

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-Law to Acquire Part of Lot 19, Concession North Portage Road, Further Described as Part 5 on 57R-3336, in the Geographic Township of Eldon, in the City of Kawartha Lakes, to Form Part of Centennial Park Road in the Geographic Township of Eldon, in the City of Kawartha Lakes and to Establish and Assume such Parcel Upon Receipt of Title as Part of the Public Highway Municipally known as Centennial Park Road

Recitals

1. A portion of Centennial Park Road, Eldon, north of Portage Road and South Canal Lake and further described as Part of Lot 19, Concession North Portage Road, further described as Part 5 on 57R-3336, in the Geographic Township of Eldon, City of Kawartha Lakes is forced over private land.
2. This portion of Centennial Park Road is fully maintained and assumed for service by the City of Kawartha Lakes.
3. The public's right of passage over this property is reflected on title to the privately-owned land.
4. The owner wishes to transfer title of this property to the City for nominal consideration, with the owner to pay the City's cost of the transfer in order to clear its title.
5. It is appropriate for the City of Kawartha Lakes to acquire title in this circumstances and with these conditions.
6. Section 31 of the Municipal Act, 2001 authorizes Council to establish and assume a highway by by-law.
7. The Mayor and Clerk are authorized to execute all documents associated with the acquisition.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020- .

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: Acquisition of Land

- 2.01 **Acquisition:** The parcel of land described as Part Lot 19, Concession North Portage Road, further described as Part 5 on 57R-3336, is to be acquired by the Corporation of the City of Kawartha Lakes for nominal consideration. The costs associated with the transaction are the responsibility of the vendor.
- 2.02 **Documentation:** The Mayor and City Clerk are hereby authorized to execute the documentation that is necessary for the City of Kawartha Lakes to accept title to Part Lot 19, Concession North Portage Road, further described as Part 5 on 57R-3336.

Section 3.00: Highway Assumption

- 3.01 **Assumption:** The parcel of land acquired for highway purposes, more particularly described as Part Lot 19, Concession North Portage Road, further described as Part 5 on 57R-3336, is hereby established and assumed as a public highway and part of Centennial Park Road, in the Geographic Township of Eldon, City of Kawartha Lakes.

Section 4.00: Effective Date

- 4.01 **Effective Date:** This By-law shall come into force on the date it is finally passed and has been deposited on title in the Registry Office Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 20th day of October, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk