Municipality of Dysart et al
In the Heart of the Haliburton Highlands

FORM 6
SALE OF LAND BY PUBLIC TENDER
Municipal Act, 2001
Ontario Regulation 181/03, Municipal Tax Sale Rules

SALE OF LAND BY PUBLIC TENDER

THE CORPORATION OF THE UNITED TOWNSHIPS OF DYSART, DUDLEY, HARCOURT, GUILFORD, HARBURN, BRUTON, HAVELOCK, EYRE AND CLYDE

Take Notice that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on July 8, 2021, at the Dysart et al Municipal Office, 135 Maple Avenue, Haliburton Ontario.

The tenders will then be opened in public on the same day as soon as possible after 3:00 p.m. at the Dysart et al Municipal Office, 135 Maple Avenue, Haliburton.
Submitted tenders will be opened virtually by Zoom. Register in advance for this meeting using the link: https://us02web.zoom.us/meeting/register/tZEqdeGoqTouHtHU04iVBto0WudCOBPuF8VI
After registering, you will receive a confirmation email containing information about joining the meeting.

Description of Lands:
1.Roll No. 46 24 011 000 26200 0000; 18 South St., Haliburton; PIN 39182-0042(R); Part Lot 17, Concession 7, in the Geographic Township of Dysart, now United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde, designated as Parts 1,2,3,4 & 7 Plan 19R-6764. Subject to a Right-of-Way over, along and upon that part of Lot Number 17 Concession 7 designated as Parts 2 & 4 Plan 19R-6764. Together with a Right-of-Way over, along and upon that part of Lot Number 17 Concession 7 designated as Parts 5 & 6 Plan 19R-6764, in the Registry Division of the County of Haliburton. Land Registry Office No. 19; File No. 18-11
According to the last returned assessment roll, the assessed value of the land is $103,000
Minimum tender amount: $16,193.45

2. Roll No. 46 24 011 000 28600 0000; Fred Jones Road, Haliburton; PIN 39182-0076 (LT); PT LT 19 CON 7 DYSART AS IN DY4389 BTN DRAG RIVER, DOVER SPRING RD & H148755; DYSART ET AL; File No.18-30
According to the last returned assessment roll, the assessed value of the land is $27,500
Minimum tender amount: $5,535.91

3. Roll No. 46 24 040 000 13100 0000; Guilford, Ontario; PIN 39146-0130 (LT); LT 38 PL 580; DYSART ET AL; File No. 18-34
According to the last returned assessment roll, the assessed value of the land is $19,800
Minimum tender amount: $5,464.53

4. Roll No. 46 24 061 000 29600 0000; On Dennison Island in Kawagama Lake; PIN 39113-0134 (LT); PT LT 2 CON 14 HAVELOCK AS IN H70873; DYSART ET AL; File No. 19-05
According to the last returned assessment roll, the assessed value of the land is $396,000
Minimum tender amount: $22,942.40

5. Roll No. 46 24 030 000 03801 0000; Harcourt, Ont; PIN 39159-0275 (LT); PT LT 4 CON 1 HARCOURT AS IN HR662 N OF H134516 & PT 1 19R3946 & S OF H131882; S/T HR662; DYSART ET AL; File No.19-12
According to the last returned assessment roll, the assessed value of the land is $23,000
Minimum tender amount: $5,043.74

6. Roll No. 46 24 050 000 72300 0000; Johnson Bay Rd., Haliburton; PIN 39284-0170 (LT); LT 147 PL 524; DYSART ET AL; File No. 19-29
According to the last returned assessment roll, the assessed value of the land is $189,000
Minimum tender amount: $9,786.11

7. Roll No. 46 24 040 000 20300 0000; Guilford, Ontario; PIN 39146-0134 (LT); LT 108 PL 581; S/T EXECUTION 95-0000273, IF ENFORCEABLE; S/T EXECUTION 99-0000132, IF ENFORCEABLE; DYSART ET AL; File No. 19-34
According to the last returned assessment roll, the assessed value of the land is $19,600
Minimum tender amount: $4,995.56

Tenders must be submitted in the prescribed form and must be accompanied by a deposit of at least 20 per cent of the tender amount, which deposit shall be made by way of a certified cheque/bank draft/ money order payable to the municipality.

Except as follows, the municipality makes no representation regarding the title to, crown interests, availability of road access or any other matters relating to the lands to be sold. Responsibility for ascertaining these matters rests with the potential purchasers. Any interests of the Federal or Provincial Crown encumbering the land at the time of the tax sale will continue to encumber the land after the registration of the tax deed. The assessed value, according to the last returned assessment roll, may or may not be representative of the current market value of the property.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and any taxes that may be applicable, such as a land transfer tax and HST.

