

Herrington
graphics

Acton's
one stop
print shop

853-2401

100 Frederick St. S.
Acton

THE ACTON Tanner

Andy's

OPEN SUNDAYS!

BREAKFAST ♦ LUNCH ♦ DINNER

13-15 Mill Street East, Acton

TAKEOUT **853-0300** L.L.B.O.

VOLUME 2, NO. 22 • 60 CENTS (.56 + .04 GST)

"ALL THE NEWS YOU NEED"

WEDNESDAY, JUNE 2, 1993

Town loses Prospect Park money claim

BY FRANCES NIBLOCK

The Acton Tanner

A ruling involving the proceeds from a tax sale of a half-acre of Acton land may change the way municipalities sell land for back taxes.

"We did everything required under the Tax Sale Act," said Town deputy-treasurer Grant Usher in an interview Monday.

"Then, lo and behold, somebody comes along, after the time prescribed in the Act, and claims the money from the sale.

"This won't just effect the Town. I'm sure the Association of Clerks, Municipal Treasurers and Tax Collectors of Ontario is likely

going to be concerned with this ruling because it establishes a precedent for the whole province," Usher said.

Lucretia Rowe, the great-great niece of the former land owner was "shocked and surprised" after winning her court fight.

"I didn't think we would win," Rowe said on Friday.

"I'm speechless. I can't believe it, but I'm glad,"

Rowe, of Barrie, and three other relatives will share \$51,652, money paid by the Town for the land in what is now Prospect Park at a tax sale and held by the Court.

In his 17-page judgement issued Thursday, Justice MacKenzie

ruled that Rowe, as litigation administrator of the estate of Christopher Row, is entitled to the money that the Town was trying to claim.

In making his ruling the Justice found that the Town had technically followed all the rules concerning tax sales, but still ruled in Lucretia Rowe's favour, saying she should not have to forfeit the money raised by the sale of the land.

Christopher Row, a United Empire Loyalist, was deeded the property in 1852. He died in 1869 and left his estate to his wife and family, and for the next 116 years Christopher Row's name was

listed as the registered owner.

In 1967 or '68, when the Town was assembling land for Prospect Park, it found that the property was not registered on the tax rolls.

In 1987 the Town searched the title and found that the owner was Christopher Row. The Town then began proceedings to collect back taxes by sending a registered letter to Row.

When the Town did not receive a response, the Town moved to sell the land for back taxes by publishing its intent in the Ontario Gazette.

When there was no response, the Town submitted the highest tender and purchased the property

for \$60,000.

After deducting the tax arrears and sale costs the balance of \$51,652 was held by the court for one year and then the Town applied to get that money back.

At that point the court ruled that the Town was trying to invoke a "Draconian result" and ordered it to publish notice of its intent in a Toronto newspaper.

That notice was seen by Terry Howes, who operates Locators of Missing Heirs Inc.

His search for Christopher Row's descendants turned up Lucretia and three other relatives.

"I normally wouldn't take on a

Please turn to Page 2



WARTIME SMILES: Leo and Doris Close were the original inhabitants of Unit 47, or 196 McDonald Blvd., in the Wartime housing subdivision. The Closes were among the first five veterans and their families who were given keys to the new homes in 1948. They flew back to Acton from their current residence in Calgary for the Wartime Reunion on Saturday. (Elizabeth Kessler photo)

Town spending is frozen — for now

Until Town Councillors and staff know the precise impact of Provincial deficit-fighting plans, all major unsubsidized Town spending has been frozen.

The move was instigated by Acton Councillor Gerald Rennie, who urged his colleagues to take a cautious approach to spending until the impact is known.

"Instead of waiting for the hammer to fall, we should at least prepare for it and hold in abeyance some expenditures, like the \$25,000 on tonight's agenda for new computers," Rennie argued at a Council meeting last Monday.

Treasurer Ray King, who takes over as Town administrator July 1, endorsed the cautious approach and will update Council on the budget in two weeks.

King said that Provincial grant cuts and subsidy reductions mean the Town must find \$175,000, and possibly more when the impact of the the proposed social contract is

known.

Council is expected to make service cuts and not raise taxes once the final impact is known.

Political pique

Acton Councillor Norm Elliott said it was an "insult and an affront" to be summoned to Halton MPP Noel Duignan's Milton office for a meeting on the NDP expenditure control plan.

Council had invited Duignan to a May 25 meeting for an update, but Duignan could not make it and instead had his executive assistant

Please turn to Page 4

RENOVATION AND RECREATION!



Building Supplies, Tools,
Hardware & Paint

Open Mon.-Sat.: 853-1970

With each \$50 purchase of hardware, tools or paint at Leathertown Lumber, you'll receive a complimentary round on the 9-hole, par 3 'Trillium' Course at Blue Springs. Details in-store; offer expires June 27/93.

LEATHERTOWN LUMBER IS LOCATED
JUST NORTH OF C.N. TRACKS ON HWY. 25
(LOTS OF HASSLE-FREE PARKING!)



BLUE SPRINGS
GOLF CLUB

Tee-Off Times: 853-0904
(Reserve up to 7 days in advance)