

The Rural Municipality of Morris

BY-LAW NO. 1649/09

BEING a by-law of the Rural Municipality of Morris to authorize the expenditure and borrowing of money for the paving of Sun West Drive in the community of Lowe Farm, as a Local Improvement.

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. 2/2009 providing for the spending, borrowing authority, and imposition of taxes for the paving of Sun West Drive 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 for the Rural Municipality of Morris to borrow the sum of Ninety Thousand (\$90,000.00) 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 chargeable under this by-law according to the last revised Assessment Roll is \$4,323,210.00;

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 \$3,618,262.86, 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. 2/2009 attached hereto as Schedule "B".
2. That the Rural Municipality of Morris may expend up to Ninety Thousand (\$90,000.00) for the purpose of paving of Sun West Drive in the community of Lowe Farm as a Local Improvement.
3. That for the aforesaid project, the said municipality may borrow up to Ninety Thousand (\$90,000.00) Such borrowing 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 31st day of December, AD 2009.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 6.5% 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 31st day of December in each of the years 2010 to 2029, both inclusive.
5. That the issuance of borrowings 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 borrowing; namely, in each of the years 2010 to 2029, both inclusive, there shall be raised annually by a special mill 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 of the borrowing, 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 Ninety Thousand Dollars (\$90,000.00).

8. That during the term of the debentures authorized herein, in any year where the borrowing remain unissued, the levies be made as if the debentures have been issued; and upon completion of the project authorized herein, the levies shall be applied in reduction of temporary financing, and when issued, the amount and term of debentures shall be reduced accordingly.

DONE AND PASSED by the Council of the Rural Municipality of Morris in the Province of Manitoba this 12th day of November, A.D. 2009.



REEVE



CAO

Read a first time on the 9th day of September, 2009
Read a second time on the 12th day of November, 2009
Read a third time on the 12th day of November, 2009

RURAL MUNICIPALITY OF MORRIS			
SCHEDULE - A TO BY-LAW NO. 1649/09			
Local Improvement Debenture Issue			
Term (Yrs):	20	Amount:	90,000.00
Date:	December 31, 2009	Rate (%):	6.5000
Payable:	December 31, 2010 - 2029	Annual Payment:	8,168.08
		First Year's Payment:	8,168.08
	Adjusted	Last Year's Payment:	8,167.95
MATURITY SCHEDULE			
Year	Interest	Principal	Balance
2010	5,850.00	2,318.08	87,681.92
2011	5,699.32	2,468.76	85,213.16
2012	5,538.86	2,629.22	82,583.94
2013	5,367.96	2,800.12	79,783.82
2014	5,185.95	2,982.13	76,801.69
2015	4,992.11	3,175.97	73,625.72
2016	4,785.67	3,382.41	70,243.31
2017	4,565.82	3,602.26	66,641.05
2018	4,331.67	3,836.41	62,804.64
2019	4,082.30	4,085.78	58,718.86
2020	3,816.73	4,351.35	54,367.51
2021	3,533.89	4,634.19	49,733.32
2022	3,232.67	4,935.41	44,797.91
2023	2,911.86	5,256.22	39,541.69
2024	2,570.21	5,597.87	33,943.82
2025	2,206.35	5,961.73	27,982.09
2026	1,818.84	6,349.24	21,632.85
2027	1,406.14	6,761.94	14,870.91
2028	966.61	7,201.47	7,669.44
2029	498.51	7,669.44	0.00
TOTALS	73,361.47	90,000.00	163,361.47

PAVING SUNBURST CRES
IN NEW SUBDIVISION IN
COMMUNITY OF LOWE FARM

Schedule "B" to By-law No. 1649/09 Pursuant to Section 315 of
The Municipal Act

RURAL MUNICIPALITY OF MORRIS

LOCAL IMPROVEMENT PLAN 2/2009

LOWE FARM STREET PAVING

PROJECT

Local Improvement Plan No. 2/2009
Lowe Farm Paving Project

The Rural Municipality of Morris, in 2004, decided to pave the entire community of Lowe Farm. This paving of the entire community was done as a local Improvement levy for a period of 20 years, and was done by way of an equal mill rate. Since that time the RM of Morris has been involved in creating a 12 lot residential subdivision in the South West corner of the community. One of these lots has a new home on it, and a second lot has now been sold. The RM of Morris therefore would intend to pave this new street also.

It is intended that this paving and curb and gutter, would be done as a local improvement over the community at large. Any residence in this new subdivision will still have to pay for the majority of the 2004 project. A listing of all the proposed tax payers is included as Schedule "C" to By-law number 1649/09.

