

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 1999-89

A BY-LAW TO STOP UP, CLOSE PART OF  
CARRUTHERS STREET AND SELL IT TO  
1259542 ONTARIO INC.

WHEREAS it is deemed expedient and in the best 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 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;

AND WHEREAS the Municipality is authorized by Section 193 of the *Municipal Act*, R.S.O. 1990, Chapter M-45, to dispose of lands no longer required for municipal purposes;

AND WHEREAS the lands herein are hereby declared surplus and Council deems it desirable to convey Parts of Carruthers Street to 1259542 Ontario Inc.

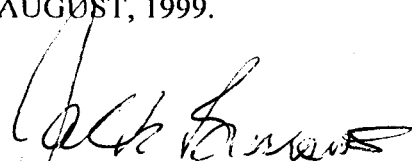
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:


1. That certain part of the Carruthers Street Road Allowance shown as Parts 1, 2, 3, 4, 5, 16 & 17, Plan 36M-6613 and Part of Remainder Parcel 12 Widdifield & Ferris, in the City of North Bay and described on the attached sketch is hereby being stopped up and closed.
2. The City shall transfer the said road allowance to the Owner of the lands abutting thereon, its successors or assigns, upon payment of the appraised value of \$25,000.00 and 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 easement to the City of North Bay, North Bay Hydro and Union Gas.
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 on a pro-rate 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 Titles Office for the District of Nipissing.
5. That the Mayor, City Clerk and City Solicitor are hereby authorized and directed to execute the said transfer and such further and other documents as may be reasonably required to complete the transfer of the said lands.

READ A FIRST TIME IN OPEN COUNCIL THE 28<sup>TH</sup> DAY OF JUNE, 1999.

READ A SECOND TIME IN OPEN COUNCIL THE 9<sup>TH</sup> DAY OF AUGUST, 1999.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 9<sup>TH</sup> DAY OF AUGUST, 1999.

  
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MAYOR

  
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CITY CLERK