



The Municipal Corporation of the Town of Fort Erie

By-law No. 110-2018

Being a By-law to Assume Secondary Services in the Brian Street Development Part of Plan 492 and Part of Plan 426 (Plan 59R-11562) (Dexter Developments Inc. – Sam Morabito)

Whereas By-law No. 241-04 authorized the Mayor and Clerk to execute the Development Agreement for the Brian Street Development; and

Whereas Section 10.8 of the Development Agreement provides that municipal services shall be assumed by the Town in two stages, namely, by Council first passing an Assumption By-law for Primary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Primary Services, and second, an Assumption By-law for Secondary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Secondary Services; and

Whereas pursuant to the Development Agreement, Secondary Services includes all finished streets and roadways as constructed by the Developer in accordance with the Plan of the Development Agreement; and

Whereas the Director of Infrastructure Services has approved the Certificate of Final Acceptance for Secondary Services for the said development; and

Whereas it is deemed desirable to assume the Secondary Services installed pursuant to the Development Agreement, including the highways within the Plan of the Development;

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

1. **That** the following Secondary Services identified on the approved servicing plans for the Brian Street Development, registered as Plan No. 59R-11562, Part of Plan 492 and Part of Plan 426 are assumed by the Town of Fort Erie, namely:
 - a) Municipal Roads (including boulevards);
 - b) Driveway Aprons;
 - b) Sidewalks;
 - c) Fencing; and
 - d) Landscaping

pursuant to the Certificate of Final Acceptance for Secondary Services dated July 13, 2018.

2. **That** the following parcels of land situated in the Town of Fort Erie are assumed as public highway:

STREET	PLAN NUMBER	PIN NUMBER
Brian Street	59R-11562 (Parts 18, 20, 22, 26)	64470-0171 (LT)
Brian Street	59R-11562 (Part 27)	64470-0177 (LT)
Hollywood Street	Plan 492	64470-0035 (LT)
Dexter Drive	59R-11562 (Parts 66, 75, 76)	Part of PIN 64470-0178 (LT)

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 27th day of August, 2018.

Mayor

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. 110-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20
