

IN THE MATTER OF THE "Municipal Government Act":

AND IN THE MATTER OF an application by the Town of Bon Accord, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the Municipal District of Sturgeon No. 90.

This is a petition to the Alberta Local Authorities Board by the Town of Bon Accord, in the Province of Alberta, for the annexation of all that territory described in Appendix "A".

SUMMARY

The proposal is to annex the Town of Bon Accord water treatment plant and public works yard. The Town views the facilities as important parts of the municipal infrastructure and would prefer that they be within their jurisdiction. The Municipal District of Sturgeon No. 90 is in agreement and supports the annexation of the facilities to the Town.

The Edmonton Metropolitan Regional Planning Commission reviewed the annexation proposal and supported the annexation of the facilities. Alberta Agriculture, Food and Rural Development considered the Town's proposal and offered support for the annexation. Alberta Transportation and Utilities advised that annexation would have no impact on Highway No. 28 and that the Department has no concerns with annexation.

FINDINGS OF FACT

After having read and considered the documents shown on Appendix "B" attached hereto, the Board finds the facts in the matter to be as follows:

1. annexation would provide the Town of Bon Accord with jurisdiction over the water treatment plant and public works yard;
2. the Municipal District of Sturgeon No. 90 supports annexation of the subject territory to the Town of Bon Accord;
3. the Edmonton Metropolitan Regional Planning Commission has no objection to the annexation of the municipal facilities to the Town of Bon Accord;
4. Alberta Transportation and Utilities has determined that annexation will have no impact on Highway No. 28;
5. Alberta Agriculture, Food and Rural Development supports the annexation of lands used for Town purposes.

In consideration of the above, the Board makes the following decision for the reasons set out below:

DECISION

Subject to the Lieutenant Governor in Council approving this Order, or prescribing conditions that the Order is subject to and approving the Order subject to those conditions, or varying the Order and approving the Order as varied, IT IS ORDERED AS FOLLOWS:

1. That there be annexed to the Town of Bon Accord, in the Province of Alberta, and be separated from the Municipal District of Sturgeon No. 90 all that territory described in Appendix "A" attached hereto.

(A sketch showing the general location of the annexed territory is attached as Appendix "C".)

2. That any taxes owing to the Municipal District of Sturgeon No. 90 as at December 31, 1994, in respect of the annexed lands shall transfer to and become payable to the Town of Bon Accord together with any lawful penalties and costs levied in respect of any such taxes; however, upon the Town of Bon Accord collecting any or all of such taxes, penalties or costs, they shall be paid by the Town to the Municipal District of Sturgeon No. 90.

3. That the assessor for the Town of Bon Accord shall, for taxation purposes in the year 1995, reassess the annexed lands and assessable improvements, which are by this Order annexed to the Town of Bon Accord so that the assessment shall be fair and equitable with other lands and assessable improvements in the Town of Bon Accord, and the provisions of the Municipal Taxation Act regarding the assessment roll shall apply.
4. That the Chief Provincial Assessor appointed pursuant to the provisions of the Municipalities Assessment and Equalization Act shall, for taxation or grant purposes commencing in the year 1995, reassess or revalue, as the case may be, all properties that are assessable or subject to valuation under the terms of the Electric Power and Pipe Line Assessment Act and the Municipal and Provincial Properties Valuation Act, and which lie within the areas that are by this Order annexed to the Town of Bon Accord, so that the assessment or valuation is fair and equitable with properties of a similar nature.
5. That the effective date of this Order is the 31 day of December, 1994.

REASONS


It appears that each municipality would benefit from the proposed annexation. The Municipal District of Sturgeon No. 90 would be relieved of maintenance responsibilities and future planning for the area and the Town of Bon Accord would gain control over important infrastructure facilities.

Dated at the City of Edmonton in the Province of Alberta this 15th day of November, 1994.

LOCAL AUTHORITIES BOARD

CERTIFIED A TRUE COPY

(sgd.) Jack Davis
Chairman



Ray Myroniuk
Secretary

APPENDIX "A"

DETAILED DESCRIPTION OF THE TERRITORY SOUGHT FOR AND ANNEXED TO THE TOWN OF BON ACCORD:

ALL THAT PORTION OF THE SOUTH EAST QUARTER OF SECTION THIRTEEN (13), TOWNSHIP FIFTY-SIX (56), RANGE TWENTY-FOUR (24), WEST OF THE FOURTH MERIDIAN DESCRIBED AS FOLLOWS:

A) WATER WELL RIGHTS OF WAY AS SHOWN ON PLAN 772 2401

B) THAT PORTION OF EXTRA CURVE AS SHOWN ON ROAD PLAN 1917 J.Y. WHICH LIES SOUTH OF THE PRODUCTION EAST OF THE NORTH LIMIT OF SAID PLAN 772 2401

ALL THAT PORTION OF THE NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY OF THE SOUTH WEST QUARTER OF SECTION EIGHTEEN (18), TOWNSHIP FIFTY-SIX (56), RANGE TWENTY-THREE (23), WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH OF THE PRODUCTION EAST OF THE NORTH LIMIT OF PLAN 772 2401 EXCEPTING THEREOUT THE MOST SOUTHERLY THIRTY-THREE (33) FEET THEREOF.

APPENDIX "B"

DOCUMENTS RECEIVED AND CONSIDERED:

<u>NO.</u>	<u>ITEM</u>
1.	Resolution of Council for the Town of Bon Accord adopted June 21, 1994.
2.	Letter dated December 17, 1993, from the Municipal District of Sturgeon No. 90 to the Town of Bon Accord.
3.	General Municipal Plan of the Town of Bon Accord.
4.	Memorandum dated July 27, 1994, from Alberta Transportation and Utilities to the Local Authorities Board.
5.	Memorandum dated August 2, 1994, from Alberta Agriculture, Food and Rural Development to the Local Authorities Board.
6.	Staff Report of the Edmonton Metropolitan Regional Planning Commission dated August 2, 1994.
7.	Decision of the Planning Committee of the Edmonton Metropolitan Regional Planning Commission.

APPENDIX "C"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER NO. 21127

EFFECTIVE DATE: DECEMBER 31, 1994

AFFECTED AREA(S)

