

DECISION/DIRECTION NOTE

Title: Expropriation – Easement at 301 Back Line
Date Prepared: February 13, 2025
Report To: Regular Meeting of Council
Councillor and Role: Councillor Carl Ridgeley
Ward: Ward 5

Decision/Direction Required:

That Council approve the expropriation of an easement over the portion of 301 Back Line, as shown on the attached plot plan.

Discussion – Background and Current Status:

In 2024 the City upgraded the headwall for the stream adjacent to 301 Back Line. As a result, an easement was required over a section of 301 Back Line to help facilitate future maintenance. The Legal Department reached out to the property owner in June and August 2024 to discuss this matter and had multiple phone conversations with the owner. The Surveying Department also attended the property, at the owner's request, to indicate exactly where the easement would be. During the Legal Department's last conversation with the property owner before Christmas, we asked him to provide his lawyers name and we were advised that he had not yet contacted anyone. Given that this file has been ongoing for almost a year and the property owner is unwilling to provide the name of his lawyer, the appropriate next step would be to expropriate to secure the City's interest in the easement area.

The easement acquisition price has been set at \$1.00 per square foot and the area required for the easement is 669.52 square feet, resulting in an acquisition cost of \$669.52 plus reasonable legal fees.

Key Considerations/Implications:

1. Budget/Financial Implications: City to pay \$669.52 for the easement plus reasonable legal fees.
2. Partners or Other Stakeholders: owner of 301 Back Line
3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

ST. JOHN'S

4. Alignment with Strategic Directions:

An Effective City: Ensure accountability and good governance through transparent and open decision making.

Choose an item.

5. Alignment with Adopted Plans: An Effective City

6. Accessibility and Inclusion: N/A

7. Legal or Policy Implications: A Notice of Expropriation will be prepared.

8. Privacy Implications: N/A

9. Engagement and Communications Considerations: N/A

10. Human Resource Implications: N/A

11. Procurement Implications: N/A

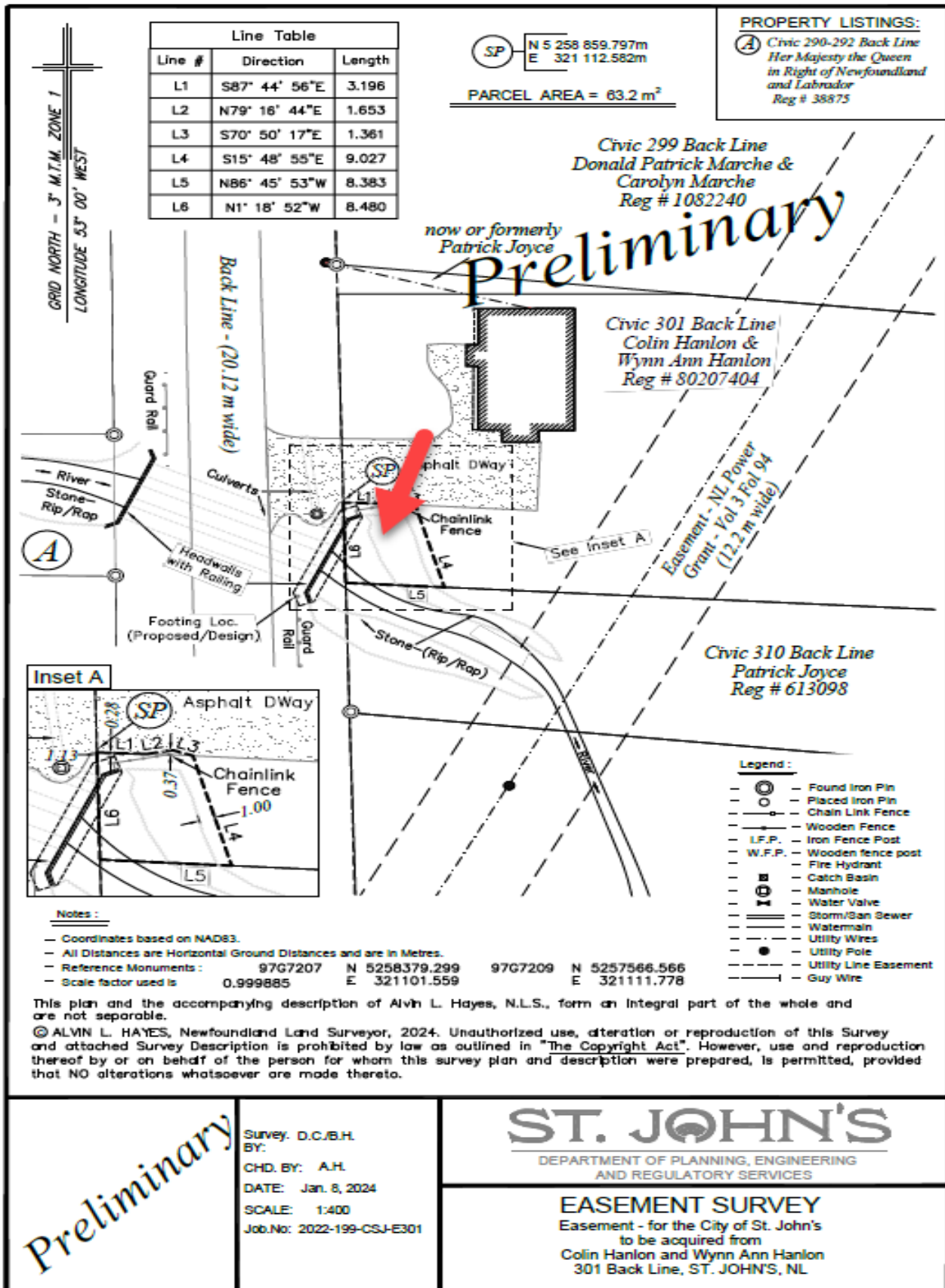
12. Information Technology Implications: N/A

13. Other Implications: N/A

Recommendation:

That Council approve the expropriation of an easement over the portion of 301 Back Line, as shown on the attached plot plan.

Prepared by: Andrew G. M Woodland, Legal Counsel
Approved by: Cheryl Mullett, City Solicitor



Report Approval Details

Document Title:	Expropriation - Easement at 301 Back Line.docx
Attachments:	
Final Approval Date:	Feb 13, 2025

This report and all of its attachments were approved and signed as outlined below:

Cheryl Mullett - Feb 13, 2025 - 10:30 AM