The method of calculating a local improvement tax will be based on the portion value of all taxable, grant in lieu and otherwise exempt property in the community in Lowe Farm. The rate based on the 2009 assessment is estimated to be 1.89 mills. Calculated on a residential property valued at \$100,000.00 (portion \$45,000.00) an estimated \$85.05 local improvement tax will be levied annually for a period of 20 years. The RM of Morris intends to finance this project over a maximum of 20 years.

The RM of Morris estimates that the cost for this project will be \$90,000.00. It is anticipated that this asphalt paving in a residential area will last for a minimum of 30 years. The RM of Morris anticipates that the entire cost will be paid for by a local improvement mill rate over a maximum period of 20 years. The maximum amount to be borrowed under this by-law is \$90,000.00. The estimated maximum amount of interest is 6.5%, with the final rate being confirmed by the Municipal Board at the time of borrowing. The RM of Morris estimates that a \$90,000.00 debenture with annual payment of \$8,168.08 will be repaid over a period of 20 years. If the interest rate is lower, or the required debenture is less, the RM of Morris would intend to reduce the annual payments.

The RM of Morris expects that the annual maintenance for an asphalt street will be minimal and will be funded by an ordinary mill rate on the municipality at large.

Prepared: August 18th, 2009

Ernest G. Buhler, C.M.M.A.
Chief Administrative Officer
Rural Municipality of Morris
Box 518
Morris, Manitoba

Municipality · 152 RM OF MORRIS

BYLAW NUMBER :BY-LAW NO. 1649/09

BYLAW DESCRIPTION : 01 LOWE FARM PAVING

Roll Number	Duration Start	Duration End	Frontage Frontage	Frontage Levy	Split Indicator	Liability	Total Portioned Assessment	Adjusted Assessment
17000.000	2005	2024	136.95 A		Y	T	41360	32,000
22800.000	2005	2024	15.11 A		Y	T	55370	35,460
23400.000	2005	2024	46.11 A		Y	T	83380	54,590
23500.000	2005	2024	81.25 F			T	41770	
23550.000	2005	2024	80.00 F			T	29750	
23600.000	2005	2024	101.50 F			T	4590	
23700.000	2005	2024	101.50 F			T	24390	
23800.000	2005	2024	166.60 F			T	17960	
23900.000	2005	2024	83.15 F			T	28490	
24000.000	2005	2024	120.00 F			T	24840	
24100.000	2005	2024	125.00 F			T	25700	
24150.000	2005	2024	125.00 F			T	59760	
24200.000	2005	2024	97.58 A			T	23640	
24210.000	2005	2024	9.36 A			T	160000	
24220.000	2005	2024	5.13 A			T	1200	
24250.000	2005	2024	140.00 F			T	43970	
24300.000	2005	2024	75.00 F			T	19850	
24400.000	2005	2024	37.50 F			T	540	
24500.000	2005	2024	87.50 F			T	25120	
24600.000	2005	2024	50.00 F			T	630	
24700.000	2005	2024	100.00 F			T	16660	
24800.000	2005	2024	150.00 F			T	24840	
24900.000	2005	2024	100.00 F			T	12160	
25000.000	2005	2024	50.00 F			T	630	
25100.000	2005	2024	100.00 F			T	25480	
25300.000	2005	2024	150.00 F			T	13460	
25400.000	2005	2024	100.00 F			T	29890	
25500.000	2005	2024	100.00 F			T	860	
25550.000	2005	2024	100.00 F			E	860	
25700.000	2005	2024	100.00 F			T	36930	
25800.000	2005	2024	150.00 F			T	9320	
25900.000	2005	2024	50.00 F			T	630	
26000.000	2005	2024	108.00 F			T	3520	
26100.000	2005	2024	33.00 F			T	720	
26200.000	2005	2024	67.00 F			T	910	
26300.000	2005	2024	57.00 F			T	11800	
26400.000	2005	2024	50.00 F			T	8510	
26500.000	2005	2024	143.00 F			T	6530	
26700.000	2005	2024	79.00 F			T	25300	
26800.000	2005	2024	66.00 F			T	630	
27000.000	2005	2024	40.00 F			T	500	
27100.000	2005	2024	68.00 F			T	15260	
27200.000	2005	2024	87.00 F			T	720	
27300.000	2005	2024	100.00 F			T	15890	
27400.000	2005	2024	150.00 F			T	9320	
27500.000	2005	2024	192.30 F			T	14810	
27600.000	2005	2024	170.00 F			T	60050	
27700.000	2005	2024	75.00 F			T	28720	
27800.000	2005	2024	65.00 F			T	14680	
27900.000	2005	2024	65.00 F			T	31550	
28000.000	2005	2024	65.00 F			T	27910	
28100.000	2005	2024	97.50 F			T	9950	

