

THE RURAL MUNICIPALITY OF PINEY

“Land Sales Policy”

Subject: **Land Sales**

Effective Date: **January 12th, 2022**

Replaces Policy: **Resolution No. 31 February 9th, 2021**

Resolution No.: **09** **Resolution Date:** **January 11th, 2022**

PURPOSE

The purpose of this policy is to outline which land owned by the Rural Municipality of Piney will be deemed available for purchase by following specific guidelines laid out in this policy.

POLICY STATEMENT

The Rural Municipality of Piney is committed to ensuring that land sales are done fairly and on a standard system each year. This policy breaks down what is and is not for sale, how the selling process will take place, and which guidelines are to be followed. This policy has been put in place to establish land the municipality is not willing to sell due to future development plans, land being agriculturally leased, with no road access, zoned general development, environmentally impacted or historical sites, or any parcels being held for land exchange with the province of Manitoba.

DEFINITIONS

Residential lots with Set Prices are defined as lots for sale that are five (5) acres or less and are located in a municipal owned subdivision which have been listed with a realtor for a set price amount.

Residential Lots without Set Prices are defined as lots for sale that are five (5) acres or less that are for sale through the Rural Municipality of Piney that do not have a set price and are open to offers.

Large Acre Parcels are defined as any parcel of land owned by the Rural Municipality of Piney that are five (5) plus acres in size.

Realtor is defined as a person hired by the Rural Municipality of Piney to act as the selling agent for the sale of lands by the municipality.

Estimate of Value is defined as the activity of gathering information by a third party about the conditions of a parcel of land that affect the marketplace value.

Set Price is defined as a price set and passed by council through resolution stating what the said price will be for each property for sale by the municipality based on the information provided by a third party.

Possession will be set for four (4) weeks from date on offer to purchase. For residential lots sold with set prices, the CAO can extend the possession up to another four (4) weeks past the agreed upon four-week possession date.

Development Agreements may be required for a sale, if deemed necessary by council through resolution.

Schedule A is defined by an attachment to this policy that will be known as ‘RM of Piney – Offer to Purchase’ and will act as the Rural Municipality of Piney Offer to Purchase for purchasing a parcel of land through the municipality.

Schedule B is defined by an attachment to this policy that will be known as ‘RM of Piney – Land Not Available’ that states all the land owned by the Rural Municipality of Piney that is not for sale.

Schedule C is defined by an attachment to this policy that will be known as ‘RM of Piney – Other Lands’ that states all the land owned by the Rural Municipality of Piney that is potentially for sale as per yearly review and resolution by council.

Schedule D is defined by an attachment to this policy that will be known as ‘RM of Piney – Residential Lots (5 acres or less) Without Set Prices’ that states all the land owned by the Rural Municipality of Piney that is potentially for sale by offer.

POLICY

Residential Lots (5 acres or less) with Set Prices:

- Lots within municipal owned subdivisions have prices set by council through resolution;
- any land with a price set by resolution of Council are not open for offers;
- sales will be through a realtor who requires a \$1,000.00 deposit to commence the sale process;
- the purchaser is responsible for all costs which will include the set price, GST on set amount, land transfer fees and registration fees, courier fees (if any), and the municipality’s legal costs; base cost of RM legal services will be fees of \$350.00 plus taxes, in cases where the purchaser does not use a lawyer; if the purchaser uses a lawyer (which will be required if getting a mortgage for the purchase), the fees will be \$600.00 plus taxes;
- The purchaser will receive a letter stating the total costs owing to the Rural Municipality of Piney, where full payment must be in the form of a certified cheque or bank draft on or before the agreed upon possession date; but if a mortgage is needed, proceeds will follow in due course. *Due to security reasons, we do not except cash on land sales.

Residential Lots (5 acres or less) without Set Prices:

- Properties that do not have a price set by council are open for offers;
- Schedule A 'RM of Piney – Offer to Purchase' is to be filled out and accompanied by a deposit in the amount of \$1,000.00;
- Lots without set prices will receive two (2) estimates of value once an offer has been received;
- The RM will have four (4) weeks from the date of said offer to receive the estimates of value;
- Once the estimates are reviewed by council, council must either pass, pass with conditions, or reject by resolution the said offer at a council meeting;
- If the offer is accepted, the deposit will go towards the purchase price;
- If the offer is rejected, a cheque in the amount of \$1,000.00 for the deposit refund, will be issued back to the purchaser within fourteen (14) days from the date on the resolution;
- On accepted offers, the purchaser is responsible for all costs which will include the set price, GST on set amount, land transfer fees and registration fees, courier fees (if any), and the municipality's legal costs; base cost of RM legal services will be fees of \$350.00 plus taxes, in cases where the purchaser does not use a lawyer; if the purchaser uses a lawyer (which will be required if getting a mortgage for the purchase), the fees will be \$600.00 plus taxes;
- The purchaser will receive a letter stating the total costs owing to the Rural Municipality of Piney where full payment must be in the form of a certified cheque or bank draft on or before the agreed upon possession date; but if a mortgage is needed, proceeds will follow in due course. *Due to security reasons, we do not except cash on land sales.

