

Re: Garden City Lands

Name: Erika Simm

Address: 4991 Westminster Hwy, Richmond, B.C.

Mr. Mayor and members of Council

after all that has been said and written about the Garden City Lands  
I wanted to step back and take it down to its basics.

Before us is a " Contract of Purchase and Sale " signed by the City of  
Richmond, the Canada Land Commission and the Musqueam First Nations.

Most people throughout their lifetime have signed such a " Contract or  
Agreement of Purchase and Sale" when they bought a house or land. Once  
signed, both the seller and the buyer entered into a legally binding situation.

Most " Contracts of Purchase and Sale " contain a " subject to " clause;  
for instance subject to finance, or subject to a home inspection and so on.  
This contract is not different : it also has a "subject to" clause: it is subject to  
the release of the land from the ALR by the Agricultural Land Commission.

The Agricultural Land Commission is an independent provincial government  
body, and it makes its decision on the criteria given to them by the City.  
They either release the land from the agricultural land reserve or not.

But back to the " Contract or Agreement of Purchase and Sale " to which the  
City of Richmond is a signatory.

Is this contract a good deal for the City? I would say yes, as the city's  
68 acres for 4.7 Million turns out to be about \$ 70,000 per acre, which is a  
price unheard of since the 1970's.

The not so good part of the contract is that it was written and accepted by the  
signatories outside the First Nations Treaty Negotiations.

The ideal remedy would be to add an addendum to this contract indicating that  
the parties agree that this contract would become part and parcel of the  
ongoing treaty negotiations.

That is probably wishful thinking on my part, however the question could be asked .

The Garden City Lands " Agreement of Purchase and Sale " is a legally binding contract, as every contract of purchase and sale is.

Can you imagine for instance if home buyers or sellers would renege on their signed contracts just for one month? It would be mayhem.

Can you imagine if all businesses that signed contracts just today in British Columbia would renege on them? It would be pandemonium!

Like this contract the City has entered into or not, the City of Richmond has to do the honourable thing. It has to honour its commitment.

A contract is a contract.

And that is my opinion.