

**Consideration of Surplus Disposal  
248 Highway 2, Enfield, PID 45147741  
E.H. Horne School**

Public Hearing

January 24, 2024

Corporate Services Department



**EAST HANTS**

## Background

- The E.H. Horne School is located at 248 Highway 2, Enfield (the “Subject Property”) and is leased to the E.H. Horne School Preservation Society (the “Society”).
- As part of the lease renewal for the 2021-2024, Council was clear on its intention for the Society to assume ownership of the Subject Property at the end of lease term, March 31, 2024.
- May 2023 - Council declared the Subject Property surplus to municipal needs and offered the Society first option to purchase the Subject Property.
- July 2023 - The Society agreed to proceed with discussions to purchase the Subject Property.
- September 2023 - Council authorized the CAO to execute a new easement over Convent Road in favour of the Enfield Water Tower Property, and authorized the CAO to enter into an agreement of purchase and sale with the Society for the Subject Property.
- October 2023 - The Society was presented with an agreement of purchase and sale.

## Background - Agreement of Purchase and Sale

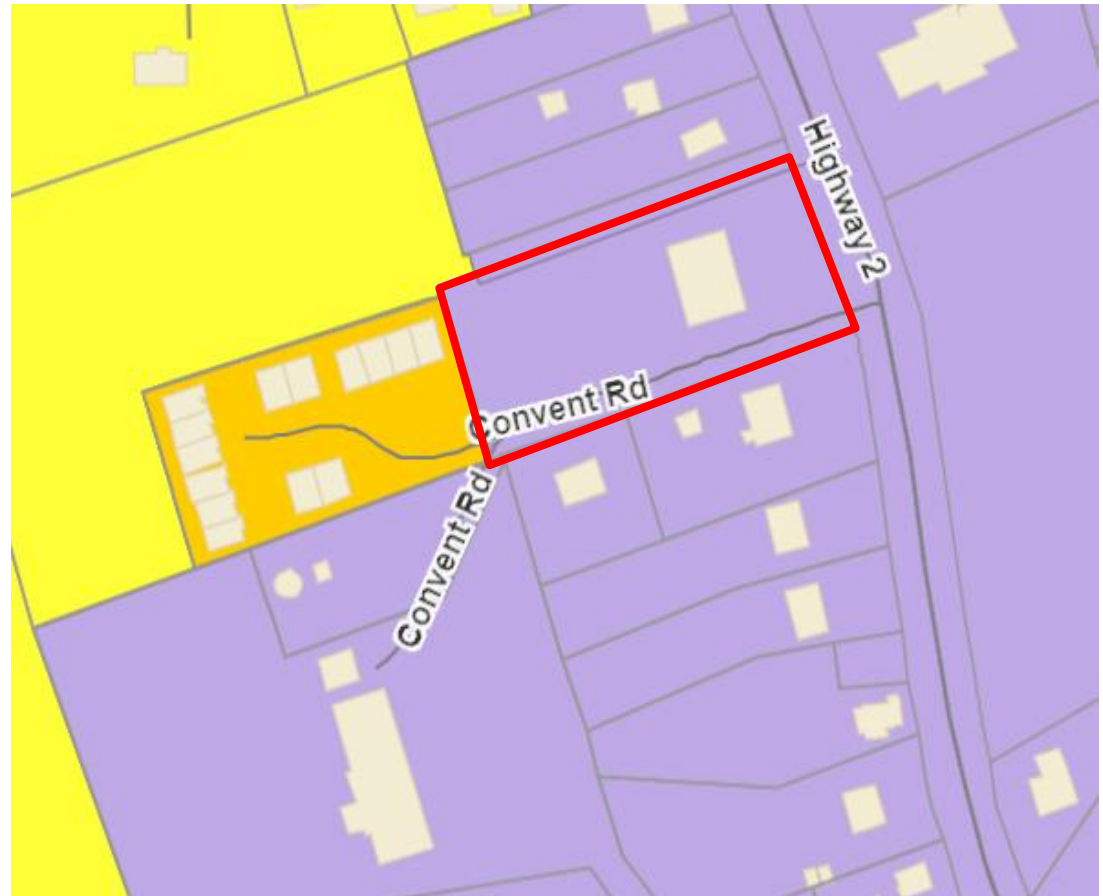
- Closing Date: March 28, 2024
  - Lease agreement terminates as of Closing Date
- Due Diligence Date: January 4, 2024
- Agreement is subject to a successful public hearing
- “As is, where is” condition
- Property to be conveyed by Warranty Deed, with covenant that Subject Property shall be used by the Society for community purposes only and that should the Society decide to sell the Subject Property they will reconvey it to East Hants for \$1.00

