

#### **DELEGATION OF AUTHORITY**

Pursuant to Section 209 of the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, I hereby delegate to the following positions the powers, duties and functions necessary for the purpose of administering the following bylaw:

- 1. The powers, duties and functions delegated to the person in the position of chief administrative officer as specified by Bylaw Number 52M2009, the Real Property Bylaw, are hereby delegated to those persons in the positions as set out in the attached Schedule "A".
- 2. No further delegation of the powers, duties or functions delegated herein shall be made other than by the chief administrative officer.
- 3. This delegation letter supersedes and replaces the delegations for the above bylaw made in the delegation letters dated November 19, 2009, January 10, 2014, June 8, 2015 and March 23, 2017.

APPROVED	Date:
As TO CONTENT Brad Stevens Deputy City Manager	- -
	Name & Title:
As to Form Carol Reesor Law	Jeff Fielding City Manager

Law and Legislative Services, File B0511
Real Estate & Development Services, File \_\_\_\_\_

C.

City Clerk's, Records Unit - Attention: Janette Mi

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#### SCHEDULE "A"

#### Further Delegations under The City of Calgary Real Property Bylaw Number 52M2009

#### Legend:

СМ	City Manager
DCM	Deputy City Manager
DREDS	Director, Real Estate & Development Services
GM	Any General Manager of a City Department for which land has been expropriated
LAW	Any City employee working in the Real Estate & Expropriation section of the Law business unit and holding one of the following positions:  Manager Real Estate & Expropriation;  Solicitor 3;  Solicitor 2;  Lawyer 3;  Lawyer 2; or  Lawyer 1
LTO	Land Titles Officer
MLAM	Manager, Land & Asset Management
MSA	Manager, Sales & Acquisitions

Section	Section Text	Current Authority	Further Delegations		
AUTHORIZ	AUTHORIZATION OF TRANSACTIONS - ACQUISITIONS				
6. (1)(a)	The City Manager may approve the following acquisitions:  (a) an acquisition of a fee simple interest at or below market value if:  (i) the purchase price is Five Million (\$5,000,000.00)  Dollars or less; and  (ii) funding for the acquisition is available in a budget approved by Council;	СМ	For acquisitions with a purchase price of \$2,000,000.00 or less – DREDS  For acquisitions with a purchase price of \$5,000,000.00		
C (4)/h)	(b) an apprincition of either an antice or right of first refused	CM	or less – <b>DCM</b>		
6. (1)(b)	(b) an acquisition of either an option or right of first refusal if:	СМ	DCM DREDS		
	(i) the option or right of first refusal fee is no more than				

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Section	Section Text	Current Authority	Further Delegations
	ten (10%) percent of the purchase price for the real property; (ii) the term of the option or the right of first refusal is one (1) year or less; and (iii) the acquisition is otherwise in compliance with the bylaw;		
6. (1)(c)	(c) an acquisition by exercise of an option or right of first refusal at or below market value if: (i) the purchase price is Five Million (\$5,000,000.00) Dollars or less; and (ii) funding for the acquisition is available in a budget approved by Council;	СМ	For acquisitions with a purchase price of \$2,000,000.00 or less – DREDS  For acquisitions with a purchase price of \$5,000,000.00 or less – DCM
6. (1)(d)	(d) an acquisition by dedication for nominal value to the City. In addition, the City Manager may authorize the City to relocate, repair or replace existing improvements on the donor's lands adversely impacted by the dedication;	СМ	DCM DREDS MSA
6. (1)(e)	(e) an acquisition by way of gift to the City;	СМ	DCM DREDS MSA
6. (1)(f)	(f) an acquisition of easements or utility rights of way if: (i) the consideration is Five Million (\$5,000,000.00) Dollars or less; and (ii) funding for the acquisition is available in a budget approved by Council;	СМ	For acquisitions where the consideration is \$2,000,000.00 or less – DREDS MSA
			For acquisitions where the consideration is \$5,000,000.00 or less - <b>DCM</b>
6. (1)(g)	(g) an acquisition of a restrictive covenant that limits or restricts the use of land not owned by the City for the benefit of the City's land; and	СМ	DCM DREDS MSA
6. (1)(h)	(h) an acquisition of any moveable building or structure	CM	For

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Section	Section Text	Current Authority	Further Delegations
	including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, at or below market value if: (i) the purchase price is Five Million (\$5,000,000.00) Dollars or less; and (ii) funding for the acquisition is available in a budget approved by Council.		dispositions where the purchase price is \$250,000.00 or less – MSA MLAM  For acquisitions with a purchase price of \$2,000,000.00 or less – DREDS  For acquisitions with a purchase price of \$5,000,000.00 or less – DCM
AUTHORIZ	ATION OF TRANSACTIONS - DISPOSITIONS		
7. (1)(a)	The City Manager may approve the following dispositions:  (a) a disposition of the fee simple interest in a stand alone parcel if:  (i) the method of disposition has been approved by Council;  (ii) the purchase price of the stand alone parcel is the same as or more than the reserve consideration; and  (iii) the disposition complies with any terms and conditions imposed by Council in the method of disposition;	СМ	DCM
7. (1)(b)	(b) a disposition of the fee simple interest in a remnant parcel if the purchase price for the remnant parcel is Five Million (\$5,000,000.00) Dollars or less and is at or above market value;	СМ	For dispositions with a purchase price of \$2,000,000.00 or less – DREDS  For dispositions with a purchase price of \$5,000,000.00 or less – DCM

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Section	Section Text	Current Authority	Further Delegations
7. (1)(c)	(c) a disposition of the fee simple interest in a remnant parcel, to the owner of the adjoining lands, for nominal value if: (i) the remnant parcel was originally dedicated to the City as road pursuant to a subdivision or development application, or to a dedication agreement; and (ii) the owner of the adjoining lands is the same person or entity that originally dedicated the remnant parcel to the City;	СМ	DCM DREDS
7. (1)(d)	(d) a disposition of a remnant parcel or a stand alone parcel by option or right of first refusal if: (i) the option or the right of first refusal fee is at least ten (10%) percent of the purchase price of the remnant parcel or stand alone parcel; (ii) the term of the option or right of first refusal is for one (1) year or less; and (iii) the disposition is otherwise in compliance with the bylaw;	СМ	DCM DREDS
7. (1)(e)	(e) a disposition of a right to encroach on the City's real property in accordance with the City's corporate policy on encroachments;	СМ	DCM DREDS MLAM LTO
7. (1)(f)	(f) a disposition of an easement or utility right of way if: (i) the consideration is Five Million (\$5,000,000.00)  Dollars or less and is at or above market value; and (ii) the proposed easement or utility right of way will not materially impact the City's future use or development of the City lands as determined by Real Estate & Development Services;	СМ	For dispositions where the consideration is \$2,000,000.00 or less – DREDS MSA  For dispositions where the consideration is \$5,000,000.00 or less – DCM
7. (1)(g)	(g) a disposition of a restrictive covenant that limits or restricts the use of the City's land for the benefit of land not owned by the City if the disposition is at or above market value; and	СМ	DCM

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Section	Section Text	Current Authority	Further Delegations
7. (1)(h)	(h) a disposition of any moveable building or structure including, but not limited to, a mobile home, a house, a commercial building or an ancillary structure, if the purchase price is Five Million (\$5,000,000.00) Dollars or less, without a method of disposition having been approved by Council.	СМ	For dispositions where the purchase price is \$250,000.00 or less – MSA MLAM
			For dispositions where the purchase price is \$2,000,000.00 or less – DREDS
			For dispositions where the purchase price is \$5,000,000.00 or less – <b>DCM</b>
7.(2)	Notwithstanding Section 7(1), the City Manager may approve a disposition of the fee simple interest in a stand alone parcel or a remnant parcel if:  (a) the disposition is directly negotiated with Calgary Municipal Land Corporation, Attainable Homes Calgary Corporation, Calgary Housing Company, Calhome Properties Ltd., the provincial government or the federal government; and (b) the purchase price is Five Million (\$5,000,000.00) Dollars or less and is at or above book value, without a method of disposition having been approved by Council.	СМ	For dispositions where the purchase price is \$2,000,000.00 or less – DREDS  For dispositions where the purchase price is \$5,000,000.00 or less – DCM

