

ORDER TO VACATE

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

No. OV-2017/05-PR

TO: Precision Forest Industries Ltd.
#300 15338 123 Ave NW
Edmonton, AB T5V 1K8

WHEREAS the land that is further described as W1/2 Section 4, Township 58, Range 8, West of the 6th Meridian near Grande Cache, in the Province of Alberta [the "Crown Lands"] are "public lands" within the meaning of section 1(p) of the *Public Lands Act*;

WHEREAS Miscellaneous Lease No. DML 3057 ("DML 3057") was assigned to Precision Forest Industries Ltd on September 1, 2000;

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 Alberta Environment and Parks;

WHEREAS DM L3057 expired on May 1, 2014 and Precision Forest Industries Ltd. became an overholding tenant on a month-to-month basis pursuant to section 20(3) of the *Public Lands Administration Regulation*;

WHEREAS in a letter dated March 27, 2017, Alberta Environment and Parks notified Precision Forest Industries Ltd. that its month-to-month overholding tenancy was terminated effective April 30, 2017;

WHEREAS at no time on or after April 30, 2017 did Alberta Environment and Parks authorize Precision Forest Products to enter on and occupy the Crown Lands for any purpose;

WHEREAS Precision Forest Industries Ltd. did not vacate the Crown Lands by April 30, 2017;

WHEREAS section 47(1) of the *Public Lands Act* states that a person who occupies public land and is not the holder of a disposition authorizing the person to do so, or is not otherwise authorized to do so, is deemed a trespasser;

WHEREAS Precision Forest Industries Ltd. is unlawfully occupying the Crown Lands and is a trespasser;

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 Owen Cook, 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, Owen Cook, the Director, pursuant to section 47.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

1. Precision Forest Industries Ltd. shall vacate the Crown Lands, which are identified in blue on Map 1 in Schedule 1, by no later than June 30, 2018. Despite this, Precision Forest Industries Ltd. is and remains a trespasser on the Crown Lands.
2. Prior to vacating, Precision Forest Industries Ltd. shall immediately commence to remove and shall remove from the Crown Lands by no later than November 30, 2017:
 - a) all personal property, regardless of ownership, that is on the Crown Lands, including but not limited to:
 - i. shed containing fuel and tools on skids identified at the location on Map 2 in Schedule 2 and shown in photograph 2.a in Schedule 2,
 - ii. all trailers including the:
 - a. ATCO-style trailer identified at the location on Map 2 in Schedule 2 and shown in photograph 2.b in Schedule 2,
 - b. locker room trailer on rims identified at the location on Map 2 in Schedule 2 and shown in photograph 2.c in Schedule 2,
 - iii. all trailer parts,
 - iv. all machinery and equipment or parts thereof, including tires,
 - v. all vehicles and parts thereof, including the Ford F500 flatbed single axle truck, the Chev C70 single axle tanker truck, and the Michigan 85 Loader,
 - vi. all metal bins,
 - vii. all metal including pieces of steel, steel plates, sheeting, steel beams, culverts, fasteners, fixtures, strapping, chains, and tin siding,
 - viii. all above ground storage tanks and associated infrastructure,
 - ix. all storage containers including drums, pales and bins,
 - x. the pile of stones at the location indicated on Map 2 in Schedule 2,
 - xi. all fuel cans,
 - xii. all contents of buildings and structures,
 - xiii. all hoses and pipes,
 - xiv. all spools of cable and empty cable spools,
 - xv. all plastic buckets and tarps,
 - xvi. all railroad ties,

