

Authority: Item 5, Public Works Committee
Report 18-012 (PW18081)
CM: September 26, 2018
Ward: 12

Bill No. 157

CITY OF HAMILTON

BY-LAW NO. 19-157

To Permanently Close and Sell a Portion of the Unopened Road Allowance abutting 67 Middletown Road, Hamilton, Ontario, namely Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 3 on Plan 62R-21129, being Part of PIN 17551-0152 (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 September 26, 2018, Council approved of Item 5 of Public Works Committee Report 18-012, and authorized the City of Hamilton to permanently close and sell the portion of the unopened road allowance abutting 67 Middletown Road, Hamilton, Ontario, namely Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 3 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); City of Hamilton;

WHEREAS notice to the public of the proposed sale of the part of the unopened road allowance 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 unopened road allowance set out as:
Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 3 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); City of Hamilton

To Permanently Close and Sell a Portion of the Unopened Road Allowance abutting 67 Middletown Road, Hamilton, Ontario, namely Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 3 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); City of Hamilton

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is permanently closed.

2. The soil and freehold of Part 3 on Plan 62R-21129, hereby permanently closed, be sold to Truc Huynh for the sum of Twenty-Four Thousand One Hundred Dollars (\$24,100.00).
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 26th day of June, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk