



**BIRCH HILLS COUNTY
BY-LAW 2013-08
CANCELLATION OF PLAN OF SUBDIVISION**

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BYLAW NO. 2013-08

**A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO
CANCEL SUBDIVISION PLAN 0926378;1;1**

WHEREAS Section 658 of the Municipal Government Act, 1994, Chapter M-26.1 as amended states;

658(1) On the application of one or more owners of a parcel of land in a plan of subdivision, a council may by bylaw order the plan cancelled, in whole or in part.

(2) A council may pass a bylaw under subsection (1) only with the consent of

- (a) the owners of the parcel of land in the plan of subdivision,
- (b) every person shown on the certificate of title of the land in the plan of subdivision as having an estate or interest in it, and
- (c) the Crown in right of Alberta, if the plan of subdivision shows a highway or road or other right of way vested in the Crown for which no certificate of title has been issued.

(3) A plan cancellation may not be effected only or primarily for the purpose of disposing of reserves.

(3.1) If all of a plan is cancelled, deferred reserve caveats and environmental reserve easements are also cancelled.

(4) If all reserve land has been cancelled from a plan of subdivision, the resulting parcel of land, if it is subsequently subdivided, may be subject to the provisions of this Part respecting reserves.

(5) If a plan is cancelled in part, a deferred reserve caveat may be placed against the consolidated certificate of title reflecting any reserve land that was cancelled and that will be owing if the parcel is subsequently subdivided.

AND WHEREAS Section 658 of the Municipal Government Act, 1994, Chapter M-26.1 with amendments, states, a council may by bylaw order the plan cancelled, in whole or in part;

NOW THEREFORE the Council for Birch Hills County in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Subdivision plan 0926378;1;1 be cancelled.
2. That this Bylaw shall become effective upon final passing.

READ A FIRST TIME THIS 3TH DAY OF DECEMBER , 2013.

READ A SECOND TIME THIS 17TH DAY OF DECEMBER, 2013.

READ A THIRD TIME AND PASSED THIS 17TH DAY OF DECEMBER, 2013.

_Original Signed By
Reeve
Marvin Doran

Original Signed By
Chief Administrative Officer
Harold Northcott