



SURPLUS LAND PROPOSAL CONDITIONS

PROPOSALS SHALL INCLUDE

- | | |
|--|---------------------------------------|
| - Offer price | - Proposed date of closing |
| - List any and all proposed uses | - Number of employees (if applicable) |
| - Type and size of proposed structures | - Specify any conditions of purchase |

FEES By-Law 09-064

All purchasers shall be responsible for all costs incurred or required, to dispose of the real property including:

- | | | |
|---------------------------|---------------|----------------|
| - **Municipal legal costs | - Survey | - Appraisal |
| - Encumbrances | - Advertising | - Improvements |
| - Administration fees | - Other | |

For a copy of By-Law 09-064 please contact the Clerk's Office or the Department of Physical Services.

SERVICE CONNECTION FEES

All unserviced lots are subject to *Service Connections Fees*.

CONDITIONS OF SALE

1. Other than single and two-unit residential buildings, all properties are subject to Site Plan Control;
2. The proposed use must comply with Zoning By-Law 12-019;
3. The property is being sold "as is" with no warranties;
4. Surface rights only;
5. All proposals will be reviewed and evaluated based on "best value", comparison to "market value" and compliance to applicable acts, regulations and By-Laws;
6. The proposal with the highest value will not necessarily be accepted;
7. The municipality does not guarantee that there are any services nor the condition of any services that may exist;

PHYSICAL SERVICES
THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

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8. The municipality will maintain first right of refusal if the purchaser defaults on property conditions;
9. The Municipality shall not be held responsible for any liability arising out of any fill or material that has been placed on the property;
10. The Municipality makes no representation as to the amount of rock, if any, that may be situate on the property;
11. All street numbers shall be allocated by the Town and the designated street number shall be on front of the building visible from the street;
12. A purchaser and all subsequent owners undertake and agree that they shall grade the lands in accordance with Town standards and agree to maintain the same, and before commencing any grading or construction on a lot, prepare a detailed report, drawings and site plan acceptable to the municipality which shall show:
 - i. First floor elevation, finished lot grades and direction of surface drainage,
 - ii. The location of all buildings and structures to be erected on the site and all final grades,
 - iii. The means whereby storm drainage will be accommodated and the means whereby erosion and silting will be contained and minimized both during and after the construction period.
13. Prior to selling, it is a purchaser's responsibility to perform any and all exploratory review of the property/site to establish ground and soil conditions, soil capabilities and any other issues which may impact building. Approvals must be obtained from the Town prior to any exploratory work;
14. When a purchaser intends to renovate the property, the proposal is conditional on acceptance of a proposal for renovating the property. The proposal must:
 - i. Include specifics of the plan for renovation including time frames for building permits, commencement of renovations and significant milestones and completion;
 - ii. Stipulate the amount of a refundable deposit to be paid to the vendor on closing to secure performance of the proposal (minimum \$2,000).
15. When the purchaser intends to construct a building as part of the conditions the purchaser shall agree that the building will be completed and ready for occupancy within a specified time frame (normally 24 months of the registration of the transfer). In the event that the purchaser intends to sell or offer to sell the said lands for sale prior to completion and readiness for occupancy as above, or in any event there is not a building completed and ready for occupancy within the time specified (normally twenty-four (24) months of the registration of the transfer), the Corporation of the Town of Kirkland Lake shall have the irrevocable first option to purchase the lands from the transferee or his assigns on the same terms and conditions as this Agreement of Purchase and Sale. Additionally, the purchaser shall pay the Corporation of the Town of Kirkland Lake's legal costs for the registration of the said transfer.

****Municipal Legal Costs**

Be advised that the potential purchaser is responsible for all of the legal fees and associated costs (including the Municipality's). These fees may include but are not limited to the following disbursements:

- Register transfer
- Register consolidation application
- Execution certificate
- Electronic registration line charges
- Lawyers fees and tax on land sales
- Register application to register condition
- Land transfer tax
- Title Search
- Law Society transaction levy and copy of parcel

Please consult with your own solicitor to better understand any other applicable fees.

PROPOSAL

Location of Property: _____ Existing Use: _____

Specify any conditions of sale: _____

Proposed Use: _____

Proposed Building:

Type _____ Size (dimensions) _____

\$ _____
Proposed Purchase Price

Proposed closing date

I _____ (Print Name) have reviewed the contents of the SURPLUS LAND PROPSAL CONDITIONS and understand all associated conditions and fees which apply to a municipal land purchase.

Dated this _____ day of _____, 201__

SIGNATURE

PHONE #

ADDRESS

**TOWN OF
KIRKLAND LAKE**

POLICY

SECTION:	SUBJECT:	Pg. 1 of 1
TREASURY	PROPERTY SALES AND OTHER LAND USES TO RESIDENTS IN ARREARS	DATE: February 1, 2011 REPEALED: March 3, 2009

1. Purpose

The purpose of this policy is to reduce tax arrears by ensuring that municipal property is not sold, rented, leased or other use to people or businesses who have a poor track-record of paying taxes.

2. Scope

This policy applies to the sale, rental, lease, easement and encroachment of municipally-owned property, whether as a result of tax sale, through the normal disposition of property, or requests for other land uses, such as renting, leasing, encroaching, etc.

No person or business, including the shareholders of a business, who has been in tax registration in the Town of Kirkland Lake within the past ten years, shall be permitted to purchase or offer to purchase, rent or lease or use any municipally-owned property. This ten-year period begins on the date that a tax arrears certificate has been registered against the title to any property owned by this person or business (Section 373(i) Municipal Act.)

No person or business, including the shareholders of a business, who is in arrears on property taxes and/or any other outstanding accounts owed to the Town of Kirkland Lake, shall be permitted to purchase or offer to purchase, rent, lease, or use any municipally-owned property.

3. Application

- a. The Treasurer shall maintain a running list of:
 - Individuals and incorporated businesses who have been in tax registration in the Town of Kirkland Lake within the past ten years. In the case of incorporated businesses, the list shall include the names of all shareholders.
 - Individuals and incorporated businesses who are currently in arrears on property taxes and/or any other outstanding accounts owing to the Town of Kirkland Lake.
- b. The Clerk shall ensure that the name of any individual or business placing an offer on municipally-owned property is checked against this list.
- c. Any person or incorporated business, including shareholders of that business, placing an offer on, or requesting to enter into an agreement for use, a municipally-owned property and found to be on such list maintained by the Treasurer, will be notified in writing that he/she is not permitted to make an offer on this or any other municipally-owned property at this time.
- d. None of these clauses shall be applied in a manner inconsistent with the purpose or scope of this policy.