

IN THE MATTER OF THE “Municipal Government Act (the Act)”

AND IN THE MATTER OF an application by the Town of Coaldale, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Lethbridge.

BEFORE:

T.T. Helgeson, Presiding Officer
Dr. E.J. Thompson, Member
J. Church, Member
D.C. Hawthorne, Secretariat Advisor
R.O. Myroniuk, Secretariat Advisor

BACKGROUND

On December 21, 1994, the Town of Coaldale filed notice with the Municipal Government Board of its intent to annex certain territory from the County of Lethbridge. In accordance with the provisions of the Municipal Government Act, the Town entered into negotiations with the County and held two public meetings in February of 1995.

On April 23, 1996, the Town filed the final annexation report with the Board. The Town advised the Board that the boundaries of the proposal had significantly altered as a result of the negotiations with the County as well as input from the public. However, the County still did not endorse the final annexation report because the County felt that a portion of the lands proposed for annexation comprised good agricultural land and such land should not be taken out of production.

The annexation application encompasses a total of 465.5 acres in four separate areas north, east and west of the present Town boundaries. There are 18 separate titles in the annexation area and four of the title holders object to being included in the annexation application. The owner of a quarter section to the northwest of Coaldale requested that the Town include his quarter in the annexation application however the Town denied the request. Among other objectors to the annexation are landowners in southerly portion of the Town whose lands were annexed in 1981. Due to high servicing costs, these lands have not been completely developed.

The Municipal Government Board reviewed the final report and the list of objectors and supporters regarding the proposed annexation. The Board found there was no general agreement respecting the proposal and scheduled a hearing for November, 1996. Upon the request of the County and with the agreement of the Town, the Board postponed commencement of the hearing which allowed all parties time to review the final report and related information. A full annexation public hearing was held by the Board on February 3, 4 and 5, 1997 in the Coaldale Community Centre.

DESCRIPTION OF THE LANDS REFERRED TO AT THE HEARING

A. Annexation Application

AREA 1 - Contains 99.5 acres and lies immediately south of Highway 3 and immediately west of the existing Town boundary. The landowners are Martens (support), Turnbull (no comment), Coaldale Nurseries Ltd.(object), Nu-Tex Holdings Ltd.(support), Andres Transport Ltd.(no comment), the Canadian Reformed Church,(support).

AREA 2 - Contains approximately 304 acres and lies immediately east of the present Town boundary. The majority of this area lies south of Highway 3, however a smaller portion lies north of Highway 3 and includes the Coaldale Nursery. The landowners are Coaldale Nurseries Ltd. (opposed) and Shigehiro Farms Ltd. (support).

AREA 3 - Contains approximately 38 acres and lies immediately south of AREA 2 on the easterly boundary of the Town. The landowners are The Town of Coaldale (support), Tolsdorf (object), Handley (object), Van Seters (object).

AREA 4 - Contains approximately 23 acres and lies immediately north of the present Town boundary. The landowners are the County of Lethbridge (support), the Town of Coaldale (support), the Coaldale Cemetery (support), Stinn (support), Deptuch (support), Dirocco (support).

B. Lands not included in the Annexation Application

This area contains approximately 160 acres and is located between Highway 3 and the Birds of Prey Nature Centre adjacent to the northwest portion of the Town. The Town Council motion to include the quarter in the annexation application, was lost on a tie vote. The site is owned by J. Hubert and referenced during the hearing as the "Wildwoods of Coaldale". The Birds of Prey Nature Centre and some of the adjacent country residential landowners in the County are strongly opposed to the annexation of the Hubert quarter section.

SUMMARY OF THE HEARING

Submission of the Town of Coaldale

The Town provided six objectives in describing the purpose of the annexation application, as follows:

1. To provide land within the jurisdiction of the Town in order to accommodate growth requirements which will occur within two to three years.
2. To provide sufficient land within the jurisdiction of the Town to accommodate a 25 year projected land requirement.
3. To provide a plan for future development of the Town in an orderly, economical and beneficial manner primarily for residential purposes but including commercial and industrial areas.
4. To reduce potential disruption to the planning processes of the County of Lethbridge by minimizing the need for future piecemeal annexations.
5. To protect lands within a logical growth footprint of the Town from a fragmented pattern of growth and eliminate piecemeal subdivision which will make future efficient, cost effective development difficult.
6. To provide for opportunity of choice in planning and growth within the jurisdiction of the Town relative to time and market demands.

In an attempt to meet the objectives and justify the annexation application, the Town submits that the existing serviced land for residential development will be exhausted in two to three years. The Town is experiencing an average annual growth rate of 3.6%. The Town also states that some of the additional undeveloped land in the south part of town cannot be developed in the short term due to extensive fragmentation of ownership and incompatible land uses. Water and sewer services also require expensive upgrading of trunk lines and in some cases municipal sewer services simply cannot be provided.