The municipality has no obligation to provide vacant possession to the successful purchaser.

A copy of the prescribed form of tender is available on the website of the Government of Ontario Central Forms Repository under the listing for the Ministry of Municipal Affairs.

For further information regarding this sale contact:

Rachael Velkovski
Tax Collector
The Corporation of the United Townships of Dysart et al
135 Maple Avenue, P.O. Box 389
Haliburton ON K0M 1S0
705-457-1740 Ext. 639
www.dysartetal.ca

Form 7

Municipal Act, 2001

TENDER TO PURCHASE

THE CORPORATION OF THE UNITED TOWNSHIPS OF DYSART, DUDLEY, HARCOURT, GUILFORD, HARBURN, BRUTON, HAVELOCK, EYRE AND CLYDE

To: Name: **Barbara Swannell**
Treasurer

Address: **P.O. Box 389**
Haliburton ON K0M 1S0

Telephone: **For all inquiries, please ask for Rachael Velkovski, Tax Collector at 705-457-1740 Ext. 639.**

Re: Sale of:

Roll No. 46 24 040 000 13100 0000; Guilford, Ontario; PIN 39146-0130 (LT); LT 38 PL 580; DYSART ET AL; File No. 18-34

1. I/we hereby tender to purchase the land described above for the amount of $…….

   (…….dollars)
   in accordance with the terms and conditions of the *Municipal Act, 2001* and the Municipal Tax Sales Rules.

2. I/we understand that this tender must be received by the treasurer's office not later than **3:00 p.m.** local time on **July 8, 2021**, and that in the event of this tender being accepted, I/we shall be notified of its acceptance.

3. I/we enclose a deposit in the form of a certified cheque/bank draft/money order for the sum of $……..

   (……..dollars)

   in favour of **The Municipality of Dysart, et al**, representing 20 per cent or more of the tendered amount which will be forfeited if I/we are the successful tenderer(s) and I/we do not pay the balance of the tendered amount, any taxes that may be applicable, such as a land transfer tax and HST and any accumulated taxes within 14 days of the mailing of the notice by the treasurer notifying me/us that I/we are the highest tenderer.

This tender is submitted pursuant to the *Municipal Act, 2001* and the Municipal Tax Sales Rules.

Dated at……, this…….. day of ……, 2021.

Name of Tenderer	Name of Tenderer
Address of Tenderer	Address of Tenderer
Email &/or Phone Number of Tenderer (optional)	Email &/or Phone Number of Tenderer (optional)

Pursuant to subrule 6(2) of the Municipal Tax Sales Rules, this tender shall relate to only one parcel of land.

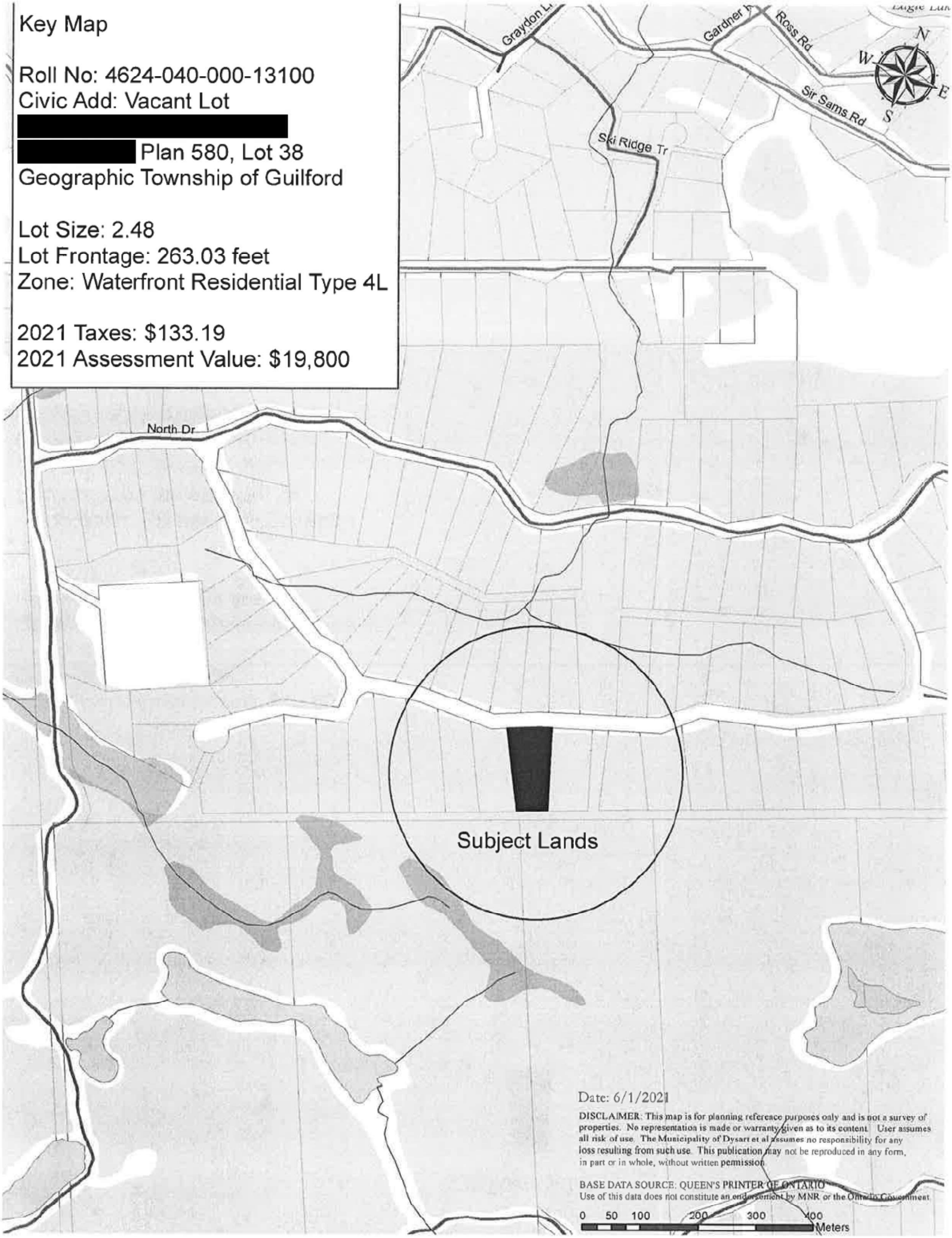
Personal Information contained on this form, collected pursuant to the *Municipal Act, 2001* and Regulations thereunder, will be used for the purposes of that Act. Inquiries should be directed to the Freedom of Information and Privacy Coordinator at the organization responsible for the procedures under that Act.

