



LEGAL & LAND ADMINISTRATION

TO: Council
DATE: February 23, 2021 **DIVISION:** 2
FILE: 04716013 **APPLICATION:** N/A
SUBJECT: Disposal of Municipal Reserve – Lot 4, MR Plan 8911660, NE-16-24-03-W05M.

POLICY DIRECTION:

Council Policy #313, Disposal of Reserve Land, Former Reserve Land, and Fee Simple Land by Sale, and related procedures provide Administration with direction when an application to purchase land is received.

EXECUTIVE SUMMARY:

The County has received an application to purchase a Municipal Reserve located in Springbank. The required public hearing has been advertised, and there have been no submissions, either for or against the application. Administration has conducted an appraisal on the parcel and is recommending that the lands be sold at market value.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval of the sale as set out in Option #1.

BACKGROUND:

The County received an application to purchase a 1.93 acre reserve property legally described as Lot 4, MR Plan 8911660, NE-16-24-03-W05M. As set out in Section 674 of the MGA, if Council is considering the sale of a reserve lands, a public hearing must be held.

For Council’s consideration:

Applicants: Tilroe, Heather Margriet; Boomer, David

Market Value: The County hired Colliers to conduct an appraisal of the property. This appraisal considered the limitations related to use of this property and concluded that the estimated market value was \$160,000. The applicants disagree with this value and have provided an opinion from a local realtor that suggests a market value of \$33,000. Since there is such a large discrepancy in value, Administration has provided an option (Option #2) for Council’s consideration whereby, once the public hearing is concluded, the item could be referred back to Administration to review the market value further.

- Community Feedback:
- Signs were posted at the property;
 - Notification was sent out in Safe & Sound;
 - Notification was posted on the County’s website;
 - The application was circulated to 48 adjacent landowners.

No responses either for or against were received.



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Other Matters: In the absence of an agreement, Council may want to consider if any of the sale proceeds should be directed to the local school jurisdictions.

As set out in Section 675 of the MGA, if Council directs that the sale proceed, an application to the Registrar (Land Titles Office) will be completed to remove the designation of municipal reserve.

BUDGET IMPLICATIONS:

As set out in Section 675 (3) of the MGA, all proceeds from the sale of reserve lands will be directed to the Public Reserve and will only be used for the purposes referred in Section 671(2), which is: (a) a public park; (b) a public recreation area; (c) school board purposes; (d) to separate areas of land that are used for different purposes.

OPTIONS:

- Option #1: THAT Administration be directed as follows:
 - Motion 1 THAT the Chief Administrative Officer be directed to notify the Registrar of Land Titles that Council has complied with Part 17, Division 9 of the Municipal Government Act and is requesting that the municipal reserve designation be removed for Lot 4, MR Plan 8911660, NE-16-24-03-W05M.
 - Motion 2 THAT a purchase and sale agreement be prepared and the lands legally described as Lot 4, MR Plan 8911660, NE-16-24-03-W05M, be sold to the applicant for \$160,000 plus closing costs and applicable GST.
- Option #2 THAT the application to purchase lands legally described as Lot 4, MR Plan 8911660, NE-16-24-03-W05M, be referred back to Administration to review the market valuation of the lands.
- Option #3 THAT the application to purchase lands legally described as Lot 4, MR Plan 8911660, NE-16-24-03-W05M, be refused.

Respectfully submitted,

Concurrence,

“Kent Robinson”

“Al Hoggan”

Executive Director
Corporate Services

Chief Administrative Officer

KR/rp

ATTACHMENTS:

ATTACHMENT ‘A’: Map Set