

DATE

File No. RBE (Central Lands Agreement)

Mr. Mark Whiting
1600 4th Avenue
Regina, SK
S4R 8C8

Dear Mark:

Re: Central Land Agreement Outstanding Land Transfer – Letter of Understanding

This Letter of Understanding is non-binding as between the parties and is only intended to generally set out the proposed terms to allow the parties to complete land transfers and satisfy the outstanding conditions of the Central Lands Agreement dated May 14, 1987 (“CCLEA”) between the Regina Board of Education (“RBE”) and the City of Regina (“City”). If you are in agreement with the proposed terms, the City will then seek Counsel approval to complete the transactions required to satisfy the outstanding conditions.

As a summary, the City acquired the former Central School Site to create Central Park and committed to provide 5.017 Hectares of land to RBE in the future. With the development of the Jack MacKenzie School site, the RBE acknowledged the City equivalent contribution of 1 Hectare toward the outstanding agreement, leaving 4.017 Hectares to be transferred. RBE and the City have now identified the remaining 4.017 Hectares at the following locations:

- Rosemont School	0.814
- WF Ready School	1.353
- Jack MacKenzie School	1.04
- Glen Elm School	0.53
- Grant Road School	0.181
- Dieppe School	<u>0.099</u>
Total	4.017 Ha.

as shown on the attached aerial photos (Appendices A-F).

The actual land area calculations will be based on the Information Services Corporation approved Plan of Survey and transfers calculated by a Saskatchewan Land Surveyor. It is recognized that these lands may have existing encumbrances on them and may involve facilities that are currently used to provide ongoing services and programming. It is anticipated that considerable time and effort will be required to formalize the transfer of these stated lands, the requirement of additional agreements and different levels of City approvals and therefore the City’s Real Estate Branch wishes to obtain your tentative agreement before proceeding. Best efforts will be made to finalize all these transfers, but both parties

acknowledge and agree in the event certain approvals of certain sites are not obtained the parties shall continue to move forward with the transfers that are approved.

The following list of items to be addressed at each location should be viewed as a template list for the location and may require additional conditions/agreements to satisfy or obtain City approval or the needs of RBE. Following are potentially some of the approvals required for the respective locations:

- **Rosemont School** - Rezoning is required; potential easement required for City utility infrastructure on site; Joint Services Agreement is required to address the continued existence of a baseball diamond and boarded rink and rink shelter, including any continued programming and operating costs.
- **WF Ready School** - Property is owned by the Province as Public Reserve and will need to be transferred to the City with the Province's approval of what is being proposed. Rededication, Subdivision and Rezoning required; Easement required for storm drain and high-water ponding/detention on site with restrictions on changes to ground elevations including restrictions on building construction in the detention area, existing City irrigation system and City public pathway. A Caveat is required to restrict building construction near the detention area and to require that elevations in the detention area not be changed. A Joint Services Agreement is required to address the continued existence of the pathway, athletic field and irrigation system on the site, including any public programming and operating costs.
- **Jack MacKenzie School** - Note that there is an existing 1 Ha. allowance at this school site toward the Central Lands Agreement. Rededication, Subdivision and Rezoning is required, including approval from Council and Province. Easement is required for the existing water line, storm sewer and irrigation system. A Joint Services Agreement is required to address the continued existence of the baseball diamond, water and irrigation system along with the storm sewer, including any public programming and operating costs.
- **Glen Elm School** - Road Closure, Subdivision and Rezoning required. Easements required for water, sanitary and storm sewer lines, fire hydrant and sidewalk setbacks. A Joint Services Agreement is required to address the ownership of playground equipment and use of the remaining playground lands, as it relates to the recreational lands in the area. Fence ownership is viewed as being RBE.
- **Grant Road School** - Rededication, Subdivision and Rezoning required, including approval from Council and the Province. Storm Drain agreement required. Easements required for storm drain, walking path, and surface drainage area. A caveat must be registered against the land to restrict any building construction and development on the property as the land is currently being used as a storm water detention area, including establishing set elevation requirements to maintain surface drainage onto the property and allowing for the City to make future improvements to the surface drainage to the detention area. A shared access agreement is required across the lands being transferred for use of the driveway and to access the City

- Walkway. A Joint Services Agreement is required to address the continued existence of the walkway and shared parking areas, including operating costs.
- **Dieppe School** - Subdivision and Rezoning is required. Easements are required for the fire hydrant, water line services to the rink, water line setbacks, irrigation lines and storm drain setbacks, including building restrictions in the easement area. A caveat is required to set the elevations that must be maintained for existing drainage features, including grades. A Joint Services Agreement is required to address the continued existence of the public walkway, baseball diamond and rink and shelter on the school property, including any public programming and operating costs. Fence ownership is viewed as being RBE.

All properties will also require the City and RBE entering into a right of first refusal agreement between the parties. We do not view this as an issue as RBE currently has a bylaw requiring this. However, the City will need a formal right of first refusal agreement in order to proceed with the transaction.

Should you wish to proceed please provide the name of the solicitor representing you regarding these potential land transfers along with a signed copy of this letter. A land surveyor will be engaged to prepare Proposed Plan of Subdivisions (PPSD), applications for subdivision will be prepared and approvals sought. In addition, the City acknowledges the existing RBE school encroachments on City land with the understanding that should the City require this land the City will exercise its ownership rights with reasonable notice but without compensation to RBE.

In the interim, if you have any questions concerning this matter, please do not hesitate to contact Doug Cavers at (306) 550-2958 or dcavers@regina.ca.

Sincerely,

Barry Lacey
Executive Director,
Financial Strategy & Sustainability

dc
Attachment

Date: _____

The terms and conditions as listed are hereby accepted.

Regina Board of Education

(seal)

Signing Officer

Signing Officer

Solicitor Name

Solicitor Address