

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2013-06

Being a by-law to declare surplus and convey Blocks 41, 42, 43, 44 and 45 in their entirety,
located in Plan 42M-519

WHEREAS Section 270 (1) of the Municipal Act, 2001, S.O. c. 25, as amended provides municipalities with the authority to pass a by-law to convey land;

AND WHEREAS the Applicant has applied to the Corporation of the Municipality of Powassan (hereinafter called the Municipality) to have certain blocks within their property declared surplus and conveyed to the applicant;

AND WHEREAS the Applicant has provided a Reference Plan referred to herein depicting lands which are the subject of this by-law;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF POWASSAN ENACTS AS FOLLOWS:

1. That lands legally described as Blocks 41, 42, 43, 44 and 45, Plan M-519, as shown on Schedule A to this By-law, form parts of a Plan of Subdivision which has been entirely deemed by By-law no. 2010-40 to no longer be a Plan of Subdivision, and therefore said Blocks serve no functional purpose to the Municipality and are hereby declared to be surplus to the needs of the Municipality.
2. The Subject Lands described in Schedule "A" shall be sold and conveyed to the registered owner(s) of the Adjoining Lands as they appear on the Parcel Register or Abstract for said Adjoining Lands on the day the Transfer/Deed of Land is registered, subject to the terms and conditions set out in Section 3 of this By-law immediately below. The Mayor and the Clerk-Treasurer, are hereby authorized to execute the Transfer/Deed of Land and such ancillary documents as may be necessary.
3. Prior to Registration of the Transfer/Deed, the Applicant shall:
 - (a) Pay to the Township the purchase price of the land which is hereby fixed at \$5.00 plus six per cent of the said purchase Price on account of Harmonized Sales Tax.
 - a. Execute a written acknowledgement that
 - the Applicant and Transferee is relying upon the surveyor hired by the Applicant as to the existence, location and extent of that portion of original road allowance being conveyed.
 - Applicant and Transferee acknowledge that while the Municipality will take such steps as it is advised to convey good title, there is no guarantee of title by the Municipality to them.

4. Sections 2 and 3 of this By-Law shall come into effect upon the registration of this By-Law on title to the Subject Lands (by Application for first registration or otherwise) by Solicitor Valin & Partners. Registration of the By-Law shall be conclusive proof that the conditions recited above and in Section 5 of this By-Law have been satisfied.

READ A FIRST, SECOND AND THIRD TIME and passed on the 22nd day of January, 2013.

Mayor

Clerk

Adopted in open Council _____, 2013

Mayor

Clerk