

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 West Cove, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Lac Ste. Anne No. 28.

Pursuant to Section 20 of the Municipal Government Act, the Council of the Summer Village of West Cove, 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:

NORTH WEST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FIFTY-FOUR (54), RANGE FOUR (4), WEST OF THE FIFTH MERIDIAN, AND THAT NORTH SOUTH GOVERNMENT ROAD ALLOWANCE LYING WESTERLY THEREOF.

ALL THAT PORTION OF THE NORTH SOUTH GOVERNMENT ROAD ALLOWANCE LYING WESTERLY OF THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP FIFTY-FOUR (54), RANGE FOUR (4), WEST OF THE FIFTH MERIDIAN NOT COVERED BY THE WATERS OF LAC STE. ANNE.

THE ABOVE DESCRIBED LAND CONTAINS SIXTY-SIX AND THIRTY HUNDREDTHS (66.30) HECTARES (163.87 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 Lac Ste. Anne No. 28, and in respect to which the Board held a public hearing into the matter on October 2, 1985, and adjourned to October 10, 1985.

Representing the Summer Village of West Cove were D.A. Gurel, Municipal Administrator, and L.L. Gurel, Advisor.

A. R. Koberstein, Municipal Secretary, appeared on behalf of the County of Lac Ste. Anne No. 28.

The said territory was recently purchased by the Summer Village of West Cove and a sewage lagoon constructed on a portion of the land. The Summer Village's provision for sanitary sewage is limited to pumpout tanks with the sewage being trucked to the lagoon. A number of residents within the County of Lac Ste. Anne No. 28 also make use of the facility. A new sewage lagoon was required as the old lagoon was unable to handle the volume of waste generated and there appeared to be an overflow that escaped to the lake. Because of the size and manner of construction, it is anticipated that the new lagoon will remedy this problem.

The said territory is located to the south and east of the Summer Village of West Cove with part of its west border abutting the east boundary of the Summer Village. The topography is gently rolling and contains Class 4 soils as classified by the Canada Land Inventory. Approximately 125 acres are in heavy bush with the remainder being farmed. It is proposed that those lands of the said territory not required for the sewage lagoon would be used for recreational purposes.

The County of Lac Ste. Anne No. 28 approved the annexation of the said territory to the Summer Village of West Cove and requested that:

"..the road allowance along the west boundary of N.W. 26-54-4-5 and West SW 35-54-4-5 northerly to the waters of Lac Ste. Anne be included in the boundaries of the Summer Village."

The County of Lac Ste. Anne No. 28 submitted that if the road allowance adjoining the South West Quarter of Section 35 is not annexed to the Summer Village, it would be isolated in regard to access from the remainder of the County. As a result of the County's request, the first hearing was adjourned to October 10, 1985, and the appropriate resolution was passed by the Summer Village of West Cove on October 8, 1985, amending the application to include the road allowance.

The Yellowhead Regional Planning Commission at its meeting of August 16, 1985, adopted its staff report. The report recommended that the annexation of the said territory "...be allowed to proceed" and that the road allowance to the west of the said territory "...should be included within the Summer Village boundaries."

By correspondence to the Board dated June 14, 1985, July 29, 1985, and September 27, 1985, Alberta Transportation, Alberta Environment and Alberta Agriculture respectively advised they had "...no objections..." to the annexation of the said territory to the Summer Village of West Cove.

The Board, having considered the information provided, has reached the following conclusions:

1. That the said territory was purchased by the Summer Village of West Cove in order to construct a sanitary sewage lagoon to replace an existing facility which lacked the capacity to service the sewage requirements of the residents of the Summer Village and those County residents residing in the area.
2. That the Summer Village of West Cove has been able to purchase the said territory from reserve funds and it is expected that the sanitary sewage lagoon and the future development of the surplus land for recreational purposes should not be a burden on its taxpayers.
3. That the north south road allowance that abuts the west boundary of the North West Quarter of Section 26 and the South West Quarter of Section 35, all in Township 54, Range 4, West of the 5th Meridian should be annexed to the Summer Village of West Cove.
4. That there being no opposition and as annexation will permit the Summer Village of West Cove to construct desired recreation facilities, the said territory, together with the above described road allowance, should be annexed in full to the Summer Village of West Cove.

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 West Cove, in the Province of Alberta, and thereupon be separated from the County of Lac Ste. Anne No. 28 the following described territory:

NORTH WEST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP FIFTY-FOUR (54), RANGE FOUR (4), WEST OF THE FIFTH MERIDIAN, AND THAT NORTH SOUTH GOVERNMENT ROAD ALLOWANCE LYING WESTERLY THEREOF.

ALL THAT PORTION OF THE NORTH SOUTH GOVERNMENT ROAD ALLOWANCE LYING WESTERLY OF THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP FIFTY-FOUR (54), RANGE FOUR (4), WEST OF THE FIFTH MERIDIAN NOT COVERED BY THE WATERS OF LAC STE. ANNE.

THE ABOVE DESCRIBED LAND CONTAINS SIXTY-SIX AND THIRTY HUNDREDTHS (66.30) HECTARES (163.87 ACRES), MORE OR LESS.

