

Authority: Item 47, Committee of the Whole
Report 01-025 (PD101146)
CM: August 22, 2001
Ward: 12

Bill No. 248

CITY OF HAMILTON

BY-LAW NO. 17-248

To Permanently Close and Sell a Portion of Curran Road being Blocks 315 and 316 on Plan 62M-1158, designated as Parts 10 to 17, inclusive, on Plan 62R-20605, 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 by execution of a Subdivision Agreement dated April 5, 2011 between the City of Hamilton and 2054971 Ontario Inc., the City has authorized and agreed to the closure and conveyance of a certain portion of Curran Road being Blocks 315 and 316 on Plan 62M-1158, designated as Parts 10 to 17, inclusive, on Plan 62R-20605, when deemed by the City to no longer be required for road purposes; and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the provisions of the Sale of Land Policy By-law.

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

1. The part of the road allowance, being Curran Road, in the City of Hamilton, described as Blocks 315 and 316 on Plan 62M-1158, designated as Parts 10 to 17, inclusive, on Plan 62R-20605, City of Hamilton, is permanently closed.

2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to 2054971 Ontario Inc. for the sum of two dollars (\$2.00) pursuant to the terms of the Subdivision Agreement dated April 5, 2011 between City of Hamilton and 2054971 Ontario Inc. registered as Instrument No. WE766980.
3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 22nd day of November, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk