

October 11, 1995



Province of Alberta
Order in Council

ORDER IN COUNCIL

Approved and ordered:

Administrator

The Lieutenant Governor in Council

(a) annexes, effective July 1, 1995, the land described in Schedule 1 and shown on the sketch in Schedule 2 from The Municipal District of Rocky View No. 44 to The Town of Chestermere, and

(b) makes the order in Schedule 3.

ACTING CHAIR

Alberta

For Information only

Recommended by: Minister of Municipal Affairs

Authority: ~~Municipal Government Act~~
(sections 125 and 138)

SCHEDULE 1

DETAILED DESCRIPTION OF THE LANDS SEPARATED FROM THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44 AND ANNEXED TO THE TOWN OF CHESTERMERE

ALL THAT PORTION OF THE EAST HALF OF SECTION TWO (2), TOWNSHIP TWENTY-FOUR (24), RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN CONTAINED IN PLAN I.R.R. 62 WHICH LIES NORTHERLY OF THE PRODUCTION EASTERLY OF THE SOUTH LIMIT OF SAID PLAN HAVING A BEARING OF S75°09' E.

ALL THAT PORTION OF THE WEST HALF OF SECTION TWO (2) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES NORTH OF THE NORTHERLY LIMIT OF RAILWAY PLAN R.W. 331 AND NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF SECTION THREE (3) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES NORTH OF THE NORTHERLY LIMIT OF RAILWAY PLAN R.W. 67 AND EAST OF THE WESTERLY LIMIT OF ROAD PLAN 731367 AND NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF THE WEST HALF OF SECTION TEN (10) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION ELEVEN (11) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION ELEVEN (11), TOWNSHIP TWENTY-FOUR (24), RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN CONTAINED IN ROAD PLAN 1691 L.K. AND LIES WEST OF A LINE DRAWN FROM SURVEY MARKER I.R.22MP. TO SURVEY MARKER I.R.19MP., BOTH AS SHOWN ON SAID PLAN 1691 L.K.

ALL THAT PORTION OF THE SOUTH HALF OF SECTION FOURTEEN (14) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH AND WEST OF THE SOUTH WESTERLY LIMIT OF ROAD PLAN 1691 L.K. (HIGHWAY NO. 1) AND NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF SECTION FIFTEEN (15) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN NOT WITHIN THE TOWN OF CHESTERMERE

ALL THAT PORTION OF THE EAST HALF OF SECTION TWENTY-TWO (22) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH OF THE SOUTHERLY LIMIT OF ROAD PLAN 7307 J.K. (HIGHWAY NO. 1) AND NOT WITHIN THE TOWN OF CHESTERMERE

THE MOST EASTERLY 33 FEET IN PERPENDICULAR WIDTH THROUGHOUT OF THE WEST HALF OF SECTION TWENTY-TWO (22) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH OF THE SOUTHERLY LIMIT OF ROAD PLAN 7307 J.K. (HIGHWAY NO. 1)

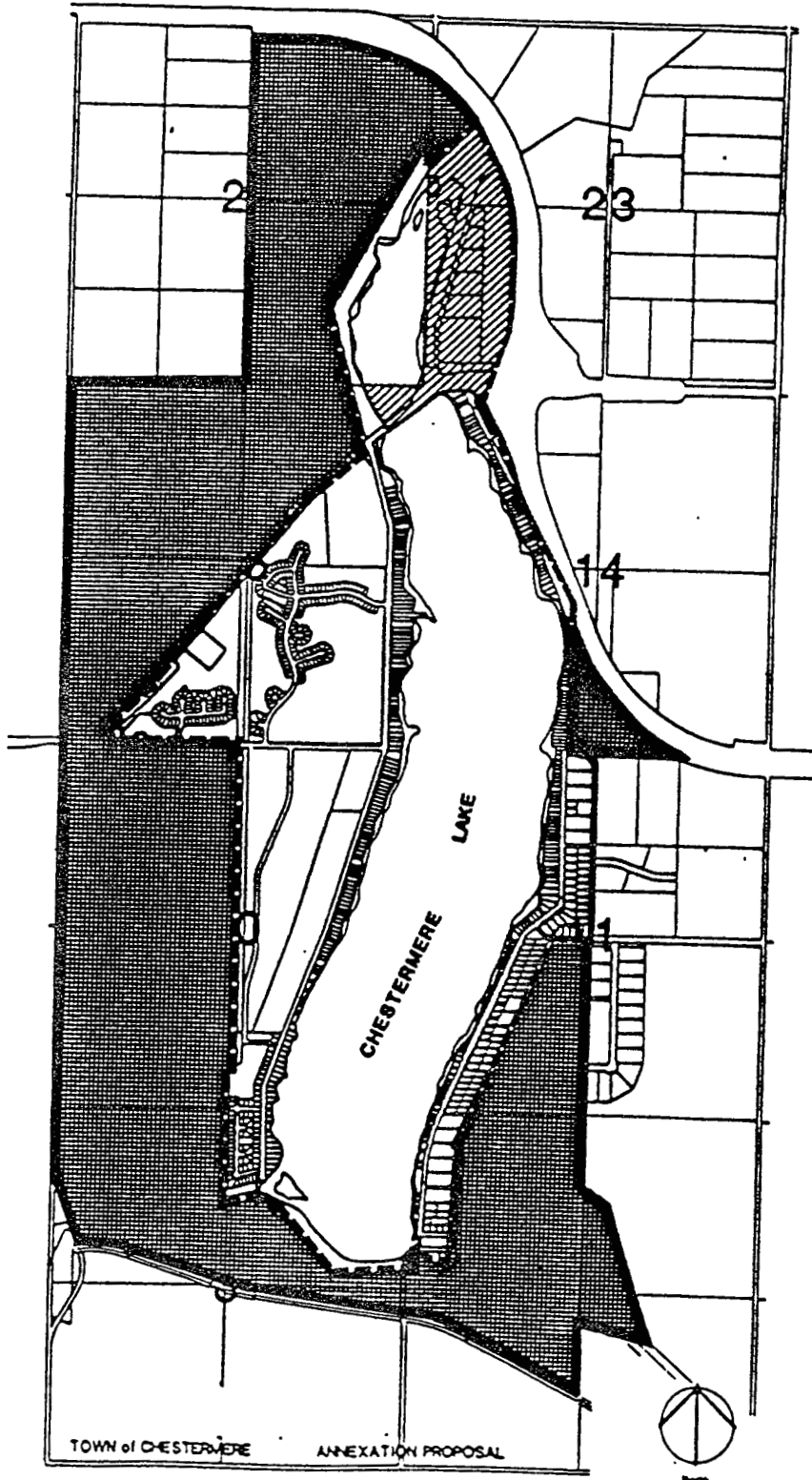
ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE (23) TOWNSHIP TWENTY-FOUR (24) RANGE TWENTY-EIGHT (28) WEST OF THE FOURTH MERIDIAN WHICH LIES SOUTH WEST OF THE SOUTH WESTERLY LIMIT OF ROAD PLAN 7307 J.K. (HIGHWAY NO. 1) AND NORTH WEST OF THE NORTHWESTERLY LIMIT OF PLAN I.R.R. 72 AND ITS PRODUCTION SOUTH WESTERLY

