

BY-LAW 13-2006

A BY-LAW TO AUTHORIZE THE COUNCIL OF PARKLAND COUNTY TO IMPOSE A LOCAL IMPROVEMENT TAX FOR THE LOCAL IMPROVEMENTS INCLUDING BASE COURSE AND ASPHALTIC COLD MIX SURFACING WITHIN A PORTION OF BRIDGEWATER PROPERTIES (west portion of Bridgewater Drive) COUNTRY RESIDENTIAL SUBDIVISION LOCATED IN SE 24-53-2-W5M & SW 19-53-1-W5M

WHEREAS the Council of Parkland County has deemed it expedient and proper to approve a By-law to authorize the financing, undertaking, and completing of a Local Improvement within Parkland County, Alberta; and

WHEREAS the General Manager of Operations Services has reviewed the Project's specifications and received appropriate estimates for the completion of the Project; and

WHEREAS Parkland County and the Bridgewater Properties (west portion of Bridgewater Drive) Landowners are each contributing a portion of the cost of the completion of a Local Improvement; and

WHEREAS in order to construct the completion of a Local Improvement, it will be necessary to fund a sum on the credit of the County as herein provided; and

WHEREAS the estimated lifetime of the Local Improvement is TEN (10) years.

NOW THEREFORE THE COUNCIL OF PARKLAND COUNTY IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. For the purposes of this Bylaw the following definitions apply:
 - a. "Act" means the Municipal Government Act, RSA 2000, Chapter M-26, as amended from time to time;
 - b. "County" means Parkland County;
 - c. "Council" means the Council of Parkland County;
 - d. "Bridgewater Properties (west portion of Bridgewater Drive)" means the subdivision located in Parkland County, Alberta known as Bridgewater Properties (west portion of Bridgewater Drive) Country Residential Subdivision legally located in that portion of the SE 24-53-2-W5M & SW 19-53-1-W5M;
 - e. "Landowners" means all those landowners identified as owning a parcel of land along the west portion of Bridgewater Drive within Bridgewater Properties and more specifically as identified on the attached Schedule "B";
 - f. "Local Improvement" means the same as the definition set out in Division 7 of the Act and more specifically as defined as the Project.
 - g. "Local Improvement Tax" has the same meaning as made under the Act; and
 - h. "Project" means the entire scope of the Base Construction and Asphaltic Cold Mix Road Surfacing along the west portion of Bridgewater Drive within the County area known as Bridgewater Properties.
2. Council received on June 21, 2004 an adequate and proper petition requesting that it undertake and complete the Project, which is attached hereto as Schedule "A".
3. Council hereby authorizes the County to enter into contracts and to supply men, equipment, and materials as may be necessary, for the purpose of completing the Project to the County's satisfaction.

