



The Municipal Corporation of the Town of Fort Erie

By-law No. 85-2017

Being a By-law to Authorize the Sale of Lots 3 & 4, Plan 990-992 on the East Side of Arthur Street and Part of Lots Q & R, Plan 990-992 on the South Side of Garrison Road to Ashton Homes (Western) Limited (Aldo Vercillo)

Whereas By-law No. 184-07 establishes a policy for the sale of land owned by The Corporation of the Town of Fort Erie; and

Whereas Report No. PDS-44-2017 was considered at the Council-in-Committee Meeting held on July 10, 2017, and subsequently approved to authorize the sale of lands on the east side of Arthur Street and on the south side of Garrison Road, for the appraised value of \$52,800.00 plus HST, subject to the lands being required to merge with the lands to the east and a deeming by-law being required to deem the whole lots within the subject lands and the Purchaser's whole lots not to be lots on a plan of subdivision; and

Whereas it is deemed desirable to enter into an Agreement of Purchase and Sale with Ashton Homes (Western) Limited for the sale of the said property;

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

1. **That** the entry into an Agreement of Purchase and Sale with Ashton Homes (Western) Limited (the "purchaser") in the amount of \$52,800.00 for the lands described as Lots 3 & 4, East side of Arthur Street, Plan 990-992 Bertie; Fort Erie, being all of PIN 64218-0058 (LT), and Part of Lots Q & R on the south side of Garrison Road, Plan 990-992, being Part 2 on 59R-13605; Fort Erie, being all of PIN 64218-0457 (LT), in a form satisfactory to the Town Solicitor, is authorized and approved, subject to the lands merging in title with the purchaser's abutting property and the purchaser being responsible for all associated costs.
2. **That** a deeming by-law is required to deem the whole lots of the subject lands and the purchaser's whole lots to the east not to be lots on a plan of subdivision in accordance with the Sale of Land Policy By-law No. 60-2017 (the "Policy").
3. **That** that part of Section 6.2.4 of the Policy with respect to notifying abutting landowners of the appraised value and offering them an opportunity to submit offers to purchase, is waived.
4. **That** the Town Solicitor, or in his absence, the Chief Administrative Officer or his designate, is authorized and directed to execute the Agreement of Purchase and Sale and all other documentation necessary to complete the transaction, and to affix the corporate seal thereto.
5. **That** the proceeds from the sale shall be credited to the Parkland Reserve of The Corporation of the Town of Fort Erie.

6. **That** this by-law shall expire one (1) year from the date of passage if the purchaser has not completed the transaction.
7. **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 17th day of July, 2017.

Mayor

Interim Clerk

I, _____, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 85-2017 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____