ALL GOVERNMENT ROAD ALLOWANCES INTERVENING AND ADJOINING THE ABOVE DESCRIBED LANDS

SCHEDULE 2

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS ANNEXED TO THE TOWN OF CHESTERMERE

EFFECTIVE DATE: JULY 1, 1995



SCHEDULE 3

1. In this Schedule "annexed land" means the land described in Schedule 1 and shown on Schedule 2.
2. Authority for assessment and taxation of the annexed land and assessable improvements to it shall remain with the Municipal District of Rocky View No. 44 until December 31, 1995, and any taxes owing to the Municipal District of Rocky View No. 44 on December 31, 1995, in respect of the annexed land are transferred to and become payable to the Town of Chestermere together with any lawful penalties and costs levied in respect of those taxes, and the Town of Chestermere upon collecting those taxes, penalties or costs shall pay them to the Municipal District of Rocky View No. 44.
3. The assessor for the Town of Chestermere shall assess in 1995, for the purpose of taxation in 1996, the annexed land and the assessable improvements to it.
4. For taxation purposes in 1996 and subsequent years, the annexed land and improvements to it shall be assessed and taxed by the Town of Chestermere on the same basis and as if they had remained within the Municipal District of Rocky View No. 44.
5. Section 4 shall cease to apply
 - (a) to any parcel of land and improvements within the annexed land which is subject to both of the following having occurred after the effective date of annexation either at the request of or on behalf of the landowner:
 - (i) the parcel of land is the subject of a subdivision or separation of title, whether by registered plan of subdivision, by instrument or any other method, whereby a new parcel of land, including the residual parcel, is created, except where such subdivision or separation of title is effected solely for the purpose of separating out one parcel from each parent parcel which exists as of July 1, 1995, and

(ii) the parcel of land is redesignated, pursuant to the Town of Chestermere Land Use Bylaw, to a use other than agricultural, urban reserve, or direct control with agricultural guidelines or urban reserve guidelines;

(b) to any parcel of land and improvements within the annexed land which is part of a local improvement project described in any local improvement bylaw initiated by or on the behalf of or with the support of the owner of such land and improvements, passed under the authority of the Municipal Government Act and which has Town of Chestermere water or sewer service made available to it pursuant to such bylaw, or

(c) to any parcel of land and improvements within the annexed land which is hereafter connected to water or sewer service provided by the Town of Chestermere,

6. Subject to Section 7, all land and improvements within the annexed land with respect to which Section 4 ceases to apply shall be assessed and taxed in like manner as other land and improvements within the Town of Chestermere.
7. If Section 4 ceases to apply to a parcel of land and improvements, the assessment and taxation of the annexed land and improvements on the same basis as other land and improvements in the Town of Chestermere shall take effect as of the first complete taxation year immediately following the taxation year in which the event or circumstances occurs which causes Section 4 to cease to apply.
8. For so long as Section 4 applies to a parcel of land within the annexed land, businesses operated on such land as of December 31, 1995 shall not, for taxation purposes, be subject to a greater amount of business related taxes than would have been the case had the parcel remained within the jurisdiction of the Municipal District of Rocky View No. 44. For the purpose of this Section, the phrase "business related taxes" shall mean business tax, property tax prepared in respect of machinery and equipment or any taxes enacted in substitution thereof.
9. Sections 4 to 8, inclusive, shall cease to have any effect after December 31, 2025.

10 The preparation of equalized assessment for the annexed land by the Minister of Municipal Affairs is subject to Sections 4 to 9.