

The Municipal Corporation of the Town of Fort Erie

By-law No. 67-2018

Being a By-law to Declare Lands as Public Highway One Foot Reserve, being Part 8 on Reference Plan 59R-16147 (Kerby Street)

Whereas it was a requirement of the Town, with the registration of the Spears Road Estates subdivision, that certain one foot strips of land along various sections of the roads were transferred to the Town to limit access to the road by adjacent property owners; and

Whereas subsequent to the registration of the Spears Road Estates subdivision, the developer, Ashton Homes (Western) Ltd., purchased lands outside the plan of subdivision fronting on one of the new roads, namely Kerby Street; and

Whereas this land was purchased for the construction of a six unit townhouse for which Site Plan Approval has been received and Building Permits have been issued; and

Whereas in order for the developer to have legal access to its property, part of the one foot strip of land along Kerby Street, being Part 8 on Reference Plan 59R-16147, must be declared as public highway so that the property will have frontage on a public highway; and

Whereas it is deemed desirable to declare and assume Part 8 on Reference Plan 59R-16147 as public highway forming part of Kerby Street;

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

- 1. That Part of Block 52, Plan 59M-419, designated as Part 8 on Reference Plan 59R-16147, being part of PIN 64236-0506 (LT) is established, laid out, declared and assumed as public highway forming part of Kerby Street, for public use.
- **2. That** upon final passage of this by-law, the Town Solicitor shall cause same to be registered in the Land Registry Office.
- **3. 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 14th day of May, 2018.

		Mayor
		Clerk
	vn of Fort Erie hereby certifies the foregoing to be hand and the seal of the said Corporation,	