

Department: County Manager	Section: Government Services
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GS-11 Land Acquisition and Disposal

Policy Statement

As necessary for municipal operations, and in the best interest of Leduc County citizens and businesses, the County may acquire or dispose of lands within or outside of the municipality.

Policy Intent

To adhere to the Municipal Government Act (MGA) and provide a consistent and transparent process for the acquisition or disposal of lands.

Service Level Objectives/Standards

- Implement policy and procedures to adhere to the MGA.
- Implement policy and procedures to provide consistency.
- Demonstrate transparency and effective governance.
- Maintain financial prudence.
- Council must approve all acquisitions and disposals of lands.
- All land purchases shall address an identified need for additional land on the part of Leduc County's municipal operations.
- Land disposal should generally not occur to generate additional revenue, but rather to benefit Leduc County, its citizens, ratepayers, businesses or may be of benefit to Leduc County and neighbouring municipalities.

Monitoring & Updating

This policy should be reviewed every two years.

Land Acquisition

1. Purpose

To support municipal operations through the land acquisition these procedures have been created to guide administration through the process of purchasing land, other than right of way purchases, on behalf of Leduc County.

2. Related Information

- Municipal Government Act
- Leduc County Land Acquisition/Disposal Policy
- Municipal Purchasing Policy

Approved Date:	Motion No:	Page No.
October 3, 2017	461-17	1 of 4

Department: County Manager	Section: Government Services
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3. Responsibilities

- a) County Council
To approve the policy and make amendments. To consider administrative recommendations relating to the purchase of lands.
- b) County Manager
Shall ensure that any land purchases recommended to Leduc County Council are well researched and correspond to Council's priorities.
- c) Director of Assessment
Shall prepare a valuation of the lands in question, and review valuations of 3rd party appraisals when required.
- d) Director of Planning and Development
Shall provide information and concerns related to development or regulatory issues with the land in question.

4. Procedure

The County Manager, in consultation with the other administration, will ensure that County Council is well informed of issues or concerns that may arise regarding the land in question.

Land purchased over \$250,000 requires a 3rd party appraisal, or as directed by Council.

At Council's discretion, significant land purchases require a notice of motion in a public Council meeting prior to the approval of a land acquisition.

Leduc County Council will ultimately determine whether the purchase of proposed lands should proceed or be abandoned.

If Council approves to purchase lands, administration will attempt to acquire said lands in a fiscally responsible manner.

Leduc County solicitor may be retained to assist with the transfer of titles.

Land Disposal

1. Purpose

To support municipal operations through the land disposal policy, these procedures have been created to guide administration through the process of selling land, on behalf of Leduc County. Closure and sale of road allowances are separate from this policy.

2. Related Information

- Municipal Government Act
- Leduc County Land Acquisition/Disposal Policy
- Municipal Purchasing Policy

Approved Date:	Motion No:	Page No.
October 3, 2017	461-17	2 of 4

Department: County Manager	Section: Government Services
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3. Responsibilities

- a) County Council
To approve the policy and make amendments. To consider administrative recommendations relating to the sale of lands.
- b) County Manager
Shall ensure that any land sales recommended to Leduc County Council are well researched and correspond to Council's priorities.
- c) Director of Assessment
Shall prepare a valuation of the lands in question.
- d) Director of Planning and Development
Shall provide information and concerns related to development or regulatory issues with the land in question.

4. Procedure

The County Manager, in consultation with the other administration, will ensure that County Council is well informed of any legislative or non-legislative issues or concerns that may arise regarding the lands in question.

Leduc County Council will ultimately determine whether the sale of proposed lands should proceed or not.

In the case of road closures and sales of road allowances; Leduc County Council, as specified in the MGA, must seek approval from the Minister of Transportation prior to municipal approval via Bylaw.

Should County Council determine that the sale of lands should proceed, Council will also determine whether the lands be publically advertised as "For Sale".

If Council approves to sell lands, administration will negotiate in a transparent manner that ensures a fair price is obtained while observing the best interests of Leduc County, its ratepayers, citizens and businesses.

A third party valuation of the subject property may be needed to establish the property's market value.

Prior to sale, any land designated Municipal Reserves shall have that designation removed by an Order of Council and the funds resulting from the sale of the land shall be allocated to the appropriate municipal function as per the Municipal Government Act.

Council will also approve the appropriate process for the sale of lands as identified below:

- a) There are three methods of sale that will be used by administration in the disposal of land. They are as follows: sale by real estate agent, sale by competitive bid and public auction:
 - i) **Real Estate Agent:** A licensed real estate agent will be responsible for all aspects of the sale. The agent will be responsible to meet with purchasers and finalize the price.
 - ii) **Competitive Bid:** Administration will advertise the sale of land with a final date to receive bids. Interested parties will submit their bids to administration, which will hold them in confidence until the above mentioned date has been reached. The two highest bidders will

Approved Date:	Motion No:	Page No.
October 3, 2017	461-17	3 of 4

<p>Department: County Manager</p>	<p>Section: Government Services</p>
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be informed of their position and invited to submit one more bid. Administration will then sell the land to the highest bidder.

- iii) Public Auction: A licensed auctioneer hired by County administration will auction the land in question in Council Chamber on a date advertised and set by administration. Land in question will be sold to the highest bidder. Administration of sale documents to be completed by the Leduc County solicitor.

<p>Approved Date:</p>	<p>Motion No:</p>	<p>Page No.</p>
<p>October 3, 2017</p>	<p>461-17</p>	<p>4 of 4</p>