

REFUSED

Before:

The Local Authorities Board for the Province of Alberta.

In the matter of The Municipal Government Act:

And in the matter of an application by the majority of the registered owners of certain territory immediately adjacent to the Town of Devon, Alberta, petitioning for annexation of the said territory to the said Town of Devon.

Pursuant to an application by the majority of the registered owners of the territory described at Schedule "A" attached to this Order and which territory lies immediately adjacent to the Town of Devon, in the Province of Alberta, petitioning for annexation of the said territory to the Town of Devon, and its separation from the County of Leduc No. 25, the Board held a public hearing of the matter in the Town of Devon on Tuesday, November 2, 1976.

The petitioners were represented by Solicitor James A. Cox of Broda, Cox, Trofimuk & Ulan, Barristers and Solicitors.

The Town of Devon was represented by Doctor Brian Staples, Mayor of the Town of Devon.

The County of Leduc No. 25 was represented by Mr. Pinkowski.

The Edmonton Regional Planning Commission was represented by Mr. Michna.

Also in attendance were Mr. Frottenfusser, Mrs. Robertson, Mr. Platt and Mr. Gallant, whose status, upon failing to prove their interest in the proceedings, was that of observers.

The petitioners, through their representative, Mr. James A. Cox, requested an adjournment of the proceedings for an indefinite period of time to enable further studies to be completed regarding the Town of Devon and the proposed annexation. The adjournment is indicated by studies which indicate that additional planning must be done.

The Town of Devon, by resolution passed by Council on October 27, 1976, stated that the town opposes the proposed annexation and any

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delay in the hearings. The Council has passed a resolution whereby it resolves to proceed with the preparation of a "preliminary" general plan and, until such time as a plan has been completed, annexation would be considered premature.

The County of Leduc No. 25, represented by Mr. Pinkowski, offered no objection to the petition.

The Edmonton Regional Planning Commission, represented by Mr. Michna, requested an adjournment of the hearing until the completion of the Commission's growth studies for the Edmonton region.

The Board, upon considering the motions for adjournment, concluded that an adjournment for an indefinite period of time would neither protect or serve the interests of all parties, therefore, motion for adjournment was denied.

The petitioners, in the light of facts represented as to the matter of completion of planning studies, felt it was not warranted to proceed with the petition at this time. Therefore, it is the decision of this Board that the application for annexation should be refused.

It is ordered, therefore, that the application for annexation by the majority of the registered owners of the territory described at Schedule "A" attached to this Order, petitioning for annexation of the said territory to the Town of Devon, in the Province of Alberta, be and the same is hereby refused.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 3rd day of December, 1976.

LOCAL AUTHORITIES BOARD

D. A. BANCROFT, Chairman.

T. LAUDER, Acting Member.

Certified a true copy,

B. CLARK, Secretary.

SCHEDULE "A"

Detailed description of the territory sought for annexation to the Town of Devon:

The north half of section 27, township 50, range 26, west of the fourth meridian.

North-south government road allowance adjoining the west boundary of the north-west quarter of section 27, township 50, range 26, west of the fourth meridian.

The north-east quarter of section 28, township 50, range 26, west of the fourth meridian.

The south-east quarter of section 33, township 50, range 26, west of the fourth meridian.

All that portion of the north-east quarter of section 33, township 50, range 26, west of the fourth meridian not presently within the Town of Devon.

All that portion of the south half of section 3, township 51, range 26, west of the fourth meridian which lies generally south of the right bank of the North Saskatchewan River.

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The east-west government road allowance adjoining the south boundary of the south-east quarter of section 3, township 51, range 26, west of the fourth meridian.

That portion of the east-west government road allowance adjoining the south boundary of the south-east quarter of section 3, township 51, range 26, west of the fourth meridian which lies east of the right bank of the North Saskatchewan River.