

THE CORPORATION OF THE TOWN OF PELHAM

BY-LAW #3596(2015)

A by-law to authorize an Application for Approval to Expropriate Land being Part of Lots 15 and 16, Concession 9 Pelham and Part of the Road Allowance between Lots 15 and 16, Concession 9 Pelham, in the Town of Pelham and the Regional Municipality of Niagara, being more particularly identified as Parts 2 and 3 on Reference Plan 59R-12563.

WHEREAS The Corporation of the Town of Pelham (the "Town") requires lands described in Schedule "A" hereto for the construction, maintenance, repair and operation of a storm sewer outlet for the storm water management pond serving the Cherry Ridge Subdivision in the Town of Pelham and works ancillary thereto;

AND WHEREAS Section 6 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended ("Municipal Act, 2001") confers on the Town the power to expropriate land;

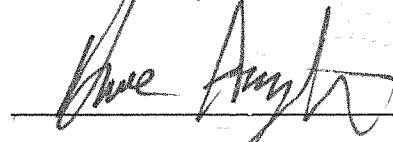
AND WHEREAS Section 11 of the *Municipal Act, 2001* confers on the Town jurisdiction in respect of public utilities;

AND WHEREAS the Council of the Town has by resolution passed on March 2, 2015 authorized the commencement of procedures to expropriate land;

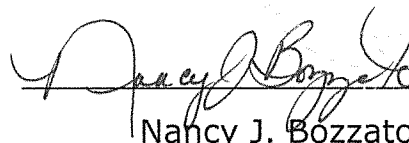
NOW THEREFORE, the Council of the Town enacts as follows:

1. That Application for Approval to Expropriate Land in the form attached hereto as Schedule "A" under section 4 of the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended, be made to the Council of the Town in respect of the parcels of land as described in Schedule "A" to this by-law and that it be executed on behalf of the Town by the Town Clerk.
2. That a Notice of Application for Approval to Expropriate Land in the form attached hereto as Schedule "B" be executed on behalf of the Town by the Town Clerk and that the Notice be served upon each registered owner of the parcels of land to which it relates and be published once a week for three consecutive weeks in a newspaper having general circulation in the Town of Pelham in accordance with section 6 of the *Expropriations Act*.
3. That the purpose of the expropriation of the lands described in Schedule "A" is for the maintenance, repair and operation of a storm sewer outlet for the storm water management pond serving the Cherry Ridge Subdivision in the Town of Pelham and works ancillary thereto.

ENACTED, SIGNED & SEALED THIS 7th DAY OF APRIL, 2015 A.D.



Mayor, D. Augustyn



Nancy J. Bozzato, Town Clerk