

O.C. 533/2002

NOV 27 2002



Province of Alberta
Order in Council

ORDER IN COUNCIL

Approved and ordered:

Whereas the Town of Drayton Valley and The Municipal District of Brazeau No. 77 have entered into an agreement dated April 23, 2001 respecting the annexation of the land described in Appendix A by the Town of Drayton Valley;

Lieutenant Governor

And whereas the Town of Drayton Valley and The Municipal District of Brazeau No. 77 have entered into a water and sewer agreement dated May 2, 2002;

And whereas the Town of Drayton Valley and The Municipal District of Brazeau No. 77 have entered into a roadway and infrastructure agreement dated June 25, 2002;

And whereas the name of The Municipal District of Brazeau No. 77 was changed to Brazeau County effective October 1, 2002;

And whereas the Municipal Government Board has recommended that the proposed annexation proceed;

Therefore the Lieutenant Governor in Council orders that

- (a) effective January 1, 2002, the land described in Appendix A and shown on the sketch in Appendix B is separated from Brazeau County and annexed to the Town of Drayton Valley,
- (b) any taxes owing to Brazeau County at the end of December 31, 2001 in respect of the annexed land are transferred to and become payable to the Town of Drayton Valley together with any lawful penalties and costs levied in respect of those taxes, and the Town of Drayton Valley upon collecting those taxes, penalties and costs must pay them to Brazeau County, and
- (c) the assessor for the Town of Drayton Valley must assess, for the purpose of taxation in 2002, the annexed land and the assessable improvements to it,

and makes the Order in Appendix C.

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(sections 125 and 138)

CHATR

APPENDIX A

DETAILED DESCRIPTION OF THE LANDS SEPARATED FROM BRAZEAU COUNTY AND ANNEXED TO THE TOWN OF DRAYTON VALLEY

THE NORTHEAST QUARTER OF SECTION SIXTEEN (16), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN EXCEPTING THEREOUT ROAD PLAN 1092 LZ.

THE NORTHWEST QUARTER OF SECTION SIXTEEN (16), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

ALL INTERVENING ROAD ALLOWANCES OR PORTIONS OF ROAD ALLOWANCES BETWEEN THE PREVIOUS TOWN BOUNDARY AND THE NORTH HALF OF SECTION SIXTEEN (16), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN LYING NORTHWEST OF THE RIGHT-OF-WAY OF HIGHWAY 22 EXCEPTING THEREOUT ALL THAT PORTION OF LOT 1, PLAN 962-0592 LYING WITHIN THE SAID QUARTER SECTION.

ALL THAT PORTION OF THE RIGHT-OF-WAY OF HIGHWAY 22 WITHIN THE NORTHEAST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

LOT 1, PLAN 842-0834 WITHIN THE SOUTHEAST QUARTER OF SECTION NINE (9), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

THE WEST HALF OF SECTION FOUR (4), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

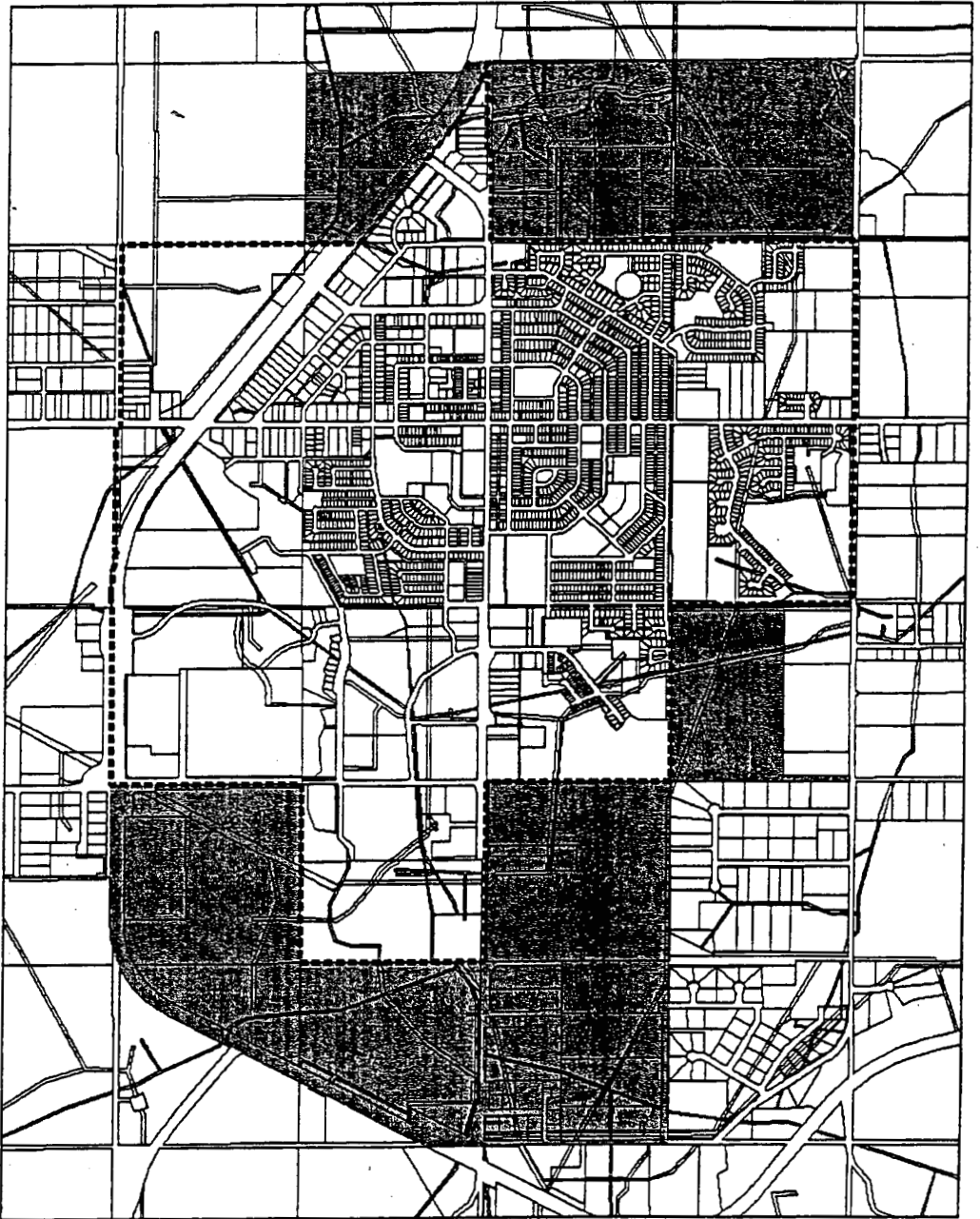
ALL THOSE PORTIONS OF THE ROAD ALLOWANCES LYING WEST AND SOUTH OF THE SOUTHWEST QUARTER OF SECTION FOUR (4), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

