



County of Lethbridge Policy Handbook

EFFECTIVE: February 15, 1979

SECTION: 100 NO. 104

APPROVED BY: County Council

SUBJECT: Road Allowance Leases

REVISED DATE: April 4, 2002

The County agrees to let, and the Lessee agrees to take, for the term of five (5) years all that parcel of land being a portion of public highway which has been closed by the County of Lethbridge. The lease is subject to the following conditions and as set out by the Municipal Government Act.

1. The lessee shall not, without the consent of the County, assign, sublet, or transfer the demised premises or any portion thereof, and if the lessee ceases to be the owner or occupier of land adjoining the demised premises, this lease shall thereupon terminate and be of no further effect.
2. The lessee shall permit a right of passage as provided in Clause 3, onto the demised property and for this purpose shall provide gates at each end which shall be twelve (12) feet in width and these gates shall not be locked.
3. This lease is subject to any rights given to any person under any other Act or Regulation and to any right granted by the County to any person for the use of the public highway that has been closed and thereto leased.
4. This lease is issued subject to the right of the County or the Minister of Transportation to open up the road for public use at any time, in accordance with the provisions of the Municipal Government Act.
5. No building, structure or other thing that is in the opinion of the County, a permanent improvement except for a fence, shall be on this lease land unless such erection received the prior approval in writing of the County.
6. The said County covenants with the said lessee for quiet enjoyment provided, however, that the County may upon three (3) months notice in writing to the lessee, cancel the within lease should the lands herein demised be required for the purpose of the County.
7. The lessee shall pay upon receipt of notice and before December 31st of each year prior to the effective term of the lease, the lease amount as set out in this agreement. If the lease should be cancelled by the lessor due to non-payment, a reinstatement fee of a minimum of ten (10) percent of the annual lease amount shall be paid prior to reinstatement as authorized by Council.
8. The price per acre is established in the County of Lethbridge Schedule of Fees By-Law.