

The Rural Municipality of Morris

BY-LAW NO. 1582/04

BEING a by-law of the Rural Municipality of Morris to authorize the expenditure and borrowing of money for the paving of streets in Lowe Farm.

WHEREAS Section 311 of The Municipality Act, S.M. 1996, C.58, provides in part, as follows:

- “ If approved by by-law, a municipality may undertake as a Local Improvement for the benefit of all or part of the municipality,
- (a) the acquisition, development upgrading or replacement of one or more of the following :
 - (i) sewage collection and treatment facilities;
 - (ii) water supply, treatment and distribution facilities;
 - (iii) waste management facilities;
 - (iv) highways;
 - (v) drainage systems or
 - (b) Any other project the cost of which includes a capital component.”

AND WHEREAS subsection 320(1) of The Municipal Act provides as follows:

“Subject to subsection (2) to (6) and subsection 321 (4), a council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

AND WHEREAS Section 172 of The Municipal Act provides in part as follows:

“In this Division,”

“Borrowing” means the borrowing of money, and includes
(b) borrowing to pay for a local improvement under Division 4 (Local Improvement and Special Services) of Part 10
(e) issuing of debentures;”

AND WHEREAS subsection 174 (1) of The Municipal Act provides as follows:

“A municipality may make a borrowing only if:

- (a) the borrowing is authorized by by-law;
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5).

AND WHEREAS the Council of the Rural Municipality of Morris has prepared Local Improvement Plan No. 4/2004 providing for the spending, borrowing authority, and imposition of taxes for the paving of streets in Lowe Farm, as a local improvement pursuant to Part 10 of The Municipal Act;

AND WHEREAS in order to complete such undertaking, it will be necessary to issue debentures of The Rural Municipality of Morris for the sum of Three hundred and fifty thousand dollars (\$350,000.00) as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the assessed values of the whole lands changeable under this by-law is \$3,787,000.00;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for 20 years, as hereinafter provided, for paying the principal and interest under this by-law are the amount set out in Schedule "A" hereto;

AND WHEREAS the requirements as prescribed in Sections 318,319 and 320 of The Municipal Act have been complied with;

AND WHEREAS the amount of existing debenture debts of the Rural Municipality of Morris is \$252,803.18, of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of the Rural Municipality of Morris, in regular meeting duly assembled, enacts as follows:

1. That pursuant to subsection 320(1) of The Municipal Act, the Rural Municipality of Morris adopt Local Improvement Plan No. 4/2004 attached hereto as Schedule "B".
2. That the Rural Municipality of Morris may expend up to Seven Hundred Thousand Dollars (\$700,000.00) for the purpose of paving of the streets in Lowe Farm as a Local Improvement.
3. That for the aforesaid project, the said municipality may borrow up to Three hundred and fifty thousand dollars (\$350,000.00) by issue and sale of debentures, such debentures shall be issued by the Rural Municipality of Morris in the Province of Manitoba, and shall be payable at the Rosenort Credit Union in Rosenort, Manitoba Canada and shall be dated the 1st day of December, AD 2004.
4. That the said debentures shall bear interest at a rate estimated for the time being at 8.50% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 1st day of December in each of the years 2005 to 2024, both inclusive.
5. That each of the debentures shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and by the Chief Administrative Office of the Rural Municipality of Morris and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said debentures; namely, in each of the years 2005 to 2024, both inclusive, there shall be raised annually by a special rate on all the ratable property described in Schedule "C" hereto, an amount sufficient to meet the requirement of principal and interest.
7. That pursuant to subsection 174(3)(d) of the Municipal Act, pending the issue and sale of debentures, the council of The Rural Municipality of Morris may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Seven Hundred Thousand Dollars (\$700,000.00).

