



The Municipal Corporation of the Town of Fort Erie

By-law No. 155-2019

Being a By-law to Declare Lands as Public Highway on the Terminus of Commerce Parkway (Part 2 on Reference Plan 59R-16513)

Whereas Report No. EDTC-01-2019 was considered and approved at the Council-in-Committee Meeting held on February 19, 2019 directing the Economic Development and Tourism Corporation to negotiate an Agreement of Purchase and Sale with Harber Realty Holdings Inc. ("Harber") for the purchase of approximately 9.94 acres of land from The Corporation of the Town of Fort Erie (the "Town") at the terminus of Commerce Parkway; and

Whereas By-law No. 112-2019 passed by the Municipal Council of the Town of Fort Erie on July 15, 2019 authorized the acceptance of an Agreement of Purchase and Sale from Harber for the lands described as Part of Lot 6, Concession 5, Niagara River, Bertie, designated as Parts 1, 3 and 4 on Reference Plan 59R-16513 (the "Lands"); and

Whereas the transfer of the Lands from the Town to Harber was completed on November 5, 2019 leaving a remnant parcel of land in the Town's ownership, namely Part 2 on Reference Plan 59R-16513; and

Whereas this remnant piece of land makes up a portion of the terminus of Commerce Parkway and must be declared as public highway so that the Lands will have appropriate frontage on a public highway; and

Whereas it is deemed desirable to declare and assume Part 2 on Reference Plan 59R-16513 as public highway forming part of Commerce Parkway;

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

1. **That** Part of Lot 6, Concession 5, Niagara River, Bertie, designated as Part 2 on Reference Plan 59R-16513, being all of PIN 64236-0108 (LT) is established, laid out, declared and assumed as public highway forming part of Commerce Parkway, for public use.
2. **That** upon final passage of this by-law, the Town Solicitor shall cause same to be registered in the Land Registry Office.
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 9th day of December, 2019.

Mayor

Clerk