The Town has provided the following information with respect to services and service related considerations.

1. Water

The Town's 20 year plan includes provision for a substantial reservoir located in the vicinity of the westerly annexation lands. This upgraded facility would increase water pressure in the west part of Coaldale without resorting to the addition of booster stations. Further, the existing water line crosses the highway and railway and can easily provide water to the north and easterly annexation areas. Since the east and north sides are downhill from the proposed reservoir, no additional booster stations will be required to serve these areas.

2. Sewer

The existing sewage system will need some upgrading, however the Highway crossings are already in place for the east and west annexation areas to bring the sewage north and out to the sewage treatment facilities north of Town. The installation of sewage lift stations will be required in any event, however the costs to provide new sewage services are significantly less than bringing the service from the southerly undeveloped land.

3. Drainage

The natural drainage flow in Coaldale is from west to east. Storm drainage for the Town requires significant upgrading, however the long range plan includes a drainage collection centre in the west with storm management through the Town and to the east where retention ponds will be constructed. Including the south area in the drainage plan is considered to be less suitable due to the presence of the South Coaldale drain and ditch.

4. Transportation

The primary transportation corridor through Coaldale is Highway 3 which runs in a west to east direction and is directly related to traffic movement efficiency in terms of the primary annexation areas. The Town is exploring the construction of an interchange in the northwest corner of the westerly annexation area where the main turning movements and direction of traffic are crucial for the Lethbridge bound travelers and commuters.

5. Development and Land Use

No forced development will occur on the annexation lands and it will be up to the individual landowners to pursue development when the time is right. In the south area of Town certain intensive agricultural operations have been allowed to operate for the past 20 years even though these industries are not conducive to urban growth. The Town does not intend to change the existing operations.

6. Financial

The Town does not expect that assessment procedures and subsequent taxes will be significantly altered as a result of this annexation. Further, the Town maintains that the loss of assessed value to the County is minimal (about 0.5%) for the lands proposed for annexation. Further, the County would no longer be required to maintain some roadways in the East and North annexation lands.

Submission of the County of Lethbridge

The County takes the position that the annexation application by Coaldale is premature. The County explained that as late as January of 1997 the County was willing to support those areas of the proposed annexation which did not take good agricultural land out of production and those areas where the affected landowners agreed to the annexation. The Town, however, was unwilling to consider the offer of the County prior to the Board's hearing.

The County's contention that the proposed annexation is premature and unjustified was summarized at the hearing as follows:

1. There are 400 acres of vacant land within the Town's present boundary. These lands are developable in one form or another and may satisfy the Town's needs until the year 2011 and beyond. The Town's own General Municipal Plan states that there is ample land available for development within the Town's present boundary.
2. A significant area of land on the east side of Coaldale is prime agricultural land and substantial investment has been made to support and encourage the agricultural base of the County. The Shigehiro land (Area 2) is irrigated land which has the highest priority for preservation in the County of Lethbridge. Further, agricultural land management practices are conducted much better in a rural environment rather than in an urban environment.
3. Urban land needs must be seriously compared with the rural environment. Annexation just for the sake of control only serves to extend the Town's influence over nearby intensive agricultural operations and may severely limit the expansion of these operations.
4. This proposed annexation is not urgent. There are serious objections to landowners who are directly affected by their form of jurisdiction and other landowners already in the Town are unable to evaluate the impact this annexation will have on their land values.

5. There are provisions in a recently adopted Joint General Municipal Plan to allow urban-type development including service utilities, to occur in the County, adjacent to the Town, with the Town's cooperation.
6. Although minimal, the revenue lost from taxes is still important to the County in these days of shrinking provincial assistance.
7. The County has attempted to negotiate in good faith with the Town pursuant to the requirements of the Municipal Government Act.

Submission of T. Woods

Opposed to the proposed annexation because 640 acres were annexed to Coaldale in 1984 and only 250 acres have been developed. This 250 acres includes a golf course, residential, a water reservoir and a baseball park. At the present growth rate of the Town, the vacant land presently in the Town would be available for 57 years.

Submission of Coaldale Nurseries (Mr. Hans Kuperous)

Coaldale Nurseries owns a parcel of land in the west annexation area and a larger parcel in the easterly annexation area north of Highway 3. Coaldale Nurseries oppose the annexation of their lands into the Town for the following reasons:

1. Both parcels are prime agricultural land under irrigation and are planted with Colorado spruce and other evergreens. These are long term crops (10 - 12 years) with a density of 1500 -2000 trees per acre. These lands will not be available for development for many years.
2. There will be a significant increase in taxes.
3. Cannot burn waste without a permit.
4. Must operate a large irrigation pump with is noisy and may contravene the Town's noise bylaw.
5. Cannot use firearms in the Town limits and need to control rabbits and rodents which attack the nursery stock.