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Section	Section Text	Current Authority	Further Delegations
7.(3)	Notwithstanding Section 7(1), the City Manager may approve a disposition of the fee simple interest in a stand alone parcel or a remnant parcel if:  (a) the disposition:  (i) is directly negotiated with the owner of the adjoining lands;  (ii) meets the City's triple bottom line objectives;  (iii) satisfies or meets the objectives of the Area Redevelopment Plan or the Area Structure Plan; and  (iv) allows for the owner of the adjoining lands to assemble multiple parcels for a larger scale, comprehensive development;  (b) the disposition of the stand alone parcel or the remnant parcel cannot meet its desired highest and best use without being consolidated with an adjoining parcel; and  (c) the purchase price is Five Million (\$5,000,000.00) Dollars or less,  without a method of disposition having been approved by Council.	СМ	For dispositions where the purchase price is \$2,000,000.00 or less – DREDS  For dispositions where the purchase price is \$5,000,000.00 or less – DCM
AUTHORIZ	ATION OF TRANSACTIONS – OCCUPATIONS - GENERAL OC	CUPATIONS	3
8. (1)(a)	The City Manager may approve the following occupations:  (a) an occupation by lease or license if:  (i) the annual base rent or fee is Five Hundred Thousand (\$500,000.00) Dollars or less;  (ii) the initial term is:  A. month to month;  B. year to year; or  C. a fixed term of five (5) years or less;  (iii) for a fixed term occupation, there are no more than two (2) options to renew, each renewal term being a period of five (5) years or less; and  (iv) if the City is the tenant, funding for the operating costs is available in a budget approved by Council;	СМ	DCM DREDS MLAM MSA
8. (1)(a.1)	(a.1) an occupation by lease or license, for a food service establishment on lands which are under either Parks or Recreation's stewardship, if: (i) the annual base rent or fee is Five Hundred Thousand (\$500,000.00) Dollars or less; and (ii) the occupation is for a fixed term of fifteen (15) years or less, with no options to renew;	СМ	DCM DREDS MLAM
8. (1)(b)	(b) an amendment or extension of an occupation if the occupation is otherwise in compliance with the bylaw;	СМ	DCM DREDS MLAM MSA
8. (1)(c)	(c) an exercise of an option or a right to renew or extend an occupation, where the City is a tenant pursuant to an occupation, if: (i) the annual base rent or fee is Five Hundred Thousand (\$500,000.00) Dollars or less;	СМ	DCM DREDS MLAM MSA

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Section	Section Text	Current Authority	Further Delegations
	<ul> <li>(ii) the renewal or extension term is:</li> <li>A. month to month;</li> <li>B. year to year; or</li> <li>C. a fixed term of five (5) years or less; and</li> <li>(iii) funding for the operating costs is available in a budget approved by Council;</li> </ul>		
8. (1)(d)	(d) notwithstanding Subsection 8(1)(a), an occupation by lease or license entered into with the provincial or federal government for a nominal fee and for a term of any length;	СМ	DCM DREDS MLAM MSA
8. (1)(e)	(e) a continued occupation of real property following its acquisition by the City if: (i) the base rent or fee is at or above market value or is included in the total consideration payable for the acquisition; (ii) the proposed occupant(s) are either the prior registered owners or prior legal occupants of the real property; and (iii) the period of continued occupation is one (1) year or less; and	СМ	DCM DREDS MLAM MSA
8. (1)(f)	(f) overholding by former legal occupants of the City's real property if the period of overholding is one (1) year or less.	СМ	DCM DREDS MLAM MSA
AUTHORIZ	ATION OF TRANSACTIONS – OCCUPATIONS – ROAD		
9. (1)(a-d)	The City Manager may approve an occupation by license of road, other than for the purposes of either a sign or a telecommunication installation, if:  (a) the annual fee is Five Hundred Thousand (\$500,000.00) Dollars or less;  (b) the occupation of the road is subject to early termination on thirty (30) days written notice;  (c) the road is not required for public use; and (d) the occupation is otherwise in compliance with the bylaw.	СМ	DCM DREDS MLAM
	ATION OF TRANSACTIONS - OCCUPATIONS - TELECOMMU		
10.(1)(a- c), (e) and (g)	The City Manager may approve the occupation by license for a telecommunication installation at or above market value if:  (a) the annual fee is Five Hundred Thousand  (\$500,000.00) Dollars or less;  (b) the initial term is:  (i) month to month;  (ii) year to year; or  (iii) a fixed term of ten (10) years or less;  (c) for a fixed term occupation, there are no more than two (2) options to renew, with each renewal term being a period of five (5) years or less;	СМ	DCM DREDS MLAM

