

**THE CORPORATION OF THE TOWNSHIP OF CARLOW/MAYO**

**BY-LAW NO: 41-2007**

**Being a By-Law to amend By-Law Number: 10-2003 to establish procedures, including the giving of notice to the public, governing the sale of land owned by the Municipality.**

**WHEREAS** Part VI, Section 268 of the Municipal Act, 2001 as amended by Bill 130 Section 270(1) states: “A municipality shall adopt and maintain policies with respect to the following manner:”

1. Its sale and other disposition of land.

**AND WHEREAS** the Planning and Municipal Statute Law Amendment Act, 1994 requires that every Council with authority to sell or otherwise dispose of real property shall by by-law establish procedures governing the sale of real property;

**NOW THEREFORE** the Council of the Corporation of the Township of Carlow/Mayo **ENACTS AS FOLLOWS:**

1. The Township of Carlow/Mayo owned and leased real property is hereby listed as a register-forming Schedule “A” of this by-law and attached hereto.
2. That prior to disposal of real property the Council shall by by-law or resolution declare the land to be surplus.
3. That prior to the disposal of real property the Council shall obtain at least one appraisal of the fair market value of the land from an independent qualified appraiser who shall:
  - (a) Be a registered member in good standing of the Appraisal Institute of Canada;
  - (b) Not be directly connected with any real estate brokerage firm, i.e. a real estate agent.
4. Notice shall be given to the public of the proposed sale in the following manner:  
Notices shall be placed at the following locations for a minimum of two full calendar weeks:

Township Municipal Office: 3987 Boulter Road  
Boulter General Store: 3960 Boulter Store  
Cunningham’s Country Store: 35513 Highway 28  
Ward One Waste Disposal Site: 7 Pinecrest Road  
Ward Two Waste Disposal Site: 35844 Highway 28  
Township web-site: [www.carlowmayo.ca](http://www.carlowmayo.ca)

Notices should give a brief description of the property and should specify the dates involved with the sale.

**Advertisement in any newspaper shall be at the discretion of Council.** If an advertisement is to be placed in a newspaper the newspaper should have general circulation in the municipality. The advertisement should give a brief description of the property and should specify the dates involved with the sale. The advertisement should appear in the newspaper for a minimum of two full calendar weeks from the time it appears in the newspaper until the final sale is to be considered by the Council.

5. Obtain approval from any other agencies involved, if necessary.

6. That unsolicited offers to purchase real property may be processed on a first come first serve basis. The offers to purchase shall be submitted to the Township Clerk to be presented to the Council at their next regular scheduled meeting of the Council for Council's review, consideration and acceptance. However, if more than one party has expressed an interest in purchasing the same real property or where the Council believes it to be in the best interests of the community, the Council may by resolution direct that the real property be sold by tender or quote.
7. When the Council directs that the real property is to be sold by tender or quote the tendering/quoting policy and procedure in effect at that time shall apply with any necessary modifications as directed by Council. Tender/quote documents shall include the statement that "the highest or any offer may not necessarily be accepted" and the tender/quote document shall be submitted to the Township Clerk.
8. The purchaser shall be responsible for all costs incurred or required to dispose of the real property including legal fees, survey (if required), appraisal, encumbrances, advertising, improvements, administrative fees, severance fee (if required) etc.

THAT this By-Law repeals all previous By-Laws and/or Motions of Council pertaining to same.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 4th DAY OF DECEMBER 2007.**

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**David Panabaker**  
Reeve

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**Arlene Cox**  
Clerk-Administrator

By-Law No: 41-2007  
Schedule "A"

**REGISTER LISTING OF REAL PROPERTY**

**OWNED PROPERTY BY CARLOW/MAYO TOWNSHIP**

<u>Roll No:</u>	<u>Lot &amp; Concession</u>	<u>Acreage</u>	<u>Type of Property</u>
1270-071-010-04250 Centre	Prt. Lot 20, Conc. 2 1702 Fort Stewart Road	3.00 Acres	Carlow Community
1270-071-010-14799	Prt. Lot 21, Conc. 5 Prt. 1, Plan 21R-21899 4177 Boulter Road	.75 Acres (approx) 3050.1 metres	Vacant Land
1270-071-010-17100 Shed, Storage Shed	Prt. Lot 20, Conc. 6 3988 Boulter Road	2.00 Acres	Garage, Sand & Salt
1270-071-010-17810 Building	Prt. Lot 21, Conc. 6 Prt. 1, Plan 21R16235 3987 Boulter Road	4.17 Acres	Municipal Office
1270-068-010-25100	Prt. Lot 23, Conc. 12 Part 3, Plan 21R742	.42 Acres	Vacant Land
1270-068-010-25150	Prt. Lot 23, Conc. 12 Part 4, Plan 21R742 66 Mayo Lake Road	4.14 Acres	Storage Shed
1270-068-010-25500 Centre	Prt. Lot 23, Conc. 12 65 Mayo Lake Road	5.66 Acres	Mayo Community
1270-068-010-32110	S.W. Prt. ¼ Prt. Lot 24, Conc. 13	.32 Acres S. Hwy 28 East	Vacant Land
1270-068-010-50000 railway  located on	Bessemer Spur	7.46 Acres	Vacant Land – Old  line which our road is

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**LEASED PROPERTY BY CARLOW/MAYO TOWNSHIP**

<u>Lot &amp; Concession</u>	<u>Hectare</u>	<u>Type of Property</u>
Lot 11, Concession 3 MNR Sand Pit	2.56 Hectares	Aggregate Permit –

Lot 20, Concession 12 MNR Sand & Gravel Pit	7.00 Hectares	Aggregate Permit –
Roll # 1270-071-015-02050 Rink 71 Park Road Prt. Lot 18, Pt. 1, Plan 21R3365 Conc. 11 & 12	7.17 Acres	Foster Lake Park & MNR Lease
Roll # 1270-071-020-00600 Disposal Site 7 Pinecrest Road N. Prt. Lot 20, Conc. 11	1.00 Hectare	Ward One Waste MNR Lease
Roll # 1270-068-010-31951 Disposal Site 35844 Highway 28 Prt. Lot 25, Conc. 13	2.00 Hectare	Ward Two Waste MNR Lease