

**Notice of Intention to Designate the Emery Residence as a Municipal Historic Resource**

HISTORICAL RESOURCES ACT

Section 26 H.R.A., R.S.A. 2000, c.H.-9, as amended

TO: Martin J Kennedy  
F Gordon Harper  
10706 – 84 Avenue NW  
Edmonton AB T6E 2H9

Notice is hereby given that sixty (60) days from the date of service of this Notice, The Municipal Council of The City of Edmonton intends to pass a Bylaw that the original 1934 structure known as the Emery Residence and the land on which such building is located, legally described as:

Plan RN4A (IVA)

Block 134

Lot 2

Excepting thereout all mines and minerals

and municipally described as 10706 – 84 Avenue NW be designated a MUNICIPAL HISTORIC RESOURCE under Section 26 of the Alberta *Historical Resources Act*, as amended from time to time.

AND TAKE FURTHER NOTICE THAT the Municipal Council of the City of Edmonton has appointed the City Manager to implement matters arising from the issuance of the Notice of Intention to Designate a Municipal Historic Resource.

DATED            this            day of            2016

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City Manager

The City of Edmonton

## EXPLANATORY NOTE

The above Notice is addressed to the owner of, or person with a legal interest in, the resource named which the Municipal Council of the City of Edmonton (hereinafter referred to as The Council) intends to designate, by Bylaw, as a Municipal Historic Resource under Section 26 of the Alberta *Historical Resources Act*.

## EFFECT OF NOTICE

This Notice of Intention protects the historic resource named in it for 120 days from the date it was served on you. During these 120 days NO PERSON MAY DESTROY, DISTURB, ALTER, RESTORE OR REPAIR A MUNICIPAL HISTORIC RESOURCE OR REMOVE ANY HISTORIC OBJECT FROM IT unless they have written approval of the Council or person appointed by the Council for the purpose.

The Council or the person appointed by the Council, in its or their absolute discretion, may refuse to grant an approval or may make the approval subject to such conditions, as they consider appropriate.

Although there is no right of appeal as such against designation as a Municipal Historic Resource, you are not precluded at any time from writing to the Council, claiming that the site should not or should cease to be designated. Such claim must demonstrate that the property to be designated is not of architectural or historical significance. The evidence provided to support the claim will be carefully considered.

You may also apply by originating Notice to any judge of the Court of Queen's Bench for an Order shortening the 120 days of protection.

After 120 days the Notice ceases to have any effect, unless the Council has revoked it sooner, or the court has shortened the period, or unless the Council has passed a Bylaw designating the resource permanently.