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Section	Section Text	Current Authority	Further Delegations
	(e) the licensee has obtained a letter of concurrence from the City's Planning and Development business unit; and (g) if the license area is part of a road, then the license is subject to early termination on thirty (30) days written notice;		
AUTHORIZ	ZATION OF TRANSACTIONS – OCCUPATIONS – SIGNS	<u> </u>	<u>I</u>
11. (1)(a)	The City Manager may approve the following occupations:  (a) a license for an owner sign or a third party sign if:  (i) the license fee is at or above the market value;  (ii) the term is:  A. month to month;  B. year to year; or  C. a fixed term of five (5) years or less; and  (iii) for a fixed term license for third party signs, there are no more than two (2) options to renew, with each renewal term being a period of five (5) years or less;	СМ	DCM DREDS MLAM
11. (1)(b)	<ul> <li>(b) a license granted to a community association for a community identification sign if:</li> <li>(i) the license fee is at or above the market value;</li> <li>(ii) the term of a license is fifteen (15) years or less;</li> <li>(iii) the community identification sign is located on road and the license is satisfactory to the person appointed to the position of Director, Roads or that person's designate; and</li> <li>(iv) any community identification sign for which a license has been granted under this bylaw is exempt from the application of the Temporary Signs on Highways Bylaw;</li> </ul>	СМ	DCM DREDS MLAM
11. (1)(c)	(c) a license granted to a developer for a community identification sign if: (i) the license fee is at or above the market value; (ii) the developer provides an irrevocable letter of credit or other type of security satisfactory to the City Manager; (iii) the term of a license granted to a developer is five (5) years or less; (iv) the community identification sign license is not located on road; and (v) any community identification sign for which a license has been granted under this bylaw is exempt from the application of the Temporary Signs on Highways Bylaw;	СМ	DCM DREDS MLAM
11. (1)(d)	(d) a license for a temporary sign if the fee is at or above the market value;		DCM DREDS MLAM
11. (1)(e)	(e) a license for an election sign if the term and the fee are consistent with the applicable terms and rates approved by Council.		DCM DREDS MLAM
	ZATION OF TRANSACTIONS – OCCUPATIONS – SURRENDER	OF OCCUP	ATION
12.	The City Manager may approve the surrender or partial surrender of an occupation prior to the end of the term if the	СМ	DCM DREDS

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Section	Section Text	Current Authority	Further Delegations
	consideration payable for the surrender or partial surrender is Five Hundred Thousand (\$500,000.00) Dollars or less.		MLAM
AUTHORIZ	ZATION OF TRANSACTIONS – EXPROPRIATIONS		
12.1. (1)(a)	If Council has previously authorized the initiation of an expropriation of any estate or interest in real property, the City Manager may approve an acquisition of any parties' interest in the real property by way of an agreement pursuant to Section 30 of the Expropriation Act, if:  (a) the proposed payment for the fee simple interest in the real property is:  (i) the same or less than the original proposed payment approved by Council; or  (ii) if there was no original proposed payment approved by Council, the sum of Five Million (\$5,000,000.00) Dollars or less; and in either case, provided that the proposed payment reflects the current market value for the lands as approved by the Valuation Review Committee; and funding for the acquisition is available in a budget approved by Council.	СМ	DCM
12.1.(1)(b)	(b) the consideration for any other interest in the real property is: (i) the same or less than the original proposed payment approved by Council; or (ii) if there was no original proposed payment approved by Council, the sum of Five Million (\$5,000,000.00) Dollars or less; and in either case, provided that the proposed payment price reflects the current market value for the lands as approved by the Valuation Review Committee; and funding for the acquisition is available in a budget approved by Council.	СМ	DCM
12.1.(2)	(2) If Council has previously authorized the initiation of expropriation of any estate or interest in real property, the City Manager may approve a negotiated settlement of any compensation payable pursuant to the Expropriation Act if funding for the negotiated settlement is available in a budget approved by Council.	СМ	For settlements of \$2,000,000.00 or less – DREDS, DCM  For settlements between \$2,000,000.00 and \$5,000,000.00, DCM and GM  For settlements greater than \$5,000,000,00

