

**Authority: Item 7, Public Works,
Infrastructure and Environment
Committee
Report 04-008 (PW03119a)
CM: March 24,2004**

Bill No. 072

**CITY OF HAMILTON
BY-LAW NO. 04-072**

BEING A BY-LAW TO EXPROPRIATE AN EASEMENT OVER CERTAIN LANDS IN THE CITY OF STONEY CREEK, NOW CITY OF HAMILTON, BEING PART OF LOT 13, REGISTRAR'S COMPILED PLAN 1424, DESIGNATED AS PARTS 1 AND 2 ON PLAN 62R-15649 AND PART 1 ON PLAN 62R-16352, BEING PART OF PIN 17317-0052(LT), KNOWN MUNICIPALLY AS 952 QUEENSTON ROAD, STONEY CREEK, NOW CITY OF HAMILTON, FOR THE PURPOSES OF SANITARY SEWER INSTALLATIONS

WHEREAS Section 6 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended empowers a municipality to expropriate land in accordance with the Expropriations Act.

AND WHEREAS the City of Hamilton, as expropriating authority, made application to the Council of the City of Hamilton on the 10th day of September, 2003 for approval to expropriate an Easement over Parts 1 and 2 on Reference Plan 62R-15649 and Part 1 on Plan 62R-16352, being the land described in Schedule "A" attached hereto (and forming part of this by-law) in accordance with the Expropriations Act, R.S.O. 1990, Chapter E.26;

AND WHEREAS the City of Hamilton as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator; a newspaper having general circulation in the City of Hamilton, in accordance with the Expropriations Act;

AND WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" attached hereto and accordingly no Inquiry Hearing has been held;

AND WHEREAS the Council of the City of Hamilton, as approving authority deems it expedient to grant the Application to Expropriate the said lands.

NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

That, as approving authority under the Expropriations Act, the said Application for Approval to Expropriate an Easement over the lands more particularly described in Schedule "A" attached hereto (and forming part of this By-law), made by the City of Hamilton as expropriating authority, be and the same is hereby granted and an Easement over the said lands being Parts 1 and 2 on Reference Plan 62R-15649 and Part 1 on Plan 62R-16352, registered in the Land Titles Office for the Land Titles Division of Wentworth (No. 62), being Part of PIN 17317-0052(LT), is hereby expropriated for the purposes of sanitary sewer installations.

2. That the Mayor, Clerk and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

PASSED and ENACTED this 24th day of March ,2004.



MAYOR



CITY CLERK

SCHEDULE A TO BY-LAW NO. 04-072

CITY OF HAMILTON EXPROPRIATION OF AN EASEMENT OVER:

ALL AND SINGULAR those lands and premises located in the City of Hamilton and the Province of Ontario being composed of Part of Lot 13, Registrar's Compiled Plan 1424, designated as Parts 1 and 2 on Plan 62R-15649 and Part 1 on Plan 62R-16352, being Part of PIN 17317-0052(LT), known municipally as 952 Queenston Road, City of Stoney Creek, now City of Hamilton.