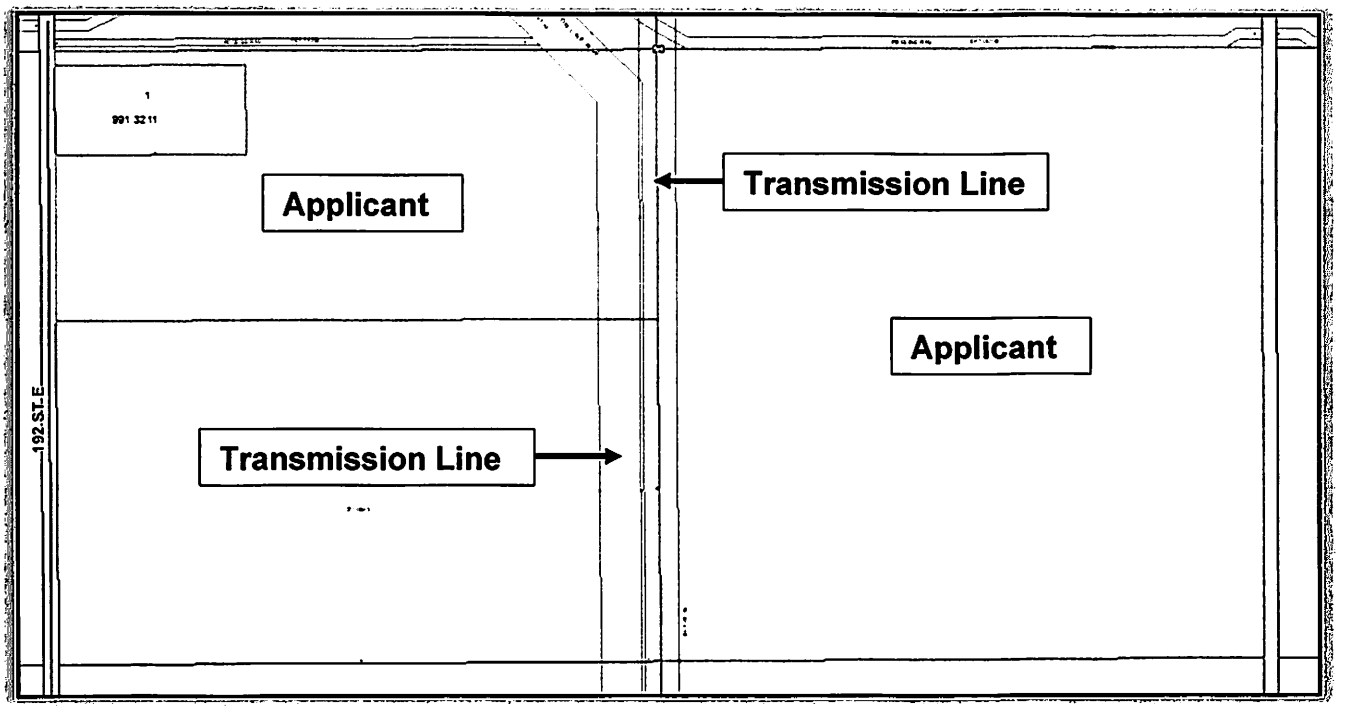
Access to the 63.32 acre parcel is obtained from an approach constructed along the east boundary of the property connecting the lands to 192nd Avenue East.

Access to the 160 acre west parcel is obtained via an easement, running west to east along the full north boundary of the 63.32 acre parcel. This 160 acre parcel also has access provided to it from an undeveloped road allowance along the east boundary, whereby there are suggestions of a driveway connecting the lands one mile south to Highway 552.

Title Registrations

The parcels include registrations for a 60 metre wide transmission line and a parallel 50 metre wide transmission line both of which are owned by Altalink. The 60 metre wide right of way runs along the east boundary of the 63.32 acre parcel with the 50 metre wide right of way straddling the east/west property line between the 63.32 acre parcel and the 160 acre parcel.

Altalink was circulated on the application with no response received prior to the submission of this staff report. The locations of the ROW's are shown on the map below in connection with the lands involved in the adjustment which are identified by the blue lines.



RESERVES

The Subdivision Approving Authority may choose to request a deferred reserve caveat be placed on the new 21.32 +/- acre parcel after the adjustment in accordance with the County's Municipal Reserve Policy, with respect to 2.132 +/- acres of public reserve to be provided upon further subdivision of the property.

EASEMENTS

931 111 094 – on both titles – county party to easement and right of way agreement, easement is for the benefit of access for the SW 20-21-27-W4M over the SE 20-21-27-W4M.

931 111 095 – on both titles – county party to easement and right of way agreement, easement is for the benefit of access for the SE 20-21-27-W4M over the SW 20-21-27-W4M.

931 132 007 – on Schenker title – county not party to easement, easement is for benefit of access for the NE 20-21-27-W4M over the SW 20-21-27-W4M.

991 369 900 – on Schenker title- county not party to easement and right of way agreement, easement is for the benefit of access for Plan 9913211, Block 1 over SW 20-21-27-W4M, and is specific to the driveway portion of the SW 20-21-27-W4M that is north of this lot.

961 235 101 – on Willow Island title – county party to easement and right of way agreement, easement is for the benefit of the NE 20-21-27-W4M over SE 20-21-27-W4M and is specific to the extreme northwest corner of the SE quarter.

See map below for the location of all easements, the applicant's parcels are outlined in blue:



SITE CONSIDERATIONS

PHYSIOGRAPHY

PTN: SW 20-21-27-W4M – lands slightly sloping to the southeast. Overland drainage runs from the north boundary southeast through the property with intermittent ponding along the south and east boundaries. The western portion of the property has been hayed, with the eastern portion of the property being cultivated and pastured. The property includes a residence, shop, barn and shed.

SE 20-21-27-W4M – lands are sloped to the north. Cropland cover throughout with ephemeral ponding throughout and a defined pond on the north boundary which has been impacted by grading and culvert installation associated with driveway construction on the adjacent lands to the north that appear to have been installed for a residence and a tree farm on these adjacent lands.

A small area of low scrub brush is located along the eastern boundary of the applicant's parcel in the northeast corner of the quarter with two areas of intermittent ponding which interrupt the undeveloped road allowance along the east boundary of the property.

SW 20-21-27-W4M - QUARTER SECTION BACKGROUND

1999 – 7.44 acre first parcel out subdivided from the quarter section

2007 – remainder of quarter subdivided roughly in half leaving a 17 meter panhandle along the north boundary of the 7.44 acre lot subdivided in 1999, in order to facilitate access over this panhandle for the SE 20-21-27-W4M and the NE 20-21-27-W4M

POLICY EVALUATION

Reviewed within the terms of the Municipal Development Plan 2010, Growth Management Strategy and the Land Use Bylaw 60/2014

REFERRAL CONSIDERATIONS

Referred to required Provincial and Municipal bodies as well as Utilities.

CIRCULATION REFERRALS

REFEREE	COMMENTS
EXTERNAL	
FortisAlberta	We have reviewed the plan and determined that no easement is required by FortisAlberta.
TELUS	Thank you for including TELUS in your circulation. At this time, TELUS has no concerns with the proposed activities
Sunshine Gas Coop	Has no concerns with the project
INTERNAL	
Public Works	Public Works recommends the following conditions: Public works provides that the existing approach does not meet current standards, as it is not aligned at 90 degrees with 192nd Street. E. Public Works recommends that the approach be realigned and built to a common

CIRCULATION REFERRALS	
	approach standard as it would allow for legal physical access to Block 1, Plan 9913211. Public Works provides the following for Council's consideration: • Council to determine whether 5 metre wide acquisition of land is to be provided adjacent to the east boundary of the Willow Island Farms property along 208th Street East. (See condition for review highlighted below within the suggested approval motion Public Works provides the following comments with regards to access: A County standard road may be constructed, should it be required in the future, within the 208th St. E undeveloped road allowance. Council is to be advised that prior to road construction, the wetland areas would need to be addressed in accordance with all applicable Provincial requirements (AEPA). Alternatively, should Council require the existing east/west driveway (through SW 20) be further protected, to ensure access can be maintained for those currently accessing through this driveway via easement, Council may wish to consider the registration of a land acquisition agreement by caveat on the applicable title. Additionally, should a land acquisition agreement be required over the panhandle through which the driveway easements are located (adjacent to the north boundary of Block 1, Plan 9913211), Council is to be aware that this panhandle is only 18 metres in width, therefore in the future, Council would need to either accept substandard road construction within the 18 metres or additional lands would need to be acquired in order to be able to construct a County standard road.
GIS/Mapping	Of note, due to existing development at both ends of the shared driveway, any future development of the SE 20-21-27-W4M will result in address changes for the neighboring parcels.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

OPTION #1: SUBDIVISION APPROVAL

The Subdivision Approving Authority may choose to approve the Subdivision application for the purpose of a boundary adjustment which proposes to subtract 42.0 +/- acres from PTN: SW 20-21-27-W4M and to add 42.0 acres +/- acres to SE 20-21-27-W4M. Resulting in PTN. SW 20-21-27-W4M to be reduced from 63.32 acres to 21.32 +/- acres and SE 20-21-27-W4M to be increased from 160 acres to 202.0 +/- acres.

The Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 of the Matters Related to Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

- The application is consistent with Section 9 of the Matters Related to Subdivision and Development; and
- The subject lands have the appropriate land use designations.

In consideration of the criteria noted within the Agricultural Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application be approved subject to the following conditions:

Staff respectfully requests the Subdivision Approving Authority's direction on Conditions 4 and 6 as highlighted below in grey.

1. Boundary adjustment and consolidation to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
2. It is the Landowners responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s), approaches, septic tank and field, and water well(s) are within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
3. Landowners are to provide all utility easements and agreements, to the satisfaction of the County and the utility companies;
4. The Subdivision Approving Authority is to determine whether 5 metres of road widening is to be provided, adjacent to the east boundary of the SE 20-21-27-W4M, as per comments provided by the County's Public Works department. Should road widening be required, the following condition is recommended:

   Road acquisition agreement, for the purpose of road dedication, to be executed and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 5.0 metres in width, parallel to the full east boundary of the SE -20-21-27-W4M (208TH St. E)
5. All accesses are to be located, and culverts and approaches installed to current Municipal Subdivision Road Construction standards, to the satisfaction of the County's Public Works department;
6. The Subdivision Approving Authority may choose to require a deferred reserve caveat be registered on the new 21.32 +/- acre parcel after the adjustment, in accordance with the County's Municipal Reserve Policy. Should a deferred reserve caveat be required, the following condition is recommended:

   Public Reserve: Pursuant to the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy (adopted April 18/96), reserves for the proposed 21.32 +/- acre parcel are to be deferred by caveat, reserves would not be required for the proposed 202.0 +/- acre balance parcel within the SE 20-21-27-W4M;
7. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision;
8. Submission of subdivision endorsement fees.

