

Authority: Item 4, Public Works Committee
Report: 07-002 (PW07016)
CM: February 15, 2007

Bill No. 121

CITY OF HAMILTON

BY-LAW NO. 08-121

Being a By-law to Permanently Close an Unassumed Portion of Road Allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068

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 February 15, 2007, in adopting Item 4 of the Public Works Committee Report 07-002, 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 road allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068;

AND WHEREAS a Judge's Order was issued and registered on title on May 15, 2008, as Instrument No. WE547072 to close an unassumed portion of road allowance abutting 1 Oak Knoll Drive, Hamilton, being Part of Shady Lane, established by Registered Plan 683, City of Hamilton, designated as Part 2 on Reference Plan 62R-18068;

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.

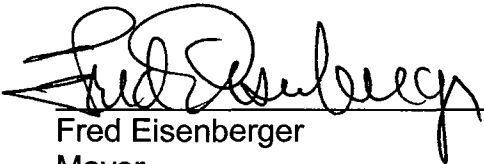
NOW THEREFORE the Council of the City of Hamilton enacts as follows:


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

Part of Shady Lane, Registered Plan 683, designated as Part 2 on Reference Plan 62R-18068, City of Hamilton

is hereby permanently closed.
2. That the soil and freehold of Part 2 on Plan Reference Plan 62R-18068, hereby permanently closed, be sold to Heather Margaret Waters for the sum of Thirteen Thousand Dollars (\$13,000.00).
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 28th day of May, 2008.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk