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AR16353

ALBERTA
MINISTER OF MUNICIPAL AFFAIRS

MLA, Fort McMurray

August 14, 2002

His Worship C. Dan Campbell
Town of High River
129 - 3 Avenue SW
High River, Alberta
T1V 1R9

TOWN OF HIGH RIVER	
DATE RECEIVED	
AUG 26 2002	
REFERRED TO:	
COUNCIL - AGENDA No.	<input type="checkbox"/>
SLOTS	<input checked="" type="checkbox"/>
PERUSAL	<input type="checkbox"/>
ORIGINAL: <i>File - Agreements Permanent!</i>	
COPIES: <i>Don/Ron/James</i>	

Dear Mayor Campbell:

Enclosed is a copy of the Order in Council approving the Town of High River's annexation of land from the Municipal District of Foothills No. 31.

I would like to compliment the parties on the cooperation displayed during the application process. It is through these cooperative efforts that local ratepayers receive the greatest efficiencies from local government.

Your local MLA, Mr. Don Tannas, is very supportive of this initiative.

Best personal regards,

Guy Boutilier
Minister

Enclosure

cc: Mr. Don Tannas, MLA
Highwood Constituency

Reeve Roy McLean
Municipal District of Foothills No. 31

Hi-Way Service Inc.

R. & B. Corbett, Prof. Corp.

Foothills School Division #38



Mr. Jason Lusignan

Alberta Environment
c/o Land Services

Mr. F. Leo and Mrs. Mary J. Campbell

Mr. James E. and Mrs. Eileen R. Finnman

Mr. Norman A. and Mrs. Lornadele Jacobsen

Mr. John and Mrs. Joyce Monteith

Mr. Wayne & Mrs. Sylvia Moore

Canada's Choice Spring Water, Inc

Karalta Holdings Ltd.

Mr. Archie Bishop



Province of Alberta
Order in Council

O.C. 397/2002

AUG 20 2002

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

The Lieutenant Governor in Council orders that

- (a) effective July 1, 2002, the land described in Appendix A and shown on the sketch in Appendix B is separated from the Municipal District of Foothills, No. 31 and annexed to the Town of High River,
- (b) effective July 1, 2002, any taxes owing to the Municipal District of Foothills, No. 31 in respect of the annexed land are transferred to and become payable to the Town of High River together with any lawful penalties and costs levied in respect of those taxes, and the Town of High River upon collecting those taxes, penalties or costs must pay them to the Municipal District of Foothills, No. 31, and
- (c) the assessor for the Town of High River must assess, for the purposes of taxation in 2003, the annexed land and the assessable improvements to it,

ACTING CHAIR

and makes the Order in Appendix C.

Alberta

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(sections 126 and 138)

APPENDIX A

DETAILED DESCRIPTION OF THE LANDS SEPARATED FROM THE MUNICIPAL DISTRICT OF FOOTHILLS, NO. 31 AND ANNEXED TO THE TOWN OF HIGH RIVER

