

Authority: Item 3, Public Works Committee
Report 18-011 (PW18073)
CM: August 17, 2018
Ward: 7

Bill No. 203

CITY OF HAMILTON

BY-LAW NO. 19-203

To Permanently Close and Sell a Portion of the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS at its meeting of August 17, 2018, Council approved of Item 3 of Public Works Committee Report 18-011, and authorized the City of Hamilton to permanently close and sell the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton; and

WHEREAS notice to the public of the proposed sale of the part of the public assumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the public assumed alley set out as follows:

To Permanently Close and Sell a Portion of the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

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Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

is permanently closed.

2. The soil and freehold of the Part 1 on Plan 62R-20996, hereby permanently closed, be sold to Luciano Turco and Jennifer Lynsey Thompson for the sum of Two Dollars (\$2.00).
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 this 11th day of September, 2019

F. Eisenberger
Mayor

A. Holland
City Clerk