

Authority: Item 2, Public Works Committee
Report 19-003 (PW19016)
CM: February 27, 2019
Ward: 2

Bill No. 210

CITY OF HAMILTON

BY-LAW NO. 22-210

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways;

AND WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office;

AND WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS at its meeting of February 27, 2019, the Council approved Item 2 of Public Works Committee Report 19-003, and authorized the City to permanently close and sell a portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), 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 portion of the unassumed alley, set out as:

Part of the Alleyway, South Side of Main Street between Walnut Street and Ferguson Avenue on Registered Plan 48, in the City of Hamilton, designated as Part 2 on Plan 62R-21195, being Part of PIN 17169-0382 (LT)

is hereby permanently closed.

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), City of Hamilton

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2. That the soil and freehold of Part 2 on Reference Plan 62R-21195, hereby permanently closed, be sold to Radigan Bros. Limited for the sum of Two Hundred and Ninety-Six Thousand Dollars (\$296,000.00).
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 on this 12th day of August, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk