

**Authority:** Item 6, Public Works, Infrastructure and Environment Committee  
Report 06-001 (PW06007)  
CM: January 25, 2006

**Bill No.123**

## **CITY OF HAMILTON**

### **BY-LAW NO. 07-123**

**To Permanently Close and Sell Part of lands known as Old Mud Street Road Allowance, Being Firstly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) Designated as Part 1 on Plan 62R-17768, Secondly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) Designated as Part 2 on Plan 62R-17768, Thirdly: Part of Allanbrook Street, Plan M-202, Designated as Part 3 on Plan 62R-17768, and Fourthly: Part of Alkin Street, Plan M-202, Designated as Part 5 on Plan 62R-17768, City of Hamilton, and to sell part of Block AX, Plan M-202, Designated as Part 4, on Plan 62R-17768, City of Hamilton**

**WHEREAS** the Council of the City of Hamilton is empowered under Sections 10(2) and 34 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, to permanently close any highway or part of a highway;

**AND WHEREAS** the Council of the City of Hamilton on January 25, 2006, in adopting Item 6 of the Public Works, Infrastructure and Environment Committee Report 06-001, and in adopting Item 21 of Committee of the Whole Report 01-029 on September 18, 2001, authorized the City to permanently close and sell part of lands known as Old Mud Street Road Allowance, being Firstly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 1 on Plan 62R-17768, Secondly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 2 on Plan 62R-17768; Thirdly: Part of Allanbrook Street, Plan M-202, designated as Part 3 on Plan 62R-17768, and Fourthly: Part of Alkin Street, Plan M-202, designated as Part 5 on Plan 62R-17768, City of Hamilton; and to sell Part of Block AX, Plan M-202, designated as Part 4 on Plan 62R-17768

**AND WHEREAS** the roads are highways under the jurisdiction of the City of Hamilton;

**AND WHEREAS** notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That the part of the unopened road allowance, and the highways set out as:

Part of Old Mud Street Road Allowance, being Firstly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 1 on Plan 62R-17768, Secondly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 2 on Plan 62R-17768; Thirdly: Part of Allanbrook Street, Plan M-202, designated as Part 3 on Plan 62R-17768, and Fourthly: Part of Alkin Street, Plan M-202, designated as Part 5 on Plan 62R-17768, City of Hamilton,

are hereby permanently closed.

2. That the soil and freehold of Firstly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 1 on Plan 62R-17768, Secondly: Part of Road Allowance between Concessions 6 and 7, (Geographic Township of Saltfleet) designated as Part 2 on Plan 62R-17768; Thirdly: Part of Allanbrook Street, Plan M-202, designated as Part 3 on Plan 62R-17768, and Fourthly: Part of Alkin Street, Plan M-202, designated as Part 5 on Plan 62R-17768, City of Hamilton, hereinbefore permanently closed, and Part of Block AX, Plan M-202, designated as Part 4 on Plan 62R-17768 be sold to 1322285 Ontario Inc. for the sum of ONE HUNDRED AND FIFTY-SIX THOUSAND FIVE HUNDRED Dollars (\$156,500.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED and ENACTED** this 25th day of April, 2007.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk