



**Miscellaneous Municipal Item
REPORT TO COUNCIL
Request to Purchase an Undeveloped Road Plan
October 2, 2024**

Letter of Request information		File: Newhook
LEGAL DESCRIPTION: Portion of Undeveloped Road Plan 257LK; NE ¼ Sec 4-22-03 W5M containing ~ 1.16 acres		
LANDOWNER: Foothills County		
APPLICANT: Foothills County on behalf of Larry and Kari-Lynn Newhook		
PROPOSAL: Request to Purchase and consolidate a portion of an Undeveloped Road Plan		
DIVISION NO: 4	COUNCILLOR: Susan Oel	
FILE MANAGER: Donna Fowler, Municipal Lands Administrator		

LOCATION

The undeveloped road plan is located approximately 4.7km South of Hwy 22X and 3km West of Hwy 22, within an undeveloped portion of 226 Ave West.

BACKGROUND

In 1996 a portion of Coalmine Road W, adjacent to 240 St W, was moved from its original alignment to its current alignment, leaving a portion of the old road plan undeveloped. During negotiations, an agreement was struck with the owners of NE 4-22-03 W5 to transfer the soon to be undeveloped portion adjacent to the north boundary of their parcel to them, in exchange for acreage required for the new road.

In 2023, the owners of NE 4-22-03W5 were preparing to sell their parcel and it came to light that this portion of the road plan was never closed and transferred, as agreed upon. To facilitate the speedy sale of their parcel we wrote a letter to the owners dated January 29, 2024 (see attached) that outlined the County’s intentions to facilitate this transfer at no cost to the applicant. The parcel was successfully sold, and this letter shared with the new owners.

The new owners Larry and Kari-Lynn Newhook are planning on building a new home at this location and wish to utilize this additional acreage and have been working with Planning and Public Works to finalize their plans.

July 3, 2024 – Staff provided a brief presentation to Council and Council directed administration to proceed with a public hearing in order to consider the closure for purchase and consolidation.

CIRCULATION:

The Application File was circulated internally and externally with responses as indicated:

- Foothills County Website – Application file posted on September 18, 2024
- Western Wheel Advertisement – September 18 & 26th, 2024
- Adjacent Landowner Circulation – No concerns to September 24, 2024

External Agencies Circulated with no concerns identified
Internal Circulation – No Concerns

REQUEST OF COUNCIL

OPTION 1 – APPROVAL

That Council grants first reading to bylaw ##/2024 to authorize the closure and purchase of a portion of the undeveloped road plan 257LK, containing 1.16 acres more or less, within the NE quarter of Section 4, Township 22 Range 03 W5M, to be consolidated into NE 04- 22-03 W5M.

Subject to ministerial approval prior to second and third reading of the Bylaw.

OPTION 2 – POSTPONE

That Council postpones their decision to allow administration to gather more information

