

Order No 19265

File No BASH/T-8

BEFORE: THE LOCAL AUTHORITIES BOARD FOR THE PROVINCE OF ALBERTA

IN THE MATTER OF THE "Municipal Government Act"

IN THE MATTER OF THE "County Act"

AND IN THE MATTER OF an application by the Council of the Town of Bashaw, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Camrose No 22.

Pursuant to an application by the Town of Bashaw, in the Province of Alberta, requesting annexation of certain lands which lie immediately adjacent to the existing boundaries, the Board has considered the subject application which is for the expansion of the existing Agricultural Grounds and jurisdiction over residual lands between the present boundaries and the recently constructed highway by-pass.

And whereas the territory proposed for annexation consists of two separate areas The parcel proposed for recreational expansion is located to the south of the Town of Bashaw and was formed as a result of a land swap between the owners of the quarter section and the Town By virtue of a signed agreement between the Town of Bashaw and Earl Berry and Helga Berry, the Town is now the owner and will consolidate the parcel with the Agricultural Grounds immediately north thereof The second area consists of four residual parcels formed by the construction of the Highway No 21 by-pass to the west of the Town The owners, the Crown as represented by Alberta Transportation and Utilities, Russell Lawrence Schultz, Julius S Schultz and Kathleen D Traptow respectively, have consented to the annexation of the residual lands lying between the present boundaries of the Town of Bashaw and the easterly limit of Highway No 21

And whereas the County of Camrose No 22, by letters to the Town of Bashaw dated August 24, 1988, and February 23, 1989, advised that Council did not object to the annexation proposal

And whereas the staff of the Battle River Regional Planning Commission, by letter to the Board dated December 5, 1988, supported the annexation of the recreational lands and recommended annexation of the residual lands formed by the relocation of Highway No 21

And whereas by memorandum to the Board dated May 31, 1989, Alberta Transportation and Utilities advised that the Department has no objection to the annexation proposal

And whereas by memoranda to the Board dated December 7, 1988, and May 25, 1989, Alberta Environment advised the Board that the Department had no environmental objections to the annexation proposal

And whereas by memoranda to the Board dated December 6, 1988, and May 23, 1989, Alberta Agriculture advised that the Department had no objections to the annexation proposal of the Town of Bashaw

And whereas from the information supplied to this Board it would appear that expansion of the Agricultural Grounds is warranted and that the relocated Highway No 21 would provide a more logical westerly boundary for the Town of Bashaw

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 Town of Bashaw, in the Province of Alberta, and thereupon be separated from the County of Camrose No 22 the following described territory

ALL THAT PORTION OF THE EAST HALF OF SECTION FIVE (5), TOWNSHIP FORTY-TWO (42), RANGE TWENTY-ONE (21), WEST OF THE FOURTH MERIDIAN, WHICH LIES EASTERLY OF THE EASTERLY LIMIT OF THE MAIN HIGHWAY AS SHOWN ON ROAD PLAN 862 0145 ^

ALL THAT PORTION OF THE NORTH WEST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP FORTY-ONE (41), RANGE TWENTY-ONE (21), WEST OF THE FOURTH MERIDIAN, NOT WITHIN THE TOWN OF BASHAW AND DESCRIBED AS FOLLOWS COMMENCING AT THE INTERSECTION OF THE SOUTH LIMIT OF ROAD PLAN 752 0530 WITH THE SOUTH EAST LIMIT OF RAILWAY PLAN 4567 A A , THENCE SOUTH WESTERLY ALONG THE SAID SOUTH EAST LIMIT A DISTANCE OF 507.45 METRES, THENCE EAST ON A BEARING OF TWO HUNDRED AND SEVENTY DEGREES A DISTANCE OF 592.88 METRES, THENCE NORTH ON A BEARING OF TWO HUNDRED AND SEVENTY DEGREES A DISTANCE OF 228 60 METRES, THENCE EAST ON A BEARING OF 90 DEGREES TO THE EAST BOUNDARY OF THE SAID QUARTER SECTION, THENCE NORTH ALONG THE SAID EAST BOUNDARY TO THE INTERSECTION WITH THE SAID SOUTH LIMIT, THENCE WEST ALONG THE SAID SOUTH LIMIT TO THE POINT OF COMMENCEMENT

THE ABOVE DESCRIBED LANDS CONTAIN EIGHTEEN AND FORTY-FIVE HUNDREDTHS (18 45) HECTARES (45 58 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 Camrose No 22 as at December 31, 1989, in respect of the aforementioned properties shall transfer to and become payable to the Town of Bashaw together with any lawful penalties and costs levied thereon in respect of any such taxes, however, upon the Town of Bashaw collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Town to the County of Camrose No 22

III That the assessor for the Town of Bashaw shall, for taxation purposes in the year 1990, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Town so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Town of Bashaw, 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 1990, 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 Town of Bashaw, 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, 1989.

DATED and signed at the City of Edmonton, in the Province of Alberta, this 16th day of October, 1989

LOCAL AUTHORITIES BOARD

(SGD) B T CLARK,
SECRETARY MEMBER

(SGD) H W THIESSEN,
MEMBER

CERTIFIED A TRUE COPY

RAY MYRONIUK, A/SECRETARY

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No 19265

EFFECTIVE DATE DECEMBER 31, 1989

 AFFECTED AREA(S)