- xvii. all garbage, debris, waste including hazardous waste, refuse,
 - xviii. the swing-set, and
- b) all woody debris, firewood, unmanufactured timber, and manufactured products, regardless of ownership, which are on the Crown Lands, including but not limited to lumber, and by-products such as chips, sawdust and slabs.
3. Prior to vacating, Precision Forest Industries Ltd. shall immediately commence to remove and shall remove from the Crown Lands by no later than June 30, 2018:
- a) all buildings and structures, regardless of ownership, which are on the Crown lands, including but not limited to :
 - i. the buildings or structures identified at the locations on Map 2 in Schedule 2:
 - i. log cabin-style structure shown in photograph 2.d in Schedule 2,
 - ii. outhouse building shown in photograph 2.e in Schedule 2,
 - iii. shed containing fuel, oil and greases shown in photograph 2.f in Schedule 2,
 - iv. metal sided shed shown in photograph 2.g in Schedule 2,
 - ii. the gate identified on Map 3 in Schedule 3 and shown in photograph 3.a in Schedule 3,
 - iii. the buildings or structures identified at the locations on Map 3 in Schedule 3:
 - i. shop and the cement floor shown in photograph 3.b in Schedule 3,
 - ii. sawmill and attached improvements shown in photograph 3.c in Schedule 3,
 - iii. large parts/tool building as in photograph 3.d in Schedule 3,
 - iv. all underground storage tanks and their associated infrastructure, and
 - b) all electrical power infrastructure, including power poles, lines, and associated infrastructure on the Crown lands. Precision Forest Products shall not remove any ATCO-owned power poles identified by red and hollow black circles on Map 4 in Schedule 4 and as shown in photograph 4 a in Schedule 4.
4. Precision Forest Products Ltd. shall not remove the water well identified at the location on Map 3 and photograph 3.e in Schedule 3 until a separate written authorization is received from Alberta Environment and Parks.
5. Precision Forest Industries Ltd. shall provide written notice to the Director immediately:

- a) upon commencement of the removal of personal property required by paragraph 2,
- b) upon commencement of the removal of buildings and structures required by paragraph 3 ,
- c) upon completion of the removal of personal property required by paragraph 2,
- d) upon completion of the removal buildings and structures required by paragraph 3, and
- e) after the Crown Lands have been vacated as required by paragraph 1.

DATED at the Town of Peace River, in the Province of Alberta, this 31st day of October, 2017.

Original Signed by:
Owen Cook
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.

