



The Municipal Corporation of the Town of Fort Erie

By-law No. 115-2018

Being a By-law to Stop Up and Close and Authorize the Sale of the Unopened Road Allowance Legally Described as Mac Kenzie Street, Plan 450, Bertie, Between Burnside Avenue and St. Clair Street; Fort Erie (Edwin (Bruce) Aitken & Janice Spensieri)

Whereas Report No. PDS-57-2018 was considered and approved at the Council-in-Committee meeting held on September 4, 2018, to stop up, close and sell the unopened road allowance legally described as Mac Kenzie Street, Plan 450, Bertie, Between Burnside Avenue and St. Clair Street; Fort Erie to Edwin (Bruce) Aitken and Janice Spensieri (the "Purchasers") for the appraised value of \$13,700.00 plus HST, subject to the lands being required to merge with the purchasers' abutting lands; and

Whereas it is deemed desirable to proceed with a by-law to stop up, close and convey the said road allowance and to authorize the entry into an Agreement of Purchase and Sale with respect to same;

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 Mac Kenzie Street, Plan 450, Bertie, Between Burnside Avenue and St. Clair Street; Fort Erie, being all of PIN 64234-0096 (LT) (the "lands"), is stopped up and closed.
2. **That** the entry into an Agreement of Purchase and Sale with Edwin Bruce Bulford Aitken and Janice Catherine Frances Spensieri (the "Purchasers") for the sale of the said lands for the appraised value of \$13,700.00 plus HST, subject to the lands legally merging in title with the Purchasers' abutting lands, 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 10th day of September, 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. 115-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20