DECLARATION OF SURPLUS LAND/SALE – WEST BLANCHARD AVENUE

1. That Parcel "B" and the jut-out of Parcel "C" identified on Plan 2 of the Winnipeg Public Service Report be declared surplus to the City's needs.

2. That Parcel "B" and the jut-out of Parcel "C" be transferred to the owners of 112 West Gate on the following conditions:

   (a) Parcel B and the jut-out of Parcel C shall, to the extent possible, be rolled into and form part of the title to 112 West Gate such that the combined property will form one lot;

   (b) the owners of 112 West Gate shall agree to accept a Conservation Agreement for the protection of all existing trees on Parcel B and the jut-out of Parcel C which Conservation Agreement shall include wording that removal of any existing trees shall only be undertaken with consultation and approval of the City Forrester;

   (c) the owners of 112 West Gate shall transfer to the City the Control Strip presently owned by them which lies between the Westgate Collegiate land and Parcel "A" which transfer shall be considered as full consideration for the City's transfer of the jut-out of Parcel "C" to the owners;

   (d) the owners of 112 West Gate shall pay to the City fair market value for the acquisition of Parcel "B" based upon the incremental value of the combined property (i.e. the difference between the existing value of Parcel "C" (not including the jut-out) and the value of the combined Parcel "C" (not including the jut-out) and Parcel "B";

   (e) that Parcel "A" and the Control Strip be consolidated and become a park, and zoned as such, with the designation of a Natural Forested Site, and that, subject to the other terms of this Resolution, the forest be preserved undisturbed in an ecologically sensitive manner in perpetuity; and

(f) the City Administration shall take all steps necessary to create the newly formed lots and land titles in order to give effect to the land transfers referred to above.

3. That the net proceeds of sale to the City for Parcel "B" shall be paid unconditionally to the Armstrong's Point Association.

4. That the Winnipeg Public Service be directed to bring forward a Re-naturalization Plan for the combined Parcel "A" and Control Strip for those portions not in the natural forested state in order to create a harmonious riverbank natural forested area and in so doing to work in cooperation with the owners of 112 West Gate and the Armstrong's Point Association but the final say as to the said Plan shall rest with the Winnipeg Public Service.

5. That the proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

May 17, 2011