Minutes - Executive Policy Committee – May 11, 2005

Minute No. 346
Report - Standing Policy Committee on Property and Development – May 3, 2005

Item No. 16 Declaration as Surplus and Authorization to Market and Sell Residential Building Lots - Fairfield Park Area
File FI-2.4(35)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the City-owned properties shown as "Subject City Property" on Misc. Plan No. 12291 be declared surplus to City requirements, subject to no civic need being identified.

2. That the Director of Planning, Property and Development be authorized to commence marketing the subject properties for sale in accordance with the strategy, terms and conditions, proposed reserve pricing and including the payment of real estate commissions as outlined in the report from the Director of Planning, Property and Development dated March 30, 2005.

3. That the Chief Administrative Officer, or designate, be delegated authority to accept Offers to Purchase that are in accordance with the City's proposed terms and conditions and where the offered price is not less than the proposed reserve pricing.

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

Pursuant to Section 205(2) of The City of Winnipeg Charter, disposal of land owned or acquired by the City for park or cemetery purposes requires approval by two-thirds of all Members of Council.

Minutes - Executive Policy Committee – May 11, 2005

Report - Standing Policy Committee on Property and Development – May 3, 2005

DECISION MAKING HISTORY:

Moved by Councillor De Smedt,
That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 3, 2005, the Standing Policy Committee on Property and Development concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

Re: **Proposal to Declare City-owned Property located in the Fairfield Park Area as Surplus to the City's Requirements and to Authorize the Proposed Marketing and Sale of Residential Building Lots**
Riel Community Committee
St. Norbert Ward

For submission to: **Standing Policy Committee on Property and Development**

Original report signed by: **Director of Planning, Property and Development**

Report date: March 30, 2005

Recommendation(s):

1. That the City-owned properties shown as "Subject City Property" on the attached Misc. Plan No. 12291, be declared surplus to the City's requirements, subject to no civic need being identified;

2. That subject to the approval of Recommendation No. 1, the Director of the Planning, Property and Development Department be authorized to commence marketing the subject properties for sale in accordance with the strategy, terms and conditions, proposed reserve pricing, and including the payment of real estate commissions described herein.

3. That subject to the approval of Recommendation No. 2, the Chief Administrative Officer, or designate, be delegated the authority to accept Offers to Purchase that are in accordance with the City's proposed terms and conditions and where the offered price is not less than as proposed reserved pricing.

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

REPORT SUMMARY

Key Issues:

- On October 22, 2003 Council approved the Local Improvements required for the Fairfield Park District.
- The City of Winnipeg owns approximately 28 potential building lots within the Fairfield Park District.
- The Planning, Property and Development Department is seeking Council's approval to declare the subject City property surplus and to authorize the Department to commence marketing these properties within pre-approved terms and conditions of sale and proposed reserve pricing (as described herein).

- The Planning, Property and Development Department is also seeking approval to pay real estate commission fees to be calculated at 3% of the accepted offer.
- The Planning, Property and Development Department is also recommending that Council delegate authority to the Chief Administrative Officer, or designate, to accept Offers to Purchase received in accordance with the City's terms and conditions and reserved pricing.

Implications of the Recommendation(s):

General implications:

X	**None**
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment(s):

-

Policy implications:

X	**No**
	Yes

Comment(s):

-

Environmental implications:

X	**No**
	Yes

Comment(s):

- The City's standard terms and conditions of sale include provisions to protect the City's interests in the event that environmental contamination is discovered.

Human resources implications:

X	**No**
	Yes

Comment(s):

-

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

-

REASON FOR THE REPORT:

Council approval is required to declare the subject properties as surplus to the City's requirements. Approval of the Standing Policy Committee on Property and Development is required for the proposed terms and conditions of sale and for the payment of commissions. The Department is also seeking a delegation of authority to the Chief Administrative Officer, or designate, to accept the resultant Offers to Purchase.

HISTORY:

FAIRFIELD PARK PROJECT

The "Fairfield Park" residential subdivision encompasses lands bordered by the Canadian National Railway tracks to the east, the lane between Colebrook and Comdale Avenues to the south, Raphael Street including a retention pond to the west and Lee Boulevard, (including the north side lots) to the north. Fairfield Park is in the Fort Garry area.

