

Order No. 19606

File No. FORTS/C-14

BEFORE THE: LOCAL AUTHORITIES BOARD FOR THE PROVINCE OF ALBERTA

IN THE MATTER OF THE "Municipal Government Act":

AND IN THE MATTER OF THE "County Act":

AND IN THE MATTER OF an application by the Council of the City of Fort Saskatchewan, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Strathcona No. 20.

Pursuant to Section 20 of the Municipal Government Act, the Council of the City of Fort Saskatchewan, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta, for the annexation to the City of all that territory described in Schedule "B" attached hereto which lies immediately adjacent to the City of Fort Saskatchewan, and thereby its separation from the County of Strathcona No. 20, and in respect to which the Board, over a period of eleven days, held a public hearing commencing January 9, 1990, and concluding March 12, 1990.

The Board has, due to the volume of evidence and the number of representations made at the hearing, found it necessary to describe the lands, the issues pertaining thereto, the views of the parties and interveners and set forth the Board's reasons and findings in a separate report attached hereto and forming part hereof.

Therefore, subject to the Lieutenant Governor in Council approving the 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:

I. That there be annexed to the City of Fort Saskatchewan, in the Province of Alberta, and thereupon be separated from the County of Strathcona No. 20, the territory described in Schedule "B" attached hereto.

(A sketch showing the location of the annexed lands is attached as Schedule "A").

II. That any taxes owing to the County of Strathcona No. 20 as at December 31, 1990, in respect of the aforementioned properties shall transfer to and become payable to the City of Fort Saskatchewan together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the City of Fort Saskatchewan collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the City to the County of Strathcona No. 20.

III. That the assessor for the City of Fort Saskatchewan shall, for taxation purposes in the year 1991, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the City so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the City of Fort Saskatchewan, and the provisions of the Municipal Taxation Act regarding the assessment roll shall mutatis mutandis apply to such assessment.

IV. (A) That the assessor for the City of Fort Saskatchewan shall, for taxation purposes, classify and assess any farm land, farm residences and farm buildings, annexed by this Order to the City of Fort Saskatchewan, as if the land, residences and buildings were farm land, residences or buildings located in a rural municipality, and which if located in the County of Strathcona No. 20 would be classified as farm land, residences and buildings pursuant to the Municipal Taxation Act.

(B) That such "farm land, residences and buildings" classification shall be given to such land, residences and buildings only for the years 1991 to 1995 inclusive after which time such classification shall immediately terminate; provided however:

(i) that if the land or residences and buildings located on the said parcels are, pursuant to Clause IV(A) above, determined by the assessor for the City of Fort Saskatchewan as being no longer "farm land, residences and buildings", even if they had been located in the County of Strathcona No. 20 referred to in Clause IV(A), then such classification of "farm land, residences and buildings" shall immediately terminate in respect of the said parcels: or

(ii) that if the Council of the City of Fort Saskatchewan, by Resolution, makes an application to the Local Authorities Board and establishes before the Local Authorities Board that the provisions of Clause IV(A) should be varied prior to the date established in Clause IV(B), the Local Authorities Board may vary the time such classification as "farm land, residences and buildings" shall remain in effect.

(C) The owner of a parcel described in Clause IV(A) may apply to the Local Authorities Board for an extension of the time limit for the classification of "farm land, residences and buildings" as it applies to that specific parcel and the Local Authorities Board may order that the provisions of Clause IV(B) be varied or rescinded.

V. 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 1991, 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 City of Fort Saskatchewan, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

VI. That the effective date of this Order is the Thirty-first (31st) day of December, 1990.

DATED and signed at the City of Edmonton, in the Province of Alberta, this 9th day of October, 1990.

