

Authority: Item 6, Public Works Committee
Report 16-020 (PW16111)
CM: December 14, 2016
Ward: 8

Bill No. 037

CITY OF HAMILTON

BY-LAW NO. 18-037

To Permanently Close and Sell a Portion of a Road Allowance between Stonechurch Road West and Upper Horning Road, Hamilton, namely Part of Road Allowance between Lots 54 and 55, Concession 3, in the Geographic Township of Ancaster, designated as Part 8, Plan 62R-14003, save and except Part 4, Plan 62R-16769, 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 December 14, 2016, Council approved of Item 6.2 of Public Works Committee Report 16-020, and authorized the City of Hamilton to permanently close and sell a Portion of Road allowance between Stonechurch Road West and Upper Horning Road, Hamilton, being Part of Road Allowance between Lots 54 and 55, Concession 3, in the Geographic Township of Ancaster, designated as Part 8, Plan 62R-14003, save and except Part 4, Plan 62R-16769, City of Hamilton; and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements 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 between Stonechurch Road West and Upper Horning Road, Hamilton, being Part of Road Allowance between Lots 54 and 55, Concession 3, in the Geographic Township of Ancaster,

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designated as Part 8, Plan 62R-14003, save and except Part 4, Plan 62R-16769, City of Hamilton, which is owned by the 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 Frank Mulas Construction Limited for the sum of Two Thousand Dollars (\$2,000.00).
3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 28th day of February, 2018.

F. Eisenberger
Mayor

R. Caterini
City Clerk