Prior to 1997, the Fairfield Park area did not have full services. The landowners requested City Council to investigate and report on the merits and implications of amending The City of Winnipeg Act to create a Local Improvement District (L.I.D). In November 1996 the relevant changes to The City of Winnipeg Act which facilitated L.I.D.'s received Royal Assent. A Procedural By-law for Local Improvement Districts (By-law No. 6990/97) was enacted by City Council in February 1997.

After much discussion with the Fairfield Park Residents Group and the Riel Community Committee, on March 9, 1999 the "Local Improvement Petition of Interest" (L.I.P.I.) was submitted by the Fairfield Park Residents Group to the Riel Community Committee. The Group advised that they had sufficient signatures from the private landowners within the L.I.D. area for the project to continue. The formal result of the L.I.P.I. for the Fairfield Park L.I.D. was that 64.22% of the owners voted in favour of continuing the local improvement district process for the Fairfield Park area.

Standing Policy Committee on Public Works Consideration of By-Laws – October 22, 2003

Minute No. 695

By-law No. 125/2003, a by-law of The City of Winnipeg, to establish the Fairfield Park Local Improvement District, was read a second and third time, and was passed (October 22, 2003) and ordered to be signed and sealed.

By-law No. 152/2003, a by-law of The City of Winnipeg, to authorize the undertaking of certain local improvements during the year 2004, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed.

This now allowed for a full range of City services typical to a new residential subdivision to be installed, including paved streets, boulevards, street lighting, waste water sewers, land drainage sewers and City water mains. Natural gas, telephone and hydro lines are to be installed within

this area. Other City services such as police, fire, paramedics and snow and refuse removal will also be included.

The services will be installed at the expense of the City of Winnipeg and charged against each property owner by way of local improvement charges.

Servicing costs will be levied as local improvements over 25 years on the tax rolls unless the property owners decide to prepay these costs. The installation of services and the application of local improvement charges will be staged over two to three years.

Existing overhead hydro, telephone and cable lines will be relocated to underground services.

On February 25, 2004 Council approved the rezoning of the entire Fairfield Park subdivision to be completely rezoned to "R1-4".

The City of Winnipeg owns land within the Fairfield Park area. These areas are shown shaded and numbered 1-6 on the attached Misc. Plan No. 12291.

These lands were previously acquired by the City for future development, some are tax sale parcels, some are parklands and some are lots created due to street closures.

Information on the subject City Properties are outlined as follows:

AREA 1 on Misc. Plan No. 12291 –
North of Fairfield Avenue between Barnes and Shore Streets

This land had originally been designated for a possible neighbourhood park site. However with the establishment and development of the regional park in the adjacent Richmond West subdivision, it was determined that a park in this area would be redundant. It should be noted that if a park were to be established at the Fairfield Avenue site, the L.I.D. levy for the residents would increase to cover the cost of services fronting the park. Conversely, if this land were to become residential lots, the L.I.D. levy would decrease and the overall area to be assessed would increase. This issue was discussed with the residents at one of the Riel Community Committee meetings and they confirmed that under those circumstances, the City lands should be developed as residential lots.

On July 23, 2003 Council adopted the recommendation of the Standing Policy Committee on Property and Development as follows:

Standing Policy Committee on Property and Development – July 3, 2003.

Minute 367

The Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and recommends to Council:

1. That the City-owned lands within the Fairfield Park Local Improvement District on the north side of Fairfield Avenue between Barnes Street and Shore Street be declared surplus to parks and recreation purposes.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

However, for the City to dispose of this property, it must first be declared surplus by Council (not just to parks and recreation purposes). As this is considered "Parkland" it will require approval by a vote of 2/3 of all members of Council as per Clause 205(2) of the City of Winnipeg Charter.

On November 15, 2004 the Department made an application to subdivide the subject land in a manner shown on the attached Misc. Plan No. 12291. This would allow for the potential sale of 18 residential City lots with frontages from 40 feet to 43 feet.

As a result of the subdivision process it was also determined that the corner cuts and the lane between Fairfield and Colby Avenue should be closed, as this was surplus to the City's requirements. This area will be consolidated with the parent parcel and also offered for sale.

On January 13, 2005 the application was approved subject to granting a joint easement requirement for Manitoba Hydro, MTS Netcom Inc. and Shaw Cable.

AREA 2 on Misc. Plan No. 12291 -
North of Colby Avenue between Barnes and Shore Streets

If this property is declared surplus it could be offered for sale as a stand-alone lot. This property has a frontage of 42 feet and a depth of 123 feet.

AREA 3 on Misc. Plan No. 12291 –
South of Lee Blvd. between Barnes and Shore Streets

The Department has not applied for subdivision of this area to date. The Department is currently in negotiations with the owners of 1066 Lee Blvd. These owners presently use Plato Street as access to their residence. The number of lots ultimately created at this location will be dependent upon the outcome of these negotiations.

At this time the Department is seeking to have this area declared surplus and to obtain authorization to market this land once the lotting configuration is determined.

AREA 4 on Misc. Plan No. 12291 –
South of Lee Blvd. between Barnes and Shore Streets

On November 17, 2004 the Department made an application to subdivide the subject land in a manner shown on the attached Misc. Plan No. 12291. This would allow for the proposed sale of 3 residential City lots with frontages of 41.81 feet.

On January 13, 2005 the application was approved subject to granting a joint easement requirement for Manitoba Hydro, MTS Netcom Inc. and Shaw Cable.

AREAS 5 & 6 on Misc. Plan No. 12291 –
South of Lee Blvd. between Barnes and Shore Streets

The residents along Shore Street and the City are collectively working to reconfigure the lots along Shore Street in order to maximize potential lot yield. The City may be left with 3 to 4

marketable lots along Shore Street. However, in order to facilitate any type of proposed development, the subject property must first be declared surplus by Council.

Particulars of the subject City-owned properties are as follows:

Location: Fairfield Park Subdivision: North side of Lee Blvd., East side of Shore St., west side of Raphael St. & South side of Comdale Ave.

Zoning: R1-4

Servicing: The full range of City services typical to a new residential subdivision are to be installed within Fairfield Park under the Local Improvement District, including paved streets, boulevards, streets lighting, waste water sewers, land drainage sewers and City water mains. Natural gas, telephone and hydro lines are installed within this area and other city services including police, fire, paramedics and snow and refuse removal will be included.

Comments: Existing overhead hydro, telephone and cable lines will be relocated to underground services.

Area	Legal Description	Certificate of Title(s)	Assessed Value
1	Lots 17/20 & 24/30, Block 28, Plan 1991 and lots 11&12, Plan 21825	838641, 428374, 568725, 909466	$187,000
2	Lot 3, Plan 21825	881588	$5,650
3	Lots 11/13, Block 26, 1991	757600	$45,400
4	Part of Lot 10/12, Block 17, Plan 1991	A50821	$34,700
5	Lot 18, Plan 21995	2051755	$21,900
6	Lot 16, Block 6, Plan 1991	1339715	$11,800

DISCUSSION:

PROPOSED TERMS AND CONDITIONS FOR THE SALE OF CITY-OWNED LOTS WITHIN THE FAIRFIELD PARK LOTS

The recommendations herein are intended to apply to the proposed sale of the "Subject City Property" shown on the attached Misc. Plan No. 12291. The Department proposes to actively market these lots.

Attached as Schedule "A" is a sample "Offer to Purchase" form that the Department proposes to utilize in the sale of these properties. These terms and conditions are generally consistent with similar Agreements used by the City in the sale of other residential building lots. The proposed terms and conditions have been modified to address the requirement for typical easements for MTS, Shaw Cable and Hydro, as well as any City easements if required.

It is the Department's intention to market and sell the subject properties as un-serviced lots. Each purchaser will be responsible for the payment of the Local Improvement Levies. Servicing costs will be levied as local improvements over 25 years on the tax rolls unless the property owners decide to prepay these costs. The installation of services and the application of local improvement charges will be staged over two to three years.

Each proposed purchaser will be required to pay for the costs of an individual concrete approach, costs to sod boulevards, costs associated with converting overhead lines at each existing dwelling to underground connections and legal fees. Existing rear lanes will not be improved or physically opened

PAYMENT OF REAL ESTATE COMMISSIONS

The Planning, Property and Development Department is recommending that commissions be paid to registered Real Estate Agents or Firms at a commission rate of 3% of the accepted gross sales price with the commission to be payable after the sale closes. This is consistent with Departmental practice.

The Department supports the participation of brokers in the selling process in order to maintain the cooperative working relationship that has been developed in recent years with the private sector and with the Winnipeg Real Estate Board. There are continuing enquiries from private brokers as to the availability of these building lots.

THE PROPOSED MARKETING STRATEGY AND SALES PROCESS

The Department recommends that authority be delegated to the Chief Administrative Officer, or designate, to accept Offers to Purchase that are received in accordance with the City's standard terms and conditions of sale, and where the offered price is not less than the proposed reserve pricing. The Department anticipates that the CAO will then further delegate this authority to the

Director of the Planning, Property and Development Department. This will expedite processing of the sales, thereby facilitating construction as early as the Summer of 2005.
The Department proposes that these lots be offered for sale by way of a Public Invitation for Offers. The proposed marketing to the general public will be comprehensive and include an informational package for each of the respective lots to be offered, complete with an Offer to Purchase document that sets out the City's terms and conditions, the sample easement documents (if necessary), and the reserve price applicable to each lot. Attached Schedule "B" details the proposed reserve pricing for each of the City-owned parcels. The total of the estimated proposed "reserve" prices will produce gross sale proceeds in the amount of $469,500.00± (based on un-serviced land).

Since there have been several expressions of interest received and recorded in the departmental file, each of these parties will also be forwarded information on the lots for sale and advised of the intended Public Invitation for Offers. As well, the general public will be made aware of the lots for sale by way of on-site signage, advertisement in the newspaper and on the Department's Internet web-page site.

The successful Offers will be processed to final completion of the sale. All unsuccessful Offerors will be notified accordingly and their respective deposits returned to them.

CONCLUSION:

The Department is recommending the sale of these lots for the following reasons:

- Sale of the land will generate revenue
- The project will increase the City's tax base
- The production of new lots will address the growing demand for residential building lots; and
- The project will complete development within an infill suburban neighbourhood.

Financial Impact Statement

Date: March 21, 2005

COMMENTS:

There are no financial implications associated with the recommendations contained within this report.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

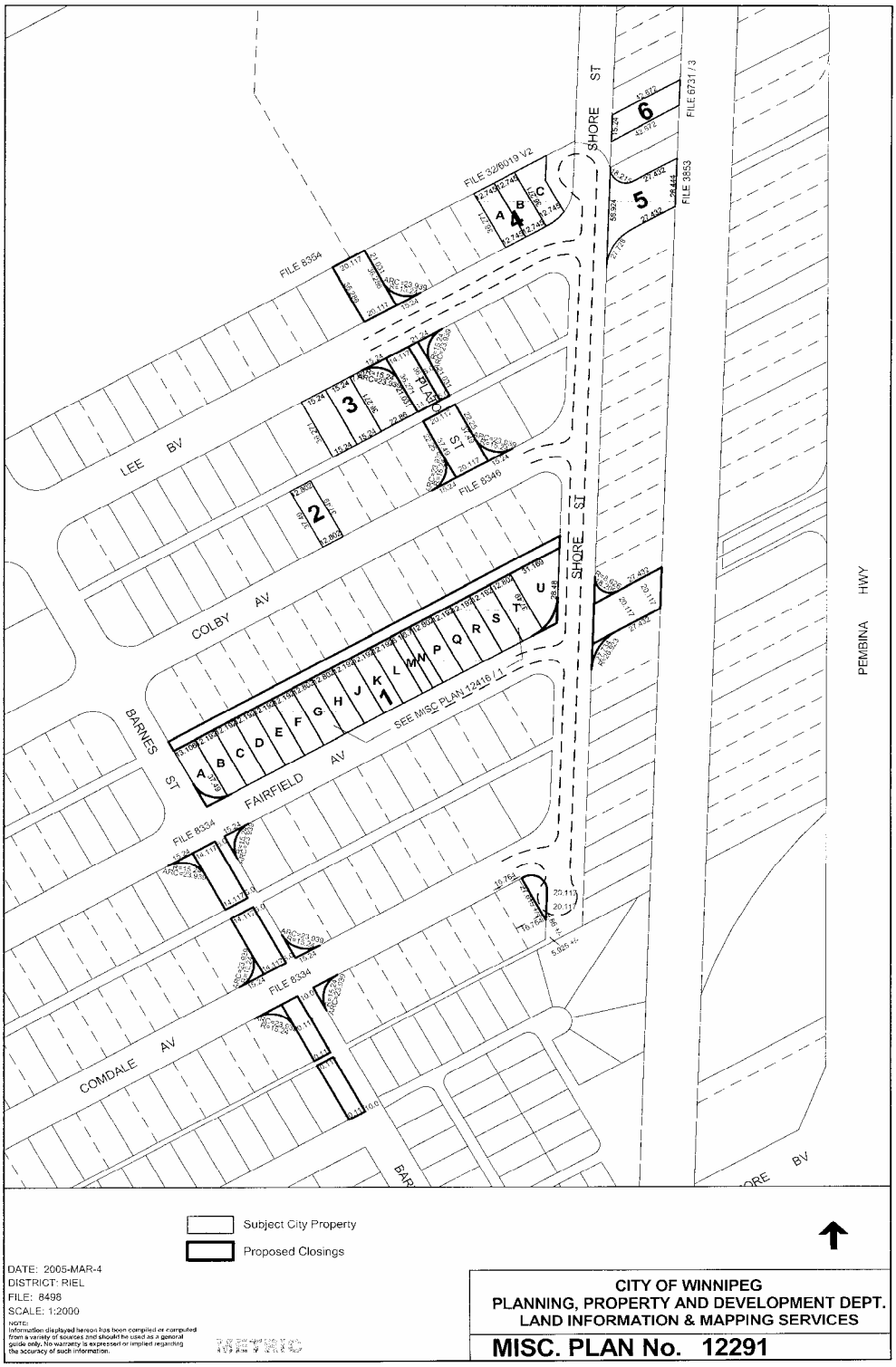
IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

No consultation was required in the preparation of this report.

THIS REPORT SUBMITTED BY:

Planning, Property and Development Department
Division: Real Estate Division
Prepared by: Joedi Pruden
PPD File #: 32/6019V.2, 6731/3, 8353, 8498

Document name: o:\reports directive\real estate\sales\(jp)fairfield.doc


SHORE ST
FILE 6731 / 3
FILE 3853
FILE 32/60/19 V2
FILE 8354
LEE BV
COLBY AV
FILE 8346
SEE MISC PLAN 1*2416 / 1
BARNES ST
FAIRFIELD AV
FILE 8334
COMDALE AV
PEMBINA HWY
Subject City Property
Proposed Closings
DATE: 2005-MAR-4
DISTRICT: RIEL
FILE: 8498
SCALE: 1:2000
NOTE:
Information displayed hereon has been compiled or computed from a variety of sources and should be used as a general guide only. No warranty is expressed or implied regarding the accuracy of such information.
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN No. 12291

Schedule "A"

OFFER TO PURCHASE

The Undersigned (hereinafter called "the Purchaser") hereby offers to purchase from The City of Winnipeg (the "City") the following lands: -

Parcels A and B as shown on Misc. Plan No. 12256

(hereinafter called the "lands")

for the sum of $0.00 cash, and upon the following terms and conditions:

1. (1) Attached to this Offer is the Purchaser's certified cheque payable to "The City of Winnipeg" in the amount of $0.00, and represents an amount equal to fifteen (15%) percent of the purchase price which the Purchaser tenders by way of deposit, and which sum shall be applied to the purchase price if the sale is approved by the City's Standing Policy Committee on Property and Development and/or Council (in the event that Council approval is required) and/or its delegated authority. The Purchaser agrees to pay the balance of the purchase price, interest and adjustments within a period of thirty (30) days from date of the approval of the sale by the City's Standing Policy Committee on Property and Development and/or Council (in the event that Council approval is required) and/or its delegated authority (the Date of Approval).

   (2) If the Purchaser fails to pay the balance of the purchase monies and adjustments within thirty (30) days as in sub-clause (1) above provided, the City may, at its option, cancel the sale and retain the deposit as liquidated damages.

2. (1) The date for adjustments shall be the date the sale is approved by the Standing Policy Committee on Property and Development and/or City Council (in the event that Council approval is required) and/or its delegated authority (Date of Approval).

   (2) Date of closing shall be sixty-one (61) days following the date of adjustments or earlier as mutually agreed to.

   (3) The Purchaser agrees to pay as an adjustment an amount equal to the total of such taxes, rates and charges which would have been levied or charged against the lands as though the lands had been entered on the assessment rolls of the City as privately owned and subject to taxation, which adjustment shall be calculated from the date of adjustments to and including the last day of the current taxation year.

   (4) The Purchaser shall pay interest in lawful money of Canada on all monies remaining outstanding and payable to the City as of the date of adjustments, which interest shall be calculated at the rate per annum equivalent to the prime lending rate in force by the City's Banker at the date of adjustments plus one (1%) percent, computed from the date of adjustments to and including the date all such monies and interest as aforesaid have been fully paid to the City.

3. Goods and Services Tax

   (1) The Purchaser agrees to pay to the City all Goods and Services Tax applicable on the sale of the lands or, if the Purchaser is a registrant under the Goods and Services legislation, the Purchaser shall advise the City in writing of its registration number. The Goods and Services Tax is to be paid, or the registration number provided, to the City within ten (10) days from date of notice of the approval of the sale by the City.