Bridgewater Properties (west portion of Bridgewater Drive) - Road Surfacing

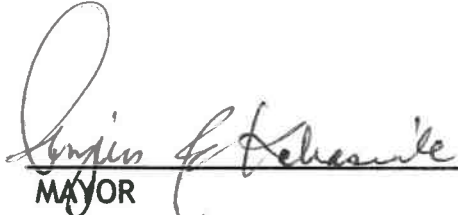
4. Council hereby confirms that the Project will be completed for the enjoyment and benefit of the Landowners.
5. Construction of the said Project shall commence and be completed during the County's 2006 construction season.
6. The total estimated cost of the Project is ONE HUNDRED & TEN THOUSAND SIX HUNDRED & SEVENTY SEVEN DOLLARS & FIVE CENTS (\$110,677.05).
7. The Landowners' estimated portion of the cost of the Project is FIFTY-FIVE THOUSAND NINE HUNDRED & TWENTY DOLLARS AND NINETY-SIX CENTS(\$55,920.96) 50.5% of the total cost of the Project and the same shall be paid by the Landowners, to the County, through a Local Improvement Tax as set out herein and on the attached Schedule "B".
8. The County at large shall pay the estimated FIFTY-FOUR THOUSAND SEVEN HUNDRED & FIFTY-SIX DOLLARS AND NINE CENTS (\$54,756.09) or 49.5% of the cost of the Project from monies budgeted and received in the construction year of the Project.
9. The uniform tax rate to be imposed on each benefiting parcel of land within BRIDGEWATER PROPERTIES (west portion of Bridgewater Drive) is THREE THOUSAND FOUR HUNDRED & NINETY-FIVE DOLLARS & SIX CENTS (\$3,495.06). The uniform tax rate shall be form part of the Local Improvement Tax.
10. The total Local Improvement Tax, if not prepaid, shall be assessed in equal annual amounts, plus applicable interest, on the Landowner's land and improvements within BRIDGEWATER PROPERTIES (west portion of Bridgewater Drive). The annual Local Improvement Tax assessment will be imposed by the County on the Landowner's property over a period of TEN (10) Years.
11. If, after a local improvement tax rate has been set, it is discovered that the actual cost of the local improvement is higher than the estimated cost on which the local improvement tax rate is based, Council may revise, once only over the life of the local improvement, the rate with respect to future years so that the local improvement tax bylaw will raise sufficient revenue to pay the actual cost of the local improvement.
12. On or before December 1, only in the year that the Project is completed, a Landowner may pay their total Local Improvement Tax interest free. Thereafter, (on December 2, in the year that the Project is completed) all amounts remaining shall be subject to an interest charge of eight percent (8%) per annum, calculated yearly and assessed annually which interest shall form part of the Local Improvement Tax payable by each Landowner.

13. This By-law shall take effect on the day of the final passing thereof.

READ A FIRST TIME this 9th day of May 2006.

READ A SECOND TIME this 9th day of May 2006.

READ A THIRD TIME & FINALLY PASSED this 9th day of May 2006.


MAYOR


MANAGER, LEGISLATIVE & ADMINISTRATIVE SERVICES

AFFIDAVIT OF EXECUTION

CANADA) I, Teresa Lindsay
PROVINCE OF ALBERTA) OF Parkland County
TO WIT:) IN THE PROVINCE OF ALBERTA
) MAKE OATH AND SAY:

1. That I was personally present and did see Ann Court, Laurie Court,
Cindy Broadbent, Tom Broadbent, Jim Lindsay,
Darin Oakford, Kimberly Oakford, Larry Mitranga, Phyllis Mitranga,
Wendy Lafleur, Noel Lafleur, Carol Thompson, Shawn Thompson, Victoria
Bachor, Terence Bachor,
named in the within instrument, who is (are) known to me to be the person(s) named
therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at the Parkland County
in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said above named persons

who in my belief is (are) of the full age of eighteen years.

SWORN BEFORE ME AT)
Parkland County)
in the Province of Alberta)
this 21 day of June)
A.D. 2004.)

Jm Adam
Commissioner for Oaths in and
for the Province of Alberta

JENNIFER McADAM
My Commission Expires
November 26, 2005

AFFIDAVIT OF EXECUTION

CANADA) I, Teresa Lindsay
PROVINCE OF ALBERTA) OF Parkland County
TO WIT:) IN THE PROVINCE OF ALBERTA
) MAKE OATH AND SAY:

1. That I was personally present and did see Tony Futto, Heli Carswell,
James Carswell, Dave Thomas, Dave Thomas.

named in the within instrument, who is (are) known to me to be the person(s) named therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at the Parkland County
in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said above named Persons.

who in my belief is (are) of the full age of eighteen years.

SWORN BEFORE ME AT)
Parkland County)
 in the Province of Alberta)
 this 21 day of June)
 A.D. 2004 .)

Leisa Lindsey

Imdad
Commissioner for Oaths in and
for the Province of Alberta

JENNIFER McADAM
My Commission Expires
November 26, 2005

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

) I, Diane Bozek
) OF Stony Plain
) IN THE PROVINCE OF ALBERTA
) MAKE OATH AND SAY:

1. That I was personally present and did see # Teresa Lindsay

named in the within instrument, who is (are) known to me to be the person(s) named therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at ~~the~~ Parkland County in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said above named person

who in my belief is (are) of the full age of eighteen years.

SWORN BEFORE ME AT
Parkland County
in the Province of Alberta
this 21 day of June
A.D. 2004.

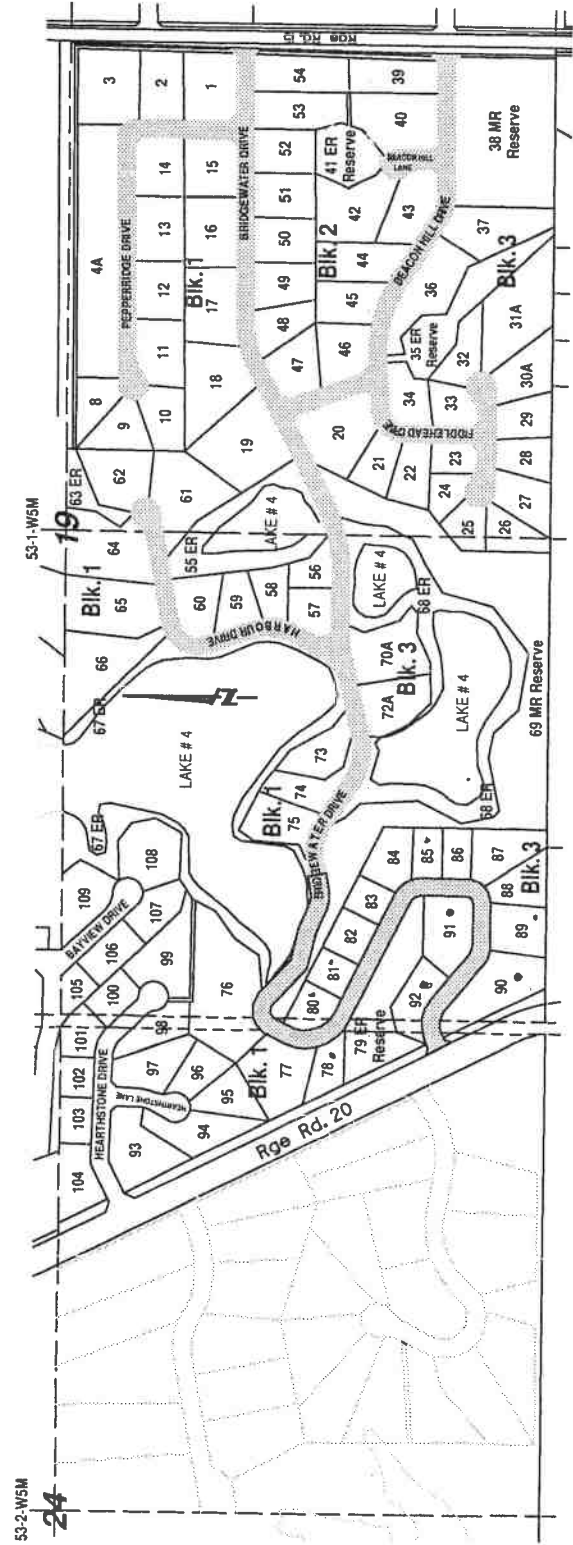
)
)
) Diane Bozek
)

Jm Adam
Commissioner for Oaths in and
for the Province of Alberta

JENNIFER McADAM
My Commission Expires
November 26, 2005

Location 10

BRIDGEWATER PROPERTIES



 - Proposed Asphalt Stabilized Base Course Surfacing



COUNTY RESIDENTIAL ROAD SURFACING PETITION – SCHEDULE B

Contact Person:
Phone #:

We the undersigned owners of property within the county residential subdivision Development(s) know as:

Bridgewater Properties

Lot Block Plan Subdivision

Part QSW Section 19 Township 53 Range 1 W 5 M

hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing on the public roadways within the aforementioned county residential subdivision development(s) as a local improvement pursuant to the requirements of the Alberta Municipal Government Act. We understand and agree that, should the requested local improvement be authorized for implementation by the Council of Parkland County, there will be a uniform local improvement tax rate in the amount of 60% of the total project cost, divided by the total number of benefiting parcels, which will be levied against each benefiting parcel of land that may be paid in total upon completion of the local improvement, or paid in equal payments over a period of ten years, calculated on the basis of the applicable interest rate. Depending on the size of your subdivision, this cost may be approximately \$2500 - \$3500 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
MAY 19/04	DARIN OAKFORD		Lot <u>85</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco
MAY 19/04	Kimberly Oakford		Lot <u>85</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco
MAY 19/04	LARRY & PHYLLIS MITRENGA		Lot <u>80</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco
" "	Phyllis Mitrenga		Lot <u>80</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco
MAY 19/04	Wendy Oakford		Lot <u>78</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco
✓	Noel / ARENE		Lot <u>78</u> Block <u>3</u> Plan <u>8221540</u>	Jorge Limbaco

Page of

Date Payment Received:

JUN 21 2004

The personal information provided by you is being collected under the authority of the *Municipal Government Act* and will be used for the purposes under that Act made public, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

The personal information that you provide may be

Parkland County



COUNTY RESIDENTIAL ROAD SURFACING
PETITION – SCHEDULE B

Contact Person: _____
Phone #: _____

We the undersigned owners of property within the county residential subdivision Development(s) know as:

BRIDGEWATER PROPERTIES

Name(s)

Lot _____ Block _____ Plan _____ Subdivision _____

Part QSW Section 19 Township 53 Range 1 W 5 M

hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing on the public roadways within the aforementioned county residential subdivision development(s) as a local improvement pursuant to the requirements of the Alberta Municipal Government Act. We understand and agree that, should the requested local improvement be authorized for implementation by the Council of Parkland County, there will be a uniform local improvement tax rate in the amount of 60% of the total project cost, divided by the total number of benefiting parcels, which will be levied against each benefiting parcel of land that may be paid in total upon completion of the local improvement, or paid in equal payments over a period of ten years, calculated on the basis of the applicable interest rate. Depending on the size of your subdivision, this cost may be approximately \$2500 - \$3500 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
May 16/04	Ron Court	Ron Court	Lot 81 Block 3 Plan 8221540	Jessica Lindsay
May 16/04	Laurie Court	Laurie Court	Lot 81 Block 3 Plan 8221540	Jessica Lindsay
May 16/04	Cindy Broadbent	Cindy Broadbent	Lot 92 Block 3 Plan 8221540	Jessica Lindsay
May 16/04	Tom Broadbent	Tom Broadbent	Lot 92 Block 3 Plan 8221540	Jessica Lindsay
May 16/04	Jim Lindsay	Jim Lindsay	Lot 91 Block 3 Plan 8221540	Jessica Lindsay
May 16/04	Jessica Lindsay	Jessica Lindsay	Lot 91 Block 3 Plan 8221540	Jessica Lindsay

RECEIVED

Page _____ of _____

Date Petition Received: _____



COUNTY RESIDENTIAL ROAD SURFACING
PETITION – SCHEDULE B

Contact Person: _____
Phone #: _____

We the undersigned owners of property within the county residential subdivision Development(s) know as:

Bridgewater Properties

Name(s) _____

Lot _____ Block _____ Plan _____ Subdivision _____

Part OSW Section 19 Township 53 Range 1 W 5 M

hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing on the public roadways within the aforementioned county residential subdivision development(s) as a local improvement pursuant to the requirements of the Alberta Municipal Government Act. We understand and agree that, should the requested local improvement be authorized for implementation by the Council of Parkland County, there will be a uniform local improvement tax rate in the amount of 60% of the total project cost, divided by the total number of benefiting parcels, which will be levied against each benefiting parcel of land that may be paid in total upon completion of the local improvement, or paid in equal payments over a period of ten years, calculated on the basis of the applicable interest rate. Depending on the size of your subdivision, this cost may be approximately \$2500 - \$3500 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
May 19/04	CAROL THOMPSON		Lot 90 Block 3 Plan 8221540	
May 19/04	SHAWN THOMPSON		Lot 90 Block 3 Plan 8221540	
MAY 19/04	VICTORIA BACHOR		Lot 89 Block 3 Plan 8221540	
MAY 19/04	TERENCE BACHOR		Lot 89 Block 3 Plan 8221540	
MAY 19/04	TEULYN ZUKOWSKY		Lot 88 Block 3 Plan 8221540	
			Lot _____ Block _____ Plan _____	

not reg. owner
not reg. owner
not reg. owner

Date Petition Received: _____

Page _____ of _____





COUNTY RESIDENTIAL ROAD SURFACING
PETITION – SCHEDULE B

Contact Person: _____
Phone #: _____

We the undersigned owners of property within the county residential subdivision Development(s) know as:

