

**Authority:** Item 8, Public Works, Infrastructure  
and Environment Committee  
Report 06-012 (PW06112)  
CM: September 13, 2006

**Bill No. 179**

**CITY OF HAMILTON**

**BY-LAW NO. 08-179**

**Being a By-law to Permanently Close an Unassumed Portion of the Alley,  
Running East/West and North-South between 11, 15, 17, 19 and 23 Tisdale  
Street South and 435 Main Street East, Hamilton, established by Registered  
Plan 224, City of Hamilton, designated as Part 1 on Reference Plan 62R-  
17827**

**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 September 13, 2006, in adopting Item 8 of the Public Works, Infrastructure & Environment Committee Report 06-012, 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, established by Registered Plan 224, City of Hamilton, designated as Part 1 on Reference Plan 62R-17827;

**AND WHEREAS** a Judge's Order was issued and registered on title on June 26, 2008, as Instrument No. WE556375 to close an unassumed portion of the Alley, established by Registered Plan 224, City of Hamilton, designated as Part 1 on Reference Plan 62R-17827;

**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.

**A By-law to Permanently Close an Unassumed Portion of the Alley, Running East/West and North-South between 11, 15, 17, 19 and 23 Tisdale Street South and 435 Main Street East, Hamilton, established by Registered Plan 224, City of Hamilton, designated as Part 1 on Reference Plan 62R-17827**

Page 2 of 2

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

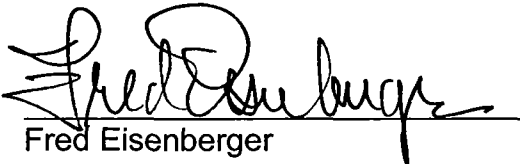
1. That the part of the unassumed alleyway, set out as:

Part of the Alley, Registered Plan 224, Lying East of Tisdale Street, designated as Part 1 on Reference Plan 62R-17827, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Plan Reference Plan 62R-17827, hereby permanently closed, be sold to Loblaws Inc. for the sum of Fifty-Seven Thousand and Seven Hundred and Fifty Dollars (\$57,750.00).
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 7<sup>th</sup> day of August, 2008.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk