



Province of Alberta
Order in Council

46885
O.C. 230/2010

JUL 14 2010

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

The Lieutenant Governor in Council, effective September 1, 2010,

- (a) dissolves the Village of New Sarepta,
- (b) directs that the land described in Appendix A becomes part of the Leduc County,
- (c) directs that the assessor for the Leduc County must keep the assessment and the tax rolls for the land described in Appendix A separate from the assessment and tax rolls for other land in the Leduc County for the period from September 1, 2010 to December 31, 2010, inclusive, and
- (d) makes the Order in Appendix B.

RECEIVED

JUL 15 2010

Office of the Minister
Municipal Affairs

CHAIR

Alberta

For Information only
Recommended by:
Authority:

Minister of Municipal Affairs
Municipal Government Act
(sections 133, 134 and 137)
Foreign Ownership of Land Regulations (AR 160/79)
(section 14(1))

APPENDIX A

HAMLET OF NEW SAREPTA

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN INCLUDING THAT PORTION OF ROAD PLAN 8120306 ADJACENT TO THE NORTHERN BOUNDARY OF THE NORTHEAST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN AND INCLUDING THAT PORTION OF CENTRE STREET ADJACENT TO THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION THIRTY-THREE (33) TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN.

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN AND INCLUDING THAT PORTION OF CENTRE STREET ADJACENT TO THE EAST BOUNDARY OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN.

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN.

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN COMMENCING AT THE NORTHWESTERLY CORNER THEREOF; THEN SOUTHERLY ALONG THE WESTERN BOUNDARY OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN; THEN EASTERLY ALONG THE SOUTHERN BOUNDARY OF THE NORTHWEST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-TWO (22); THEN NORTHERLY PARALLEL TO THE WEST BOUNDARY OF SAID QUARTER SECTION TO A POINT THAT INTERSECTS THE SOUTHERN BOUNDARY OF PLAN 8121049; THEN WESTERLY TO THE NORTHEAST CORNER OF PLAN 2923MC; THEN WESTERLY APPROXIMATELY 50.6 METRES; THEN NORTHERLY TO THE POINT THAT INTERSECTS THE NORTHERN BOUNDARY OF SAID QUARTER SECTION; THEN WESTERLY TO THE POINT OF COMMENCEMENT.

APPENDIX B

ORDER

1 In this Order,

- (a) "Act" means the Municipal Government Act;**
- (b) "dissolution date" means September 1, 2010;**
- (c) "former area of the village" means the land in the Village of New Sarepta before the dissolution date;**
- (d) "receiving municipality" means Leduc County;**
- (e) "village" means the Village of New Sarepta.**

2(1) The former area of the village is part of electoral division 1 of the receiving municipality until the receiving municipality passes a bylaw pursuant to section 148 of the Act that provides otherwise.

(2) The receiving municipality must, prior to the 2013 general election, review the number of wards and the boundaries of the wards within the receiving municipality and must pass a bylaw that includes a decision available to the council under section 148 of the Act to establish the number of wards and establish the boundaries of those wards within the time specified under section 149 of the Act.

3(1) The former area of the village is designated as a hamlet to be known as the Hamlet of New Sarepta until the council of the receiving municipality changes the designation in accordance with section 59 of the Act.

(2) The boundaries of the Hamlet of New Sarepta are described in Appendix A.

4 All liabilities of the village, whether arising under debenture or otherwise, and all assets, rights, duties, functions and obligations of the village are vested in the receiving municipality and may be dealt with in the name of the receiving municipality.

5 Bylaws and resolutions of the village continue to apply in the former area of the village until the bylaws or resolutions are repealed, amended or replaced by the council of the receiving municipality.

6(1) If the liabilities of the village exceed the assets of the village, the receiving municipality may impose an additional tax under Part 10 of the Act on property located in the former area of the village, including linear property as defined in section 284(1)(k) of the Act, to pay those excess liabilities.

(2) The receiving municipality may by bylaw, for the purposes of repaying debt incurred by the village prior to its dissolution, impose a special tax under Part 10, Division 5 of the Act on the land located in the former area of the village, annually until the debt has been repaid.

7 If a complaint is made under section 460 of the Act in respect of property located in the former area of the village and is properly filed in accordance with the Act and regulations before the dissolution date, the complaint

(a) shall be heard and decided by the assessment review board established by the village, if that board began hearing the matter before the dissolution date, and

(b) shall be heard and decided by the assessment review board established by the receiving municipality, in any other case.

8 A reference to the village in any order, regulation, bylaw, certificate of title, agreement or any other instrument is deemed to be a reference to the receiving municipality.

9(1) The receiving municipality may use

(a) money received from the village on its dissolution, and

(b) money received from the sale of any of the assets of the village vested under section 4 in the receiving municipality and sold by the receiving municipality before December 31, 2015,

only for the purposes of paying or reducing a liability vested in the receiving municipality on the dissolution of the village, or for projects in the former area of the village.

(2) Money used under subsection (1) must be accounted for separately by the receiving municipality.

10(1) All employment records related to past and current employees of the village are transferred to the receiving municipality.

(2) All liabilities related to past and current employees of the village are transferred to the receiving municipality.

(3) The employment of all current employees of the village is terminated on the expiry of August 31, 2010.

11(1) For the period January 1, 2010 up to and including the dissolution date, sections 276, 277 and 278 of the Act do not apply to the village and the receiving municipality shall appoint an auditor to complete a review engagement of all financial transactions of the village for that period.

(2) The scope of the review engagement shall be determined in accordance with the generally accepted auditing standards for municipal governments.

12 Pursuant to section 14(1)(e) of the *Foreign Ownership of Land Regulations*, the land within the boundaries of the Hamlet of New Sarepta is excluded from the operation of those Regulations.

13 The Minister may decide any other matter relating to the rights, obligations, liabilities, assets or any other thing in respect of the village resulting from the dissolution of the village.