Name(s) Bridgewater Properties

Lot _____ Block _____ Plan _____ Subdivision _____

Part QSW Section 19 Township S3 Range 1 W 5 M

hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing on the public roadways within the aforementioned county residential subdivision development(s) as a local improvement pursuant to the requirements of the Alberta Municipal Government Act. We understand and agree that, should the requested local improvement be authorized for implementation by the Council of Parkland County, there will be a uniform local improvement tax rate in the amount of 60% of the total project cost, divided by the total number of benefiting parcels, which will be levied against each benefiting parcel of land that may be paid in total upon completion of the local improvement, or paid in equal payments over a period of ten years, calculated on the basis of the applicable interest rate. Depending on the size of your subdivision, this cost may be approximately \$2500 - \$3500 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
May 21/04	Tony Fazio		Lot <u>87</u> Block <u>3</u> Plan <u>8221540</u>	
May 26/04	HELI CARSWELL		Lot <u>83</u> Block <u>3</u> Plan <u>8221540</u>	
MAY 26/04	JAMES CARSWELL		Lot <u>83</u> Block <u>3</u> Plan <u>8221540</u>	
June 6/04	DAVE THOMAS		Lot <u>77</u> Block <u>1</u> Plan _____	
June 8/04	DAVE THOMAS		Lot <u>76</u> Block <u>1</u> Plan _____	
			_____ Block _____ Plan _____	



Date Petition Received: _____

The personal information provided by you is being collected under the authority of the Municipal Government Act and will be used for the purposes under that Act. The personal information that you provide may be made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act.

SCHEDULE "A" TO BY-LAW NO. 13-2006

**LOCAL IMPROVEMENT TAX FOR
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING WITHIN BRIDGEWATER PROPERTIES (west portion of Bridgewater Drive)
COUNTRY RESIDENTIAL SUBDIVISION IN SE 24-53-2-W5M & SW 19-53-1-W5M**
Copy of the Petition

SCHEDULE "B" TO BYLAW 13-2006

**LOCAL IMPROVEMENT PLAN
OF PARKLAND COUNTY
LOCAL IMPROVEMENT PLAN FOR
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING WITHIN BRIDGEWATER PROPERTIES (west portion of Bridgewater Drive)
COUNTRY RESIDENTIAL SUBDIVISION IN SE 24- 53-2-W5M & SW 19-53-1-W5M**

1.	Total Cost of the Project (estimated):	\$110,677.05
2.	Total Contribution by Parkland County:	\$54,756.09
3.	Total Local Improvement Tax against all parcels: (excluding Reserve Lots)	\$55,920.96
4.	Total Local Improvement Tax against each parcel (estimated): (payout amount prior to interest being charged on Dec. 1, 2006)	\$3,495.06
5.	Annual Interest Rate: (commencing December 1, 2006)	8%
6.	Term of Annual Local Improvement Tax: (commencing January 1, 2007)	10 years
7.	Total Annual tax against all parcels: (including interest)	\$9,896.53
8.	Total Annual tax per parcel: (commencing 2007)	\$520.87
9.	Total number of parcels:	19
10.	Parcels to be assessed:	
	a) All registered landowners of Lots 80-92, 69 ER, 79ER, Block 3, Plan 8221540 inclusive	
	b) All registered landowners of Lots 76-78, 67ER, Block 1, Plan 8221540 inclusive	

In addition to paying for 40% of the total project costs, Parkland County also pays for the Local Improvement Tax assessed against any Reserve Lots in this subdivision.