

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2007-200

BEING A BY-LAW TO APPROVE AN EXPROPRIATION  
IN THE NATURE OF AN EASEMENT FOR THE PURPOSE  
OF ESTABLISHING THE CITY'S RIGHT TO THE USE OF  
THE EXISTING PUBLIC PEDESTRIAN WALKWAY  
FROM MAIN STREET TO THE McINTYRE STREET PARKING GARAGE

WHEREAS the Expropriations Act, R.S.O. 1990, Chapter E-26, provides that where a municipality expropriates lands for municipal purposes, the approving authority shall be the Council of the Municipality.

AND WHEREAS Council authorized the expropriation by Resolution No. 2007-248 at its Regular Meeting held on Monday, April 16, 2007;

AND WHEREAS notice of the application for approval to expropriate land, in form 2, Reg. 363, R.R.O. 1990, has been served by the Corporation of The City of North Bay in accordance with s. 6(1) of the Expropriations Act, R.S.O. 1990, Chapter E-26.

AND WHEREAS notice of the application for approval to expropriate land, in form 2, Reg. 363, R.R.O. 1990, has been published in The North Bay Nugget on Saturday, May 20, 2006, May 27, 2006 and June 3, 2006 by the Corporation of The City of North Bay in accordance with s. 6(1) of the Expropriations Act, R.S.O. 1990, Chapter E-26.

AND WHEREAS an application for approval to expropriate land in form 1, Reg. 363, R.R.O. 1990, has been received by the Council of The Corporation of The City of North Bay.

AND WHEREAS the Municipal Act, S.O. 2001, Chapter C.25, as amended, authorizes the Council to pass by-laws for acquiring or expropriating any land required for the purpose of the corporation.

AND WHEREAS The Corporation of The City of North Bay has as its purpose, in applying for approval to expropriate, for the purpose of establishing the City's right to the use of the lands for the purpose of the existing public pedestrian walkway from Main Street to the McIntyre Street parking garage in the City of North Bay.

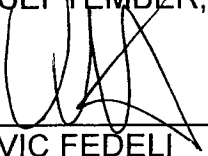
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Approval is given to the Corporation of the City of North Bay to expropriate an interest in the nature of an easement, for the purpose of establishing the City's right to the use of the lands for the purpose of the existing public pedestrian walkway from Main Street to the McIntyre Street parking garage in the City of North Bay, the land described as follows:

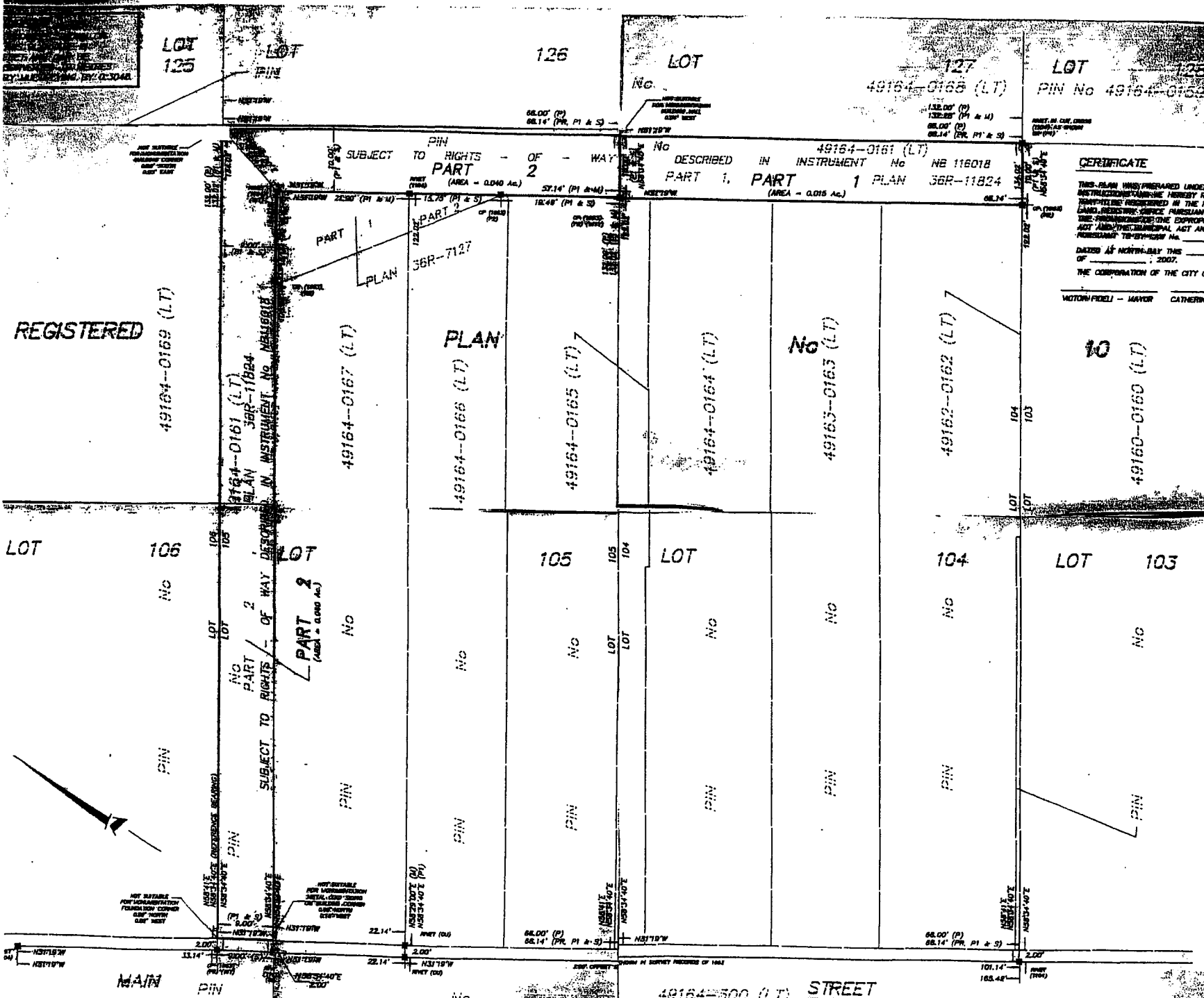
Part of Lot 104, Plan 10 and Part of Lot 105, Plan 10  
Designated as Parts 1 and 2, Plan 36R-11824  
City of North Bay, District of Nipissing

