

Authority: Item 4, Public Works,
Committee Report 12-011
CM: October 30, 2012
And Item 21, Committee of the
Whole Report 01-029
CM: September 18, 2001

Bill No. 191

CITY OF HAMILTON

BY-LAW NO. 13-

Being a By-law to Permanently Close a Portion of Public Unassumed Alley abutting 1430 Main Street East, Hamilton, established by Registered Plan 579, City of Hamilton, designated as Part 1 on Plan 62R-19520

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 October 30, 2012, in adopting Item 4 of Public Works Committee Report 12-011, 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 a portion of Public Unassumed Alley abutting 1430 Main Street East, Hamilton, established by Registered Plan 579, City of Hamilton, designated as Part 1 on Plan 62R-19520;

AND WHEREAS a Judge's Order was issued and registered on title on August 9, 2013 as Instrument No. WE915622 to close a portion of Public Unassumed Alley abutting 1430 Main Street East, Hamilton, established by Registered Plan 579, City of Hamilton, designated as Part 1 on Plan 62R-19520;

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 an Alleyway, Registered Plan 579, lying between Crosthwaite Avenue South and Kenilworth Avenue, designated as Part 1 on Plan 62R-19520, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Plan 62R-19520, hereby permanently closed, be sold to Homestead Christian Care for the sum of Ten Thousand Dollars (\$10,000.00).
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 AND ENACTED on this 16th day of August, 2013.

R. Bratina
Mayor

R. Caterini
City Clerk