1. PLAN 9910247, LOT 4, CONTAINING 11.754 HECTARES (29.04 ACRES) MORE OR LESS;
2. PLAN 7810379, BLOCK 1, CONTAINING 3.66 HECTARES (9.053 ACRES) MORE OR LESS;
3. PLAN 8810820, BLOCK 3, CONTAINING 5.29 HECTARES (13.07 ACRES) MORE OR LESS;
4. THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN DESCRIBED AS COMMENCING AT A POINT ON THE NORTHERN BOUNDARY OF THE SAID SECTION DISTANT 1118 FEET WEST FROM THE NORTHEAST CORNER THEREOF, THENCE WEST ALONG THE SAID NORTHERN BOUNDARY 761 FEET 6 INCHES, THENCE SOUTH AT RIGHT ANGLES THERETO 675 FEET 6 INCHES, THENCE SOUTHERLY 66 DEGREES 41 MINUTES AND 30 SECONDS EAST 829 FEET, AND THENCE NORTH IN A STRAIGHT LINE TO THE POINT OF COMMENCEMENT CONTAINING 5.9 HECTARES (14.6 ACRES) MORE OR LESS;
5. PLAN 8610906, THAT PORTION OF BLOCK 2 (SCHOOL RESERVE) WHICH LIES NORTH EAST OF THE LITTLE BOW RIVER CONTAINING 11.923 HECTARES (29.46 ACRES) MORE OR LESS;
6. PLAN IRRIGATION 925, DESCRIBED AS THE CANAL RIGHT OF WAY, EXTRA RIGHT OF WAY AND CUT-OFF CONTAINING IN THE CANAL RIGHT OF WAY 1.025 HECTARES (2.53 ACRES) MORE OR LESS, IN THE EXTRA RIGHT OF WAY 0.8505 HECTARES (2.10 ACRES) MORE OR LESS, AND IN THE CUT-OFF 1.004 HECTARES (2.48 ACRES) MORE OR LESS, EXCEPTING THE ROADWAY ON PLAN 1797EZ, CONTAINING 0.0445 HECTARES (0.11 ACRES) MORE OR LESS;
7. PLAN 9812010, BLOCK 3, CONTAINING 1.98 HECTARES (4.89 ACRES) MORE OR LESS;
8. THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, COMMENCING AT A POINT ON THE SOUTH BOUNDARY OF SAID QUARTER SECTION 500 FEET WESTERLY FROM THE SOUTHEAST CORNER THEREOF, THENCE NORTHERLY PARALLEL WITH THE EAST BOUNDARY THEREOF 522.8 FEET, THENCE EASTERLY PARALLEL WITH THE SOUTH BOUNDARY OF SAID QUARTER SECTION 500 FEET TO THE SAID EAST BOUNDARY, THENCE NORTHERLY ALONG SAID EAST BOUNDARY 541.4 FEET, THENCE WESTERLY PARALLEL WITH THE SAID SOUTH BOUNDARY 1064.2 FEET, THENCE SOUTHERLY PARALLEL WITH SAID EAST BOUNDARY 1064.2 FEET TO THE SAID SOUTH BOUNDARY, AND THENCE EASTERLY ALONG THE SAID SOUTH BOUNDARY 564.2 FEET TO THE PLACE OF COMMENCEMENT CONTAINING 8.09 HECTARES (20 ACRES) MORE OR LESS EXCEPTING THEREOUT ROAD PLAN 1797EZ CONTAINING 0.41 HECTARES (0.166 ACRES) MORE OR LESS AND SUBDIVISION PLAN 9812010 CONTAINING 1.98 HECTARES (4.89 ACRES) MORE OR LESS;
9. THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN DESCRIBED AS THE NORTHERLY 230.73 FEET OF THE SOUTHERLY 522.8 FEET OF THE EASTERLY 500 FEET OF THE SAID SECTION AS SHOWN ON THE TOWNSHIP PLAN DATED 14 JANUARY 1895 CONTAINING 1.072 HECTARES (2.65 ACRES) MORE OR LESS EXCEPTING THE ROADWAY ON PLAN 1797EZ CONTAINING 0.18 OF AN ACRE MORE OR LESS;
10. THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-SIX (36). TOWNSHIP

