

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2016 - 14

Being a By-law to stop up, and close Original Road Allowance between Lot 25 and Lot 26, Concession 9 and the Road Allowance between Lot 25 and Lot 26, Concession 10 south of Highway 124, Geographic Township of Croft, Municipality of Magnetawan, District of Parry Sound.

WHEREAS pursuant to Section 27(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, municipalities are given authority over highways within their jurisdiction;

AND WHEREAS the Original Road Allowance which is the subject matter of this By-law is within the jurisdiction of this Municipality;


AND WHEREAS pursuant to the Municipality's Procedures for Public Notice By-law No. 2013-10, the Clerk of this Corporation did cause a Notice of the proposed By-law to be published in accordance with requirements of the said By-law;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

- 1. Stop Up and Close** – This Council does hereby stop up and close to vehicular and pedestrian traffic the lands described in Schedule “A”.
- 2. Execution of Documents** –
 - a) If Paper Registration
The Mayor and the Clerk are hereby authorized to execute all documents for paper registration (including public utility easements, if any) in connection with the closing of the lands described in Schedule “A”.
 - b) If Electronic Registration
The Clerk is hereby authorized for or on behalf of the Municipality to execute, for the Municipal Solicitor an “Acknowledgment and Direction” authorizing the Municipal Solicitor to complete the Electronic Registration for any required easements, and the subsequent transfer of title relating to the lands described in Schedule “A”.
- 3. Clerk's Affidavit** – There shall be attached to this By-law, as Schedule “B”, an affidavit by the Clerk of this Corporation, setting out:
 - a) the procedures taken for the giving of Notice pursuant to By-law 2013-10.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 13th day of April, 2016

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**


Mayor

Council MTG. of Apr. 13/16

Agenda Item # 8.3


Clerk-Administrator

SCHEDULE "A"

Part of the Original Road Allowance between Lot 25 and Lot 26, Concession 9 and the Road Allowance between Lot 25 and Lot 26, Concession 10 south of Highway 124, Geographic Township of Croft, Municipality of Magnetawan, District of Parry Sound.

BY-LAW CERTIFICATION

CERTIFIED to be a true copy of By-law 2016-14, and that such By-law is in full force and effect.

Dated at the Municipality of Magnetawan, this the 14th day of April, 2016.

 c/s
Andrew Farnsworth, Clerk

CERTIFIED TRUE COPY

BY-LAW 2016 - 14

SCHEDULE "B"

THIS IS SCHEDULE "B" TO BY-LAW 2016-14 FOR THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN.

CLERK'S AFFIDAVIT - NOTICE

I, Andrew Farnsworth, Clerk of the Municipality of Magnetawan, make oath and say as follows:

1. This Deponent
I am the Clerk of the Corporation of the Municipality of Magnetawan and as such have knowledge of the facts hereinafter deposed to.
2. Publication and Posting
Pursuant to By-law 2013-10, I did cause Notice of Councils intention to consider a By-law to stop up and close that parcel of land described in Schedule "A" to be published as follows:
 - a) Publication - to be published in the Almaguin News, a newspaper of local circulation once a week for three (3) consecutive weeks, namely **March 17, 2016, March 24, 2016, and March 31, 2016;**
 - b) Public Posting - to be posted in a minimum of four (4) places in the general area of the shore road allowance to be closed, at least twenty-one (21) days before the meeting;
3. Grace Period
This By-law was passed by Council more than five (5) days after the last newspaper Publication Notice.
4. Copy of Notice
Attached to this my Affidavit as Exhibit "A" is a copy of the actual Notice as it appeared in the Almaguin News and as posted.
5. Procedure
To the best of my knowledge the closing procedures taken by this Municipality have been in accordance with the Municipality's Public Notice and Sale of Land By-laws.
6. Public
The proposed by-law came before Council at its regular meeting on the **13th day of April, 2016** and at that time, no person made any claim that the effect of the By-law would be to deprive them of the right of motor vehicle access to or from their land, and that all persons who applied to be heard, were heard.

SWORN before me at the)
Municipality of Magnetawan)
this the day)
of _____, 2016.)


Andrew Farnsworth, Clerk

A Commissioner for taking Affidavits, etc.

Name: _____

Title: _____

EXHIBIT "A"

This is Exhibit "A" to the Affidavit of Andrew Farnsworth, Clerk of The Corporation of the Municipality of Magnetawan.

Almaguin News



The Corporation of
The Municipality of Magnetawan

PUBLIC NOTICE

RE: Stop up and Closing part of the Original Road Allowance between Lot 25 and Lot 26, Concession 9 and the Road Allowance between Lot 25 and Lot 26, Concession 10 south of Highway 124, Municipality of Magnetawan, District of Parry Sound.

TAKE NOTICE that the Council of the Corporation of the Municipality of Magnetawan proposes to enact a by-law to stop up and close the following lands:

1. Description

Part of the Road Allowance between Lot 25 and Lot 26, Concession 9 and the Road Allowance between Lot 25 and Lot 26, Concession 10 south of Highway 124, Municipality of Magnetawan, District of Parry Sound.

2. Council Consideration

AND TAKE FURTHER NOTICE THAT the proposed by-law will come before Council of the Municipality of Magnetawan at its regular meeting at the Magnetawan Community Centre at 4304 Highway #520, Magnetawan, Ontario, POA 1P0, on the 13th day of April, 2016 at the hour of 2:00 P.M.

3. Application to be Heard

AND TAKE FURTHER NOTICE THAT at that time Council will hear anyone in person, or his/her counsel, solicitor or agent, who claims that his/her land will be prejudicially affected by the by-law, and who applies to be heard.

4. Sketch to Illustrate Cemetery Lands

Copies of the Sketch are available for inspection at the Municipal office.

DATED at the Municipality of Magnetawan, this the 14th day of March, 2016.

Andrew Farnsworth, Clerk
4304 Highway #520
Magnetawan, Ontario
POA 1P0