6. Water and sewer services will not be available and there will be a charge for garbage collection.

Submission by B. Blieske on behalf of J. Hubert

The owners of this quarter section of land provided the following information in support of their bid to have the Municipal Government Board recommend that these lands be included in the overall annexation proposal.

1. The subject quarter section is located immediately west of the Town's present boundary and immediately west of the Garden Grove residential subdivision. Trunk services are in place and the area can be immediately developed.
2. A storm retention pond can be incorporated into the overall subdivision design at the expense of the developer.
3. The subject quarter section is located in such a manner that the construction of proposed interchange at Highway 3 and 30 Street could be justified.
4. The subject quarter section shares a boundary with the Birds of Prey Nature Centre and the landowner is willing to work with the Centre in order to reduce potential conflict and intrusion of residential uses to the operation of the Centre.
5. The Joint General Municipal Plan flags the Hubert quarter section as a future residential/annexation area.
6. The agricultural viability of the Hubert quarter section has been lost because it is located on the edge of Town and shares the east and south boundaries with residential or other non-agricultural land uses.

Submission of C. Weir on behalf of the Birds of Prey Nature Centre

The Birds of Prey Nature Centre does not oppose the annexation as applied for by the Town of Coaldale. The Centre does, however, oppose the inclusion of the Hubert quarter section into the corporate limits of the Town. The Nature Centre provides sanctuary to migrating birds as well as other exotic birds or birds which need help or protection. The Centre is concerned that any intense development on the Hubert quarter will interfere with the operations of the centre and cause it to close or move. The Centre is also concerned about the potential increase in traffic and vandalism as the result of urban intrusion.

Submission of Mr. E. Hillman on behalf of eight landowners immediately south of the Hubert Quarter Section

Mr. Hillman stressed that his group is opposed to the annexation of the Hubert quarter section for reasons outlined by previous speakers and the fact that intense urban development on this quarter would have a detrimental effect on the country residential subdivision located in the County between the Hubert quarter section and Highway 3. The Hillman group is of the opinion that detrimental impact includes the following:

1. Obstruction of views
2. Increase in traffic noise
3. Reduced property values of country residential acreages
4. Pressure to remove livestock (horses)
5. Increase in danger to children living in the new subdivision
6. Increase in vandalism

Submission of F. Tolsdorf

The Tolsdorf property is located within the proposed annexation area 3 on the east side of town. The Tolsdorf oppose the annexation of their land because it is subject to flooding and during past flood events the Tolsdorf's have not received cooperation from the Town. In the opinion of the Tolsdorfs the flooding events are caused by the poor storm drainage systems of the Town and there is no guarantee that annexation will resolve the flooding problems.

Submission of R. Jonker

The Jonker property is located in the south portion of Coaldale and is approximately 4.5 acres in size. The Jonkers oppose any further annexation of lands into the Town for the following reasons:

1. There is enough developable land already within the Town. Calculations show that the most reasonable expectation for full development on this land is 25 years.

2. Upgrading the sewer, water and storm services for the proposed annexation areas will place the southerly town lands in a low priority for service upgrades and new connections. This is not an efficient use of the existing infrastructure.

Submissions of V. Avery, H. Unger, D. Holzli, D. Klassen, C. Martens

The submissions of these individuals were relatively similar. Each of these parties oppose any further annexation of lands because of the perceived deterrent to subdivision and development on the south side of Coaldale. Further, the automatic expansion of the agricultural buffer zone surrounding the Town will restrict expansion of existing intensive livestock operations in the County and force farmers to close down their operations or move elsewhere.

FINDINGS

After reviewing and considering the negotiation report of the Town of Coaldale and hearing the submissions of the County of Lethbridge and all the affected landowners, the Board finds:

1. On December 21, 1994, the Town of Coaldale notified the Municipal Government Board of its intent to annex certain territory from the County of Lethbridge.
2. In February of 1995 the Town of Coaldale held two public meetings respecting the proposed annexation.
3. On April 18, 1996, the County of Lethbridge advised the Town of Coaldale that it was not willing to sign the final negotiation report.
4. On April 23, 1996, the Town of Coaldale filed the final negotiation report with the Municipal Government Board along with pertinent background information.
5. Area 1 of the proposed annexation (west) has the support for annexation from all but one of the affected landowners. The one opposing the annexation is the parcel owned by Coaldale Nurseries Ltd. Area 1 is bounded on the north by Highway 3 and on the west by 30 Street. The Coaldale Nursery parcel is located at the intersection of the two roads.

