

ORDER TO VACATE

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

No. OV-2020/06-NR

Jacob Wiebe
Box 783
309 Riverdrive Place
La Crete, AB T0H 2H0

WHEREAS the land that is described as Northeast Section 25, Township 123, Range 4, West of the 6th 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 Andrew Wiebe under disposition from Alberta Environment and Parks ["AEP"] as Miscellaneous Lease No. MLP040037 [the "MLP"] on March 22, 2005, 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 Andrew Wiebe 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 Andrew Wiebe did not vacate the Crown Lands on or after December 8, 2016;

WHEREAS at no time on or after December 8, 2016 did AEP authorize Andrew Wiebe or any other Party to enter on and occupy the Crown Lands for any purpose;

WHEREAS Jacob Wiebe stated on February 4, 2020 that he represents his father Andrew Wiebe regarding the unauthorized structures, buildings and associated garbage or debris;

WHEREAS Jacob Wiebe is unlawfully occupying the Crown Lands;

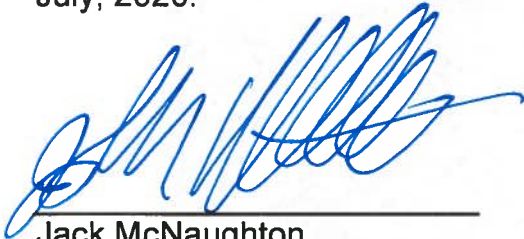
WHEREAS section 47.1 of the *Public Lands Act* provides that where a person unlawfully occupies public land, the director may order the person to vacate the public land;

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. Jacob Wiebe shall forthwith vacate the Crown Lands;
2. Jacob Wiebe 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. an outhouse,
 - iii. a propane tank,
 - iv. a freezer,
 - v. a shed,
 - vi. a communications tower,
 - vii. all saw horses,
 - viii. a sled,
 - ix. a truck tire,
 - x. all contents of buildings and structures,
 - xi. all personal effects and belongings;
 - b. all waste and debris.
3. On or before March 31, 2021, Jacob Wiebe 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 Peace River, in the Province of Alberta, this 10th day of July, 2020.



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.

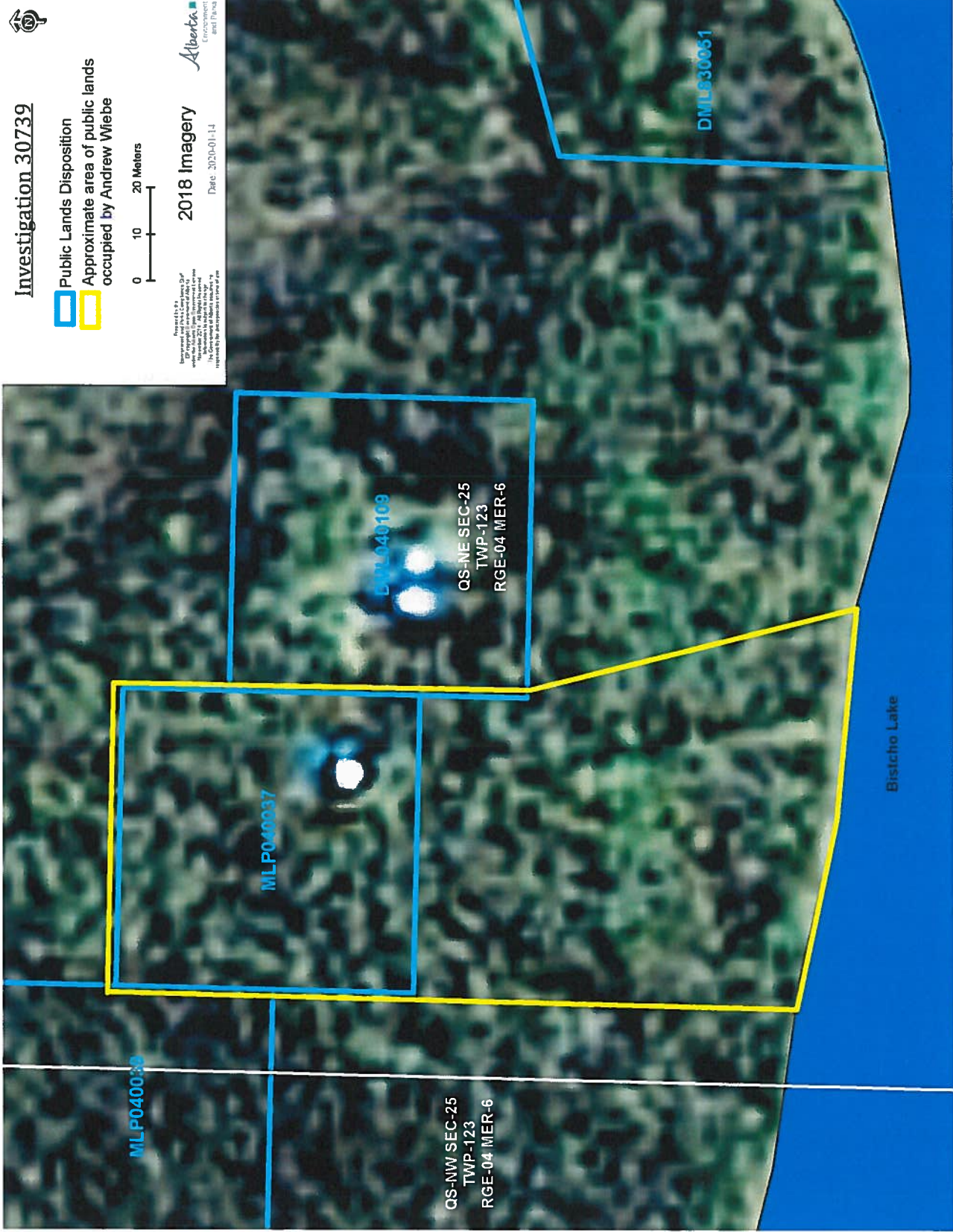


Investigation 30739

- Public Lands Disposition
- Approximate area of public lands occupied by Andrew Wiebe



Alberta
Environment
and Parks
2018 Imagery
Date: 2020-01-14



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