



CITY OF CORNER BROOK

Policy Statement

Index	Procurement and Disposal		Section	Property		
Title	Land Management Policy		Policy Number	07-08-05	Authority	Council
Approval Date	02 May 01	Effective Date	02 May 01	Revision Date		

Purpose:

To stipulate the authority and guidelines upon which land management transactions are to be handled.

Policy Statement:

1. Land transactions including sales, purchases, leases, etc. can be initiated by Council, staff, or the public and should be referred to the Land Management Officer. To ensure consistency and avoid duplication, all land negotiations and matters involving City purchases and disposal of land are to be handled by the Land Management staff and as much as possible, all requests should be in writing. Any person initiating a request for a land transaction should refer the matter to the Land Management Officer
2. The party initiating the request must provide full information to the Land Management Officer who will follow-up according to the guidelines of the policy.
3. The Land Management Officer may request input from other City departments if the Land Management staff feel their involvement is necessary in a transaction.
4. If the Land Management Officer deems it to be in the City's best interest to purchase the property or sell City property, he/she has the authority to negotiate a deal in accordance with the stipulations outlined below in the section - Authority of Staff.
5. In cases where land is required for capital works projects, the total cost of acquiring the land will normally be included in the budget for the capital project.

Reference:

Approved: Minute: CC01-120 (May 2, 2001)
Minute CC01-106 (April 11, 2001)

Detailed Action Required:

AUTHORITY OF STAFF

Purchasing Property:

1. The following criteria shall be considered by the Land Management Officer when considering a request to purchase property:
 - (1) Obstruction the property has with snowclearing, street maintenance, traffic safety.
 - (2) If the property is required for future development/street widening, etc.

- (3) If it is more advantageous to purchase the property versus issuing a permit for development.

In considering such requests, the Land Management staff will follow-up with input from other City departments and has the authority to reject any offers of request to purchase if they meet the above conditions.

2. The Land Management Officer has the authority to negotiate and close deals up to a maximum value of \$5,000. Any amount above \$5,000 will require Council approval.
3. The following guidelines will be applied when approval has been granted by Council to purchase property:
 - (1) The Land Management staff will have the authority to negotiate and give a firm commitment to purchase property up to the appraised value, plus 20%. Any amount negotiated above this amount would be subject to Council approval.
 - (2) In the case of homes with low assessments the Land Management staff will have the authority to negotiate the purchase of the property up to the maximum value as determined by Council, when approving the purchase.
4. If the Land Management Officer deems it necessary to purchase property which does not meet the above-noted criteria a recommendation will be submitted to the Chief Administrative Officer for consideration.

Sale of Property:

The following procedure will be followed for the disposal of City property.

1. Land of sufficient size to be deemed a building block and suitable for development will be sold through the public tendering process, unless otherwise directed by Council.
2. Smaller parcels of land insufficient for development and only suitable to adjacent property owners, can be sold through a negotiated agreement. All adjacent property owners will be given the opportunity to negotiate for the purchase of either a portion, or all of the property.

LEGAL AND SURVEY FEES

All purchase agreements should stipulate who is responsible for legal and surveying costs. Unless circumstances dictate otherwise, the following would be the normal procedure:

1. The purchaser and vendor are required to pay his/her own legal and surveying costs in property transactions unless otherwise stated.
2. In cases where the City purchases property for municipal improvement purposes the City will pay all legal and surveying expenses.

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.


MAYOR


CITY CLERK