

**THE CORPORATION OF THE MUNICIPALITY OF
MAGNETAWAN**

BY-LAW 2020 – 46

Being a By-law to stop up, close and sell Block A, Plan 42M666, Municipality of Magnetawan, District of Parry Sound.

(Steel Crown)

LEGISLATION

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 Public Highway which is the subject matter of this By-law is within the jurisdiction of this Municipality;

AND WHEREAS Block A, Plan 42M666 was intended to be land set aside for the creation of a private, condominium road as provided for in the amended conditions to draft plan of subdivision approval;

AND WHEREAS the Block A, Plan 42M666 was inadvertently identified as being dedicated as a public highway on the foregoing plan;

AND WHEREAS the Subdivider and the Municipality wish to correct this error;

AND WHEREAS no traveled road has been constructed on Block A, Plan 42M666;

AND WHEREAS pursuant to the Municipality's Procedures for Public Notice By-law No. 2016-12, 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.

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN 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. **Surplus Property** - The said lands described in Schedule “A” are declared to be surplus to the requirements of this Municipality.
3. **Authorization for Sale** – This Council does hereby authorize the transfer of the said lands described in Schedule “A” the owner of the remaining lands within Plan 42M666 for no consideration as Block A was dedicated as a Public Highway on Plan 42M666 in error.
4. **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 and subsequent transfer of title to 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 the transfer of title relating to the lands described in Schedule “A”.


5. **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 2016-12.

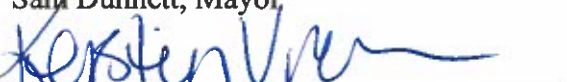
READ A FIRST AND SECOND TIME THIS 12th DAY OF August, 2020.

READ A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF August, 2020.

THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN



Sam Dunnett, Mayor c/s



Kerstin Vroom, CAO/Clerk

SCHEDULE "B"

THIS IS SCHEDULE "B" TO BY-LAW 2020- FOR THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN.

CLERK'S AFFIDAVIT - NOTICE

I, Kerstin Vroom, CAO/Clerk, of the Municipality of Magnetawan, make oath and say as follows:

- 1. This Deponent
I am the CAO/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 2016-12, I did cause Notice of Council's intention to consider a By-law to stop up, close and sell that parcel of land described in Schedule "A" to be published as follows:

Public Posting - posted on the Municipal website and at the Municipal Office at least seven (7) days prior to consideration of the matter by Council;
- 3. Grace Period
This By-law was passed by Council more than seven (7) days after the posting.
- 4. Copy of Notice
Attached to this my Affidavit as Exhibit "A" is a copy of the actual Notice as it was posted.
- 5. Intentionally deleted.
- 6. Procedure
To the best of my knowledge, the closing and selling procedures taken by this Municipality have been in accordance with the Municipality's Public Notice and Sale of Land By-laws.
- 7. Public
The proposed by-law came before Council at its regular meeting on the day of , 2020 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 12th day)
of August, 2020.)


Kerstin Vroom, CAO/Clerk


A Commissioner for taking Affidavits, etc.

Laura Brandt
Acting Deputy Clerk
Commissioner for taking oaths
Municipality of Magnetawan
District of Parry Sound

Name: Laura Brandt

Title: Acting Deputy Clerk

SCHEDULE "A"

Block A, Plan 42M666, Municipality of Magnetawan, District of Parry Sound.

BY-LAW CERTIFICATION

CERTIFIED to be a true copy of By-law 2020 46, and that such By-law is in full force and effect.

Dated at the Municipality of Magnetawan, this the 12th day of AUGUST, 2020


Kerstin Vroom, CAO/Clerk c/s

This is Exhibit "A" to the Affidavit of Kerstin Vroom, CAO/Clerk of The Corporation of the Municipality of Magnetawan.

Posting

Corporation of the
Municipality
of
Magnetawan Incorporated 2000 District of Parry Sound

Tel: (705) 387-3947
Fax: (705) 387-4875
www.magnetawan.com
P.O. Box 70, Magnetawan, Ontario P0A 1P0

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

PUBLIC NOTICE

Re: Closing of Block A, Plan 42M666, Municipality of Magnetawan,
District of Parry Sound.

(Steel Crown)

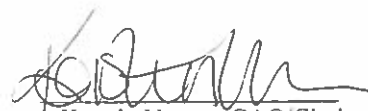
TAKE NOTICE that the Council of the Corporation of the Municipality of Magnetawan proposes to enact a by-law to stop up, close and sell the following road allowance:

Block A, Plan 42M666, Municipality of Magnetawan, District of Parry Sound.

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 on the 12th day of August, 2020 at 1:00 pm, and at that time Council will hear anyone in person, or by 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.

Related Plans are available for inspection at the Municipal offices.

DATED at the Municipality of Magnetawan, this the 21st day of July 2020.


Kerstin Vroom, CAO/Clerk
Municipality of Magnetawan



*Knowing our heritage
we will build our future.*

Laura Brandt
Acting Deputy Clerk
Commissioner for taking oaths
Municipality of Magnetawan
District of Parry Sound

*This is Exhibit "A" mentioned and referred
to in the Affidavit of Kerstin Vroom*

*SWORN before me this 12th day of
August, 2020*


A Commissioner for Taking Affidavits, etc.

Name: LAURA BRANDT

Title: Acting Deputy Clerk