OPTION #2 – SUBDIVISION REFUSAL

The Subdivision Approving Authority may choose to refuse the Subdivision application for the purpose of a boundary adjustment which proposes to subtract 42.0 +/- acres from PTN: SW 20-21-27-W4M and to add 42.0 acres +/- acres to SE 20-21-27-W4M. Resulting in PTN. SW 20-21-27-W4M to be reduced from 63.32 acres to 21.32 +/- acres and SE 20-21-27-W4M to be increased from 160 acres to 202.0 +/- acres.

With respect to the Agricultural section of the MDP2010, the Subdivision Approving Authority did not find sufficient merit in the proposal to consider allowing the fragmentation of the subject lands, as it is the Subdivision Approving Authority's intent to maintain the existing agricultural land base.

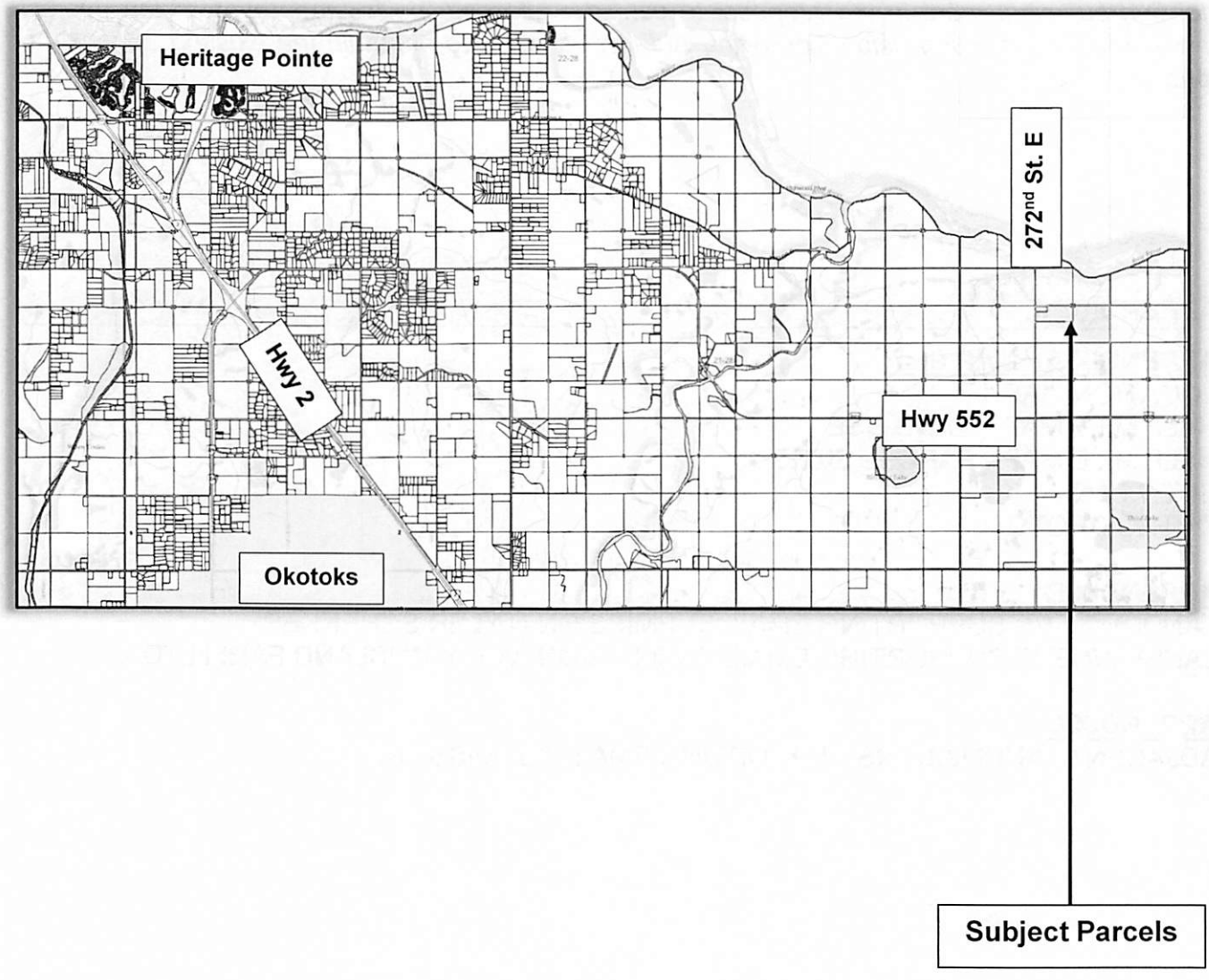
APPENDICES

APPENDIX A - MAP SET:
LOCATION MAP
HALF MILE MAP – LAND USE
HALF MILE MAP - PARCEL SIZES
SITE PLAN
ORTHO PHOTO

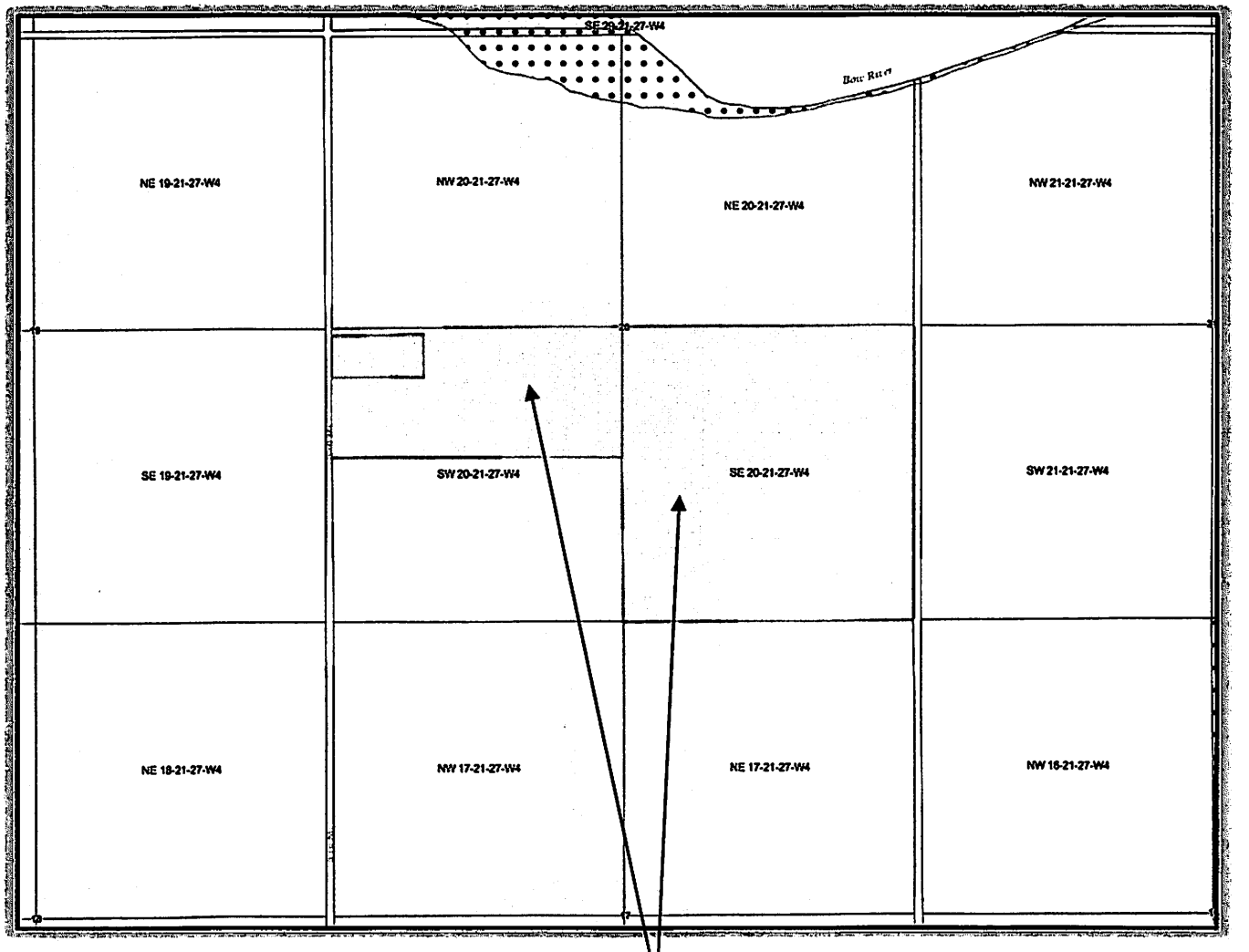
APPENDIX B:
LANDOWNERS SUPPORTING EMAIL SUBMISSION (TYLER SCHENKER)
LANDOWNERS SUPPORTING EMAIL SUBMISSION (WILLOW ISLAND FARM LTD.)

