

LOCAL AUTHORITIES BOARD

ORDER NO. 4611

FILE: L.A. 3881-A

TUESDAY—THE TENTH DAY OF MARCH, 1970

Before:

The Local Authorities Board for
the Province of Alberta.

In the matter of The Municipal
Government Act:

And in the matter of an appli-
cation by the Town of Mayer-
thorpe for annexation of certain
lands lying adjacent thereto.

Pursuant to an application by the Town of Mayerthorpe requesting annexation of some fifty-five and four-hundredths (55.04) acres of town-owned land in part of the north-east quarter of section 29, township 57, range 8, west of the fifth meridian, as described in certificate of title numbered 14-Z-226, along with certain road areas therein or adjacent thereto, the Board conducted a public hearing of the matter in the said town on December 9, 1969.

The town was represented by Mayor Leo Crockett and Secretary-Treasurer Ryan, with Councillor Montemurro joining the hearing near its conclusion.

The County of Lac Ste. Anne No. 28 was represented by Councillor Stan Hughes.

The Edmonton Regional Planning Commission was represented by Eugene Dmytruk.

The Town stated generally that it wished to annex the fifty-five and four-hundredths (55.04) acre parcel which it owned, in order to expand thereinto its recreational facilities which presently have inadequate space. The parcel sought for annexation lies west of the school site in the north-east quarter of section 29, township 57, range 8, west of the fifth meridian, and is strategically located for general municipal and school use. Annexation of the fifty-five and four-hundredths (55.04) acre parcel would allow the town to consider re-development of the town's present inadequate sports ground on the south-east quarter of section 29, township 57, range 8, west of the fifth meridian for housing purposes, a submission of the planning authority, when a parks and recreational complex was developed on the fifty-five and four-hundredths (55.04) acre parcel.

The County of Lac Ste. Anne, at first instance, objected to annexation of the fifty-five and four-hundredths (55.04) acre parcel to the town, but during the course of the hearing and as a result of information disclosed at the hearing, did subsequently withdraw its objection thereto, and did consent to not only the annexation of the fifty-five and four-hundredths (55.04) acre parcel but in addition, to annexation to the town by the Board on its own motion and order, some thirteen and twenty-one hundredths (13.21) additional acres of school land in the east half of section 29, township 57, range 8, west of the fifth meridian, and a two (2) acre private lot in the north-east quarter of section 29.

The planning commission supported the town's application on condition that the fifty-five and four-hundredths (55.04) acre parcel would be developed for needed park and recreational purposes only. The commission also recommended that the intervening thirteen and twenty-one hundredths (13.21) acres of school lands, as well as the privately-owned

two (2) acre parcel between the town-owned fifty-five and four-hundredths (55.04) acre parcel and the thirteen and twenty-one hundredths (13.21) acres of school lands, should also be annexed to the town. It submitted that the town's sports grounds in the south-east quarter of section 29 had inadequate space, and would better be located in the north-east quarter of section 29, with the present sports ground site to be developed for residential use, after development of the new recreational and park facilities in the north-east quarter of section 29. It was suggested that such a residential expansion would provide some alternate area to that proposed for the south-west quarter of section 28, township 57, range 8, west of the fifth meridian, a privately-owned area already within the town limits.

After considering the evidence adduced at the hearing, the Board has concluded that the fifty-five and four-hundredths (55.04) acre town-owned parcel, along with certain contained and adjacent road areas, should be annexed to the town for the purposes aforesaid, but that in addition and by separate order of the Board on its own motion, there should also be annexed to the town the school-owned parcel of land in the east half of section 29, containing thirteen and twenty-one hundredths (13.21) acres and the privately-owned two (2) acre parcel in the north-east quarter of section 29 described in certificate of title number 204-Z-202.

It is ordered, therefore, as follows:

I. That there be annexed to the Town of Mayerthorpe, and thereupon be separated from the County of Lac Ste. Anne No. 28, the following described lands:

All that portion of the north-east quarter of section 29, township 57, range 8, west of the fifth meridian, in the said Province which lies to the south and west of the south-westerly limit of the right-of-way of the Canadian Northern Western Railway as shown on railway plan 6618 B.F. and which lies west of a line drawn parallel to the east boundary of the said quarter section through a point on the said south-westerly limit distant twelve hundred and eight and nine hundredths (1208.09) feet measured along the said south-westerly limit from the intersection thereof with the said east boundary of the said quarter section, containing sixty-six and forty-five hundredths (66.45) acres, more or less.

