

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 123-94

**BEING A BY-LAW TO STOP UP AND CLOSE A PORTION
OF A ROAD ALLOWANCE ON MAIN STREET WEST ABUTTING LOT 20 AND PART
OF LOTS 23 AND 24, PLAN 53**

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 closed and stopped up.

AND WHEREAS notice of this by-Law was published once a week for four 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, 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 land shown on Registered Plan 53 in the City of North Bay designated as Parts 1 & 2, Plan 36R-9761, is hereby closed and stopped up.
2. The City shall transfer Parts 1 & 2, Plan 36R-9761 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, subject to an easement to North Bay Hydro.
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 THE 3RD DAY OF OCTOBER, 1994.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF JANUARY 1995~~1994~~.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH
DAY OF JANUARY 1995, 1994.


MAYOR


DEPUTY CITY CLERK