

BILL

No. 54 of 1911.

An Act to Confirm By-law No. 335 of the City of Edmonton and a Certain Agreement entered into between the Corporation of the City of Edmonton and the Grand Trunk Pacific Development Company, Limited.

(Assented to 1911.)

WHEREAS a petition has been presented by the corporation of the City of Edmonton praying for an Act to validate and confirm By-law No. 335 of the City of Edmonton and a certain agreement entered into between the corporation of the City of Edmonton and the Grand Trunk Pacific Development Company, Limited, and it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. By-law No. 335 of the City of Edmonton set out in schedule A hereto is hereby validated and confirmed in all respects as fully as if the provision of the said by-law and the agreement made a part thereof had been enacted by the Legislative Assembly of the province and the City of Edmonton is hereby declared to have had jurisdiction, power and authority to pass the said by-law and to enter into the said agreement thereto annexed and to close all highways, streets, lanes and parts thereof agreed therein to be closed and to transfer the same and all and any parts thereof to the Grand Trunk Pacific Development Company, Limited, and otherwise to do all things set out in the said by-law and agreement.

2. The said By-law No. 335 and the agreement thereto annexed, assented to by the burgesses and finally passed by the council of the City of Edmonton is hereby declared legal, valid and binding on the City of Edmonton and on the Grand Trunk Pacific Development Company, Limited, notwithstanding any informalities, irregularities or defects therein or in the proceedings prior to the final passing thereof either in substance or form.

3. This Act shall come into force upon the day upon which it is assented to.

SCHEDULE A.

BY-LAW NO. 335.

A By-law to grant partial exemption from taxation and certain other privileges to the Grand Trunk Pacific Development Company, Limited.

Whereas the Municipal Council of the City of Edmonton, after consideration of an application by the Grand Trunk Pacific Development Company, Limited, deem it expedient to grant it certain partial exemption from taxation and other

privileges as set out in the agreement hereto annexed and called Schedule A, and on behalf of the corporation enter into an agreement with the said company in the words and figures set out in said "Schedule A."

Now therefore the municipal council of the City of Edmonton, duly assembled, enacts as follows:

1. That the said company observing and performing all conditions and matters by it to be observed and performed in the manner set forth in said "Schedule A" it shall have and enjoy the following rights and privileges:

(1) From and after the date of the final passing of this by-law the lands mentioned in said "Schedule A" (including streets and lanes) and buildings thereon and the company in respect thereof, shall for a period of twenty years thereafter be exempt from all municipal taxes of every kind whatsoever (except local improvement assessments or taxes, business assessment or taxes and license fees) over and above such taxes as would be payable in respect of an assessment of \$50,000.00 on said lands and buildings thereon.

(2) The corporation shall supply to the company at cost all water that may be required by it for the purposes of the hotel to be erected on said lands, for a period of twenty years from the final passing of this by-law, including all water that may be required for and during construction.

2. Upon the final passing of this by-law the mayor and secretary-treasurer are hereby authorized and empowered to execute on behalf of the corporation of the City of Edmonton an agreement with said company in the terms of said "Schedule A."

3. This by-law shall take effect on the final passing thereof.

4. The votes of the burgesses for and against this by-law shall be taken at the places hereinafter mentioned in the city on Monday, the 24th day of April, 1911, between the hours of 9 a.m. and 5 p.m., and for such purpose the City of Edmonton is subdivided into polling subdivisions as follows: No. 1, all that part of the city lying west of Ninth Street; No. 2, all that part of the city lying between First and Ninth Streets, and River Lot 4; No. 3, all that part of the city lying east of First street and south of Clark Street, except River Lot 4; No. 4, all that part of the city lying east of First Street and north of Clark Street.

5. For the purpose of taking such votes the following officers are appointed and places named for the polling of the votes, namely: Returning officer, Charles E. McManus; deputy returning officer, James Quinlan.

Polling subdivision No. 1: Polling place, 1128 Jasper Avenue west; deputy returning officer, William C. Marshall.

Polling subdivision No. 2: Polling place, north-east corner of Jasper Avenue and Fifth Street; deputy returning officer, Edmund Chamberlain.

Polling subdivision No. 3: Polling place, City Hall, Fraser Avenue; deputy returning officer, William D. McPhail.

Polling subdivision No. 4: Polling place, 1252 Kinistino Avenue; deputy returning officer, William Nixon.

