

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

BY-LAW NO. 08 - 322

**Being a by-law to permanently close highways,
being parts of the road allowance
between Lot 15 and 16, Concession 13, and being
Part 2 of Plan 36R11713, Pin#49225-0005(LT) in Dickens Ward.**

WHEREAS:

1. By virtue of Subsection 34(1) of the Act, a municipality is empowered to permanent close a highway; and
2. The original allowance laid out in the original Crown survey within the former unincorporated geographical Township of Dickens are “highways” by virtue of Section 26 of the *Municipal Act*, 2001, S.O. 2001, c. 25 (the “Act”); and
3. The owner of the land abutting part of the said original road allowance have applied to the Municipality to close it and sell it to the said owner; and
4. The parts of the road allowance described herein have been declared surplus to the requirements of the Municipality; and
5. The closure will not result in any person having no motor vehicle access to and from that person’s land over any highway; and
6. Adequate and reasonable public notice of its intention to pass this by-law was given by the Municipality, as required by Subsection 34(1) of the Act and in accordance with Section 251 of the Act; and
7. The part of the road allowance closed by this By-law is not covered with water and does not abut any land owner by the Crown in right of Canada or lead to any work owned by the Crown in right of Canada, and therefore, the consent of the Ministry of Natural Resources of Ontario or the Government of Canada to the passing of this by-law is not required by Subsection 34(b) or Section 43 respectively of the Act; and
8. It is desirable in the interests of the Municipality that this by-law be passed;

NOW THEREFORE the Council of the Corporation of the Township of South Algonquin enacts as follows:

1. That the part of the road allowance within the former unincorporated geographical Township of Dickens within the municipality more particularly described as Part of the road allowance between Lot 15 and 16 Concession 13 and Part 2 on Plan 36R11713 are hereby permanently closed as highways.
2. That the part of the said road allowance as described above hereof be sold and conveyed to the owners of the land abutting same for the price of \$500 plus all survey, advertising, administrative, legal and other costs and expenses associated with the said closure, sale and conveyance.

3. That the Mayor and Clerk-Treasurer be and they are hereby authorized and directed to sign and to affix the seal of the Municipality to Transfer/Deeds to the said owner of the land abutting the road allowance permanently closed by this by-law, and to authorize the registration in the Land Registry Office for the Land Titles Division of Nipissing (No. 36) in consideration for and upon payment of the sale price and costs and expenses aforesaid.

READ A FIRST AND SECOND TIME this 17th, day of July 2008.

Percy Bresnahan, Mayor

Harold Luckasavitch, Clerk-Treasurer

READ A THIRD TIME AND PASSED AND ENACTED this 21st, day of August 2008.

Percy Bresnahan, Mayor

Harold Luckasavitch, Clerk-Treasurer