SCHEDULE "C"

Municipality: 152 RM OF MORRIS

BYLAW NUMBER: BY-LAW NO. 1649/09

BYLAW DESCRIPTION: 01 LOWE FARM PAVING

Roll Number	Duration Start	Duration End	Frontage	Frontage Levy	Split Indicator	Liability	Total Portioned Assessment	Adjusted Assessment
28200.000	2005	2024	97.50 F			T	19850	
28300.000	2005	2024	130.00 F			T	15350	
28400.000	2005	2024	130.00 F			T	39650	
28500.000	2005	2024	111.00 F			T	27270	
28600.000	2005	2024	84.00 F			T	16520	
28700.000	2005	2024	105.00 F			T	860	
28800.000	2005	2024	90.00 F			T	33980	
28900.000	2005	2024	130.00 F			T	22870	
29000.000	2005	2024	130.00 F			T	31240	
29100.000	2005	2024	128.00 F			T	34120	
29200.000	2005	2024	128.00 F			T	950	
29300.000	2005	2024	128.00 F			T	38750	
29400.000	2005	2024	128.00 F			T	9320	
29500.000	2005	2024	130.10 F			T	27460	
29600.000	2005	2024	55.00 F			T	16390	
29700.000	2005	2024	75.00 F			T	19940	
29800.000	2005	2024	130.00 F			T	10130	
29900.000	2005	2024	75.00 F			T	680	
30000.000	2005	2024	100.00 F			T	11660	
30100.000	2005	2024	217.00 F			E	172900	
30350.000	2005	2024	43.00 F			T	12060	
30400.000	2005	2024	104.00 F			T	770	
30415.000	2005	2024	206.00 F			E	79950	
30425.000	2005	2024	100.00 F			T	38430	
30450.000	2005	2024	400.00 F			S	270660	
30500.000	2005	2024	78.00 F			T	28630	
30600.000	2005	2024	52.00 F			T	5770	
30700.000	2005	2024	78.00 F			T	52400	
30800.000	2005	2024	52.00 F			T	63640	
30900.000	2005	2024	50.00 F			E	33480	
31000.000	2005	2024	50.00 F			E	540	
31100.000	2005	2024	50.00 F			T	540	
31200.000	2005	2024	100.00 F			T	16070	
31300.000	2005	2024	50.00 F			T	28940	
31400.000	2005	2024	50.00 F			T	540	
31500.000	2005	2024	100.00 F			T	25160	
31600.000	2005	2024	50.00 F			T	10980	
31700.000	2005	2024	100.00 F			T	17690	
31800.000	2005	2024	50.00 F			T	770	
31900.000	2005	2024	50.00 F			T	7290	
32000.000	2005	2024	104.00 F			T	22910	
32100.000	2005	2024	52.00 F			T	4200	
32300.000	2005	2024	26.00 F			T	450	
32400.000	2005	2024	26.00 F			T	650	
32500.000	2005	2024	52.00 F			T	2350	
32600.000	2005	2024	50.00 F			T	540	
32800.000	2005	2024	100.00 F			T	32270	
32900.000	2005	2024	50.00 F			T	11340	
33000.000	2005	2024	100.00 F			T	25790	
33100.000	2005	2024	50.00 F			T	10350	
33200.000	2005	2024	100.00 F			T	8960	
33300.000	2005	2024	50.00 F			T	22640	