6. Area 2 of the proposed annexation (east) is supported by the landowner south of Highway 3, Shigehiro Farms Ltd. This area contains approximately 250 acres and has a soil capability rating of Canada Land Inventory class 2. This area is also irrigated therefore it is generally accepted as very good, highly productive agricultural land. The balance of the annexation area is north of Highway 3 and annexation is not supported by the landowner, Coaldale Nurseries Ltd.
7. Area 3 of the annexation (east) lies just south of Area 2. One title holder is the Town of Coaldale and this titled area is intended to be used for storm drainage retention ponds. The balance of the titleholders (3) object to their land being annexed into the Town. These areas are low lying and subject to high water tables and flooding during a storm event.
8. Area 4 of the annexation (north) is supported by all title holders.
9. The Hubert quarter section northwest of the present town boundary does not have the support of the Town to be included in the annexation.
10. Approximately 640 acres in the south portion of the Town were annexed in 1984. Approximately 240 acres have been developed and the balance of the land has been identified in the Town's General Municipal Plan as land for future residential land use. An egg farm and an intensive livestock operation are existing and active in this area of the Town and operate as legal non-conforming land uses. A portion of the area is served by sewer and water services from the Town, however extension and upgrading of the hard services represents a substantial investment by the developers and the Town.
11. All of the lands proposed for annexation, as well as the Hubert lands, are encompassed by the Joint General Municipal Plan which has been adopted by the Town of Coaldale and the County of Lethbridge. Area 1 (west) is identified for possible future residential and highway commercial uses. Area 2 (east) is identified for possible future residential and highway commercial. Area 3 is identified for possible future residential. Area 4 is identified for possible future industrial.
12. The Town of Coaldale commissioned MPE Engineering Group to complete three servicing studies for storm water management, sanitary sewer collection systems and water distribution systems. The studies are based on a design population of approximately 12,000 persons by the year 2021 from the present population of approximately 5,500. The servicing studies show the following:

- (a) The existing water treatment plant is capable of providing a water supply for domestic and fire flow needs for a population of 12,000 persons, however upgrading to increase water pressure and expansion of storage facilities will be required. There is no identified impediment to supply water as the result of development in the proposed annexation areas.
- (b) The major existing off site facilities for the sewage collection system are all sized to meet a 20 year design population of 11,500 persons, however pumps and blowers will be required at the 10 year design population level of 8,100 persons. The east and west annexation areas will require the installation of lift stations or the construction of a new sewer trunk line. Annexation areas north of Highway 3 can be accommodated with the existing collection systems provided a new lift station is installed.
- (c) The construction of storm sewer lines and storm drain ditches is already underway. Detention and retention ponds east and west of town in the proposed annexation areas are being constructed and include a scheme utilized by the Birds of Prey Nature Centre. All these areas are presently in the County of Lethbridge. The Engineering study concludes that annexation of the subject land will allow the affected areas to fully utilize the facilities created in response to the Storm Water Flood Control Project, as well as bring the Town owned facilities under the jurisdictional control of the Town.

RECOMMENDATION

In consideration of the above, the Board makes the following recommendations for the reasons set out below:

1. Effective December 31, 1997, the land described in Appendix B and shown on the sketch in Appendix C be separated from the County of Lethbridge and annexed to the Town of Coaldale.
2. Any taxes owing to the County of Lethbridge on December 31, 1997, in respect of the annexed lands are transferred to and become payable to the Town of Coaldale together with any lawful penalties and costs levied in respect of the those taxes, and the Town of Coaldale upon collecting those taxes, penalties or costs shall pay them to the County of Lethbridge, and

3. The assessor for the Town of Coaldale shall assess in 1997, for the purpose of taxation in 1998, the annexed land and the assessable improvements to it.
4. For taxation purposes in 1998 and subsequent years, the annexed lands and improvements thereon shall be assessed and taxed by the Town of Coaldale on the same basis and as if they had remained with the County of Lethbridge.
5. Clause 4 shall cease to apply to any parcel of land and improvement with the annexation territory which is subject to either or both of the following having occurred after the effective date of annexation either at the request of, or on behalf of the landowner.
 - (i) the parcel of land is the subject of a subdivision or separation of title, whether by registered plan of subdivision, by instrument or any other method whereby a new parcel of land, including the residual parcel, is created, and
 - (ii) the parcel of land is redesignated, pursuant to the Town of Coaldale Land Use Bylaw, to a use other than that existing on the effective date of annexation.
6. If Clause 4 ceases to apply to a parcel of land and improvements thereon, the assessment of the annexed lands and improvements on the same basis as other land and improvements in the Town of Coaldale shall take effect in the year clause 4 ceases to apply for the first complete taxation year immediately following the taxation year in which the event or circumstance occurs which causes Clause 4 to cease to apply.

REASONS

The Board is recommending that the annexation application be approved with the exception of certain portions of the large Area 2 on the east side of Coaldale.