Excepting thereout:

- (A) All that portion described as follows: Commencing at the point of intersection of the north limit of the road as shown on road plan 5134 E.O. and the said parallel line; thence northerly along the said parallel line three hundred and ninety-six (396) feet; thence westerly and at right angles to the said parallel line two hundred and twenty (220) feet; thence southerly and parallel to the said parallel line to the north limit of the said road; thence easterly along the said north limit to the point of commencement, containing two (2) acres, more or less.
- (B) All that portion of the said quarter section described as follows: Commencing at the north-west corner thereof; thence southerly along the west boundary of the said quarter section six hundred and sixty (660) feet; thence easterly and parallel to the north boundary of the said quarter section to the said south-westerly limit of the said railway as shown on the said plan 6618 B.F.; thence north-westerly along the said south-westerly limit to the said north

boundary; thence westerly along the said north boundary to the point of commencement, containing seven and five-tenths (7.5) acres, more or less.

- (C) Forty-two hundredths (0.42) of an acre, more or less, for that portion of the road as shown on road plan 5134 E.O. presently within the town boundaries.

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

II. That the assessor for the Town of Mayerthorpe shall for taxation purposes in the year 1970, re-assess or re-value, the lands and assessable improvements thereon which are by this Order annexed to the town, so that the assessment or valuation thereof shall be fair and equitable with other related lands and assessable improvements in the town.

III. 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 1970, re-assess or re-value, 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 Mayerthorpe, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

IV. That the effective date of this Order shall be the 1st day of January, 1970.

LOCAL AUTHORITIES BOARD,
C. G. MACGREGOR (Chairman).
I. MORRIS (Member).

Certified a true copy,
W. C. ELLIOTT (Secretary).

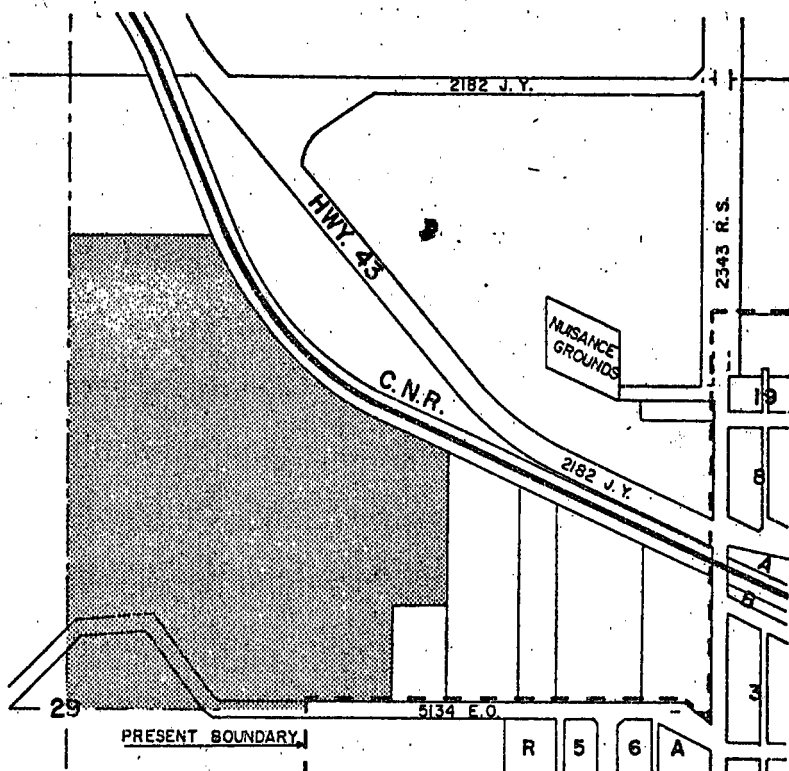
SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION
OF THE AREAS AFFECTED BY ORDER No. 4611

EFFECTIVE DATE - JANUARY 1, 1970



AFFECTED AREA(S)



TP. 57 R. 8 W. 5 M.

MAYERTHORPE