



Staff Memo

Report To: South Huron Council

From: **Dan Best, Chief Administrative Officer/Deputy Clerk**

Date: December 6 2021

Report: CAO 24.2021

Subject: Perth South and South Huron Surplus Property

Recommendations:

That the memo of D. Best, Chief Administrative Officer dated December 6, 2021 regarding a surplus property in Perth South jointly owned by South Huron and Perth South be received; and

That this topic be added to the agenda of the upcoming Joint Municipal Council meeting.

Purpose:

Information

Background and Analysis:

On October 14, 2021, correspondence was received from Perth South regarding a surplus property jointly owned on a property located in Perth South. Years ago both municipalities declared the property surplus and agreed to dispose of the property in accordance with municipal by-laws.

Along the way a number of things came up that prevented the disposal of the lands. Firstly, the building was located on Perth South's road allowance. Secondly, the building was in very poor condition and ended up being demolished. And finally, there were some Title corrections that needed to be made due to an issue with the Deed.

As there has been some interest in property, Perth South would like to complete the process and dispose of the property. A summary prepared by Perth South is attached to this report in addition to supporting documents.

In terms of next steps, a Statutory Declaration is required from South Huron. Once the Statutory Declarations are signed and sent to the Perth South lawyer, the Application for Absolute Title can be filed and the disposal of lands process initiated.

It is the intention for Perth South to keep Part 1 and merge with the existing roadway and Part 2 would be the surplus portion that would be disposed.

Subsequently, South Huron Staff reviewed the documentation with our solicitor. Correspondence was sent back to Perth South on November 25, 2021 providing the following comments:

"Seeing as the property is in South Perth it would be best for you to take the lead and get everything corrected. We can provide affidavit or declaration as needed".

"If Part 1, 44R-5135 is going to become part of the public highway there appears to be little value to South Huron for the the remaining lands. As such, I would anticipate that there would be compensation to South Huron if Perth South intends on keeping land for a public highway".

"From South Huron's perspective, it would seem most efficient to accept some form of cash payment from South Perth and you would retain sole ownership".

Financial Impact:

There are no financial implications as a result of the actions outlined in this memo.

Legal Impact:

There are no legal implications as a result of the actions outlined in this memo.

Staffing Impact:

There are no staffing implications as a result of the actions outlined in this memo.

Related Documents:

Kirkton Aberdeen Hall or Scout Hall Summary

Respectfully submitted,

Dan Best, Chief Administrative Officer/Deputy Clerk