6. The Council Chamber at the hour of 11 a.m. on Thursday, the 20th day of April, 1911, is hereby fixed as the place where and the time when the mayor will be present to make all such proper appointments as he may be requested to make of persons to attend at the polling places and at the final summing up of the votes by the secretary-treasurer on behalf of the persons interested in promoting or opposing the passing of this by-law.

7. The Council Chamber, at the hour of 11 a.m. on Tuesday, the 25th day of April, 1911, is hereby fixed as the place and the time where and when the secretary-treasurer will sum up the number of votes given for and against this by-law.

Passed provisionally in council this 31st day of March, 1911.

(Sgd.) G. S. ARMSTRONG,
Mayor.

(Sgd.) F. M. C. CROSSKILL,
Secretary-Treasurer.

Finally passed in council this 27th day of April, 1911.

(Sgd.) G. S. ARMSTRONG,
Mayor.

(Sgd.) F. M. C. CROSSKILL,
Secretary-Treasurer.

(Corporate Seal of Edmonton.)

This agreement made this..... day of..... 1911, between the corporation of the City of Edmonton (hereinafter called "The Corporation") of the first part, and the Grand Trunk Pacific Development Company, Limited, (hereinafter called "The Company") of the second part;

Whereas the company contemplates the erection of a first class modern hotel in the City of Edmonton on certain lands on McDougall Avenue, which may be more particularly described as comprising Lots 1 to 27, both inclusive, in River Lot 8, in Block X, according to Plan E 3, with the street and lanes included therein;

And whereas the corporation, for the purpose of insuring the early construction of such hotel, have agreed to assist the company as hereinafter set forth.

Now therefore this agreement witnesseth that the parties hereto, for themselves, their successors and assigns, mutually covenant and agree with the other as follows:

1. The corporation will stop up, close and transfer to the company all that part of David Street lying east of the eastern boundary of McDougall Avenue up to the eastern limit of the lane lying to the east of Lot 17 in the said Block X, and the production southerly of the eastern limit of said Lot 17, together with the following lanes:

- (1) The lane to the west of Lot 27 in said Block X and the continuation thereof lying to the west of Lot 10 in said Block X;
- (2) Lane lying between Lots 8 and 9; and
- (3) Lane lying south of Lot 9, the southerly limit of the lane firstly above mentioned and south of Lot 10.

2. The corporation will supply to the company at cost all water that may be required by it for the purposes of said hotel for a period of twenty years from the date of the final passing of this by-law, including all water that may be required for and during construction.

3. The corporation will exempt said company and said lands, including said street and lanes and all buildings thereon, for a period of twenty years from the date of the final passing of a by-law ratifying this agreement, from all municipal taxes of every kind whatsoever (other than those in this clause excepted) over and above such taxes as would be payable in respect of an assessment of \$50,000,000 on said lands and buildings thereon, the intention being that the company shall pay taxes for general municipal purposes on a fixed assessment of \$50,000.00 for the said period of twenty years. Provided

always that this exemption shall not include local improvement assessments or taxes, business assessment or taxes and license fees.

4. The company will transfer to the corporation a strip of land of a uniform width of twenty feet extending from the easterly boundary of McDougall Avenue to the easterly boundary of Lot 17, said strip of land lying immediately south of the lane, running parallel with and at a distance of one hundred and fifty feet perpendicularly south of Jasper Avenue so as to convert the said lane into a street forty feet wide, and will whenever required by the corporation sign a local improvement petition for paving such street; and will also transfer to the corporation the easterly nine feet of said Lot 17.

5. The company will erect upon said lands including street and lanes or some portion thereof, a first-class modern hotel at a cost of at least \$400,000 and will commence the erection of such hotel immediately after the plans therefor have been prepared and during the present year, completing the same within two years from the date of the final passing of said referred by-law.

In witness whereof the parties have executed these presents.

No. 54

THIRD SESSION

SECOND LEGISLATURE

2 GEORGE V

1911

BILL

An Act to Confirm By-law No. 335 of the City of Edmonton and a certain Agreement entered into between the Corporation of the City of Edmonton and the Grand Trunk Pacific Development Company, Limited.

Received and read the

First time

Second time

Third time

JOHN A. McDOUGALL

EDMONTON:
JAMES E. RICHARDS, Government Printer
A.D. 1911