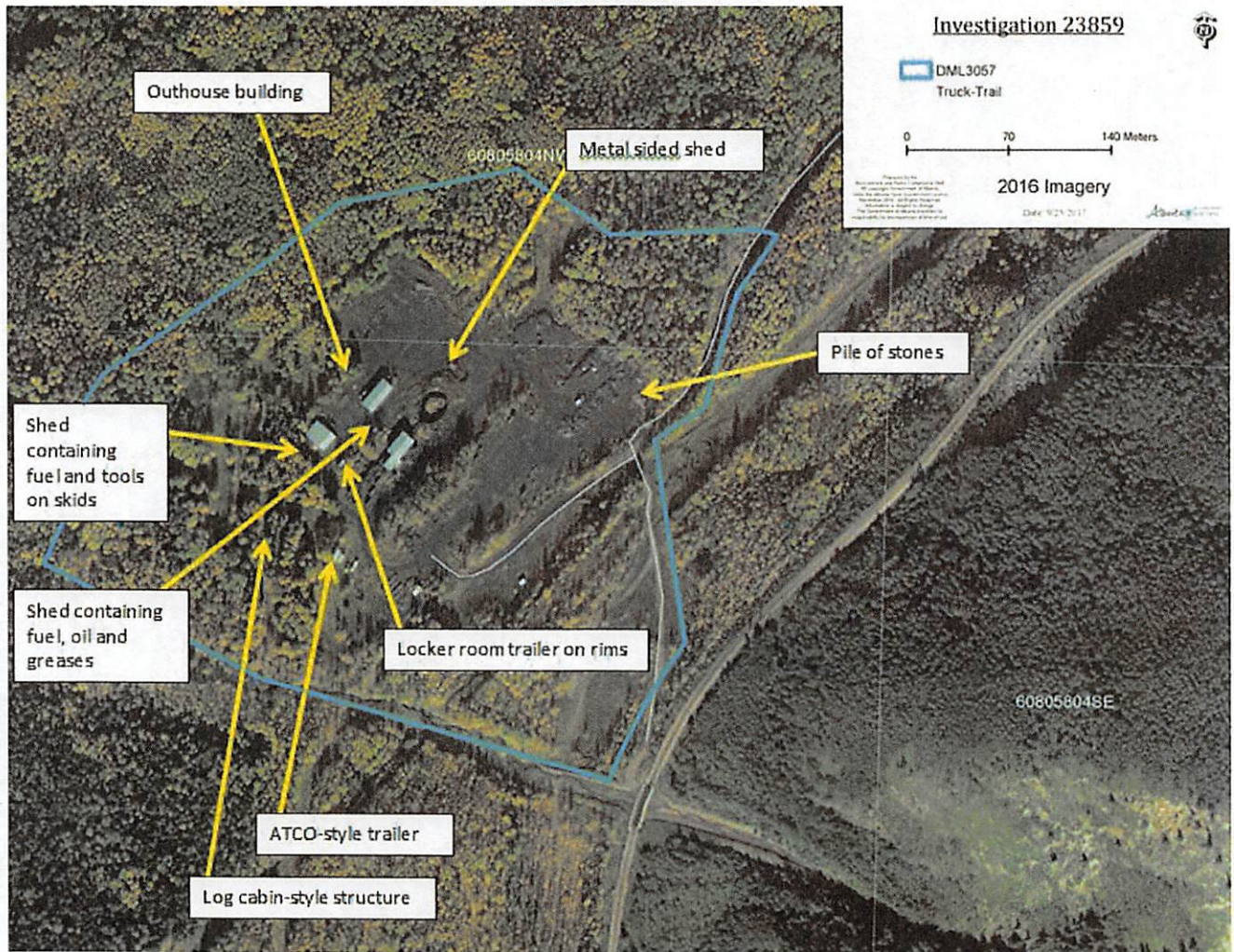
TAKE FURTHER NOTICE that this Order does not in any way prejudice the Director's authority to take further enforcement action under the *Public Lands Act* and/or its regulations, or any other legislation.

