



## ORDER TO VACATE

pursuant to section 47.1 of the  
*Public Lands Act RSA 2000, c. P-40,*  
as amended

No. OV-2020/04-PR

TO: James Bateman  
Box 20  
697 Wildcat Ave  
Zama AB T0H 4E0

**WHEREAS** the land that is described as Northeast Section 24, Township 123, Range 4, West of the 6<sup>th</sup> Meridian and Northwest Section 19, Township 123, Range 3, West of the 6<sup>th</sup> Meridian, adjacent to Bistcho Lake, in Mackenzie County, in the Province of Alberta, as depicted in Schedule 1 [the "Crown Lands"] are "public lands" within the meaning of section 1(p) of the *Public Lands Act*;

**WHEREAS** a portion of the Crown Lands were issued to James Bateman under disposition from Alberta Environment and Parks ["AEP"] as Miscellaneous Lease No. MLP840034 [the "MLP"] on January 1, 1987, as depicted in Schedule 1;

**WHEREAS** section 20 of the *Public Lands Act* states that no person shall enter on and occupy any public land for any purpose unless authorized by AEP;

**WHEREAS** the MLP was cancelled by AEP on December 8, 2016;

**WHEREAS** AEP sent James Bateman a letter on December 9, 2016, informing him of the cancellation of the MLP and directing him to remove and/or dispose of all structures, buildings and associated garbage or debris;

**WHEREAS** at no time on or after December 8, 2016 did AEP authorize James Bateman to enter on and occupy the Crown Lands for any purpose;

**WHEREAS** James Bateman did not vacate the Crown Lands on or after December 8, 2016;

**WHEREAS** James Bateman is unlawfully occupying the Crown Lands;

**WHEREAS** section 47.1 of the *Public Lands Act* provides that where a person unlawfully occupies public land, the director may order the person to vacate the public land;

**WHEREAS** Jack McNaughton, Compliance Manager, Peace Region, Alberta Environment and Parks, has been designated as a director under the *Public Lands Act* for the purposes of issuing orders to vacate (the "Director");

**THEREFORE**, I, Jack McNaughton, the Director, pursuant to section 47.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

1. James Bateman shall forthwith vacate the Crown Lands;
2. James Bateman shall immediately remove from the Crown Lands:
  - a. all improvements, structures, personal property and chattels, regardless of ownership, on or under the Crown Lands, including but not limited to:
    - i. a main cabin,
    - ii. a white shed,
    - iii. a blue roofed building with solar panels,
    - iv. an outhouse,
    - v. all trap boxes,
    - vi. all fuel barrels,
    - vii. all burning barrels,
    - viii. all sleds,
    - ix. all batteries,
    - x. all propane tanks,
    - xi. a communications tower,
    - xii. a motor boat and its dry dock,
    - xiii. a shack sled,
    - xiv. a silver building,
    - xv. a garden style shed,
    - xvi. a satellite dish and its metal pole,
    - xvii. all metal rebar stuck into lake shore,
    - xviii. all contents of buildings and structures,
    - xix. all personal effects and belongings;
  - b. all waste and debris.

3. On or before May 4, 2020, James Bateman shall provide written notice to the Director:
  - a. upon commencement of the removal of improvements, structures, personal property, chattels, and waste and debris required by paragraph 2;
  - b. upon completion of the removal of improvements, structures, personal property, chattels and waste and debris required by paragraph 2;
  - c. after the Crown Lands have been vacated as required by paragraph 1.

DATED at the Town of High Level, in the Province of Alberta, this 4<sup>th</sup> day of February, 2020.



