



Province of Alberta
Order in Council

O.C. 229/2010
JUL 14 2010

47216

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

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

- (a) dissolves the Village of Derwent,
- (b) directs that the land described in Appendix A becomes part of the County of Two Hills No. 21,
- (c) directs that the assessor for the County of Two Hills No. 21 must keep the assessment and tax rolls for the land described in Appendix A separate from the assessment and tax rolls for other land in the County of Two Hills No. 21 for the period from September 1, 2010 to December 31, 2010, inclusive, and
- (d) makes the Order in Appendix B.

CHAIR

RECEIVED

JUL 15 2010

Office of the Minister
Municipal Affairs

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 DERWENT

ALL THAT LAND INCLUDED WITHIN THE BOUNDARY COMMENCING AT AND PROCEEDING FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION NINE (9), TOWNSHIP FIFTY-FOUR (54), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN, THEN PROCEEDING WESTERLY ALONG THE NORTHERN BOUNDARY OF SAID SECTION TO ITS INTERSECTION WITH THE WEST BOUNDARY OF ROAD PLAN 1995 EU, THENCE SOUTHERLY ALONG THE WESTERN BOUNDARY OF ROAD PLAN 1995 EU TO THE INTERSECTION WITH A POINT ON THE WESTERN BOUNDARY OF ROAD PLAN 1995 EU, 265 METRES SOUTH OF THE NORTHWEST POINT OF SAID ROAD PLAN,

THENCE WESTERLY AND PARALLEL TO THE NORTHERN BOUNDARY OF RAILWAY PLAN 1093 EO FOR A DISTANCE OF 27 METRES,

THENCE SOUTHWESTERLY AND PERPENDICULARLY TO ITS INTERSECTION WITH A POINT ON THE SOUTHERN BOUNDARY OF RAILWAY PLAN 1093 EO, WHICH LIES 662 METRES NORTHWEST OF THE NORTHEAST CORNER OF PLAN 032 4391,

THENCE SOUTHEASTERLY 662 METRES ALONG THE SOUTHERN BOUNDARY OF RAILWAY PLAN 1093 EO TO ITS INTERSECTION WITH THE EASTERN BOUNDARY OF THE NORTHEAST QUARTER OF SECTION NINE (9), TOWNSHIP FIFTY-FOUR (54), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN,

THENCE NORTHERLY TO ITS INTERSECTION WITH A POINT ALONG THE WESTERN BOUNDARY OF THE NORTHEAST QUARTER OF SECTION NINE (9), TOWNSHIP FIFTY-FOUR (54), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN, 68 METRES NORTH OF THE NORTHEAST CORNER OF PLAN 032 4391,

THENCE SOUTHEASTERLY ACROSS THE GOVERNMENT ROAD ALLOWANCE TO INTERSECT WITH THE SOUTHWESTERN BOUNDARY OF PLAN 2503 KS,

THENCE NORTHERLY ALONG THE WESTERN BOUNDARY OF PLAN 2503 KS TO INTERSECT WITH THE SOUTHERN BOUNDARY OF PLAN 1134 HW,

THENCE EASTERLY ALONG THE SOUTHERN BOUNDARY OF PLAN 1134 HW TO INTERSECT WITH THE WESTERN BOUNDARY OF PLAN 2503 KS,

THENCE NORTHERLY ALONG THE EASTERN BOUNDARY OF PLAN 1134 HW
TO INTERSECT WITH THE SOUTHERN BOUNDARY OF PLAN 1134 HW,

THENCE EASTERLY ALONG THE SOUTHERN BOUNDARY OF PLAN 1134 HW,
TO THE EASTERN BOUNDARY OF SAID PLAN

THENCE NORTHERLY ALONG THE EASTERN BOUNDARY OF PLAN 1134 HW,
TO ITS INTERSECTION WITH THE NORTHERN BOUNDARY OF THE
NORTHWEST QUARTER OF SECTION TEN (10), TOWNSHIP FIFTY-FOUR (54),
RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN,

THENCE NORTHERLY ACROSS THE GOVERNMENT ROAD ALLOWANCE TO
INTERSECT WITH THE SOUTHERN BOUNDARY OF THE SOUTHWEST
QUARTER OF SECTION FIFTEEN (15), TOWNSHIP FIFTY-FOUR (54), RANGE
SEVEN (7), WEST OF THE FOURTH MERIDIAN,

THENCE WESTERLY ALONG THE SOUTHERN BOUNDARY OF THE
SOUTHWEST QUARTER OF SECTION FIFTEEN (15), TOWNSHIP FIFTY-FOUR
(54), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN TO THE
SOUTHWEST CORNER OF SAID QUARTER SECTION,

THENCE WESTERLY ACROSS THE GOVERNMENT ROAD ALLOWANCE TO
INTERSECT WITH THE SOUTHEAST CORNER OF SOUTHEAST QUARTER OF
SECTION SIXTEEN (16), TOWNSHIP FIFTY-FOUR (54), RANGE SEVEN (7),
WEST OF THE FOURTH MERIDIAN,

THENCE SOUTHERLY ACROSS THE GOVERNMENT ROAD ALLOWANCE 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 Derwent before the dissolution date;**
- (d) "receiving municipality" means the County of Two Hills No. 21;**
- (e) "village" means the Village of Derwent.**

2 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.

3(1) The former area of the village is designated as a hamlet to be known as the Hamlet of Derwent 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 Derwent 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 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 Derwent 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.