2. The Mayor and City Clerk are hereby authorized to execute, on behalf of the Council of the Corporation of the City of North Bay:
  - (a) The Certificate of Approval in form 6, Reg. 363, R.R.O. 1990, on the plan of the land referred to in Section 1, annexed hereto as Schedule "A";
  - (b) The plan of the land referred to in Section 1 of this By-law, annexed hereto as Schedule "A";
  - (c) Any other documents reasonably necessary to complete the expropriation of the land referred to in Section 1 of this By-law.

READ A FIRST TIME IN OPEN COUNCIL THE 24<sup>TH</sup> DAY OF SEPTEMBER, 2007.  
READ A SECOND TIME IN OPEN COUNCIL THE 24<sup>TH</sup> DAY OF SEPTEMBER, 2007  
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 24<sup>TH</sup>  
DAY OF SEPTEMBER, 2007

  
MAYOR VIC FEDELI

  
CITY CLERK CATHERINE CONRAD



REGISTERED IN THE  
 DIVISION  
 OF THE  
 LAND REGISTRY  
 ON THE  
 17th DAY OF SEPTEMBER, 2007  
 BY THE REGISTRAR

PART	LOT	PLAN	PIN
1	104	10	49164-0161 (LT)
2	105	10	49164-0161 (LT)
1 & 2	SUBJECT TO RIGHTS-OF-WAY DESCRIBED IN INSTRUMENT No. 49164-0161		

**CERTIFICATE**  
 THIS PLAN WAS PREPARED UNDER OUR INSTRUCTIONS AND WE HEREBY REQUIRE THE APPLICANT TO SIGN AND REGISTER THE PLAN IN ACCORDANCE WITH THE PROVISIONS OF THE EXPROPRIATIONS ACT AND THE MUNICIPAL ACT AND TO SIGN AND REGISTER THE INSTRUMENT DESCRIBED IN INSTRUMENT No. 49164-0161.  
 DATED AT NORTH BAY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.  
 THE CORPORATION OF THE CITY OF NORTH BAY.

VICTOR FIDELI - MAYOR      CATHERINE CONRAD - CLERK

THE MUNICIPAL ACT, R.S.O. 1990 CHAPTER M.45,  
 PART XIII SECTION 191.(1) THE EXPROPRIATIONS ACT  
 PLAN OF SURVEY OF  
**PART OF LOTS 104 AND 105**  
**REGISTERED PLAN No 10**  
**CITY OF NORTH BAY**  
 DISTRICT OF NIPISSING



SCALE : 1 INCH = 10 FEET  
 PAUL GOODRIDGE, OLS  
 2007

THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY CERTIFIES THAT APPROVAL WAS GIVEN TO THE CORPORATION OF THE CITY OF NORTH BAY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007 TO EXPROPRIATE AN INTEREST IN THE NATURE OF OWNERSHIP ON UNDER AND ACROSS THE LOTS DESIGNATED AS PARTS 1 AND 2 ON THIS PLAN DATED AT NORTH BAY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.  
 THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY.

VICTOR FIDELI - MAYOR      CATHERINE CONRAD - CLERK

**LEGEND**  
 (P) - DENOTES REGISTERED PLAN No 10  
 (PI) - DENOTES DEPOSITED PLAN 36R-7127  
 (PI) - DENOTES DEPOSITED PLAN 36R-11824  
 1104 - DENOTES P. A. BLACKBURN LIMITED, OLS  
 6LM - DENOTES E. L. MOORE, OLS  
 (PW) - DENOTES PROPORTIONATE DIVISION  
 (DEED) - DENOTES INSTRUMENT No 5883  
 WT - DENOTES WITNESS  
 1883 - DENOTES GOODRIDGE WALKER LIMITED, OLS

**BEARING NOTE**  
 BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF LOT 105, REGISTERED PLAN No 10 SHOWN ON PLAN 36R-7127 HAVING A BEARING OF N88°34'40"E.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYOR'S ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;  
 2. THE SURVEY WAS COMPLETED ON THE 17th DAY OF SEPTEMBER, 2007.

NORTH BAY, ONTARIO  
 SEPTEMBER 27th, 2007

PAUL GOODRIDGE  
 ONTARIO LAND SURVEYOR  
**GOODRIDGE WALKER LIMITED**  
 ONTARIO LAND SURVEYORS

FIELD	OFFICE	FILE
09	J. JULY	18407

THIS IS SCHEDULE "A" TO BY-LAW NO. 2007-200 OF THE CORPORATION OF THE CITY OF NORTH BAY