OPTION 3 – REFUSAL

That Council denies the application, at this time

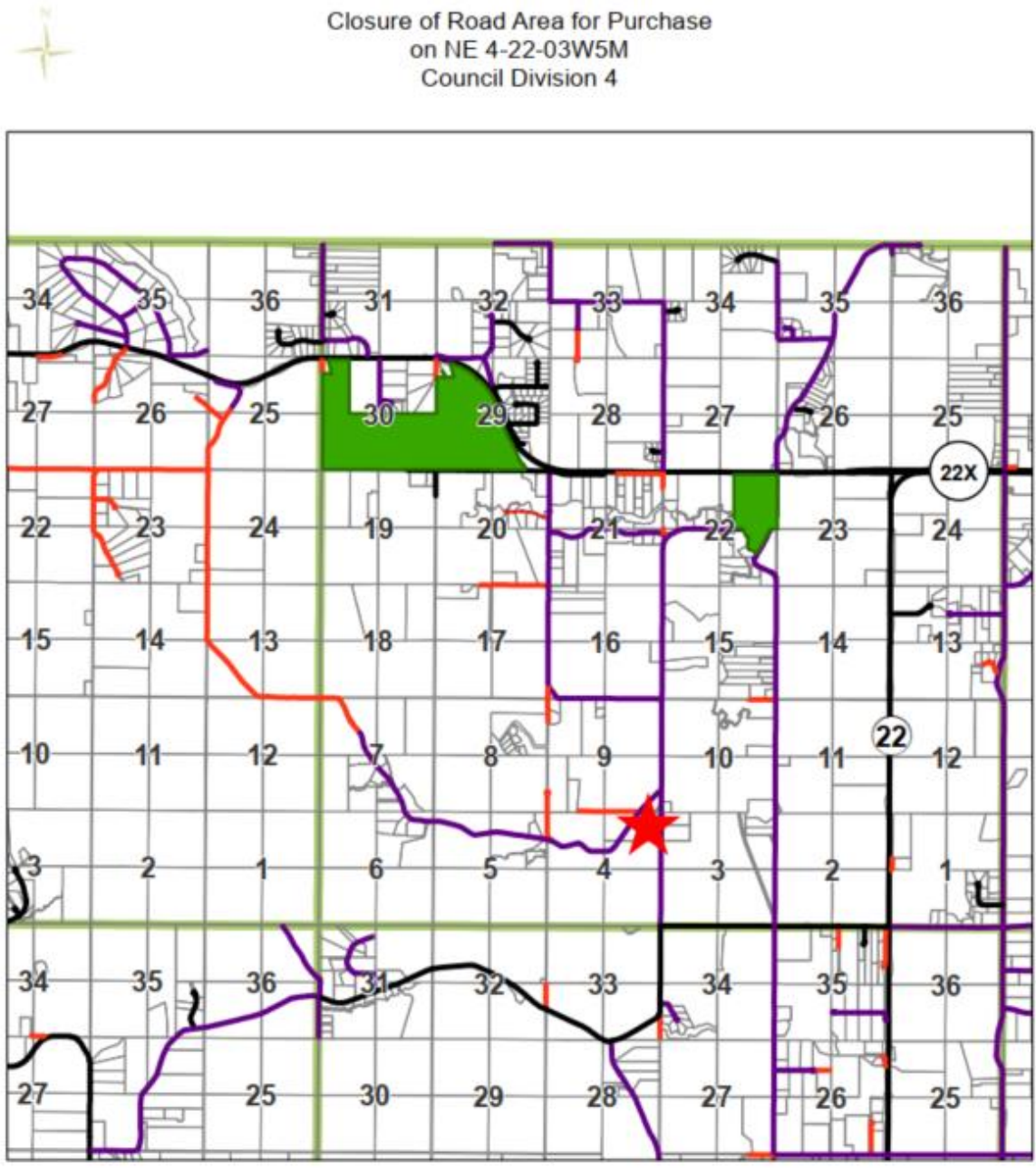
APPENDICES

APPENDIX A – Location Maps

APPENDIX B –County Letter dated January 29, 2004

APPENDIX C – Draft Bylaw XX/2024

**APPENDIX A:
LOCATION MAP**



1:71,857

Legend

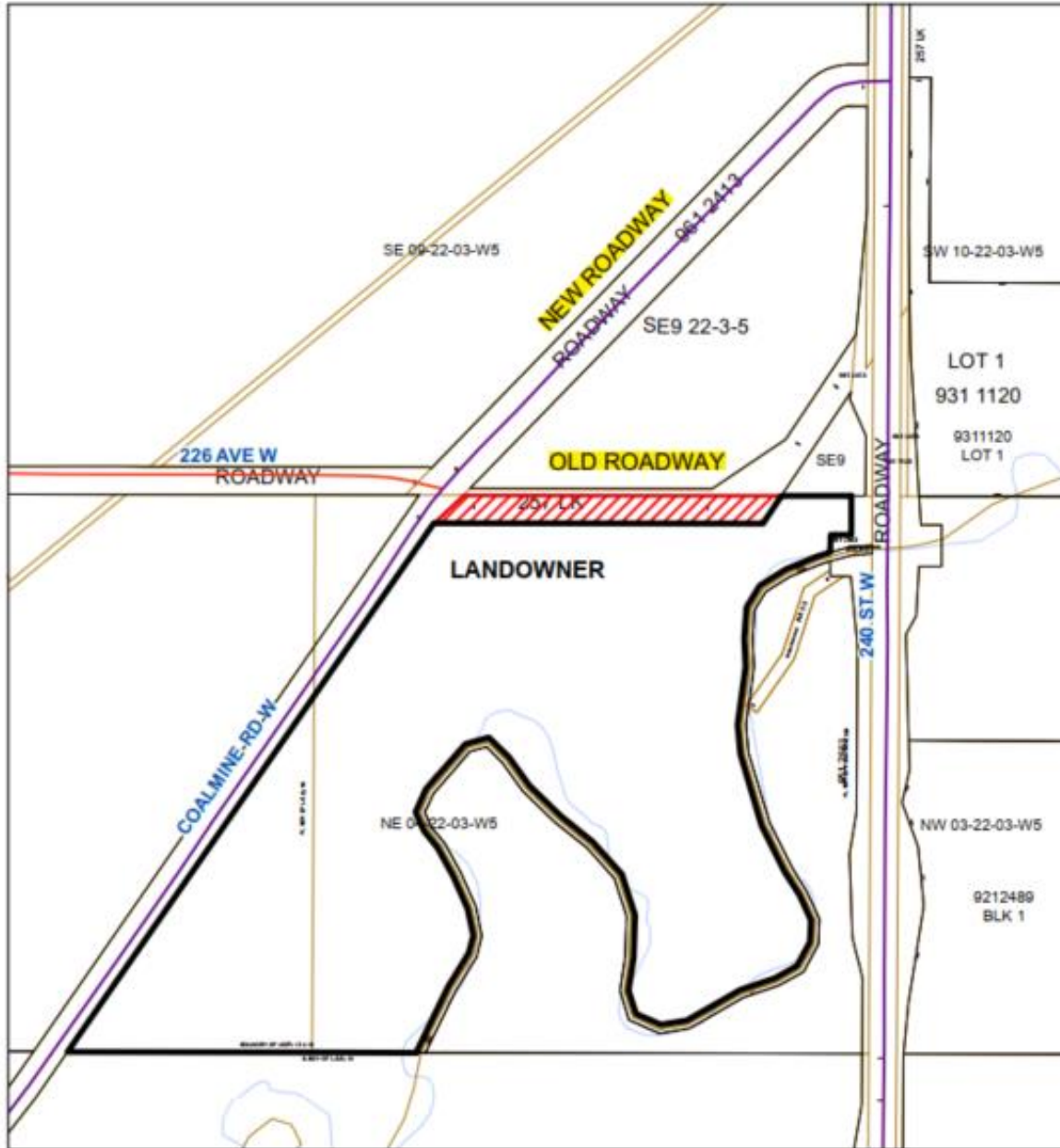
- Roads
- Highway
- Parcels
- ★ Applicant

