

## THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 19 (REVELSTOKE)

### BIG EDDY SUBDIVISION LAND DISPOSAL BYLAW 2019

WHEREAS a board of education may dispose of land or improvements owned or administered by the board under the authority of Section 96(3) of the School Act, subject to the Orders of the Minister of Education (the “**Minister**”);

AND WHEREAS the Minister issued Order M193/08 effective September 3, 2008 requiring fee simple sales and leases of land or improvements for a term of ten years or more to be specifically approved by the Minister, unless the transferee is an independent school or another school board;

AND WHEREAS Section 65(5) of the *School Act* requires a board of education to exercise a power with respect to the acquisition or disposal of property only by bylaw;

AND WHEREAS:

- (i) The Board of Education of School District No. 19 (Revelstoke) (the “**Board**”) owns land and improvements (the “**Property**”) in Revelstoke formerly known as the Big Eddy Elementary School site;
- (ii) the facility number for the Property is 01919009;
- (iii) the Board has determined that the Board does not require the Property for future educational purposes;
- (iv) the Board has received the Minister’s approval to sell the Property;
- (v) the Board has subdivided the Property to create seven separate legal parcels;
- (vi) prior to subdivision, the address of the Property was 970 – 1000 Begbie Road, City of Revelstoke, and the legal descriptions of the parcels comprising the Property were:

PID: 015-024-741 Lot 12 District Lot 7 Kootenay District Plan 2904;

PID: 015-024-776 Lot 13 District Lot 7 Kootenay District Plan 2904; and

PID: 015-024-792 Lot 20 District Lot 7 Kootenay District Plan 2904;

- (vii) the legal descriptions of the parcels that now comprise the Property (the “**Parcels**”) after subdivision are as follows:

PID: 030-935-041 Lot 1 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 1**”);

PID: 030-935-059 Lot 2 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 2**”);

PID: 030-935-067 Lot 3 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 3**”);

PID: 030-935-075 Lot 4 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 4**”);

PID: 030-935-083 Lot 5 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 5**”);

PID: 030-935-091 Lot 6 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 6**”); and

PID: 030-935-105 Lot 7 District Lot 7 Kootenay District Plan EPP82854 (“**Lot 7**”);

(viii) the Board publicly offered the Parcels for sale in an open and competitive process, in accordance with the Board's Policy 4.16 Disposal of Land or Improvements, and has received an offer to purchase each of the Parcels that the Board considers acceptable as follows (collectively, the "Offers"):

<u>Parcel</u>	<u>Buyer</u>	<u>Price</u>
Lot 1	Dean Clayton Cartwright and Laura Dawn Borowski	\$232,000.00
Lot 2	Absolute Industries Ltd.	\$241,000.00
Lot 3	Russell Lackey and Jane Klarer-Lackey	\$240,000.00
Lot 4	Tamia Rose Doyle and Benjamin Gregory Doyle	\$230,000.00
Lot 5	Matthew Kenneth Hunter	\$234,190.00
Lot 6	Taylor James Fitzgerald	\$230,000.00
Lot 7	Andrew Schneider and Joshua Aaron Schneider	\$225,000.00;

(ix) the Board is satisfied that it is in the best interests of the Board to complete the sales of the Parcels on the terms of the Offers;

NOW THEREFORE be it resolved as a Bylaw of the Board that the acceptance of each of the Offers and the sale of each of the Parcels on the terms of the corresponding Offer, be and is hereby authorized, ratified and approved.

BE IT FURTHER resolved that the execution and delivery of the Board's acceptance of each of the Offers, and the Form A Freehold Transfer of each of the Parcels in favour of the corresponding buyer, and the execution and delivery of all related documents and the completion of all related actions by the Secretary-Treasurer on behalf of the Board, be and are hereby authorized, adopted, ratified, confirmed and approved in all respects.

This Bylaw may be cited as "School District No. 19 (Revelstoke) Big Eddy Subdivision Disposal Bylaw 2019".

Read a first time this 11<sup>th</sup> day of December 2019.

Read a second time this 11<sup>th</sup> day of December 2019.

Upon unanimous agreement of the Trustees of the Board in attendance, this Bylaw was read a third time on 11<sup>th</sup> day of December 2019, and finally passed and adopted this 11<sup>th</sup> day of December 2019.

\_\_\_\_\_  
Chairperson of the Board

Corporate Seal

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Secretary-Treasurer

I HEREBY CERTIFY this to be a true original of School District No. 19 (Revelstoke) Big Eddy Subdivision Disposal Bylaw 2019, adopted by the Board the 11<sup>th</sup> day of December 2019.

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Secretary-Treasurer