

**THE CORPORATION OF THE TOWNSHIP OF EMILY**

**BY-LAW NO. 1998- 20**

being a by-law to correct By-law No. 1997-32  
and By-law No. 1997-33

**WHEREAS** The Corporation of the Township of Emily had been maintaining as part of the highway system of the township a portion of the road allowance between Lot 12, Concession 6 and Lot 12, Concession 7;

**AND WHEREAS** the portion of the aforesaid road allowance known as Mitchell Drive has been surveyed and is Part 6 on Plan 57R-7867;

**AND WHEREAS** Part 5 on Plan 57R-7867 has not been actively and regularly maintained by the Township of Emily;

**AND WHEREAS** owing to inadvertence and misadventure By-law 1997-32 referenced the incorporation of both Part 5 and Part 6 on Plan 57R-7867 into the township road system as a public highway;

**AND WHEREAS** the by-law herein is passed to correct the error in By-law No. 1997-32 by deleting the reference to Part 5 on Plan 57R-7867 so that the only portion of the road allowance between Lot 12, Concession 6 and Lot 12, Concession 7 which is incorporated into the township road system and assumed as a public highway is Part 6 on Plan 57R-7867;

**AND WHEREAS** The Corporation of the Township of Emily enacted By-law 1997-33 on the 17th day of November, 1997 wherein reference is made in the first recital to a by-law having been passed incorporating both Part 5 and Part 6 on Plan 57R-7867 into the township road system as a public highway;

**AND WHEREAS** it is necessary for the reason set forth herein to delete the reference to Part 5 on Plan 57R-7867;

**AND WHEREAS** the third recital of By-law No. 1997-33 makes reference to the township entering into an Encroachment Agreement with the owners of Part of Lot 1, Registered Plan No. 186, Township of Emily;

**AND WHEREAS** the township proposes to execute a Quit Claim Deed for Part 5 on Plan 57R-7867 in favour of the abutting land owner thereto;

**AND WHEREAS** it is necessary to further amend By-law No. 1997-33 by deleting the third recital in the said By-law No. 1997-33 as well as Paragraph 2 in said by-law;

**NOW THEREFORE** the Council of The Corporation of the Township of Emily enacts as follows:

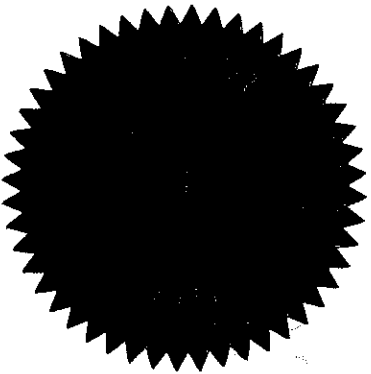
- 1) That By-law No. 1997-32 be and the same is hereby retroactively amended to the 17th day of November 1997 so as to delete any reference to Part 5 on Plan 57R-7867 therefrom.
- 2) That the first recital of By-law No. 1997-33 be retroactively amended to the 17th day of November 1997 so as to delete any reference to Part 5 on Plan 57R-7867 therefrom.
- 3) That the third recital set forth in By-law No. 1997-33 be deleted in its entirety and that the following recital be substituted in its place and stead:

"AND WHEREAS the Council of the said Corporation is desirous of executing a Quit Claim Deed in favour of the owners of Part of Lot 1, Plan 186 abutting Part 5 on Plan 57R-7867".

- 4) That Paragraph 2 of By-law 1997-33 be deleted in its entirety and that the following paragraph be substituted in its place and stead:

"That the Reeve and Clerk be authorized to execute a Quit Claim Deed for Part 5 on Plan 57R-7867 in favour of Alan Joseph Valois and Elizabeth Carolyn Valois."

READ a first, second and third time and finally passed in open council this 25th day of May, 1998.



  
Reeve - Joseph McGuire

  
Clerk - Nancy Paish