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SALE OF SURPLUS PROPERTY BATHURST STREET, TOWNSHIP OF KING

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, March 30, 2005, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council declare surplus and give notice of its intention to sell the lands described as being:
 - (a) Parts 1, 2, 3, and 4 on Reference Plan 65R-25063, subject to an easement over Part 2 as described in Instrument R124078, and, Parts 1, 2, 3, 4, and 5 on Reference Plan 65R-25062, subject to an easement over Part 2 as described in Instrument R124078, Township of King (*see Attachment No. 1*).
2. The lands described above be stopped up and closed in accordance with the notice and hearing requirements of the *Municipal Act*.
3. Notice be given of Regional Council's intent to sell these lands to the abutting land owner.
4. The Director of Realty Services be directed to conduct an appraisal of the property, the cost of which shall be paid in advance by the purchaser, and to commence negotiations for the sale of the property, and present the results to Regional Council for consideration.

2. PURPOSE

The purpose of this report is to obtain Council's approval to:

1. Declare the lands described in Recommendation No. 1 above as surplus to the Region's requirements.
2. To do all acts necessary to stop up and close the lands described as Parts 1, 2, 3, and 4 on Reference Plan 65R-25063, subject to an easement over Part 2 as described in Instrument R124078, and, Parts 1, 2, 3, 4, and 5 on Reference Plan 65R-25062, subject to an easement over Part 2 as described in Instrument R124078, Township of King.

3. To obtain an appraisal of these lands and to negotiate the sale of the property with the abutting owner to the west and to report back to Regional Council with the selling price.

3. BACKGROUND

Schickedanz Bros. Limited owns approximately 94 acres of farmland located on the west side of Bathurst Street (YR 38), between Highway 9 and Green Lane (YR19). When the Region widened and reconstructed Bathurst Street, 3.64 acres of road widening was purchased from the southerly portion of the farm. However, Bathurst Street (YR 38) veered away from the northerly portion of the property thus creating 3.88 acres of surplus property that was part of the original Bathurst Street road allowance. The agreement that Schickedanz Bros. Limited signed and was accepted by Regional Council stated that, upon completion of the construction project, the Region would sell the 3.88 acres of surplus property at market value to Schickedanz. The property cannot be sold to anyone else since this would deprive Schickedanz of having frontage on a public, travelled road allowance. The property is also of a shape and topography that no one could build on it. The former road is now a grassy embankment in front of the Schickedanz farm.

The legal description of the property is described as being: Parts 1, 2, 3, and 4 on Reference Plan 65R-25063, subject to an easement over Part 2 as described in Instrument R124078, and, Parts 1, 2, 3, 4, and 5 on Reference Plan 65R-25062, subject to an easement over Part 2 as described in Instrument R124078, Township of King.

The agreement also stated that the Region would waive the \$1,500.00 administration fee. The project is now complete and the sale can now take place. The purchase price of the road requirement in 2002 was \$14,000.00 per acre.

4. FINANCIAL IMPLICATIONS

The proceeds from the sale of this property will be deposited into the Region's Capital Reserve.

5. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

6. CONCLUSION

The Region has completed the widening and construction of Bathurst Street (YR 38) north of Highway 9. The agreement with Schickedanz Bros. Limited, that was approved by Regional Council, for the road widening stated that the Region would sell the surplus property to Schickedanz at market value. It is recommended that the Region sell the lands described as Parts 1, 2, 3, and 4 on Reference Plan 65R-25063, subject to an easement over Part 2 as described in Instrument R124078, and, Parts 1, 2, 3, 4, and 5 on Reference Plan 65R-25062, subject to an easement over Part 2 as described in Instrument R124078, Township of King to Schickedanz at market value.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the May 5, 2005 Committee meeting.)