APPENDIX C:
ADJACENT LANDOWNERS SUPPORTING EMAIL SUBMISSION

APPENDIX A: LOCATION MAP



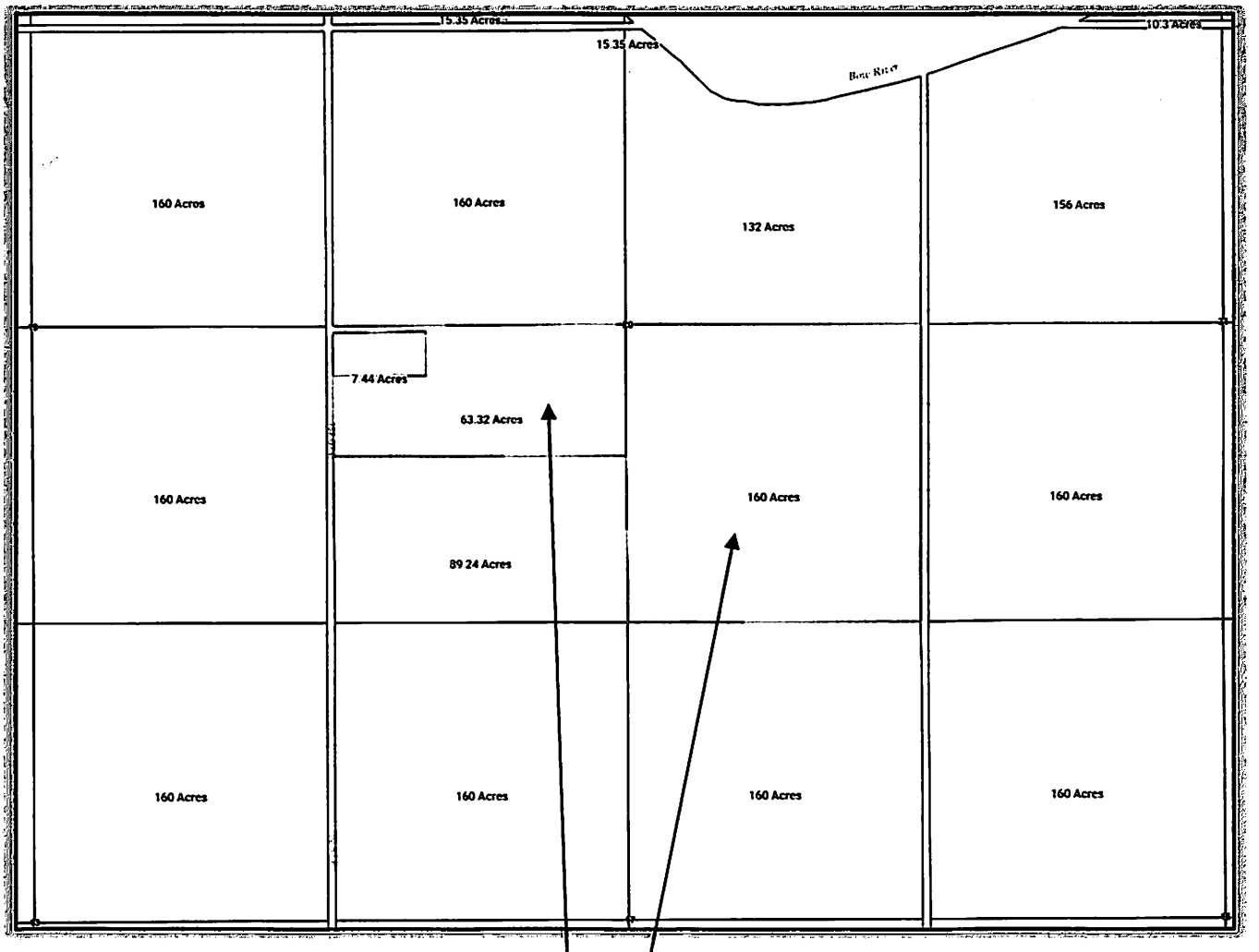
APPENDIX A: HALF MILE MAP – LAND USE



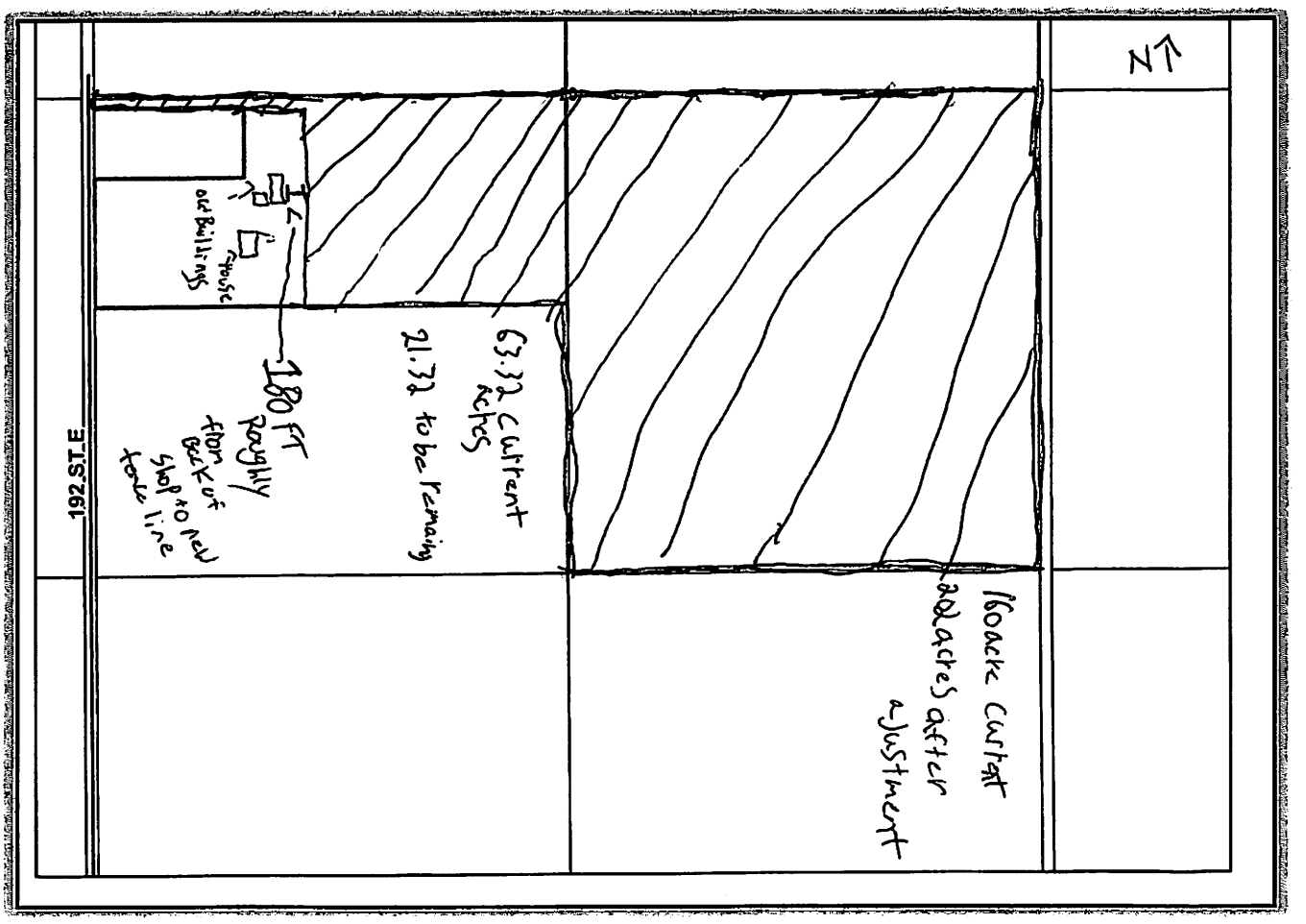
Legend

- Hard Surface (Chip/oil)
- Gravel
- Developer Pavement
- Pavement
- Flood Hazard Protection District
- In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- BP- Bussiness Park
- RB- Rural Business
- INR- Natural Resource Extraction
- EP- Environmental Protection
- ER- Environmental Reserve
- MR- Municipal Reserve
- MLR-Municipal Land/Reserve District

APPENDIX A: HALF MILE MAP – LOT SIZES



APPENDIX A: SITE PLAN – PROPOSED BOUNDARY ADJUSTMENT



APPENDIX A: ORTHO PHOTO



Ptn. SW 20-21-27-W4M decreased from 63.32 acres to 21.32 +/- ac

SE 20-21-27-W4M increased from 160 acres to 202.0 +/- ac

42.0 +/- acres to be removed from Ptn. SW 20-21-27-W4M, and 42.0 +/- acres to be consolidated with SE 20-21-27-W4M, as approximately shown on the map above by the white dotted line.

APPENDIX B: LANDOWNERS SUPPORTING EMAIL TYLER SCHENKER SUBMISSION

Foothills County's Municipal Development Plan (MDP) states that the MD supports maintaining the integrity of the agricultural land base and discourages the fragmentation of agricultural land, including the subdivision of land into smaller agricultural parcels (MDP 2010, p 12). We would like to add the 42 acres and the 160 acres together into 1 title for Willow Island Farms which will result in 1 title of +/- 202 acres and used for agricultural production.

We feel that this amalgamation request is the opposite of fragmentation and hence should be viewed as supporting the integrity of the agricultural land base.

Included in the 42 acre boundary adjustment will be the easement off the North side of the parcel that is being amalgamated. After the boundary adjustment the North easement will no longer be part of the adjusted parcel It will be part of the +/- 202 acres Willow Islands Farm.

APPENDIX B: LANDOWNERS SUPPORTING EMAIL WILLOW ISLAND FARM LTD. SUBMISSION

Morning Theresa,

This email is a letter of support for the application for a boundary adjustment to amalgamate the 42 acres from SW 20-21-27-4 with SE 20-21-27-4.

Amalgamation will create a larger field which is beneficial for farming efficiencies and will also eliminate a fence line where moles (pocket gophers), gophers and weeds can be more of a problem to control.

We have also included the land with the access easement road as Richard Dugdale (owns NE 20-21-27-4) prefers the access easement to be registered to the same landowner on both SE 20 and SW 20-21-27-4.

We live on a farm north of Mossleigh and own farmland in both Foothills County and in Vulcan County. We have found that increasing field size improves efficiency of all farming operations.

My mother was Gail Gillanders and her grandfather Andy Gillanders homestead in the Gladys Ridge district in 1900. Descendants still farm land in the area.

I understand that both Richard Dugdale (owns NE 20-21-27-4) and Kurtis and Colleen Sanheim (owns the 7 acre parcel in the NW part of SW 20-21-27-4) have submitted consent letters and are in support of the amalgamation.

Thank you, Bob Thompson

Willow Island Farm Ltd.

APPENDIX C: ADJACENT LANDOWNER'S LETTER OF SUPPORT

Richard Dugdale

[redacted]

Foothills AB T1S 4A3

via email: Theresa.Chipchase@FoothillsCountyAB.ca

To Whom It May Concern:

RE: Subdivision & Boundary Adjustment: Ptn SW & SE 20-21-27 W4

I am an adjacent land owner, and reside on the NE 20-21-27 W4. Access to my properties is via easement over SW and SE 20-21-27 W4. I am familiar with the subject application and have been in communication with both applicants. I am in full support of Foothills County approving this application.

I am of the opinion that the amalgamation of the 42 +/- acres into the SE 20-21-27 W4, resulting in a larger parcel, is beneficial to the preservation of farmland as it is the opposite of fragmentation. It also allows for inherent efficiencies in farming a larger contiguous parcel .

The "easement" road is my only viable means of ingress/egress to my properties. As such, I am the primary maintainer of this road and therefore logically prefer limited traffic on it. Approval of this application is beneficial to me in this regard, as Willow Island Farm (Bob Thompson), and I often coordinate our farming activities to utilize the same farm equipment at the same time and thus minimizing the ingress/egress of heavy farm equipment.