RURAL MUNICIPALITY OF MORRIS

SCHEDULE - A TO BYLAW 1582/04

Local Improvement Debenture Issue

Term (Yrs): 20	Amount: 350,000.00
Date: December 1, 2004	Rate (%): 8.5000
Payable: December 1, 2005 - 2024	Annual Payment: 36,984.84
	First Year's Payment: 36,984.84
	Adjusted Last Year's Payment: 36,984.87

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2005	29,750.00	7,234.84	342,765.16
2006	29,135.04	7,849.80	334,915.36
2007	28,467.81	8,517.03	326,398.33
2008	27,743.86	9,240.98	317,157.35
2009	26,958.37	10,026.47	307,130.88
2010	26,106.12	10,878.72	296,252.16
2011	25,181.43	11,803.41	284,448.75
2012	24,178.14	12,806.70	271,642.05
2013	23,089.57	13,895.27	257,746.78
2014	21,908.48	15,076.36	242,670.42
2015	20,626.99	16,357.85	226,312.57
2016	19,236.57	17,748.27	208,564.30
2017	17,727.97	19,256.87	189,307.43
2018	16,091.13	20,893.71	168,413.72
2019	14,315.17	22,669.67	145,744.05
2020	12,388.24	24,596.60	121,147.45
2021	10,297.53	26,687.31	94,460.14
2022	8,029.11	28,955.73	65,504.41
2023	5,567.87	31,416.97	34,087.44
2024	2,897.43	34,087.44	0.00
TOTALS	389,696.83	350,000.00	739,696.83

21-Oct-04

RURAL MUNICIPALITY OF MORRIS
LOCAL IMPROVEMENT PLAN # 4/2004
SCHEDULE "B" TO BYLAW 1582/04

Council of the Rural Municipality of Morris proposes to undertake as a local improvement, the paving of all of the streets in the hamlet of Lowe Farm. This project will include proper drainage being installed in the ditches adjacent to the roads, as well as excavation, and gravel being packed on all of the roads before the asphalt is applied.

The potential taxpayers under this plan would include all of the properties within the hamlet of Lowe Farm as well as the immediately surrounding rural residents. All of these properties are listed in schedule "C" as an attachment to By-law # 1582/04 of the R.M. of Morris.

Council of the R.M. of Morris intends to levy an equal mill rate over the entire local improvement area, for a period of 20 years to repay this indebtedness. There are no provisions for early payment or any discounts.

The estimated total cost of this project will be approximately \$700,000.00. The R.M. of Morris has agreed to pay for one half of these costs through their general levies, which would leave a balance of \$350,000.00 to be debentured over the Lowe Farm local improvement district. It would be the Councils intention to debenture this amount over a 20 year period.

It is the intention of the R.M. of Morris to either fund this project through a debenture issued to the Minister of Finance of the Province of Manitoba or to one or more local Credit Unions. In either case the total interest rate would not exceed the prevailing rate charged by the Minister of Finance.

It is anticipated that the annual operation and maintenance costs of paving would be less than the existing maintenance for gravel roads.

