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Procedure Title: Agricultural Lease of MVC Owned Property

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Procedure No: 6302-01

Approval: CAO

Effective Date: February 27, 2008

Supersedes Procedure No: F-7 Lease of County Property

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1. Procedures

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1.1 Lands to be leased may be advertised for lease by tender.

1.2 Leases will be by calendar year and for a period of three years.

1.3 Priority will be given to bona fide farmers owning lands contiguous to lands advertised.

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1.4 Lease renewals do not have to be advertised by Council. The Lessee shall have the first right of refusal to renew the said lease at the discretion of Council, subject to all existing terms and conditions of an original lease and amendments thereto.

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1.5 Existing improvements or improvements carried out by a Lessee on lands during a lease period shall become the property of Mountain View County, at the expiration of the said three-year lease and/or renewal period, and the lessee shall have no resort to recompense or damages.

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1.6 The Lessee shall be responsible to pay all taxes and/or rates which may be charged in respect of the said lease, for the continuance of the said lease in addition to the fixed rental.

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1.7 The Lessees shall not sublet said lands, neither shall he/she place cattle in these pastures that are not of his/her ownership, nor enter into any form of agreement on same without the prior approval of Council, and any assignment without the consent of the Council is void.

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1.8 Termination of the lease shall be by six months written notice by either party, except in cases of the said lease being in arrears of rental or taxes, which shall render the same null and void.

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1.9 County Council will determine lease rates for each property to be leased, prior to its lease and lease renewal.

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1.10 Crop loss damages due to Oil and Gas activity or other surface leases shall be directed to the Lessee, to compensate for lost pasture or cropland.

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1.11 Erecting a secure perimeter fence or replacing perimeter fences that are beyond repair, as determined by Mountain View County, will be completed at the County's expense and in accordance with the Line Fence Act. All cross fencing and maintenance of perimeter fencing is the responsibility of the lessee.

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1.12 An annual Grazing Report must be completed by all Lease holders grazing livestock, prior to October 31, of each year.

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1.13 The Agricultural Fieldman will evaluate grazing management annually. In the event of overgrazing, Mountain View County may provide written notice, to delay livestock turnout by the Lessee, to provide rest and recovery for the property in question. The Lessee will not be compensated for lost animal units.

End of Procedure

Approved: February 27, 2008

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