

BY-LAW 26-2006

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 GLORY LAKE PARK (north portion of Lakeview Drive) COUNTRY RESIDENTIAL SUBDIVISION LOCATED IN NW 21-53-1-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 Glory Lake Park (north portion of Lakeview 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 find 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. "Glory Lake Park (north portion of Lakeview Drive)" means the subdivision located in Parkland County, Alberta known as Glory Lake Park (north portion of Lakeview Drive) Country Residential Subdivision legally located in that portion of the NW 21-53-1-W5M;
 - e. "Landowners" means all those landowners identified as owning a parcel of land along the north portion of Lakeview Drive within Glory Lake Park 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 north portion of Lakeview Drive within the County area known as Glory Lake Park.
2. Council received on May 4, 2006 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.
4. Council hereby confirms that the Project will be completed for the enjoyment and benefit of the Landowners.

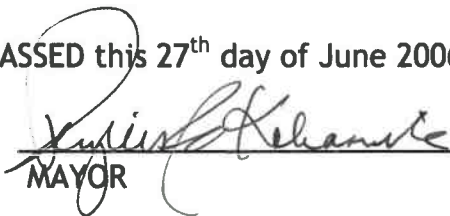
Glory Lake Park (north portion of Lakeview Drive) - Road Surfacing

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 FORTY-FOUR THOUSAND SEVEN DOLLARS (\$44,000).
7. The Landowners' estimated portion of the cost of the Project is TWENTY-THREE THOUSAND ONE HUNDRED DOLLARS (\$23,100) or 52.5% 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 TWENTY THOUSAND NINE HUNDRED DOLLARS (\$20,900) or 47.5% 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 GLORY LAKE PARK (north portion of Lakeview Drive) is estimated to be THREE THOUSAND THREE HUNDRED DOLLARS (\$3,300). 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 GLORY LAKE PARK (north portion of Lakeview 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 27th day of June 2006.

READ A SECOND TIME this 27th day of June 2006.

READ A THIRD TIME & FINALLY PASSED this 27th day of June 2006.


MAYOR


MANAGER, LEGISLATIVE & ADMINISTRATIVE SERVICES

SCHEDULE "A" TO BY-LAW NO. 26-2006

**LOCAL IMPROVEMENT TAX FOR
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING WITHIN GLORY LAKE PARK
(north portion of Lakeview Drive)
COUNTRY RESIDENTIAL SUBDIVISION IN NW 21-53-1-W5M**

Copy of the Petition



COUNTY RESIDENTIAL ROAD SURFACING
PETITION - SCHEDULE B

Contact Person: Heather Meek
Phone #: 908-4013 (h)
422-5596 (w)

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

Part NW Section 21 Township 53 Range 1 W 5 M

Date Petition Received:



hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing (cold mix) 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 and the actual construction date, this cost may be approximately \$2,500 - \$5,000 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445. As per Section 225 (1)(g) of the Municipal Government Act, all signatures on the petition must be dated no more than 60 days prior to the date that the petition is filed with the Chief Administrative Officer.

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
May 3, 2006	Paul & Heather Meek	[Signature]	Lot 1 Block 1 812045 Plan	[Signature]
May 3, 2006	Harold Jim & Mavis Reedman	[Signature]	Lot 2 Block 1 8120745 Plan	[Signature]
May 3, 2006	Joan + Earl Tjostheim	[Signature]	Lot 4 Block 1 8120745 Plan	[Signature]
May 3, 2006	Don & Terry Lynn Kroetz	[Signature]	Lot 3 Block 2 8120745 Plan	[Signature]
May 3, 2006	Don & Terry Lynn Kroetz	[Signature]	Lot 2 Block 3 8120745 Plan	[Signature]
May 3, 2006	Rea'l Cannon	[Signature]	Lot 2 Block 2 8120745 Plan	[Signature]

Lot 1, 511 & 2 Bill Robinson & Donna Kuper



COUNTY RESIDENTIAL ROAD SURFACING
PETITION - SCHEDULE B

Contact Person: Heather Neek
Phone #: 968-2405 (h)

422-5596 (w)

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

Mary Lake Park

Part NW Section 21 Township 53 Range 1 W 5 M

Date Petition Received:



hereby petition the Council of Parkland County to construct an asphalt stabilized base course surfacing (cold mix) 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 and the actual construction date, this cost may be approximately \$2,500 - \$5,000 per parcel. For further information on this type of work, please call the Engineering Department at 968-8445. As per Section 225 (1)(g) of the Municipal Government Act, all signatures on the petition must be dated no more than 60 days prior to the date that the petition is filed with the Chief Administrative Officer.

DATE	PRINTED PROPERTY OWNER'S NAME	SIGNATURE	LEGAL DESCRIPTION	WITNESS SIGNATURE
May 3, 2006	Yvonne Roth-Garneau	[Signature]	Lot 2 Block 2 Plan 9120745	[Signature]
			Lot ___ Block ___ Plan ___	
			Lot ___ Block ___ Plan ___	
			Lot ___ Block ___ Plan ___	
			Lot ___ Block ___ Plan ___	
			Lot ___ Block ___ Plan ___	

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

) I, Jim ~~Redknap~~ Redknap
) OF Parkland County
) IN THE PROVINCE OF ALBERTA
) MAKE OATH AND SAY:

1. That I was personally present and did see Paul Meek & Heather Meek

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.

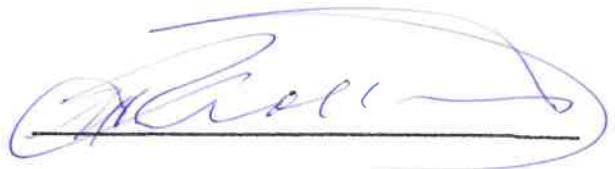
2. That the same was executed at ~~the~~ Parkland County
in the Province of Alberta, and that I am the subscribing witness thereto.

3. That I know the said above named individuals

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 4th day of May
A.D. 2006.

)
)
)
)
)





Commissioner for Oaths in and
for the Province of Alberta

DOUGLAS J. TYMCHYSHYN
My Commission Expires
October 14, 2008

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

) I, Heather Meek
) OF Parkland County
) IN THE PROVINCE OF ALBERTA
) MAKE OATH AND SAY:

1. That I was personally present and did see Jim Redknap, Mavis Redknap, Joan Tjostheim, Earl Tjostheim, Don Kreitz, Terry-Lynn Kreitz, Real Garneau, Yvonne Roth-Garneau

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 individuals

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 4th day of May
A.D. 20 06.

)
)
) H. Meek
)
)



Commissioner for Oaths in and
for the Province of Alberta

DOUGLAS J. TYMCHYSHYN
My Commission Expires
October 14, 2008

SCHEDULE "B" TO BYLAW 26-2006

**LOCAL IMPROVEMENT PLAN
OF PARKLAND COUNTY
LOCAL IMPROVEMENT PLAN FOR
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING WITHIN GLORY LAKE PARK
(north portion of Lakeview Drive)
COUNTRY RESIDENTIAL SUBDIVISION IN NW 21-53-1-W5M**

1.	Total Cost of the Project (estimated):	\$44,000
2.	Total Contribution by Parkland County:	\$20,900
3.	Total Local Improvement Tax against all parcels: (excluding Reserve Lots)	\$23,100
4.	Total Local Improvement Tax against each parcel (estimated): (payout amount prior to interest being charged on Dec. 1, 2006)	\$3,300
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)	\$3,934.40
8.	Total Annual tax per parcel: (commencing 2007)	\$ 491.80
9.	Total number of parcels:	8
10.	Parcels to be assessed:	
	a) All registered landowners of Lots 1-4, Block 1, Plan 8120745 inclusive	
	b) All registered landowners of Lots 1-3, 25MR, Block 2, Plan 8120745 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.