Key Map

Roll No: 4624-040-000-13100
Civic Add: Vacant Lot
[redacted]
[redacted] Plan 580, Lot 38
Geographic Township of Guilford

Lot Size: 2.48
Lot Frontage: 263.03 feet
Zone: Waterfront Residential Type 4L

2021 Taxes: $133.19
2021 Assessment Value: $19,800



INSTRUCTIONS FOR SUBMITTING A TENDER

A tender, and the envelope that it is submitted in, must be prepared and submitted in accordance with the *Municipal Tax Sales Rules*. Here are steps to follow to ensure that your tender complies with those rules.

1. Determine your tender amount

The minimum tender amount in the tax sale advertisement is generally the "cancellation price" (taxes, penalty, interest, etc) as of the first day of advertising. Your tender must be this amount or more. If you are the successful tenderer, you will also be required to pay Land Transfer Tax and any applicable HST. As well, you will be required to pay "accumulated taxes", being any further taxes, interest or penalty that have accumulated since the first day of advertising.

2. Prepare Form 7 (TENDER TO PURCHASE)

A tender shall be in Form 7. It must be typewritten or legibly handwritten in ink. There is a Form 7 in your tender package. Please proceed as follows:

a. In the section of Form 7 that says "Re: Sale of: (description of land)"
   Enter in the description of the land, including the roll number, file number and municipal address, if that information is available. You should use the same description that is shown on your TITLE SEARCH SUMMARY, if you purchased one, or on the tax sale ad.
b. Fill in the remaining information on Form 7.
   NOTE: *Double and triple check the information that you enter. Be sure there are no mistakes!*

3. Prepare a deposit

a. **At <u>least</u> 20%**
   Your tender must be accompanied by a deposit of at least 20 per cent of the amount you tender.
   (Example: If you tender $5,000.01 – 20% of $5,000.01 is $1,000.002 – therefore $1,000.00 would be less than 20% of the amount you tendered - $1,000.01 would be the minimum deposit required)
b. **<u>Form of Deposit</u>**
   Deposit is made by way of money order, or by way of bank draft or cheque certified by a bank or authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada), a trust corporation registered under the *Loan and Trust Corporations Act* or a credit union within the meaning of the *Credit Unions and Caisses Populaires Act, 1994.*
c. **Deposit money order, bank draft or certified cheque must be made out in favour of the municipality**
d. **<u>Warning</u>**
   If after the tender(s) have been opened, the municipality sends you a notice that your tender has been accepted, you must pay the full amount owing within 14 days of the notice being sent to you. **If you do not pay the balance as required, for *any* reason, your deposit will be forfeited to the municipality.**

4. Prepare a Tender envelope

Your tender must be submitted in a sealed envelope, addressed to the treasurer, indicating on it that it is a tax sale and provides a short description or municipal address of the land sufficient to permit the treasurer to identify the parcel of land to which the tender relates.

