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BY-LAW NO. 06-93

BEING A BY-LAW to close and stop up and to sell part of the road allowance on Registered Plan No. 115 for the Township of Fenelon, designated as Part 1, on Plan 57R-6939.

WHEREAS it is deemed expedient and in the interests of the Corporation of the Township of Fenelon (hereinafter referred to as "Fenelon") that a portion of Maple Street on Plan 115, for the Township of Fenelon and more particularly described in Schedule "A" attached hereto be closed and stopped up, and the land conveyed to the adjoining land owner.

AND WHEREAS Notice of Intention to Pass this by-law has been published once a week for four (4) successive weeks in the Fenelon Gazette, a newspaper published in the Village of Bobcaygeon and having general circulation in the area to which the by-law applies.

AND WHEREAS Notice of Intention to pass this by-law has been posted up for a least one month in six (6) of the most public places in the immediate neighbourhood of the said Maple Street, Plan 115.

AND WHEREAS the Council for Fenelon has heard in person or by his Council, solicitor or agent, all persons claiming that their land will be prejudically affected by this by-law and to have applied to be heard.

NOW THEREFORE the Council for the Corporation of the Township of Fenelon enacts as follows:

- Upon and after the passing of this by-law, all that portion of Maple Street, north of Coldstream Street on Registered Plan 115 for the Township of Fenelon as set out and described in Schedule "A" attached hereto, be and the same as hereby closed and stopped up to both vehicular and pedestrian traffic.
- 2. Council for Fenelon authorizes the sale of the said lands described in Schedule "A" to the adjoining land owner at such time and upon such conditions as may be determined by resolution of Council

3. The Reeve and the Clerk are hereby authorized to sign or execute such deeds or other documents as may be necessary to effect conveyance of the part of the said Maple Street described on Schedule "A" and which has been stopped up and closed:

READ A First, Second and Third time and Finally Passed this

17th day of MAY

THE CORPORATION OF THE TOWNSHIP OF FENELON

PER: Lundo De REEVE

PER: Bryan

SCHEDULE

DESCRIPTION

That certain parcel or tract of land and premises in the Township of Fenelon, in the County of Victoria, and being composed of that Part of Maple Street, north of Coldstream Street on Registered Plan No. 115, designated as Part 1, on Plan 57R-6939.

THE CORPORATION OF THE COUNTY OF VICTORIA

BY-LAW 1993-43

BEING A BY-LAW CONSENTING TO THE CORPORATION OF THE TOWNSHIP OF FENELON TO STOP UP AND CLOSE PART OF AN ORIGINAL ROAD ALLOWANCE IN THE TOWNSHIP OF FENELON

WHEREAS, the <u>Municipal Act</u>, R.S.O. 1990, Chapter M.45, Section 297 provides that municipalities may pass by-law for establishing, widening, stopping up, leasing or selling highways or parts of highways.

AND WHEREAS, Section 297(6) provides that where a council of a Township intends to pass such a by-law, it shall notify, in writing, the County Clerk in which the Township is situated;

AND WHEREAS, Section 298(7) of the said Act provides that the Council of the County shall within sixty days of the receipt of the notice by the Township Clerk, advise the Township Clerk of any objections which the County may have to the passing of the proposed by-law;

AND WHEREAS, Section 298(8)a of the said Act requires the Council of the County to pass a consenting by-law provided the Council of the County has no objections;

AND WHEREAS, the Council of the Corporation of the Township of Fenelon has in writing, notified The Corporation of the County of Victoria that it intends to pass a by-law to stop up and close and sell that part of the original road allowance for the road set out and described as follows:

ALL AND SINGULAR that part of Maple Street, being Part 1 on Registered Plan 57R-6939, in Lot 32, Concession 8, in the Township of Fenelon, in the County of Victoria, in the Province of Ontario.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF VICTORIA ENACTS AS FOLLOWS:

The closing of a portion of the road allowance as 1. previously described, in the Township of Fenelon is hereby consented to.

READ A FIRST AND SECOND TIME THIS 19th DAY OF May 1993

READ A THIRD TIME AND PASSED THIS 19th DAY OF May 1993

Sharon McCae Warden Mikay

This is to certify that this is a true and correct copy of By-Law 1993-43, passed by the Council of the Corporation of the County of Victoria, at its Session held on Wednesday, May 19, 1993, Council Chambers, County Administration Building, Lindsay, Ontario.

Clare McKay, Chief Administrative Officer/Clerk

County of Victoria May 21, 1993

3

IN THE MATTER OF By-Law No. 06-93 for the Township of Fenelon, being a by-law to close and stop up and to sell that part of Maple Street, north of Coldstream Street on Registered Plan 115, for the Township of Fenelon, County of Victoria

AFFIDAVIT

I, RHONA BRYANT, of the Township of Fenelon, in the County of Victoria, Clerk, MAKE OATH AND SAY AS FOLLOWS:

- 1. I am the Municipal Clerk for the Corporation of the Township of Fenelon and as such I have personal knowledge of the facts herein stated.
- 2. I caused to posted up for a period of at least one month prior to the passing of said By-Law No. 06-93, in six of the most public places in the immediate neighbourhood of the Road Allowance closed by said By-Law No. 06-93 a Notice of Intention to Pass the by-law.
- 3. The Fenelon Gazette has general circulation in the area to which the By-law applies. There was published in the Fenelon Gazette on:

the 17th day of February, 1993, the 24th day of February, 1993, the 3rd day of March, 1993, and the 10th day of March, 1993

a copy of the Notice of Intention to Pass the By-Law in the form attached hereto and marked as Exhibit "A" to this my affidavit.

4. The proposed road closing By-Law came before the Council for the Corporation of the Township of Fenelon on the 5th day of April, 1993, and no rate-payer filed an objection, or appeared in opposition to the by-law. After discussion, it was determined by Council that there were no objections relating to the sufficiency of the road for ingress and egress to or from properties. As a result, Council proceeded with the passing of the By-Law.

SWORN BEFORE ME at the Town) of Lindsay, in the County) of Victoria, this 44 day of) March, 1994

RHONA BRYANT, Clerk

A Commissioner, etc.

2

This is Exhibit "A" to the affidavit of
RHONA BRYANT

made and A go of March , A.D.

19 94

A Commissioner, etc.

THE CORPORATION OF THE TOWNSHIP OF FENELON

PUBLIC NOTICE

TAKE NOTICE that the Council for the Corporation of the Township of Fenelon proposes to enact a by-law to stop up, close and convey that part of Maple Street, north of Coldstream Street, according to Registered Plan No. 115, for the Township of Fenelon, in the County of Victoria, designated as Part 1, on Plan 57R-6939.

The proposed by-law will come before the Council for the Township of Fenelon at its regular meeting to be held at the Municipal Office in the Hamlet of Cameron on the 5th day of April, 1993, at the hour of 7:30 o'clock in the afternoon, and at that time the Council will hear in person or by his or her council, solicitor or agent, any person who claims that his or her land will be prejudicially affected, and who applies to be heard.

DATED THIS 10TH DAY OF FEBRUARY, 1993.

CLERK-TOWNSHIP OF FENETON