



Alberta Environment and Parks  
Operations Division, Lower Athabasca Region  
3rd Floor, Provincial Building  
9915 Franklin Avenue  
Fort McMurray, Alberta, Canada  
T9H 2K4

**ORDER TO VACATE**

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

OV-2019/10-LAR

TO: Herbert and Debra Arsenault (collectively, the "Parties")  
P.O. Box 6135  
Fort McMurray  
T9H 4W1

WHEREAS the land that is further described as SE Section 21, Township 86, Range 8, West of the 4<sup>th</sup> 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 the Parties 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 the Parties are unlawfully occupying the Crown Lands and are trespassers;

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

1. The Parties shall forthwith vacate the Crown Lands, specifically in the area outlined in green in Schedule 1 and labelled "Trespass Area";
2. Prior to vacating, the Parties shall, individually or jointly, immediately remove from the area of the Crown Lands outlined in green in Schedule 1:
  - a) all the personal property, chattels, buildings or other improvements, regardless of ownership, on or under the area of the Crown Lands outlined in green in Schedule 1 and labelled "Trespass Area" including but not limited to each of the following:
    - i. firepit
    - ii. stairway; and
  - b) all waste and debris.
3. On or before April 30<sup>th</sup>, 2019, the Parties shall, individually or jointly, provide written notice to Alberta Environment and Parks of the completion of the removal required by paragraph 2 above.

DATED at Fort McMurray in the Province of Alberta, this 2<sup>nd</sup> day of March, 2019.



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 part of SE Section 21, Township 86, Range 8, West of the 4<sup>th</sup> Meridian within the  
Regional Municipality of Wood Buffalo, in the Province of Alberta