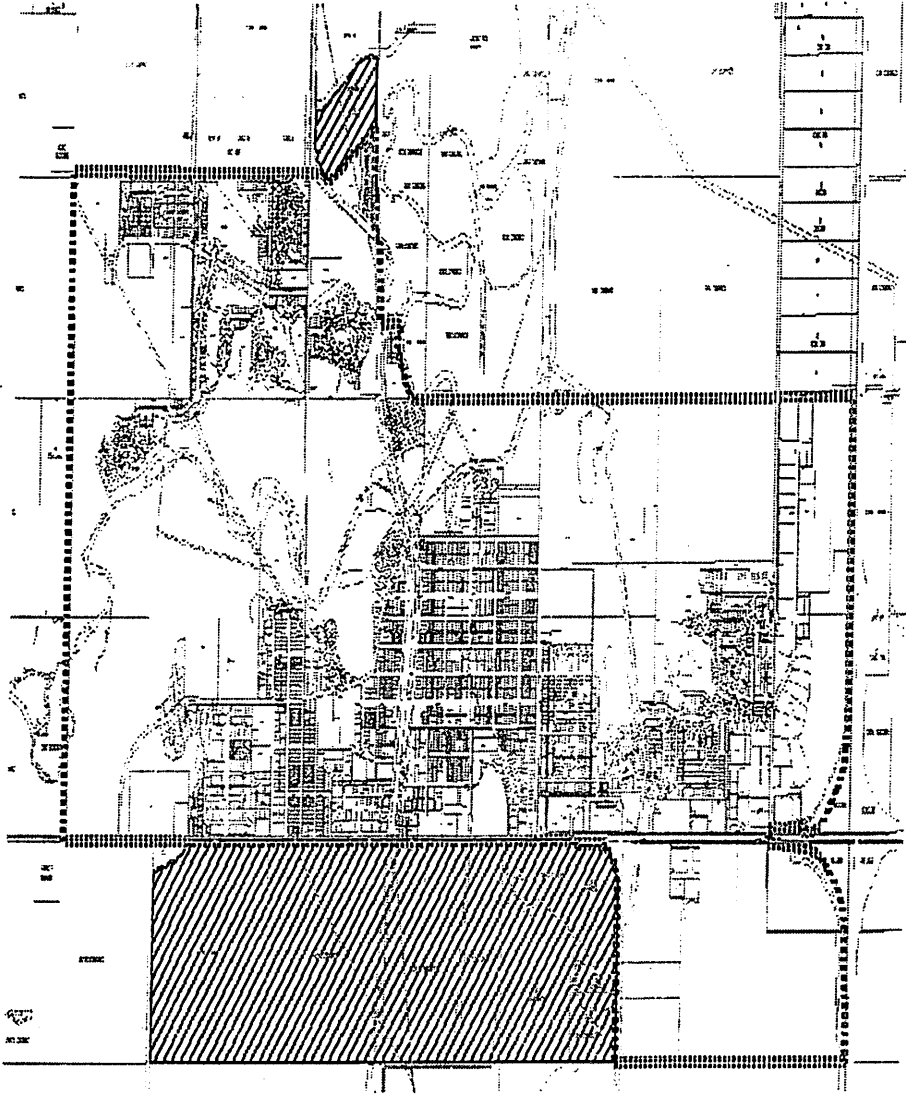
EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN DESCRIBED AS THE SOUTHERLY 292.07 FEET OF THE EASTERLY 500 FEET OF THE SAID SECTION CONTAINING 1.352 HECTARES (3.35 ACRES) MORE OR LESS EXCEPTING THEREOUT ROAD PLAN 1797EZ CONTAINING 0.089 HECTARES (0.22 ACRES) MORE OR LESS;

11. PLAN 8610906, THAT PORTION OF BLOCK 2 WHICH LIES SOUTHWEST OF THE LITTLE BOW RIVER CONTAINING 28.457 HECTARES (70.32 ACRES) MORE OR LESS EXCEPTING SUBDIVISION PLAN 8810820 CONTAINING 1.39 HECTARES (3.43 ACRES) MORE OR LESS;
12. THAT PORTION OF THE NORTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29) WEST OF THE FOURTH MERIDIAN WHICH LIES TO THE EAST OF THE WEST LIMIT OF THE RAILWAY RIGHT OF WAY AS SHOWN ON PLAN ATTACHED TO INSTRUMENT 6381 AW CONTAINING 23.3 HECTARES (57.66 ACRES) MORE OR LESS;
13. THAT PORTION OF THE NORTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, WHICH LIES TO THE WEST OF THE RAILWAY RIGHT OF WAY AS SHOWN ON INSTRUMENT 6381AW CONTAINING 41.96 HECTARES (103.68 ACRES) MORE OR LESS EXCEPTING THEREOUT 0.405 HECTARES (1.0 ACRE) MORE OR LESS BEING THE SOUTH 208 FEET AND 9 INCHES OF THE WEST 208 FEET AND 9 INCHES DESCRIBED IN TRANSFER 4188I, RAILWAY RIGHT-OF-WAY RY8 CONTAINING 0.680 HECTARES (1.68 ACRES) MORE OR LESS, ROADWAY PLAN 3585BM CONTAINING 0.805 HECTARES (1.99 ACRES) MORE OR LESS, SUBDIVISION PLAN 7810379 CONTAINING 4.27 HECTARES (10.55 ACRES) MORE OR LESS, AND SUBDIVISION PLAN 9611200 CONTAINING 0.069 HECTARES (0.17 ACRES) MORE OR LESS;
14. THAT PORTION OF THE NORTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION THENCE EASTERLY ALONG THE SOUTHERN BOUNDARY THEREOF, 208 FEET 9 INCHES THENCE NORTHERLY AT RIGHT ANGLES TO SAID SOUTHERN BOUNDARY 208 FEET 9 INCHES, THENCE WESTERLY PARALLEL WITH SOUTHERN BOUNDARY THEREOF 208 FEET 9 INCHES TO THE WESTERN BOUNDARY OF SAID QUARTER SECTION, AND THENCE SOUTHERLY ALONG SAID WESTERN BOUNDARY 208 FEET 9 INCHES TO THE PLACE OF COMMENCEMENT CONTAINING 0.405 HECTARES (1 ACRE) MORE OR LESS;
15. THAT PORTION OF THE NORTH-SOUTH ROAD BETWEEN THE NORTHEAST QUARTER OF SECTION THIRY-FIVE (35), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN AND THE NORTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, AND THAT PORTION OF PLAN 3585BM AND SERVICE ROAD AND ROAD WIDENING ON PLAN 7810379 CONTAINING 2.261 HECTARES (5.588 ACES) MORE OR LESS;
16. ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, WHICH LIES TO THE EAST OF THE RAILWAY ON PLAN RY8 CONTAINING 0.809 HECTARES (2 ACRES) MORE OR LESS;
17. THAT PORTION OF PLAN RY8 WHICH LIES WITHIN THE NORTHEAST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, AND THAT PORTION OF PLAN RY8 WHICH LIES WITHIN THE NORTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN;
18. PLAN 9611200. LOT 1 CONTAINING 0.418 HECTARES (1.03 ACRES) MORE OR LESS;

19. THE NORTHEAST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN CONTAINING 160 ACRES MORE OR LESS EXCEPTING RAILWAY PLAN RY8 CONTAINING 3.21 ACRES MORE OR LESS AND THAT PORTION EAST OF RAILWAY PLAN RY8, CONTAINING 2.00 ACRES MORE OR LESS; AND
20. THAT PORTION OF THE NORTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18), RANGE TWENTY-NINE (29), WEST OF THE FOURTH MERIDIAN, WHICH LIES SOUTHEAST OF BLOCK 1 ON PLAN 9610847 CONTAINING 63.7 HECTARES (157.48 ACRES) MORE OR LESS.

APPENDIX B

A SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS
ANNEXED TO THE TOWN OF HIGH RIVER



LEGEND



Areas Annexed from the Municipal District of Foothills, No. 31
to the Town of High River

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(1) For taxation purposes in 2003 and subsequent years, the annexed land and the assessable improvements to it
 - (a) must be assessed by the Town of High River on the same basis as if they had remained in the Municipal District of Foothills, No. 31, and
 - (b) must be taxed by the Town of High River in respect of each assessment class that applies to the annexed land and the assessable improvements to it using the tax rate established by the Municipal District of Foothills, No. 31.
- (2) Subsection (1) does not apply where the annexed land and the assessable improvements to it are held by the Crown in right of Alberta or Canada.
- 3 Section 2 ceases to apply to a portion of the annexed land and the assessable improvements to it in the taxation year immediately following the taxation year in which
 - (a) the portion 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) the portion becomes a residual portion after a new parcel referred to in clause (a) has been created,
 - (c) the portion is, at the request of or on behalf of the landowner, redesignated by an amendment to the Town of High River Land Use Bylaw,
 - (d) the portion is, at the request of or on behalf of the landowner, subject to a local improvement tax bylaw and is provided with water and sewer services by the Town of High River pursuant to that bylaw, or
 - (e) the portion is subject to a change in land ownership.
- 4 After section 2 ceases to apply to a portion of the annexed land in a taxation year, the 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 on the same basis as the assessment and taxation of property of the same assessment class in the Town of High River.