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Section	Section Text	Current Authority	Further Delegations
			DCM, GM and CM
RECTIFICA	ATIONS, COMPLETION OF AN ADMINISTRATION OF REAL PR	OPERTY TR	RANSACTIONS
14.(1)(a-c)	(1) The City Manager may approve the following corrections and changes of land reports, land authorization forms, agreements and documents:  (a) the correction of obvious errors in the land report, land authorization form, agreement or document if the corrections are consistent with the intent of the transaction;  (b) any changes to the description of the real property in the land report, land authorization form, agreement or document; and  (c) the correction of spelling mistakes and errors in transposition of legal descriptions, municipal descriptions, names of parties, letters and figures.	СМ	LAW
15.(1) (a)	The City Manager may, in order to facilitate the negotiation, completion and administration of transactions, approve by rectification the following:  (a) the addition, amendment or deletion of terms and conditions that are consistent with the intent of the transaction and that do not subject the City:  (i) to any further material obligations; or  (ii) to any financial obligations exceeding the sum of Five Hundred Thousand (\$500,000.00) Dollars;	СМ	DCM
15.(1)(b)	(b) the extension(s) or advancement(s) of any transaction date if: (i) the extension(s) of any transaction date does not exceed a period of one (1) year from that original transaction date; (ii) the advancement(s) of any transaction date does not exceed a period of one (1) year from that original transaction date; and (iii) any transaction date may be split into two or more transaction dates if: A. the earliest transaction date is advanced no more than one (1) year from the original transaction date; and B. the last transaction date is extended no more than one (1) year from the original transaction date;	СМ	DCM DREDS
15.(1)(c)	(c) the charging or paying of fees for the extension of closing or exercise dates for dispositions or acquisitions if: (i) the fee for the extension of closing or exercise dates for one (1) year or less is at least one (1%) percent of the purchase price per month; and (ii) the fee for the extension of closing or exercise dates for periods greater than one (1) year is at least one (1%) percent of the purchase price per month for the first year and at least five (5%) percent of the purchase price per month during subsequent years;	СМ	DCM DREDS

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Section	Section Text	Current Authority	Further Delegations
15.(1)(e)	(e) where the City is the landlord, any changes to the base rent or fee payable upon the exercise of either an option or a right to renew an occupation, if the new base rent or fee payable is at least market value or more;	СМ	DCM DREDS
15.(1)(f)	(f) the substitution, addition or deletion of parties to transactions approved by Council or pursuant to the bylaw;	СМ	DCM DREDS
15.(1)(g)	(g) adjustments made: (i) to the property area upon completion of a survey; (ii) to the area for an occupation to include any additional rental areas or the reduction of any rental area; or (iii) to the market value purchase price, base rent or fee to reflect encumbrances or other title impediments if the total adjustments is thirty (30%) percent, or less, of the purchase price, base rent or fee for the acquisition or disposition;	СМ	DCM DREDS
15.(1)(h)	(h) an increase to the proposed purchase price approved by Council of up to thirty (30%) percent of the original proposed purchase price, to facilitate the completion of an agreement pursuant to Section 30 of the Expropriation Act if: (i) the increase to the proposed purchase price reflects the current market value for the lands as approved by the Valuation Review Committee; or (ii) the increase to the proposed purchase price reflects additional compensation that the owner of the lands could reasonably be entitled to under the Expropriation Act and the owner of the lands releases the City from any future claims under the Expropriation Act or the Municipal Government Act for which the owner is being compensated for as approved by the Valuation Review Committee;	СМ	DCM DREDS MSA
15.(1)(i)	(i) an increase to the proposed payment for an expropriation approved by Council of up to thirty (30%) percent of the original proposed payment, if (i) the increase to the proposed purchase price reflects the current market value for the lands as approved by the Valuation Review Committee; or (ii) the increase to the proposed purchase price reflects additional compensation that the owner of the lands could reasonably be entitled to under the Expropriation Act;	СМ	DCM DREDS MSA
15.(1)(j)	(j) the payment of reasonable legal fees (subject to the approval of the City Solicitor), appraisal and other consulting fees and disbursements incurred by parties to transactions;	СМ	DCM DREDS MSA
15.(1)(k)	(k) the charging or paying of any deposit or security to be taken or given by the City to secure the performance of obligations under any agreement and the terms and conditions that the deposit or security is to be paid, held and released; and	СМ	DCM DREDS MSA MLAM

