



TOWN OF THREE HILLS

POLICY # 430-A1

URBAN RESERVE LAND HELD FOR RESALE POLICY

Adopted by Council on: May 25, 2020

Resolution No.: 266-2020

1. PURPOSE

- 1.1. The purpose of this Policy is to formalize the manner to be employed by Administration for the selling of the lands to a prospective purchaser.
- 1.2. This Policy shall apply to those Lots held in inventory for future development and resale. Such Lots where never part of, nor intended to be part of, a Municipal Reserve, an Environmental Reserve, a Public Utility Lot, or long-term municipal assets.

2. AUTHORITY

- 2.1. The authority for this Policy is by resolution of the Council of the Town of Three Hills.
- 2.2. The CAO is accountable and responsible for the development and implementation of this Policy.
- 2.3. The CAO reserves the right to exercise appropriate managerial judgement to take such actions as may be necessary to achieve the intent of this Policy.

3. DEFINITIONS

- 3.1. Whenever the singular masculine gender is used in this Policy, the same shall include the feminine and neutral gender whenever context requires.
- 3.2. In this Policy, unless the context otherwise requires:
 - 3.2.1. "CAO" shall mean Chief Administrative Officer for the Town of Three Hills or his designate.
 - 3.2.2. "Council" shall mean the body of elected officials who govern the Town.
 - 3.2.3. "Lands" shall mean those lands as per Schedule A.
 - 3.2.4. "Town" shall mean the Town of Three Hills.

4. POLICY

4.1. Lands will be sold to purchasers in a fair, timely and consistent manner, pursuant to this Policy.

4.2. Pricing

4.2.1. All prices for Lands for sale will be approved by Council resolution.

4.2.2. All prices for Lands shall be set in accordance with Section 70 of the *Municipal Government Act*, as amended.

4.3. Advertising

4.3.1. One or a combination of the following means of advertising shall be used:

4.3.1.1. Town website;

4.3.1.2. On site signage;

4.3.1.3. Newspaper advertisements.

4.4. Sales

4.4.1. Lands will be sold on a first-come, first served basis.

4.4.2. There shall be no options to purchase or expressions of interest considered.

4.4.3. Offers less than ninety-five percent (95%) of the listed price shall be subject to Council approval.

4.5. Terms of Purchase

4.5.1. Eligible purchasers shall execute a completed purchase agreement and provide a fifteen percent (15%) deposit.

4.5.2. If the purchaser requires time to secure financing, a “subject to” clause, will be included in the agreement, but must not exceed thirty (30) days.

4.5.3. The balance of the purchase price, and any applicable GST, will be due ninety (90) days from the date of execution of the agreement by the Town.

4.5.4. Notwithstanding the above, the CAO has the authority to allow up to a sixty (60) day extension.

4.5.5. Purchasers must present and have adopted by Council, the following:

i. an Area Structure Plan (ASP) within 12 (twelve) months; and

ii. a Development Agreement within 24 (twenty-four) months of the date of

title being transferred to the purchaser.

- 4.5.6. If, for any reason, the purchaser does not complete the ASP or Development Agreement within the period specified in section 4.5.5., the Town shall have the option to purchase the Lands back at the equal purchase price less legal fees and expenses incurred by the Town. A caveat will be registered on title.
- 4.5.7. Purchasers shall ensure that all development and/or construction complies with the bylaws and policies of the Town, other governing bodies, boards and entities or agencies.

4.6. Deposits:

- 4.6.1. Full deposit refunds will be issued to the purchaser upon receipt of a letter from a financial institution denying the purchaser financing.
- 4.6.2. A purchaser requesting a refund of a deposit for any other reason will be issued the refund less a 15% administration fee in the first ninety (90) days.
- 4.6.3. After the first ninety (90) days no refund shall be issued.

4.7. Title Transfer:

- 4.7.1. The Town shall transfer title of the Lands to the purchaser when the purchase price has been paid in full.

4.8. Commissions:

- 4.8.1. The Town will pay a three percent (3%) commission to any licensed realtor holding a valid Town of Three Hills business license that accompanies and assists a purchaser in entering a purchase agreement with the Town. This commission will be payable upon transfer of title of the selected Lands to the purchaser.

5. PRIOR POLICY

- 5.1. This policy shall supersede and replace all prior policies, oral or written, regarding the lease or sale of public lands within the Town of Three Hills, including but not limited to, Policy 430 – Urban Reserve Land Held for Resale.

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Approved By:	Council	
Recommended By:	Chief Administrative Officer	
Paper File Location:	Main Floor Vault	
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SCHEDULE A

Zoning Urban Reserve
Size 41.00 Acres
Civic 101 – 12 Ave NE
Lot 1
Block A
Plan 0111074