**RURAL MUNICIPALITY OF MORRIS
SCHEDULE "C"
BY-LAW 1582/04**

ROLL #	LEGAL NAME	PORTIONED ASSESSMENT
23500	Friesen, Cornelius & Mary	\$36,280.00
23550	Hiebert John S	\$26,290.00
23600	Ellis Wilfred Paul & Teresa Lynn	\$4,190.00
23700	Brown Bernhard & Katherine	\$21,560.00
23800	Falk Peter F	\$17,550.00
23900	Klassen Peter N & Nancy Anne	\$25,160.00
24000	Neufeld Herman & Susanna	\$22,010.00
24100	Trustees of Emmanuel Gospel Church	\$22,690.00
24200	Harder Wildred Allen & Joyce Erma	\$21,370.00
24250	Wall Raymond & Denise Marilyn	\$38,890.00
24300	Wiebe Peter M & Susan	\$18,000.00
24400	Wiebe Peter M	\$540.00
24500	Brown Howard Jeffrey & Beverly Ruth	\$24,040.00
24600	Brown Howard Jeffrey & Beverly Ruth	\$630.00
24700	Voth Peter Harry & June Diana	\$15,080.00
24800	Janz Kevin James & Rempel Rosella Maria	\$20,300.00
24900	Wall Heinrich & Susana	\$11,300.00
25000	Wall Heinrich	\$630.00
25100	Driedger John & Margaret	\$22,910.00
25200	Neufeld Johan & Katharina	\$630.00
25300	Neufeld Johan & Katharina	\$11,440.00
25400	Wiebe David & Annie	\$26,470.00
25500	Schimm Rudolf Oskar	\$2,530.00
25700	Giesbrecht Jacob & Helena	\$32,850.00
25800	Reimer Henry	\$8,690.00
25900	Reimer William Neufeld	\$630.00
26000	Reimer William Robert	\$4,100.00
26100	Reimer William Robert	\$720.00
26200	Reimer William Robert	\$910.00
26300	Reimer Abram Fehr & Aganetha	\$11,080.00
26400	Sawatzky Bernhard & Susana	\$8,010.00
26500	Sigurdson Owen Jessie & Yurechko Joyce Helen	\$6,030.00
26700	Le Clair Maurice & Viviane	\$22,240.00
26800	Le Clair Maurice Armand & Viviane Agnes	\$630.00
27000	Unger Andres Giesbrecht & Friesen Crystal Dawn	\$500.00
27100	Unger Andres Giesbrecht & Friesen Crystal Dawn	\$14,090.00
27200	Brown Helen	\$720.00
27300	Reimer William Neufeld	\$14,540.00
27400	Schroeder Kelly Dean	\$10,530.00
27500	Klassen Jacob & Eileen Gertrude	\$13,860.00
27600	Falk Peter F	\$42,640.00
27700	Hare Verna	\$25,390.00
27800	Hassett Catherine Mary M	\$13,780.00
27900	Penner Brian & Marlene	\$21,920.00
28000	Schmidt David Robert & Joanne Sharon	\$24,490.00
28100	Hildebrand Jean	\$9,180.00
28200	Heinrichs Erdman	\$19,530.00
28300	Dyck Tony R	\$15,580.00
28400	Giesbrecht Johan W	\$10,760.00
28500	Matthies Clifford Donald & Gloria Jean	\$24,120.00
28600	Boschman Menno Arthur & Evelyn May	\$15,580.00
28700	RM of Morris	\$1,540.00
28800	Ginter Jacob & Katherine	\$30,060.00
28900	Hildebrand Henry Peter & Susan	\$20,260.00
29000	Klassen Thomas Ray & Shanna Rose	\$29,350.00
29100	Wiebe Norman Dueck & Lorna Ruth	\$29,750.00
29200	Wiebe Norman Dueck & Lorna Ruth	\$950.00
29300	Sawatzky Frank & Margaret	\$34,660.00
29400	Penner Gloria Janet	\$6,670.00
29500	Peters Isaac & Susana	\$24,170.00

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ROLL #	LEGAL NAME	PORTIONED ASSESSMENT
29600	Oldcorn Dallas Leonard John	\$15,350.00
29700	Isaak Andrej Daniel & Angela Liz	\$18,770.00
29800	Isaak Andrej Daniel & Angela Liz	\$11,070.00
29900	RM of Morris	\$680.00
30000	Gluck Eric Michael	\$10,810.00
30100	Trustees of the Lowe Farm Bergthaler Church	\$165,560.00
30350	Fehr John	\$11,120.00
30400	Wall Jacob	\$770.00
30415	The RM of Morris	\$65,520.00
30425	Bergen Jacob H & Susan	\$34,070.00
30450	Lowe Farm Housing Corp Inc	\$255,450.00
30500	Friesen David Peter & Jacqueline Marie	\$25,210.00
30600	Friesen David Peter & Jacqueline Marie	\$6,440.00
30700	Lowe Farm Co-op Service	\$47,000.00
30800	Lowe Farm Credit Union	\$64,750.00
30900	RM of Morris	\$26,780.00
31000	The RM of Morris	\$540.00
31100	Fehr John Miller	\$540.00
31200	Paetkau Joanne Eileen & Todd Corey	\$14,760.00
31300	Dyck Margaretha	\$16,470.00
31400	Dyck Margaretha	\$540.00
31500	Fehr Cornelius & Agatha Ruth	\$22,860.00
31600	Kauenhofen Cornelius & Helena	\$8,150.00
31700	Rose Henry Francis & Evelyn Marie	\$15,620.00
31800	Sawatzky Joyce	\$720.00
31900	Sawatzky Joyce May	\$7,020.00
32000	Wiebe David & Agnes Nettie	\$27,830.00
32100	Giesbrecht Jacob & Helena	\$7,550.00
32300	Klippenstein Roy David	\$450.00
32400	Klippenstein Roy David	\$650.00
32500	Klippenstein Roy David	\$4,100.00
32600	Klippenstein Roy David	\$540.00
32800	Kehler Jacob & Maria	\$28,850.00
32900	Zacharias Wilhelm & Cristina	\$10,400.00
33000	Joyal Alfred Lucien & Olga	\$22,590.00
33100	Harder Johan	\$9,680.00
33200	K-line Enterprises (1995) Ltd Southland Mall	\$8,420.00
33300	Hildebrand Johan & Maria	\$19,800.00
33400	Wiebe Peter & Tina	\$21,510.00
33500	Wiebe Peter & Sharmen Ramon	\$11,520.00
33600	Wiebe Peter & Sharmen Ramon	\$540.00
33700	Lowe Farm Co-op Services	\$47,850.00
33800	Lowe Farm CO-op Services (1979) Ltd	\$7,220.00
33900	Lowe Farm CO-Op Services (1959) Ltd	\$1,040.00
34000	Siemens Frank	\$44,270.00
34200	Zacharias Herald & Elizabeth	\$13,500.00
34300	Ginter Ronald Edward & Siemens Michelle Rene	\$34,790.00
34500	Ginter Ronald Edward & Siemens Michelle Rene	\$680.00
34800	Voth Franz & Helena	\$18,770.00
34900	Jones Gerald Raymond & Tracie-Lee Eugenie	\$8,330.00
35000	Landry Edward A Joseph & Trina Mae	\$540.00
35100	Landry Edward A Joseph & Trina Mae	\$23,130.00
35200	Morin Marc Germain	\$12,060.00
35300	Morris-Macdonald School	\$571,160.00
35310	MTS Allstream Inc.	\$7,870.00
35400	Rural Municipality of Morris	\$1,040.00
35500	Brown Helen	\$10,980.00
35600	Wolfe Jonathan Nathaniel D	\$13,820.00
35700	Goebel Christian & Olga	\$15,350.00
35800	Doerksen Gregory Allen & Mary Janice	\$23,900.00
35850	Janz Arthur & Ruth	\$27,640.00
35900	RM of Morris	\$30,290.00
36000	Penner Harry	\$14,320.00
36100	Groening Edward	\$9,500.00
36200	Jones Gerald Raymond & Tracie-Lee Eugenie	\$4,820.00
36300	Wolfe Jacob & Helen	\$21,740.00

