

Authority: Item 12, Public Works Committee
Report: 07-010 (PW07085)
CM: June 27, 2007

Bill No. 069

CITY OF HAMILTON

BY-LAW NO. 08-069

Being a By-law to Permanently Close an Unassumed Portion of Alleyway abutting 21 Garside Avenue North, established by Registered Plan 491, City of Hamilton, designated as Part 1 on Reference Plan 62R-18016

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 27, 2007, in adopting Item 12 of the Public Works Committee Report 07-010, 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 alleyway abutting 21 Garside Avenue North, established by Registered Plan 491, City of Hamilton, designated as Part 1 on Reference Plan 62R-18016;

AND WHEREAS a Judge's Order was issued and registered on title on March 27, 2008, as Instrument No. WE536100 to close an unassumed portion of alleyway abutting 21 Garside Avenue North, established by Registered Plan 491, City of Hamilton, designated as Part 1 on Reference Plan 62R-18016;

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.

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


1. That the part of the unassumed alleyway, set out as:

Part of Alleyway, Registered Plan 491, designated as Part 1 on Reference Plan 62R-18016, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Plan Reference Plan 62R-18016, hereby permanently closed, be sold to Clancy Andrew Sheehan for the sum of One Dollar (\$1.00).
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 9th day of April, 2008.



Brad Clark
Acting Mayor



Kevin C. Christenson
City Clerk