Large Parcels (5 plus acres):

- Land listed on Schedule C 'RM of Piney – Other Lands' will be potentially for sale as per a resolution established by council on a yearly basis;
- If council deems necessary, in accordance to the Financial Plan for that year, council may designate land for sale to achieve the financial plan set revenue goal for that current year by a set price passed by resolution; or
- If the Financial Plan allows for it, council can choose to not put any land for sale for that year;
- Set prices for these parcels will be based off receiving a minimum of two (2) estimates of value and will be decided at a regular council meeting each year;
- **If any parcels are set for sale by council, the land will go through an auction sale that will be held on the 1st Monday of May for that current year;**
- **If council has not achieved the revenue goals set out in the financial plan after the auction in May, council may choose additional land that will go through another auction sale held on the 2nd Monday of September for that current year;**
- Bidding at the auction will start at the set price established by council and parcel(s) will be sold to the highest bidder; parcel(s) will not be sold for anything lower than the set price;
- If interested in bidding, you must attend in person at the location announced prior to the auction;
- When sold at auction, the purchaser must leave a \$1,000 deposit and fill out an offer, Schedule A of this policy, at the time of auction;
- The purchaser is responsible for all costs which will include the set price, GST on set amount, land transfer fees and registration fees, courier fees (if any), and the municipality's legal costs; base cost of RM legal services will be fees of \$350.00 plus taxes, in cases where the purchaser does not use a lawyer; if the purchaser uses a lawyer (which will be required if getting a mortgage for the purchase), the fees will be \$600.00 plus taxes;

- The total amount owing will be due on or before possession date and must be in the form of a certified cheque or bank draft; but if a mortgage is needed, proceeds will follow in due course.
*Due to security reasons, we do not except cash on land sales.
- If an offer is received for a property that has not been approved for sale for that year, it will automatically be rejected and not viewed by council;

'Schedule A'

RM OF PINEY – OFFER TO PURCHASE

I/We _____
of _____, would like to offer the Rural Municipality of Piney
\$ _____ on Legal Description: _____

OFFER IS TO BE ACCOMPANIED WITH A \$1,000.00 DEPOSIT

Possession date: _____
(Full payment of funds, if offer is accepted, must be received by this date)

If offer is accepted, I/we will be responsible for the purchase price, GST if the I/we are not a GST-registrant, land transfer fees, registrations fees, and taxes and the Municipality's legal costs. The base cost of the Municipality's legal services will be fees of \$350 plus taxes, in cases where I/we do not use a lawyer. If I/we use a lawyer (which will be required if getting a mortgage for the purchase), the Municipality's legal fees will be \$600 plus taxes.

Title will be free of encumbrances except utility and municipal easements (if any).

I/We rely entirely upon my/our personal inspection and knowledge of the property independent of any representation made by or on behalf of the Municipality.

Signed by purchaser(s) on _____ day of _____, 20__.

Witness

Signature of Purchaser

Witness

Signature of Purchaser

The Rural Municipality of Piney accepts the above offer on ____ day of _____, 20__.

Reeve

Chief Administrative Officer

"SCHEDULE C" RM OF PINEY - OTHER LANDS			
<u>Town</u>	<u>Legal Address</u>	<u>Acreage</u>	<u>Roll</u>
Menisino	SE 1/4 9-2-10EPM	160	155600
Carrick	NW 1/4 8-3-11EPM	160	271300
Carrick	SE 1/4 24-3-10EPM	160	263200
St. Labre	SW 1/2 13-5-10EPM	80	429050
Piney	NE 1/4 23-1-11EPM	160	27300
Whitemouth	S 1/2 of SW 1/4 4-3-13EPM	84.42	303350
Whitemouth	N 1/2 of SW 1/4 4-3-13EPM	84.58	303500
Whitemouth	SE 1/4 8-4-13EPM	158.48	401820
Whitemouth	SW 1/4 18-4-13EPM	154.95	406900
South Junction	Pt of SW 1/4 3-1-13EPM	89.11	56900
South Junction	NE 1/4 28-1-13EPM	158.48	71620
Sprague	SW 1/4 17-1-14EPM	160	97600
Sprague	NE 1/4 28-1-14EPM	147.86	78600

"SCHEDULE D" RM OF PINEY - RESIDENTIAL LOTS (5 ACRES OR LESS) WITHOUT SET PRICES			
<u>Town</u>	<u>Legal Address</u>	<u>Acreage</u>	<u>Roll</u>
Menisino	NW 25-2-10EPM (2-3-16331)	2.8	163000
Woodridge	SE 10-4-10EPM (2-2-1690)	45 ft	345200
Woodridge	SE 10-4-10EPM (5-2-1690)	45 ft	345500
Woodridge	SE 10-4-10EPM (6-2-1690)	45 ft	345600
Middlebro	1-3646	276 ft	128750