

Authority: Item 26, Committee of the Whole
Report 04-007 (LS04004)
CM: August 12,2004

Bill No. 140

CITY OF HAMILTON

BY-LAW NO. 05-140

TO PERMANENTLY CLOSE AND SELL PART OF SHIP STREET, HAMILTON

ESTABLISHED BY REGISTERED PLAN 32, IN THE CITY OF HAMILTON,

DESIGNATED AS PART 1, ON PLAN 62R-15662

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 August 12,2004, in adopting Item 26 of Report 04-007 of the Committee of the Whole, authorized that steps be commenced pursuant to the *Registry Act*, R.S.O. 1999, Chap. R.20, as amended, for a Judge's Order to permanently close part of Ship Street, designated as Part 1 on Plan 62R-15662;

AND WHEREAS a Judge's Order was issued and registered on title on May 13,2005 as Instrument No. VM264551 to close part of Ship Street, designated as Part 1 on Plan 62R-15662.

AND WHEREAS the said highway is 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:

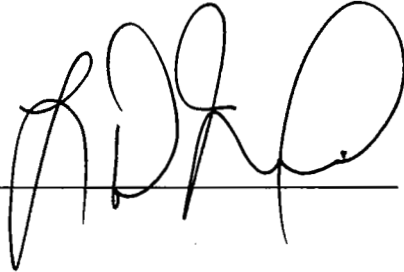
1. That the part of the unopened road allowance, set out as:

Part of Ship Street on Registered Plan 32 in the City of Hamilton, designated as Part 1 on Plan 62R-15662, City of Hamilton, is hereby permanently closed.

2. That the soil and freehold of the unopened road allowance, being Part of Ship Street on Registered Plan 32, in the City of Hamilton, designated as Part ■ on Plan 62R-15662, in the City of Hamilton, hereby permanently closed, be transferred to the Hamilton Port Authority for \$1.00, in accordance with Schedule 14 to the November 2000 Settlement Agreement with the Hamilton Harbour Commissioners (now the Hamilton Port Authority).
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 25th day of May, 2005.

Mayor



A, City Clerk

