



Belinda Page

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Deres referanse:

Saksbehandler: Helene Riisdal

Letter regarding zoning plan 2103 "Walking trail Sletten-Revur" Veavågen, Karmøy in Norway - Notice of expropriation

The zoning plan (2103) "Walking trail Sletten-Revur" was approved by Karmøy municipality June 2 2020.

[Appendix 1: Description of the zoning plan](#)

[Appendix 2:Regulatory provisions](#)

[Appendix 3: Regulation map](#)

In order to implement the zoning plan it is necessary for Karmøy Kommune (E: Karmøy municipality) to acquire part of your property Gnr.71, Bnr.6 at Veavågen, Norway.

The municipality has on December 29 2020 written to all the landowners with an offer to buy part of the property. Most of the owners have agreed to a voluntary purchase agreement in accordance to the municipality offer. Unfortunately, it has not been possible to achieve a voluntary purchase agreement with all landowners. The municipality has therefore considered it necessary to start the process of expropriation.

This notice goes to all the land owners that has not yet replied to the municipality`s offer or have expressed that they do not wish to enter into a voluntary agreement.

Notice of expropriation

This letter is a formal notice that Karmøy municipality will initiate the process of applying for expropriation to implement zoning plan 2103 "Walking trail Revur-Sletten".

According to the property boundaries and the Zoning plan approximately 2631 m² of your property, Gnr. 71 Bnr. 6 will be affected by the intervention. The property is located at Veavågen, Norway. The area in question is regulated to «public walking path» and «public recreation area».

[Appendix 4: Land acquisition map](#)

The legal basis for expropriation is The Planning and Building Act (N: plan- og bygningsloven 2008) § 16-2 cf. § 12-4 fourth paragraph and The Expropriation Act § 12 (N: Oregningslova 1959).

According to The Expropriation Act § 2 fourth paragraph expropriation can only take place if the expropriation is considered necessary and the measure being taken is undoubtedly more beneficial than harmful.

If you have any remarks to the expropriation, we ask that they be sent by mail to Karmøy Kommune, PB 167, NO-4291 Kopervik, Norway or by e-mail to post@karmoy.kommune.no **before August 1, 2022.**

According to The Expropriation Act § 28 landowners, when notified of the expropriation, is prohibited to make any disposal of the property without permission from Karmøy municipality. If the prohibition is not respected, any damage to the expropriator may lead to a deduction in the compensation settlement.

The municipality is obliged to cover necessary legal expenses in regard to the expropriation cf. The Expropriation Act § 15 and Act relating to compensation and expropriation § 54 (N: Skjønnsprosessloven 1917). The municipality is only obliged to cover "necessary" legal expenses. This means that the landowners must gather around as few lawyers as necessary to take care of their interests.

Regardless of this notice, the owners are still free to enter into a purchase agreement with the municipality. The municipality offer of December 29 still stands.

Another possibility is that the parties enter into an purchase agreement were both parties agree that final compensation will be determined in court as though the property was expropriated. A reservation is made that this agreement must be approved by Karmøy municipal council.

If you wish to accept the municipalities offer, we kindly ask for your reply as soon as possible, latest within August 1, 2022. If an agreement is reached, the expropriation case will be withdrawn.

Questions may be addressed to Helene Riisdal by e-mail hbr02@karmoy.kommune.no

This is an unofficial translation of the notice. The notice in Norwegian is attached

Appendix 5: Notice of expropriation (in Norwegian).

Kind Regards, Helene Riisdal legal adviser at Karmøy Municipality.

Med hilsen

Helene Riisdal
juridisk rådgiver

Dokumentet er godkjent elektronisk.

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Mottaker:

Mark Christensen

Kopi til:**Vedlegg:**

2103- description of the zoning plan (in Norwegian), 2103-regulatory provisions (in Norwegian), 2103-regulation map, Land acquisition map -gnr 71 bnr 6, Notice of expropriation (in Norwegian)