



The Municipal Corporation of the Town of Fort Erie

By-law No. 47-2020

Being a By-law to Accept and Declare a Daylighting Triangle as Public Highway at the Southeast Corner of Spears Road and Ross Avenue (Essential Capital Inc. – Frank Ianniello)

Whereas pursuant to the Decisions of the Town of Fort Erie Committee of Adjustment, File Nos. B20/19 F.E. and B21/19 F.E., the owner of 1178 Spears Road, Essential Capital Inc., is required to convey lands to The Corporation of the Town of Fort Erie for the purpose of daylighting triangle at the southeast corner of Spears Road and Ross Avenue, gratuitously, 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 lands for road widening purposes, and declare and assume same as public highway forming part of Spears 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 Essential Capital Inc., legally described as Part of Lot 168, Plan 459, Bertie, designated as Part 1 on Reference Plan 59R-16682; Fort Erie, being part of PIN 64236-0322 (LT) (the "Lands") for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of Spears Road, for public use.
3. **That** upon final passage of this by-law, the Law Clerk shall cause same to be registered in the Land Registry Office.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.
5. **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 4th day of May, 2020.

Mayor

Clerk