   (2) If the Purchaser fails to pay the Goods and Services Tax or fails to provide its registration number as prescribed in sub-clause (1) of this Clause, the Purchaser agrees that all of the Purchaser's rights and interests in respect of the lands shall, at the City's sole discretion, be fully ended without notice or any formality and all monies paid to the City by the Purchaser shall be retained by the City free from every claim.

4. The Purchaser will obtain possession of the lands at the Purchaser's own expense, which includes, without limiting the generality of the foregoing, obtaining their own Surveyor's Building Location Certificates, Surveyor's Staking Certificates and Zoning Memorandum and in connection therewith acknowledges and is aware that the City does not provide Declarations of Possession.

5. The Purchaser acknowledges that in submitting this Offer to Purchase, the Purchaser relies entirely upon personal inspection of the lands, independent of any representation made by or on behalf of the City. Any error or discrepancy in the description or in the dimensions of the lands as contained herein shall not entitle the Purchaser to any compensation in respect thereof nor shall it entitle the Purchaser to the cancellation of this Offer to Purchase.

6. It is agreed that no representation, warranty, collateral agreement or condition affecting this offer or the land is expressed herein. The City does not warrant the quality, condition or sufficiency of the lands for any use or purpose. The land are deemed to be taken by the Purchaser in an "as is" condition and at the Purchaser's own risk and with all faults and imperfections whatsoever. The Purchaser agrees with the City that the application of "Buyer Beware" shall apply to the offer in the strictest meaning.

7. All existing improvements (if any) in or on the said lands shall remain as part of the freehold.

8. (1) On October 22, 2003 Council gave final reading to the Fairfield Park Local Improvement District (LID). The LID project is to install a full range of services within the District including a land drainage retention pond, land drainage sewers, wastewater sewers, watermains, concrete pavement, certain boulevards, sidewalks, walkways and underground hydro and telephone. Lot line connections for the district were approved by Council under separate by-laws and are to be installed with the District Services.

   (2) Attached to this offer as Schedule "A" are two (2) tables outlining the Estimated Levy Rates for the various levies and The Schedule For Assessment of these Levies.

   (2) The Purchaser acknowledges that in purchasing the subject lands that the Purchaser is responsible for the Purchaser's share of payment of the final local improvements as generally laid out in Table 1 of Schedule "A".

9. (1) There are presently no municipal services in the street to service the subject property. These services are scheduled to be installed in 2005 through the Fairfield Park Local Improvement District Project, which services include the installation of lot line connections. The Purchaser acknowledges that no building permit will be issued until such time as all of the municipal services in the adjoining streets have been constructed and installed.

   (2) The Purchaser agrees to do the final grading and lay sod on the fronting boulevard and plant a boulevard tree of a type and size and in a location as specified by the City of Winnipeg. Information as to the specifications for the boulevard sod and trees can be obtained by contacting Mr. Dave Balzer of the Land Development Branch at 986-3788.

   (3) In addition, should the Purchaser develop the subject property, the Purchaser shall be responsible for the cost and installation of an individual concrete approach.

10. The Purchaser will accept Title to the lands subject to all exceptions, reservations and encumbrances expressed or implied in the City's Title.

11. The Purchaser agrees that in the event the Purchaser, at its sole cost, conducts or causes to be conducted an Environmental Site Assessment and/or soil testing of the lands, it shall

(1) ensure that all work done in connection with such Environmental Site Assessment and/or soil testing is completed no later than sixty (60) days from the Date of Approval, but in any event, prior to closing;

(2) maintain the lands in safe condition at all times during the conduct of any work done in pursuance of this Clause 11; and

(3) restore the lands to the same condition as prior to its entering in or upon same in pursuance of this Clause 11;

(4) indemnify and save harmless the City from and against all damages and claims arising out of or in any way attributable to the conduct of any such Environmental Site Assessment and/or soil testing; and

(5) provide copies of any such Environmental Site Assessment and/or Report concerning soil testing of the said lands to the City for its own use, at no cost to the City.

AND in the event it is determined as a result of said Environmental Site Assessment and/or soil testing, that contamination levels exceed Provincial Environmental Standards for the intended use of the lands and documentation to that effect is produced to the City within sixty (60) days following the Date of Approval, but in any event, prior to closing, the City, at its sole option, shall be entitled to:

take remedial action to bring the contamination levels to within the Provincial Environmental Standards;

OR

cancel the sale and return all monies paid in respect of the proposed sale by the Purchaser to that date, PROVIDED that the Applicant shall have first satisfied all conditions of this Clause 11.

AND FURTHER if the City has not been advised of any non-compliance of the lands to Provincial Environmental standards within sixty (60) days from the Date of Approval, but in any event, prior to closing, the Purchaser agrees to complete its purchase as herein contemplated and to indemnify the City against any and all claims arising from or in any way connected with the existence of contaminants of any kind at the lands.

12. (1) The Purchaser agrees that the sale of the lands shall be subject to any easement which may be required by a public utility, including, but not limited to Manitoba Hydro, MTS Allstream Inc., Centra Gas, or The City of Winnipeg, and/or any of their respective successors and/or other utilities, for the maintenance of existing and future facilites together with the right to enter upon the lands at any time, with or without equipment for said purposes and subject to the owner covenanting not to erect or cause to be erected upon the easement area any building or structure without the prior written consent of the utility or The City of Winnipeg requiring such easement.

(2) The Purchaser to enter into agreements satisfactory to the said utilities or The City of Winnipeg.

(3) The Purchaser acknowledges that the City may grant the easement before the Transfer of Land issues.

13. No current legal survey was made of the property to determine if there are any encroachments from adjoining lands.

14. The Purchaser is hereby advised that soil conditions in Winnipeg are of the glacial till variety which is composed of Lacustrine Clays with Silt Intrusions. The Purchaser shall be responsible for any increased costs of development due to this random stratification.

15. The sale of the lands to the Purchaser shall be subject to the provision of the By-laws of the City of Winnipeg and all amendments thereto. Furthermore, the Purchaser acknowledges and understands that its proposed use and

development of the lands may require applications for re-zoning, variances or conditional uses, amendments to Plan Winnipeg, which applications, resulting land dedication charges (if any) are to be at the sole cost and responsibility of the Purchaser.

16. Upon approval of the sale by the City, the Purchaser agrees to make application to the City Assessor (in form set out in Exhibit "A" attached) to have the Purchaser's name added to the Assessment Roll of the City as the Real Owner in respect of the lands.

17. Time shall be of the essence of this Offer.

18. The Purchaser will not file any caveat or other encumbrance against the lands before the transfer of the lands to the Purchaser.

19. The word "Purchaser" shall have a plural meaning in the event that more than one party is making this offer, and the masculine shall mean the feminine or neuter as the case may be.

20. The Purchaser agrees that the City may register Caveat/s against the lands to ensure the performance of the covenants on the part of the Purchaser herein set forth and the Purchaser agrees to grant and does hereby grant to the City an interest in the lands according to the tenor of this agreement.

21. The full, true and correct name of the Purchaser is as follows:

_____

Name (Please Print) Address

Purchaser's Registration No. (G.S.T.) _____

IN WITNESS WHEREOF the Purchaser has signed this document in

_____, _____, this _____ day of _____20_

_____ _____

Witness Purchaser

_____ _____

Witness Purchaser

THE CITY OF WINNIPEG

Per: _____

DIRECTOR of Planning, Property and Development

Approved as to details: Approved as to form:

_____ _____

Planning, Property and Development for City Solicitor/Manager of Legal Services

Exhibit "A"

Real Owner Application

To the City Assessor

_____ Roll No. _____

(Name of Municipality)

1. I/We_____

(Print Full Name)

request that my/our name(s) appear in the Assessment Roll of the City of Winnipeg in respect to the following property, pursuant to Section 12(1) of "The Municipal Assessment Act", Cap. M 226 S.M.

2 Description of Properties: (Give description of all property in respect of which you wish your name to appear).

Part of Lot or Section	Lot or Section	Block or Township	Plan or Range	Interest In Property

3. Mailing Address_____

4. Place of Residence_____

5. Name and Address of Registered Owner_____

(Print)

_____

(Print)

6. Description of building on property:

Dwellings _____

Other Buildings _____

7. Date of Purchase _____ 8. Purchase Price_____

Date: _____ 19 ____ _____

(Signature of Applicant)

Office of the City Assessor

The City of Winnipeg

_____

(Signature of Registered Owner)

