

THE MUNICIPALITY OF RHINELAND

BY-LAW 2020-06

BEING a by-law of the Municipality of Rhineland relative to the expropriation of certain property.

WHEREAS Section 13(4) and (5) of *The Expropriation Act*, CCSM c.E190, states that:

Filing plan of lands for highways, etc

13(4) Subject to subsection (5), an authority may, without registering a declaration or expropriating lands, file in the proper Land Titles Office a plan prepared by a Manitoba Land Surveyor showing lands that the authority intends to use for a highway, drain, water control work, pipeline, telephone line, or electric power line or any other public purpose.

Requirements for plan

13(5) A district registrar shall not accept a plan for filing under subsection (4) unless a certificate signed by or on behalf of the authority is endorsed on or accompanies the plan certifying

- (a) that all registered owners of any lands that will vest by reason of the filing of the plan have agreed with the authority on the settlement of due compensation for the land, or that the authority is the owner or entitled to be the owner of all the land affected by the plan;
- (b) where any lands will vest by reason of the filing of the plan
 - (i) as to the interest that is to vest and whether that interest is subject to any existing interest in the lands, and
 - (ii) as to the provisions of any Act of the Legislature that authorizes the authority to acquire land for the purposes for which the land is to be used; and
- (c) ...

AND WHEREAS the Municipality of Rhineland requires a portion of the Property as described in the Plan of Works Deposit Number 949/2020, attached hereto as Exhibit "A" for the purpose of expanding a water control work;

AND WHEREAS the obligations in Section 13(5)(a) and (b) have been complied with;


NOW THEREFORE, the Council for the Municipality of Rhineland, in meeting duly assembled, enacts as follows:

1. THAT all that portion of LOT 2 PLAN 1862 MLTO IN SW 1/4 33-1-1 WPM as described in the Plan of Works attached hereto as Exhibit "A" be expropriated by the municipality and title vest in the name of the Municipality of Rhineland subject to the following encumbrances;
 - a. Caveat 34223/4 to The Manitoba Telephone System.; and
 - b. Caveat 1039698/4 to MTS Communications
2. THAT the Reeve and the Chief Administrative Officer be and are hereby authorized to execute all documents and to do all things necessary and required to give force and effect to this by-law.

DONE AND PASSED by the Council of The Municipality of Rhineland, duly assembled at the Town of Altona, in Manitoba, this 25th day of August, 2020 A.D.



Reeve



Chief Administrative Officer

Read a first time this 12th day of August, 2020, A.D.

Read a second time this 25th day of August, 2020 A.D.

Read a third time this 25th day of August, 2020 A.D.

This is a certified and true copy of By-Law 2020-06
passed by the Rhineland Municipality,



Michael Rempel, CAO