

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2004-158

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY
PORTION OF LANEWAYS ABUTTING LOTS 237 – 244, 253 – 254, AND 263 – 270,
PLAN 94, BOUNDED BY BEATTIE STREET, OAKWOOD AVENUE,
BROWNING STREET AND MAPLEWOOD AVENUE,
IN THE CITY OF NORTH BAY**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that those parts of the laneways abutting Lots 237 to 244 (both inclusive), Lots 253 and 254, and Lots 263 to 270 (both inclusive), Plan 94 be closed, stopped up and sold to the abutting owners;

AND WHEREAS by Resolution No. 2003-675 passed by Council on November 3, 2003 and by Resolution No. 2004-656 passed by Council on September 20, 2004 the laneway closures were approved;

AND WHEREAS the laneways abutting Lots 237 to 244 (both inclusive), Lots 253 and 254, and Lots 263 to 270 (both inclusive), Plan 94 are hereby declared to be surplus;

AND WHEREAS notice of this by-law was published once a week for two consecutive weeks in the North Bay 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, the Council of the City nor a Committee of said Council;

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

1. Those certain parts of the laneways abutting Lots 237 to 244 (both inclusive), Lots 253 and 254, and Lots 263 to 270 (both inclusive), Plan 94 designated as Parts 1 to 7 (both inclusive) and Parts 14 – 19 (both inclusive) on Reference Plan 36R-11728 are hereby closed, stopped up and conveyed.
2. The City shall transfer Parts 1 to 7 (both inclusive) and Parts 14 – 19 (both inclusive), on Reference Plan 36R-11728 to the owners of the lands abutting thereon, their 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.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said laneway does not consent to the disposition of the laneway within 60 days of the date of the passing of this by-law, then the clerk shall, upon request of an abutting owner of the opposite side of the laneway, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting laneway at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the laneway closing, then the said one-half of the laneway may be transferred to the opposite owner for the same cost.

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

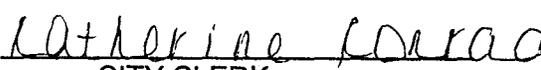
READ A FIRST TIME IN OPEN COUNCIL THE 4TH DAY OF OCTOBER, 2004.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF OCTOBER, 2004.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 1ST DAY OF NOVEMBER, 2004.



MAYOR



CITY CLERK