BY-LAW NO. 5-87

COUNTY OF PARKLAND NO. 31

BEING A BY-LAW OF THE COUNTY OF PARKLAND NO. 31 TO APPROVE THE ENTERING INTO AN AGREEMENT WITH THE CAPITAL REGION SEWAGE COMMISSION FOR THE TRANSFER OF CERTAIN OF THE ASSETS AND OBLIGATIONS OF THE PARKLAND SEWER BOARD TO THE CAPITAL REGION SEWAGE COMMISSION.

WHEREAS the County of Parkland No. 31, the Town of Stony Plain and the City of Spruce Grove (hereinafter referred to as "the Sewer Board Municipalities") by an Agreement in writing dated the 30th day of November A.D. 1981 as amended by an Amending Agreement dated May 12, 1982 pursuant to The Municipal Government Act. R.S.A. 1980 c. M-26, s. 113 (hereinafter referred to as "the Board Agreement") provided for the joint acquisition of the land interests necessary for the construction of a sewage transmission system to service areas of the County of Parkland No. 31 and the City of Spruce Grove and the Town of Stony Plain; and

WHEREAS in the Board Agreement each of the Sewer Board Municipalities delegated to the Parkland Sewer Board (hereinafter referred to as "the Board") the power and authority to acquire the land interests and rights of way for the sewage transmission system; and

WHEREAS Her Majesty the Queen in Right of the Province of Alberta as Represented by the Minister of Environment (hereinafter referred to as "the Minister of Environment") entered into an agreement in writing dated the 11th day of January, 1983, with the County of Parkland, No. 31 and Town of Stony Plain and the City of Spruce Grove wherein funds were provided by the Minister of Environment to the Parkland Sewer Board for the acquisition of land interests and rights-of-way necessary for the construction of a sewage transmission facility; and

WHEREAS the representative and responsibility of **HER MAJESTY THE QUEEN** as identified in the Janaury 11, 1983 agreement was assigned to the Minister of Utilities and Telecommunications by Order-in-Council 158/83; and

WHEREAS the Minister of Utilities and Telecommunications entered into an agreement in writing dated January 16, 1986, with the Sewer Board Municipalities amending the terms of the agreement dated Janaury 11, 1983; and

WHEREAS the title "Minister of Utilities and Telecommunications" has been changed to the title "Minister of Utilities" and thence to "Minister of Transportation and Utilities"; and

WHEREAS the Capital Region Sewage Commission (hereinafter referred to as "the Commission") was established by Alberta Regulation 129/85 as amended by 366/85, under the Regional Municipal Services Act S.A. 1981 c. R-9-1 to acquire certain of the lands, buildings and property comprising the said sewage transmission system and to provide the Municipalities and other customers of the Board with sewer services; and

WHEREAS Section 5(1) of Alberta Regulation 129/85 requires that the Sewer Board Municipalities transfer to the Commission all land, buildings and personal property comprising the said sewage transmission system and ancillary facilities which are listed in a Schedule attached to Alberta Regulation 129/85 and the Sewer Board Municipalities now wish to provide for assignment and transfer to the Commission of all of their respective interests in the said assets comprising the said sewage transmission system;

NOW THEREFORE pursuant to the provisions of Sections 113 and 116 of the Municipal Government Act (supra) it is hereby enacted as a By-law of the County of Parkland No. 31 as follows:

1. That the County of Parkland No. 31 along with the Town of Stony Plain and the City of Spruce Grove shall enter into an Agreement with the Capital Region Sewage Commission, and Her Majesty the Queen in Right of the Province of Alberta as represented by the Minister of Transportation and Utilities, such Agreement to be in a form acceptable to the County Administrator and the Reeve.

2. That the Mayor and the Municipal Secretary of the County of Parkland No.31 upon the approval of such agreement by the County Administrator and the Reeve are hereby authorized and directed to execute the Agreement on behalf of the County of Parkland No. 31 and to affix the corporate seal thereto.

3. That the Reeve and the Municipal Secretary are hereby authorized and empowered to execute such transfers and assignments and other documents as may be necessary to transfer the interest or interests of the County of Parkland No. 31 in the said sewer transmission system and ancilliary facilities to the Commission.

4. That this By-law shall come into force and effect on the date of its final reading.

READ A FIRST TIME this 5th of March , A.D. 1987.

READ A SECOND TIME this 5th of March , A.D. 1987.

READ A THIRD TIME this 5th of March , A.D. 1987 and finally passed.

REEVE

S E A L

MUNICIPAL SECRETARY