Schedule 1

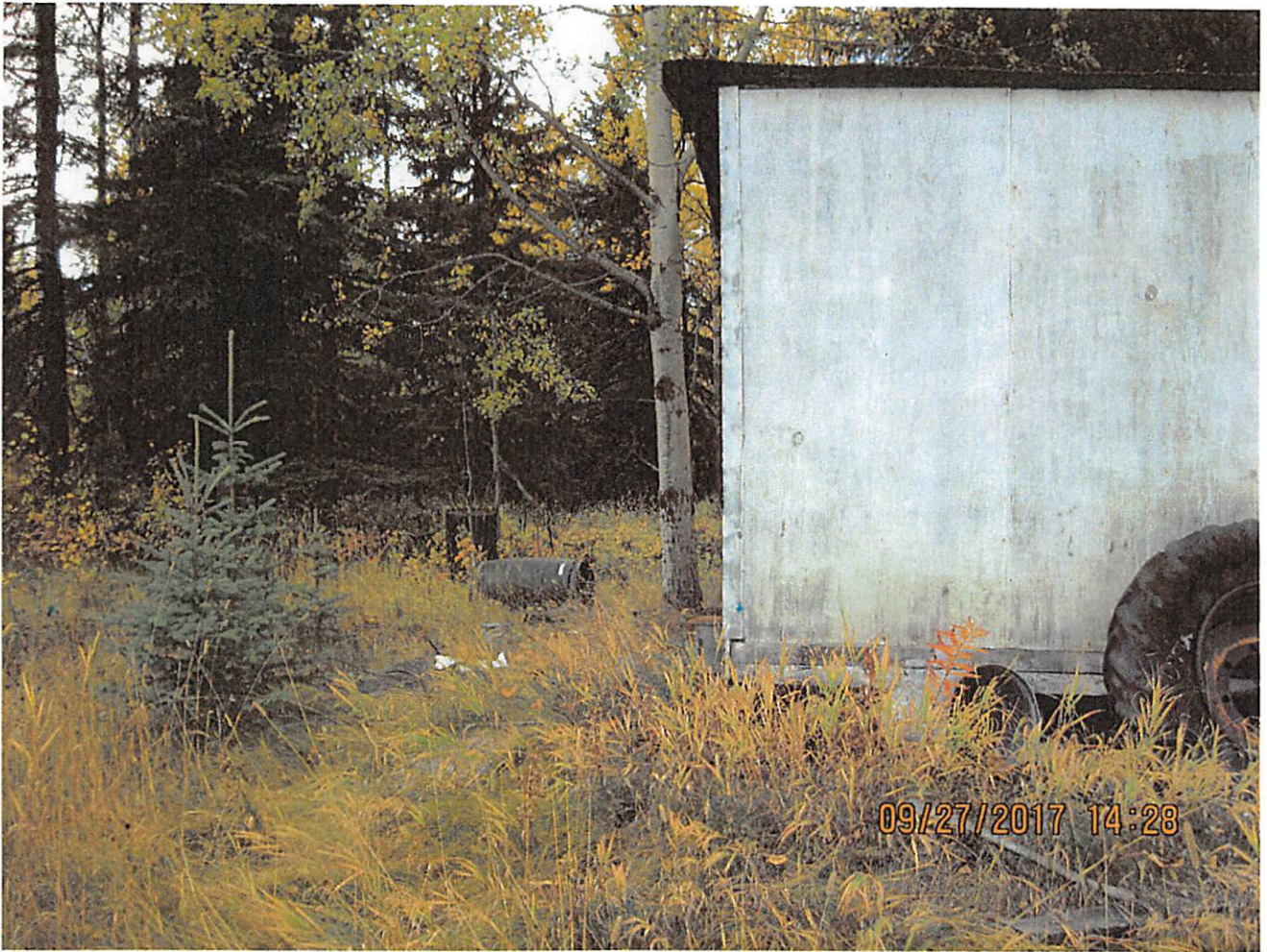


Map 1: Aerial photograph of expired DML3057 with the disposition boundary in blue at W1/2-04-058-08-W6M near Grande Cache, in the Province of Alberta

Schedule 2



Map 2 – Aerial photograph of expired DML 3057 outlined in blue with labels identifying structures to be removed on or before November 30, 2017



Photograph 2.a - shed containing fuel and tools on skids on the right side of the frame with garbage, debris, and refuse.



Photograph 2.b – ATCO-style trailer



Photograph 2.c – locker room trailer on rims



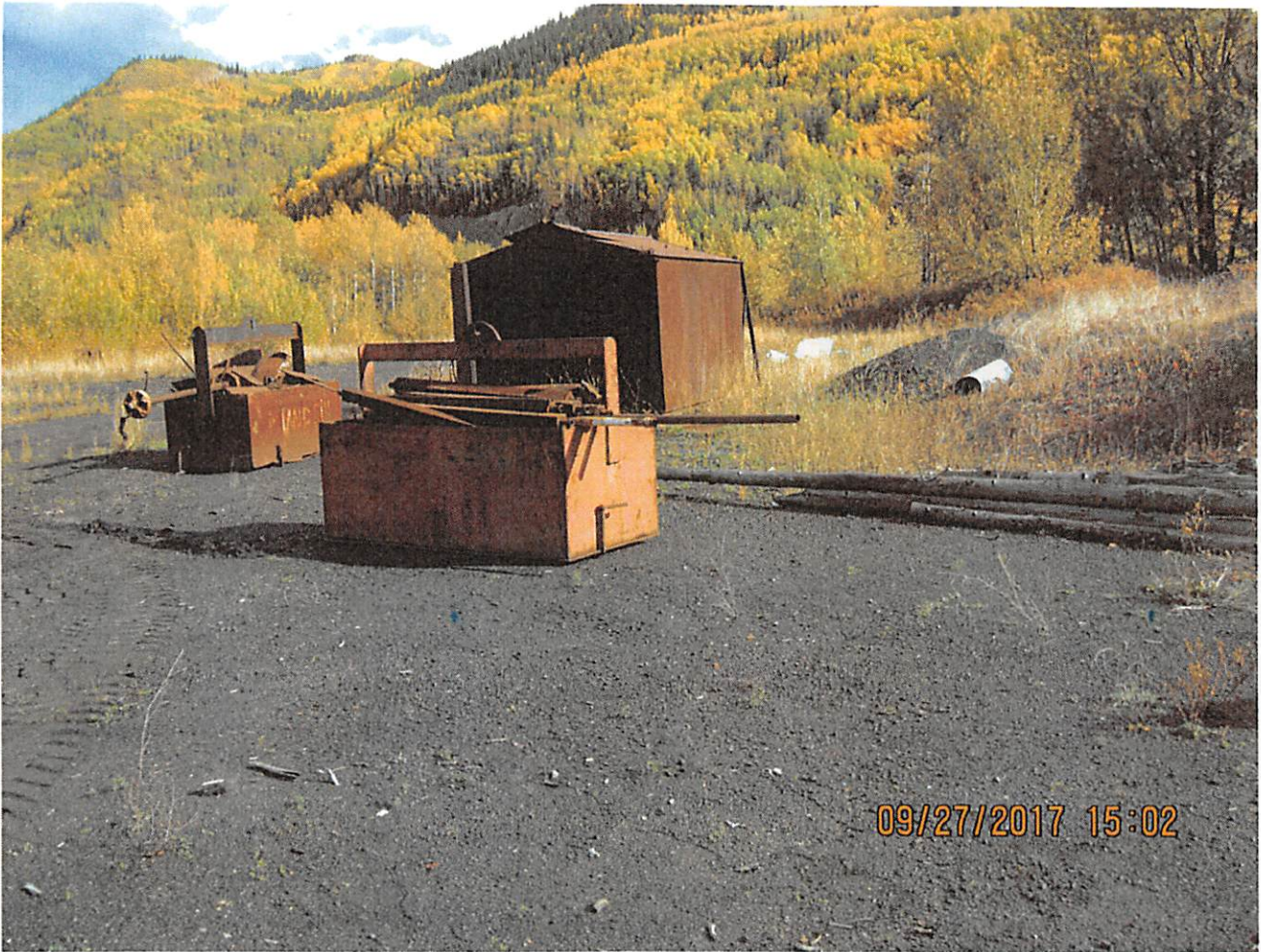
Photograph 2.d – log cabin-style structure in the background with a pile of dimensional lumber in the foreground.



Photograph 2.e – outhouse building in the background with trees in the foreground.

