

Authority: Authority: Item 4, Public Works, Committee
Report 12-009
CM: September 12, 2012

Bill No. 010

CITY OF HAMILTON

BY-LAW NO. 13-

Being a By-law to Permanently Close an Unassumed Portion of King Street Road Allowance abutting 23 West Park Avenue, established by Registered Plan 904, City of Hamilton, designated as Parts 1 and 2 on Plan 62R-18937

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 September 12, 2012, in adopting Item 4 of Public Works Committee Report 12-009, authorized that the applicant make an application to an Ontario Superior Court of Justice, under Section 88 of the Registry Act, R.S.O. 1990, Chap. R.20., for an order to permanently close and purchase an unassumed portion of King Street Road Allowance, established by Registered Plan 904, City of Hamilton, designated as Parts 1 and 2 on Plan 62R-18937;

AND WHEREAS a Judge's Order was issued and registered on title on January 4, 2013 as Instrument No. WE876728, to close an unassumed portion of King Street Road Allowance, established by Registered Plan 904, City of Hamilton, designated as Parts 1 and 2 on Plan 62R-18937;

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 part of the unopened road allowance, set out as:

Part of King Street, Registered Plan 904, designated as Parts 1 and 2 on Plan 62R-18937.

is hereby permanently closed.
2. That the soil and freehold of Parts 1 and 2 on Plan 62R-18937, hereby permanently closed, be sold to Samieth Mintz, for the sum of One Hundred and Fifteen Thousand Dollars (\$115,000.00).
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 on this 23 day of January, 2013.

R. Bratina
Mayor

R. Caterini
City Clerk