



The Municipal Corporation of the Town of Fort Erie

By-law No. 65-2017

Being a By-law to Stop Up and Close the Bardol Terrace Unopened Road Allowance and Authorize the Sale of Part of the Unopened Road Allowance and Part of Lot 1, Plan 542, on the North Side of Lindbergh Drive (1784442 Ontario Inc. – Brian Maskell)

Whereas Report No. PDS-94-2016 was considered at the Council-in-Committee meeting held on November 21, 2016 and subsequently authorized and approved by Council, to stop up, close the Bardol Terrace unopened road allowance and to sell part of the unopened road allowance and part of Lot 1, Plan 542, on the north side of Lindbergh Drive (the "lands"), to 1784442 Ontario Inc. (Brian Maskell) (the "Purchaser") for the appraised value plus HST, subject to the Purchaser being responsible for all associated costs including completion of a survey and Reference Plan, prior to a by-law being submitted to Council, and

Whereas the Purchaser has obtained at its expense the survey and a Reference Plan deposited as 59R-15840, designating the lands to be sold as Parts 1 and 2 thereon; and

Whereas it is deemed desirable to proceed with a by-law to stop up, close the said road allowance and to authorize the entry into an Agreement of Purchase and Sale for Parts 1 and 2 on Reference Plan 59R-15840;

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

1. **That** the unopened road allowance legally described as Bardol Terrace Plan 542; S/T AA83399; Fort Erie, being all of PIN 64233-0228 (LT), is stopped up and closed.
2. **That** the entry into an Agreement of Purchase and Sale with 1784442 Ontario Inc. (the "Purchaser") for the sale of Part of Bardol Terrace Plan 542; Fort Erie, designated as Part 1 on Reference Plan 59R-15840, being part of PIN 64233-0228 (LT) and Part of Lot 1, Plan 542; Fort Erie, designated as Part 2 on Reference Plan 59R-15840 being part of PIN 64233-0226 (LT) for the appraised value of \$2,650.00 plus HST, subject to the lands legally merging in title with the Purchasers' abutting lands, and in a form satisfactory to the Town Solicitor, is authorized and approved.
3. **That** concurrently with the completion of the sale 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 the Agreement of Purchase and Sale and any and all 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 Major Capital Expenditure Reserve Fund 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 Purchasers have 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 19th day of June, 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.65 -2017 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20_____.