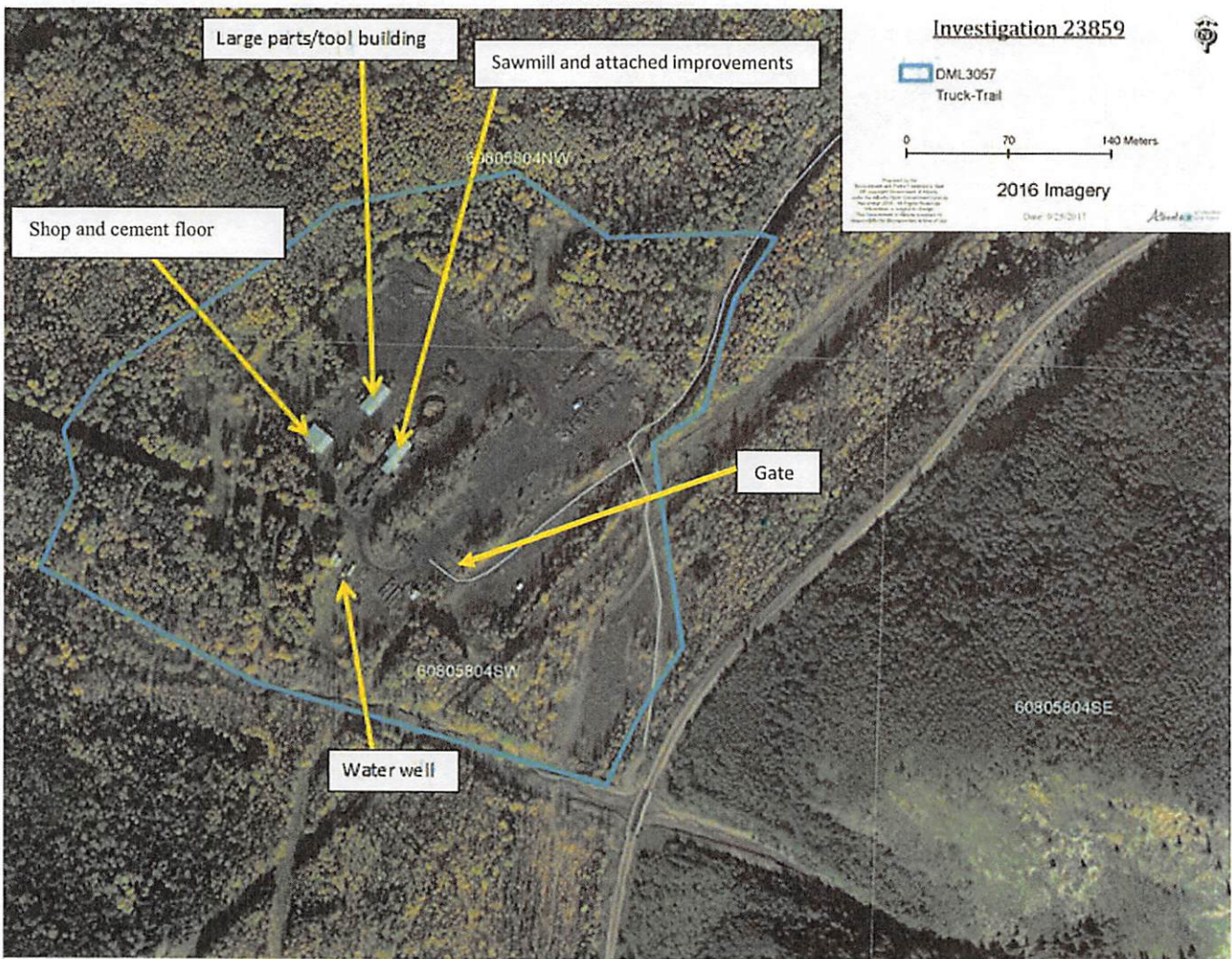


Photograph 2.f – shed containing fuel, oil and greases in the centre of the frame with garbage, debris, and refuse in the foreground and the shop with the cement floor in the background.



Photograph 2.g – metal sided shed in the background with metal bins filled with metal pieces in the foreground. Unmanufactured timber is found on the right hand side of the frame with garbage, debris and refuse noted in the background.

