

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2002-89

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY A
PORTION OF THE KENWOOD HILLS DRIVE ROAD ALLOWANCE
IN THE CITY OF NORTH BAY AND TO REPEAL BY-LAW NO. 2002-63**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the Kenwood Hills Drive road allowance be closed, stopped up and conveyed to the abutting owners;

AND WHEREAS notice of this by-law was published once a week for four consecutive weeks in the North Bay Nugget, published in the City of North Bay;

AND WHEREAS no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, to the Council of the City nor a Committee of said Council;

AND WHEREAS the Council of the City of North Bay approved the above closing, stopping up and conveying of the road allowance by Resolution No. 2001-206 passed on April 2, 2001;

AND WHEREAS the said lands are hereby declared surplus and shall be reconveyed to the original owner for the sum of \$1.00;

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

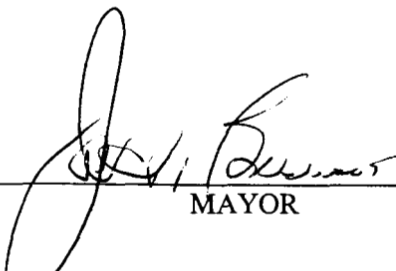
1. That portion of the Kenwood Hills Drive road allowance described as Part 1, 36R-10940, be hereby closed, stopped up and conveyed, subject to the granting of an easement in favour of Union Gas.
2. The City shall transfer Part 1, Plan 36R-10940, to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said road allowance does not consent to the disposition of the road allowance within **60** days of the date of the passing of this by-law then the Clerk shall, upon request of an abutting owner of the opposite side of the road allowance, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting road allowance at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the road closing, then the said one-half of the road allowance maybe transferred to the opposite owner for the same cost.

(b) Upon receipt of an Irrevocable Consent to the disposition of the road allowance from the adjacent owner then that portion of the road allowance maybe transferred upon registration of the by-law.
4. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Registry Office for the District of Nipissing.
5. By-Law No. 2002-63 is hereby repealed due to the interruption in publication of the required notices.

READ A FIRST TIME IN OPEN COUNCIL THE 22ND DAY OF JULY, 2002.

READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF AUGUST, 2002.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 12TH DAY OF AUGUST, 2002.


MAYOR


DEPUTY CITY CLERK