

## BYLAW 10-2020

A BYLAW OF THE TOWN OF BRUDERHEIM IN THE PROVINCE OF ALBERTA TO ESTABLISH THE TERMS AND CONDITIONS GOVERNING PROPERTY SALES BY PUBLIC AUCTION HELD BY THE TOWN OF BRUDERHEIM TO DISPOSE OF PROPERTY FOR TAX ARREARS.

WHEREAS:

- A. The Municipal Government Act requires that the Town offer for sale by public auction any property shown on its tax arrears list, if the tax arrears are not paid.
- B. In accordance with Sections 419 and 436.1 of the Municipal Government Act, (the "Act") Council must set the terms and conditions applicable to its tax sales.

COUNCIL OF THE TOWN OF BRUDERHEIM ENACTS AS FOLLOWS:

1. This bylaw may be referred to as the "Property Tax Sale Bylaw".
2. All sales of property for tax arrears held within the Town of Bruderheim under sections 418 and 436.09 of the Act shall be carried out by Public Auction subject to the following terms and conditions:

### Public Auction – Terms and Conditions

All properties offered for sale by Public Auction are viewed externally and an estimate of the market value of each property has been based on that review. This estimate of market value is used as the reserve bid and it represents the minimum bid that will be accepted at Auction. All sales will be subject to a reserve bid. Reserve bid values will be available 30 days prior to Auction from the Town of Bruderheim Assessor. Purchaser will acquire the property free of encumbrances, subject to those exceptions listed in sections 423 and 436.14 of the Municipal Government Act.

The properties will be sold strictly on an "as is, where is" basis. The Town of Bruderheim makes no representation and gives no warranty as to the adequacy of services, soil conditions, land use districting, building and development conditions, absence or presence of environmental contamination, or the developability of the subject property for any intended use by the Purchaser. If the Land is occupied by a tenant in possession under a lease or rental agreement, the obligation and expense of obtaining vacant possession shall be the Purchaser's.

Only cash sales will be accepted or sales requiring loan funding which does not involve encumbering of the purchased lands and provides for closing funds upon the required closing date in the same manner as a cash sale. Vendor financing or financing using third party mortgages or encumbrances upon the purchase lands, or other similar financing arrangements, cannot be accommodated.

Purchase price payable by non-refundable deposit equal to 10% of purchase price due on Auction Date, with the balance of the purchase price due on closing. Payments by cash, bank draft or certified cheque only. Closing date for all sales will be 60 days after Auction Date, unless otherwise agreed by the Town. Successful bidder agrees to be bound by the Terms and Conditions of the Towns Standard Tax Sales Agreement, a copy of which will be included in Bidder's Packages on Auction Date and can be obtained 30 days prior to Auction Date for Revenue and Assessment Services. Purchase price includes all taxes, rates, fees and charges accrued to Closing Date. Purchaser responsible for payment of all taxes, rates, charges, and fees for the property, after Closing Date.

The Town of Bruderheim may become the owner of any property not sold at Auction.

In the event that payment of the arrears of taxes and costs is received by the Town prior to the Public Auction, the property in question will not be offered for sale. There is no right to pay tax arrears after the property is declared sold.

3. This bylaw comes into force on the date it is passed

READ A FIRST TIME THIS 03 DAY OF JUNE, 2020

READ A SECOND TIME THIS 17 DAY OF June, 2020

READ A THIRD TIME THIS 17 DAY OF June, 2020.

*Deputy* Ludy Schuk  
MAYOR

P. Yodanis  
CAO