Thank you,

Richard Dugdale

Kayla Baxter

From: Tyler Schenker [redacted]
Sent: June 12, 2026 8:46 AM
To: FC_Planning
Cc: [redacted] Theresa Chipchase
Subject: Re: Notice of Complete Application & Time Extension – Subdivision File # F2127-20SW Ptn: SW & SE 20-21-27 W4M
Attachments: 0224_001.pdf

Please see attached signed extension, I would also like to add a written description as requested to explain why we are looking at the boundary adjustment.

We have been asked to provide some background regarding the access to NE 20 and to SE 20. There is not a developed county road on 208 street East going north from highway 552E. The developed county road on 192 street East is used for access to SE 20 and to NE 20. Richard Dugdale has his house and buildings on NE 20. Access Easements were registered in 1993 and 1996 for access to SE 20 and to NE 20 off 192 street and then east on the approximately 50 foot wide easement/roadway running along the north boundary of SW 20. Therefore there are access easements registered on titles now. We are not requesting new or different access easements but are requesting a boundary adjustment to amalgamate 42 acres from Ptn SW 20 with 160 acres from SE 20. Therefore the access road and the access easements would be on the newly created 202 acre title (160 plus 42). Except for the access road, all of the 42 acres is farmland.

Thank you please let me know if you need anything further

On Fri, Jun 12, 2026 at 8:34 AM FC_Planning <Planning@foothillscountyab.ca> wrote:

Hello,

Re: Notice of Complete Application & Time Extension – Subdivision File # F2127-20SW

Ptn: SW & SE 20-21-27 W4M

This letter is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **complete** as of **June 8, 2026**.

Please sign & return the Notice of Time Extension, hard copies will follow in the mail.

Also attached is a copy of the Adjacent Landowner notification that will be mailed out, for your records.

Notwithstanding the above, in the course of futher processing your application, we may request additional information or documentation from you that is considered necessary to review your application.

If you have any questions or concerns regarding the information in this letter, please contact Theresa Chipchase at Theresa.Chipchase@foothillscountyab.ca.

Regards,

Foothills County
Planning & Development

Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | **F.** (403) 652-7880

W. www.foothillscountyab.ca

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

961235101

ORDER NUMBER: 34202683

ADVISORY

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LAND TITLES ACT
(Section 130)

CAVEAT

FORBIDDING REGISTRATION

TO: THE REGISTRAR
SOUTH ALBERTA LAND REGISTRATION DISTRICT
LAND TITLES OFFICE
CALGARY, ALBERTA

TAKE NOTICE that **DUGDALE INVESTMENTS LTD.** (the "Caveator"), claims, with respect to the following lands:

South Alberta Land Registration District
South East Quarter
Section 20
Township 21
Range 27
West of the 4th Meridian
Excepting Thereout All Mines and Minerals

(the "Lands") standing in the register in the name of DA GUIDO RISTORANTE LTD. ("Da Guido") an easement and right-of-way over a portion of the Lands, all as is more particularly described in the **EASEMENT AND RIGHT-OF-WAY AGREEMENT** in writing dated September 1, 1996 (the "Agreement") among the Caveator of the first part, Da Guido of the second part and The Municipal District of Foothills No. 31 of the third part, a true copy of which is attached as Schedule A to this caveat, by which such rights, estates and interests were granted to the Caveator.

THE CAVEATOR FORBIDS the registration of any person as transferee or owner of the Lands, or any instrument affecting the said estates or interests, unless the instrument or Certificate of Title, as the case may be, is expressed to be subject to its claims.

THE CAVEATOR APPOINTS:

P.O. Box 3863
Airdrie, Alberta
T4B 2B9

as the place at which notices and proceedings relating hereto may be served.

Dated this 7th day of October, 1996.

ATKINSON MILVAIN, Solicitors
and Agents for the Caveators

Per: _____
PETER L. COLLINS

CANADA)
)
PROVINCE OF ALBERTA)
)
TO WIT:)

I, Peter L. Collins, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am the Agent of the within named Caveator.

2. I believe the said Caveator has a good and valid claim upon the said lands, and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN before me at the City of Calgary in the Province of Alberta, this 7 day of October, 1996.

[redacted]
Peter L. Collins

A Commissioner for Oaths in and for the Province of Alberta.

PATRICIA ANN BROWN
A Commissioner for Oaths
My Commission Expires July 2, 98

SCHEDULE "A" attached to and forming part of Caveat of Dugdale Investments Ltd. dated October 7, 1996.

EASEMENT AND RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made as of the 1st day of September, 1996

BETWEEN:

DA GUIDO RISTORANTE LTD.
2001 Centre Street N., Calgary, Alberta, T2E 2S9
in the Province of Alberta
(hereinafter called the "Grantor")
OF THE FIRST PART

DUGDALE INVESTMENTS LTD.
Box 3863, Airdrie, Alberta, T4B 2B9
in the Province of Alberta
(hereinafter called the "Grantee")
OF THE SECOND PART

- and -

THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31,
a municipal corporation with an office at High River, in the Province of Alberta (hereinafter called the "Municipality")

OF THE THIRD PART

WHEREAS the Grantor is the Registered Owner in fee simple of lands and premises situate in the Province of Alberta, more particularly described as: Meridian 4 Range 27 Township 21
Section 20 Quarter South East
Excepting thereout all mines and minerals

(hereinafter called the "servient tenement");

AND WHEREAS the Grantee is/the Registered Owner in fee simple of or is entitled to become those lands and premises situate in the Province of Alberta more particularly known and described as: that portion of the North East Quarter of Section 20 Township 21 Range 27 West of the 4th Meridian which lies to the South of the Bow River as shown on the Township Plan approved at Ottawa 8 December 1897 excepting thereout all mines and minerals

(hereinafter called the "dominant tenement");

AND WHEREAS the Grantee proposes to develop a residential development on the dominant tenement;

AND WHEREAS the dominant tenement does not have legal access to an improved municipal road or highway;

AND WHEREAS Land Use Bylaw No. 566 and amendments thereto passed by the Municipality imposes restrictions upon development of lands which do not have legal access to an improved municipal road or highway;

AND WHEREAS the Municipality has been added as a party hereto so as to ensure that the easement to be granted hereunder will remain in force for so long as the dominant tenement does not have legal access to an improved municipal road or highway;

AND WHEREAS the Grantor is desirous of granting an Easement and Right-of-Way to the Grantee, the Grantee's personal representatives, successors and assigns and their respective agents, employees, servants, invitees, licencees, and others along, through and over the servient tenement;

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE ($1.00) DOLLAR, the receipt of which and the sufficiency of which is hereby acknowledged, the Grantor and the Grantee agree as follows:

1. The Grantor doth hereby grant, convey and confirm to the Grantee and the Grantee's personal representatives, successors and assigns an Easement and Right-of-Way in perpetuity or for so long as the same shall be required for the purposes hereinafter set out, along, through and over the servient tenement for the purposes of permitting the Grantee, and the Grantee's personal representatives, successors and assigns and each of their respective agents, employees, servants, invitees and licencees and all other persons authorized by the Grantee to enter

upon, over or across the servient tenement together with machinery, including farm and construction equipment and machinery, motor vehicles, livestock, domestic, exotic and all other animals, for the purpose of ingress and egress to and from the dominant tenement all in accordance with Schedule "A" attached hereto only.

2. The Easement and Right-of-Way hereinbefore granted is made with the intent that the burden of the said Easement and Right-of-Way shall run with and bind the servient tenement and will be for the sole benefit and use of the Grantee and successors in title to the dominant tenement from time to time.

3. The parties hereto agree that the Easement and Right-of-Way herein granted is subject to the following conditions, provisos and obligations:

(a) The owner of the property which is the dominant tenement will, in exercising his rights hereunder, do so in a careful and prudent manner and will cause or do as little damage and inconvenience to the owner and the occupier, if any, of the property which is the servient tenement, as is possible, and the ground upon which any excavation or work shall be undertaken in connection therewith shall be restored to its former condition.

(b) The owner from time to time of the property which is the dominant tenement will indemnify and save harmless the owner from time to time of the property which is the servient tenement in respect of this easement and right-of-way from and against all claims, damages, debts, suits, dues, actions, liabilities and causes of action, costs or sums of money whatsoever that the owner of the

servient tenement may suffer or be put to by reason of anything done by the owner of the dominant tenement in the exercise of any one or more of the rights and privileges hereby granted.

(c) The easement hereby granted shall not be extinguished in the event that title to or ownership of the dominant and servient tenements or any adjoining portion of either of them shall be vested in the same person. Further, and in any event, if any such extinguishment shall occur, and title to the dominant and servient tenements or adjoining portions thereof shall thereafter be divested from such common ownership, then and in such event the successors to and in respect of the easement and right-of-way hereby granted shall thereupon once again be entitled to the benefits thereof as created under and by virtue of this easement right-of-way.

4. This agreement and the easement hereby granted shall not be amended, varied or discharged from the titles to the dominant tenement or the servient tenement or any portion of either of them without the consent in writing of the Municipality.

5. This easement and right-of-way and the covenants herein contained are and shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of the Grantee and the Grantee's respective successors to title only while and to the extent that such party shall be registered as owner of the dominant tenement or portion thereof from time to time.

6. Where required by the context hereunder, the singular shall include the plural and the masculine gender or neuter gender shall include either feminine gender or the masculine gender as the case may be and vice-versa. Should the Grantor or Grantee of the rights of this easement and right-of-way hereby conferred and at any time and from time to time comprise two or more persons, each such person and not one for the other or others, shall be jointly and severally bound with the other or others for the due performance of the obligations of the Grantor or Grantee of such rights.

IN WITNESS WHEREOF the Grantor and the Grantee have hereunto affixed their respective hands and seals on the date and year first above written.

DA GUIDO RISTORANTE LTD.

Per: [redacted] (Pres/Sec) c/s

Date: August 29, 1996

DUGDALE INVESTMENTS LTD.