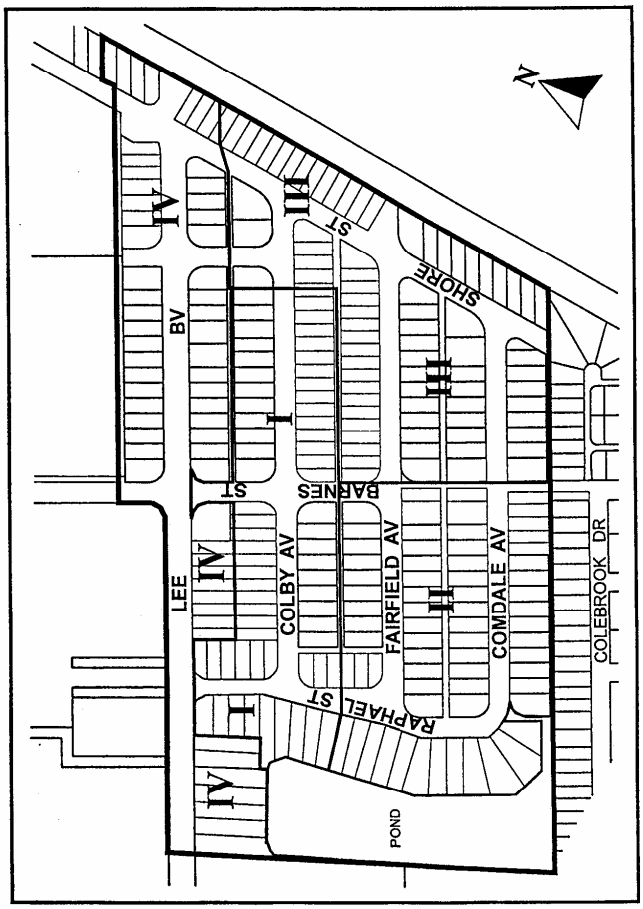
TABLE 1

ESTIMATED LEVY RATES*		
Levy	Total Levy Amount if paid in Lump Sum	Annual Levy Rate**
Pond	$0.50/sq. ft.	$0.05/sq. ft.
Stage I	$124.93/fr.ft.	$11.86/fr. ft.
Stage II	$94.78/fr. ft.	$8.99/fr. ft.
Stage III	$127.09/ft. ft.	$12.06/fr. ft.
Stage IV	$91.91/ft. ft.	$8.72/fr. ft.
Lot Line Connections	$3500.00/connection	$332.09/connection

* Final levy amounts will be adjusted based on actual costs
** Based on equal distribution over 25 years

TABLE 2

SCHEDULE FOR ASSESSMENT OF LEVIES			
		Initiation of Levies for Properties In	
Year	Construction	Stage I	Stages II, III and IV
2004 & 2005	Pond & Stage I Services & Lot Line Connections	-	-
2005 & 2006	Stages II, III & IV Services	Levies for Pond, Stage I Services & Lot Line Connections (2006)	-
2007		Plus Levies for Stages II, III & IV Services	Levies for Pond, Stages I, II, III & IV Services & Lot Line Connections



FAIRFIELD PARK LOCAL IMPROVEMENT DISTRICT

Schedule "B"

FINANCIAL ADMINISTRATION AND PROPOSED PRICING

Area	Approx. Sq. Footage	Reserved Price
Area 1		
Parcel A (including corner cut)	5,289	$15,500
Parcel B	4,920	$15,500
Parcel C	4,920	$15,500
Parcel D	4,920	$15,500
Parcel E	4,920	$15,500
Parcel F	4,920	$15,500
Parcel G	5,166	$16,000
Parcel H	5,166	$16,000
Parcel J	4,920	$15,500
Parcel K	4,920	$15,500
Parcel L	4,920	$15,500
Parcels M&N	5,166	$16,000
Parcel P	5,166	$16,000
Parcel Q	4,920	$15,500
Parcel R	4,920	$15,500
Parcel S	4,920	$15,500
Parcel T	5,166	$16,000
Parcel U (including corner cut)	8,022	$16,000
Sub-Total		$282,500
Area 2	5,166	$16,000
Area 3* (including corner cut)	20,825	$66,500
Area 4		
Parcel A	4,976	$16,000
Parcel B	4,976	$16,000
Parcel C	5,355	$16,000
Area 5 (including corner cut, but, deducting for land drainage easement)	10,196	$37,500
Area 6	7,000	$19,000
Estimated Total Gross Sale Proceeds		**$469,500**

* The City will subdivide this area into 4 or 5 lots once negotiations with the adjoining owner have been completed.

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