

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Authorize the Sale of Municipally Owned Property Legally Described as Part of Lot 21, Concession 6, in the Geographic Township of Fenelon, City of Kawartha Lakes described as Parts 1, 2, and 3 on Plan 57R-10633, being PIN: 63162-0789 (LT) and to Authorize an Easement in Favour of the City of Kawartha Lakes over Parts 2 and 3 on Plan 57R-10633**

#### **Recitals**

1. The Subject Land was declared to be surplus to municipal needs by City Council on the 28<sup>th</sup> day of January, 2014 by the adoption of Report LM2014-003 by CR2014-101.
2. A map of the Subject Land can be found at Schedule "A".
3. Notice of intention of City Council to pass this by-law was given by notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 9<sup>th</sup>, 16<sup>th</sup>, and 23<sup>rd</sup> days of February, 2017, in accordance with the provisions of the Municipal Act and By-law 2010-118, as amended.
4. The proposed by-law came before Council for consideration at its regular meeting on the 10<sup>th</sup> day of April, 2018 at 2:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
5. The sale of this land was approved by City Council on the 28<sup>th</sup> day of January, 2014 by the adoption of Report LM2014-003 by CR2014-101.
6. A conflict with regards to the sale of this land has been declared by a City Councillor, as the said Councillor represented the interests of the buyer. The said Councillor had no advantage in terms of knowledge (no knowledge of the appraised value), nor additional exposure to the property in advance of the property being listed for sale.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**"City", "City of Kawartha Lakes" or "Kawartha Lakes"** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**"Council" or "City Council"** means the municipal council for the City;

**1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

**1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

**1.04 Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

**Section 2.00: Sale of Surplus Property and Grant of Easement**

**2.01 Sale:** Part of Lot 21, Concession 6, in the Geographic Township of Fenelon, City of Kawartha Lakes described as Parts 1, 2, and 3 on Plan 57R-10633, being PIN: 63162-0789 (LT) is hereby authorized to be sold to Sarah Jewell for Three Hundred Eighty-One Thousand Seven Hundred Dollars (\$381,700.00), plus HST, if applicable, inclusive of all additional costs associated with this transaction.

**2.02 Easement:** Concurrent to and in consideration for the transfer of Part of Lot 21, Concession 6, in the Geographic Township of Fenelon, City of Kawartha Lakes described as Parts 1, 2, and 3 on Plan 57R-10633, being PIN: 63162-0789 (LT), the City of Kawartha Lakes requires Sarah Jewell to convey and the City of Kawartha Lakes is authorized to accept an easement in favour of the City of Kawartha Lakes over Parts 2 and 3 on Plan 57R-10633.

**Section 3.00: Effective Date**

**3.01 Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 10<sup>th</sup> day of April, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## Schedule A

