

ORDER TO VACATE

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

No. OV-2016/01-LAR

**TO: Carmacks Industrial LTD. ("Carmacks")
701 – 25 Avenue
Nisku, Alberta
T9E 0C1**

WHEREAS the land that is further described as SE Section 4, Township 92, Range 10, West of the 4th Meridian near Fort McMurray, in the Province of Alberta [the "Crown Lands"] are "public lands" within the meaning of section 1(p) of the *Public Lands Act*;

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 Alberta Environment and Parks has never authorized Carmacks to enter on and occupy the Crown Lands for any purpose;

WHEREAS section 47 of the *Public Lands Act* provides 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 under the *Public Lands Act* or the regulations under the Act, is a trespasser;

WHEREAS Carmacks 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 Neil Brad, Regional Compliance Manager, Lower Athabasca 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, Neil Brad, the Director, pursuant to section 47.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

- 1. Carmacks shall forthwith vacate the Crown Lands identified in Schedule 1;**
- 2. Prior to vacating, Carmacks shall immediately remove from the Crown Lands identified in Schedule 1:**
 - a) all chattels owned by or under the control of Carmacks and any buildings or other improvements erected or created by or on behalf of Carmacks on or under the Crown Lands including but not limited to;**
 - i. quonset huts;**

- ii. generators; and
 - iii. Sea-Can containers;
 - b) all waste and debris from the Crown Lands.
3. Carmacks shall provide written notice to Alberta Environment and Parks of the completion of the removal required by paragraph 2 above;

DATED at the City of Edmonton, in the Province of Alberta, this 3rd day of May, 2016.

**Original Signed by: Neil Brad
Alberta Environment and Parks**

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

- further enforcement action, including but not limited to, prosecution under the *Public Lands Act* and/or its regulations;
- 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.



Schedule 1
Lands identified as SE Section 4, Township 4, Range 92, Range 10, West of the 4th Meridian near Fort McMurray, in the Province of Alberta