Per: [redacted] President c/s

Date: Sept. 09, 1996

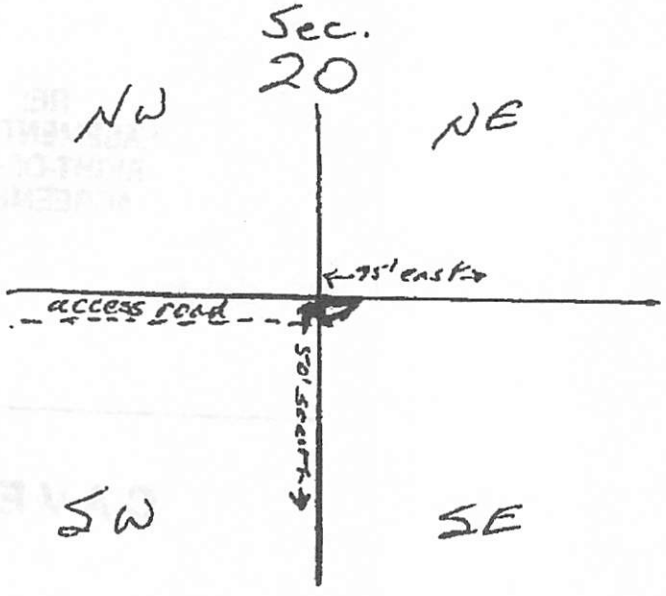
MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

Per: [redacted] c/s

for:

Date: Sept 18, 1996

SCHEDULE "A"



21 - 27 / 4

Easement as outlined in Red

1996

SE 1/4-20-21-27-W4M

RE:
EASEMENT AND
RIGHT-OF-WAY
AGREEMENT

961235101 REGISTERED 1996 10 08
CAVE - CAVEAT
DOC 1 OF 1 DRR#: 6958598 ADR/JHKASOR
LINC/S: 0016871386

CAVEAT

I CERTIFY THAT THE WITHIN INSTRUMENT IS DULY ENTERED AND REGISTERED IN THE LAND TITLES OFFICE FOR THE SOUTH ALBERTA LAND REGISTRATION DISTRICT AT CALGARY, IN THE PROVINCE OF ALBERTA

ATKINSON MILVAIN
Barristers and Solicitors,
#1900, 350-7th Avenue S.W.,
Calgary, Alberta
T2P 3N9

Our file No. 5522.2/PLC

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

931111094

ORDER NUMBER: 34202683

ADVISORY

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931111094 REGISTERED 1993 05 18
BASE - EASEMENT
DOC 1 OF 2 DRR#: 4927537 ADR/GVELJI
LINC/S: 0020103677 0016871385

I certify that the within instrument
is duly [illegible] Land
Titles [illegible] Land
Registration [illegible].

A.D. Registrar
SALRD

1-2

AG 1844

Alberta
ATTORNEY GENERAL

Document Registration Request

4927537

Land Titles Office — Box 7575 Calgary Alberta T2P 2R4 — Box 2380 Edmonton Alberta T5J 2Z3

Name: HANJO OTTO

Account or Party Code #:

Cheque Cash: ✓

Amount Enclosed: 34 –

Address (cash customers only): SITE 604 323-13 AVE SW
CALGARY AB T2R 0K3

Client's File #:

Return By: Call Box # / Mail ✓ / Courier

Date: DD MM YY

Signature

Customer's Special Instructions /Advice:
✓ Register regardless of prior registrations on title
Register subject to last registered interest being #
Other instructions

Phone #

Registration Priority	Documents – List in order of registration priority		Subsequent Services Requested	
1	EASEMENT	15		
2	EASEMENT	15	1 COPY OF EACH TITLE	4
3				
4				
5				
6				
7				
8				

MAY 18 1993

E303715 1993/05/17 CASH
4927537 34.00

Fax 1 copy of each title and charge to account (limit - 5 titles)

4927537

AG 1844 Rev Apr 91

LAND TITLES OFFICE COPY

BLANKET EASEMENT

SE 20 - 21 - 27 - 4
for benefit SW 20 - 21 - 27 - 4

EASEMENT AND RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made as of the 29 day of April 1993

BETWEEN: Francis C. McHugh of
P.O. Box 26, site 11, R.R. #1
Dewinton, Alberta

in the Province of Alberta
(hereinafter called the "Grantor")
OF THE FIRST PART

- and -

Hajo OTTO, of site 915, 323-13 ave S.W.
Calgary Alberta
in the Province of Alberta
(hereinafter called the "Grantee")
OF THE SECOND PART

- and -

THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31,
a municipal corporation with an office at High
River, in the Province of Alberta (hereinafter
called the "Municipality")

OF THE THIRD PART

WHEREAS the Grantor is the Registered Owner in fee simple of lands and premises situate in the Province of Alberta, more particularly described as: Meridian 4, Range 27, Township 21
Section 20, Quarter SOUTH EAST
Excepting thereout all mines and minerals

(hereinafter called the "servient tenement");

AND WHEREAS the Grantee is the Registered Owner in fee simple of those lands and premises situate in the Province of Alberta more particularly known and described as: Meridian 4, Range 27
Township 21, Section 20, Quarter South ~~East~~ WEST
Excepting thereout all mines & minerals

(hereinafter called the "dominant tenement");

AND WHEREAS the Grantee proposes to develop a _____

on the dominant tenement;

AND WHEREAS the dominant tenement does not have legal access to an inproved municipal road or highway;

AND WHEREAS Land Use Bylaw No. 566 and amendments thereto passed by the Municipality imposes restrictions upon development of lands which do not have legal access to an improved municipal road or highway;

AND WHEREAS the Municipality has been added as a party hereto so as to ensure that the easement to be granted hereunder will remain in force for so long as the dominant tenement does not have legal access to an improved municipal road or highway;

AND WHEREAS the Grantor is desirous of granting an Easement and Right-of-Way to the Grantee, the Grantee's personal representatives, successors and assigns and their respective agents, employees, servants, invitees, licencees, and others along, through and over the servient tenement;

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE ($1.00) DOLLAR, the receipt of which and the sufficiency of which is hereby acknowledged, the Grantor and the Grantee agree as follows:

1. The Grantor doth hereby grant, convey and confirm to the Grantee and the Grantee's personal representatives, successors and assigns an Easement and Right-of-Way in perpetuity or for so long as the same shall be required for the purposes hereinafter set out, along, through and over the servient tenement for the purposes of permitting the Grantee, and the Grantee's personal representatives, successors and assigns and each of their respective agents, employees, servants, invitees and licencees and all other persons authorized by the Grantee to enter

upon, over or across the servient tenement together with machinery, including farm and construction equipment and machinery, motor vehicles, livestock, domestic, exotic and all other animals, for the purpose of ingress and egress to and from the dominant tenement.

2. The Easement and Right-of-Way hereinbefore granted is made with the intent that the burden of the said Easement and Right-of-Way shall run with and bind the servient tenement and will be for the sole benefit and use of the Grantee and successors in title to the dominant tenement from time to time.

3. The parties hereto agree that the Easement and Right-of-Way herein granted is subject to the following conditions, provisos and obligations:

(a) The owner of the property which is the dominant tenement will, in exercising his rights hereunder, do so in a careful and prudent manner and will cause or do as little damage and inconvenience to the owner and the occupier, if any, of the property which is the servient tenement, as is possible, and the ground upon which any excavation or work shall be undertaken in connection therewith shall be restored to its former condition.

(b) The owner from time to time of the property which is the dominant tenement will indemnify and save harmless the owner from time to time of the property which is the servient tenement in respect of this easement and right-of-way from and against all claims, damages, debts, suits, dues, actions, liabilities and causes of action, costs or sums of money whatsoever that the owner of the

servient tenement may suffer or be put to by reason of anything done by the owner of the dominant tenement in the exercise of any one or more of the rights and privileges hereby granted.

(c) The easement hereby granted shall not be extinguished in the event that title to or ownership of the dominant and servient tenements or any adjoining portion of either of them shall be vested in the same person. Further, and in any event, if any such extinguishment shall occur, and title to the dominant and servient tenements or adjoining portions thereof shall thereafter be divested from such common ownership, then and in such event the successors to and in respect of the easement and right-of-way hereby granted shall thereupon once again be entitled to the benefits thereof as created under and by virtue of this easement right-of-way.

4. This agreement and the easement hereby granted shall not be amended, varied or discharged from the titles to the dominant tenement or the servient tenement or any portion of either of them without the consent in writing of the Municipality.

5. This easement and right-of-way and the covenants herein contained are and shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of the Grantee and the Grantee's respective successors to title only while and to the extent that such party shall be registered as owner of the dominant tenement or portion thereof from time to time.

6. Where required by the context hereunder, the singular shall include the plural and the masculine gender or neuter gender shall include either feminine gender or the masculine gender as the case may be and vice-versa. Should the Grantor or Grantee of the rights of this easement and right-of-way hereby conferred and at any time and from time to time comprise two or more persons, each such person and not one for the other or others, shall be jointly and severally bound with the other or others for the due performance of the obligations of the Grantor or Grantee of such rights.

IN WITNESS WHEREOF the Grantor and the Grantee have hereunto affixed their respective hands and seals on the date and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

ALLAN D. RADKE
BARRISTER & SOLICITOR
Witness to signature of Grantor

[redacted]
Grantor

Grantor

DATE: 29 April 93

[redacted]
Grantee

ALLAN D. RADKE
BARRISTER & SOLICITOR
Witness to signature of Grantee

Grantee

DATE: 29 April 93

MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

DATE: _____

Per: [redacted]

Per: [redacted]

May 13/93

CONSENT OF SPOUSE

I, _____, being married to the within named _____ _____ do hereby give up my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by The Dower Act, to the extent necessary to give effect to the said disposition.

_____
Signature of spouse

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____ apart from *her husband/his wife.
2. *He/She declared to me that *she/he:
   (a) is aware of the nature of the disposition;
   (b) is aware that The Dower Act gives him/her a life estate in the homestead and the right to prevent disposition of the homestead estate by withholding consent;
   (c) consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to *him/her by The Dower Act, to the extent necessary to give effect to the said disposition;
   (d) is executing the document freely and voluntarily without any compulsion on the part of *her husband/his wife.

DATED at _____ in the Province of Alberta, this ____ day of _____ 1992.

_____ _____
A Commissioner for Oaths in and for the Province of Alberta

My commission expires:
_____

DOWER AFFIDAVIT

I, Francis C. Kellogh, of Drayton Valley, in the Province of Alberta, MAKE OATH AND SAY:

1. That I am the Grantor named in the within instrument.

2. ~~That I am (my principal is) not married~~. OR That neither myself nor my spouse ~~(my principal nor his spouse)~~ resided on the within mentioned land at any time since our (their) marriage.

SWORN BEFORE ME at)
in the Province of Alberta, this)
29 day of April)
1993)

[redacted]

A Commissioner for Oaths in and for the Province of Alberta

ALLAN D. RADKE
BARRISTER & SOLICITOR

[redacted]

AFFIDAVIT OF EXECUTION

ALLAN D. RADKE

CANADA)
)
PROVINCE OF ALBERTA)
)
TO WIT:)

I, BARRISTER & SOLICITOR, of the city Calgary in the Province of Alberta, MAKE OATH AND SAY:

1. That I was personally present and did see Francis C McHUGH named in the within (or annexed) Instrument who is personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at city of Calgary in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said Francis C McHUGH and he/she is in my belief of the full age of 18 years.

