

Bill No. 64 of 1952.

A BILL TO AMEND THE SURVEYS AND  
EXPROPRIATION ACT.

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NOTE.

This Bill amends *The Surveys and Expropriation Act*, being chapter 88 of the Statutes of Alberta, 1951.

Section 6 is amended by the addition of a new subsection (2). When the waters of lakes, rivers and streams recede the resulting accrued areas belong to the Crown. When lands fronting on the waters of lakes, rivers and streams have been subdivided some surveys have included portions of the Crown lands within the area being subdivided and certifies of title have been issued thereby divesting the Crown of its land. The purpose of the amendment is to avoid this by providing that the Director of Surveys shall not approve a plan of subdivision unless the plan is accompanied by a certificate of the Director of the Technical Division of the Department of Lands and Forests stating that no part of the plan purports to subdivide land vested in Her Majesty in the right of the Province.

Section 15 is amended by the addition of a new subsection (3). Section 89 of *The Land Titles Act* provides that where land is taken for highways or public works the Crown does not obtain the mines and minerals under such lands unless they are expressly acquired. The purpose of this amendment is to make it clear that the provisions of this Act are not intended to conflict with section 89 of *The Lands Titles Act*.

This Bill comes into force upon assent.

KENNETH A. McKENZIE,  
*Legislative Counsel.*

*(This note does not form any part of the Bill but is offered  
in explanation of its provisions.)*

# BILL

No. 64 of 1952.

An Act to amend The Surveys and Expropriation Act.

(Assented to , 1952.)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Surveys and Expropriation Act*, being chapter 88 of the Statutes of Alberta, 1951, is hereby amended.

2. Section 6 is amended,—

- (a) by renumbering the section as subsection (1);
- (b) by adding immediately after subsection (1) the following new subsection:

“(2) The Director of Surveys shall not approve a plan of subdivision of land adjoining a lake, river, stream or body of water unless the plan has indorsed thereon or attached thereto a certificate signed by or on behalf of the Director of the Technical Division of the Department of Lands and Forests stating that no part of the plan purports to subdivide land vested in Her Majesty in the right of the Province.”.

Section 6  
amended

3. Section 15 is amended by adding immediately after subsection (2) the following new subsection:

“(3) When land is taken for a public work, mines and minerals shall not be deemed to be taken unless,—

“(a) a notice signed by the Minister describing the mines and minerals taken is filed in the Land Titles Office at the time of the filing of the plan or notification referred to in subsection (1); and

“(b) the notice referred to in subsection (1), clause (a) setting forth the compensation for the land taken, designates the portion of the compensation that is allocated for the surface of the land and the portion of the compensation that is allocated for the mines and minerals.”.

Section 15  
amended

4. This Act shall come into force on the day upon which it is assented to.

Coming  
into force

No. 64

FIFTH SESSION

ELEVENTH LEGISLATURE

1 Elizabeth II

1952

**BILL**

An Act to amend The Surveys and  
Expropriation Act.

Received and read the

First time .....

Second time.....

Third time.....

HON. MR. TAYLOR.