

The Corporation of the City of Kenora

By-Law Number 8 - 2014

A By-Law to Assume, Stop Up, Close, Declare Surplus and Sell that part of the Road Allowance fronting Lot 10, Plan M755, City of Kenora, District of Kenora

Whereas the Corporation of the City of Kenora deems it necessary and expedient to assume, stop up, close, declare surplus and sell part of the Road Allowance in front of Lot 1 and Broken Lot 2, Conc 8, Township of Jaffray, now fronting Lot 10, Plan M755, City of Kenora, District of Kenora, designated as Part 3, Plan 23R12226; and

Whereas the Corporation of the City of Kenora has identified Part 3, Plan 23R12226 as surplus land and has reached an Agreement with Michael John Hawryluk and Jennifer D. Westbury 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 Michael John Hawryluk and Jennifer D. Westbury;

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

1. That part of the Road Allowance in front of Lot 1 and Broken Lot 2, Conc 8, Township of Jaffray, now fronting Lot 10, Plan M755, City of Kenora, District of Kenora, designated as Part 3, Plan 23R12226, 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 Lot 1 and Broken Lot 2, Conc 8, Township of Jaffray, now fronting Lot 10, Plan M755, City of Kenora, District of Kenora, designated as Part 3, Plan 23R12226, 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 Michael John Hawryluk and Jennifer D. Westbury that part of in front of Lot 1 and Broken Lot 2, Conc 8, Township of Jaffray, now fronting Lot 10, Plan M755, City of Kenora, District of Kenora, designated as Part 3, Plan 23R12226 for the sum of \$1,000.00 plus HST **provided that** a Merger Agreement pursuant to the Planning Act is registered on title to provide that this property shall be a lot addition to the adjacent property owned by the Transferees.
5. That the Purchasers have 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 and Second Time this 21 day of January, 2014
By-law read a Third and Final Time this 21 day of January, 2014

The Corporation of the City of Kenora:-

David S. Canfield, Mayor

Heather Lajeunesse, Deputy Clerk