Schedule 3



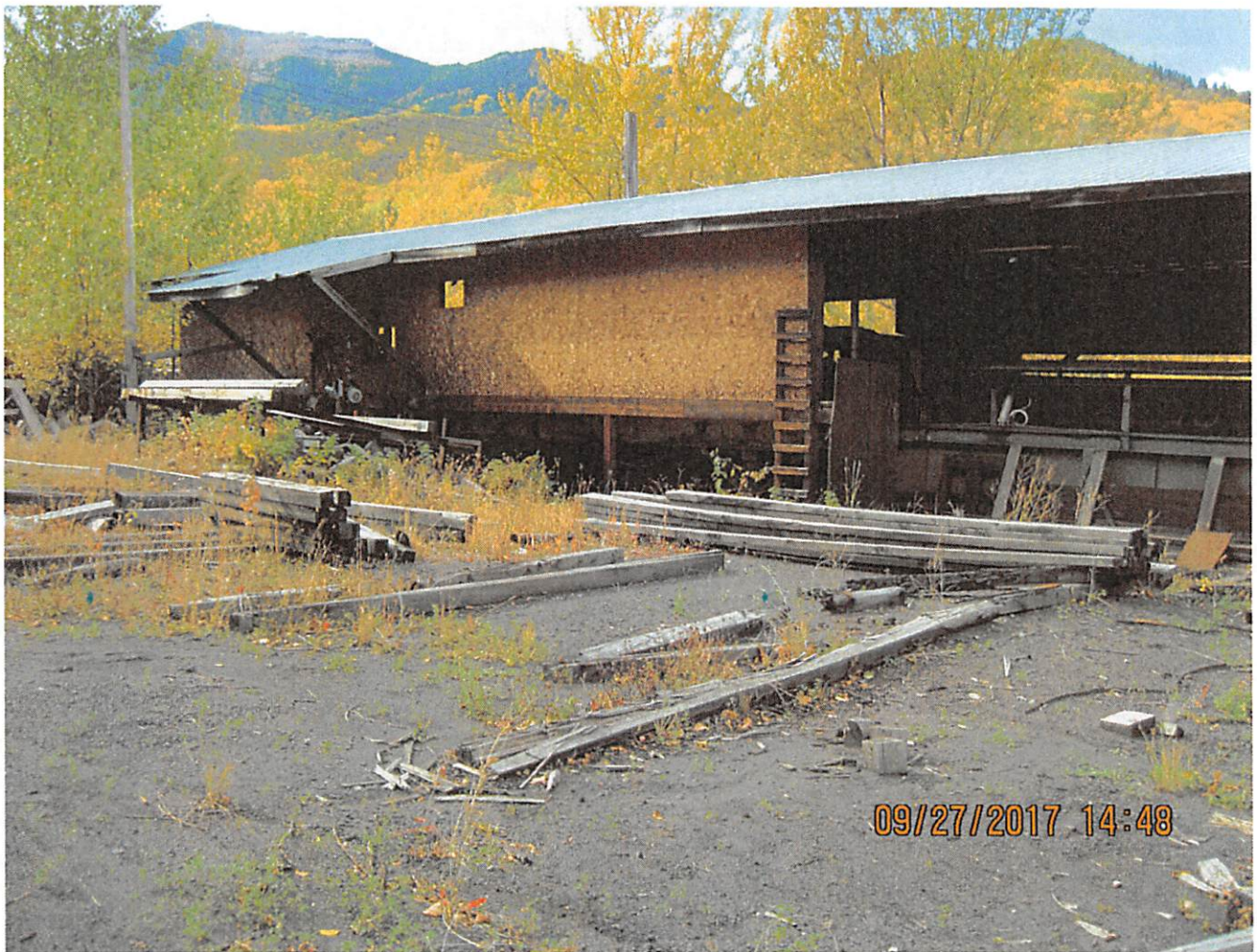
Map 3 – Aerial photograph of DML 3057 outlined in blue with labels identifying structures to be removed on or before June 30, 2018



Photograph 3.a – gate



Photograph 3.b – shop and cement floor with furniture and manufactured wood products in the foreground right side of the frame. Garbage, debris, refuse and a structure can be seen to the left of the shop in the background.



Photograph 3.c – sawmill and attached improvements in the background with manufactured wood products and garbage, debris and refuse in the foreground.