LOCAL AUTHORITIES BOARD

(SGD.) J.V.H. MILVAIN
CHAIRMAN

(SGD.) B.T. CLARK
MEMBER

(SGD.) H.W. THIESSEN
MEMBER

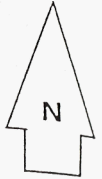
CERTIFIED A TRUE COPY:

RAY MYRONIUK,
SECRETARY

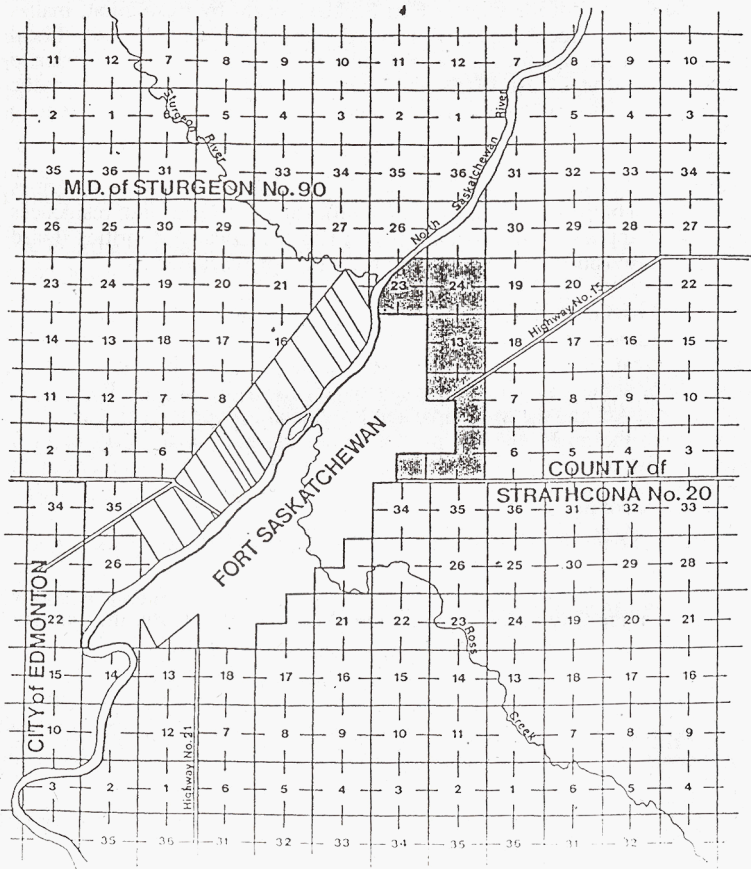
SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 19606

EFFECTIVE DATE: DECEMBER 31, 1990



AFFECTED AREA(S)



SCHEDULE "B"

DESCRIPTION OF TERRITORY SOUGHT FOR AND ANNEXED
TO THE CITY OF FORT SASKATCHEWAN

SOUTH HALF OF SECTION ONE (1), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

NORTH EAST QUARTER OF SECTION ONE (1), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

SOUTH EAST QUARTER OF SECTION TWO (2), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

EAST HALF OF SECTION TWELVE (12), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

NORTH WEST QUARTER OF SECTION TWELVE (12), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

SECTION THIRTEEN (13), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

ALL THAT PORTION OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN, LYING EAST OF THE RIGHT BANK OF THE NORTH SASKATCHEWAN RIVER

SECTION TWENTY-FOUR (24), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN

ALL GOVERNMENT ROAD ALLOWANCES INTERVENING AND ADJOINING THE ABOVE DESCRIBED LANDS EXCEPTING THEREOUT THAT NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE EAST BOUNDARY OF SECTION ONE (1), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN, AND SECTION TWELVE (12), TOWNSHIP FIFTY-FIVE (55), RANGE TWENTY-TWO (22), WEST OF THE FOURTH MERIDIAN, LYING SOUTH OF THE PRODUCTION NORTH EAST AND SOUTH WEST OF THE SOUTH LIMIT OF THE MAIN HIGHWAY AS SHOWN ON PLAN 4088 J.Y.

THE ABOVE DESCRIBED LANDS CONTAIN ONE THOUSAND ONE HUNDRED AND FORTY-FOUR AND THIRTY-FIVE HUNDREDTHS (1,144.35) HECTARES, (2,827.75 ACRES), MORE OR LESS.