



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 38-2018

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### Being a By-law to Authorize the Sale of Part of Gordon Avenue, Plan 434 (Closed by By-law No. 138-2000), Part 16, 59R-11111 on the North Side of Riselay Avenue to John & Phyllis Zimmer

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**Whereas** By-law No. 60-2017 establishes a policy for the sale of land owned by The Corporation of the Town of Fort Erie (the "Policy"); and

**Whereas** Report No. PDS-01-2018 was considered at the Council-in-Committee Meeting held on January 15, 2018, and subsequently approved by Council to authorize the sale of lands on the north side of Riselay Avenue, for the appraised value of \$19,600.00 plus HST, subject to the lands being required to merge with the purchasers' abutting lands; and

**Whereas** it is deemed desirable to enter into an Agreement of Purchase and Sale with John & Phyllis Zimmer 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 John & Phyllis Zimmer (the "purchasers") in the amount of \$19,600.00 for the lands described as Part of Gordon Avenue, Plan 434, Bertie, Closed by RO771377, Part 16, 59R-11111; Fort Erie, being all of PIN 64465-0173 (LT), in a form satisfactory to the Town Solicitor, is authorized and approved, subject to the lands merging in title with the purchasers' abutting property and the purchasers being responsible for all associated costs.
2. **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.
3. **That** the proceeds from the sale shall be credited to the Major Capital Expenditure Reserve Fund of The Corporation of the Town of Fort Erie.
4. **That** this by-law shall expire one (1) year from the date of passage if the purchaser has not completed the transaction.

5. **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 19<sup>th</sup> day of March, 2018.**

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Mayor

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Interim Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 38-2018 of the said Town. Given under my hand and the seal of the said Corporation, this       day of       , 20