Winnipeg

CITY OF WINNIPEG POLICY NO. PD-025

POLICY TITLE *Real Estate – Acquisition of Property*	**ADOPTED BY** *City Council*	**EFFECTIVE DATE** *September 29,2021*
ORIGIN / AUTHORITY *City Council*	**CITY POLICY NO** **PD-025**	**MOST RECENT CONSOLIDATION** *XXX-XXX*

1. Purpose:

To update the policy for consistency among all real estate policies, in addition to other minor clerical revisions.

2. Definitions:

No changes

3. Acquisition of Property Policy

No changes

4. Responsibilities

Replace 4.1.:

4.1 Director of PPD is authorized to:

A. Approve all Purchases, Land Exchanges, Expropriation offers and Expropriation settlement claims up to and including $300,000.00;

i. Acquisition price must not exceed 125% of the Appraised Value (inclusive of Disturbance Damages) for all transactions that exceed $10,000.00.

B. Assign City jurisdiction to Non-City Property obtained through Acquisition;

i. The City department being assigned the property must concur with the proposed jurisdiction.

C. Elect to exercise the City's right to purchase a Tax Sale in accordance with the provisions noted in the Charter.

D. Discharge, amend or register caveats on a certificate of title that relate to an Acquisition.

E. Negotiate and approve the terms and conditions of the following agreements and documents:

i. Offer to Purchase and/or Purchase and Sale
ii. Land Exchange
iii. Easement
iv. Temporary Easement
v. Enter to Construct
vi. Amending
vii. Confidentiality
viii. Letter of Intent
ix. Memorandum of Understanding
x. GST Declaration and Indemnity

With:

4.1 Director of PPD is authorized to:

A. Approve all Purchases, Land Exchanges, Expropriation offers and Expropriation settlement claims up to and including $300,000.00;

i. Acquisition price must not exceed 125% of the Appraised Value (inclusive of Disturbance Damages) for all transactions that **have an Appraised Value exceeding** $10,000.00.

B. Assign City jurisdiction to Non-City Property obtained through Acquisition;

i. The City department being assigned the property must concur with the proposed jurisdiction.

C. Elect to exercise the City's right to purchase a Tax Sale in accordance with the provisions noted in the Charter.

D. Discharge, amend or register caveats on a certificate of title that relate to an Acquisition.

E. Negotiate and approve the terms and conditions of the following agreements and documents:

i. Offer to Purchase and/or Purchase and Sale
ii. Land Exchange
iii. Easement
iv. Temporary Easement
v. Enter to Construct
vi. Amending
vii. Confidentiality
viii. Letter of Intent
ix. Memorandum of Understanding
x. GST Declaration and Indemnity
xi. **Ancillary Agreements or such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.**

F. **Notwithstanding the above, the Director of PPD, at their sole discretion, may refer any matter within their delegation of authority to the Designated Committee.**

Add the following new Clause 4.2.B.:

4.2 CAO is authorized to:

A. Approve all Purchases, Land Exchanges, Expropriation offers and Expropriation settlement claims exceeding $300,000.00 up to and including $700,000.00;

i. Acquisition price must not exceed 125% of the Appraised value and Disturbance Damages.

B. **Notwithstanding the above, the CAO, at their sole discretion, may refer any matter within their delegation of authority to the Designated Committee**

Replace Clause 4.3.A.:

4.3 Designated Committee is authorized to:

A. Approve all Purchases, Land Exchanges, Expropriation offers and Expropriation settlement claims exceeding $700,000.00, excepting awards made by the Land Value Appraisal Commission.

With:

4.3 Designated Committee is authorized to:

A. Approve all Purchases, Land Exchanges, Expropriation offers and Expropriation settlement claims exceeding $700,000.00 **or where the Acquisition price is more than 125% of the Appraised Value**, excepting awards made by the Land Value Appraisal Commission.