

Authority: Item 5, Public Works Committee
Report 12-004 (PW12023)
CM: April 11, 2012
Ward: 2

Bill No. 285

CITY OF HAMILTON

BY-LAW NO. 17-285

Being a By-law to Permanently Close an Unassumed Portion of an Alleyway abutting 20-22 George Street, Hamilton, Ontario, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (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

AND WHEREAS the Council of the City of Hamilton on April 11, 2012, in adopting Item 5 of Public Works Committee Report 12-004, authorized the City to permanently close and sell an unassumed portion of an alleyway abutting 20-22 George Street, Hamilton, Ontario, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (LT); City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on December 15, 2017, as Instrument No. WE1257262 to close an unassumed alleyway abutting 20-22 George Street, Hamilton, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (LT); City of Hamilton;

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 unassumed alleyway, set out as:

Part of an Alleyway on Registered Plan 114, City of Hamilton, designated
as Parts 1-5 on Reference Plan 62R-19674; City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Parts 1-5 on Reference Plan 62R-19674,
hereby permanently closed, be sold to Hamilton George and Caroline Inc.
for the appraised market value.
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 on this 18th day of December, 2017.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk