

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 114 – 2007

A By-law to Establish a Road as a Highway (Mineault Drive) and to Discharge Obligations under a Development Agreement between Philip Mineault and Joycelyn Mineault and the City of Kenora

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 subsection (1); and

WHEREAS the City of Kenora entered into a Development Agreement with Philip Mineault and Joycelyn Mineault (the Developer), which agreement provided for construction, maintenance and repair of roads and the collection of certain fees and financial contributions; and

WHEREAS upon completion of all obligations under the Agreement, financial, servicing and otherwise, and upon the Developer agreeing to the release the City of Kenora from all of its obligations under the Agreement, the City of Kenora is prepared to release the Developer from all its obligations under the Agreement; and

WHEREAS the City of Kenora Operations Manager has advised that all of the obligations of the Developer respecting the construction, maintenance and repair of the roads under the Subdivision Agreement have been completed to the City's satisfaction, and therefore the City is prepared to assume the roads and road allowances within the Subdivision Lands;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF KENORA ENACTS AS FOLLOWS:

1. THAT the City of Kenora assumes the road indicated on reference plan as Mineault Drive;
2. THAT upon confirmation by the Municipal Engineer that all outstanding obligations have been completed, the Municipal Engineer is authorized to execute a Certificate of Release of all obligations under the Agreement;
3. THAT the Manager of Finance is authorized to release to the Developer, the monies, plus interest, collected by the City of Kenora as a maintenance guarantee .
4. THAT this By-law shall take effect and come into force upon third and final reading thereof;

**By-law read a First and Second Time this 24 day of September, 2007
By-law read a Third and Final Time this 24 day of September, 2007**

THE CORPORATION OF THE CITY OF KENORA

.....**L. P. Compton, MAYOR**

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