

Notice of Intention to Designate the Ellen Elliot Residence as a Municipal Historic Resource

HISTORICAL RESOURCES ACT

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

TO: Britta Josephine Jensen and Alberto Vicente Reyes
10543 - 125 Street NW
Edmonton, AB
T5N 1T4

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 1913 structure known as the Ellen Elliot Residence and the land on which such structure is located, legally described as:

PLAN XXIIB (RN22B)

BLOCK THIRTY (30)

ALL THAT PORTION OF LOT TWO (2), DESCRIBED AS FOLLOWS:-
COMMENCING AT A POINT ON THE WESTERN BOUNDARY OF SAID LOT TWO (2) TEN (10) FEET FROM THE NORTH WEST CORNER THEREOF;
THENCE SOUTHERLY ALONG THE SAID WEST BOUNDARY THIRTY (30) FEET; THENCE EASTERLY AND PARALLEL TO THE SOUTHERN BOUNDARY THEREOF ONE HUNDRED AND FIFTY (150) FEET TO A POINT ON THE EASTERN BOUNDARY THEREOF; THENCE NORTHERLY AND ALONG THE SAID EASTERN BOUNDARY THEREOF THIRTY (30) FEET MORE OR LESS TO A POINT TEN (10) FEET FROM THE NORTH EAST CORNER THEREOF; THENCE WESTERLY AND PARALLEL TO THE NORTHERN BOUNDARY THEREOF ONE HUNDRED AND FIFTY (150) FEET TO THE POINT OF COMMENCEMENT

EXCEPTING THEREOUT ALL MINES AND MINERALS

and municipally described as 10543 - 125 Street NW, be designated a MUNICIPAL HISTORIC RESOURCE under Section 26 of the *Historical Resources Act*, as amended from time to time.

DATED this day of 2019

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 *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 application 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.