

THE RURAL MUNICIPALITY OF MORRIS

BY-LAW NO. 1316/86

BEING a By-law authorizing the conveying of certain lands owned by the R. M. of Morris to the Province of Manitoba.

WHEREAS the Rural Municipality of Morris is the registered owner of the following described lands, namely:

All that portion of River Lot 436 of the Parish of Ste Agathe according to Plan No. 4121 W.L.T.O., taken for a Public Drain as same is shown outlined in blue on Plan No. 11349 W.L.T.O., now required for Public Road as shown on Plan no. 19435 W.L.T.O. and subject to any subsisting reservations contained in the Provincial Lands Act.

AND WHEREAS the above mentioned lands consist of a total of .052 acres of land;

AND WHEREAS the Province of Manitoba requires this land for the purpose of Provincial Road # 246;

NOW THEREFORE BE IT ENACTED, and it is hereby enacted as a by-law of the Rural Municipality of Morris, in Council duly assembled, as follows:

1. THAT the Rural Municipality of Morris does now convey the following described lands, namely:

All that portion of River Lot 436 of the Parish of Ste. Agathe according to Plan No. 4121 W.L.T.O., taken for a Public Drain as same is shown outlined in blue on Plan No. 11349 W.L.T.O., now required for Public Road as shown on Plan No. 19435 W.L.T.O. and subject to any subsisting reservations contained in the Provincial Lands Act;


to the Province of Manitoba, for the sum of \$1.00.

2. THAT the Province of Manitoba shall be responsible to pay all legal, etc. costs incurred in connection with this transaction.

3. THAT the Reeve and the Secretary-Treasurer be and they are hereby authorized to do all things necessary and required to give force and effect to this by-law.

DONE AND PASSED by the Council of the Rural Municipality of Morris in Council duly assembled this 9th day of January, 1986.

  
Reeve

  
Secretary-Treasurer



OFFER OF COMPENSATION AND RELEASE

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF MANITOBA, represented herein by the Honourable, the Minister of Government Services, hereinafter referred to as "THE PROVINCE" hereby offers to pay compensation to:

THE RURAL MUNICIPALITY OF MORRIS

of the Postal Address of Box 518, Morris, MB R0G 1K0

the owner(s) for (his)(her)(their) interest in the following land:

All that portion of R.L. 436 of the Parish of Ste. Agathe according to Plan No. 4121 W.L.T.O., taken for a Public Drain as same is shown outlined in blue on Plan No. 11349 W.L.T.O., now required for Public Road as shown on Plan No. 19435 W.L.T.O. Subject to any subsisting reservations contained in the Provincial Lands Act.

hereinafter referred to as "the said land", which has been expropriated by The Province for the purpose of Public Road #246

The compensation therefor is computed as follows:

1. .052 hectares/~~acres~~ of land at \$ lump sum = \$1.00

Total \$ 1.00

2. Payment for Losses if any, for:

Total \$ N/A

3. Payment of a tax adjustment from the date of possession to December 31, 19   

Total \$ N/A

4. Payment for the work and materials if any, upon completion of the work as follows:

N/A

Total \$           

This Offer of Compensation is made subject to the following terms and conditions:

- a) The Province shall receive vacant possession of the said land on or before March 31, 1986.
- b) The Province shall make application to the Land Value Appraisal Commission to determine and certify due compensation. The Province shall request approval from Treasury Board and other approving authority to the terms and conditions of this Offer.
- c) The Province shall communicate to the owner(s) the determination and certification of compensation by the said Commission and also the approval, or rejection of same by Treasury Board or other approving authority.
- d) Notwithstanding the acceptance of this Offer of Compensation by the owner(s), same shall become and be void and of no effect in the event the approvals described in the aforesaid paragraph (b) are not granted to the Province.

ACCEPTANCE

I/We hereby accept the aforesaid offer and, conditional only upon payment of the said sums calculated and payable as aforesaid by The Province, I/We do hereby remise, release and forever discharge The Province, its successors and assigns, its servants, agents and all persons acting under it and each of their heirs, executors, administrators and assigns of and from all manner of action, causes of action, claims or demands against them and/or each of them which, I/we now have or can, shall or may thereafter have, or which my/our heirs, successors, administrators or assigns can, shall or may have for or by reason of or any way arising out of or in connection with the expropriation by The Province of the said land.

I/We hereby authorize and direct The Province to deduct from the said sums all monies necessary to dispose of valid legal claims against the said land or the owner(s) and pay the remainder to:

In Witness Whereof I/We the said The Rural Municipality of Morris

have hereunto set my/our hand(s) this 9th day of January 1986

Signed, sealed and delivered in the presence of

Reeve

Secretary-Treasurer

Witness

Signature(s) of Owner(s)

I, \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ the owner, named herein hereby consent to the making of the same by my \_\_\_\_\_ and hereby direct that payment of the compensation be made directly to (him)(her).

DATED this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1986

Witness

Recommended by: \_\_\_\_\_ on behalf of the Province. (Property Appraiser)

VERIFICATION OF APPROVALS pursuant to Clause (c):

I hereby certify that the required certification and approvals have been obtained and the compensation hereinbefore stated is payable by The Province.

Dated at Winnipeg this 30th day of January A.D. 1986

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF MANITOBA

Signing Officer for the Minister of Government Services