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ROLL #	LEGAL NAME	
36400	Heppner Diedrich C/O Lowe Farm Reccreation	\$13,270.00
36500	The RM of Morris	\$1,300.00
36600	Harder Abram H	\$11,620.00
36700	RM of Morris	\$3,120.00
36900	Hildebrand Ronald Henry & Marie Helen	\$410.00
37000	Giesbrecht Wilhelm Fehr & Margaretha N	\$31,010.00
37100	Hildebrand Ronald Henry & Marie Helen	\$410.00
37200	Hildebrand Ronald Henry & Marie Helen	\$22,600.00
37300	Hildebrand Ronald Henry & Marie Helen	\$410.00
37500	Hildebrand Ronald Henry & Marie Helen	\$410.00
37600	Brown Howard Jeffrey & Beverly Ruth	\$9,400.00
37700	Trustees of Emmanuel Gospel Church	\$1,500.00
37800	Hildebrand Ronald Henry & Marie Helen	\$410.00
38000	Trustees of Emmanuel Gospel Church	\$209,820.00
38100	Harder Wilfred Allen & Joyce Erma	\$680.00
38200	Joyal Paul Jean Joseph & Doreen	\$14,500.00
38300	Hudson Annie	\$16,030.00
38400	Brown Jerry Allan & Judy Marie	\$22,140.00
38500	Voth Heinrich, Maria & Johann	\$22,640.00
38550	Trustees of the Lowe Farm Bergthaler Church	\$1,110.00
38600	Banman Peter Klassen	\$32,230.00
38610	Paetkau Mary Johanna	\$31,370.00
38620	Wall Jacob & Helena	\$41,580.00
38800	Agricore Cooperative Ltd Southern MB Railway	\$48,040.00
39100	Lowe Farm CO-Op Service Southern MB Railway	\$100,100.00
39200	Southern Manitoba Railway	\$9,560.00
22800	John Douglas Dickeson & Lynn Marie Culicut	35,460.00
105300	Harder Wilfred Allan & Harder Joyce Erma	54,730.00
104500	Unrau Ronald John	37,940.00
107000	Dick Anthony John & Katherine Joyce	32,000.00
23400	Weins Kimberley Janice & Friesen Andra Peter	54,590.00
		\$3,787,000.00