

Bill No. 67 of 1934.

A BILL RESPECTING THE UNITED IRRIGATION
DISTRICT.

NOTE.

This Bill makes special provision for the distribution of the proceeds of sale of land situate in a municipal district which is sold as a result of rate enforcement proceedings under *The Irrigation Districts Act* taken by the United Irrigation District.

If the proceeds of sale and any revenue from a parcel received by the irrigation district on account of rentals or otherwise is insufficient to pay in full the claims of the irrigation district for rates and the municipal district for taxes, the same are to be distributed rateably after payment of the costs and expenses incurred in the rate enforcement proceedings, and the moneys received by the irrigation district and the municipal district are deemed to be received on account of rates or taxes, as the case may be, and to be subject to any charge affecting those rates or taxes, as the case may be.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 67 of 1934.

An Act respecting the United Irrigation District.

(Assented to _____, 1934.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The United Irrigation District Act.*"

2. Upon the sale by the United Irrigation District, an irrigation district formed pursuant to *The Irrigation Districts Act*, under or as a result of rate enforcement proceedings taken under the said Act, of any parcel of land which is situate within a municipal district, in case the proceeds of sale of that parcel and any revenue derived therefrom by the irrigation district on account of rentals or otherwise, are insufficient to pay in full the costs and expenses of and incidental to the rate enforcement proceedings and the sale and the total amount due to the irrigation district for rates, together with penalties thereon, and the total amount due to the municipal district for taxes, together with penalties thereon, the proceeds of sale and any revenue derived therefrom by the irrigation district shall be distributed by the irrigation district as follows:

Firstly, in payment of the costs and expenses incurred in the rate enforcement proceedings; and

Secondly, the balance of the proceeds then remaining shall be rateably divided between the irrigation district and the municipal district in the proportion which the claim of either district bears to the aggregate of the claims of both districts, and the amount distributable to the municipal district shall be paid to the municipal district accordingly.

3. The net income derived by the irrigation district from any parcel in the municipal district subject to or vested in the irrigation district by virtue of rate enforcement proceedings and the portion of the proceeds of sale of the parcel distributable to the irrigation district pursuant to section 2 of this Act shall be deemed to have been received by that district on account of the rates for the time being accrued due in respect of the parcel and shall be subject to any charges affecting those rates, and the portion of the proceeds of sale of the parcel and any revenue derived therefrom distributable to the municipal district pursuant to section 2

of this Act shall be deemed to have been received by that district on account of the taxes for the time being accrued due in respect thereof, and shall be subject to any charges affecting those taxes.

4. The irrigation district shall not sell any parcel of land under or as a result of rate enforcement proceedings without the consent of the Irrigation Council in writing, which consent shall not be given in any case in which the Irrigation Council deems the price to be inadequate, or that for any reason it is not desirable having regard to the interests of the purchaser or of the district or the public at large that the sale should not be made; and any sale made in contravention of the section shall be null and void and of no effect.

5. The Irrigation Council may from time to time prescribe the manner in and conditions under which the irrigation district may sell under or as a result of rate enforcement proceedings any land in the municipal district, and without restricting the generality of the foregoing, may prescribe conditions as to the kind, manner and extent of the farming operations which may be carried on upon the land and prohibiting or restricting any farming operations specified therein; and every condition so prescribed and in effect at the time of the sale of any parcel shall be binding upon the purchaser of the parcel and his successors in title and shall be enforceable by the irrigation district as if upon the transfer of the parcel by the irrigation district the purchaser had entered into an express covenant, running with the land, with the district to perform and observe each and every of the said conditions.

6. In the case of any conflict arising between any of the provisions of this Act and any of the provisions of *The Irrigation Districts Act* or of *The Municipal District Act*, the provisions of this Act shall prevail.

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

No. 67.

FOURTH SESSION
SEVENTH LEGISLATURE
24 GEORGE V
1934

BILL

An Act respecting the United
Irrigation District.

Received and read the

First time

Second time.....

Third time.....

HON. MR. BROWNLEE

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1934