

Authority: Item 10, Hearings Sub-Committee
Report: 02-026 (TOE02135)
CM: August 14, 2002

Bill No. 205

CITY OF HAMILTON

BY-LAW NO. 06-205

**BEING A BY-LAW TO PERMANENTLY CLOSE AND SELL PART OF THE
UNASSUMED ALLEYWAY LYING BETWEEN TOLTON AVENUE,
NORMANHURST AVENUE, BARTON STREET AND MELVIN AVENUE,
REGISTERED PLAN 534, DESIGNATED AS PART 2 ON PLAN 62R-16635,
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 August 14, 2002, in adopting Item 10 of the Hearings Sub-Committee Report 02-026, 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 534, designated as Part 2 on Plan 62R-16635;

AND WHEREAS a Judge's Order was issued and registered on title on June 28, 2006, as Instrument No. WE401211 to close part of the unassumed alleyway lying between Tolton Avenue, Normanhurst Avenue, Barton Street and Melvin Avenue, as established by Registered Plan 534, more particularly described as Part 2 on Plan 62R-16635;

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 the part of the unassumed alleyway lying between Tolton Avenue, Normanhurst Avenue, Barton Street and Melvin Avenue, Registered Plan

534, designated as Part 2 on Plan 62R-16635, City of Hamilton, is hereby permanently closed.

2. That the soil and freehold of Part 2 on Plan 62R-16635, be sold to Pioneer Petroleums Management Inc., being the owner of the abutting property, for the sum of Seven Thousand and Five Hundred Dollars (\$7,500.00).
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 12th day of July, 2006.



MAYOR



CLERK