



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-2019/12-LAR

TO: Beverly Ewashko (the "Party")
Box 5306
Fort McMurray
T9H 3G4

WHEREAS the land that is further described as SE Section 21, Township 86, Range 8, West of the 4th 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 Party 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 Party 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 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 Party 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 Party shall immediately remove from the area of the Crown Lands outlined in green in Schedule 1:
 - a) all 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. benches;
 - ii. firepit; and
 - b) all waste and debris.
3. On or before April 30th, 2019, the Party shall 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 2nd 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 4th Meridian within the
Regional Municipality of Wood Buffalo, in the Province of Alberta

