

Regional Municipality of Wood Buffalo – Public Auction Terms & Conditions of Sale

The parcel will be offered for sale subject to a reserve bid and to the reservation and conditions contained in the existing certificate of title.

The land is being offered for sale on an “as is, where is” basis, and the Regional Municipality of Wood Buffalo makes no representation and gives no warranty whatsoever as to the adequacy of services, soil condition, land use districting, building and development conditions, absence or presence of environmental contamination, vacant possession or the develop ability of the subject land for any intended use by the purchaser. No bid will be accepted where the bidder attempts to attach conditions precedent to the sale of any property. No further information is available at the auction regarding the lands to be sold. If no offer is received on a parcel, or if the reserve bid is not met, the parcel cannot be sold at the public auction.

The successful bidder has a right to clear title with some exceptions. Section 423 (1)(a)-(h) of the *Municipal Government Act* states “a person who purchases a parcel of land at a public auction acquires the land free of all encumbrances, except (a) encumbrances arising from claims of the Crown in right of Canada, (b) irrigation or drainage debentures, (c) caveats referred to in section 39.2(11) of the *Condominium Property Act*, (d) registered easements and instruments registered pursuant to section 69 of the *Land Titles Act*, (e) right of entry orders as defined in the *Surface Rights Act* registered under the *Land Titles Act*, (e.1) a caveat that, pursuant to section 3.1 (6)(f)(iv) of the *New Home Buyer Protection Act*, remains registered against the certificate of title to the land, (f) a notice of lien filed pursuant to section 38 of the *Rural Utilities Act*, (g) a notice of lien filed pursuant to section 20 of the *Rural Electrification Loan Act*, and (h) liens registered pursuant to section 21 of the *Rural Electrification Long-term Financing Act*.”

Goods and Services Tax (GST) will apply to all applicable parcels sold at the Public Auction. The purchaser of the parcel will be responsible for property taxes for the current year. The purchaser will be responsible for the transfer registration fee.

The successful bidder must pay by cash, bank draft, or certified cheque made payable to the Regional Municipality of Wood Buffalo by 2pm on the day of the auction.

The auctioneer, the councilors, the chief administrative officer, the designated officers and employees of the municipality must not bid for, buy, or act as an agent in buying any parcel of land offered for sale, unless directed by the municipality to bid for or to buy a parcel of land on behalf of the municipality as per section 429 (1)-(2) of the *Municipal Government Act*.

Redemption may be affected by payment of all arrears of taxes and costs at any time prior to the sale. Once the parcel is declared sold to another individual at the public auction, the previous owner has no further right to pay the tax arrears. The risk of the parcel lies with the purchaser immediately following the auction.

If the parcel is occupied, it is the responsibility of the purchaser to deal with the occupant

The Regional Municipality of Wood Buffalo may, after the public auction, become the owner of any parcel of land that is not sold at the public auction.