

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2018-_____

A By-law to Approve the Expropriation of Land

WHEREAS the Council of the City of Kawartha Lakes enacted By-Law 2018-124 on July 17, 2018, which authorized the making of an application for approval to expropriate a fee simple interest in a three (3) meter strip of land, comprising approximate 2741 square feet, from the easternmost part of the property municipally known as 51 Needham Street, Lindsay and legally described as PIN 63212-0004 (LT), being Pt Lt 12-14, Plan 377, Part 1 on 57R-1536; in the Geographic Township of Lindsay, City of Kawartha Lakes ("**Required Land**"), for the purposes of facilitating the construction of a new pumping station to replace or upgrade the existing Colborne Street Pumping Station, including the construction of a new force main along St. David Street, and any works ancillary thereto;

AND WHEREAS notice of the application for approval to expropriate the Required Land was served in accordance with the *Expropriations Act*, R.S.O. 1990, c. E. 26 ("**Expropriations Act**");

AND WHEREAS no notification of a desire for a hearing has been received and the time for giving such notification has expired;

AND WHEREAS the Required Lands have been more particularly described as Part 1 on Plan 57R-10721, deposited on November 2, 2018 and attached hereto as Schedule "A";

AND WHEREAS the Council of the City of Kawartha Lakes has, by resolution passed on November 13, 2018, authorized the approval of the expropriation of the above described lands;

NOW THEREFORE the Council of the City of Kawartha Lakes enacts as follows:

1. THAT the expropriation of the Required Land, more particularly described as Part 1 on Plan 57R-10721, attached as Schedule "A" to this By-law, is hereby approved by Council as the approval authority pursuant to Section 5 of the Expropriations Act;
2. THAT the Mayor and the City Clerk are hereby authorized and directed to execute, on behalf of Council, the Certificate of Approval attached hereto as Schedule "B";

3. THAT the City Clerk is hereby authorized and directed to affix the corporate seal to the executed Certificate of Approval;
4. THAT, in the event that the City is unable to acquire the Required Land by way of a voluntary agreement with the owner, the City, as expropriating authority, expropriate a fee simple interest in Part 1 on Plan 57R-10721 by preparation, execution and registration of a plan of expropriation;
5. THAT the plan of expropriation referred to above be registered no later than three (3) months from the date that this By-law is passed;
6. THAT the City Clerk is authorized to cause the said plan of expropriation to be registered in the proper Land Registry Office, to give notice of such expropriation in accordance with the Expropriations Act and to execute all necessary documents and to take all necessary steps to effect the transaction and obtain possession of the Require Land.

READ THREE TIMES AND PASSED IN OPEN COUNCIL, this 13th day of November, 2018.

Mayor

City Clerk

SCHEDULE "B" TO BY-LAW 2018- _____

CERTIFICATE OF APPROVAL

Expropriations Act

IN THE MATTER OF an application by The Corporation of the City of Kawartha Lakes for approval to expropriation land being:

A fee simple interest in a three (3) meter strip of land, comprising approximately 2741 square feet, from the easternmost part of the property (running along St. David Street) municipally known as 51 Needham Street, Lindsay, and legally described as PIN 63212-0004 (LT), being Pt Lt 12-14, Plan 377, Part 1 on 57R-1536; in the Geographic Township of Lindsay, City of Kawartha Lakes

For the purpose of facilitating the construction of a new pumping station to replace or upgrade the existing Colborne Street Pumping Station, including the construction of a new forcemain along St. David Street, and any works ancillary thereto.

THE COUNCIL OF THE CORPORATION OF THE CITY OF KAWARTHA LAKES hereby certifies that approval was given to The Corporation of the City of Kawartha Lakes on the 13th day of November, 2018 to expropriate the following lands:

A fee simple interest in Part 1 on Plan 57R-10721, which is part of the lands legally described as PIN 63212-0004 (LT), being Pt Lt 12-14, Plan 377, Part 1 on 57R-1536; in the Geographic Township of Lindsay, City of Kawartha Lakes

Being the land described in the Application to Expropriate Land.

Dated at Lindsay, this _____ day of November, 2018

The Council of the Corporation of the City of
Kawartha Lakes

Andy Letham, Mayor

Cathie Ritchie, City Clerk