

**THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW #1846 (1996)**

Being a by-law to amend By-laws Numbered 1731, 1745, 1748  
and 1787.

WHEREAS the Council of the Corporation of the Township of Pelham passed by-law number 1731 on June 3, 1966, by-law number 1745 on January 17, 1967, by-law number 1748 on January 17, 1967 and by-law number 1787 on May 10, 1968;

AND WHEREAS these by-laws all dealt with the road allowance between Lots 6 & 7, Concession 7, Township of Pelham, and the fact that there had been a road opened along the easterly limit of Lot 6, Concession 7, (which said road, now known as Effingham Street, was established by by-law number 218 registered on August 13, 1868 as Instrument No. 76) in lieu of the establishment of a travelled road between Lots 6 & 7;

AND WHEREAS these by-laws referred to Section 479 of the Municipal Act, R.S.O. 1960, Chapter 249 (now Section 317 of the Municipal Act, R.S.O. 1990, Chapter M.45) which provided that a person in possession of the whole or any part of an original road allowance in place of which he or any of his predecessors in title have laid out and opened a new road without receiving compensation, is entitled to the soil and freehold of such allowance and to a conveyance of it;

AND WHEREAS it was the intention of the Corporation of the Township of Pelham at that time to declare that the original allowance between Lots 6 & 7, Concession 7 had not been adopted by by-law of the Council or otherwise assumed for public use by the Corporation and was, in the opinion of Council, useless to the public;

AND WHEREAS Lots 6 & 7 and the road allowance between Lots 6 & 7, Concession 7, are all now in the Town of Pelham;

AND WHEREAS the Council of the Corporation of the Town of Pelham is the legal successor to the Council of the Corporation of the Township of Pelham;

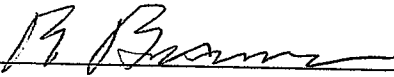
AND WHEREAS this by-law is passed to correct an apparent inadvertent clerical omission that created a technical deficiency in said by-law numbers 1731, 1745, 1748 and 1787 and to confirm the intended conveyance of the applicable lands pursuant to each such by-law;

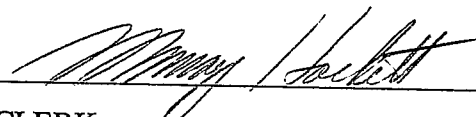
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN  
OF PELHAM ENACTS AS FOLLOWS:

(1) THAT by-law number 1731, by-law number 1745, by-law number 1748 and by-law number 1787 are each hereby amended and confirmed by adding the following wording to the preamble of each said by-law:

"AND WHEREAS Council declares that the original road allowance between Lots 6 & 7 has not been adopted by by-law of the Council or otherwise assumed for public use by the Corporation and is, in the opinion of Council, useless to the public."

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
7th. DAY OF OCTOBER, 1996 A.D.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK