



Policy Type:	100 General Government
Policy Title:	07 Disposition of Municipal Land Policy
Authority:	
Resolution #	098-21

**Purpose:**

- To administer a fair and consistent formal process in the disposition of municipally owned land.

**Definitions:**

“Appraisal” means an official valuation of land(s) by an authorized person.

“Council” means Council for the Rural Municipality of Beaver River No. 622.

“Direct Sales” means the sale of municipal land(s) that has been initiated by the public.

“Land(s)” includes all properties, whether vacant or land containing buildings owned by the RM of Beaver River No. 622.

“Public sales” means the sale of land(s) that the Rural Municipality of Beaver River No. 622 is actively trying to dispose of.

“The Municipality” means the Rural Municipality of Beaver River No. 622.

“Designated Officer” means a person designated by a Council or a person to whom power or authority is delegated by the Administrator or, in the absence of a designation by the Council, the Administrator.

“Applicant” means the individual(s), company or organization filing a Land Purchase Application Form (Schedule “A”) for potential purchase of Rural Municipality of Beaver River No. 622 land(s).

**Scope:**

- All sales of Municipal land(s) shall be made in accordance with this policy.

**Policy:**

- The sale of land may be initiated by either the Municipality or by an individual, company or organization that is interested in acquiring the land.
- All matters related to the disposal of Municipal land shall be in accordance to Section 48 of *The Municipalities Act*.

Handwritten initials/signatures in blue ink.

## **General Rules:**

- The disposal of lands may take place using two separate methods:
  1. **Public sale of land** – includes land(s) that the Municipality knowingly and actively wishes to sell.
  2. **Private sale of land** – includes land(s) that are not actively advertised and that are initiated through the public.
- The Municipality shall proceed through the following process once it is prepared to sell municipally owned lands.

## **Public Sale of Land:**

- At the request of Council, the Administrator, or Designated Officer, may do one of the following:
  1. Have an appraisal completed; or
  2. Contact the Saskatchewan Assessment Management Agency (SAMA) Representative for the Municipality to obtain the fair market value to assist in establishing a sales price OR minimum tender price.
- The Administrator shall have prepared, for Council approval, an information package on the subject land(s) that includes the following:
  - a) A brief description of the land(s) including location, zoning and any other relevant information;
  - b) Copy of the registered title;
  - c) Copy of the relevant zoning guidelines and development permit guidelines, if (applicable); and
  - d) Land Purchase Application Form (Schedule "A") that is to be completed by the prospective purchaser.
- The Administrator may have public notices published in local newspaper(s), on the Municipalities website, in the Municipal newsletter, etc. The notice must include a description of the land(s), the nature and terms of the proposed disposition, and the process by which the land(s) may be acquired.
- Council may request that the Administrator use local Real Estate Companies to market Municipal land(s).
- Upon receiving a completed Land Purchase Application Form (Schedule "A"), the Administrator shall review any proposals received and prepare a report for Council review at their next regular meeting. **Council reserves the right to decline any/all proposals.**
- All decisions concerning disposal of municipally owned land(s) shall be made by Council via Council resolution.
- The Administrator, or Designated Officer, shall provide a letter to all Applicants informing them of the decision of Council.
- The Applicant must satisfy themselves as to any additional geotechnical or environmental reports for land(s). The Municipality may grant access to the site to conduct these investigations.
- Land purchase processes shall commence within 90 days of Council decision.
- Applicant shall be responsible to bear the costs of the following:
  1. Land Survey (if applicable);

2. Geotechnical or environmental reporting (if applicable);
  3. All legal fees;
  4. Purchase price (based on fair market value or appraisal value); and
  5. Any other applicable fees as included within the Agreement of Purchase and Sale.
- The formal Agreement of Purchase and Sale shall be completed by, either:
    - a) The Municipalities appointed Legal Representative; OR
    - b) Real Estate Brokerageas per Council's choosing.

### **Direct Sale of Land:**

- All inquiries or offers made with regards to the purchase of municipally owned land shall be, in writing, using prescribed Land Purchase Application Form (Schedule "A") and directed to the Administrator, or Designated Officer.
- The Administrator shall prepare a report and present any offer to Council at their next regular meeting.
- The Administrator shall include in the report information on subject land(s) that include the following:
  - a) A brief description of the land(s) including location, zoning and any other relevant information;
  - b) Copy of the registered title;
  - c) Copy of the relevant zoning guidelines and development permit guidelines, if (applicable); and
  - d) Land Purchase Application Form (Schedule "A") completed by the prospective purchaser.
- Council will determine how they wish to proceed with the offer and the Applicant shall be so advised. **Council reserves the right to deny any offer, should it be determined that such land sale is not in the best interest of the Municipality.**
- At Council's request, an opportunity may be afforded to the Applicant to make presentation to Council at an upcoming meeting regarding their interest in the Municipal land(s).
- If Council elects to sell the land(s), the Administrator, or Designated Officer, shall contact the Saskatchewan Assessment Management Agency (SAMA) Representative for the Municipality to obtain the fair market value. Council shall decide whether sale price be based on fair market value or appraisal value, whichever is in the best interest of the Municipality.
- The Applicant must satisfy themselves as to any additional geotechnical or environmental reports for land(s). The Municipality may grant access to the site to conduct these investigations.
- Applicant shall be responsible to bear the costs of the following:
  1. Appraisal costs (if applicable);
  2. Land Survey (if applicable);
  3. Geotechnical or environmental reporting (if applicable);
  4. All legal fees;
  5. Purchase price (based on fair market value or appraisal value); and
  6. Any other applicable fees as included within the Agreement of Purchase and Sale.
- Final sales agreement shall be completed by the Municipalities appointed Legal Representative.



## Land Purchase Application Form Schedule "A"

Use this form if you are interested in purchasing land(s) from the RM of Beaver River No. 622. The information you provide is not an offer or a contract and does not constitute an interest in the land. The purpose of this form is to provide information to the RM of Beaver River No. 622 regarding a desire to purchase properties prior to the negotiation of a formal Agreement of Purchase and Sale. The completion and submission of the form in no way obligates the applicant to purchase the land(s) in question and is not in any way binding upon the RM of Beaver River No. 622. It is for informational purposes only.

The RM of Beaver River No. 622 will review the form and contact the applicant to confirm whether or not the RM of Beaver River No. 622 wishes to negotiate a formal Agreement of Purchase and Sale. The RM of Beaver River No. 622 reserves the right to negotiate with only those parties that the RM of Beaver River No. 622 so determines in its sole discretion. The RM of Beaver River No. 622 reserves the right to amend or abandon this listing without accepting and Land Purchase Application. All property sold as is-where is condition.

Applicant Information:	
Name of potential Purchaser or potential Purchasers Corporation (what is to appear on title)	
Contact Person	
Mailing Address	
Phone Number(s)	
E-mail Address	

Real Estate Brokerage (if represented):	
Associate Name & Brokerage	
Associate Phone Number	
Fax Number	
E-mail Address	

\*If represented by a Real Estate Agent, all negotiations must take place through the Associate.\*

Land(s) Requested:	
Legal Land Description	
Municipal Civic Address (if applicable)	
Total Purchase Price	

Additional Terms & Conditions:

\_\_\_\_\_

\_\_\_\_\_

Dated at \_\_\_\_\_, Saskatchewan this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

This information is collected under the authority of Section 24 of *The Local Authority Freedom of information and protection of Privacy Act* and for the purpose of land sale transaction with the RM of Beaver River No. 622.  
It is protected by the privacy provisions of *The Local Authority Freedom of information and protection of Privacy Act*