With respect to annexation Area 2, the Board is recommending that the area of the Coaldale Nursery lands north of Highway 3 be excluded because the area is intended to remain in use for long term agricultural purposes. The landowner and the County are opposed to this part of the annexation and the Board agrees that the bylaws and jurisdiction of the County of Lethbridge better suit the operational needs of the nursery than the bylaws and jurisdiction of the Town. The Board was not presented with any convincing evidence which would justify the annexation of nursery lands into the Town.

The Board is also recommending that a large portion of the Shigehiro Farms Ltd. holding in annexation Area 2 south of Highway 3, be excluded from the annexation. Of the 270 acres of the Shigehiro holding, the Board suggests the new boundary be moved in a westerly direction to line up with the drain pipe and the boundary of annexation Area 3 to the south. This will result in

approximately 70 acres being included in this annexation area. In the opinion of the Board the Shigehiro farm lands encompass excellent, irrigated agricultural land and should not be annexed into the Town. The County of Lethbridge was opposed to all of Area 2 being included in the annexation and this was the main reason the County did not sign the final annexation report. By including a small portion of Area 2 in the Town, this will enable the Town to complete the storm retention pond project within its own jurisdiction and will also allow expansion of the highway commercial areas along the service road adjacent to Highway 3.

With respect to annexation Area 3, just south of Area 2, the Board is recommending inclusion of this area into the Town because the Board is of the opinion that the new storm drainage plan will likely alleviate the flooding concerns expressed by the landowners who opposed being included in the annexation. These landowners complained that they had not received cooperation from the Town in addressing their concerns during the last flood of these properties. The Board is of the view that the Town would be more willing to address the concerns of these landowners because they will be ratepayers to the Town and not to the County.

With respect to annexation Area 1, the Board is recommending full annexation of this area because it is adjacent to Highway 3 and includes a proposed interchange at the west side which is crucial to providing safe and efficient traffic movement for the Town and for the commuting public working in Lethbridge. The Coaldale Nursery does object to annexation of its parcel at this location, however the parcel is located in the same place as the future interchange. In this case, the Board is of the view that the greater public interest lies with providing safe traffic movement and the Nursery and the Town and Alberta Transportation will negotiate the appropriate compensation at the time the land, or part of the land, is required for the actual interchange construction. The highway frontage of this area also provides additional room for the highway commercial land uses being promoted by the Town. Further, annexation Area 1 has been identified as the area needed for a storm water retention facility to complete the town wide system.

With respect to annexation Area 4 to the north, the Board has recommended the full inclusion of this area because it is immediately available for industrial land uses and can be fully serviced without substantial upgrades to the infrastructure system. There were no objections to the inclusion of this area and the Board notes that it is a natural extension of the Town in accordance with the Town's General Municipal Plan and the Town and County Joint General Municipal Plan.

With respect to the Hubert property, the landowners requested that this area be included in the annexation approval. The Hubert land is identified in the Joint General Municipal Plan as an area of possible future urban residential land use, however the Board does not feel it has the authority to recommend the inclusion of land which does not have the support of the Town. This land was not part of the annexation application made by the Town.

Overall the Board believes that the areas recommended for annexation are crucial to the Town's planning for the construction and upgrading of its water distribution system, sewage collection system, storm drainage system and transportation infrastructure. The Board has substantially reduced the size of the easterly annexation area, however in reviewing the Town's General Municipal Plan and the Joint General Municipal Plan, the Board is satisfied that there is now sufficient developable land within the Town to accommodate its growth for the foreseeable future. There are approximately 400 acres already available in the south part of Town and with the cooperation of the Town, developers and the landowners, the Board feels that substantial residential development can occur in this area provided the Town uses such effective tools as local improvement bylaws for the provision of services.

Dated at the City of Edmonton, in the Province of Alberta, 27th day of June, 1997.

