

School District No. 53 (Okanagan Similkameen)
Disposal of Land (Osoyoos Elementary School No. 053 14005)
Bylaw No. 15

A bylaw to (1) authorize the sale of land to the Corporation of the Town of Osoyoos, and (2) authorize the transfer of a small portion of Crown Grant No. 7393 (Land Title No. 143462F) to the Corporation of the Town of Osoyoos, to enable the Town to acquire part of the former Osoyoos Elementary school building and refurbish it as a community recreation centre.

WHEREAS

- A. The Board is the owner in fee simple of land at Osoyoos Elementary School, 8507 68th Avenue, Osoyoos, British Columbia, legally described as Lots 4, 5, 6, 7, and 8 of Block 785 of District Lot 2450S, Plan 4706;
- B. The Board is the holder of Crown Grant No. 7393 (Land Title No. 143462F), registered in the Land Title Office, Kamloops, as Lot 12 of Block 785 of District Lot 2450S, Plan 4706, which is adjacent to the above-named land, and which also forms part of the site of the above-mentioned school;
- C. The Board has replaced its former Osoyoos Elementary school building with a new school building on another part of the same site;
- D. The Board does not require certain portions of the land referred to in recitals A and B above for future educational purposes;
- E. Under Section 96 of the *School Act*, the Board may dispose of property owned by the Board, by bylaw.
- F. The Board may relinquish its claim to land it has received via Crown Grant when that land is no longer required for educational purposes;
- G. The Board has notified the Minister of Education that the remainder of the Crown Grant described as Lot 12 is still required for educational purposes, forming the site of the current Osoyoos Elementary School and its playing fields;
- H. The Ministry of Education has informed the District that it may dispose of a portion of Lot 12 underneath and immediately adjacent to the remnant of the former school building as if it were owned by the Board, subject to an agreement between the Province, the Board and the Town of Osoyoos;
- I. The Board has reached agreement with the Corporation of the Town of Osoyoos whereby instead of demolishing all of the former school building, the Board will give part of the building to the Town for development as a community recreation centre.
- J. School District No. 53 (Okanagan Similkameen) Disposal of Land (Osoyoos Elementary School No. 053 14005) Bylaw No. 13, which had the same objectives as this bylaw, did not meet the requirements of the Province of British Columbia, and was therefore not implemented.

NOW THEREFORE the Board of School Trustees enacts as follows:

1. The Board hereby authorizes execution of the agreement with the Corporation of the Town of Osoyoos, attached as Appendix A, for the purposes set out in this bylaw;
2. The Board hereby authorizes the sale of Lots 5, 6, and 7, together with parts of Lots 4 and 8, as shown on the plan attached as Appendix B, to the Corporation of the Town of Osoyoos, in accordance with the agreement attached as Appendix A;
3. The Board hereby authorizes execution of the agreement with the Corporation of the Town of Osoyoos and the Province of British Columbia, as represented by the Minister of Sustainable Resource Management, attached as Appendix D, by which a portion of Lot 12, as shown on the plan attached as Appendix C, will be sold to the Province of British Columbia and then purchased from the Province by the Town of Osoyoos;
4. The Board hereby authorizes the Secretary-Treasurer to execute any and all associated documents required to complete the terms of the agreements;
5. This bylaw rescinds School District No. 53 (Okanagan Similkameen) Disposal of Land (Osoyoos Elementary School No. 053 14005) Bylaw No. 13;
6. This bylaw may be cited as "School District No. 53 (Okanagan Similkameen) Disposal of Land (Osoyoos Elementary School No. 053 14005) Bylaw No. 15".

Read a first time the 27th day of October, 2004.

Read a second time the 27th day of October, 2004.

Read a third time, finally passed and adopted the 27th day of October, 2004.

(Corporate Seal)

Chairperson of the Board

Secretary-Treasurer