SWORN BEFORE ME at the City of Calgary, in the Province of Alberta, this 29 day of April, 1988

A Commissioner for Oaths in and for the Province of Alberta

GEORGINA SHORTEN
COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA
MY COMMISSION EXPIRES MARCH 5, 19 95

ALLAN D. RADKE
BARRISTER & SOLICITOR

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

931111095

ORDER NUMBER: 34202683

ADVISORY

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931111095 REGISTERED 1993 05 18
BASE - BASEMENT
DOC 2 OF 2 DRR#: 1927537 ADR/GVELJI
LINC/S: 0020103677 0016071386

I certify that the within instrument
is duly registered in the Land
Titles Office
Registration Date:
for the Land
Registrar
S.A.L.R.D.

2-2

BLANKET EASEMENT

Plan over SW 20 - 21 - 27 - 4
for benefit of SE 20 - 21 - 27 - 4

EASEMENT AND RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made as of the 29 day of April 1993

BETWEEN: Hajo OTTO of site 915
323 - 13 ave S.W. Calgary Alberta

in the Province of Alberta
(hereinafter called the "Grantor")
OF THE FIRST PART

- and -

Francis C. McHUGH of P.O. Box 26
site 11, R.R. #1, Dewinton, Alberta
in the Province of Alberta
(hereinafter called the "Grantee")
OF THE SECOND PART

- and -

THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31,
a municipal corporation with an office at High
River, in the Province of Alberta (hereinafter
called the "Municipality")

OF THE THIRD PART

WHEREAS the Grantor is the Registered Owner in fee simple of lands and premises situate in the Province of Alberta, more particularly described as: Meridian 4, Range 27, Township 21, Section 20, Quarter South West Excepting thereout all mines and minerals

(hereinafter called the "servient tenement");

AND WHEREAS the Grantee is the Registered Owner in fee simple of those lands and premises situate in the Province of Alberta more particularly known and described as: Meridian 4, Range 27 Township 21, Section 20, Quarter SOUTH EAST Excepting thereout all mines & minerals

(hereinafter called the "dominant tenement");

AND WHEREAS the Grantee proposes to develop a

on the dominant tenement;

AND WHEREAS the dominant tenement does not have legal access to an improved municipal road or highway;

AND WHEREAS Land Use Bylaw No. 566 and amendments thereto passed by the Municipality imposes restrictions upon development of lands which do not have legal access to an improved municipal road or highway;

AND WHEREAS the Municipality has been added as a party hereto so as to ensure that the easement to be granted hereunder will remain in force for so long as the dominant tenement does not have legal access to an improved municipal road or highway;

AND WHEREAS the Grantor is desirous of granting an Easement and Right-of-Way to the Grantee, the Grantee's personal representatives, successors and assigns and their respective agents, employees, servants, invitees, licencees, and others along, through and over the servient tenement;

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE ($1.00) DOLLAR, the receipt of which and the sufficiency of which is hereby acknowledged, the Grantor and the Grantee agree as follows:

1. The Grantor doth hereby grant, convey and confirm to the Grantee and the Grantee's personal representatives, successors and assigns an Easement and Right-of-Way in perpetuity or for so long as the same shall be required for the purposes hereinafter set out, along, through and over the servient tenement for the purposes of permitting the Grantee, and the Grantee's personal representatives, successors and assigns and each of their respective agents, employees, servants, invitees and licencees and all other persons authorized by the Grantee to enter

upon, over or across the servient tenement together with machinery, including farm and construction equipment and machinery, motor vehicles, livestock, domestic, exotic and all other animals, for the purpose of ingress and egress to and from the dominant tenement.

2. The Easement and Right-of-Way hereinbefore granted is made with the intent that the burden of the said Easement and Right-of-Way shall run with and bind the servient tenement and will be for the sole benefit and use of the Grantee and successors in title to the dominant tenement from time to time.

3. The parties hereto agree that the Easement and Right-of-Way herein granted is subject to the following conditions, provisos and obligations:

(a) The owner of the property which is the dominant tenement will, in exercising his rights hereunder, do so in a careful and prudent manner and will cause or do as little damage and inconvenience to the owner and the occupier, if any, of the property which is the servient tenement, as is possible, and the ground upon which any excavation or work shall be undertaken in connection therewith shall be restored to its former condition.

(b) The owner from time to time of the property which is the dominant tenement will indemnify and save harmless the owner from time to time of the property which is the servient tenement in respect of this easement and right-of-way from and against all claims, damages, debts, suits, dues, actions, liabilities and causes of action, costs or sums of money whatsoever that the owner of the

servient tenement may suffer or be put to by reason of anything done by the owner of the dominant tenement in the exercise of any one or more of the rights and privileges hereby granted.

(c) The easement hereby granted shall not be extinguished in the event that title to or ownership of the dominant and servient tenements or any adjoining portion of either of them shall be vested in the same person. Further, and in any event, if any such extinguishment shall occur, and title to the dominant and servient tenements or adjoining portions thereof shall thereafter be divested from such common ownership, then and in such event the successors to and in respect of the easement and right-of-way hereby granted shall thereupon once again be entitled to the benefits thereof as created under and by virtue of this easement right-of-way.

4. This agreement and the easement hereby granted shall not be amended, varied or discharged from the titles to the dominant tenement or the servient tenement or any portion of either of them without the consent in writing of the Municipality.

5. This easement and right-of-way and the covenants herein contained are and shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of the Grantee and the Grantee's respective successors to title only while and to the extent that such party shall be registered as owner of the dominant tenement or portion thereof from time to time.

6. Where required by the context hereunder, the singular shall include the plural and the masculine gender or neuter gender shall include either feminine gender or the masculine gender as the case may be and vice-versa. Should the Grantor or Grantee of the rights of this easement and right-of-way hereby conferred and at any time and from time to time comprise two or more persons, each such person and not one for the other or others, shall be jointly and severally bound with the other or others for the due performance of the obligations of the Grantor or Grantee of such rights.

IN WITNESS WHEREOF the Grantor and the Grantee have hereunto affixed their respective hands and seals on the date and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

[redacted]
Grantor

ALLAN D. RADKE
BARRISTER & SOLICITOR
Witness

Grantor

DATE: 29 April '93

[redacted]
Grantee

ALLAN D. RADKE
BARRISTER & SOLICITOR
Witness to Signature of Grantee

Grantee

DATE: 29 April 93

MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

DATE: _____

Per: [redacted]

Per: [redacted]
Municipal Manager

May 13/93

CONSENT OF SPOUSE

I, _____, being married to the within named _____ _____ do hereby give up my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by The Dower Act, to the extent necessary to give effect to the said disposition.

_____
Signature of spouse

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____ apart from *her husband/his wife.
2. *He/She declared to me that *she/he:
   (a) is aware of the nature of the disposition;
   (b) is aware that The Dower Act gives him/her a life estate in the homestead and the right to prevent disposition of the homestead estate by withholding consent;
   (c) consents to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to *him/her by The Dower Act, to the extent necessary to give effect to the said disposition;
   (d) is executing the document freely and voluntarily without any compulsion on the part of *her husband/his wife.

DATED at _____ in the Province of Alberta, this ____ day of _____ 1992.

_____ _____
A Commissioner for Oaths in and for the Province of Alberta

My commission expires: _____

DOWER AFFIDAVIT

I, HAJO OTTO, of Calgary, in the Province of Alberta, MAKE OATH AND SAY:

1. That I am the Grantor named in the within instrument.

2. That I am (my principal is) not married. ~~OR That neither myself nor my spouse (my principal nor his spouse) resided on the within mentioned land at any time since our (their) marriage.~~ N/A

SWORN BEFORE ME at)
in the Province of Alberta, this)
29 day of April)
1992)

_____

A Commissioner for Oaths in and for the Province of Alberta
ALLAN D. RADKE
BARRISTER & SOLICITOR

AFFIDAVIT OF EXECUTION

CANADA)
)
PROVINCE OF ALBERTA)
)
TO WIT:)

I, ALLAN D. RADKE BARRISTER & SOLICITOR, of the city of Calgary in the Province of Alberta, MAKE OATH AND SAY:

1. That I was personally present and did see HAJO OTTO named in the within (or annexed) Instrument who is personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at cit. of Calgary in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said HAJO OTTO and he/she is in my belief of the full age of 18 years.

SWORN BEFORE ME at the City of Calgary, in the Province of Alberta, this 29 day of April, 199 93.

A Commissioner for Oaths in and for the Province of Alberta

ALLAN D. RADKE
BARRISTER & SOLICITOR

GEORGINA SHORTEN
COMMISSIONER FOR OATHS
IN AND FOR THE PROVINCE OF ALBERTA
MY COMMISSION EXPIRES MARCH 5, 19 95

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

931132007

ORDER NUMBER: 56843468

ADVISORY

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931132007 REGISTERED 1993 06 09
BASE - EASEMENT
DOC 1 OF 1 DRR#: 4609937 ADR/GRYLICOTT
LINC/S: 0020107577 0017221096

I certify that the within Instrument is Duly Entered and Registered in the Land Titles Office for the South Alberta Land Registration District at Calgary.

A. D. Registrar
SALRD

AG 1844

Alberta
ATTORNEY GENERAL

Document Registration Request

4609937

Land Titles Office — Box 7575 Calgary Alberta T2P 2R4 — Box 2380 Edmonton Alberta T5J 2T3

Name: Law Glenn e. Carol

Address (cash customers only):

Cheque Cash

Account or Party Code: [redacted]

Amount Enclosed

Client's File #: OTTO

Return By: Call Box # 169 Mail Courier

Date DD MM YY: 02 06 93

Signature: Cathy A.

Customer's Special Instructions /Advice:
- Register regardless of prior registrations on title
- Register subject to last registered interest being #

Phone #: 291-2532

Other Instructions:
1. NE¼ } Sec 20-21-27-W4 * Register concurrently w/ c in
2. SW¼ } priority to [illegible] Transfer [illegible] parcel.

