

**Mistakes**

65. (1) If, before January 1, 2003, a municipality by mistake opened a highway not wholly upon the original road allowance, the land occupied by the highway shall be deemed to have been expropriated by the municipality and no person on whose land the highway was opened may bring an action in respect of the opening of the highway or to recover possession of the land. 2001, c. 25, s. 65 (1).

**Compensation**

(2) The person on whose land the highway was opened is entitled to compensation in accordance with the *Expropriations Act* as if the land were expropriated. 2001, c. 25, s. 65 (2).

**Highways not opened on original road allowance**

66. (1) If, before January 1, 2003, a highway was opened on land in the place of all or part of an original road allowance and compensation was not paid for the land, the owner of the land appropriated for the highway or the successor in title to the owner is entitled to the following:

1. If that person owns the land abutting on the allowance, the owner is entitled to the soil and freehold of the original road allowance and to a conveyance of the original road allowance.
2. If that person does not own the land abutting on the allowance and if the allowance is sold by the municipality, the owner is entitled to the part of the purchase price that bears the same proportion to the whole purchase price as the value of the part of the land occupied by the highway that belonged to the owner bears to the value of the land occupied by the highway. 2001, c. 25, s. 66 (1).

**Multiple owners**

(2) If the land abutting on the original road allowance or part of the original road allowance is owned by more than one person, each person is entitled to the soil and freehold of and a conveyance of that part of the allowance abutting their land to the middle line of the allowance. 2001, c. 25, s. 66 (2).