

Rural Municipality of Heart's Hill No. 352

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6.1 RIGHT-OF-WAYS

DEFINITION:

The land owned by the Crown in Right of Saskatchewan for the purpose of a public roadway or railway and power lines for which the property limits are defined by a plan of survey.

POLICY:

When constructing or up grading roads or power lines, additional right-of-way maybe required. The Municipality shall purchase from the landowner, through an Agreement for Sale, the required acres. The acres required shall be determined by the Municipality and agreed upon by the landowner. The Municipality shall pay a standard rate per S.A.M.A. titled acre. (*see current Municipal rates*)

If the Municipality is unable to negotiate a satisfactory agreement with the landowner, expropriation may be necessary.

Upon the landowner signing the Agreement for Sale and receiving payment, the Administrator shall insure an interest is registered on the parcel of land. The interest shall remain in place until the right-of-way has been registered by ISC on the title.

No municipal road or power line construction shall be undertaken until all Agreements of Sale have been signed and landowners have received payment.

RATIONALE:

It is the responsibility of the Municipality to develop and maintain roadways within the Municipality. Depending on the flow and type of traffic in the area, an expanded right-of-way may be required when developing or upgrading a roadway.

SaskPower's policy is to place poles along the edge of the right-of-way. Due to safety concerns and possible future development, the Municipality wishes to have all power poles placed on right-of-ways of at least 100'.

The Municipality also recognizes the landowner's right to fair compensation for the right-of-way.

AUTHORITY:

The Municipalities Act, Section 12(1)
The Municipal Expropriation Act, Sec 3(1)
Resolution: 298/19, 275/18, 260/17