Municipality - 152 RM OF MORRIS

BYLAW NUMBER : BY-LAW NO. 1649/09
BYLAW DESCRIPTION : 01 LOWE FARM PAVING

Roll Number	Duration Start	Duration End	Frontage	Frontage Levy	Split Indicator	Liability	Total Portioned Assessment	Adjusted Assessment
33400.000	2005	2024	100.00	F		T	24440	
33500.000	2005	2024	100.00	F		T	18500	
33700.000	2005	2024	78.00	F		T	61560	
33800.000	2005	2024	69.00	F		T	910	
33900.000	2005	2024	88.00	F		T	1040	
34000.000	2005	2024	26.00	F		T	37700	
34200.000	2005	2024	50.00	F		T	14580	
34300.000	2005	2024	100.00	F		T	36360	
34500.000	2005	2024	50.00	F		T	720	
34800.000	2005	2024	150.00	F		T	19850	
34900.000	2005	2024	100.00	F		T	9450	
35000.000	2005	2024	50.00	F		T	540	
35100.000	2005	2024	100.00	F		T	29750	
35200.000	2005	2024	100.00	F		T	22680	
35300.000	2005	2024	7.94	A		E	572270	
35310.000	2005	2024	25.00	F		T	12550	
35400.000	2005	2024	75.00	F		T	1040	
35500.000	2005	2024	80.00	F		T	11660	
35600.000	2005	2024	50.00	F		T	590	
35700.000	2005	2024	100.00	F		T	26780	
35800.000	2005	2024	69.63	F		T	27050	
35850.000	2005	2024	79.63	F		T	31420	
35900.000	2005	2024	1.24	A		E	65270	
35902.000	2005	2024	70.00	F		E	540	
35904.000	2005	2024	70.00	F		E	630	
35906.000	2005	2024	92.19	F		E	680	
35908.000	2005	2024	85.12	F		E	810	
35910.000	2005	2024	107.99	F		E	720	
35912.000	2005	2024	75.00	F		E	720	
35914.000	2005	2024	75.00	F		E	720	
35916.000	2005	2024	75.00	F		E	720	
35918.000	2005	2024	70.00	F		E	540	
35920.000	2005	2024	70.00	F		E	540	
35922.000	2005	2024	70.00	F		E	540	
35924.000	2005	2024	70.00	F		E	540	
36000.000	2005	2024	72.85	F		T	15490	
36100.000	2005	2024	86.00	F		T	8870	
36200.000	2005	2024	58.00	F		T	5270	
36300.000	2005	2024	144.00	F		T	32900	
36310.000	2005	2024	62.92	F		T	720	
36400.000	2005	2024	68.00	F		E	15020	
36500.000	2005	2024	163.00	F		T	23270	
36600.000	2005	2024	161.00	F		T	12880	
36700.000	2005	2024	1.23	A		E	3120	
36900.000	2005	2024	0.31	A		T	410	
37000.000	2005	2024	115.00	F		T	35060	
37100.000	2005	2024	0.31	A		T	410	
37200.000	2005	2024	115.00	F		T	24080	
37300.000	2005	2024	0.31	A		T	410	
37500.000	2005	2024	0.31	A		T	410	
37600.000	2005	2024	57.50	F		T	9730	
37700.000	2005	2024	57.50	F		E	1500	

Municipality - 152 RM OF MORRIS

BYLAW NUMBER : BY-LAW NO. 1649/09
BYLAW DESCRIPTION : 01 LOWE FARM PAVING

Roll Number	Duration Start	Duration End	Frontage	Frontage Levy	Split Indicator	Liability	Total Portioned Assessment	Adjusted Assessment
37800.000	2005	2024	0.31 A			T	410	
38000.000	2005	2024	241.00 F			E	220090	
38100.000	2005	2024	66.00 F			T	680	
38200.000	2005	2024	133.00 F			T	16120	
38300.000	2005	2024	64.00 F			T	16880	
38400.000	2005	2024	80.33 F			T	28220	
38500.000	2005	2024	75.00 F			T	25740	
38550.000	2005	2024	95.00 F			E	1110	
38600.000	2005	2024	138.53 F			T	36820	
38610.000	2005	2024	74.93 F			T	35510	
38620.000	2005	2024	74.93 F			T	47300	
38800.000	2005	2024	550.00 F			T	14090	
39100.000	2005	2024	200.00 F			T	53890	
39200.000	2005	2024	3.84 A			T	9820	
104500.000	2005	2024	9.17 A		Y	T	46050	37,940
105300.000	2005	2024	155.95 A		Y	T	123750	54,730

Assessment

Total Taxable Assessment	(T)	2,878,740
Total School Tax Exempt Assessment	(S)	270,660
Total Grant-In-Lieu Assessment	(G)	
Total School Grant Exempt Assessment	(N)	
Total Exempt Assessment	(E)	1,173,810
Total Bylaw Assessment :		4,323,210

Frontage Levy

Taxable Frontage Levy	(T)	
School Tax Exempt Frontage Levy	(S)	
Grant-In-Lieu Frontage Levy	(G)	
School Grant Exempt Frontage Levy	(N)	
Exempt Frontage Levy	(E)	
Total Frontage Levy :		