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

- II. That any taxes owing to the County of Lac Ste. Anne No. 28 as at December 31, 1985, in respect of the aforementioned properties shall transfer to and become payable to the Summer Village of West Cove together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the Summer Village of West Cove collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Summer Village to the County of Lac Ste. Anne No. 28
- III. That the assessor for the Summer Village of West Cove shall, for taxation purposes in the year 1986, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Summer Village of West Cove so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Summer Village of West Cove, 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 1986, 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 West Cove, 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 Thirty-first (31st) day of December, 1985.

DATED and signed at the City of Edmonton, in the Province of Alberta, this 22 day of October, 1985.

LOCAL AUTHORITIES BOARD

CERTIFIED A TRUE COPY

(SGD.) C. I. SHELLEY
CHAIRMAN

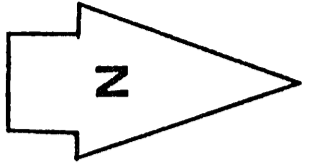
SECRETARY

(SGD.) JOHN A. HAMMOND
MEMBER

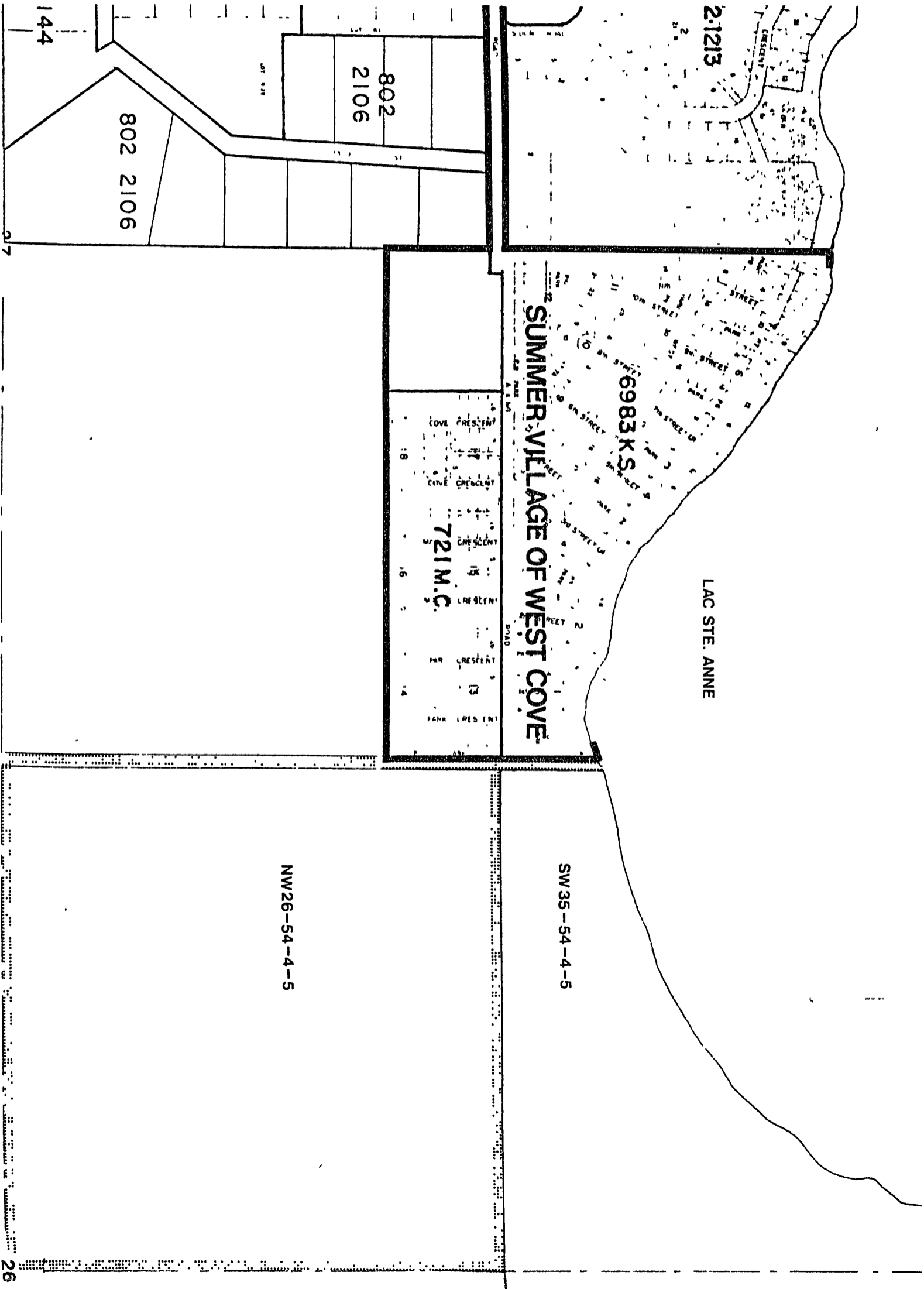
SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 17566

EFFECTIVE DATE: DECEMBER 31, 1985



AFFECTED AREA(S)



NW26-54-4-5

SW35-54-4-5