Registration Priority	Documents – List in order of registration priority	Subsequent Services Requested
1	Easement.	15 (by fax-ans Mayonick) E.T.H. ~~Certificate of title.~~
2		Jdt search (see below) - each title to
3		
4		
5		
6		
7		
8		

[illegible] CALGARY [illegible]

Fax 1 copy of each title and charge to account (limit - 6 titles) 291-3534

4609937

AG 1844 Rev Apr 91

LAND TITLES OFFICE COPY

Blanket Easement

EASEMENT

WHEREAS HAJO OTTO, of the City of Calgary, in the Province of Alberta, is the registered owner of the following lands, namely:

THAT PORTION OF THE NORTH EAST QUARTER OF
SECTION TWENTY (20)
IN TOWNSHIP TWENTY ONE (21)
RANGE TWENTY SEVEN (27)
WEST OF THE FOURTH MERIDIAN WHICH LIES TO THE
SOUTH OF THE BOW RIVER AS SHOWN ON THE
TOWNSHIP PLAN APPROVED AT OTTAWA 8 DECEMBER
1897 CONTAINING 53.4 HECTARES (132 ACRES) MORE
OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

(which lands are hereinafter referred to as the "dominant lands"); and

WHEREAS HAJO OTTO, of the City of Calgary, in the Province of Alberta, is the registered owner of the following lands, namely:

MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH WEST
EXCEPTING THEREOUT ALL MINES AND MINERALS

(which lands are hereinafter collectively referred to as the "servient lands"); and

WHEREAS to facilitate access to and from the dominant lands the owner of the dominant lands requires an easement and right-of-way over the servient lands and the owners of the servient lands have agreed to such easement and right-of-way subject to the terms hereof being complied with.

NOW, THEREFORE, pursuant to the premises, the parties hereto covenant, acknowledge and agree as follows:

1. THE OWNERS OF the servient lands do hereby grant to the owner of the dominant lands, and the occupants of the residence thereon, their agents, servants and invitees, an easement and

Easement over portion of NE 20-21-27-W4
& portion of SW 20-21-27-W4

right-of-way upon and over the servient lands for the purpose of ingress and egress to and from the dominant lands with or without vehicles.

2. THE OWNER OF the dominant lands shall use the easement and right-of-way hereby granted without disturbance to the owners of the servient lands and shall not do or cause to be done anything which might be deemed a nuisance or which may be deemed to damage or diminish the value of the servient lands in any manner whatsoever.

3. THE OWNER OF the dominant lands does hereby indemnify and save harmless the owners of the servient lands of and from any and all liability, claims, costs, damages, actions or causes of action arising out of the use of the easement and right-of-way hereby granted by the owner of the dominant lands, the occupants of the residence thereon, their agents, servants and invitees and acknowledges that the easement and right-of-way hereby granted shall apply to that portion of the servient lands which is presently used as a roadway on the north boundary of the servient lands and the owners of the dominant lands, their agents, servants and invitees shall not trespass upon or interfere with the remainder of the servient lands or the use or enjoyment thereof by the owner of the servient lands.

4. NOTHING HEREIN SHALL prevent the owners of the servient lands from constructing or making any improvements on the servient lands; provided that such construction or improvements shall not prevent or hinder the exercise of the easement and right-of-way hereby granted by the owner of the dominant lands.

5. THE EASEMENT HEREBY granted shall not be deemed an exclusive easement.

6. THE EASEMENT AND right-of-way hereby granted shall enure to the benefit of the owner of the dominant lands and shall be deemed a covenant running with the dominant lands and the servient lands and shall be binding upon the parties hereto and the successors in title to the dominant lands and the

servient lands.

7. THE EASEMENT AND right-of-way hereby granted shall be of no further effect upon the registration of a roadway plan or such other instrument which shall have the effect of giving the owner of the dominant lands alternate ingress and egress to and from the dominant lands.

8. WHEREVER THE MASCULINE or singular is used herein, the same shall be construed as meaning the feminine or neuter or plural where the context so requires.

IN WITNESS WHEREOF the parties hereto have executed these presents as of the 2nd day of June, 1993.

SIGNED, SEALED AND DELIVERED:

[redacted]

(witness)

[redacted]

(witness)

By the owner of the dominant lands

[redacted] Otto

By the owner of the servient lands

[redacted] ajo Otto

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, HAJO OTTO, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am the grantor and the grantee named in the within (or annexed) instrument.

2. I am not married.

SWORN BEFORE ME, at the City of Calgary, in the Province of Alberta, this 2nd day of June, 1993.

[redacted]

A Commissioner for Oaths in and for the Province of Alberta

JOSEPH N. CARD
Barrister & Solicitor
Commissioner for Oaths
Notary Public in and for
the Province of Alberta

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, JOSEPH N. CARD, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I was personally present and did see HAJO OTTO named in the within (or annexed) instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.

2. The same was executed at Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.

3. I know the said person and he is in my belief of the full age of 18 years.

SWORN BEFORE ME at the City of Calgary, in the Province of Alberta, this 2nd day of June, 1993.

[redacted]

A Commissioner for Oaths in and for the Province of Alberta.

CATHARINE EDITH HOOPER
A Commissioner for Oaths in and for the Province of Alberta
My Commission Expires August 17/93

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

991340639

ORDER NUMBER: 44518583

ADVISORY

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CAVEAT

TO THE REGISTRAR OF SOUTH ALBERTA LAND REGISTRATION DISTRICT

TAKE NOTICE THAT the Municipal District of Foothills No. 31, of Box 5605, of the Town of High River in the Province of Alberta, claim an interest by virtue of an Agreement for Acquisition of Land signed by the registered landowner(s) wherein they have agreed to sell to the Municipal District of Foothills No.31 5 metres road dedication along the west boundary of

MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH WEST
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 64.7 HECTARES (160ACRES) MORE OR LESS

being lands described in Certificate of Title, 941 115 068 standing in the register in the name of Carmen K. Juric and Ronald S. Newland and I forbid the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument or certificate of title, as the case may be, is expressed to be subject to my claim.

I APPOINT the Municipal District of Foothills No. 31 at Box 5605, High River, Alberta, T1V 1M7 as the place at which notices and proceedings related hereto may be served.

DATED this 15 day of November, A.D. 1999.

MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

Judith A. Gordon
Signature of the Caveator or his Agent

CANADA
PROVINCE OF ALBERTA
TO WIT:

I, Judith A. Gordon, Planning Coordinator, of the Municipal District of Foothills No. 31, High River, in the Province of Alberta, make oath and say:

1. THAT I am the agent for the above-named Caveator.
2. THAT I believe that the said Caveator has a good and valid claim upon the said lands and I say this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN before me at the Town of High River in the Province of Alberta this 15th day of Nov. , 1999.

[redacted]
Judith A. Gordon

Coreena Carr
A Commissioner for Oaths in and for the Province of Alberta

COREENA LYNNE CARR
A Commissioner for Oaths
In and for the Province of Alberta
Expiry Date November 14, 2002

991340639 REGISTERED 1999 11 20
CAVR - CAVEAT
DOC 1 OF 2 DPK#: 7513826 ADR/GVEJJ
LINC/S: 0020103677

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

991369900

ORDER NUMBER: 56843468

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Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

CAVEAT FORBIDDING REGISTRATION

TO THE REGISTRAR of the South Alberta Land Registration District

TAKE NOTICE that MARGO LEDGERWOOD (the "Caveator"), of the Town of DeWinton, Province of Alberta, claims an interest pursuant to an Easement and Right of Way Agreement a true copy of which is attached to and forms part of this Caveat

over the Lands legally described:

MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
DESCRIPTIVE	9913211	3.01	7.44

EXCEPTING THEREOUT ALL MINES AND MINERALS

standing in the register in the names of CARMEN K. JURIC AND RONALD S. NEWLAND

as for the benefit of the lands legally described as:

DESCRIPTIVE PLAN 9913211
BLOCK 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 3.01 HECTARES (7.44 ACRES) MORE OR LESS

standing in the register in the name of MARGO LEDGERWOOD

and we forbid the registration of any person as transferee or owner of, or of any instrument affecting that estate or interest, unless the certificate of title is expressed to be subject to our claim.

We designate the following address as the place at which notices and proceedings relating hereto may be served:

BOX 68, SITE 2, RR #1, DEWINTON, ALBERTA T0L 0X0

IN WITNESS whereof I have hereunto subscribed my name this 3rd day of December A.D. 1999

Edward D. Simper
Agent for the Caveators

CANADA)
Province of Alberta) I, EDWARD D. SIMPER, of the Town of Okotoks, in the
To wit:) Province of Alberta, Lawyer, MAKE OATH AND SAY:

1. That I am the Agent for the above-named Caveator.

2. That I believe that the said Caveator has a good and valid claim upon the said land and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME at the Town)
of Okotoks, in the Province)
of Alberta, this 3 day of)
December A.D. 1999)
)
)

[redacted]

A Commissioner for Oaths in and for the Province of Alberta

EDWARD D. SIMPER

DIANE DUNFORD
A Commissioner for Oaths
In and for the Province of Alberta
My Commission expires August 30, 2000

EASEMENT AND RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made as of the day of A.D. 199

BETWEEN:

CARMEN K. JURIC AND RONALD S. NEWLAND
(hereinafter called "the Grantors")

OF THE FIRST PART

and

MARGO LEDGERWOOD
(hereinafter called "the Grantee")

OF THE SECOND PART

WHEREAS the Grantors are the Registered Owner in fee simple of lands and premises situate in the Province of Alberta, more particularly described as:

MERIDIAN 4 RANGE 27 TOWNSHIP 21
SECTION 20
QUARTER SOUTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
DESCRIPTIVE	9913211	3.01	7.44

EXCEPTING THEREOUT ALL MINES AND MINERALS

(hereinafter called "the servient tenement");

AND WHEREAS the Grantee is the Registered Owner in fee simple of those lands and premises situate in the Province of Alberta more particularly known and described as:

DESCRIPTIVE PLAN 9913211
BLOCK 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 3.01 HECTARES (7.44 ACRES) MORE OR LESS

(hereinafter called "the dominant tenement");

AND WHEREAS the Grantor has constructed a private roadway upon the Grantors' lands over that portion of the Grantors' lands as outlined in red in Schedule "A" hereto (hereinafter called "the easement lands");

AND WHEREAS the Grantee desires to use such roadway on the easement lands in order to thereby gain access to the Grantee's lands as shown on Schedule "A";

AND WHEREAS the Grantors are desirous of granting an Easement and Right-of-Way to the Grantee, the Grantee's personal representatives, successors and assigns and their respective agents, employees, servants, invitees, licencees, and others along, through and over the servient tenement:

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of One 00/100 ($1.00) dollars, the receipt of which and the sufficiency of which is hereby acknowledged, the Grantors and the Grantee agree as follows

1. The Grantors do hereby grant, convey and confirm to the Grantees and the Grantees' personal representatives, successors and assigns an Easement and Right-of-Way over the Easement Lands in perpetuity or for so long as the same shall be required for the purposes hereinafter set out, along, through and over the servient tenement for the purposes of permitting the Grantees, and the Grantees' personal representatives, successors and assigns and their and each of their respective agents, employees, servants, invitees and licencees and all other persons authorized by the Grantees to enter upon, over or across the servient tenement together with machinery, including farm and construction equipment and machinery, motor vehicles, livestock, domestic, exotic and all other animals, for the purpose of ingress and egress to and from the dominant tenement

2 The Easement and Right-of-Way hereinbefore granted is made with the intent that the burden of the said Easement and Right-of-Way shall run with and bind the servient tenement and will be for the sole benefit and use of the Grantees and successors in title to the dominant tenement from time to time

3 The parties hereto agree that the Easement and Right-of-Way herein granted is subject to the following conditions, provisos and obligations

(a) The owner of the property which is the dominant tenement will, in exercising his rights hereunder, do so in a careful and prudent manner and will cause or do as little damage and inconvenience to the owner and the occupier, if any, of the property which is the servient tenement, as is possible, and shall use its right of access so as not to cause a nuisance or affect the Grantors' quiet enjoyment of their property, and the ground upon which any excavation or work shall be undertaken in connection therewith shall be restored to its former condition

(b) The owner from time to time of the property which is the dominant tenement will indemnify and save harmless the owner from time to time of the property which is the servient tenement in respect of this easement and right-of-way from and against all claims, damages, debts, suits, dues, actions, liabilities and causes of action, costs or sums of money whatsoever that the owner of the servient tenement may suffer or be put to by reason of anything done by the owner of the dominant tenement in the exercise of any one or more of the rights and privileges hereby granted.

