



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 48-2018

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### **Being a By-law to Authorize the Sale of Lot 219, Plan 458, Bertie; Lot 218, Plan 469, Bertie (0 Bird Avenue S/S) to Freedom Star Can Inc. (George Ghinea)**

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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-23-2018 was considered at the Council-in-Committee Meeting held on March 19, 2018, and subsequently approved by Council to authorize the sale of lands on the south side of Bird Avenue, for the appraised value of \$6,800.00 plus HST, to Freedom Star Can Inc., subject to the lands being required to merge with the purchaser's abutting lands; and

**Whereas** it is deemed desirable to enter into an Agreement of Purchase and Sale with Freedom Star Can Inc. 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 Freedom Star Can Inc. (the "purchaser") in the amount of \$6,800.00, plus HST for the lands described as Lot 219, Plan 458, Bertie; Lot 218, Plan 469, Bertie; Fort Erie, being all of PIN 64467-0242 (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** Section 5.1.3(a) of the Sale of Land Policy By-Law 60-2017 is waived with respect to the restriction of selling limited marketability land to an abutting owner with a total combined area of less than 0.40 ha and without an existing dwelling.
3. **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.
4. **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.
5. **That** this by-law shall expire one (1) year from the date of passage if the purchaser has not completed the transaction.

6. **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 26<sup>th</sup> day of March, 2018.**

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Mayor

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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. 48-2018 of the said Town. Given under my hand and the seal of the said Corporation, this       day of       , 20