



## MACKENZIE COUNTY

### REQUEST FOR DECISION

<b>Meeting:</b>	<b>Regular Council Meeting</b>
<b>Meeting Date:</b>	<b>September 24, 2014</b>
<b>Presented By:</b>	<b>Mark Schonken – Interim Director of Finance</b>
<b>Title:</b>	<b>Sale of Land by Public Auction</b>

**BACKGROUND / PROPOSAL:**

Council directed Administration to offer the eight tax forfeiture properties for sale by Public Auction on September 24, 2014 at 1:00 pm in the Council Chambers located at 4511 – 46 Ave, Fort Vermilion. The ad was placed in the July 31, 2014 issue of the Alberta Gazette.

The following properties have been considered for public auction due to tax arrears:

Roll	Ward	Zoning	Legal	Civic	Outstanding	Reserve Bid	Notes
076526	04	HCR2	0325931; 3;3	9229 – 95 Avenue, La Crete	\$8,317.80	<b>\$204,780.00</b>	<b>Agreement signed</b>
106062	07	HR-1	2938RS; 8;3	4606 – 50 Street, Fort Vermilion	\$2,371.25	<b>\$52,700.00</b>	<b>Contacted and left two messages</b>
229967	07	MHS-2	8420527; 1;18	4708 – 49 Avenue, Fort Vermilion	\$2,036.78	<b>\$27,350.00</b>	<b>Agreement signed</b>
229971	07	MHS-2	8420527; 1;22	4716 – 49 Avenue, Fort Vermilion	\$2,405.96	<b>\$34,690.00</b>	<b>Agreement signed</b>
234500	06	A	SE 3,109,12, 5	Acreage	\$0.00	<b>\$16,660.00</b>	<b>Taxes paid and property sold</b>

Author: \_\_\_\_\_ Review Date: \_\_\_\_\_ CAO \_\_\_\_\_

219436	07	HR-1	8320443; 5;8	4801 – 47 Street, Fort Vermilion	\$2,089.40	<b>\$96,690.00</b>	<b>Agreement signed</b>
230088	10	HM2	8821687; 3;2	1084 Industrial Drive, Zama	\$8,252.63	<b>\$148,030.00</b>	<b>Abandoned and unsightly premises orders</b>
295920	10	HM2	8821687; 3;1	1072 Industrial Drive, Zama	\$2,983.87	<b>\$42,920.00</b>	<b>Abandoned and unsightly premises orders</b>

### **OPTIONS & BENEFITS:**

The properties are being offered for sale as authorized under section 418 of the Municipal Government Act:

#### **Offer of parcel for sale**

**418(1)** Each municipality must offer for sale at a public auction any parcel of land shown on its tax arrears list if the tax arrears are not paid.

#### Roll 234500

This property the taxes have been paid and the property sold.

#### Roll 219436

A payment of \$500.00 was received June 10, 2014. Also, a payment of \$815.00 was received September 12, 2014. An agreement has been signed as of September 18, 2014.

#### Roll 076526

A payment of \$500.00 was received August 6, 2014 and another payment of \$500.00 was received September 2, 2014. An agreement has been signed as of September 23, 2014

#### Rolls 229967 and 229971

Agreements and payment schedules have been signed.

#### Rolls 106062, 230088, 295920

There are no arrangements for these rolls at the time of this Request for Decision preparation.

**COSTS & SOURCE OF FUNDING:**

If a property is sold, the County would recover taxes and other costs incurred regarding the property. The remaining proceeds will be dealt with as mandated by the Municipal Government Act.

**RECOMMENDED ACTION:**

**Motion 1:**

That the following properties be removed from the 2014 auction list due to property taxes being paid or payment arrangements made.

- Tax Roll 234500
- Tax Roll 219436
- Tax Roll 076526
- Tax Roll 229967
- Tax Roll 229971

**Motion 2:**

That Council proceed with the public auction for the following properties:

- Tax Roll 106062
- Tax Roll 230088
- Tax Roll 295920

**Motion 3:**

That the following offers be accepted subject to a \$1,000.00 non-refundable deposit at the time of sale and the balance payable within 30 calendar days and prior to the title transfer.

Property Description	Reserve Bid	Buyer/Price
Tax Roll 106062 4606-50 Street, Fort Vermilion	\$ 52,700.00	
Tax Roll 230088 1084 Industrial Drive, Zama	\$148,030.00	
Tax Roll 295920 1072 Industrial Drive, Zama	\$ 42,920.00	

**Motion 4:** *(if no bids are received and the County is interested in taking ownership)*

That Mackenzie County requests the Registrar to cancel the existing Certificate of Title for the following parcels of land and issue new Certificates of Title in the name of Mackenzie County.

- Tax Roll \_\_\_\_\_
- Tax Roll \_\_\_\_\_
- Tax Roll \_\_\_\_\_

**Motion 5:** *(if no bids are received and the County is not interested in taking ownership)*

That the following properties remain in the current owners name and the County continues to attempt to collect property taxes.

- Tax Roll \_\_\_\_\_
- Tax Roll \_\_\_\_\_
- Tax Roll \_\_\_\_\_

## Public Sale of Land

Municipal Government Act

Mackenzie County

Notice is hereby given that under the provisions of the Municipal Government Act, Mackenzie County will offer for sale by public auction, in the Council Chambers located at 4511 – 46 Avenue in the Hamlet of Fort Vermilion, Alberta on September 24, 2014 at 1:00pm. The following lands:

<i>Lot</i>	<i>Block</i>	<i>Plan</i>	<i>M</i>	<i>RG</i>	<i>TWP</i>	<i>SEC</i>	<i>Q</i>	<i>C of T</i>	<i>Linc</i>
03	03	032 5931						112099555	0030231278
03	08	2938RS						052236049	0012886198
18	01	842 0527						842046720L	0011171204
22	01	842 0527						842046720P	0011171246
			5	12	109	03	SE	062211901	0020550035
08	05	832 0443						072481650	0011317857
02	03	8821687						092081376001	0010812196
01	03	8821687						092081376	0010812188

Each parcel will be offered for sale subject to a reserve bid, and to the reservations and conditions contained in the existing certificate of title. Additional conditions of building demolition and leveling of lot and/or repair of unsightly conditions will apply.

The land is being offered for sale on an “as is, where is” basis and the Mackenzie County makes no representation and gives no warranty whatsoever as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, or the developability of the subject land for any intended use by the Purchaser. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any parcel. No terms and conditions of sale will be considered other than those specified by the Mackenzie County. No further information is available at the auction regarding the lands to be sold. This list is subject to deletions.

Mackenzie County may, after the public auction, become the owner of any parcel of land that is not sold at the public auction.

Terms: 25% down payment must be made by cash or certified cheque within 24 hours of the auction with payment in full due within 30 days.

Redemption may be affected by payment of all arrears of taxes and costs at any time prior to the sale.

Dated at the Hamlet of Fort Vermilion, Alberta.

Julia Whittleton, Chief Administrative Officer

# Public Auction Format

Declare the public auction open

I will now advise the audience of the auction procedures

The Terms and Conditions are as follows:

\$1,000.00 non-refundable deposit on acceptance of bid

Payment in full due within 30 days

Read, only once, the description of each property that is being offered for sale, and, if there are no bids, automatically go on to announce the next property up for bid. Bidders will not be able to go back and bid on property that has closed (which is after subsequent properties have been put up for auction).

If you have any questions, they should be asked now or you may question specifics of a particular property at the time the property is offered.

After all properties have been announced, the auction will be adjourned. There will be no opportunity to bid after that time.

Payment for properties will be received after bidding has been concluded for all properties.

If there is a question that the answer is unknown, the auction will be delayed until the answer is obtained and given.

The auction will now be adjourned.

## Mackenzie County

<b>Title</b>	<b>RESERVE BID &amp; CONDITIONS OF SALE</b>	<b>Policy No:</b>	<b>FIN017</b>
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<b>Legislation Reference</b>	<b>Municipal Government Act, Section 419</b>
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### **Purpose**

To establish a policy for the setting of reserve bids and conditions of sale for parcels of land to be offered for sale at a public auction.

### **Policy Statement and Guidelines**

For each parcel of land to be offered for sale at a public auction, the reserve bid must be set as close as reasonably possible to the market value of the parcel.

Administration may authorize the assessor appointed by the municipality to assess the parcel at fair market value and adopt that assessment figure as the reserve bid for that parcel.

Administration may authorize an appraiser to appraise the parcel and adopt that appraisal figure as the reserve bid for that parcel.

All non-residential and non-vacant agricultural parcels shall be appraised.

The following conditions shall apply to the sale:

Each Parcel will be offered for sale, subject to a reserve bid and to the reservations and conditions contained in the certificate of title.

Terms: Cash, Certified Cheque or Money Order

Deposit: \$1,000 (non-refundable to the successful bidder) at time of the sale.

Balance: To be paid to Mackenzie County within 30 (thirty) calendar days of the date of the auction.

Mackenzie County may become owner of any parcel of land that is not sold at the public auction, immediately after the public auction.

Redemption may be affected by payment of all arrears of taxes and costs at any time prior to the date of sale.

Policy FIN017  
Reserve Bid & Conditions of Sale

	<b>Date</b>	<b>Resolution Number</b>
<b>Approved</b>	March 6/01	01-128
<b>Amended</b>	30-Mar-11	11-03-277
<b>Amended</b>		