



The Municipal Corporation of the Town of Fort Erie

By-law No. 58-2017

Being a By-law to Stop Up and Close part of the Albert Street, Plan 990 & 991 & 992 Unopened Road Allowance and to Authorize an Exchange of Lands between The Corporation of the Town of Fort Erie, Valerie Beattie and INI Corp. (Valerie Beattie) on the South Side of Lakeshore Road

Whereas Report No. CDS-18-2016 was considered at the Council-in-Committee Meeting held on February 1, 2016, and subsequently authorized and approved by Council, to approve an exchange of lands between the Town of Fort Erie, Valerie Beattie and INI Corp. requiring the stopping up and closing of Part of Albert Street to effect the contemplated exchange of lands as outlined in the said Report; and

Whereas it is deemed desirable stop up and close part of the Albert Street, Plan 990 & 991 & 992 unopened road allowance and proceed with the exchange of lands contemplated in Report No. CDS-18-2016 and approved by Council;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** that part of the unopened road allowance legally described as Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Parts 1, 2 and 3, 59R-15600, being part of PIN 64212-0093 (LT), is stopped up and closed.
2. **That** the acceptance of lands from INI Corp. legally described as Part of Block of 11 Acres on the south side of Lakeshore Road, Plan 990-992; Fort Erie, designated as Part 8, 59R-15600, being part of PIN 64212-0094 (LT) free and clear of all encumbrances, in exchange for the conveyance from The Corporation of the Town of Fort Erie of:
 - (a) Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Part 1, 59R-15600, being part of PIN 64212-0093 (LT) to Valerie Beattie, and
 - (b) Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Parts 2 & 3, 59R-15600, being part of PIN 64212-0093 (LT) to INI Corp.,

subject to the granting of an easement to The Corporation of the Town of Fort Erie from INI Corp. for storm sewer purposes over Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Part 3, 59R-15600, being part of PIN 64212-0093 (LT) and Part of Block of 11 Acres on the south side of Lakeshore Road, Plan 990-992; Fort Erie, designated as Part 5, 59R-15600, being part of PIN 64212-0094 (LT) free and clear of all encumbrances;

and provided that that Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Part 1, 59R-15600, being part of PIN 64212-0093 (LT) shall merge with the abutting property to the West being PIN 64212-0092 (LT), and that Part of Albert Street, Plan 990 & 991 & 992 Bertie, South of Lakeshore Road; Fort Erie, designated as Parts 2 & 3, 59R-15600, being part of PIN 64212-0093 (LT) shall merge with the abutting property to the East designated as Parts 5, 6 & 7, on Reference Plan 59R-15600,

is authorized and approved.

3. **That** concurrently with the completion of the transfer of that part of the said road allowance, the Town Solicitor shall cause this by-law to be registered in the local Land Registry Office.
4. **That** the Town Solicitor, and in his absence, the Chief Administrative Officer or his designate, is authorized and directed to execute all documentation necessary to complete the transaction, and to affix the corporate seal thereto.
5. **That** this by-law shall expire one (1) year from the date of passage if the exchange of lands has not been completed.
6. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 23rd day of May, 2017.

Mayor

Clerk

I, Laura Bubanko, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 58-2017 of the said Town. Given under my hand and the seal of the said Corporation, this day of ,
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