MUNICIPAL GOVERNMENT BOARD

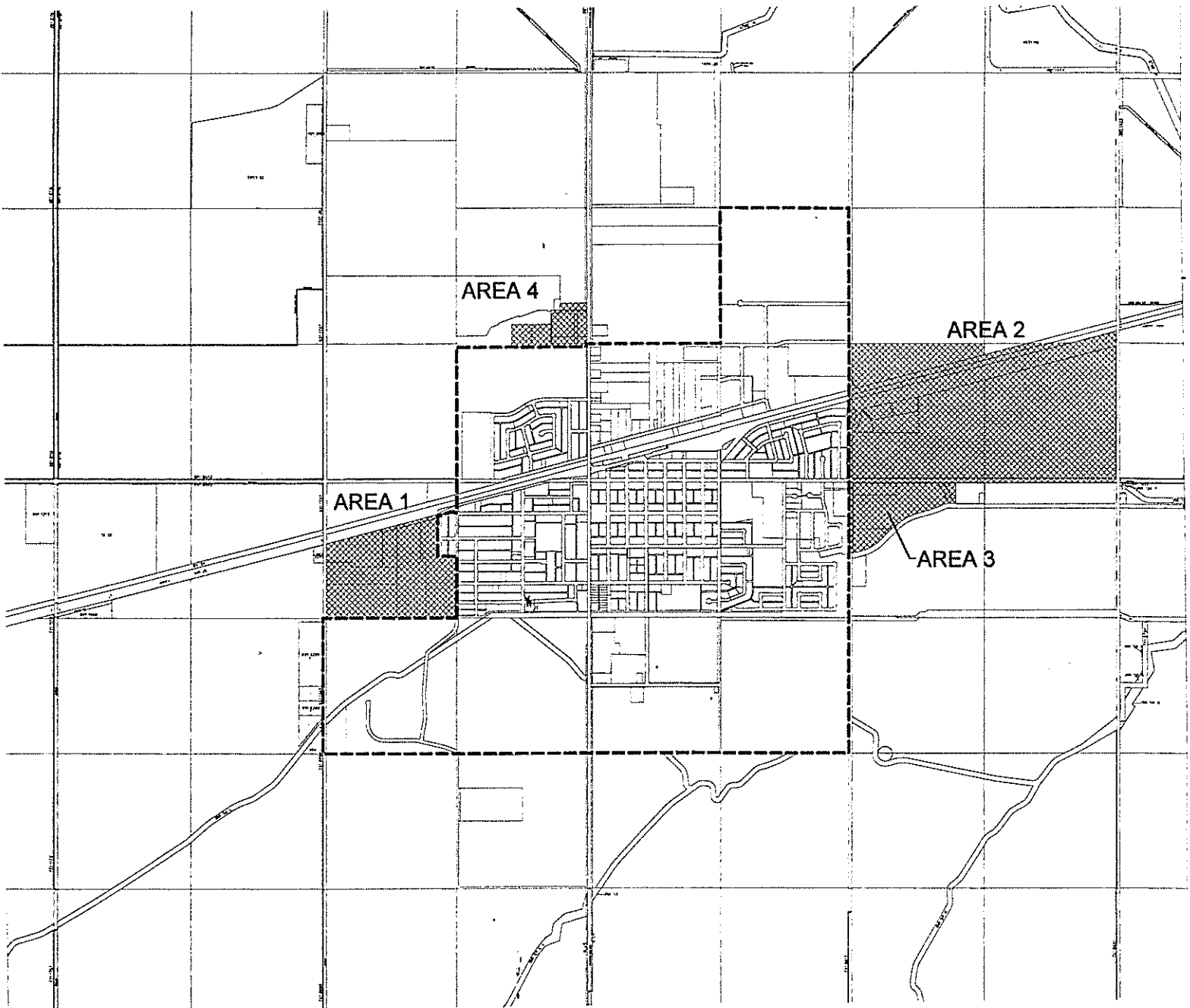
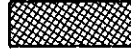


T. Helgeson
Presiding Officer

APPENDIX "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS PROPOSED FOR ANNEXATION BY THE TOWN OF COALDALE.

AFFECTED AREA(S)



APPENDIX "B"

DETAILED DESCRIPTION OF THE LANDS RECOMMENDED FOR SEPARATION FROM THE COUNTY OF LETHBRIDGE NO. 26 AND ANNEXED TO THE TOWN OF COALDALE.

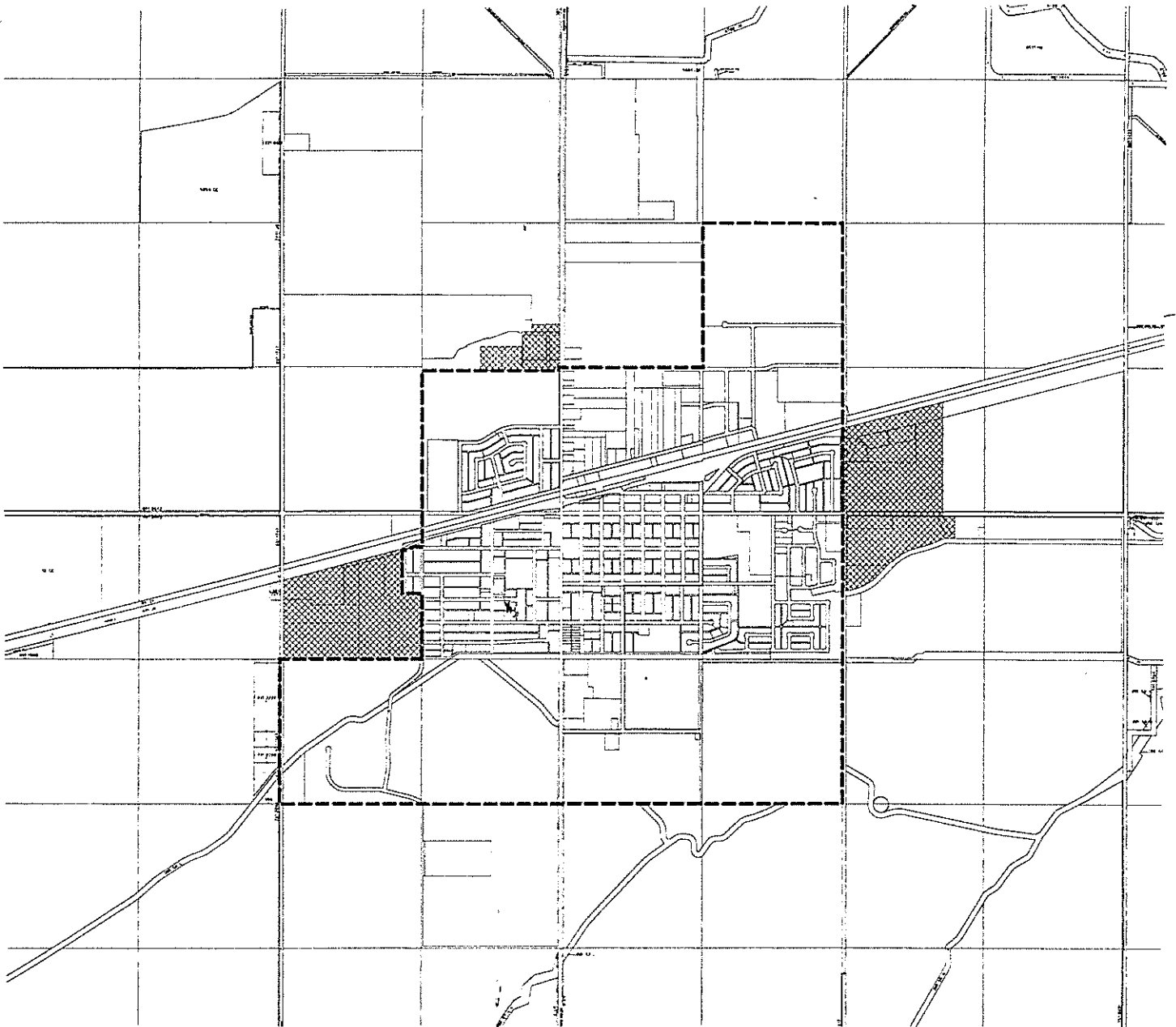
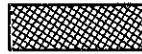
1. ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION TEN (10) TOWNSHIP NINE (9) RANGE TWENTY (20) WEST OF THE FOURTH MERIDIAN LYING SOUTH OF HIGHWAY NO. 3 AS SHOWN ON PLAN 441 J.K. AND NOT WITHIN THE TOWN OF COALDALE EXCEPTING THEREOUT THE NORTH SOUTH ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY.
2. ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION FIFTEEN (15) TOWNSHIP NINE (9) RANGE TWENTY (20) WEST OF THE FOURTH MERIDIAN DESCRIBED AS FOLLOWS:
 - A) BLOCK 4 AND LANE, ALL AS SHOWN ON PLAN 57 J.K.
 - B) BLOCK 5, AS SHOWN ON PLAN 5808 J.K.
 - C) BLOCK 6 TO 9, INCLUSIVE, AND UNNAMED STREETS, ALL AS SHOWN ON PLAN 106 L.K.
 - D) BLOCK 10, AS SHOWN ON PLAN 9510412
 - E) ALL THAT PORTION OF THE LEGAL SUBDIVISION 9 BOUNDED AS FOLLOWS: ON THE EAST BY THE EAST BOUNDARY OF THE SAID QUARTER SECTION; ON THE WEST BY THE EAST BOUNDARY OF BLOCK 1 ON PLAN 57 J.K.; ON THE SOUTH BY THE NORTH LIMIT OF THE LAND ON PLAN 57 J.K.; AND ON THE NORTH BY A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 41.453 METRES NORTHERLY FROM THE NORTH LIMIT OF THE SAID LANE.
3. ALL THAT PORTION OF THE SOUTHWESTERLY 541.02 METRES IN PERPENDICULAR WIDTH THROUGHOUT OF THE SOUTHWEST QUARTER OF SECTION THIRTEEN (13) TOWNSHIP NINE (9) RANGE TWENTY (20) WEST OF FOURTH MERIDIAN WHICH LIES SOUTH OF MAIN HIGHWAY NO. 3 AS SHOWN ON PLAN 9510309 AND INCLUDING THE GOVERNMENT ROAD ALLOWANCES ADJOINING THE ABOVE DESCRIBED LANDS.

4. ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION TWELVE (12) TOWNSHIP NINE (9) RANGE TWENTY (20) WEST OF FOURTH MERIDIAN AND NORTH SOUTH GOVERNMENT ROAD ALLOWANCE ADJOINING THE WEST BOUNDARY THEREOF LYING NORTH AND WEST OF PLAN 8911650 EXCEPTING THEREOUT THAT PORTION OF ROAD PLANS 2799E.Z. AND 8511052 LYING EAST OF THE WEST 541.02 METRES OF THE SAID QUARTER SECTION.

APPENDIX "C"

**A SKETCH SHOWING THE GENERAL LOCATION OF THE AREAS
RECOMMENDED FOR ANNEXATION TO THE TOWN OF COALDALE**

AFFECTED AREA(S)



APPENDIX "D"

**PERSONS WHO WERE IN ATTENDANCE, MADE SUBMISSIONS OR GAVE EVIDENCE
AT THE HEARING**

Richard Davidson	Solicitor for the Town of Coaldale
Alex Hann	Mayor, Town of Coaldale
Sheldon Steinke	Manager, Town of Coaldale
Peter Brouwer	Engineer for the Town of Coaldale
Eugene Wauters	Councillor, County of Lethbridge
Dennis Shigematsu	Manager, County of Lethbridge
Nick Palidino	Development Officer, County of Lethbridge
Duane Climenhaga	Engineer for the County of Lethbridge
J. Konynenbut	County Landowner
C. Bryant	Coaldale Landowner
D. Holzli	Coaldale Landowner
H. and L. VanMill	County Landowner
D. Klassen	County Landowner
D. Neufeld	Coaldale Landowner
C. Martens	County Landowner
C. Weir	County, Birds of Prey Nature Centre
V. Abrey	Coaldale Landowner
J. Anders	Coaldale Landowner
N. Blank	Coaldale Landowner
J. Nikkel	County Landowner
C. May	Coaldale Landowner
E. and B. Hillman	County Landowners
B. Berke	County Landowner
C. Kasner and L. Martens	County Landowners
H. and D. Kuperus	Coaldale Nurseries, County Landowners
L. and J. Mate	County Landowners
T. Woods	County Landowners
B. Clark	Coaldale Landowner
L. and B. Harrison	County Landowners
F. and J. Tolsdorf	County Landowners
R. Jonker	Coaldale Landowner
W. Unger	Coaldale Landowner

J. Hubert	County Landowner
B. Bleiske	Planner and representative for J. Hubert
D. Bergen	Architectural consultant for J. Hubert
B. and D. Sturm	County Landowners
V. Andres	Coaldale Landowner
J. Martens	Coaldale Landowner
D. and L. Allen	Coaldale Landowners
T. Golden	Representative of the Oldman River Intermunicipal Service Agency

APPENDIX "D"

I. DOCUMENTS RECEIVED PRIOR TO THE HEARING AND MADE AVAILABLE AT THE HEARING:

1. Town of Coaldale Final Annexation and Negotiation Report (1996)
2. Town of Coaldale General Municipal Plan, Bylaw No. 304-P-03-93
3. Town of Coaldale and County of Lethbridge Joint General Municipal Plan March, 1994.
4. Town of Coaldale Sanitary Infrastructure Study, January 1994
5. Town of Coaldale Water Distribution Analysis, October, 1992
6. Town of Coaldale Storm Water Flood Control Project, February, 1994
7. Notes, Letters and Newspaper Clippings from E. Unger and H.W. Unger, September, 1996
8. Notes, Letters and Newspaper Clippings from H.W. Unger, May, 1996

II. DOCUMENTS RECEIVED AT THE HEARING:

1. Town of Coaldale Brief
2. Two maps showing existing and proposed hard services
3. County of Lethbridge Brief
4. T. Woods Brief
5. Coaldale Nurseries Brief
6. J. Hubert Brief
7. Brief submitted on behalf of B. and D. Sturm, L. and J. Mate, J. and E. Wojtowicz, D. and E. Allen, H. Mueller, E. and B. Hillman, R. and L. Harrison.

8. F. and J. Tolsdorf Brief
9. R. Jonker Brief
10. Brief submitted on behalf of J. and V. Abery, D. Holzli, R. Allred, A. Derksen, N. and J. Martens, D. Hurst, and J. Tyrer
11. H. W. Unger and E. Unger Brief
12. Brief submitted by L Martens and C. Kasner on behalf of E. Kasner
13. (a) - Aerial photo showing the March 1978 Snow Melt looking south over the Town of Coaldale
(b) - Aerial photo showing the March 1978 Snow Melt looking east over the Town of Coaldale
14. (a) - Photograph of flood conditions in Coaldale at the intersection of 14 Street and 19 Avenue looking north and west along the lane and the avenue
(b)- Photograph of flood conditions in Coaldale at the intersections of 20 Street and 23 Avenue and the Intersection of 13 Street and 23 Avenue.
15. County of Lethbridge Summary Statements
16. Hubert Summary Statements
17. Unger Summary Statements
18. Four Large Posters showing maps of proposals for development of the Hubert Property.