

An Act Respecting The City of Saskatoon

being a Private Act

Chapter 48 of the *Statutes of Saskatchewan, 1915*
(effective June 24, 1915).

Table of Contents

- 1 Confirmation of special survey
- 2 Same
- 3 Compensation
- 4 Registration of special survey plans

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

1915

CHAPTER 48

An Act respecting the City of Saskatoon

(Assented to June 24, 1915)

Preamble

WHEREAS the corporation of the city of Saskatoon has by petition represented that a special survey of certain land in the city of Saskatoon in the Province of Saskatchewan, comprising blocks 122 to 127, both inclusive, according to a plan of record in the land titles office for the Saskatoon land registration district as plan B-1856 (Q) has been made under the provisions of *The Special Surveys Act*, being chapter 24, statutes of Saskatchewan 1912-13 and amendments thereto, upon the order of the attorney general of the said province, by E. H. Phillips, a Saskatchewan land surveyor, under the guidance of and instructions from the master of titles of the said province; and

Whereas the said special survey and plans thereof made and prepared by the said E. H. Phillips were approved of by the said master of titles under the authority vested in him by the said *The Special Surveys Act* by order dated the thirtieth day of May, A.D. 1914; and

Whereas the said plans of the said special survey were, by the said order of the master of titles ordered to be substituted for the said plan B-1856 (Q) and for all former plans or surveys of the said blocks 122 to 127 which were previously registered; and

Whereas the said master of titles did, by his said order, fix the compensation properly awardable for damages to property occasioned by the adoption of the said special survey under the provisions of the said *The Special Surveys Act* to the different complainants whose complaints were heard by him under the provisions of the said Act and did adjudge certain parties named in the said order liable for the payment of the said compensation; and

Whereas by the said order the costs of the said survey were fixed and provision was made thereby for assessing such costs according to the provisions of the said *The Special Surveys Act* against certain lots covered by the said special survey the same being specifically mentioned in schedule A to the said order; and

Whereas the said *The Special Surveys Act* provides that special surveys thereunder shall be made for the purpose of correcting an error, or supposed error, in respect of any existing survey or plan, but doubts have arisen as to whether the said special survey of the said blocks 122 to 127 did not go farther than the correction of errors, or supposed errors, and amount to a partial resubdivision of the said blocks; and

Whereas the said special survey has been accepted by the council of the said city and by nearly all the residents and owners of the land in the said blocks 122 to 127, and all streets and civic improvements together with the majority of houses and other buildings situated thereon have been laid out, constructed and built in accordance with the said special survey; and

Whereas it is in the best interests of the said city and of the majority of the owners and residents of the said blocks 122 to 127 that the said special survey should be validated and confirmed and the said city has by its petition prayed for an Act for that purpose; and

Whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows:

Confirmation of special survey

1 Notwithstanding anything contained in the said *The Special Surveys Act* the said special survey of blocks 122 to 127, both inclusive, in the city of Saskatoon in the Province of Saskatchewan, according to a plan of record in the land titles office for the Saskatoon land registration district as plan B-1856 (Q) is hereby validated and confirmed and declared to be binding upon all persons and lands whom it purports to affect.

1915, c.48, s.1.

Same

2 The said order of the said master of titles approving of the said special survey is hereby validated and confirmed and declared to be binding, except as provided in the next succeeding section hereof, upon all persons and lands whom it purports to affect as if no appeal from the said order had been entered and determined in the supreme court of Saskatchewan.

1915, c.48, s.2.

Compensation

3 Any claimant for compensation who appealed against the said order of the said master of titles within the time limited therefor by the said *The Special Surveys Act* shall notwithstanding anything contained in the said Act be entitled to such compensation only as may be awarded to him on an arbitration to be held by the local government board which said board shall take into consideration and make due compensation for the land taken and the land injuriously affected by the said special survey and make proper allowance for the loss, expenses and costs incurred by the claimant in connection with any litigation or proceedings already had and taken including the costs of said arbitration and shall also make due and proper allowance to the claimant for any claim made for rent. The said board shall conduct the arbitration and make the award in accordance with the provisions of *The Arbitration Act of the Province of Saskatchewan*. The award of the said board shall be final and binding upon the parties and all those claiming through or under them to all intents and purposes and shall be subject to no appeal:

Provided that the board may, instead of awarding any sum for compensation for land taken or affected as aforesaid order that the city shall purchase the land so taken or affected and fix the purchase price thereof which price so fixed shall be subject to no appeal; and in such case it shall be the duty of the city forthwith to purchase the said land at the said price.

1915, c.48, s.3.

Registration of special survey plans

4 The said master of titles is hereby directed to forthwith forward all the plans of the said special survey to the registrar of land titles for the Saskatoon land registration district who shall immediately upon receipt of same cause them to be registered in the office of the said land registration district.

1915, c.48, s.4.