

THE MUNICIPALITY OF RHINELAND

BY-LAW NO. 2018-11

BEING a by-law of The Municipality of Rhineland to de-designate property commonly known as Lot 4, Block 4, Plan 556 excepting the westerly 170' of the southerly 120' CT #1899642 in the Village of Neurgthal, situated in the Municipality of Rhineland, Manitoba from being a site of architectural or historic value.

WHEREAS Section 32 & 33 of The Heritage Resources Act authorizes the Council of a municipality to enact by-laws to de-designate a municipal site as a municipal heritage site;

AND WHEREAS Section 32 of The Heritage Resources Act provides in part as follows:

**Revocation - not under appeal**

32 A municipality may at any time, on its own motion and without a hearing,

(b) where a by-law, as proposed or as amended, has received 2nd and 3rd reading and has been adopted under this Part, by a further by-law revoke that by-law.

AND WHEREAS the Council of the Municipality of Rhineland is satisfied that the buildings located on this property are not of sufficient architectural, heritage or natural value or interest;

AND WHEREAS the Council of the Municipality of Rhineland has caused to be served upon the Minister of Culture, Heritage and Tourism, c/o Heritage Designation Officer, Historic Resources Branch, Main Floor, 213 Notre Dame Ave, WINNIPEG, Man. R3B 1N3, and upon the owners and lessees of the lands and premises commonly known as Lot 4, Block 4, Plan 556 excepting the westerly 170' of the southerly 120' CT #2492757 in the Village of Neurgthal, located in PT SW 36-1-1W, a Municipal Notice of Intent to so de-designate the aforesaid municipal site and has caused such Notice of Intent, stating the date, time and place for a hearing, not earlier than twenty-one (21) days after the last date of the service so prescribed in the Act was made, to be held by the municipality to receive objections and other representations with respect to the proposed by-law, and has caused such Notice of Intent to be published in at least two (2) issues of a newspaper having general circulation in the municipality and having filed a copy of the Notice of Intent in the proper Land Titles or Registry Office.

AND WHEREAS no objections to the proposed de-designation has been served on the Chief Administrative Officer of the Municipality;

NOW THEREFORE, the Council of the Municipality of Rhineland enacts as follows:

1. The Municipal site, commonly known as Lot 4, Block 4, Plan 556 excepting the westerly 170' of the southerly 120' CT #2492757 in the Village of Neurgthal is hereby de-designated as a Municipal Heritage Site pursuant to the Heritage Resources Act of Manitoba;
2. The Chief Administrative Officer is hereby authorized to cause a copy of the Manitoba Heritage Notice in respect hereto to be served upon the Minister of Culture, Heritage and Tourism, in c/o Heritage Designation Officer and upon the owners and lessees of the said Municipal Site and to cause a copy of the Municipal Heritage Notice in respect hereto to be published in at least one (1) issue of a newspaper having general circulation in the Municipality.
3. The municipal site, commonly known as Lot 4, Block 4, Plan 556 excepting the westerly 170' of the southerly 120' CT #2492757 in The Village of Neurgthal, is hereby no longer protected by prohibiting any or all the things set out in clauses 12(1)(1), (b) and (c) of The Heritage Resources Act except pursuant to a municipal heritage permit issued by the Municipality.

The Chief Administrative Officer is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule A hereto in the proper land registry office.

DONE AND PASSED in open Council assembled at the Municipal Office at Altona in the Province of Manitoba this 16th day of August A.D. 2018.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

Read a first time this 13<sup>th</sup> day of June, 2018.

Read a second time this 13<sup>th</sup> day of June, 2018.

Read a third time this 16th day of August 2018.

I hereby certify that By-law 2018-11, being a by-law of the Rural Municipality of Rhineland was given third reading on the 16th day of August, dated this 23rd day of August, 2018.

  
\_\_\_\_\_  
Michael Rempel, CAO

APPENDIX A

*The Heritage Resources Act* (Subsection 33(2))

**Municipal Heritage Notice (Municipality of Rhineland)**

Form 14

**TAKE NOTICE THAT:**

The site described as follows:

The lands and premises commonly known as Lot 4, Block 4, Plan 556, in the Village of Neubergthal, Province of Manitoba, and legally described in Certificate of Title No. 2492757 as:

In the Village of Neubergthal, in the Province of Manitoba, being Lot Four (4), Block Four (4), excepting the westerly 170' of the southerly 120' which lot is shown on a Plan of Survey registered in the Morden Land Titles Office as Plan No. 556.

Of which the records of the Morden Land Titles Office show as owner:

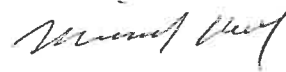
David Hiebert Klassen, and Ana Wall Klassen, both of the Village of Neubergthal in the Province of Manitoba, as joint tenants and not tenants in common

and all the lands and buildings thereon, have been de-designated as a municipal heritage site to be protected under the authority of *The Heritage Resources Act* by Municipal By-law No. 2004-11 of the Municipality of Rhineland, adopted on the 8<sup>th</sup> day of December, 2004.

**AND FURTHER TAKE NOTICE THAT:**

A copy of this Municipal Notice shall be filed in the appropriate land titles office or registry office, in accordance with the provisions of *The Heritage Resources Act*.

Dated at Altona, this 13<sup>th</sup> day of June, 2018.



Chief Administrative Officer

## Municipal Notice of Intent

TAKE NOTICE that on June 13<sup>th</sup>, 2018, the Council of the Municipality of Rhineland gave first and second reading to By-law No. 2018-11 to de-designate as a municipal heritage site under The Heritage Resources Act, the lands and premises commonly known as Lot 4, Block 4, Plan 556 excepting the westerly 170' of the southerly 120' in the name of David Hiebert Klassen and Ana Wall Klassen in the Village of Neubergthal. The land is described in Certificate of Title No. #2492757 as follows:

In the Village of Neubergthal, in the Province of Manitoba, being Lot 4, Block 4 excepting the westerly 170' of the southerly 120' which lot is shown on a Plan of Survey registered in the Morden Land Titles Office as Plan No. 556

A copy of the proposed By-law is attached.

A public hearing will be held at the Municipality of Rhineland Municipal Office at 10:00 am on August 16<sup>th</sup>, 2018.

At that time, any person may submit an objection or other representation on the proposal. If there is no objection, Council may resolve to adopt the proposed by-law, or not to proceed with it.

Dated at Altona this 13<sup>th</sup> day of June 2018.



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Michael Rempel, Chief Administrative Officer