

BEFORE THE: LOCAL AUTHORITIES BOARD

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 County of Leduc No. 25, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the Town of Calmar.

Pursuant to an application by the County of Leduc No. 25, 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 to transfer jurisdiction over a government road allowance which the County presently maintains and plans to upgrade.

And whereas by letter dated June 23, 1988, the Town of Calmar advised that Council had considered the annexation proposal and at its meeting of January 18, 1988, adopted a motion to approve the annexation of one half mile of municipal roadway to the County.

And whereas the Edmonton Metropolitan Regional Planning Commission at its meeting of April 6, 1988, in respect to the annexation of the road allowance to the County of Leduc No. 25, adopted the following motion:

"That the Edmonton Metropolitan Regional Planning Commission does not object to the annexation adjoining (sic) of the north/south government road allowance adjoining the west boundary of the S.W. 32-49-26-W4th by the County of Leduc No. 25 from the Town of Calmar on the basis that:

(a) the annexation does not contravene the Commission's annexation Guidelines and the Town's and County's statutory plans; and,

(b) the annexation would give the County jurisdiction over a roadway it is presently maintaining for the use of rural residents."

And whereas Alberta Transportation and Utilities, by memorandum to the Board dated April 11, 1988, advised that the Department has "no objection" to the annexation of the road allowance to the County of Leduc No. 25.

And whereas by memorandum to the Board dated March 11, 1988, Alberta Environment advised that the Department has "no environmental concerns" regarding the annexation of the road allowance.

And whereas Alberta Agriculture by memorandum to the Board dated March 11, 1988, advised that the Department has "no objections" to the proposed annexation.

And whereas from the information supplied to this Board, it would appear that as the County of Leduc No. 25 is presently maintaining and plans to upgrade the road allowance, annexation to the County is warranted.

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 County of Leduc No. 25, in the Province of Alberta, and thereupon be separated from the Town of Calmar, the following described territory:

ALL THAT PORTION OF THE NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY OF THE SOUTH WEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-NINE (49), RANGE TWENTY-SIX (26), WEST OF THE FOURTH MERIDIAN, WHICH LIES NORTH OF THE PRODUCTION WEST OF THE NORTH LIMIT OF ROAD PLAN 257 J.Y.

THE ABOVE DESCRIBED LANDS CONTAIN ONE AND FIFTY-NINE HUNDREDTHS (1.59) HECTARES (3.92 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 Town of Calmar as at December 31, 1988, in respect of the aforementioned properties shall transfer to and become payable to the County of Leduc No. 25 together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the County of Leduc No. 25 collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the County of the Town of Calmar.

III. That the assessor for the County of Leduc No. 25 shall, for taxation purposes in the year 1989, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the County of Leduc No. 25 so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the County of Leduc No. 25, 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 1989, 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 Pipeline Assessment Act and the Municipal and Provincial Properties Valuation Act, and which lie within the areas that are by this order annexed to the County of Leduc No. 25, 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 1988.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 8th day of July, 1988.

LOCAL AUTHORITIES BOARD:

CERTIFIED A TRUE COPY:

(SGD.) BRYAN CLARK, ACTING CHAIRMAN

RAY MYRONIUK,
ACTING SECRETARY

(SGD.) HENRY THIESSEN, MEMBER

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER No. 18680
EFFECTIVE DATE: DECEMBER 31, 1988



AFFECTED AREA(S)