(c) The easement hereby granted shall not be extinguished in the event that title to or ownership of the dominant and servient tenements or any adjoining portion of either of them shall be vested in the same person Further, and in any event, if any such extinguishment shall occur, and title to the dominant and servient tenements or adjoining portions thereof shall thereafter be divested from such common ownership, then and in such event the successors to and in respect of the easement and right-of-way hereby granted shall thereupon once again be entitled to the benefits thereof as created under and by virtue of this easement and right-of-way

(d) Any damage or deterioration to the roadway or adjacent lands caused by usage of the same by the Grantees, its servants, agents or employees shall be corrected at the expense of the Grantees.

4. This easement and right-of-way and the covenants herein contained are and shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of the Grantees and the Grantees' respective successors to title only while and to the extent that such party shall be registered as owner of the dominant tenement or portion thereof from time to time.

5. Where required by the context hereunder, the singular shall include the plural and the masculine gender or neuter gender shall include either feminine gender or the masculine gender as the case may be and vice-versa. Should the Grantor or Grantee of the rights of this easement and right-of-way hereby conferred and at any time and from time to time comprise two or more persons, each such person and not one for the other or others, shall be jointly and severally bound with the other or others for the due performance of the obligations of the Grantor or Grantee of such rights.

IN WITNESS WHEREOF the Grantors and the Grantees have hereunto affixed their respective hands and seals on the date and year first above written.

SIGNED, SEALED AND DELIVERED)
in the presence of)
)
)
)
Witness to signature of Grantors)

[redacted]
CARMEN K. JURIC

[redacted]
RONALD S. NEWLAND

)
)
)
Witness to signature of Grantees)

[redacted]
MARGO LEDGERWOOD

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

I, LEEANNE TIMPANO of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY:

1. That I was personally present and did see **CARMEN K. JURIC** and **RONALD S. NEWLAND** named in the within Instrument, who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein.

2. That the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said **CARMEN K. JURIC** and **RONALD S. NEWLAND** and they are in my belief of the full age of eighteen years.

SWORN BEFORE ME at the City of Calgary, in the Province of Alberta, this 7TH day of December 1999.

[redacted]
LeeAnne Timpano

A Commissioner for Oaths in and for the Province of Alberta

CARYN DAYE
Commissioner for Oaths
My Commission Expires
January 19, 2001

AFFIDAVIT OF EXECUTION

CANADA
Province of Alberta)
)
)

I, EDWARD D. SIMPER, of the Town of Okotoks, in the Province of Alberta, MAKE OATH AND SAY:

1. THAT I was personally present and did see MARGO LEDGERWOOD named in the within instrument, who is personally known to me to be the person(s) named therein.

2. THAT the same was executed at the Town of Okotoks, in the Province of Alberta and I am the subscribing witness thereto.

3. THAT I know the said MARGO LEDGERWOOD and she is in my belief of the full age of eighteen years.

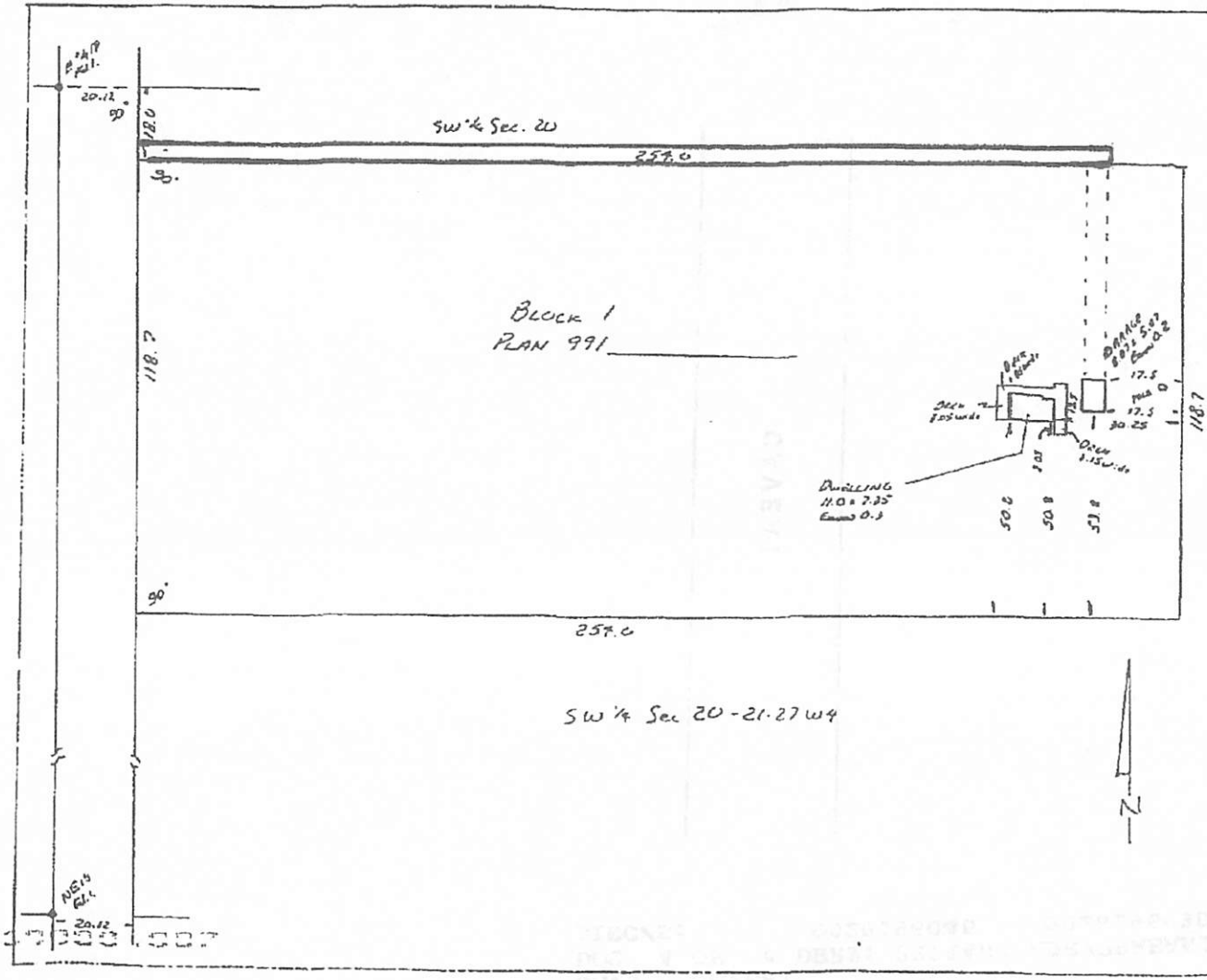
SWORN before me at Town of Okotoks)
Province of Alberta, this 3)
day of December,)
A.D. 1999)
)
)

[redacted]

A Commissioner for Oaths in
and for the Province of Alberta

DIANE DUNFORD
A Commissioner for Oaths
In and for the Province of Alberta
My Commission expires August 30, 2000

SCHEDULE "A"



ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

This plan is page 2 of a Real Property Report and is ineffective if detached from page 1.

NOTE:

1. Municipal Address: R.R. of Foothill No 31
2. Title Information is based on a Title Search dated May 13, 1999
3. Unless otherwise specified, the dimensions shown relate to distances from property boundaries to foundation walls only at the date of survey.
4. Statutory Iron Posts found are shown thus . . . . . ●
5. Iron Bars found are shown thus . . . . . ●
6. Distances are expressed in metres and decimals thereof.
7. On date searched, C. of T. indicated this property is subject to the following instruments:

Instrument No. 811070 388	LIEN
891060 196	Utility Right of Way
931 111 094	Easement
931 111 095	Easement
931 132 007	Easement
941218 756	Utility Right of Way
961 000 386	Mortgage

CLIENT:
CARMEN K JURIC and
RONALD S NEWLAND

DESCRIPTION OF PROPERTY:
BLOCK 1
DESCRIPTIVE PLAN 991
PART OF S.W.¼ SEC. 20-21-27 W4

I, G.H. DeWitt, Alberta Land Surveyor, do hereby certify that
1. The survey represented by this plan is true and correct and was made under my personal supervision
2. The survey was made in accordance with the Manual of Standard Practice
3. The survey was completed on the 12th day of May, 1999
4. The improvements as shown on this plan are entirely within the boundaries of the subject property (except as noted hereon)
5. No visible encroachments exist onto the subject property from any improvement situated on an adjacent property (except as noted hereon)

Dated at Mossleigh, Alberta, this 21st day of May A.D. 1999

G.H. DEWITT, ALBERTA LAND SURVEYOR

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SCALE 1:1000	DATE: 21/05/99	JOB No: 15899

G.H. DEWITT A.L.S.
P.O. Box 5, MOSSLEIGH, ALBERTA, T0L 1P0 TELEPHONE (403) 334-2286

991369900 REGISTERED 1999 12 16
CAVE - CAVEAT
DOC 4 OF 4 DRR#: 8221407 ADR/FPABANI
LINC/S: 0028196046 0028196038

CAVEAT

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