

**Authority:** Item 1, Public Works Committee  
Report 18-009 (PW18049)  
CM: June 27, 2018  
Ward: 3

**Bill No. 166**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**Being a By-law To Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 102 Francis Street, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)**

**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 June 27, 2018, in adopting Item 1 of Public Works Committee Report 18-009, authorized the City of Hamilton to permanently close and sell a portion of a public unassumed alley abutting 102 Francis Street, Hamilton, Ontario, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (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. The part of the portion of a public unassumed alley set out as:

Part of Alley, Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)

is hereby permanently closed.

2. The soil and freehold of Part 1 on Plan 62R-21177, hereby permanently closed, be sold to Adam Bentley Costello 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 12<sup>th</sup> day of July, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk