

Authority:

Item 4, Public Works
Committee Report 18-002
(PW18013)
CM: February 14, 2018
Ward: 3

Bill No. 210

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 13 Clyde Street, Hamilton, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (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 the Council of the City of Hamilton on February 14, 2018, in adopting Item 4 of Public Works Committee Report 18-002, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 13 Clyde Street, Hamilton, Ontario, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on July 5, 2019, as Instrument No. WE1365588 to close a portion of a public unassumed alley abutting 13 Clyde Street, Hamilton, Ontario, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton;

AND WHEREAS the road is a highway under the jurisdiction of the City of Hamilton;

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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 portion of a public unassumed alley, set out as:

Part of the Alleyway lying south of Lot 56, Registered Plan 237, in the City
of Hamilton, designated as Parts 1, Plan 62R-20919, being Part of PIN
17185-0233 (LT)

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20919, hereby
permanently closed, be sold to Jose D. Salgado 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