



The Municipal Corporation of the Town of Fort Erie

By-law No. 8-2022

Being a By-law to Accept and Declare a Daylighting Triangle as Public Highway at the Southeast Intersection of Rebstock Road and Beechwood Avenue (4165 Rebstock Road) Michael Atkins and Cindy Atkins – Owners

Whereas pursuant to the Decision of the Town of Fort Erie Committee of Adjustment, File No. B28/21 F.E., the owners, Michael Atkins and Cindy Atkins, are required to convey lands to The Corporation of the Town of Fort Erie for the purpose of a daylighting triangle at the southeast intersection of Rebstock Road and Beachwood Avenue, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act, 2001*, as amended, provides that if a municipality acquires land for the purpose of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of lands for road widening purposes, and declare and assume same as public highway forming part of Rebstock Road;

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

1. **That** the acceptance of land from Michael Atkins and Cindy Atkins, legally described as Part of Lot 527, Plan 425, Bertie, designated as Part 2 on Reference Plan 59R-17133; Fort Erie, being part of PIN 64178-0577 (LT) (the "Lands") for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of Rebstock Road, for public use.
3. **That** upon final passage of this by-law, the Town Law Clerk shall cause same to be registered in the Land Registry Office.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.

- Read a first, second and third time and finally passed this 24th day of January, 2022.**

Clerk

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, hereby certify the foregoing to be a true copy of By-law No. 8-2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20 .