ALL THOSE PORTIONS OF THE NORTHWEST, SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION FIVE (5), TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN, LYING EASTERLY AND NORTHEASTERLY OF THE RIGHT-OF-WAY OF HIGHWAY 22.

ALL THOSE PORTIONS OF THE RIGHT-OF-WAY OF HIGHWAY 22 LYING WESTERLY OF THE NORTHWEST QUARTER OF SECTION FIVE (5) AND WITHIN THE SOUTH HALF OF SECTION FIVE (5), ALL WITHIN TOWNSHIP FORTY-NINE (49), RANGE SEVEN (7), WEST OF THE FIFTH MERIDIAN.

APPENDIX B

A SKETCH SHOWING THE GENERAL LOCATION OF AREAS
ANNEXED TO THE TOWN OF DRAYTON VALLEY



ANNEXATION AREA



APPENDIX C

ORDER

- 1 In this Order, "annexed land" means the land described in Appendix A and shown on the sketch in Appendix B.
- 2 For taxation purposes in 2002 and subsequent years up to and including 2010, the annexed land and the assessable improvements to it
 - (a) must be assessed by the Town of Drayton Valley on the same basis as if they had remained in Brazeau County, and
 - (b) must be taxed by the Town of Drayton Valley in respect of each assessment class that applies to the annexed land and the assessable improvements to it using the tax rate established by Brazeau County.
- 3 Section 2 ceases to apply to a portion of the annexed land and the assessable improvements to it in the taxation year immediately following the taxation year in which
 - (a) the portion becomes a new parcel of land created as a result of subdivision or separation of title by registered plan of subdivision or by instrument or any other method that occurs at the request of, or on behalf of, the landowner, or
 - (b) the portion is redesignated at the request of or on behalf of the landowner by an amendment to the Town of Drayton Valley Land Use Bylaw.
- 4 After section 2 ceases to apply to a portion of the annexed land in a taxation year, that portion of the annexed land and the assessable improvements to it must be assessed and taxed for the purposes of property taxes in that year on the same basis as other property of the same assessment class in the Town of Drayton Valley is assessed and taxed.
- 5 The Brazeau County Land Use Bylaw continues to apply to the annexed land until December 31, 2010.
- 6 The Town of Drayton Valley must not request a redesignation of any portion of the annexed land without the written consent of the registered owner of the land.
- 7 No franchise fee or tax of any kind for the provision of electric power or natural gas may be imposed before January 1, 2006 in respect of the annexed land.
- 8 From January 1, 2002 to December 31, 2008, the Town of Drayton Valley must maintain, to the same standards used by Brazeau County, programs for the control of noxious weeds in respect of the annexed land.

- 9 From January 1, 2002 to December 31, 2010, the Town of Drayton Valley must assess and collect offsite levies and connection fees for municipal utilities in accordance with the water and sewer agreement entered into by the Town of Drayton Valley and The Municipal District of Brazeau No. 77 dated May 2, 2002.
- 10 The Town of Drayton Valley is entitled to recover in 2001 and in subsequent years up to and including 2021 the cost of the debenture used to finance the water and sewer line installed in 2001 on 50th Street in accordance with the roadway and infrastructure agreement entered into by the Town of Drayton Valley and The Municipal District of Brazeau No. 77 dated June 25 2002.
- 11 On July 1 in each of the years 2002 to 2009, the Town of Drayton Valley must pay \$10 000 to Brazeau County.