

# The Corporation of the City of Kawartha Lakes

## By-Law 2023-

### **A By-law to Authorize the Sale of Municipally Owned Property Legally Described as Part of the Northwest 1/4 of Lot 13, Concession 6, in the Geographic Township of Emily, City of Kawartha Lakes, described as Part 3 on Plan 57R-1596, being PIN: 63252-0247 (R) to the Abutting Owner**

#### **Recitals**

1. The Land describe as Part of the Northwest 1/4 of Lot 13, Concession 6, in the Geographic Township of Emily, City of Kawartha Lakes, described as Part 3 on Plan 57R-1596, being PIN: 63252-0247 (R) has been declared to be surplus to municipal needs.
2. A map of the subject property can be found attached as Schedule "A".
3. Notice of the intention of City Council to pass this by-law was given by advertising notice duly published in the Kawartha Lakes This Week on the 7<sup>th</sup>, 14<sup>th</sup>, and 21<sup>st</sup> days of April, 2022 in accordance with the provisions of the Municipal Act, 2001 and City of Kawartha Lakes By-Law 2018-020, as amended.
4. The proposed by-law came before Council for consideration at its regular meeting on the 18<sup>th</sup> day of April, 2023 at 1:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
5. The sale of this land was recommended by Committee of the Whole on the 3<sup>rd</sup> day of May, 2022 by CW2022-120. The recommendation was adopted at the Regular Council meeting on the 17<sup>th</sup> day of May, 2022 by CR2022-156.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2023- .**

#### **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;

**“Manager of Realty Services”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

**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, which 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: Sale of Surplus Property**

**2.01 Sale:** The property legally described as Part of the Northwest 1/4 of Lot 13, Concession 6, in the Geographic Township of Emily, City of Kawartha Lakes, described as Part 3 on Plan 57R-1596, being PIN: 63252-0247 (R), is hereby authorized to be sold to the abutting owners, Mark and Tanya Mitchell, for Sixteen Thousand Dollars (\$16,000.00), plus HST (if applicable), plus the cost of the Reference Plan, advertising, registrations, City staff time fee, legal fees and disbursements, and any other costs incurred by the City in connection to this transaction.

**Section 3.00: Administration and Effective Date**

**3.01 Administration of the By-law:** The Manager of Realty Services is responsible for the administration of this by-law.

**3.02 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 for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 18<sup>th</sup> day of April, 2023.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk

# Schedule A

