

DUPLICATE

O.C. 109/2002

MAR 20 2002



Province of Alberta
Order in Council

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

The Lieutenant Governor in Council orders that

- (a) effective January 1, 2002, the land described in Appendix A and shown on the sketch in Appendix B is separated from the County of St. Paul No. 19 and annexed to the Town of Elk Point,
- (b) any taxes owing to the County of St. Paul No. 19 at the end of December, 2001 in respect of the annexed land are transferred to and become payable to the Town of Elk Point together with any lawful penalties and costs levied in respect of the those taxes, and the Town of Elk Point upon collecting those taxes, penalties and costs must pay them to the County of St. Paul No. 19, and
- (c) the assessor for the Town of Elk Point must assess, for the purpose of taxation in 2002, the annexed land and the assessable improvements to it,

and makes the Order in Appendix C.

ACTING CHAIR

Alberta

For Information only

Recommended by: Minister Municipal Affairs

Authority: Municipal Government Act
(sections 125 and 138)

The Lieutenant Governor in Council orders that

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- (c) the assessor for the Town of Elk Point must assess, for the purpose of taxation in 2002, the annexed land and the assessable improvements to it,

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APPENDIX A

DETAILED DESCRIPTION OF THE LANDS SEPARATED FROM THE COUNTY OF ST. PAUL NO. 19 AND ANNEXED TO THE TOWN OF ELK POINT

THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP FIFTY-SEVEN (57), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN.

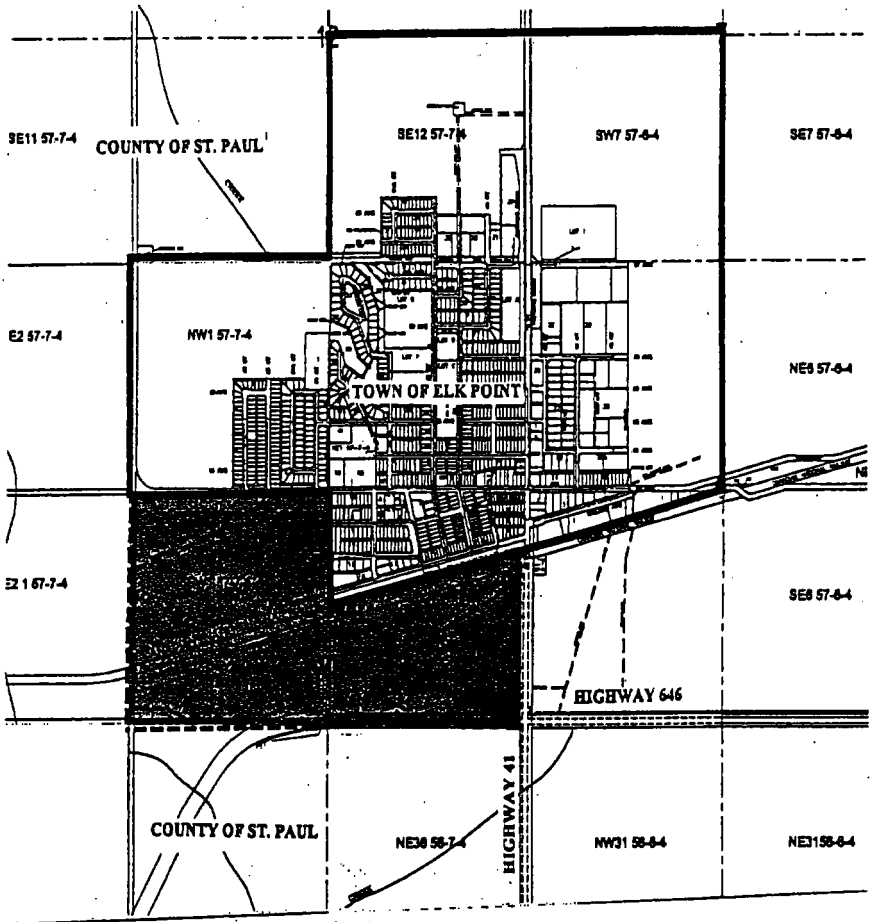
ALL THAT PORTION OF RAILWAY RIGHT-OF-WAY PLAN 5746CL LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION ONE (1), TOWNSHIP FIFTY-SEVEN (57), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN.

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION ONE (1), TOWNSHIP FIFTY-SEVEN (57), RANGE SEVEN (7), WEST OF THE FOURTH MERIDIAN, LYING SOUTH OF RAILWAY RIGHT-OF-WAY PLAN 5746CL.

ALL INTERVENING ROAD ALLOWANCES AND RAILWAY AND ROAD RIGHTS-OF-WAY.

APPENDIX B

A SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS ANNEXED TO THE TOWN OF ELK POINT



AREAS ANNEXED FROM THE COUNTY OF ST. PAUL
TO THE TOWN OF ELK POINT

APPENDIX C

ORDER

- 1 In this Order, "annexed land" means the land described in Appendix A and shown on the sketch in Appendix B.
- 2 For taxation purposes in 2002 and later years up to and including 2011, the annexed land and the assessable improvements to it
 - (a) must be assessed by the Town of Elk Point on the same basis as if they had remained in the County of St. Paul No. 19, and
 - (b) must be taxed by the Town of Elk Point in respect of each assessment class that applies to the annexed land and the assessable improvements to it using the lower of the following tax rates:
 - (i) the tax rate established by the Town of Elk Point;
 - (ii) the tax rate established by the County of St. Paul No. 19.
- 3 Where, in any taxation year, a portion of the annexed land
 - (a) becomes a new parcel of land created as a result of subdivision or separation of title by registered plan of subdivision or by instrument or any other method that occurs at the request of, or on behalf of, the landowner,
 - (b) becomes a residual portion of 3 acres or less after a new parcel referred to in clause (a) has been created, or
 - (c) is, at the request of or on behalf of the landowner, redesignated under the Town of Elk Point Land Use Bylaw,section 2 ceases to apply at the end of that taxation year in respect of that portion of the annexed land and the assessable improvements to it.
- 4 After section 2 ceases to apply to a portion of the annexed land in a taxation year, that portion of the annexed land and the assessable improvements to it must be assessed and taxed for the purposes of property taxes in that year in the same manner as other property of the same assessment class in the Town of Elk Point is assessed and taxed.