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Date Printed: 2024-06-19



NE 4-22-03W5 Road Closure for Purchase



- Legend
- Townships
 - Parcels

Document Path: C:\P\Projects\MDF_025.mxd

Not Survey Quality

Date Printed: 2024-06-19

1:4,000

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**APPENDIX B:
COUNTY LETTER OF INTENTION**



FOOTHILLS COUNTY

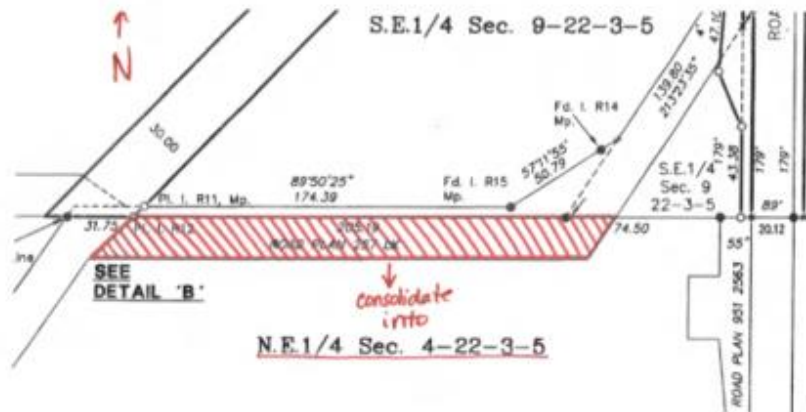
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7
Tel: 403-652-2341 Fax: 403-652-7880
www.mdfoothills.com

January 29, 2024

Field Law
400, 444 – 7th Avenue SW
Calgary, AB T2P 0X8
Attention: Paul Gill (PGill@fieldlaw.com)

**Re: Road Plan - 240083 Coalmine Road W., Priddis
NE 4-22-03W5
Title 211 131 229**

Further to our previous communications, this letter will serve as notice of Foothills County's intentions to complete, to the best of our ability, the process to transfer those portions of road plan 257LK that lie south of the quarter section line between the SE 09-22-03-W5M and the NE-04-22-03-W5M, as outlined in red below (the "Lands"). These Lands will be transferred to the owner of the NE 4-22-3-W5M, currently described as Title No. 211 131 229, at no cost to the owner of title no. 211 131 229.



Should you have any questions, please contact the undersigned at Donna.Fowler@FoothillsCountyAB.ca

Yours truly,

FOOTHILLS COUNTY

Donna Fowler
Municipal Lands Administrator

APPENDIX C: DRAFT BYLAW

(file: Newhook)

BYLAW ##2024

A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND CREATING TITLE TO PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26.1, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.

WHEREAS the lands hereafter described are no longer required for public travel, and

WHEREAS application has been made to Council to have the highway closed, and

WHEREAS the Council of Foothills County deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and

WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and published in the Western Wheel on September 18 and September 25, 2023, and

WHEREAS Council was not petitioned in writing by a person claiming to be prejudicially affected by the bylaw.

NOW THEREFORE BE IT RESOLVED that the Council of Foothills County in the Province of Alberta does hereby close to public travel and provide title to the following described highways, subject to the rights of access granted by other legislation:

230 METRES OF THE ROAD PLAN 257LK LYING NORTH OF THE NE ¼ OF SECTION 04 TOWNSHIP 22 RANGE 03 WEST OF THE 5TH CONTAINING 1.16 ACRES MORE OR LESS. Excepting thereout all mines and minerals

As identified on site plan in attached Schedule "A"

Received first reading this ___ day of _____, 2024.

Chief Elected Official
(Seal)

Chief Administrative Officer

APPROVED this ___ day of _____, 20__.

Minister of Transportation & Economic Development

Received second reading this ___ day of _____, 20__.

Received third reading and finally passed this ___ day of _____, 20__.

Chief Elected Official
(Seal)

Chief Administrative Officer

**SCHEDULE "A"
(Site Plan)**

