

A by-law of The Town of Carman to authorize the construction and installation of hard surfacing on certain streets within the said Town, and to provide temporary financing therefor.

WHEREAS the council of The Town of Carman is of the opinion that hard surfacing should be constructed and installed in that part of the said Town hereinafter described, as a local improvement under the provisions of The Municipal Act, being Chapter 173 of the Revised Statutes of Manitoba, 1954, and amendments thereto, on the following streets, namely:

<u>Project Number</u>	<u>Location</u>
1.	2nd Street N.W.: 1st Ave. N.W. to 3rd Ave. N.W.
2.	3rd Street N.W.: 2nd Ave. N.W. to 4th Ave. N.W.
3.	4th Street N.W.: 2nd Ave. N.W. to 4th Ave. N.W.
4.	4th Avenue N.W.: 1st St. N.W. to 4th St. N.W.
5.	2nd Street S.W.: 1st Ave. S.W. to 2nd Ave. S.W.
6.	2nd Street S.W.: 5th Ave. S.W. to 6th Ave. S.W.
7.	2nd Avenue S.W.: 2nd St. S.W. to 3rd St. S.W.
8.	5th Avenue S.W.: 1st St. S.W. to 2nd St. S.W.
9.	1st Street S.E.: Boyne River channel to 2nd Ave. S.E.
10.	1st Street S.E.: 4th Ave. S.E. to C.P.R. R.O.W.
11.	2nd Street S.E.: 4th Ave. S.E. to C.P.R. R.O.W.,

a total distance of 6,575 feet, more or less, and a total estimated cost of \$55,000.00;

AND WHEREAS, pursuant to the provisions of section 692 et. seq., of The Municipal Act, the council of The Town of Carman has caused to be published in The Dufferin Leader, a weekly newspaper published in Carman, in Manitoba, for the issues dated the twenty-first and twenty-eighth days of March, A.D. 1968, a notice of its intention to undertake such local improvement in accordance with plans and specifications on file in the office of the Clerk of The Town of Carman and, subject to the necessary approval and authorization of such undertaking by The Municipal Board being first had and obtained, that the cost thereof, after having been reduced by the application of government grants-in-aid from the Province of Manitoba, in the estimated amount of \$1,900.00, to be applied to the cost of Project No. 7 aforesaid, be levied by special assessments upon the lands to be benefited thereby and by a general assessment on all the rateable lands in The Town of Carman, unless a majority of the owners of the lands affected, rated as such in their own names on the last revised assessment roll of The Town of Carman, or entered under the provisions of section 1051 of The Municipal Act as an owner of property on the current tax roll, representing at least one-half in value of such lands, petition the council against the same within one month after the first publication of the said notice;

AND WHEREAS no sufficient petition against the said undertaking has been presented to, or received by, the council of The Town of Carman;

AND WHEREAS the lands particularly benefiting thereby are specifically set out hereinbefore;

AND WHEREAS, pursuant to the provisions of section 696 of The Municipal Act, the council of The Town of Carman did sit as a Court of Revision on Thursday, the twenty-fifth day of April, A.D. 1968, in the council chamber, Memorial Hall, at Carman, in the Province of Manitoba, to hear complaints against the proposed assessment, and no person or his agent presented reasonable and sufficient objections thereto;

AND WHEREAS, to avoid the necessity of making supplementary levies, or refunding in case of over-levying, until the exact total costs of any work done or constructed have been ascertained, it is deemed expedient that the council of The Town of Carman shall finance progress payments for the said local improvement by entering into an agreement with the Canadian Imperial Bank of Commerce at Carman, in Manitoba, for temporary advances and loans, and from surplus funds in the Town of Carman General Operating Fund, not presently required, until the completion of the improvement;

AND WHEREAS, after the local improvement has been completed and the exact total costs therefor have been ascertained, The Town of Carman shall pass the necessary by-law authorizing the issue of debentures to repay the amount of the temporary advances and loans, and to fix the rates and levies required to retire the said debentures;

NOW THEREFORE the council of The Town of Carman, duly assembled, enacts as follows:

1. THAT for the purpose aforesaid the council of The Town of Carman may proceed with the construction and installation of the aforesaid improvement.
2. THAT, pursuant to the provisions of section 727 of The Municipal Act, the council of The Town of Carman may enter into an agreement with the Canadian Imperial Bank of Commerce at Carman, in Manitoba, for temporary advances and loans, and may make temporary advances and loans from its General Operating Fund, which together shall not exceed the sum of \$55,000.00, until the completion of the aforesaid improvement, and for the purpose aforesaid the proper officers of The Town of Carman ARE HEREBY AUTHORIZED AND DIRECTED to enter into and execute under the corporate seal of the said Town of Carman an agreement with the Canadian Imperial Bank of Commerce, at Carman, in Manitoba, for a loan not to exceed \$55,000.00.
3. THAT the council of The Town of Carman shall keep a separate capital ledger account to record the expendit-

ures made in respect of the said local improvement, and shall open and maintain at its bank a separate capital bank account to which advances from loans shall be deposited as progress payments on the said improvement are required.

4. THAT when all the costs of the said local improvement have been ascertained the council of The Town of Carman shall give first reading to the necessary by-law authorizing the issue of debentures to repay the amount of the temporary advances and loans, and to provide for meeting the payments on the said debentures as they fall due by applicable rates and/or levies until the debenture debt has been fully paid and satisfied.

*AKH* DONE AND PASSED by the council of The Town of Carman, assembled at Carman, in the province of Manitoba, this <sup>twenty</sup> seventh day of June, A.D. 1968.

\_\_\_\_\_  
Mayor

(seal)

\_\_\_\_\_  
Secretary-Treasurer

Read a first time the seventh day of June, A.D. 1968.

Read a second time the 27<sup>th</sup> day of June, A.D. 1968.

Read a third time the 27<sup>th</sup> day of June, A.D. 1968.

I, Abram Lincoln Loepky, Secretary-Treasurer of The Town of Carman, hereby certify the foregoing to be a true and correct copy of By-Law No. 68/1066 of the said Town, given first reading by the council thereof on Friday, the seventh day of June, A.D. 1968.

*A. Loepky*  
\_\_\_\_\_  
Secretary-Treasurer

AUTHORIZED

By Order No. F 131/68

THE MUNICIPAL BOARD

*[Signature]*  
\_\_\_\_\_  
Secretary

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Mayor

(seal)

  
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THE MUNICIPAL BOARD OF MANITOBA  
WINNIPEG, MANITOBA

MANITOBA  
THE MUNICIPAL BOARD  
ACT

Order No. F 131/68  
June 13, 1968

THE TOWN OF GARMAN,  
BY-LAW NO. 68/1066,  
TEMPORARY LOANS AND ADVANCES.

UPON APPLICATION of The Town of Garman, its By-law No. 68/1066, copy of which is filed herein and identified by the Board's authorization stamp thereon with the number of this Order, being a by-law to provide for temporary loans and advances not exceeding the sum of \$55,000.00, pursuant to the provisions of Section 727 of The Municipal Act, to meet the cost of the construction and installation of hard surfacing on the streets set out therein, initiated as a local improvement pursuant to the provisions of Section 692 of The Municipal Act,  
IS HEREBY AUTHORIZED.

Fee payable upon this Order:

Filing Fee - \$10.00

THE MUNICIPAL BOARD,


"W.J. Johnston"

Chairman.

"J. Achim"

Secretary.

CERTIFIED a true copy of Order No. F 131/68  
issued by The Municipal Board.

  
Secretary.