

Bill No. 031

CITY OF HAMILTON

BY-LAW NO. 04-031

**BEING A BY-LAW TO STOP UP, CLOSE AND SELL AN UNOPENED
PORTION OF BEDFORD STREET (FORMERLY CHARLOTTE STREET),
ESTABLISHED BY REGISTERED PLAN 944, IN THE CITY OF HAMILTON,
DESIGNATED AS PARTS 26, 27, 32, 33 AND 36 ON PLAN 62R-12578, CITY
OF HAMILTON**

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of *the Municipal Act, 2001, S.O. 2001, c.25* as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on April 9, 2003, in adopting Item 9 of Committee of the Whole Report 03-009 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 that unassumed portion of Bedford Street (formerly Charlotte Street), established by Registered Plan 944, designated as Parts 26, 27, 32, 33 and 36 on Plan 62R-12578.

AND WHEREAS a Judge's Order was issued and registered on title on February 11, 2004 as Instrument No. WE215301 to close the unassumed portion of Bedford Street (formerly Charlotte Street) on Registered Plan 944, more particularly described as Parts 26, 27, 32, 33 and 36 on Plan 62R-12578.

AND WHEREAS Bedford Street 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 for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, through its Hearing Sub-Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

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

1. That part of the unopened road allowance of part of Bedford Street described as:

Part of Bedford Street (formerly Charlotte Street), as laid out by Registered Plan 944, in the City of Hamilton, designated as Parts 26, 27, 32 and 33 on Plan 62R-12578

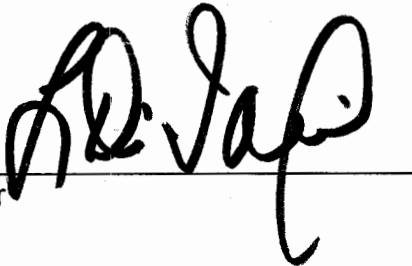
Part of 1 foot Reserve A as laid out by Registered Plan 944, in the City of Hamilton, designated as Part 36 on Plan 62R-12578

is hereby stopped up and closed.

2. That the soil and freehold in said parts of the unopened road, hereby stopped up and closed, be sold to Angela Cocca, being the surviving owner of the abutting property, together with other lands, for the sum of Fifty-Four Thousand Dollars (\$54,000.00).
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 25th day of February, 2004.

Mayor



City Clerk

