

BY-LAW NO. 1436/93

BEING a By-law of the Rural Municipality of Morris to authorize the corporation to undertake certain works as a local improvement and to borrow the amount of the moneys required to complete the said local improvement.

WHEREAS, pursuant to the provisions of The Municipal Act, Part XI, a municipality may undertake certain works as a local improvement and borrow the amount of the moneys required to complete the said local improvement;

AND WHEREAS the Council of the Rural Municipality of Morris is of the opinion that the hereunder described work should be undertaken as a local improvement and that the moneys required to complete the said work should be borrowed:

The granular base course with asphalt surface treatment for the hard surfacing of the roadway. This is for the South 400 meters of Brandt Street, and all of Spruce Crescent, Canola Drive and that portion of lane connecting the west end of Canola Drive to Provincial Road 205, in Rosenort, Manitoba, at an estimated cost of \$93,300.00.

AND WHEREAS the conditions as prescribed in subsections (1) to (12), both inclusive, of Section 626 of the Municipal Act have been complied with;

AND WHEREAS, in order to complete such undertaking, it will be necessary to issue debentures of the Rural Municipality of Morris for the sum of \$64,362.00 as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for six (6) years, as hereinafter provided, for paying the principal and interest under this by-law are the amount set out in Schedule "A" hereto;


AND WHEREAS the amount of the existing debenture debt of the Rural Municipality of Morris is \$459,286.12, of which no portion of the principal or of the interest thereon is in arrears;


NOW THEREFORE the Council of the Rural Municipality of Morris, in regular session assembled, enacts as follows:


1. THAT the Rural Municipality of Morris proceed to construct and complete the granular base course with asphalt surface treatment for the hard surfacing of the roadway. This is for the South 400 meters of Brandy Street, and all of Spruce Crescent, Canola Drive and that portion of lane connecting the west end of Canola Drive to Provincial Road 205, in Rosenort, Manitoba.
2. THAT the said municipality may expend the sum of \$93,300.00 for the purpose aforesaid.
3. THAT for the aforesaid project the said municipality may borrow the said sum of \$64,362.00 by the issue of debentures which shall be dated the 1st day of March, A.D. 1993.
4. THAT the said debentures shall bear interest at a rate of 0% per annum, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 1st day of December in each of the years 1993 to 1998, both inclusive.

- 5. THAT each of the said debentures shall be signed by the Reeve of the Rural Municipality of Morris, and by the Secretary-Treasurer of the Rural Municipality of Morris, and there shall be affixed thereto the corporate seal of the said municipality.
- 6. THAT during the currency of the said debentures; namely, in each of the years 1993 to 1998, both inclusive, there shall be raised annually by a special rate of \$1.20 per front foot on all the rateable property described in Schedule "B" hereto, according to the frontage thereof, an amount sufficient to provide for the principal requirements hereunder.
- 7. THAT, pursuant to the provisions of Section 657 of the said The Municipal Act, pending the issue of the said debentures, the Council of the Rural Municipality of Morris may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, such advances in total not to exceed the sum of \$93,300.00.
- 8. THAT during the term of the debentures authorized herein, in any year where the debentures remain unissued, the levies may be made as if the debentures has been issued; and upon completion of the project authorized herein, when the final amount of the debt created hereunder is known, the levies shall be made as if the debentures has been issued; and the proceeds of such levies shall be applied in reduction of temporary financing, and when issued, the amount and term of the debentures shall be reduced accordingly.

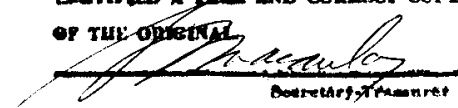
DONE AND PASSED by the Council of the Rural Municipality of Morris in regular session assembled this 27th day of July, 1993.

  
Reeve

APPROVED By Order No. 693/93  
of The Municipal Board  
  
Secretary

  
Secretary-Treasurer

Read a first time on the 8th day of April, 1993.  
 Read a second time on the 27th day of July, 1993.  
 Read a third time on the 27th day of July, 1993.

CERTIFIED A TRUE AND CORRECT COPY  
OF THE ORIGINAL  
  
Secretary-Treasurer

Roll No.	Description	Frontage	Amount @ 1.20/foot
199760	Lot 1, Plan 8774	110.0 F	\$ 132.00
199780	Lot 1, Plan 8774	292.5 F	351.00
199790	Lot 1, Plan 27281	182.08 F	218.50
199795	Lot 2, Plan 27281	165.0 F	198.00
199800	Lot 3, Plan 27281	165.0 F	198.00
199820	Lot 3, Plan 8774	165.0 F	198.00
199840	Lot 3, Plan 8774	100.0 F	120.00
199860	Lot 3, Plan 8774	60.0 F	72.00
199880	Lot 4, Plan 8774	200.0 F	240.00
199900	Lot 5, Plan 8774	179.0 F	214.80
201900	Lot 13, Block 2, Plan 16236	175.0 F	210.00
201880	Lot 1, Plan 24960	412.53 F	495.04
201860	Lot 2, Plan 24960	329.0 F	394.80
198970	Parcel A, Plan 26736	40.0 F	48.00
200340	Lot 1, Plan 9962	250.0 F	300.00
200360	Lot 2, Plan 9962	200.0 F	240.00
200380	Lot 3, Plan 9962	210.0 F	252.00
200400	Lots 4/6, Plan 9962	270.0 F	324.00
199670	Lot 5, Plan 28010	485.0 F	582.00
200900	Lot 1, Plan 28010	340.0 F	408.00
200920	Lot 2, Block 1, Plan 15124	135.87 F	163.04
200940	Lot 1, Block 2, Plan 15124	133.96 F	160.75
200960	Lot 2, Block 2, Plan 15124	120.46 F	144.55
200980	Lot 3, Block 2, Plan 15124	120.41 F	144.49
201000	Lot 4, Block 2, Plan 15124	120.41 F	144.49
201020	Lot 5, Block 2, Plan 15124	173.76 F	208.51
201040	Lot 6, Block 2, Plan 15124	120.40 F	144.48
201060	Lot 7, Block 2, Plan 15124	120.41 F	144.49
201080	Lot 8, Block 2, Plan 15124	120.41 F	144.49
201100	Lot 9, Block 2, Plan 15124	107.76 F	129.30
201120	Lot 10, Block 2, Plan 15124	134.10 F	160.92
201140	Lot 1, Block 3, Plan 15124	169.20 F	203.04
201160	Lot 2, Block 3, Plan 15124	180.19 F	216.23
201180	Lot 3, Block 3, Plan 15124	84.99 F	101.99
201200	Lot 4, Block 3, Plan 15124	107.31 F	128.77
201220	Lot 5, Block 3, Plan 15124	119.98 F	143.98
201240	Lot 6, Block 3, Plan 15124	119.98 F	143.98
201260	Lot 7, Block 3, Plan 15124	132.71 F	159.25
201300	Lot 1, Plan 28013	153.48 F	184.18
201320	Lot 2, Plan 28013	140.38 F	168.46
201340	Lot 4, Block 4, Plan 15124	102.91 F	123.49
201360	Lot 5, Block 4, Plan 15124	146.39 F	175.67
201380	Lot 6, Block 4, Plan 15124	157.88 F	189.46
201400	Lot 7, Block 4, Plan 15124	129.59 F	155.51
201420	Lot 8, Block 4, Plan 15124	135.20 F	162.24
201440	Lot 9, Block 4, Plan 15124	120.75 F	144.90
201460	Lot 10, Block 4, Plan 15124	103.86 F	124.63
201500	Lot 11, Block 4, Plan 15124	510.00 F	612.00
201560	Lot 1, Block 6, Plan 15124	300.00 F	360.00
201520	Lot 1, Block 5, Plan 15124	119.81 F	143.77
201540	Lot 2, Block 5, Plan 15124	166.50 F	199.80
		8,939.17 F	\$10,727.00

RURAL MUNICIPALITY OF MORRIS  
 SCHEDULE "A" TO BY-LAW NO. 1436/93  
 LOCAL IMPROVEMENT DEBENTURE ISSUE  
 \$64,362.00 - 0.00% - 6 YEARS

DATED MARCH 01, 1993

PAYABLE DECEMBER 01, 1993 - 1998

ANNUAL PAYMENT: \$10,727.00

MATURITY SCHEDULE

YEAR	INTEREST	PRINCIPAL	BALANCE OWING
1993	0.00	\$ 10,727.00	\$ 53,635.00
1994	0.00	10,727.00	42,908.00
1995	0.00	10,727.00	32,181.00
1996	0.00	10,727.00	21,454.00
1997	0.00	10,727.00	10,727.00
1998	0.00	10,727.00	0.00
	<u>\$ 0.00</u>	<u>\$ 64,362.00</u>	

THE MUNICIPAL BOARD OF MANITOBA

WINNIPEG, MANITOBA

**M A N I T O B A**

) Order No. C-93-065  
) File No. 93C4-010

**THE MUNICIPAL BOARD**

**BEFORE:** Mr. J. Reimer, Acting Chairman  
Mr. H. D. Hildebrand, Member

IN THE MATTER OF an application by the  
Rural Municipality of Morris pursuant to  
Section 626 of *The Municipal Act* for  
approval of its By-law No. 1436/93

**APPLICATION BY:**

Rural Municipality of Morris

**APPEARANCES:**

Mr. Grant G. Macaulay,  
Secretary-Treasurer,  
Rural Municipality of Morris - for the Applicant

Mr. Alvin Rempel - Objector

**HEARING DATE:** June 9, 1993

By-law No. 1436/93 of the Rural Municipality of Morris authorizes the municipality to undertake certain works as a local improvement and borrow the amount of monies required to complete the project. Under authority of the by-law, the municipality proposes to construct the granular base course with asphalt surface treatment for the hard surfacing of the south 400 metres of Brandt Street and all of Spruce Crescent, Canola Drive and that portion of lane connecting the west end of Canola Drive to Provincial Road 205, in Rosenort, Manitoba at an estimated cost of \$93,300 of which \$64,362 will be borrowed by the issue of debentures. A special annual rate of \$1.20 per front foot is to be levied on all rateable property described in "Schedule B" to the by-law sufficient to raise the monies required for the payment of the principal.

Grant Macaulay gave evidence indicating that the property owners initiated the project which is part of a long term urban street paving program in Rosenort.

A portion of the cost is to be financed from money in reserves of the unincorporated village district of Rosenort. The municipality proposes to issue interest free debentures for the balance. Council of the municipality decided that a frontage levy is the proper method for paying the principal.

Mr. Rempel does not oppose the project, but objects to the method of taxation. In his opinion the frontage levy places an unfair burden on large vacant lots. Mr. Rempel indicated that new homes on small lots are not paying their fair share. There should be a 50 - 50 split on frontage and mill rate. In addition, Mr. Rempel does not agree that the paving projects including several streets should be combined into a single project.

THE MUNICIPAL BOARD OF MANITOBA

WINNIPEG, MANITOBA

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After considering the evidence the Board finds that the method of taxation was given proper consideration by Council of the municipality. Evidence of the objector does not convince the Board that the frontage levy is unfair.

The Board also finds that the municipality has the financial capacity to support the undertaking and that there is a reasonable need and justification for proceeding with the local improvement project.

**THEREFORE, IT IS ORDERED:**

1. That By-law No. 1436/93 of the Rural Municipality of Morris **BE APPROVED.**
2. That a filing fee in the amount of \$50.00 be paid by the Applicant.

THE MUNICIPAL BOARD



Acting Chairman

July 8, 1993  
Date

Secretary