The tender envelope in this tender package is already properly pre-addressed. All you have to do is the following:

a. If a municipal address has been given for the property, enter that address under the heading **Tax Sale For**.
b. If there is no municipal address given, or if the municipal address will not be sufficient to permit the treasurer to identify the parcel to which the envelope relates, it will be necessary to include a short description of the property. You should use the property description that is shown on your TITLE SEARCH SUMMARY, if you purchased one, or on the tax sale ad.

5. One parcel only

A tender shall relate to only one parcel of land. If there are two or more properties in a sale and you wish to submit tenders for two properties, you must submit two completely separate tenders. You must fill out two separate Form 7s and have two separate deposit cheques or money orders. Each Form 7, along with the deposit for that property, must be submitted in a separate envelope.

6. No additional terms or conditions

The treasurer will reject every tender that includes any term or condition not provided for in the *Municipal Tax Sales Rules*.

7. Submitting your tender

You can submit your tender in person, or by courier, or by mail. Your tender must be received by the treasurer on or before the time and date indicated in the advertisement for tax sale. If your tender is received late it will be rejected. In the event of a postal strike or other work slowdown, mail might not be delivered in a timely manner. If the mailing address includes a Post Office Box, there is no guarantee the municipality will collect their mail before 3 pm on the day of the sale. It is the tenderer's responsibility to ensure the tender is delivered to the treasurer by 3 pm on sale day.

8. If you wish to withdraw your tender

A tender is withdrawn if the tenderer's written request to have the tender withdrawn is received by the treasurer before 3 p.m. local time on the last date for receiving tenders. The envelope containing a withdrawn tender will be opened at the time of the opening of the sealed envelopes.

9. Cancellation of sale

A tax sale can be cancelled by the treasurer at any time before a tax deed or notice of vesting is registered on title.

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TENDERER'S CHECKLIST FOR SUBMITTING A VALID TENDER

Have you done your homework?

The municipality makes no representation regarding the title to the property or any other matters relating to the lands to be sold. The property may be worth much more *or* much less than the minimum tender amount.

The responsibility for researching this property to see if it is a good investment and researching the legislated requirements and provisions of the tax sale procedure is up to you. Have you investigated title and conducted a search for executions to see what will stay on title and become your responsibility after the tax deed is registered? In most cases, if the property is subject to a crown interest at the time the tax deed is registered (such as a mortgage, lien or execution), it will continue to be subject to that crown interest when you become the owner. Is the land subject to easements, restrictions &/or adverse possession of abutting owners? Does the property condition, land use, zoning, etc. fit in with your plans for the property? Is it accessible without trespassing on someone else's property?

If your tender is accepted and you do not pay the balance of the tender amount owing on time for *any* reason, **your deposit will be forfeited to the municipality** as set out in the *Municipal Tax Sale Rules*.

YES	NO	**Requirements for "Submitting a Tender" pursuant to the *Municipal Act, 2001* and *The Municipal Tax Sale Rules***
		Envelope is sealed
		Envelope indicates it is for a Tax Sale
		An identifiable description of the land or municipal address is shown on the envelope
		Envelope is addressed to the Treasurer (or Deputy Treasurer) ***NOTE:*** *Tenders must be addressed to the person who holds the position of Treasurer, or Deputy Treasurer under Section 286(2), even if their Title is different.*
		Tender is submitted in Form 7 ***NOTE:*** *Form 7 must be addressed to the person who holds the position of Treasurer, or Deputy Treasurer under Section 286(2), even if their Title is different.*
		Form 7 is typewritten or legibly written in ink
		Form 7 describes/relates to one parcel only (Description on envelope not sufficient on its own. Property must also be described on the Tender Form 7)
		Only one Form 7 per envelope
		Tender includes only the terms and conditions as provided for in the Municipal Tax Sales Rules
		Your Tender Amount is equal to or greater than the Minimum Tender Amount given for the property in the ad
		Deposit is at least 20% **of the amount you tender** ***NOTE:*** *Deposit of 20% must always be rounded up to the "HIGHER" cent (ie. Example: If you tender $5,000.01, 20% of $5,000.01 is $1,000.002. and $1,000.00 would be less than 20%. You must round up. $1,000.01 would be the minimum deposit required)*
		Deposit is made by way of money order, or by way of bank draft or cheque certified by a bank or authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada), a trust corporation registered under the *Loan and Trust Corporations Act* or a credit union within the meaning of the *Credit Unions and Caisses Populaires Act, 1994*
		Deposit money order, bank draft or certified cheque is made out in favour of the municipality

If you answered "NO" to any of the above questions, the Tender shall be rejected!

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