

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW NO. 1193 (1988)

Being a by-law to authorize the execution of a deed to Carol Ann Carrey for part of the road allowance between Lots 5 & 6, Concession 9 in the Town of Pelham, in the Regional Municipality of Niagara, and more particularly described in Schedule "A" attached hereto.

WHEREAS Section 318 of the Municipal Act, R.S.O. 1980, Chapter 302 provides that a person in possession of the whole or any part of an original allowance for road in place of which he or any of his predecessors in title has laid out and opened a new road or street without receiving compensation for the site of it is entitled to the soil and freehold of such allowance or part of it and, if it has not already been conveyed to him or to his predecessor in title, to a conveyance of it;

AND WHEREAS Carol Ann Carrey and their predecessors in title as registered owners of Part of Lot 5, Concession 9, in the Town of Pelham have also been in possession of part of the road allowance between Lots 5 & 6, Concession 9, in the Town of Pelham, in the Regional Municipality of Niagara and more particularly described in Schedule "A" attached hereto;

AND WHEREAS that portion of Effingham Street as shown on the attached Schedule "B" has been assumed for public use by way of public funds being expended for its repair and maintenance;

AND WHEREAS the road allowance between Lots 5 & 6, Concession 9, in the Town of Pelham, is, in the opinion of the Council, useless to the public;

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AND WHEREAS it appears to the satisfaction of Council that no compensation was ever received nor has a conveyance been given in exchange for the lands establishing a new road as shown on the attached Schedule "B";

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) THAT a Deed of Land be given to Carol Ann Carrey of that part of the unopened road allowance between Lots 5 & 6, Concession 9, in the Town of Pelham, in the Regional Municipality of Niagara, as set out in Schedule "A" attached hereto and the same Deed is hereby approved and authorized.

(2) THAT the Mayor and Clerk be and each of them is hereby authorized and instructed on behalf of the Corporation to execute the said Deed of Land and the Clerk is hereby authorized to affix the Corporate Seal thereto.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
20th. DAY OF JUNE, 1988 A.D.

E.S. Bergenstein
MAYOR

Murray Hackett
CLERK