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Jack McNaughton

Compliance Manager

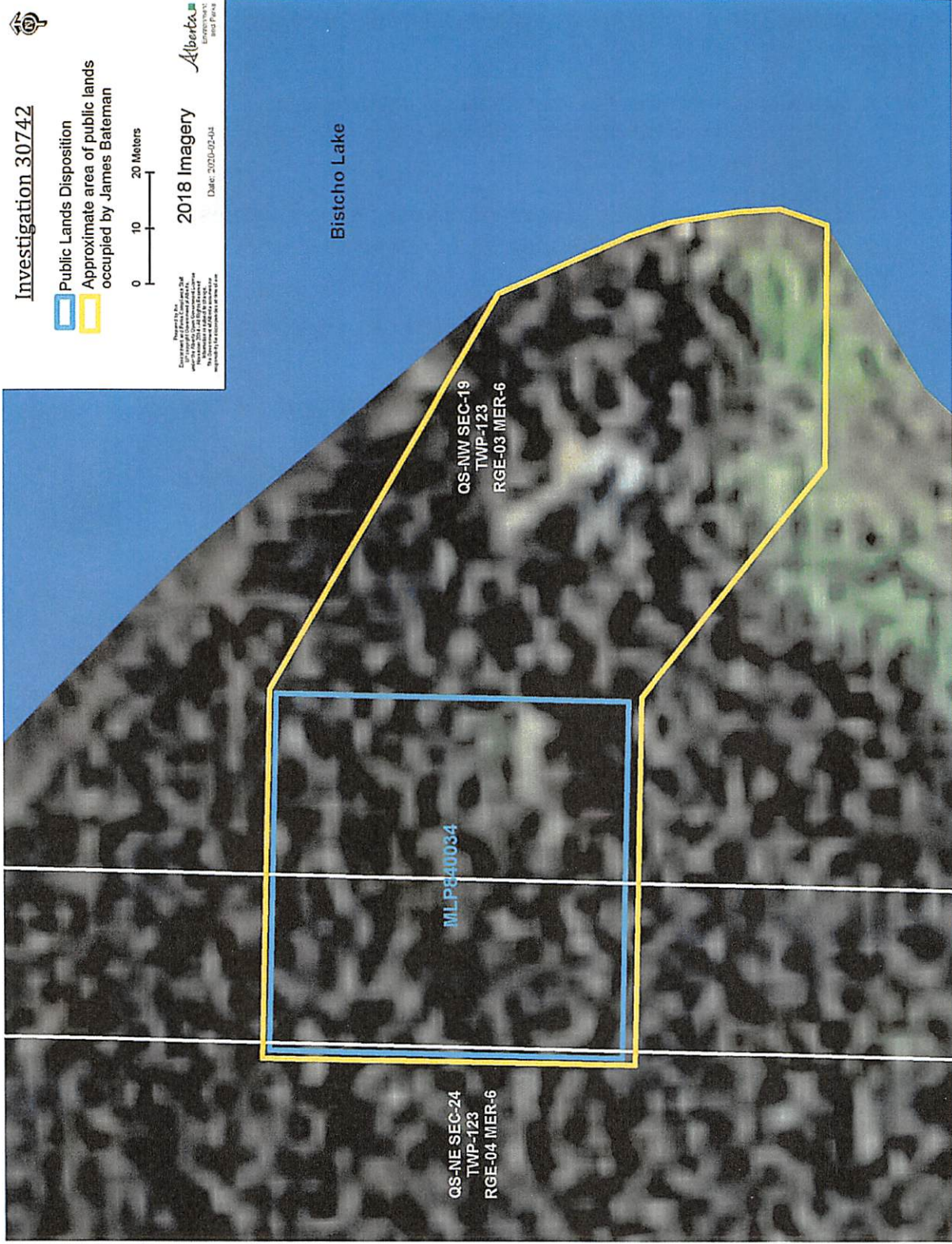
**TAKE NOTICE that failure to comply with this Order may result in any or all of the following without further notice:**

- further enforcement action, including but not limited to, prosecution under the *Public Lands Act*, its regulations and any other legislation.
- the confiscation, forfeiture, demolition, removal, sale or other disposal of any and all chattels, buildings and other improvements on the Crown Lands.

**TAKE FURTHER NOTICE that this Order does not in any way prejudice the Director's authority to take further enforcement action under the *Public Lands Act* and/or its regulations, or any other legislation.**



Schedule 1



Map 1: Aerial photograph of the Crown Lands with yellow boundary of unauthorized occupation.