

THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

BY-LAW NO. 2024-09

BEING A BY-LAW TO CLOSE AND CONVEY:

A PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, ADJACENT TO 23 DURRELL ROAD, DESCRIBED AS PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1 & 3 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.

AND

A PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, ADJACENT TO 27 DURRELL ROAD, DESCRIBED AS PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 2 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.

WHEREAS Section 26 of the Municipal Act, S.O. 2001, C.25, defines all road allowances, highways, streets and lands shown on a registered plan of subdivision as a public highway;

AND WHEREAS Sections 27 and 34 of the Municipal Act, S.O. 2001, C.25, authorizes the Council of a Municipality to pass by-laws with respect to a highway over which it has jurisdiction;

AND WHEREAS the Council of the Corporation of the Municipality of East Ferris is the owner of the road allowance identified as PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1, 2, 3 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.

AND WHEREAS the Council of the Corporation of the Municipality of East Ferris declared part of the road allowance identified as PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1, 2, 3 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, to be surplus;

AND WHEREAS public notice of the proposed closing of the portion of the public highway was provided in accordance with By-law No. 2218 and 2015-35 of the Municipality of East Ferris;

AND WHEREAS the sale of the said lands is in accordance with By-law No. 2218 and 2015-35 of the Municipality of East Ferris;

AND WHEREAS Council of the Corporation of the Municipality of East Ferris has agreed to convey said PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1, 2, 3 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING;

NOW THEREFORE, the Council of the Corporation of the Municipality of East Ferris hereby enacts as follows:

1. That upon and after passage of this By-law, that portion of the road allowance identified as PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1, 2, 3 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, is stopped up and closed.
2. That Part 1 & 3, Plan 36R-15100 hereinbefore described and closed will be conveyed for addition to the adjacent lands being CON 15 PT LOT 10 RP NR1434 PART 1 PCL 9354 RP36R11051 PART 1 PCL 5631 & 1521 WF, locally known as 23 Durrell Road and is to be consolidated with the said lands;
3. That Part 2 & 4, Plan 36R-15100 hereinbefore described and closed will be conveyed for addition to the adjacent lands being CON 15 PT LOT 9 RPNR168 PART 1 PCL 7470 RP36R5516 PART 1, locally known as 27 Durrell Road and is to be consolidated with the said lands;
4. That the Council of the Corporation of the Municipality of East Ferris sets the sale price for Parts 1, 2, 3 & 4, Plan 36R-15100 at \$15,000.00 plus all municipal costs as per the Municipality's standard policy for the sale of surplus lands. This rate was established by way of an appraisal completed by Morland Real Estate Appraisals Ltd. on June 20, 2023 as per East Ferris By-law 2218.
5. That the sale price be broken down for each adjacent owner as follows. The sale prices are based on the proportion of the road allowance that each is acquiring relative to the total cost:
 - a. Parts 1 & 3, Plan 36R-15100 – 0.8ha – 47% of total area:
 - i. \$7,050.00
 - b. Parts 2 & 4, Plan 36R-15100 – 0.9ha – 53% of total area:
 - i. \$7,950.00
6. That the Mayor and Clerk are hereby authorized to sign and execute such deeds or other documents as may be necessary to effect the conveyance and merger of the said PART OF THE ROAD ALLOWANCE BETWEEN LOTS 9 AND 10 CONCESSION 15 AND PART OF ORIGINAL SHORE ROAD ALLOWANCE IN FRONT THEREOF, BEING PARTS 1, 2, 3 & 4 PLAN 36R15100, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.
7. This By-law shall take effect upon the final day of passing.

READ A FIRST AND SECOND time this 27th day of February, 2024;

READ A THIRD TIME AND FINALLY passed this 27th day of February, 2024.

MAYOR, PAULINE ROCHEFORT

CLERK, KARI HANSELMAN