

**THE CORPORATION OF THE CITY OF KENORA**

**BY-LAW NUMBER 119-2006**

**A BY-LAW TO AUTHORIZE ASSUMPTION OF HIGHWAY AND  
TRANSFER OF LAND TO THE CORPORATION OF THE CITY OF  
KENORA and TRANSFER OF LAND TO ROSE DEROUARD & HENRY  
LAWRENCE DEROUARD**

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**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 11, Conc.2, Melick, now City of Kenora, District of Kenora, being Part 1, Plan 23R-11301 be transferred to The City of Kenora; and

**WHEREAS** the Corporation of the City of Kenora has reached an Agreement with Rose Derouard and Henry Derouard to transfer the above-described property for Municipal purposes and more particularly for a highway, namely the portion of the road forming part of Peterson Road in exchange for part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 3, Plan 23R-11301 which is owned by the Corporation of the City of Kenora; and

**WHEREAS** the Corporation of the City of Kenora has identified part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 3, Plan 23R-11301 as surplus land and has reached an agreement with Rose Derouard and Henry Derouard to transfer the said lands in exchange for part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 1, 23R-11301; and

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

1. **THAT** the lands described as part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 1, Plan 23R-11301 be acquired by the City for the purposes of a highway in exchange for the transfer of surplus land to Rose Derouard and Henry Lawrence Derouard described as part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 3, Plan 23R-11301.

2. **THAT** The Corporation of the City of Kenora hereby **declares** that the land described as part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 3, Plan 23R-11301, **as surplus lands**.
  
3. **THAT** the Corporation of the City of Kenora shall acquire from Rose Derouard and Henry Lawrence Derouard the lands described as part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 1, Plan 23R-11301 as a highway for public\municipal purposes in exchange for part of Lot 11, Conc. 2, Melick, now City of Kenora, District of Kenora, being Part 3, Plan 23R-11301 to rectify an agreement made in 1980 between the Town of Jaffray Melick and Ted Fisher (Rose Derouard).
  
4. **THAT** the portion of road is hereby named Peterson Road.
  
5. **THAT** the purchase price of the said property shall not exceed the sum of One Dollar (\$1.00).
  
6. **THAT** the survey costs be paid by Rose Derouard and Henry Lawrence Derouard and the City has undertaken and agreed to pay all related costs including legal fees and any other disbursements related to the transfer
  
7. **THAT** the Major and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.
  
8. **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 11 DAY OF SEPT., 2006.  
 BY-LAW READ A THIRD & FINAL TIME THIS 11 DAY OF SEPT., 2006.

THE CORPORATION OF THE CITY OF KENORA:

Per: \_\_\_\_\_ MAYOR  
 David Canfield

Per: \_\_\_\_\_ CLERK  
 Joanne L. McMillin