

# The Corporation of the City of Kenora

## By-Law Number 84 - 2012

### **A By-Law to Assume, Stop Up, Close and Sell that part of the Road Allowance in Front of Mining Location 294E, now fronting Lot 1, Plan 23M832, City of Kenora, District of Kenora**

**Whereas** the Corporation of the City of Kenora deems it necessary and expedient to assume, stop up, close and sell part of the Road Allowance in front of Mining Location 294E, now fronting Lot 1, Plan 23M832, City of Kenora, District of Kenora, designated as Parts 1 & 2, Plan 23R-12086; and

**Whereas** the Corporation of the City of Kenora has identified Parts 1 & 2, Plan 23R-12086 as surplus land and has reached an Agreement with Robert Edward Poole to sell the said lands; and

**Whereas** the Corporation of the City of Kenora has agreed to grant to Ontario Power Generation a registered flooding easement over the subject lands prior to the above-noted transfer to Robert Edward Poole.

**Now Therefore** the Corporation of the City of Kenora enacts as follows:

1. **That** part of the Road Allowance in front of Mining Location 294E, now fronting Lot 1, Plan 23M832, City of Kenora, District of Kenora designated as Parts 1 & 2, Plan 23R-12086 be and the same is hereby assumed, stopped up and closed.
2. **That** the Corporation of the City of Kenora hereby **declares** that the land described as part of the Road Allowance in front of Mining Location 294E, now fronting Lot 1, Plan 23M832, City of Kenora, District of Kenora designated as Parts 1 & 2, Plan 23R-12086, **as surplus lands**.
3. **That** the Corporation of the City of Kenora shall grant to Ontario Power Generation a registered flooding easement over the subject lands.
4. **That** the Corporation of the City of Kenora shall sell to Robert Edward Poole that part of the Road Allowance in front of Mining Location 294E, now fronting Lot 1, Plan 23M832, City of Kenora, District of Kenora, designated as Parts 1 & 2, Plan 23R-12086 for the sum of \$1,000.00 plus HST **provided that** title to Parts 1 & 2, 23R-12086 is held in the same name as the adjacent property owned by the Transferee.
5. **That** the Purchaser has undertaken and agreed to pay all related costs including appraisal fees, advertising fees, legal fees, survey fees, and any other disbursements related to the transfer of the above-noted property and the required flooding easement to Ontario Power Generation.
6. **That** the Mayor and the Clerk be and they are hereby empowered to execute documents in connection with the assuming, stopping up, closing and selling of the hereinbefore mentioned lands.
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 16 day of July, 2012**

**By-law read a Third & Final Time this 16 day of July, 2012**

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**David S. Canfield, Mayor**

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**Joanne L. McMillin, City Clerk**