

Council Report

Report Number: RS2021-041

Meeting Date: November 16, 2021

Title: Acquisition for Road Purposes – Eldon Station Road

Description: Clear Title for 472 Eldon Station Road, Woodville. A portion of Eldon Station Road is located on the property identified as 472 Eldon Station Road, Woodville.

Author and Title: Christine Oliver, Law Clerk - Realty Services

Recommendation(s):

That Report RS2021-041, **Acquisition for Road Purposes – Eldon Station Road**, be received;

That the acquisition of Part of the west half of Lot 20, Concession 4, in the Geographic Township of Eldon, further described as Part 1 on 57R-10926 and municipally known as part of 472 Eldon Station Road, in the Geographic Township of Eldon for road purposes be approved;

That staff be directed to commence the process of obtaining ownership of the required land, for nominal consideration, with all related costs payable by the applicants;

That the City be authorized to use the same solicitor as the applicant's for the closing of the transaction;

That the Mayor and Clerk be authorized to execute any documents and agreements required to release the municipality's interest in the subject property; and

That the by-law be forwarded to Council for adoption.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

On or about April 9, 2021, Realty Services received a written request from the Solicitor for the owners of 472 Eldon Station Road, in the Geographic Township of Eldon (the "Land"), for the City of Kawartha Lakes to facilitate clearing title. The Land's legal description identified that ownership is subject to an interest of the municipality because a portion of Eldon Station Road is located on the northwest side of the Land. This is commonly referred to as a "subject to" interest.

To clear the title by removing the "subject to" interest, the owners of the Land are required to obtain a survey and convey the portion of the road to the City.

This request was reviewed by the Land Management Team (the "Team") on July 12, 2021; the Team has no objections to obtaining title to the subject land at no cost to the City and releasing the City's interest in the applicant's property following the transfer.

The owners of the Land subsequently had a registered reference plan completed, at their expense, and have identified the extent of lands to be conveyed to the City. Circulation to the Public Works Area Manager confirmed the draft reference plan was acceptable. The registered reference plan was deposited on the 29th of July, 2021.

Appendix A is a general location map, Appendix B is a map, Appendix C is an aerial map of the Land and Appendix C is a copy of Registered Reference Plan 57R-10926.

The purpose of this report is to recommend the City proceed with obtaining title to the subject lands and releasing the City's interest in the Land.

Rationale:

The Land Management Team has concluded the City can release its interest in the Land following obtaining title to Part 1 on 57R-10926.

The applicants are agreeable to conveying the land for no consideration, and the applicant will pay all of the costs associated with the transaction. The owner of the Land has requested the City retain their solicitor for the closing of the transaction.

Other Alternatives Considered:

Council may decide not to proceed with obtaining title to the subject lands. This decision would be inconsistent with past practice and is not recommended in this circumstance.

Alignment to Strategic Priorities

The recommendations set out in this report is supported by the Strategic Plan through Good Government, more specifically asset management to ensure municipal assets are well maintained and well managed.

Financial/Operation Impacts:

Part 1 on 57R-10926 will be conveyed for no consideration, with all associated costs of the transaction payable by the current owners of the Land.

Consultations:

Land Management Team

Attachments:

Appendix A – Location Map



Appendix A -
General Location Map

Appendix B – Map



Appendix B -
Map.pdf

Appendix C – Aerial Map



Appendix C - Aerial
Map.pdf

Appendix D – 57R-10926



Appendix D -
57R-10926.pdf

Appendix E – Draft By-Law



Appendix E- Draft
By-Law.pdf

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Department File: L25-21-RS004