

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 Summer Village of Norglenwold, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Red Deer No. 23.

Pursuant to Section 20 of the Municipal Government Act, the Council of the Summer Village of Norglenwold, in the Province of Alberta, petitioned the Local Authorities Board for the Province of Alberta, for the annexation to the Summer Village of all that territory described as follows:

1. ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION ONE (1), TOWNSHIP THIRTY-NINE (39), RANGE TWO (2), WEST OF THE FIFTH MERIDIAN, CONTAINED IN PLAN OF SUBDIVISION 2857 T.R.
2. ALL THAT PORTION OF THE NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY OF THE NORTH WEST QUARTER OF SECTION SIX (6), TOWNSHIP THIRTY-NINE (39), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN, LYING NORTH OF THE PRODUCTION WESTERLY OF THE SOUTHERLY LIMIT OF PLAN OF SUBDIVISION 350 H.W. AND NOT COVERED BY THE WATERS OF SYLVAN LAKE.

THE ABOVE DESCRIBED LAND CONTAINS TWO AND FIFTY-ONE HUNDREDTHS (2.51) HECTARES (6.20 ACRES), MORE OR LESS.

(hereinafter called "the said territory")

which lies immediately adjacent to the Summer Village, and thereby its separation from the County of Red Deer No. 23, and in respect to which the Board held a public hearing into the matter on January 18, 1984.

Representing the Summer Village of Norglenwold were Mayor J.B. McCracken and H.A. Raymond, Secretary-Treasurer.

R.J. Stonehouse, County Commissioner, presented the position of the County of Red Deer No. 23.

P. Newman, Planner, presented the position of the Red Deer Regional Planning Commission.

Owner Dr. D.G. Cumberland was present and made a submission in favour of annexation.

A petition was received by the Council of the Summer Village of Norglenwold from the owners of all the residential lots contained in Plan of Subdivision 2857 T.R. requesting that their lands be annexed to the Summer Village. The matter was considered at the November 9, 1983, meeting of Council and a resolution was adopted to petition for annexation. The resolution notes: "Having regard for the fact that eleven of the thirteen properties proposed for annexation are developed with recent good quality generally seasonal residences Council sees no difficulty in extending the present services enjoyed by the adjoining residents of the Summer Village of Norglenwold, Alta. and such annexation of Plan 2857 TR would provide urban jurisdiction and a common local government to a presently isolated subdivision."

The said territory, containing 2.51 hectares (6.20 acres) is a continuation of the urban development that has occurred along the southwest shore of Sylvan Lake, and forms the extreme northwesterly appendage to the Summer Village of Norglenwold. Known locally as the "Baptist Camp", it was formed by Plan of

Subdivision 2857 T.R. in 1973. The subdivision created 13 residential lots and 2 reserve lots, backing onto the shoreline and fronting onto a roadway. There are residential developments on 10 of the lots and construction is underway on the eleventh. Of the 10 lots, two have permanent year round residents.

While the Summer Village of Norglenwold does not provide water or sanitary sewer utilities, it does provide its residents with a weekly garbage pick-up, road maintenance and snow plowing which could be extended to the said territory. The services of power, gas, telephone and cable television are provided by the respective utility companies. The northwest portion of the Summer Village, now without gas, is to receive this service in 1984, which could be extended into the said territory at the same time. At the present time the Summer Village maintains the north-south road allowance between it and the said territory, a road that provides ingress to the subdivision. If annexed, the said territory would bear its share of the road maintenance costs.

The County of Red Deer No. 23, by letter dated October 7, 1983, advised it would have no objection to the annexation of the said territory to the Summer Village of Norglenwold: "... subject to the road allowance immediately east of the proposed annexation area, being included in the Summer Village." The road allowance is included in the application for annexation. No concern was expressed regarding the transfer of reserve lots now owned by the County to the Summer Village.

The Staff Report, as adopted by the Red Deer Regional Planning Commission at its meeting of January 16, 1984, contains the following summary and recommendations:

"Summary and Recommendation:

- 6.1 The proposed annexation would extend the jurisdiction of the Summer Village over an existing developed subdivision, thus consolidating all the smaller residential lots in this area within one municipality. Although the linear extension of the Summer Village along the lakeshore is not a step which would normally be encouraged, it is reasonable in these circumstances.
- 6.2 The annexation has been requested by all the affected residential landowners and the County Council has no objection.
- 6.3 It is therefore recommended that:
 - 1) having regard to the special circumstances, the Commission notify the Local Authorities Board that it supports the application by the Summer Village of Norglenwold for the annexation of part of the N.E. 1-39-2-5 from the County of Red Deer No. 23, and
 - 2) that the staff of the Commission be authorised (sic) to present the Commission's recommendation on the proposed annexation to the Local Authorities Board public hearing on January 18th, 1984."

Alberta Agriculture, by a memorandum to the Board dated December 6, 1983, submitted the following comments:

"Canada Land Inventory (CLI) capability classification for the parcel under consideration is 3s. Soils of this class are fair to moderately high in productivity for a fair range of crops. Based on Hail and Crop Insurance Corporation data, this parcel has a productivity rating of 80-84%. As such, this is considered better agricultural land.

In view of the parcel's size and location, Alberta Agriculture has no objection to this annexation."

By memorandum to the Board dated December 1, 1983, Alberta Transportation advised that, as the said territory has no effect on Highway No. 11, it "has no objection to the proposed annexation."

In a letter to the Board dated December 1, 1983, Alberta Environment stated that it "has no objections to the proposed annexation..."

Dr. D.G. Cumberland, owner of one of the lots located in the said territory, advised that all the owners within the said territory are in favour of the annexation of their respective properties to the Summer Village of Norglenwold. The residents now saw themselves as part of that community and would benefit from the services offered by the Summer Village.

The Board, having considered the evidence presented to it at the hearing, has reached the following conclusions:

1. That the said territory is developing an urban character similar to the Summer Village of Norglenwold and a common sense of community with like interest and may best be served by its inclusion into the Summer Village.
2. That the Summer Village of Norglenwold is well administered and, while it only provides minimal services, can supply the said territory's urban requirements without being a burden on the property owners now in the Summer Village.
3. That there being no opposition and as it would be in the best interest of all parties involved, the application by the Summer Village of Norglenwold to annex the said territory into its jurisdiction should be GRANTED IN FULL.

THEREFORE, 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:

- I. That there be annexed to the Summer Village of Norglenwold, in the Province of Alberta, and thereupon be separated from the County of Red Deer No. 23 the following described territory:
 1. ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION ONE (1), TOWNSHIP THIRTY-NINE (39), RANGE TWO (2), WEST OF THE FIFTH MERIDIAN, CONTAINED IN PLAN OF SUBDIVISION 2857 T.R.
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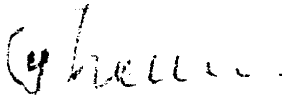
(A sketch showing the general location of the annexed lands is attached as Schedule "A".)

- II. That any taxes owing to the County of Red Deer No. 23 as at December 31, 1983, in respect of the aforementioned properties shall transfer to and become payable to the Summer Village of Norglenwold together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Summer Village of Norglenwold collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Summer Village to the County of Red Deer No. 23.

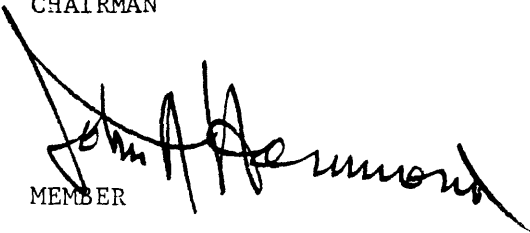
- III. That the assessor for the Summer Village of Norglenwold shall, for taxation purposes in the year 1984, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Summer Village so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Summer Village of Norglenwold, and the provisions of the Municipal Taxation Act regarding the assessment roll shall mutatis mutandis apply to such assessment.
- IV. 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 1984, 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 Summer Village of Norglenwold, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.
- v. That the effective date of this Order is the First (1st) day of January, 1984.

DATED and signed at the City of Edmonton, in the Province of Alberta, this Twenty-fifth day of January, 1984.

LOCAL AUTHORITIES BOARD



CHAIRMAN

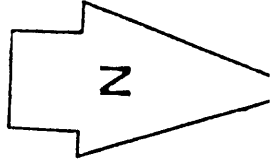


MEMBER

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 16722

EFFECTIVE DATE: JANUARY 1, 1984



 AFFECTED AREA(S)