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Section	Section Text	Current Authority	Further Delegations
15.(1)(I)	(I) the waiver of conditions precedent;	СМ	DCM DREDS MSA MLAM
MANAGEN	IENT OF THE CITY'S REAL PROPERTY – GENERAL APPROV	ALS	
16.(1)(a)	The City Manager may, in order to facilitate the management of the City's real property, approve the following:  (a) the increase, reduction, or waiver of any interest payable and the imposition or acceptance of alternate terms and conditions relating to payment of interest in consideration of the extension or advancement of any transaction date if the increase, reduction or waiver of the interest payable is Fifty Thousand (\$50,000.00) Dollars or less;	СМ	DCM DREDS MSA LAW
16.(1)(b)	(b) access by prospective purchasers, tenants or licensees of the City's real property for the purposes of conducting due diligence;	СМ	DCM DREDS MSA MLAM
16.(1)(b.1)	(b.1) an agreement for the access by City employees or agents to lands not owned by the City for the purposes of conducting due diligence for a proposed acquisition or occupation;	СМ	DCM DREDS MSA MLAM
16.(1)(c)	(c) tenders for the demolition and/or removal of buildings and improvements constructed on the City's real property if the buildings or improvements are no longer habitable, are structurally unsound or unsafe, or are required to be demolished and/or removed for a project approved by Council;	СМ	DCM DREDS MSA MLAM
16.(1)(d)	(d) the assignment and assumption of any agreement including the charging of or paying of fees for the assignment and assumption of any agreement;	СМ	DCM DREDS MSA MLAM
16.(1)(g)	(g) the entering into any agreement relating to the clean up or management of any environmental contamination of the City's lands in connection with a disposition or an occupation.	СМ	DCM DREDS MSA MLAM
MANAGEN	IENT OF THE CITY'S REAL PROPERTY – GENERAL ADMINIS	TRATIVE AL	JTHORITY
16.1.(1)(a)	The City Manager may, in order to facilitate the management of the City's real property:  (a) include the City's real property in applications for land use, subdivision or development approvals under Part 17 of the Municipal Government Act if such inclusion will not restrict the City's ability to negotiate, approve and complete related transactions;	СМ	DCM DREDS MSA MLAM

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Section	Section Text	Current Authority	Further Delegations
16.1.(1)(b)	(b) enter into and complete any agreements or documents required for the subdivision and development of the City's real property under Part 17 of the Municipal Government Act;	СМ	DCM DREDS MSA MLAM
16.1.(1)(c)	(c) withdraw, discharge, surrender or postpone any instrument registered at the Land Titles Office by or on behalf of the City;	СМ	DCM DREDS MSA MLAM
16.1.(1)(d)	(d) request to include the estate or interest in mines or minerals in an acquisition pursuant to the Municipal Government Act;	СМ	DCM DREDS MSA
16.1.(1)(e)	(e) enter into an acquisition or a disposition of a restrictive covenant, utility right of way or an easement that limits or restricts the use of land owned by the City for the benefit of other land owned by the City.	СМ	DCM DREDS MSA MLAM
MANAGEN	IENT OF THE CITY'S REAL PROPERTY – LAND TITLE REGIS	TRATION	
17.(1)(a- e)	The Land Titles Officer may, in order to facilitate management of the City's real property:  (a) notify the Registrar of the Land Titles Office that the requirements for the removal of municipal reserve or municipal and school reserve designations have been complied with;  (b) file with the Registrar of the Land Titles Office all required certificates accompanying road plans of survey;  (c) authorize the Registrar of the Land Titles Office to remove public utility lot (PUL) designations from certificates of title registered in the name of the City;  (d) authorize or consent to the Registrar of the Land Titles Office registering or correcting plans of survey; and  (e) request the Registrar of the Land Titles Office to take the appropriate action(s) pursuant to the tax recovery procedures set out in the Municipal Government Act.	СМ	DCM DREDS MLAM LTO

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