

THE TOWN OF CARMAN
BY-LAW NO. __-2018/2029

BEING a By-law of the Town of Carman to expropriate an undivided 1/2 interest in property for the purposes of jointly establishing a recreation centre with the Rural Municipality of Dufferin.

WHEREAS Subsection 254 (1) of *The Municipal Act* provides as follows:

“A Municipality may, by expropriation in accordance with *The Expropriation Act*, acquire land and improvements that the council consider necessary or advisable to acquire for a municipal purpose.”

AND WHEREAS Section 3(b) of *The Municipal Act* defines municipal purposes as including the provision of services, facilities or other things that, in the opinion of the council of the municipality, are necessary or desirable for all or a part of the municipality;

AND WHEREAS Section 232(1)(b) of *The Municipal Act* provides that a council may pass by-laws for municipal purposes respecting people, activities and things in, on or near a public place or a place open to the public, including recreation centres;

AND WHEREAS it is deemed desirable to expropriate land, for the municipal purpose of a recreation centre;

AND WHEREAS the Town of Carman and the Rural Municipality of Dufferin act jointly in the provision of recreational services to their respective municipalities;

AND WHEREAS the Town of Carman and the Rural Municipality of Dufferin shall jointly expropriate land for the municipal purpose of a recreation centre;

AND WHEREAS the Rural Municipality of Dufferin shall pass a by-law to expropriate an undivided 1/2 interest in the land reference herein for the municipal purpose of a recreation centre;

NOW THEREFORE the Council of the Town of Carman enacts as follows:

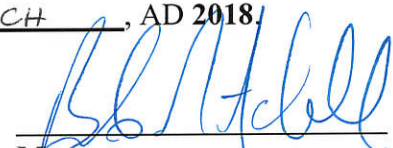
- (1) **THAT** an undivided 1/2 interest in the land hereby be expropriated for the purposes of jointly establishing a recreation centre with the Rural Municipality of Dufferin on the lands described as follows:


All that portion of the West 1/2 of Section 25, Township 6, Range 5 WPM shown as Parcels A, B, C, D, E, F, G, H and J on a Plan of Works (Dep. 241/2015) MLTO prepared by Albert Gerhard Degner, of the City of Winnipeg, Manitoba Land Surveyor, and sworn to by him on the 2nd day of February, A.D. 2018;

- (2) **THAT** the said Plan of Survey is hereby adopted and approved, and the Chief Administrative Officer is authorized, directed and empowered to endorse the aforementioned Plan of Survey for identification, placing thereon his or her signature, under the corporate seal of the Town of Carman, together with a reference to this By-law;
- (3) **THAT** as part of the registration of the aforementioned Plan of Survey, a request be made to Morden Land Titles Office to issue separate titles for each parcel.

DONE AND PASSED as a By-law of the Town of Carman at Carman, Manitoba in the Province of Manitoba this 8th day of MARCH, AD 2018.

Land Description
approved as to form
February 8, 2018
signed original on file in the office
of the Examiner of Surveys
V. Paul Burtnick
Examiner of Surveys



Mayor.


Chief Administrative Officer.

READ a First time this 20th day of February A.D. 2018.

READ a Second time this 8th day of MARCH, A.D. 2018.

READ a Third time and **PASSED** this 8th day of March, A.D. 2018.

METRIC

PLAN OF WORKS
ACROSS PART OF
WEST 1/2 SECTION 25,
TOWNSHIP 6, RANGE 5 W.P.M.
INCLUDING
PART OF PARCELS C, D, E, F AND N
ALL OF PARCELS P AND Q, PLAN NO. 55000
AND PART CANADIAN PACIFIC RAILWAY,
PLAN NO. 868 (C. DIV.) (ABANDONED)
TOWN OF CARMAN AND
R. M. OF DUFFERIN
MANITOBA

SCALE: 1 : 2000

NOTES:
ALL DISTANCES ARE SHOWN IN METRES AND MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084
IRON PEGS 0.025 X 0.025 FOUND ON THE GROUND ARE SHOWN THIS UNLESS NOTED OTHERWISE
IRON PEGS 0.025 X 0.025 X 0.014 MARKED N.L.B. ARE PLACED AT ALL POINTS SHOWN THIS
ALL PLANS REFERRED TO ARE ON RECORD IN THE MORDEN LAND TITLES OFFICE
LAND REQUIRED FOR WORKS ARE SHOWN BORDERED THIS

AFFIDAVIT:
I, ALBERT GERHARD DEGENER OF THE CITY OF WINNIPEG, MANITOBA LAND SURVEYOR, MAKE OATH AND
SWAY THAT I DID PERSONALLY SUPERINTEND THE SURVEY REPRESENTED BY THIS PLAN, THAT THE SURVEY
WAS MADE BETWEEN THE DATES OF 12TH OF MARCH AND THE 14TH OF APRIL, A.D. 2014 AND THAT THE
SURVEY AND PLAN ARE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SWORN TO BEFORE ME AT THE CITY OF WINNIPEG
THIS 2ND DAY OF FEBRUARY, A.D. 2015

MANITOBA LAND SURVEYOR

A SURVEYOR AUTHORIZED TO PRACTISE
UNDER THE LAND SURVEYORS ACT.

CERTIFICATE:
THIS IS TO CERTIFY THAT:
A) THIS IS THE PLAN REFERRED TO IN PARAGRAPH 1 OF THE
TOWN OF CARMAN.
B) ALL REGISTERED OWNERS OF ANY LANDS THAT WILL BE AFFECTED BY THE
RECORDING OF THIS PLAN HAVE BEEN ADVISED BY THE SURVEYOR OF THE
AUTHORITY OF THE SETTLEMENT OF THE CONVEYANCE FOR THE LAND
AND THAT THE SURVEYOR HAS BEEN ADVISED TO BE THE OWNER OF AN
UNDIVIDED INTEREST IN THE LAND AND HAS BEEN ADVISED TO
CLEAR OF ALL ENCUMBRANCES EXCEPT FOR INSTRUMENT NOS 5847,
5796, 8007 AND 1142075

C) THE LAND ACQUIRED EXCEPT MINES AND MINERALS AND MINED
SUBSTANCES WHICH ARE EXCEPTED FROM THE SURVEYOR'S
CERTIFICATE OF TITLE OF THE REGISTERED OWNER OF THE SURFACE
OF THE SURFACE UNDER THE REGISTERED ACT AND EXCEPTS
OF THE TOWN OF CARMAN, THE CROWN HAS DERIVED FROM THE TITLE
APPLICATION UNDER THE PROVISIONS OF THE REAL PROPERTY ACT
B) THE LAND IS BEING ACQUIRED UNDER SECTION 25(1) OF THE
MUNICIPAL ACT DATED AT THE TOWN OF CARMAN
THIS DAY OF _____, 20__

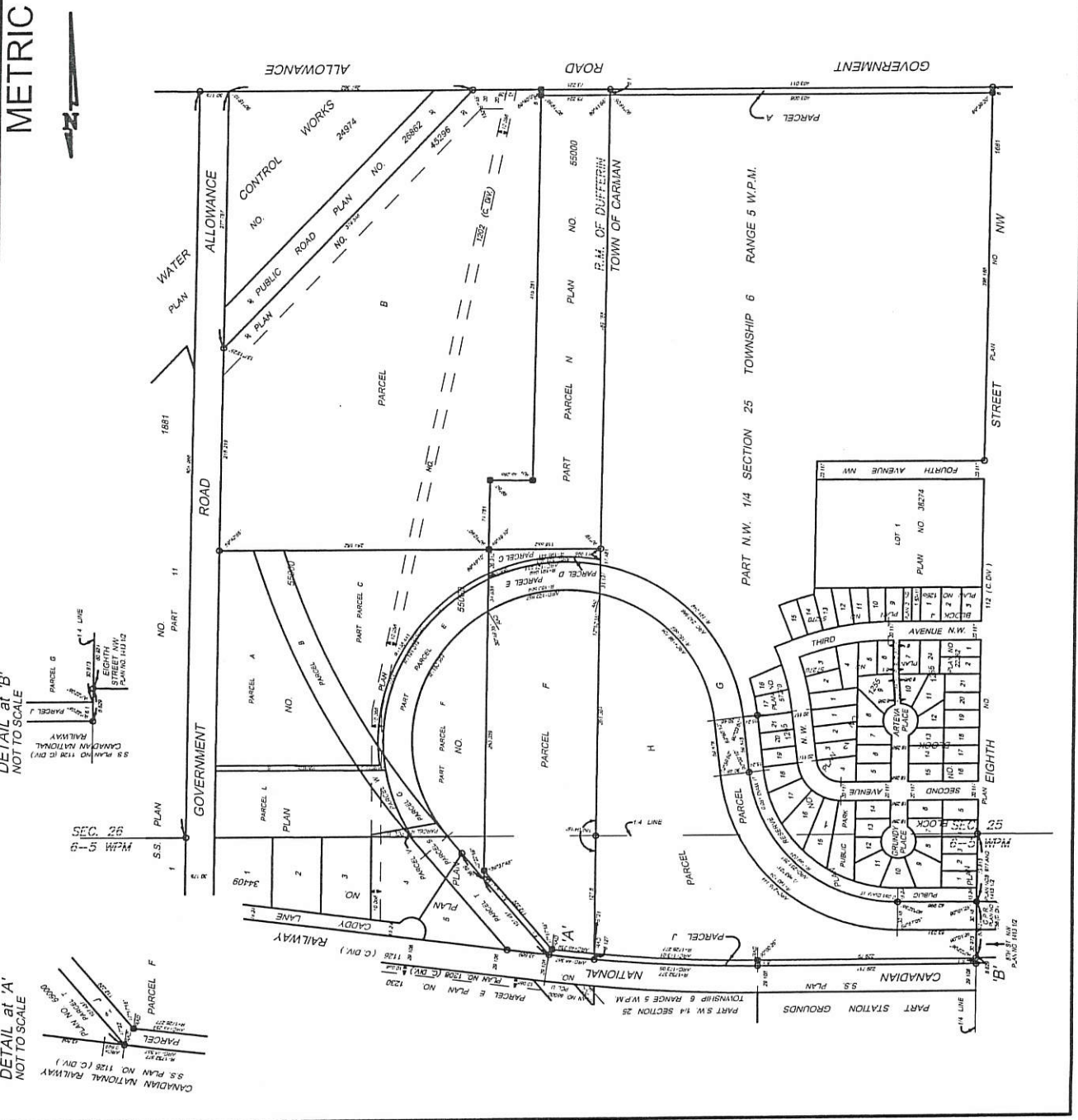
ADMINISTRATIVE OFFICER, TOWN OF CARMAN
CHIEF

ADMINISTRATIVE OFFICER, RURAL MUNICIPALITY OF DUFFERIN
CHIEF

REGISTRATION:
ENTERED AND REGISTERED IN THE
MORDEN LAND TITLES OFFICE
THIS DAY OF _____, 20__
AS PLAN NUMBER _____

FOR DISTRICT REGISTRAR
REGISTRATION NO. _____

Pollock & Wright
LAND SURVEYING - GEOMATICS
1573 NOTRE DAME EAST WYNEBAGO, WINNIPEG, R3M 3J6



DETAIL at 'A'
NOT TO SCALE



DETAIL at 'B'
NOT TO SCALE

