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 Corporation of the City of Hamilton on October 9, 1990, in adopting Item 2 of the 13th Report of the Transport and Environment Committee, authorized the City to stop-up, close and sell the Public Highway, being part of Eleanor Avenue, more particularly described as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-12366.

AND WHEREAS the Council of The Corporation of the City of Hamilton on June 29th, 1993 did pass By-Law No. 93-129 to stop-up, close and sell the Public Highway, being part of Eleanor Avenue, more particularly described as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-12366.

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

1. That clauses 2 and 5 of By-law No. 93-129 passed on June 29, 1993 be amended so that the soil and freehold of the said portion of the closed highway described as Parts 2, 3, 5 and 6 on Plan 62R-12366 be sold to The Hamilton YWCA Non-Profit Housing Corporation for the sum of $175,000.00.

2. That all other terms and conditions of By-law No. 93-129 remain the same.

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 26th day of April, 2006.