

**MUNICIPALITY OF CROWSNEST PASS**

**BY-LAW NO. 824, 2011**

**A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS TO DESIGNATE  
THE ORPHEUM THEATRE**

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**AS A MUNICIPAL HISTORICAL RESOURCE**

WHEREAS Section 26 of the *Historical Resources Act*, Revised Statutes of Alberta 2000, c.H-9, as amended, permits Council to designate any historical resource within the Municipality of Crowsnest Pass whose preservation Council considers to be in the public interest, together with any land in or on which it is located, as a Municipal Historical Resource.

AND WHEREAS the preservation of the Orpheum Theatre in the Municipality of Crowsnest Pass is in the public interest;

AND WHEREAS the owner of the Orpheum Theatre has agreed to waive compensation now and in the future;

NOW THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF CROWSNEST PASS,  
DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

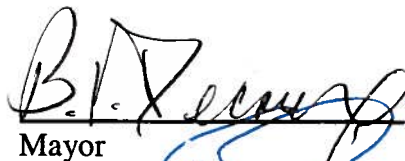
The Orpheum Theatre located on, the Easterly 5 feet of Lot 4 and the Whole of Lot 5 and the North 40 feet of the West 5 feet of lot 6, Block 5, Plan 3319I (13125-20<sup>th</sup> Avenue) in the Municipality of Crowsnest Pass, is hereby designated as a Municipal Historical Resource.

This Bylaw shall come into effect on the date of the final passing thereof.

Read a first time this 5 day of July, 2011

Read a second time this 5 day of July, 2011

Read a third and final time, this 5 day of July, 2011

  
\_\_\_\_\_  
Mayor

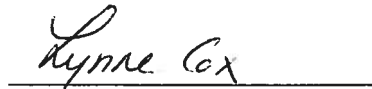
  
\_\_\_\_\_  
Chief Administrative Officer

**WAIVER OF COMPENSATION**

I, Rebecca Fabro, being the registered owner of the Orpheum Theatre, together with the land legally described as Plan 3319I, Block 5, The Easterly 5 feet of Lot 4 and the Whole of Lot 5 and the North 40 Feet of the West 5 Feet of Lot 6 do hereby agree to waive any claim to compensation, pursuant to Section 28(1) of the *Historical Resources Act, RSA 2000, c H-9*, from the Municipality of Crowsnest Pass, for any decrease in economic value resulting from a bylaw, pursuant to Section 26(1) of the *Historical Resources Act, RSA 2000, C H-9*, designating the Orpheum Theatre and land as a Municipal Historic Resource. I further agree that upon any transfer of or agreement related to the Orpheum Theatre and land and that those parties related to such an agreement will also be subject to this waiver of compensation.

Agreed to this 20 day of May, 2011, at the Municipality of Crowsnest Pass, in the Province of Alberta

  
Signature of Registered Owner

  
Witness

Municipality of Crowsnest Pass

  
(Seal)