

Authority: Item 11, Planning &  
Economic Development  
Committee Report 04-012  
(PD04167)  
CM: June 30, 2004

Bill No. 312

**CITY OF HAMILTON**

**BY-LAW NO. 04-312**

**BEING A BY-LAW TO PERMANENTLY CLOSE AND SELL PART OF THE UNASSUMED ALLEY LYING NORTH OF VANSITMART AVENUE and WEST OF WAVERLY STREET, REGISTERED PLAN 593, DESIGNATED AS PARTS 1, 2, 3, 4, 5, 6, 7 & 8 ON PLAN 62R-16576, ABUTTING 430 WOODWARD AVENUE, CITY OF HAMILTON**

**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 June 30, 2004, in adopting Item 11 of the Planning & Economic Development Committee Report 04-012, 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 portion of the unassumed alleyway, established by Registered Plan 593, designated as Parts 1, 2, 3, 4, 5, 6, 7 & 8 on Plan 62R-16576;

**AND WHEREAS** a Judge's Order was issued and registered on title on November 16, 2004, as Instrument No. WE274449 to close part of the unassumed alleyway, established by Registered Plan 593, more particularly described as Parts 1, 2, 3, 4, 5, 6, 7 & 8 on Plan 62R-16576;

**AND WHEREAS** the road is a highway under the jurisdiction of the City of Hamilton;

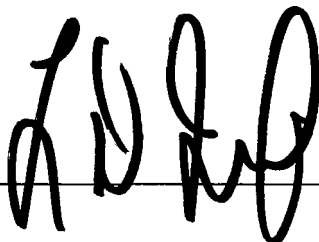
**AND WHEREAS** notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended;

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

1. That part of an alleyway lying North of Vansitmart Avenue and West of Waverly Street, Registered Plan 593, designated as Parts 1, 2, 3, 4, 5, 6, 7 & 8 on Plan 62R-16576, City of Hamilton, is hereby permanently closed.
2. That the soil and freehold of Parts 1, 4 & 8 on Plan 62R-16576, hereby permanently closed, be sold to Angelo Psarakis, Evdokia Psarakis and Matthew Psarakis, being the owners of the abutting property, for the sum of Six Thousand and Two Hundred and Eighty Dollars (\$6,280.00).
3. That the soil and freehold of Part 2 on Plan 62R-16576, hereby permanently closed, be sold to David Prior and Judith Prior, being the owners of the abutting property, for the sum of Two Dollars (\$2.00).
4. That the soil and freehold of Part 3 on Plan 62R-16576, hereby permanently closed, be sold to Bunrith Chan and Savon Chhoum, being the owners of the abutting property for the sum of Two Dollars (\$2.00).
5. That the soil and freehold of Parts 5 and 6 on Plan 62R-16576, hereby permanently closed, be sold to William Currie Inglis and Kenneth Turner Inglis, being the owners of the abutting property for the sum of Two Dollars (\$2.00).
6. That the soil and freehold of Part 7 on Plan 62R-16576, hereby permanently closed, be sold to Mark Paul Christianson and Sandra Lynn Christianson, being the owners of the abutting property for the sum of Two Dollars (\$2.00).
7. 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 15<sup>th</sup> day of December, 2004.

Mayor



City Clerk

