

**Authority:** Item 4, Public Works, Infrastructure  
and Environment Committee  
Report 06-010 (PW06072)  
CM: June 14, 2006

**Bill No. 191**

**CITY OF HAMILTON**

**BY-LAW NO. 07-191**

**Being a By-law to Permanently Close an Unassumed Portion of the Alley at the Rear of 404, 406, 408, 410, 412 and 414 Mary Street, Hamilton established by Registered Plan 74, City of Hamilton, designated as Parts 1, 2, 3, 4, 5 and 6 Plan 62R-17624.**

**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 November 6, 2006, in adopting Item 4 of the Public Works Infrastructure and Environment Committee Report 06-010, 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 an unassumed portion of the Alley at the rear of 404, 406, 408, 410, 412 and 414 Mary Street, Hamilton established by Registered Plan 74, City of Hamilton, designated as Parts 1, 2, 3, 4, 5 and 6 Plan 62R-17624;

**AND WHEREAS** a Judge's Order was issued and registered on title on June 19, 2007, as Instrument No. VM273074 to close an unassumed portion of the Alley at the rear of 404, 406, 408, 410, 412 and 414 Mary Street, Hamilton established by Registered Plan 74, City of Hamilton, designated as Parts 1, 2, 3, 4, 5 and 6 Plan 62R-17624;

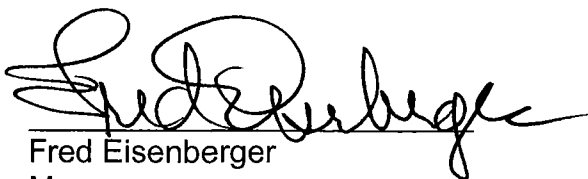
**AND WHEREAS** the road is a highway under the jurisdiction of the City of Hamilton;


**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 unopened road allowance, set out as:  
  
Part of Alley, Registered Plan 74, designated as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-17624, City of Hamilton  
  
is hereby permanently closed.
2. That the soil and freehold of Part 1 on Plan 62R-17624, hereby permanently closed, be sold to Jose Costa and Robin Marie Costa for the sum of One Dollar (\$1.00).
3. That the soil and freehold of Part 2 on Plan 62R-17624, hereby permanently closed, be sold to Isidro Manuel Ferreira and Helena Machado Ferreira for the sum of One Dollar (\$1.00).
4. That the soil and freehold of Part 3 on Plan 62R-17624, hereby permanently closed, be sold to John Buma and Wilma Buma for the sum of One Dollar (\$1.00).
5. That the soil and freehold of Part 4 on Plan 62R-17624, hereby permanently closed, be sold to Bouasone Keomanivong and Wichai Keomanivong for the sum of One Dollar (\$1.00).
6. That the soil and freehold of Part 5 on Plan 62R-17624, hereby permanently closed, be sold to Domenic Paolini and Sonia Paolini for the sum of One Dollar (\$1.00).
7. That the soil and freehold of Part 6 on Plan 62R-17624, hereby permanently closed, be sold to Carlos Alberto Dos Santos and Maria Daniela Dos Santos for the sum of One Dollar (\$1.00).
8. 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** this 27<sup>th</sup> day of June, 2007.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk