



**LEGAL SERVICES
MEMORANDUM**

TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

FROM: I. PETERS, DIRECTOR OF LEGAL SERVICES

NOTED: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: ANNUAL REPORT - EASEMENTS OVER CITY OWNED PROPERTY

DATE: MARCH 30, 2020

The purpose of this Memorandum is to provide members of Council with an annual report in accordance with Council motion 14-G-098 which provides delegated authority for the granting of easements over City owned property as stated on the attached Schedule "A".

During the 2019 calendar year no easements were granted over City owned property pursuant to delegated authority.

SCHEDULE "A"

14-G-098 DELEGATED AUTHORITY TO GRANT EASEMENTS OVER CITY OWNED PROPERTY

1. That authority to grant easements to other governmental authorities, conservation authorities, school boards and utility companies, over City owned property, be delegated to the Director of Legal Services, within the limits set out below and subject to the following conditions:
 - a) The value of the grant of easement does not exceed a maximum sale price of \$25,000;
 - b) The grant of easement is at or above fair market value taking into consideration any benefit to the Corporation resulting from the grant of easement as determined by the Director of Legal Services;
 - c) That all costs, including staff time are fully recovered and paid for by the purchaser of the easement;
 - d) That prior to the granting of any easement, the Director of Legal Services shall circulate the easement request among relevant City departments for staff comments;
 - e) That staff prepare an annual memorandum to General Committee with a summary of easements granted under this authority;
 - f) That any grant of easement having a high/corporate/community profile and/or controversy in the opinion of the Director of Legal Services be presented to General Committee for consideration and approval; and
 - g) That all sale proceeds be deposited to the following account: 01-24-0860-000-8612 GAIN/LOSS – FIXED ASSESTS.
2. That the granting of easements to other governmental authorities, conservation authorities, school boards and utility companies be excluded from the requirements to comply with the provisions of The City of Barrie By-law 95-104 governing the sale of real property.
3. That the City Clerk be authorized to execute any agreement of purchase and sale and associated documents in a form approved by the Director of Legal Services.