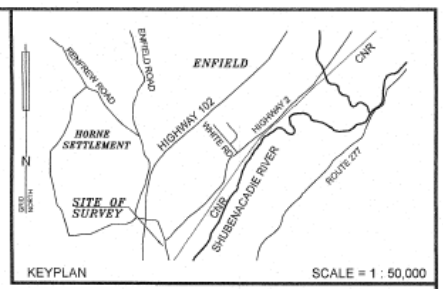
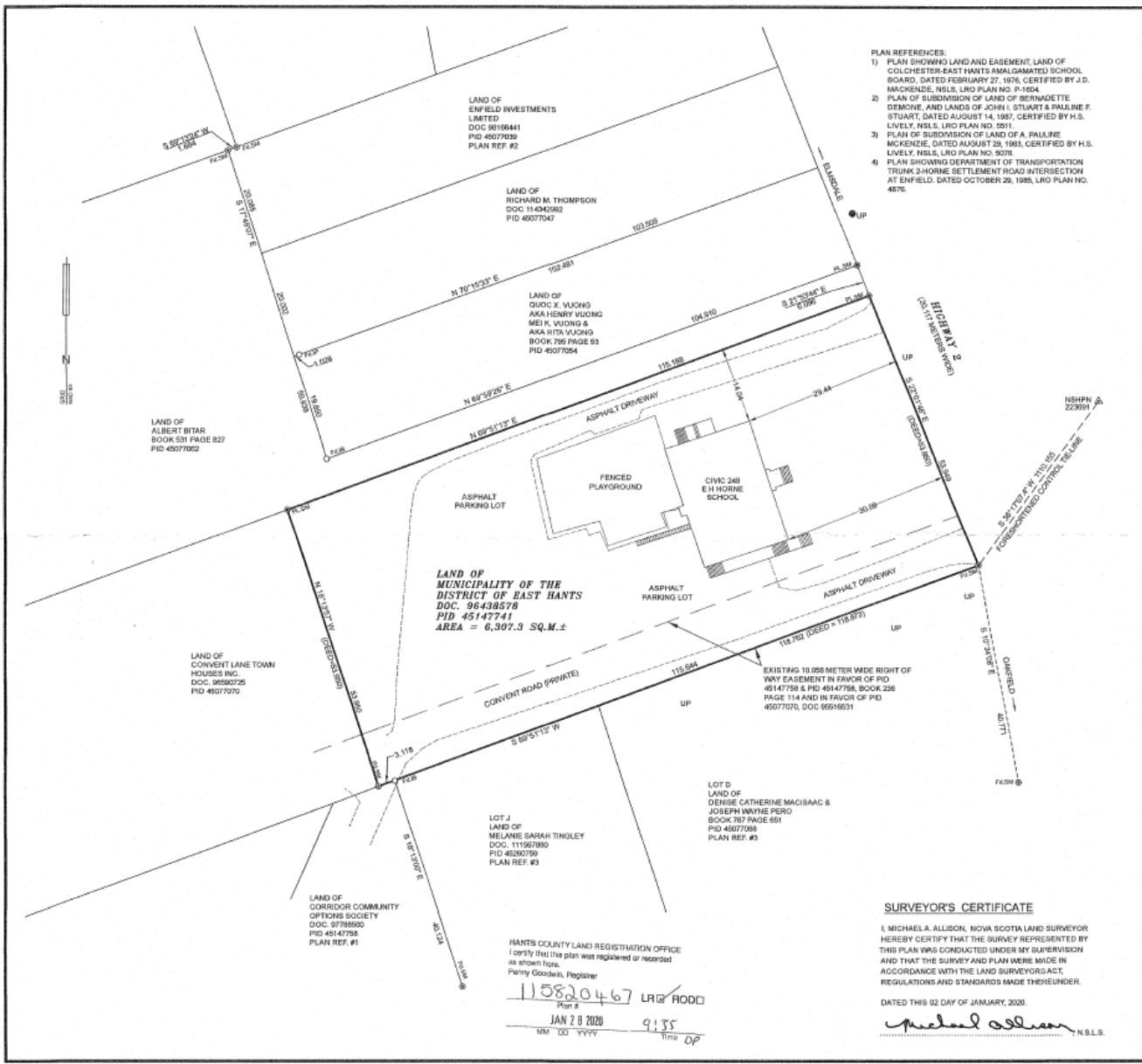
## Background

- The Municipality’s powers to sell surplus property is governed by the Municipal Government Act (“MGA”), further supported by Council’s Disposal of Surplus Property Policy (the “Policy”).
- Section 51 of the MGA requires a municipal council to hold a public hearing at a regularly scheduled council meeting respecting the sale of a property to a non-profit organization for less than market value.
- The Society is incorporated as a society under the Societies Act; a legal structure option for non-profit organizations.
- In compliance with MGA advertising requirements, the first advertisement appeared in the Chronicle Herald on January 10, 2024 and the second appeared on January 17, 2024. Notice was also posted to easthants.ca and social media. The ads complied with MGA requirements.

## Subject Property

- The total size of the Subject Property is approximately 6307 square meters (1.56 acre).
- The property is zoned Village Core (VC).
- Surrounding lands are zoned Village Core (VC) and Two Dwelling Unit Residential (R2).
- Access to the adjacent municipal Water Tower Property, CCOA and townhome properties is secured via historical easements over Convent Road (private). An additional new easement in favour of the Water Tower was registered in November 2023 to clarify access and maintenance responsibilities.





**LEGEND:**

- SURVEY MARKER ..... ◉ SM
- IRON BAR ..... ○ IB
- IRON PIPE ..... ○ IP
- FOUND ..... ○ F
- PLACED ..... PL

**LANDS DEALT WITH BY THIS PLAN**

- PROPERTY IDENTIFICATION NUMBER ..... PID
- SQUARE METRES ..... SQ.M.
- CLY WIRE ..... CW
- UTILITY POLE ..... UP
- NON MONUMENTED POINT ..... ○
- DOCUMENT ..... DOC.
- LAND REGISTRATION OFFICE ..... LRO
- N.S. LAND SURVEYOR REGISTRATION NUMBER ..... #000
- NOVA SCOTIA HIGH PRECISION NETWORK MONUMENT ..... △ NSHPN

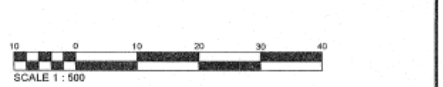
**NOTES:**

FIELD SURVEY CARRIED OUT JULY 12, 2018 TO JANUARY 02, 2020.

ALL DISTANCES SHOWN ARE GRID DISTANCES UNLESS OTHERWISE STATED. GROUND DISTANCES MAY BE DETERMINED BY APPLYING A CORRECTED SCALE FACTOR OF 0.999973 AT SITE OF SURVEY.

BEARINGS ARE GRID AND REFER TO ZONE 5, CENTRAL MERIDIAN 64°37' WEST, NOVA SCOTIA 5 METERS PROJECTION (NAD83CSRS) EPOCH 2010.0, NSHPN 223951.

POINT	NORTHING	EASTING	DESCRIPTION
223951	4976256.289	25576754.220	NSHPN 2017-12-05



PLAN OF SURVEY  
SHOWING BOUNDARIES OF LAND OF  
**MUNICIPALITY OF THE DISTRICT OF EAST HANTS**  
HIGHWAY 2, ENFIELD  
HANTS COUNTY, NOVA SCOTIA

OF NOVA SCOTIA

LAND SURVEYORS

No. 61085

538 MEMBER

**SURVEYOR'S CERTIFICATE**

I, MICHAEL A. ALLISON, NOVA SCOTIA LAND SURVEYOR HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAN WAS CONDUCTED UNDER MY SUPERVISION AND THAT THE SURVEY AND PLAN WERE MADE IN ACCORDANCE WITH THE LAND SURVEYORS ACT, REGULATIONS AND STANDARDS MADE THEREUNDER.

DATED THIS 02 DAY OF JANUARY, 2020.

*Michael Allison*  
N.S.L.S.

**ALLISON LAND SURVEYS - LIMITED -**

205 Highway 214, Elmsdale,  
Nova Scotia B2S 1J1  
T 902-883-7541 | F 902-883-1237

FILE NO. 1913009



## Conclusion

- Staff have complied with the MGA and Council Policy for the disposal of municipal property to a non-profit organization.



## Recommendation

Staff recommend that Council proceed with the disposal.

## Recommended Motion

***Move that Council authorize the CAO to proceed with the sale of 2848 Highway 2, Enfield, PID 45147766, to E.H. Horne School Preservation Society for \$1.00, with right of first refusal and buy-back covenants in favour of East Hants.***