

The Corporation of the City of Kenora

By-Law Number 132 - 2012

A By-law to Establish Roads as Highways (Ben Ratuski and Neil Walsten) to Discharge Obligations under a Subdivision Agreement between B. Ratuski and N. C. Walsten (File No. 60T-79110) and the former Town of Jaffray Melick now 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 former Town of Jaffray Melick (now the City of Kenora) entered into a Subdivision Agreement with B. Ratuski and N.C. Walsten (the Developer), which subdivision agreement is binding against the title of the subdivision lands described as Plan of Subdivision 23M.834, which Agreement provided for construction, maintenance and repair of roads; 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 be it Resolved that the Council of the Corporation of the City of Kenora enacts as follows:

1. That the City of Kenora assumes the lands indicated on the plan of subdivision 23M.834, City of Kenora, as Silver Ghost Drive and Wraith Close;
2. That the lands indicated on the plan of subdivision 23M.834 as Silver Ghost Drive and Wraith Close be, and the same are, established and laid out as public highways;
3. That upon confirmation by the Municipal Treasurer that all financial obligations have been fulfilled (legal and transfer) and upon confirmation by the Municipal Solicitor that all outstanding obligations of the Developer have been completed, the Operations Manager and City Clerk are authorized to execute a Certificate of Release of all obligations and a Certificate of Acceptance under the Subdivision Agreement; and
4. That this By-law shall take effect and come into force upon third and final reading.

By-law read a First and Second Time this 17th day of December, 2012

By-law read a Third and Final Time this 17th day of December, 2012

The Corporation of the City of Kenora:-

David S. Canfield, Mayor

Heather L. Kasprick, Deputy Clerk