

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 109-2006

A BY-LAW TO AUTHORIZE ASSUMPTION OF HIGHWAY AND TRANSFER OF LAND TO THE CORPORATION OF THE CITY OF KENORA

WHEREAS The Corporation of the City of Kenora wishes to establish certain lands within the City of Kenora as a public highway; and

WHEREAS Subsection 31 of The Municipal Act, R.S.O., 2001, provides that a Council of a local municipality may, by by-law, establish a highway; and

WHEREAS after January 1, 2003, land may only become a highway by virtue of a by-law passed under The Municipal Act, R.S.O., 2001 subsection (1); and

WHEREAS The Corporation of the City of Kenora requires that the property described as Part of Lot 1, Concession 3, Melick, now City of Kenora, District of Kenora, designated as Part 1, Plan 23R-11282 be transferred to The City of Kenora as a condition of consent; and

WHEREAS the Corporation of the City of Kenora has reached an Agreement with Joachim Landgraf and Ingeborg Landgraf to transfer the above-described property for Municipal purposes and more particularly for a highway, namely Essex Road;

NOW THEREFORE, the Council of The Corporation of the City of Kenora hereby enacts as follows:-

1. **THAT** the lands affected by the By-law be acquired by the City for the purposes of a highway.
2. **THAT** the Corporation of the City of Kenora shall acquire from Joachim Landgraf and Ingeborg Landgraf the lands described as part of Lot 1, Concession 3, Melick, now City of Kenora, District of Kenora, designated as Part 1, Plan 23R-11282 as a highway for public\municipal purposes.
3. **THAT** the portion of road is hereby named Essex Road.
4. **THAT** the purchase price of the said property shall not exceed the sum of One Dollar (\$1.00).
5. **THAT** the Applicant, Joachim Landgraf, has undertaken and agreed to pay all related costs including legal fees, survey fees (if required), and any other disbursements related to the transfer of the above-noted property.
6. **THAT** the Major and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.
7. **THAT** this By-Law shall come into force and be in effect from and after the final passing thereof.

By-law read a First & Second Time this 21 day of August 2006
By-law read a Third & Final Time this 21 day of August 2006

THE CORPORATION OF THE CITY OF KENORA:

.....**David S. Canfield, MAYOR**

.....**Joanne L. McMillin, CLERK**