

Title: Sale of County Roadways

Policy No: 3220

Approval: County Council

Effective Date: December 21, 1999



Supersedes Policy No:

**Policy Statement:** Council recognizes that under certain circumstances it may be reasonable to close and sell public roadways that are under its management and control.

#### Definitions

1. "Roadway" Refers to:  
  
Regular road allowances and road planned roadway
2. "Regular Road Allowance" refers to:  
  
Road allowances or portions thereof as previously established by the Dominion of Canada with the implementation of the Grid System of Survey (i.e., 66 feet wide strips running north to south every mile and running east to west every two miles).
3. "Road Planned Roadway" refers to:  
  
Property, or portion thereof, which was previously purchased and/or excepted out of the title of deeded land by way of registration of a road plan or subdivision plan at the Land Titles Office.

1. Property designated as "roadway" which is under the jurisdiction, management and control of this County may be sold.
2. Applications for purchase of a "roadway" shall be evaluated on their own merit by Council.
3. If a sale is granted by Council it shall be subject to the following policy conditions:
  - a) The sale of roadway property, or portion thereof which was previously purchased and or excepted out of the title of deeded land by way of the registration of a road plan or

subdivision plan at the Land Titles Office may be considered by council if:

- i) The lands requested sold will be added to the title of an adjacent landowner(s) if approved by the appropriate subdivision authority; and
- ii) In the instance where more than one landowner is abutting the area being sold then written consent must be obtained from the other landowners.

The purchase price for a sale of this nature shall be at market value as determined by Council taking into account the potential costs and liabilities to the County to retain the property and considering location and configuration of the subject lands.

- b) Land used or surveyed for use as a public road and titled to the Crown in right of Alberta is provided to facilitate public access to patent and Crown land now and in the future. Land titled to the Crown in right of Alberta and used or surveyed for use as public road in Woodlands County is under the direct control and management of the County. Council for Woodlands County will not consider requests to close, sell, or lease public roads unless in the sole discretion of Council to do so is a matter of public safety, a request from a senior level of government, or in best interests of the municipality.
- c) If the closed "roadway was an undeveloped road allowance ("Regular Road Allowance") and Council has deemed it appropriate to sell the "roadway" then it shall be advertised for sale and sold to the highest bidder at or above market value plus advertising and survey costs. If no bids are received, the County may negotiate the sale of the land to an abutting landowner. However, any sale shall be subject to the advertising requirement of Section 70(1) of the Municipal Government Act.