

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 117-97

**BEING A BY-LAW TO STOP UP AND CLOSE
A PORTION OF THE ROCK STREET AND
MAIN STREET ROAD ALLOWANCES
(SUPERIOR PROPANE INC.)**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the road allowance hereinafter described, be stopped up and closed.

AND WHEREAS notice of the by-law was published once a week for four consecutive weeks in the Nugget, published in the City of North Bay.

AND WHEREAS no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor or agent, by the Council of the said City or a Committee of said Council.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:


1. That certain road allowance shown as Parts 1, 2, 3 and 4, 36R-10264 in the City of North Bay is hereby being stopped up and closed.
2. The City shall transfer the road allowance to the owner of the lands abutting thereon, its successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner, subject to an easement to the City of North Bay.
3. (a) Subject to Paragraph (b), in the event that an abutting owner to the said road allowance does not consent to the disposition of the road allowance within 60 days of the date of the passing of this by-law, then the Clerk shall, upon request of an abutting owner on the opposite side of the road allowance, give 30 days notice by prepaid registered mail to the abutting owner of the road allowance, to the effect that if the abutting owner does not agree to purchase one-half of the abutting road allowance or a pro-rata share of the survey, legal, advertising costs, and appraised value incurred in the road allowance closing, then the said one-half part of the road allowance may be transferred to the opposite owner for the same cost.


(b) Upon receipt of an Irrevocable Consent of the disposition of the road allowance from the adjacent owner, then that portion of the road allowance may be transferred upon registration of the by-law.
4. This by-law comes into force and effect upon a certified copy of this by-law being registered in the Land Registry Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF NOVEMBER 1997.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF DECEMBER 1997.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF DECEMBER 1997.


MAYOR


CITY CLERK