

**Authority:** Item 4, Public Works Committee  
Report: 07-002 (PW07016)  
CM: February 15, 2007

**Bill No. 121**

**CITY OF HAMILTON**

**BY-LAW NO. 08-121**

**Being a By-law to Permanently Close an Unassumed Portion of Road Allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068**

**WHEREAS** the Council of the City of Hamilton is empowered under Section 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 February 15, 2007, in adopting Item 4 of the Public Works Committee Report 07-002, authorized that steps be commenced pursuant to the *Registry Act*, R.S.O. 1990, Chap. R.20., as amended, for a Judge's Order to close an unassumed portion of road allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068;

**AND WHEREAS** a Judge's Order was issued and registered on title on May 15, 2008, as Instrument No. WE547072 to close an unassumed portion of road allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068;

**AND WHEREAS** the road is a highway 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:

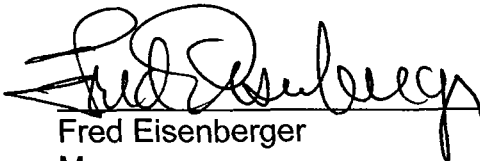
1. That the part of the unassumed road allowance, set out as:

Part of Shady Lane, Registered Plan 683, designated as Part 2 on Reference Plan 62R-18068, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 2 on Plan Reference Plan 62R-18068, hereby permanently closed, be sold to Heather Margaret Waters for the sum of Thirteen Thousand Dollars (\$13,000.00).
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** on this 28<sup>th</sup> day of May, 2008.

  
Fred Eisenberger  
Mayor  
Rose Caterini  
Acting City Clerk