



The Municipal Corporation of the Town of Fort Erie

By-law No. 121-2019

Being a By-law to Accept Part 6 on Reference Plan 59R-16449 for Road Widening Purposes and Part 5 on Reference Plan 59R- 16449 for Reserve Purposes and to Declare Block 9 on Plan 59M-452 and Part 6 on Reference Plan 59R-16449 as Public Highway on the South Side of Rebstock Road (Park Lane Home Builders Ltd.)

Whereas it was a requirement of the Town, with the registration of the Park Lane Place subdivision, that Block 9, Plan 59M-452, a one foot strip of land along a section of Rebstock Road be transferred to the Town as a Reserve, to limit access to the road by adjacent property owners; and

Whereas in the course of the development of Block 6, Plan 59M-452, being the lands abutting Block 9, Plan 59M-452, it was determined that further lands on the south side of Rebstock Road were required for road widening and reserve purposes; and

Whereas the Developer, Park Lane Home Builders Ltd. has agreed to transfer the required lands, namely Part 5 on Reference Plan 59R-16449, a one foot strip of land as a Reserve, to limit access to the road by adjacent property owners and Part 6 on Reference Plan 59R-16449, a road widening to form part of Rebstock Road, to the Town for no consideration, 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 Part 6, Reference Plan 59R-16449 for road widening purposes and Part 5, Reference Plan 59R-16449, for reserve purposes, and to declare and assume Block 9, Plan 59M-452 and Part 6, Reference Plan 59R-16449 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 Park Lane Home Builders Ltd., legally described as Part of Block 6, Plan 59M-452, designated as Parts 5 and 6 on Reference Plan 59R-16449; Fort Erie, being part of PIN 64464-0170 (LT) for reserve and road widening purposes, respectively, free and clear of all encumbrances, is authorized and approved.
2. **That** Block 9 on Plan 59M-452; Fort Erie, being all of PIN 64464-0173 (LT) and Part of Block 6, Plan 59M-452 designated as Part 6 on Reference Plan 59R-16449; Fort Erie, being part of PIN 64464-0170 (LT) are established, laid out, declared and assumed as public highway forming part of Rebstock Road, for public use.

3. **That** Part of Block 6, Plan 59M-452 designated as Part 5 on Reference Plan 59R-16449; Fort Erie, being part of PIN 64464-0170 (LT) is established as a reserve strip limiting access to Rebstock Road by adjacent property owners.
4. **That** upon final passage of this by-law, the Town Solicitor shall cause same to be registered in the Land Registry Office.
5. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this 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 26th day of August, 2019.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true copy of By-law No. 121-2019 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20 .