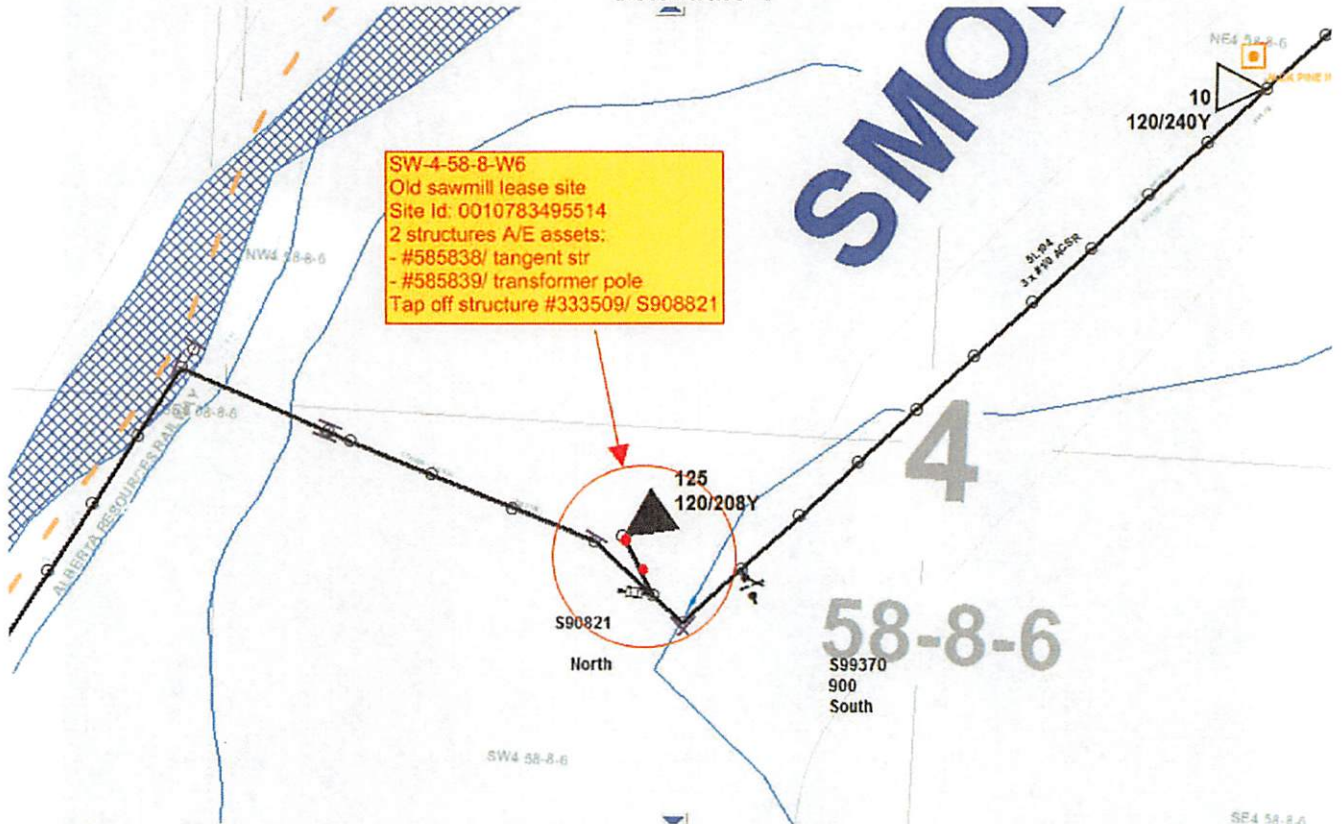


Photograph 3.d – large parts/tool building in the background with garbage, debris and refuse in front.



Photograph 3.e – sheet material covering a well on the left side of the frame with a piece of garbage to the right

Schedule 4



Map 4 – a utility map showing the ATCO-owned power poles as red and hollow black circles.



Photograph 4.a – power pole 585838 in the foreground and power pole 585839 with transformers in the background.